The Journal OF THE House of Representatives

Number 16 **Monday, April 14, 1997**

The House was called to order by the Speaker at 1:00 p.m.

Prayer

The following prayer was offered by the Honorable Bob Brooks of Winter Park:

Almighty God, we humbly bow before you today, as the creator of the universe and the God who gives meaning to our lives. We ask for your grace and blessings on those that are ill amongst us today. We ask a special prayer for the speedy healing of Representative Tracy Stafford, who is still in the hospital. Bring him back to health quickly, that he might join us in trying to make this state one that is more pleasing to you.

We pray for our leadership, particularly for Representative Webster and Senator Jennings, but also all the Members here gathered that do the business.

Almighty Father, we look to you for guidance today as we deal with these important issues affecting the lives of many here in Florida. Please impart to us a measure of the wisdom which you gave to Solomon. And when the day is over, help us to give you the credit for whatever of good is decided here. In your name we pray. Amen.

The following Members were recorded present:

The Chair	Crady	Hill	Morse
Albright	Crist	Horan	Murman
Andrews	Culp	Jacobs	Ogles
Argenziano	Dawson-White	Jones	Peaden
Arnold	Dennis	Kelly	Posey
Bainter	Diaz de la Portilla	King	Prewitt, D.
Ball	Dockery	Kosmas	Pruitt, K.
Betancourt	Edwards	Lacasa	Putnam
Bitner	Effman	Laurent	Rayson
Bloom	Fasano	Lawson	Ritchie
Boyd	Feeney	Lippman	Ritter
Bradley	Fischer	Littlefield	Roberts-Burke
Brennan	Frankel	Livingston	Rojas
Bronson	Fuller	Logan	Safley
Brooks	Futch	Lynn	Sanderson
Bullard	Garcia	Mackenzie	Saunders
Burroughs	Gay	Mackey	Sembler
Bush	Geller	Martinez	Silver
Byrd	Goode	Maygarden	Sindler
Carlton	Greene	Meek	Smith
Casey	Hafner	Melvin	Spratt
Chestnut	Harrington	Merchant	Stabins
Constantine	Healey	Miller	Starks
Cosgrove	Heyman	Morroni	Sublette
Thrasher	Valdes	Warner	Wiles
Tobin	Villalobos	Wasserman Schultz	Wise
Trovillion	Wallace	Westbrook	Ziebarth
Turnbull			

(A list of excused Members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The Members, led by Margaret Bichler, Ryan Duffy, Robert J. Posey, and Kevin J. Posey, pledged allegiance to the Flag. Margaret Bichler of Wabasso served at the invitation of Rep. Sembler. Ryan Duffy of Port Charlotte served at the invitation of Rep. Bitner. Robert J. Posey and Kevin J. Posey of Rockledge served at the invitation of their uncle, Rep. Posey.

House Physician

The Speaker introduced Dr. Charles Montgomery of Naples, who served in the Clinic today upon invitation of Rep. Saunders.

Correction of the *Journal*

The *Journal* of April 11 was corrected and approved as corrected.

The *Journal* of April 9 was further corrected as follows: On page 467, column 1, in Substitute Amendment 13 to HB 1825, line 16 from the top, delete “instructional” and insert in lieu thereof: hardware

Messages from the Senate

The Honorable Daniel Webster, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1546 and CS for SB 1992, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Education and Senator Horne—

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

—was read the first time by title and referred to the Committee(s) on Education Innovation.

By the Committee on Education and Senators Jenne and Dyer—

CS for SB 1992—A bill to be entitled An act relating to education; amending s. 24.121, F.S.; prescribing guidelines for expenditure of

lottery funds allocated to public schools; amending s. 229.58, F.S.; revising provisions relating to the establishment of school advisory councils; providing an effective date.

—was read the first time by title and referred to the Committee(s) on Education Innovation.

The Honorable Daniel Webster, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS/HB 541, with amendment, and requests the concurrence of the House.

Faye W. Blanton, Secretary

CS/HB 541—A bill to be entitled An act relating to the management and regulation of financial institutions; amending s. 280.02, F.S.; revising a definition; amending s. 655.005, F.S.; revising definitions; amending s. 655.0322, F.S.; applying prohibited acts and practices provisions to state or federal savings banks; providing penalties; amending s. 655.045, F.S.; deleting a report requirement; amending s. 655.41, F.S.; revising a definition; amending s. 655.414, F.S.; requiring approval by the Department of Banking and Finance for a financial entity to acquire certain financial entities; providing for a nonrefundable filing fee; deleting a requirement to file a separate application for each branch office; amending s. 658.21, F.S.; revising criteria for approval of applications; amending s. 658.23, F.S.; clarifying information required in articles of incorporation; amending s. 658.26, F.S.; providing for approval of a branch application under certain circumstances; revising provisions providing for relocation of certain offices in this state; providing a definition; amending s. 658.295, F.S.; revising certain acquisition criteria; deleting an obsolete provision; amending s. 658.2953, F.S.; correcting a threshold date reference; deleting certain requirements for notice of establishment and maintenance of a branch in this state by an out-of-state bank; revising certain filing requirements and trust powers; amending s. 658.73, F.S.; revising application fee provisions; providing for partial refund under certain circumstances; amending s. 663.06, F.S.; providing for indefinite operation of an international banking corporation; deleting temporary operation provisions; amending s. 663.12, F.S.; clarifying certain filing fee provisions; creating ss. 667.001-667.013, F.S.; providing a short title; providing definitions; providing applicability; providing for a name; providing for reorganization, merger, or consolidation; providing for conversion of certain banks or associations to capital stock savings banks; providing requirements; imposing a fee; providing powers and duties of the department under certain circumstances; providing for acquisition of assets or control of savings banks; providing criteria and requirements; specifying powers of savings banks; providing for loans and loan expenses; providing for dealing with successors in interest; providing for foreign savings banks; amending s. 737.101, F.S.; clarifying application of principal place of administration provisions to certain trusts; exempting certain financial institutions resulting from an interstate merger transaction from certain prohibitions; providing for future repeal; repealing s. 658.295(6)(e), F.S., relating to certain notice of acquisitions; providing effective dates.

Senate Amendment 1 (with title amendment)—On page 48, between lines 2 and 3, insert:

Section 17. Subsection (1) of section 280.03, Florida Statutes, 1996 Supplement, is amended to read:

280.03 Public deposits to be secured; exceptions.—

(1)*(a)* All public deposits shall be secured as provided in this chapter. *Notwithstanding the provisions of any other law, a public deposit as defined in s. 280.02(13) may be deposited in a qualified public depository as defined in s. 280.02(16).*

(b) Public funds shall not be deposited directly or indirectly in negotiable certificates of deposit. Except as otherwise provided by law, no public deposit may be made except in a qualified public depository.

(Renumber subsequent sections.)

And the title is amended as follows:

On page 1, line 4, after the semicolon (;) insert: amending s. 280.03, F.S.; allowing for the deposit of state and local government funds in qualified public depositories;

On motion by Rep. Maygarden, the House concurred in Senate Amendment 1. The question recurred on the passage of CS/HB 541. The vote was:

Yeas—105

The Chair	Dawson-White	Laurent	Roberts-Burke
Albright	Diaz de la Portilla	Lawson	Safley
Andrews	Dockery	Lippman	Sanderson
Argenziano	Edwards	Littlefield	Saunders
Arnold	Effman	Livingston	Sembler
Bainter	Fasano	Logan	Silver
Ball	Feeney	Lynn	Sindler
Betancourt	Fischer	Mackenzie	Smith
Bitner	Frankel	Mackey	Spratt
Bloom	Fuller	Martinez	Stabins
Boyd	Futch	Maygarden	Starks
Bradley	Garcia	Meek	Sublette
Brennan	Gay	Melvin	Thrasher
Bronson	Goode	Merchant	Tobin
Brooks	Greene	Miller	Turnbull
Bullard	Hafner	Morroni	Valdes
Burroughs	Harrington	Morse	Villalobos
Bush	Healey	Murman	Wallace
Byrd	Heyman	Ogles	Warner
Carlton	Hill	Peaden	Wasserman Schultz
Casey	Horan	Posey	Westbrook
Chestnut	Jacobs	Prewitt, D.	Wiles
Constantine	Jones	Pruitt, K.	Wise
Cosgrove	Kelly	Putnam	Ziebarth
Crady	King	Rayson	
Crist	Kosmas	Ritchie	
Culp	Lacasa	Ritter	

Nays—None

Votes after roll call:
Yeas—Crow, Dennis, Minton, Trovillion

So the bill passed, as amended by the Senate amendment. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

Motions Relating to Committee References

On motion by Rep. Constantine, agreed to by two-thirds vote, HB 1167 was withdrawn from the Committee on Governmental Operations and placed on the Consent Calendar, pending objection.

On motion by Rep. Littlefield, agreed to by two-thirds vote, CS/HB 349 was withdrawn from the Committee on Financial Services and remains referred to the Committee on Health & Human Services Appropriations.

Suspension of the Rules for Committee Meetings and Bills

On motion by Rep. Starks, Chair, the rules were suspended and the Committee on Finance & Taxation was given permission to add PCB FT 97-10 to the agenda for its meeting Tuesday, April 15, at 1:00 p.m., in Morris Hall.

Motions Relating to Committee References

On motion by Rep. Crist, agreed to by two-thirds vote, HB 743 was withdrawn from the Committee on Civil Justice & Claims and placed on the Consent Calendar, pending objection.

On motion by Rep. Bainter, agreed to by two-thirds vote, HB 833 was withdrawn from further consideration of the House.

On motion by Rep. Thrasher, Co-Chair of the Committee on Rules, Resolutions, & Ethics, the rules were suspended and HR 9153 was removed from the Ceremonial Resolutions Calendar.

On motion by Rep. Thrasher, Co-Chair of the Committee on Rules, Resolutions, & Ethics, the rules were suspended and HRs 9059, 9125, 9173, and 9181 were placed on the Ceremonial Resolutions Calendar.

On motion by Rep. Morroni, agreed to by two-thirds vote, HB 457 was withdrawn from further consideration of the House.

On motion by Rep. D. Prewitt, agreed to by two-thirds vote, HB 1295 was withdrawn from further consideration of the House.

On motion by Rep. Peaden, agreed to by two-thirds vote, HB 1313 was withdrawn from further consideration of the House.

Daily Folder

General Calendar

Bills and Joint Resolutions on Third Reading

HB 1817—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1997, and ending June 30, 1998, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—110

The Chair	Dawson-White	Kosmas	Ritter
Albright	Dennis	Lacasa	Roberts-Burke
Andrews	Diaz de la Portilla	Laurent	Rojas
Argenziano	Dockery	Lawson	Safley
Arnold	Edwards	Lippman	Sanderson
Bainter	Effman	Littlefield	Saunders
Ball	Eggelletion	Livingston	Sembler
Barreiro	Fasano	Logan	Silver
Betancourt	Feeney	Lynn	Sindler
Bitner	Fischer	Mackenzie	Smith
Bloom	Frankel	Mackey	Spratt
Boyd	Fuller	Martinez	Stabins
Bradley	Futch	Maygarden	Starks
Brennan	Garcia	Meek	Sublette
Bronson	Gay	Melvin	Thrasher
Brooks	Geller	Merchant	Tobin
Bullard	Goode	Miller	Trovillion
Burroughs	Greene	Morroni	Turnbull
Bush	Hafner	Morse	Valdes
Byrd	Harrington	Murman	Villalobos
Carlton	Healey	Ogles	Warner
Casey	Heyman	Peaden	Wasserman Schultz
Chestnut	Hill	Posey	Westbrook
Constantine	Horan	Prewitt, D.	Wiles
Cosgrove	Jacobs	Pruitt, K.	Wise
Crady	Jones	Putnam	Ziebarth
Crist	Kelly	Rayson	
Culp	King	Ritchie	

Nays—1

Wallace

Votes after roll call:
Yeas—Crow, Minton
Nays—Brown

So the bill passed, as amended, and was certified to the Senate.

HB 1819—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1997, and ending June 30, 1998, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—111

The Chair	Crist	Kelly	Ritchie
Albright	Culp	King	Ritter
Andrews	Dawson-White	Kosmas	Roberts-Burke
Argenziano	Dennis	Lacasa	Rojas
Arnall	Diaz de la Portilla	Laurent	Safley
Arnold	Dockery	Lawson	Sanderson
Bainter	Edwards	Lippman	Saunders
Ball	Effman	Littlefield	Sembler
Barreiro	Eggelletion	Livingston	Silver
Betancourt	Fasano	Logan	Sindler
Bitner	Feeney	Lynn	Smith
Bloom	Fischer	Mackenzie	Spratt
Boyd	Frankel	Mackey	Stabins
Bradley	Fuller	Martinez	Starks
Brennan	Futch	Maygarden	Sublette
Bronson	Garcia	Meek	Thrasher
Brooks	Gay	Melvin	Tobin
Brown	Geller	Merchant	Trovillion
Bullard	Goode	Miller	Turnbull
Burroughs	Greene	Morroni	Valdes
Bush	Hafner	Morse	Villalobos
Byrd	Harrington	Murman	Warner
Carlton	Healey	Ogles	Wasserman Schultz
Casey	Heyman	Peaden	Westbrook
Chestnut	Hill	Posey	Wiles
Constantine	Horan	Prewitt, D.	Wise
Cosgrove	Jacobs	Pruitt, K.	Ziebarth
Crady	Jones	Putnam	

Nays—1

Wallace

Votes after roll call:
Yeas—Crow, Minton, Rayson

So the bill passed, as amended, and was certified to the Senate.

HB 1821—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1997, and ending June 30, 1998, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—107

Albright	Burroughs	Feeney	Kelly
Andrews	Bush	Fischer	King
Argenziano	Byrd	Frankel	Kosmas
Arnall	Carlton	Fuller	Lacasa
Arnold	Casey	Futch	Laurent
Bainter	Chestnut	Garcia	Lawson
Ball	Constantine	Gay	Lippman
Barreiro	Cosgrove	Geller	Littlefield
Betancourt	Crady	Goode	Livingston
Bitner	Crist	Greene	Logan
Bloom	Culp	Hafner	Lynn
Boyd	Dawson-White	Harrington	Mackenzie
Bradley	Dennis	Healey	Mackey
Brennan	Dockery	Heyman	Martinez
Bronson	Edwards	Hill	Maygarden
Brooks	Effman	Horan	Meek
Brown	Eggelletion	Jacobs	Melvin
Bullard	Fasano	Jones	Merchant

Miller	Rayson	Sindler	Turnbull
Morroni	Ritchie	Smith	Valdes
Morse	Ritter	Spratt	Villalobos
Murman	Roberts-Burke	Stabins	Wasserman Schultz
Ogles	Safley	Starks	Westbrook
Peaden	Sanderson	Sublette	Wiles
Prewitt, D.	Saunders	Thrasher	Wise
Pruitt, K.	Sembler	Tobin	Ziebarth
Putnam	Silver	Trovillion	

Nays—5

Diaz de la Portilla	Rojas	Wallace	Warner
Posey			

Votes after roll call:
Yeas—Crow, Minton
Nays to Yeas—Posey, Warner

So the bill passed, as amended, and was certified to the Senate.

Explanation of Vote

The Appropriations Act as a public policy statement should demand the greatest scrutiny of all in light of our five guiding principles.

Less Government—There is $2,214 million more government in this budget than last year. This constitutes a 5.5 percent increase in growth of government programs.

Less Taxes—There is no tax relief in this budget. Each and every Floridian will pay $150 more per capita for government growth in the next fiscal year.

More Freedom—Floridians will have $2,214 million less disposable income. This is less money with which to promote their own welfare.

More Individual Responsibility—To the extent we are requiring each individual to pay $150 more for the excesses of government spending, it would seem we are promoting a type of government induced "rugged individualism." More governmental fiscal responsibility could reduce this burden.

Family Empowerment—Florida's budget will grow by 5.5 percent, yet, Florida's household income grew only 1.5 percent last year. A family of four will pay $600 for more government this year.

I do not feel this Appropriations Act sufficiently meets the five principles by which we measure legislation. Therefore, I did not vote for approval.

Rep. Rob Wallace
District 47

HB 1823—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1997, and ending June 30, 1998, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—113

The Chair	Boyd	Chestnut	Effman
Albright	Bradley	Constantine	Eggelletion
Andrews	Brennan	Cosgrove	Fasano
Argenziano	Bronson	Crady	Feeney
Arnall	Brooks	Crist	Fischer
Arnold	Brown	Crow	Frankel
Bainter	Bullard	Culp	Fuller
Ball	Burroughs	Dawson-White	Futch
Barreiro	Bush	Dennis	Garcia
Betancourt	Byrd	Diaz de la Portilla	Gay
Bitner	Carlton	Dockery	Geller
Bloom	Casey	Edwards	Goode
Greene	Livingston	Prewitt, D.	Starks
Hafner	Logan	Pruitt, K.	Sublette
Harrington	Lynn	Putnam	Thrasher
Healey	Mackenzie	Rayson	Tobin
Heyman	Mackey	Ritchie	Trovillion
Hill	Martinez	Ritter	Turnbull
Horan	Maygarden	Roberts-Burke	Valdes
Jacobs	Meek	Rojas	Villalobos
Jones	Melvin	Safley	Warner
Kelly	Merchant	Sanderson	Wasserman Schultz
King	Miller	Saunders	Westbrook
Kosmas	Morroni	Sembler	Wiles
Lacasa	Morse	Silver	Wise
Laurent	Murman	Sindler	Ziebarth
Lawson	Ogles	Smith	
Lippman	Peaden	Spratt	
Littlefield	Posey	Stabins	

Nays—1

Wallace

Votes after roll call:
Yeas—Minton

So the bill passed, as amended, and was certified to the Senate.

HB 1825—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1997, and ending June 30, 1998, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—112

The Chair	Crist	Kelly	Rayson
Albright	Crow	King	Ritchie
Andrews	Culp	Kosmas	Ritter
Argenziano	Dawson-White	Lacasa	Roberts-Burke
Arnall	Dennis	Laurent	Rojas
Arnold	Diaz de la Portilla	Lawson	Safley
Bainter	Dockery	Lippman	Sanderson
Ball	Effman	Littlefield	Saunders
Barreiro	Eggelletion	Livingston	Sembler
Betancourt	Fasano	Logan	Silver
Bitner	Feeney	Lynn	Sindler
Bloom	Fischer	Mackenzie	Smith
Boyd	Frankel	Mackey	Spratt
Bradley	Fuller	Martinez	Stabins
Brennan	Futch	Maygarden	Starks
Bronson	Garcia	Meek	Sublette
Brooks	Gay	Melvin	Thrasher
Brown	Geller	Merchant	Tobin
Bullard	Goode	Miller	Trovillion
Burroughs	Greene	Morroni	Turnbull
Bush	Hafner	Morse	Valdes
Byrd	Harrington	Murman	Villalobos
Carlton	Healey	Ogles	Warner
Casey	Heyman	Peaden	Wasserman Schultz
Chestnut	Hill	Posey	Westbrook
Constantine	Horan	Prewitt, D.	Wiles
Cosgrove	Jacobs	Pruitt, K.	Wise
Crady	Jones	Putnam	Ziebarth

Nays—1

Wallace

Votes after roll call:
Yeas—Minton

So the bill passed, as amended, and was certified to the Senate.

Explanation of Vote

I am voting for HB 1825, the Education Appropriations bill, but I object to the approximate 7.1 percent tuition increase(s) contained therein, which I do not have the opportunity to vote against separately.

Rep. Bill Posey
District 32

HB 1827—A bill to be entitled An act relating to implementing the fiscal year 1997-1998 General Appropriations Act in the area of criminal justice; providing legislative intent; providing the Florida Department of Law Enforcement performance-based program budgeting incentives consistent with s. 216.163, F.S., relating to the Governor's recommended budget; providing for future repeal; amending s. 216.301, F.S.; providing for appropriation of certain unexpended and unobligated balances of the Supreme Court and the district courts of appeal; providing for future repeal; providing severability; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—112

The Chair	Crow	King	Ritchie
Albright	Culp	Kosmas	Ritter
Andrews	Dawson-White	Lacasa	Roberts-Burke
Argenziano	Dennis	Laurent	Rojas
Arnall	Diaz de la Portilla	Lawson	Safley
Arnold	Dockery	Lippman	Sanderson
Bainter	Effman	Littlefield	Saunders
Ball	Eggelletion	Livingston	Sembler
Barreiro	Fasano	Logan	Silver
Betancourt	Feeney	Lynn	Sindler
Bitner	Fischer	Mackenzie	Smith
Bloom	Frankel	Mackey	Spratt
Boyd	Fuller	Martinez	Stabins
Bradley	Futch	Maygarden	Starks
Brennan	Garcia	Meek	Sublette
Bronson	Gay	Melvin	Thrasher
Brooks	Geller	Merchant	Tobin
Brown	Goode	Miller	Trovillion
Bullard	Greene	Morroni	Turnbull
Burroughs	Hafner	Morse	Valdes
Bush	Harrington	Murman	Villalobos
Byrd	Healey	Ogles	Wallace
Carlton	Heyman	Peaden	Warner
Casey	Hill	Posey	Wasserman Schultz
Chestnut	Horan	Prewitt, D.	Westbrook
Cosgrove	Jacobs	Pruitt, K.	Wiles
Crady	Jones	Putnam	Wise
Crist	Kelly	Rayson	Ziebarth

Nays—None

Votes after roll call:
Yeas—Minton, Constantine

So the bill passed and was certified to the Senate.

HB 1829—A bill to be entitled An act relating to implementing the fiscal year 1997-1998 General Appropriations Act in the area of transportation and economic development; providing legislative intent; amending s. 15.09, F.S.; authorizing the appropriation of funds from the Public Access Data Systems Trust Fund for the operations of the Department of State; amending s. 338.251, F.S.; authorizing a loan to the St. Lucie County Expressway Authority; providing for future repeal; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—113

The Chair	Argenziano	Bainter	Betancourt
Albright	Arnall	Ball	Bitner
Andrews	Arnold	Barreiro	Bloom
Boyd	Feeney	Livingston	Sanderson
Bradley	Fischer	Logan	Saunders
Brennan	Frankel	Lynn	Sembler
Bronson	Fuller	Mackenzie	Silver
Brooks	Futch	Mackey	Sindler
Brown	Garcia	Martinez	Smith
Bullard	Gay	Maygarden	Spratt
Burroughs	Geller	Meek	Stabins
Bush	Goode	Melvin	Starks
Byrd	Greene	Merchant	Sublette
Carlton	Hafner	Miller	Thrasher
Casey	Harrington	Morroni	Tobin
Chestnut	Healey	Morse	Trovillion
Constantine	Heyman	Murman	Turnbull
Cosgrove	Hill	Ogles	Valdes
Crady	Horan	Peaden	Villalobos
Crist	Jacobs	Posey	Wallace
Crow	Jones	Prewitt, D.	Warner
Culp	Kelly	Pruitt, K.	Wasserman Schultz
Dawson-White	King	Putnam	Westbrook
Dennis	Kosmas	Rayson	Wiles
Diaz de la Portilla	Lacasa	Ritchie	Wise
Dockery	Laurent	Ritter	Ziebarth
Effman	Lawson	Roberts-Burke	
Eggelletion	Lippman	Rojas	
Fasano	Littlefield	Safley	

Nays—None

Votes after roll call:
Yeas—Minton

So the bill passed, as amended, and was certified to the Senate.

HB 1831—A bill to be entitled An act relating to implementing the fiscal year 1997-1998 General Appropriations Act in the area of general government; providing legislative intent; amending s. 372.672, F.S.; authorizing the appropriation of certain funds from the Florida Panther Research and Management Trust Fund to reimburse certain expenses relating to Texas cougars originally purchased as part of the Florida panther research and management program; providing for future repeal; amending s. 259.032, F.S.; authorizing the appropriation of certain funds in the Conservation and Recreation Lands Trust Fund for outdoor-recreation grants; providing for future repeal; amending s. 376.11, F.S.; authorizing the transfer of certain funds from the Florida Coastal Protection Trust Fund to the Ecosystem Management and Restoration Trust Fund to fund beach inlet protection; amending s. 259.032, F.S.,; authorizing payment in lieu of taxes from the Conservation and Recreation Lands Trust Fund to counties with privately-owned and operated prisons leased to the state under certain circumstances; providing for future repeal; providing severability; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—112

The Chair	Bronson	Dawson-White	Goode
Albright	Brooks	Dennis	Greene
Andrews	Brown	Diaz de la Portilla	Hafner
Argenziano	Bullard	Dockery	Harrington
Arnall	Burroughs	Effman	Healey
Arnold	Bush	Eggelletion	Heyman
Bainter	Byrd	Fasano	Hill
Ball	Carlton	Feeney	Horan
Barreiro	Casey	Fischer	Jacobs
Betancourt	Chestnut	Frankel	Jones
Bitner	Constantine	Fuller	Kelly
Bloom	Cosgrove	Futch	King
Boyd	Crady	Garcia	Kosmas
Bradley	Crow	Gay	Lacasa
Brennan	Culp	Geller	Laurent

Lawson	Miller	Roberts-Burke	Thrasher
Lippman	Morroni	Rojas	Tobin
Littlefield	Morse	Safley	Trovillion
Livingston	Murman	Sanderson	Turnbull
Logan	Ogles	Saunders	Valdes
Lynn	Peaden	Sembler	Villalobos
Mackenzie	Posey	Silver	Wallace
Mackey	Prewitt, D.	Sindler	Warner
Martinez	Pruitt, K.	Smith	Wasserman Schultz
Maygarden	Putnam	Spratt	Westbrook
Meek	Rayson	Stabins	Wiles
Melvin	Ritchie	Starks	Wise
Merchant	Ritter	Sublette	Ziebarth

Nays—None

Votes after roll call:
Yeas—Crist, Minton

So the bill passed, as amended, and was certified to the Senate.

HB 1835—A bill to be entitled An act relating to general government; amending s. 372.672, F.S.; clarifying uses of funds in the Florida Panther Research and Management Trust Fund; amending s. 259.101, F.S., relating to the Florida Preservation 2000 Act; providing funds for the purchase of lands necessary to restore Lake Apopka; amending s. 376.11, F.S.; clarifying uses of funds in the Florida Coastal Protection Trust Fund; amending s. 206.606, F.S.; providing for transfer of certain funds each fiscal year to the water management districts for aquatic plant management; amending ss. 369.20, 369.22, 369.25, 369.251, and 369.252, F.S.; transferring authority for aquatic plant control from the Department of Environmental Protection to the water management districts; amending ss. 403.813, 581.145, and 597.004, F.S., to conform; amending s. 253.783, F.S.; eliminating a provision prohibiting use of general revenue funds to repay interest owed to counties of the Cross Florida Barge Canal Navigation District; amending s. 61.1812, F.S.; revising funding and uses of the Child Support Incentive Trust Fund; repealing part III of chapter 585, F.S., relating to animal and animal product inspection and labeling; repealing s. 205.1951, F.S., relating to prerequisites to issuing a local occupational license, to conform; amending ss. 570.50 and 570.51, F.S., relating to duties of the Division of Food Safety, to conform; repealing ss. 828.22-828.26, F.S., relating to humane slaughter requirements; amending ss. 877.05 and 877.06, F.S., relating to criminal prohibitions applicable to certain slaughtering, to conform; amending s. 215.3206, F.S.; prohibiting encumbrance of funds in a terminated trust fund; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—113

The Chair	Byrd	Futch	Littlefield
Albright	Carlton	Garcia	Livingston
Andrews	Casey	Gay	Logan
Argenziano	Chestnut	Geller	Lynn
Arnall	Constantine	Goode	Mackenzie
Arnold	Cosgrove	Greene	Mackey
Bainter	Crady	Hafner	Martinez
Ball	Crist	Harrington	Maygarden
Barreiro	Crow	Healey	Meek
Betancourt	Culp	Heyman	Melvin
Bitner	Dawson-White	Hill	Merchant
Bloom	Dennis	Horan	Miller
Boyd	Diaz de la Portilla	Jacobs	Morroni
Bradley	Dockery	Jones	Morse
Brennan	Effman	Kelly	Murman
Bronson	Eggelletion	King	Ogles
Brooks	Fasano	Kosmas	Peaden
Brown	Feeney	Lacasa	Posey
Bullard	Fischer	Laurent	Prewitt, D.
Burroughs	Frankel	Lawson	Pruitt, K.
Bush	Fuller	Lippman	Putnam
Rayson	Sembler	Thrasher	Wasserman Schultz
Ritchie	Silver	Tobin	Westbrook
Ritter	Sindler	Trovillion	Wiles
Roberts-Burke	Smith	Turnbull	Wise
Rojas	Spratt	Valdes	Ziebarth
Safley	Stabins	Villalobos	
Sanderson	Starks	Wallace	
Saunders	Sublette	Warner	

Nays—None

Votes after roll call:
Yeas—Minton

So the bill passed, as amended, and was certified to the Senate.

HB 1833—A bill to be entitled An act relating to implementing the fiscal year 1997-1998 General Appropriations Act in the area of health and human services; providing legislative intent; amending s. 216.292, F.S.; authorizing the Department of Children and Family Services and the Agency for Health Care Administration to transfer general revenue funds between them; providing for future repeal; eliminating a provision authorizing the Department of Children and Family Services to transfer general revenue funds to the Department of Revenue for child support enforcement; eliminating a provision authorizing the Agency for Health Care Administration to transfer general revenue funds and appropriate trust funds to the Department of Elderly Affairs for administrative support to implement the managed long-term care waiver; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; providing for future repeal; amending s. 5, ch. 96-420, Laws of Florida; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 1997-1998 for qualifying hospitals; providing for future repeal; amending s. 409.9116, F.S.; altering the formula for rural hospital disproportionate share payments; providing for future repeal; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; providing for future repeal; amending s. 624.91, F.S.; authorizing appropriation of funds to the Florida Healthy Kids Corporation to facilitate the provision of preventive health care services to children at certain sites; providing for future repeal; amending s. 10, ch. 96-420, Laws of Florida; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; providing for future repeal; providing severability; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—111

The Chair	Bush	Fuller	Lawson
Albright	Byrd	Futch	Lippman
Andrews	Carlton	Garcia	Littlefield
Argenziano	Casey	Gay	Livingston
Arnall	Chestnut	Geller	Logan
Arnold	Constantine	Goode	Lynn
Bainter	Crady	Greene	Mackenzie
Ball	Crist	Hafner	Mackey
Barreiro	Crow	Harrington	Martinez
Betancourt	Culp	Healey	Maygarden
Bitner	Dawson-White	Heyman	Meek
Bloom	Dennis	Hill	Melvin
Boyd	Diaz de la Portilla	Horan	Merchant
Bradley	Dockery	Jacobs	Miller
Brennan	Effman	Jones	Morroni
Bronson	Eggelletion	Kelly	Morse
Brooks	Fasano	King	Murman
Brown	Feeney	Kosmas	Ogles
Bullard	Fischer	Lacasa	Peaden
Burroughs	Frankel	Laurent	Posey

Prewitt, D.	Safley	Starks	Wallace
Pruitt, K.	Sanderson	Sublette	Warner
Putnam	Saunders	Thrasher	Wasserman Schultz
Rayson	Silver	Tobin	Westbrook
Ritchie	Sindler	Trovillion	Wiles
Ritter	Smith	Turnbull	Wise
Roberts-Burke	Spratt	Valdes	Ziebarth
Rojas	Stabins	Villalobos	

Nays—None

Votes after roll call:
Yeas—Minton, Sembler

So the bill passed, as amended, and was certified to the Senate.

HB 1837—A bill to be entitled An act relating to health and human services; amending s. 945.602, F.S.; providing for assignment of the State of Florida Correctional Medical Authority to the Department of Health for administrative purposes; transferring to the department powers and duties of the State of Florida Correctional Medical Authority; transferring the Child Care Food Program from the Department of Education to the Department of Health and providing for hiring preferences; requiring the Department of Children and Family Services to develop individual transition plans for clients affected by the transition from Intermediate Care Facility for Developmentally Disabled funding to non-institutional funding; requiring a report; requiring the Department of Children and Family Services to immediately notify the Legislature and develop a spending plan if judicial decisions are continued or rendered which the Department feels will require expenditures in excess of the amount appropriated to Developmental Services; providing for future repeal; providing for privatization of the South Florida State Hospital and providing for hiring preferences; creating s. 409.9127, F.S.; requiring the Agency for Health Care Administration to develop and enforce standards to prohibit conflicts of interest among vendors selected to provide preauthorization and concurrent utilization review management services; authorizing the Department of Children and Family Services to certify local funds as state match for certain children's mental health services and for eligible Title IV-E services for certain children; requiring pass-through of funds to local jurisdictions; prohibiting reduction of certain general revenue funds; authorizing the Agency for Health Care Administration to apply for certain federal waivers if local funds are sufficient for state match; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—111

The Chair	Chestnut	Hafner	Meek
Albright	Constantine	Harrington	Melvin
Andrews	Cosgrove	Healey	Merchant
Argenziano	Crady	Heyman	Miller
Arnall	Crist	Hill	Morroni
Arnold	Crow	Horan	Morse
Bainter	Culp	Jacobs	Murman
Ball	Dawson-White	Jones	Ogles
Barreiro	Dennis	Kelly	Peaden
Betancourt	Diaz de la Portilla	King	Posey
Bitner	Dockery	Kosmas	Prewitt, D.
Bloom	Eggelletion	Lacasa	Pruitt, K.
Boyd	Fasano	Laurent	Putnam
Bradley	Feeney	Lawson	Rayson
Brennan	Fischer	Lippman	Ritchie
Bronson	Frankel	Littlefield	Ritter
Brown	Fuller	Livingston	Roberts-Burke
Bullard	Futch	Logan	Rojas
Burroughs	Garcia	Lynn	Safley
Bush	Gay	Mackenzie	Sanderson
Byrd	Geller	Mackey	Saunders
Carlton	Goode	Martinez	Sembler
Casey	Greene	Maygarden	Silver
Sindler	Sublette	Valdes	Westbrook
Smith	Thrasher	Villalobos	Wiles
Spratt	Tobin	Wallace	Wise
Stabins	Trovillion	Warner	Ziebarth
Starks	Turnbull	Wasserman Schultz	

Nays—None

Votes after roll call:
Yeas—Brooks, Minton

So the bill passed, as amended, and was certified to the Senate.

HB 1839—A bill to be entitled An act relating to education finance; providing purposes of the act; providing for a revised funding model for exceptional student education programs and specifying use of a matrix of services; providing for review of delivery of services; providing for rules; providing funding requirements; amending s. 236.078, F.S.; conforming provisions; creating s. 236.08011, F.S.; providing for a Florida Education Finance Program for kindergarten through grade 12 and a Florida Education Finance Program for adults; providing for separate calculation and appropriation; amending s. 236.081, F.S., relating to funds for operation of schools; revising provisions to provide for annual allocations to school districts for the K-12 Florida Education Finance Program and the adult Florida Education Finance Program; requiring the Commissioner of Education to specify a matrix of services and intensity levels for exceptional student education; revising program categories; revising provisions relating to calculation of each school district's student enrollment; providing a requirement relating to the computation of district required local effort; conforming provisions; amending s. 236.083, F.S.; authorizing the transfer of certain funds for student transportation; correcting a cross reference; amending s. 237.34, F.S.; revising provisions relating to cost accounting and reporting and program expenditure requirements; amending ss. 230.2305, 236.25, 236.602, 239.301, and 240.1161, F.S.; correcting cross references and conforming and clarifying language; amending s. 240.209, F.S., relating to Board of Regents' powers and duties; providing performance measures for program reviews; providing budget requirements and requiring documentation; amending s. 240.605, F.S., relating to Florida resident access grants; revising funding provisions; directing the State Board of Community Colleges and the Board of Regents to analyze the expenditure of PECO funds in order to reduce excessive costs; requiring the development of cost standards for facilities; requiring a report; amending s. 216.301, F.S., relating to the disposition of certain unspent appropriations of the Department of Education; amending s. 240.632, F.S.; providing that the Florida Martin Luther King, Jr., Institute for Nonviolence shall be a nonprofit corporation; specifying the mission of the institute; providing that certain provisions of law apply to the institute; revising membership of the institute; amending s. 240.631, F.S.; revising a definition, to conform; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—112

The Chair	Brown	Dockery	Heyman
Albright	Bullard	Effman	Hill
Andrews	Burroughs	Eggelletion	Horan
Argenziano	Bush	Fasano	Jacobs
Arnall	Byrd	Feeney	Jones
Arnold	Carlton	Fischer	Kelly
Bainter	Casey	Frankel	King
Ball	Chestnut	Fuller	Kosmas
Barreiro	Constantine	Futch	Lacasa
Betancourt	Cosgrove	Garcia	Laurent
Bitner	Crady	Gay	Lawson
Bloom	Crist	Geller	Lippman
Boyd	Crow	Goode	Littlefield
Bradley	Culp	Greene	Livingston
Brennan	Dawson-White	Hafner	Logan
Bronson	Dennis	Harrington	Lynn
Brooks	Diaz de la Portilla	Healey	Mackenzie

Mackey	Posey	Saunders	Trovillion
Martinez	Prewitt, D.	Sembler	Turnbull
Maygarden	Pruitt, K.	Silver	Valdes
Meek	Putnam	Sindler	Villalobos
Melvin	Rayson	Smith	Wallace
Merchant	Ritchie	Spratt	Warner
Miller	Ritter	Stabins	Wasserman Schultz
Morroni	Roberts-Burke	Starks	Westbrook
Morse	Rojas	Sublette	Wiles
Murman	Safley	Thrasher	Wise
Peaden	Sanderson	Tobin	Ziebarth

Nays—None

Votes after roll call:
Yeas—Minton, Ogles

So the bill passed, as amended, and was certified to the Senate.

CS for SB 340—A bill to be entitled An act relating to school district personnel; amending s. 230.23, F.S.; requiring the school board to keep records of employee contractual status, termination and nonrenewal; amending s. 231.29, F.S.; revising performance assessments of school district instructional staff; requiring notice of unsatisfactory performance; requiring corrective action; providing for hearings; specifying district school board authority; requiring certain evaluations; amending s. 231.36, F.S.; revising contracts for school district instructional staff; specifying a probationary period; requiring performance assessments; providing for dismissal; providing for a hearing before the school board following dismissal or contract nonrenewal; specifying burden of proof; requiring a probationary period for certain administrative staff; restricting issuance of professional service contracts; applying new performance assessment and appeal procedures upon renewal of a professional service contract; amending s. 231.3605, F.S., relating to educational support employees; limiting probationary status to employees hired before a certain date; permitting annual and multi-year contracts for employees hired after a certain date; providing for dismissal; providing for appeals; providing that this act supersedes local laws; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—110

The Chair	Crady	Jacobs	Prewitt, D.
Albright	Crist	Jones	Pruitt, K.
Argenziano	Crow	Kelly	Putnam
Arnall	Culp	King	Rayson
Arnold	Dawson-White	Kosmas	Ritchie
Bainter	Dennis	Lacasa	Ritter
Ball	Dockery	Laurent	Roberts-Burke
Barreiro	Effman	Lawson	Rojas
Betancourt	Eggelletion	Lippman	Safley
Bitner	Fasano	Littlefield	Sanderson
Bloom	Feeney	Livingston	Saunders
Boyd	Fischer	Logan	Sembler
Bradley	Frankel	Lynn	Silver
Brennan	Fuller	Mackenzie	Sindler
Bronson	Futch	Mackey	Smith
Brooks	Garcia	Maygarden	Spratt
Brown	Gay	Meek	Stabins
Bullard	Geller	Melvin	Starks
Burroughs	Goode	Merchant	Sublette
Bush	Greene	Miller	Thrasher
Byrd	Hafner	Morroni	Tobin
Carlton	Harrington	Morse	Trovillion
Casey	Healey	Murman	Turnbull
Chestnut	Heyman	Ogles	Valdes
Constantine	Hill	Peaden	Villalobos
Cosgrove	Horan	Posey	Wallace
Warner	Westbrook	Wise	Ziebarth
Wasserman Schultz	Wiles		

Nays—None

Votes after roll call:
Yeas—Andrews, Minton

So the bill passed, as amended, and was certified to the Senate.

HB 627—A bill to be entitled An act relating to community redevelopment and neighborhood improvement; amending s. 163.340, F.S.; including the reduction or prevention of crime within community redevelopment activities under the Community Redevelopment Act of 1969 and defining "community policing innovation"; amending ss. 163.345, 163.350, 163.356, 163.358, 163.360, 163.361, 163.370, 163.380 and 163.387, F.S.; including the development and implementation of community policing innovations in provisions relating to the encouragement of private enterprise participation in redevelopment, elements of the workable program, exercise of powers under the act, and elements of the community redevelopment plan; authorizing the county or municipality to appropriate funds for community policing innovations; authorizing use of moneys in the redevelopment trust fund for community policing innovations; providing an additional requirement for acquisition of land for nonresidential uses; subject to specified conditions, authorizing a county, municipality, or community redevelopment agency to acquire and dispose of certain properties immediately adjacent to existing projects without complying with specified disposition procedures; amending ss. 163.502, 163.503, 163.506, 163.511, 163.512, 163.513, 163.514, 163.516, 163.519, and 163.521, F.S.; including crime prevention through development and implementation of community policing innovations in powers of neighborhood improvement districts under the Safe Neighborhoods Act; authorizing use of special assessments for community policing innovations; including community policing innovations within safe neighborhood improvement plans; providing duties of the Department of Legal Affairs with respect to community policing innovations; including capital improvements related to community policing innovations in provisions which authorize certain local governments to request state funding for certain capital improvements; creating s. 943.1729, F.S.; authorizing the Criminal Justice Standards and Training Commission to incorporate community policing concepts into law enforcement officers' certification curriculum and establish a community policing continued-employment training component for such officers; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—112

The Chair	Casey	Goode	Martinez
Albright	Chestnut	Greene	Maygarden
Andrews	Constantine	Hafner	Meek
Argenziano	Cosgrove	Harrington	Melvin
Arnall	Crady	Healey	Merchant
Arnold	Crist	Heyman	Miller
Bainter	Crow	Hill	Morroni
Ball	Culp	Horan	Morse
Barreiro	Dawson-White	Jacobs	Murman
Betancourt	Dennis	Jones	Ogles
Bitner	Diaz de la Portilla	Kelly	Peaden
Bloom	Dockery	King	Posey
Boyd	Effman	Kosmas	Prewitt, D.
Bradley	Eggelletion	Lacasa	Pruitt, K.
Brennan	Fasano	Laurent	Putnam
Bronson	Feeney	Lawson	Rayson
Brooks	Fischer	Lippman	Ritter
Brown	Frankel	Littlefield	Roberts-Burke
Bullard	Fuller	Livingston	Rojas
Burroughs	Futch	Logan	Safley
Bush	Garcia	Lynn	Sanderson
Byrd	Gay	Mackenzie	Saunders
Carlton	Geller	Mackey	Sembler

Silver	Starks	Turnbull	Wasserman Schultz
Sindler	Sublette	Valdes	Westbrook
Smith	Thrasher	Villalobos	Wiles
Spratt	Tobin	Wallace	Wise
Stabins	Trovillion	Warner	Ziebarth

Nays—None

Votes after roll call:
Yeas—Minton

So the bill passed, as amended, and was certified to the Senate.

REPRESENTATIVE CRADY IN THE CHAIR

CS/CS/HB 379—A bill to be entitled An act relating to carrying of self-defense weapons or devices; amending s. 790.001, F.S.; providing an exception for certain self-defense chemical sprays from the definition of "tear gas gun" or "chemical weapon or device"; providing a definition of "self-defense chemical spray"; amending s. 790.01, F.S., relating to carrying concealed weapons; providing that self-defense chemical sprays and nonlethal stun guns and other nonlethal electric weapons or devices may be lawfully carried in a concealed manner in certain circumstances; clarifying language; providing for construction not to preclude criminal prosecutions; amending s. 790.053, F.S., relating to open carrying of weapons; providing that self-defense chemical sprays and nonlethal stun guns and other nonlethal electric weapons or devices may be lawfully carried in an open manner in certain circumstances; clarifying language; creating s. 790.054, F.S.; defining the offense of knowingly and willfully using self-defense chemical sprays and nonlethal stun guns and other nonlethal electric weapons or devices against a law enforcement officer engaged in official duties, and providing penalties therefor; providing effective dates.

—was read the third time by title.

The Committee on Rules, Resolutions, & Ethics offered the following:

Technical Amendment 4—On page 1, line(s) 8,
remove from the bill: all of said line

and insert in lieu thereof:
chemical spray" and "remote stun gun"; amending s. 790.01, F.S.,

On page 2, line(s) 3,
remove from the bill: all of said line

and insert in lieu thereof:
are amended, subsections (15) through (17) of said section are renumbered as subsections (16) through (18), respectively, and a new subsection (15) is added to said section, to read:

And on page 2, line(s) 25,
remove from the bill: all of said line

and insert in lieu thereof:

(15) "Remote stun gun" means any nonlethal device

Rep. Bronson moved the adoption of the amendment, which was adopted.

The question recurred on the passage of CS/CS/HB 379. The vote was:

Yeas—108

Albright	Bloom	Byrd	Dennis
Andrews	Boyd	Carlton	Diaz de la Portilla
Argenziano	Bradley	Casey	Dockery
Arnall	Brennan	Chestnut	Effman
Arnold	Bronson	Constantine	Eggelletion
Bainter	Brooks	Cosgrove	Fasano
Ball	Brown	Crist	Feeney
Barreiro	Bullard	Crow	Fischer
Betancourt	Burroughs	Culp	Fuller
Bitner	Bush	Dawson-White	Futch
Garcia	Lippman	Peaden	Spratt
Gay	Littlefield	Posey	Stabins
Geller	Livingston	Prewitt, D.	Starks
Goode	Logan	Pruitt, K.	Sublette
Greene	Lynn	Putnam	Thrasher
Hafner	Mackenzie	Rayson	Tobin
Harrington	Mackey	Ritchie	Trovillion
Heyman	Martinez	Ritter	Turnbull
Hill	Maygarden	Roberts-Burke	Valdes
Horan	Meek	Rojas	Villalobos
Jacobs	Melvin	Safley	Wallace
Kelly	Merchant	Sanderson	Warner
King	Miller	Saunders	Wasserman Schultz
Kosmas	Morroni	Sembler	Westbrook
Lacasa	Morse	Silver	Wiles
Laurent	Murman	Sindler	Wise
Lawson	Ogles	Smith	Ziebarth

Nays—1

Healey

Votes after roll call:
Yeas—Minton

So the bill passed, as amended, and was certified to the Senate after engrossment.

CS for SB 788—A bill to be entitled An act relating to water resources; creating the Apalachicola-Chattahoochee-Flint River Basin Compact; providing for enactment by certain state legislatures and the United States Congress; providing purposes; providing scope; providing parties; providing definitions; providing for legal viability; creating the Apalachicola-Chattahoochee-Flint River Basin Commission; providing for appointments, organization, powers, and duties; providing for development of an allocation formula for the equitable apportionment of surface waters; providing for termination of the compact; providing for completion of certain water resource studies; providing for relationship of the compact to other laws; providing for public participation; providing for funding of the commission's operations; providing procedures for resolution of disputes; providing for enforcement actions; providing for inapplicability to other stream systems; preserving certain water-use rights within a member state; providing agreements regarding water quality; providing for effect of underuse of a state's water allocation; providing severability; providing for notice of ratifications; requiring signatures to and recording of compact; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—110

The Chair	Byrd	Garcia	Lynn
Albright	Carlton	Gay	Mackenzie
Andrews	Casey	Geller	Mackey
Argenziano	Chestnut	Goode	Martinez
Arnall	Constantine	Greene	Maygarden
Arnold	Cosgrove	Hafner	Meek
Bainter	Crist	Harrington	Melvin
Ball	Crow	Healey	Merchant
Barreiro	Culp	Hill	Miller
Betancourt	Dawson-White	Horan	Morroni
Bitner	Dennis	Jacobs	Morse
Bloom	Diaz de la Portilla	Jones	Murman
Boyd	Dockery	Kelly	Ogles
Bradley	Effman	King	Peaden
Brennan	Eggelletion	Kosmas	Posey
Bronson	Fasano	Lacasa	Prewitt, D.
Brooks	Feeney	Laurent	Pruitt, K.
Brown	Fischer	Lippman	Putnam
Bullard	Frankel	Littlefield	Rayson
Burroughs	Fuller	Livingston	Ritchie
Bush	Futch	Logan	Ritter

Roberts-Burke	Sindler	Tobin	Wasserman Schultz
Rojas	Smith	Trovillion	Westbrook
Safley	Spratt	Turnbull	Wiles
Sanderson	Stabins	Valdes	Wise
Saunders	Starks	Villalobos	Ziebarth
Sembler	Sublette	Wallace	
Silver	Thrasher	Warner	

Nays—None

Votes after roll call:
Yeas—Minton

So the bill passed and was certified to the Senate.

CS/HB 1505—A bill to be entitled An act relating to public water systems; amending s. 381.0062, F.S.; revising the definition of "public consumption"; reducing minimum fees for water systems under jurisdiction of the Department of Health; removing an annual testing requirement for an exemption from permitting for certain establishments with limited-use public water systems; providing for annual testing to retain potable water status; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—110

The Chair	Crow	Lacasa	Roberts-Burke
Albright	Culp	Laurent	Rojas
Andrews	Dawson-White	Lawson	Safley
Argenziano	Dennis	Lippman	Sanderson
Arnall	Diaz de la Portilla	Littlefield	Saunders
Arnold	Dockery	Livingston	Sembler
Bainter	Effman	Logan	Silver
Ball	Eggelletion	Lynn	Sindler
Barreiro	Fasano	Mackenzie	Smith
Betancourt	Feeney	Mackey	Spratt
Bitner	Fischer	Martinez	Stabins
Bloom	Frankel	Maygarden	Starks
Boyd	Fuller	Meek	Sublette
Bradley	Futch	Melvin	Thrasher
Brennan	Garcia	Merchant	Tobin
Bronson	Gay	Miller	Trovillion
Brooks	Geller	Morroni	Turnbull
Brown	Greene	Morse	Valdes
Bullard	Hafner	Murman	Villalobos
Burroughs	Harrington	Ogles	Wallace
Bush	Healey	Peaden	Warner
Byrd	Heyman	Posey	Wasserman Schultz
Carlton	Hill	Prewitt, D.	Westbrook
Casey	Horan	Pruitt, K.	Wiles
Chestnut	Jacobs	Putnam	Wise
Constantine	Jones	Rayson	Ziebarth
Cosgrove	King	Ritchie	
Crist	Kosmas	Ritter	

Nays—None

Votes after roll call:
Yeas—Goode, Kelly, Minton

So the bill passed, as amended, and was certified to the Senate.

HB 1139—A bill to be entitled An act relating to public records; amending s. 828.30, F.S.; providing an exemption from public records requirements for information contained in a rabies vaccination certificate; authorizing disclosure to certain public agencies and to other persons under certain conditions; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—108

The Chair	Crist	Kelly	Ritchie
Albright	Crow	King	Ritter
Andrews	Culp	Kosmas	Roberts-Burke
Argenziano	Dawson-White	Lacasa	Rojas
Arnall	Dennis	Lawson	Safley
Arnold	Diaz de la Portilla	Lippman	Sanderson
Bainter	Dockery	Littlefield	Saunders
Ball	Effman	Livingston	Sembler
Barreiro	Eggelletion	Logan	Silver
Betancourt	Fasano	Lynn	Sindler
Bitner	Feeney	Mackey	Smith
Bloom	Fischer	Martinez	Spratt
Boyd	Frankel	Maygarden	Stabins
Bradley	Fuller	Meek	Starks
Brennan	Futch	Melvin	Sublette
Bronson	Gay	Merchant	Thrasher
Brooks	Geller	Miller	Tobin
Brown	Goode	Morroni	Trovillion
Bullard	Greene	Morse	Turnbull
Burroughs	Hafner	Murman	Valdes
Bush	Harrington	Ogles	Wallace
Byrd	Healey	Peaden	Warner
Carlton	Heyman	Posey	Wasserman Schultz
Casey	Hill	Prewitt, D.	Westbrook
Chestnut	Horan	Pruitt, K.	Wiles
Constantine	Jacobs	Putnam	Wise
Cosgrove	Jones	Rayson	Ziebarth

Nays—1

Mackenzie

Votes after roll call:
Yeas—Minton

So the bill passed, as amended, and was certified to the Senate.

CS/HB 311—A bill to be entitled An act relating to the Florida Preservation 2000 Program; amending ss. 259.032 and 373.59, F.S.; revising the ad valorem tax millage that must be levied by certain counties to receive payments in lieu of taxes from funds in the Conservation and Recreation Lands Trust Fund or Water Management Lands Trust Fund for tax losses incurred as a result of acquisitions under the program; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—111

The Chair	Carlton	Geller	Mackey
Albright	Casey	Goode	Martinez
Andrews	Chestnut	Greene	Maygarden
Argenziano	Constantine	Hafner	Meek
Arnall	Cosgrove	Harrington	Melvin
Arnold	Crist	Healey	Merchant
Bainter	Crow	Heyman	Miller
Ball	Culp	Hill	Morroni
Barreiro	Dawson-White	Horan	Morse
Betancourt	Dennis	Jacobs	Murman
Bitner	Diaz de la Portilla	Jones	Ogles
Bloom	Dockery	Kelly	Peaden
Boyd	Effman	King	Posey
Bradley	Eggelletion	Kosmas	Prewitt, D.
Brennan	Fasano	Lacasa	Pruitt, K.
Bronson	Feeney	Lawson	Putnam
Brooks	Fischer	Lippman	Rayson
Brown	Frankel	Littlefield	Ritchie
Bullard	Fuller	Livingston	Ritter
Burroughs	Futch	Logan	Roberts-Burke
Bush	Garcia	Lynn	Rojas
Byrd	Gay	Mackenzie	Safley

Sanderson	Spratt	Trovillion	Wasserman Schultz
Saunders	Stabins	Turnbull	Westbrook
Sembler	Starks	Valdes	Wiles
Silver	Sublette	Villalobos	Wise
Sindler	Thrasher	Wallace	Ziebarth
Smith	Tobin	Warner	

Nays—None

Votes after roll call:
Yeas—Minton

So the bill passed, as amended, and was certified to the Senate.

THE SPEAKER IN THE CHAIR

HB 909—A bill to be entitled An act relating to weapons and firearms; providing that a nonresident who is a United States citizen may carry a concealed weapon or firearm in this state if the nonresident has attained a specified age and holds a valid license to carry a concealed weapon or firearm issued in another state; providing that a nonresident is subject to the same laws and restrictions as a licensee in Florida; providing that an out-of-state license to carry a concealed weapon or firearm remains in effect for a certain period following the date the holder of the license establishes legal residence in this state; specifying how legal residence is established; providing an effective date.

—was read the third time by title.

On motion by Rep. Crady, further consideration of HB 909 was temporarily postponed.

HB 273—A bill to be entitled An act relating to sexually transmissible diseases; amending s. 384.24, F.S., relating to unlawful acts by a person infected with a sexually transmissible disease; revising provisions prohibiting such acts; amending s. 384.34, F.S.; providing third degree felony penalties for a person who violates specified provisions prohibiting sexual intercourse by a person who has human immunodeficiency virus infection; amending s. 796.08, F.S.; revising the category of offenses constituting criminal transmission of human immunodeficiency virus infection to include the offer to commit prostitution under specified circumstances when the person offering to commit prostitution has tested positive for human immunodeficiency virus infection; providing penalties; reenacting s. 775.0877(1)(m) and (7), F.S., to incorporate said amendment to s. 796.08, F.S., in a reference; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—105

The Chair	Chestnut	Harrington	Miller
Andrews	Constantine	Healey	Minton
Argenziano	Cosgrove	Heyman	Morroni
Arnall	Crady	Hill	Morse
Arnold	Crist	Horan	Murman
Bainter	Crow	Jacobs	Ogles
Ball	Culp	Kelly	Peaden
Barreiro	Dennis	King	Posey
Betancourt	Diaz de la Portilla	Kosmas	Prewitt, D.
Bitner	Dockery	Laurent	Pruitt, K.
Bloom	Effman	Lawson	Putnam
Boyd	Eggelletion	Lippman	Rayson
Bradley	Fasano	Livingston	Ritchie
Brennan	Feeney	Logan	Ritter
Bronson	Fischer	Lynn	Roberts-Burke
Brown	Futch	Mackenzie	Rojas
Bullard	Garcia	Mackey	Safley
Burroughs	Gay	Martinez	Sanderson
Bush	Geller	Maygarden	Saunders
Byrd	Goode	Meek	Sembler
Carlton	Greene	Melvin	Silver
Casey	Hafner	Merchant	Sindler
Smith	Thrasher	Villalobos	Wise
Spratt	Tobin	Wallace	Ziebarth
Stabins	Trovillion	Warner	
Starks	Turnbull	Westbrook	
Sublette	Valdes	Wiles	

Nays—1

Dawson-White

Votes after roll call:
Yeas—Brooks, Frankel, Littlefield, Wasserman Schultz
Nays to Yeas—Dawson-White

So the bill passed and was certified to the Senate.

SB 1104—A bill to be entitled An act relating to citrus canker; amending s. 602.065, F.S.; revising disposition of funds received from the Federal Government for eradication of citrus canker; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—115

The Chair	Crist	King	Ritchie
Albright	Crow	Kosmas	Ritter
Andrews	Culp	Lacasa	Roberts-Burke
Argenziano	Dawson-White	Laurent	Rojas
Arnall	Dennis	Lawson	Safley
Arnold	Diaz de la Portilla	Lippman	Sanderson
Bainter	Dockery	Littlefield	Saunders
Ball	Effman	Livingston	Sembler
Barreiro	Eggelletion	Logan	Silver
Betancourt	Fasano	Lynn	Sindler
Bitner	Feeney	Mackenzie	Smith
Bloom	Fischer	Mackey	Spratt
Boyd	Frankel	Martinez	Stabins
Bradley	Fuller	Maygarden	Starks
Brennan	Futch	Meek	Sublette
Bronson	Garcia	Melvin	Thrasher
Brooks	Gay	Merchant	Tobin
Brown	Geller	Miller	Trovillion
Bullard	Goode	Minton	Turnbull
Burroughs	Greene	Morroni	Valdes
Bush	Hafner	Morse	Villalobos
Byrd	Harrington	Murman	Wallace
Carlton	Healey	Ogles	Warner
Casey	Heyman	Peaden	Wasserman Schultz
Chestnut	Hill	Posey	Westbrook
Clemons	Horan	Prewitt, D.	Wiles
Constantine	Jacobs	Pruitt, K.	Wise
Cosgrove	Jones	Putnam	Ziebarth
Crady	Kelly	Rayson	

Nays—None

So the bill passed and was certified to the Senate.

Justice Council Calendar

Bills and Joint Resolutions on Third Reading

CS/CS/HB 1371—A bill to be entitled An act relating to criminal justice; creating the "Prison Releasee Reoffender Punishment Act"; amending s. 775.082, F.S.; defining "prison releasee reoffender"; providing that certain reoffenders are ineligible for sentencing under the sentencing guidelines under specified circumstances when the reoffender has been released from correctional custody and, within 3 years of being released, commits treason, murder, manslaughter, sexual battery, carjacking, home-invasion robbery, robbery, arson, kidnapping, aggravated assault, aggravated battery, aggravated stalking, aircraft piracy, unlawful throwing, placing, or discharging of a destructive device or bomb, a felony involving the use or threat of physical force or violence against an individual, armed burglary, burglary of an occupied

structure or dwelling, burglary when the person has two prior felony convictions, or a felony violation of s. 790.07, F.S., relating to having weapons while engaged in criminal offense, s. 800.04, F.S., relating to lewd, lascivious, or indecent assault or act upon or in presence of child, s. 827.03, F.S., relating to abuse, aggravated abuse, or neglect of child, or s. 827.071, F.S., relating to sexual performance by a child; providing for such reoffender to be sentenced to specified mandatory minimum sentences; making such reoffender ineligible for parole, probation, or early release; providing for forfeiture by the reoffender of gain-time or other early release credits; amending s. 944.705, F.S., relating to release orientation program; requiring notice to certain released offenders by the Department of Corrections with respect to the new minimum mandatory sentencing provisions; providing for inadmissibility of certain evidence regarding departmental failure to provide such notice; amending s. 947.141, F.S.; providing for mandatory forfeiture of previously granted early release credits under specified circumstances when conditional release, control release, or conditional medical release is revoked; amending s. 948.06, F.S.; permitting a law enforcement officer to arrest a probationer or offender in community control upon probable cause that the probationer or offender has materially violated probation or community control, under specified circumstances; providing for mandatory forfeiture of previously granted early release credits under specified circumstances when probation or community control is revoked; reenacting ss. 948.01(9) and (13)(b) and 958.14, F.S., to incorporate said amendment in references; providing an effective date.

—was read the third time by title.

Motion

On motion by Rep. King, the rules were suspended and debate was limited to five minutes per side on CS/CS/HB 1371, to begin after a motion by Rep. Meek to admit a late-filed amendment.

Rep. Meek moved that, under Rule 148(h), a late-filed amendment be admitted for introduction, which was not agreed to.

On motion by Rep. Putnam, further consideration of CS/CS/HB 1371 was temporarily postponed.

Continuation of General Calendar

Bills and Joint Resolutions on Third Reading

HB 909—A bill to be entitled An act relating to weapons and firearms; providing that a nonresident who is a United States citizen may carry a concealed weapon or firearm in this state if the nonresident has attained a specified age and holds a valid license to carry a concealed weapon or firearm issued in another state; providing that a nonresident is subject to the same laws and restrictions as a licensee in Florida; providing that an out-of-state license to carry a concealed weapon or firearm remains in effect for a certain period following the date the holder of the license establishes legal residence in this state; specifying how legal residence is established; providing an effective date.

—was taken up, having been read the third time earlier today.

On motion by Rep. Crady, under Rule 148(h), the following late-filed amendment was considered.

Representative(s) Crady, Sembler, Mackey, Fasano, and Lippman offered the following:

Amendment 2—On page 2, line(s) 1-10, of the bill remove all of said lines

and insert in lieu thereof:

(3) If the resident of another state who is the holder of a valid license to carry a concealed weapon or concealed firearm issued in another state establishes legal residence in this state has registered to vote, has made a statement of domicile pursuant to s. 222.17, Florida Statutes, or has filed for homestead tax exemption on property in this state, the license shall remain in effect for 90 days following the date on which the holder of the license establishes legal state residence. The provisions of this subsection apply only to states which have reciprocity with Florida with respect to the issuance of a concealed weapon or concealed firearm permit.

Rep. Crady moved the adoption of the amendment.

On motion by Rep. Crady, further consideration of HB 909, with pending amendment, was temporarily postponed.

Continuation of Justice Council Calendar

Bills and Joint Resolutions on Third Reading

CS/CS/HB 1371—A bill to be entitled An act relating to criminal justice; creating the "Prison Releasee Reoffender Punishment Act"; amending s. 775.082, F.S.; defining "prison releasee reoffender"; providing that certain reoffenders are ineligible for sentencing under the sentencing guidelines under specified circumstances when the reoffender has been released from correctional custody and, within 3 years of being released, commits treason, murder, manslaughter, sexual battery, carjacking, home-invasion robbery, robbery, arson, kidnapping, aggravated assault, aggravated battery, aggravated stalking, aircraft piracy, unlawful throwing, placing, or discharging of a destructive device or bomb, a felony involving the use or threat of physical force or violence against an individual, armed burglary, burglary of an occupied structure or dwelling, burglary when the person has two prior felony convictions, or a felony violation of s. 790.07, F.S., relating to having weapons while engaged in criminal offense, s. 800.04, F.S., relating to lewd, lascivious, or indecent assault or act upon or in presence of child, s. 827.03, F.S., relating to abuse, aggravated abuse, or neglect of child, or s. 827.071, F.S., relating to sexual performance by a child; providing for such reoffender to be sentenced to specified mandatory minimum sentences; making such reoffender ineligible for parole, probation, or early release; providing for forfeiture by the reoffender of gain-time or other early release credits; amending s. 944.705, F.S., relating to release orientation program; requiring notice to certain released offenders by the Department of Corrections with respect to the new minimum mandatory sentencing provisions; providing for inadmissibility of certain evidence regarding departmental failure to provide such notice; amending s. 947.141, F.S.; providing for mandatory forfeiture of previously granted early release credits under specified circumstances when conditional release, control release, or conditional medical release is revoked; amending s. 948.06, F.S.; permitting a law enforcement officer to arrest a probationer or offender in community control upon probable cause that the probationer or offender has materially violated probation or community control, under specified circumstances; providing for mandatory forfeiture of previously granted early release credits under specified circumstances when probation or community control is revoked; reenacting ss. 948.01(9) and (13)(b) and 958.14, F.S., to incorporate said amendment in references; providing an effective date.

—was taken up, having been read the third time earlier today.

On motion by Rep. Meek, under Rule 148(h), the following late-filed amendment was considered.

Representative(s) Meek and Roberts-Burke offered the following:

Amendment 4 (with title amendment)—On page 7, between line(s) 4 - 5, of the bill

insert:

(d)1. There is empirical evidence that prosecuting attorneys mitigate charges and sentences which impact the punishment of offenders. It is the intent of the Legislature that offenders previously released from prison who meet the criteria in paragraph (a) be punished to the fullest extent of the law and as provided in this subsection, unless the following circumstances exist:

a. The prosecuting attorney does not have sufficient evidence to prove the highest charge available;

b. The testimony of a material witness cannot be obtained;

c. The victim does not want the offender to receive the mandatory minimum prison sentence and provides a written statement to that effect; or

d. Other extenuating circumstances exist which preclude the just prosecution of the offender.

3. For every case in which the offender meets the criteria in paragraph (a) and does not receive the mandatory minimum prison sentence, the state attorney must explain the sentencing deviation in writing and place such explanation in the case file maintained by the state attorney. On a quarterly basis, each state attorney shall submit copies of deviation memoranda regarding offenses committed on or after the effective date of this subsection, to the President of the Florida Prosecuting Attorneys Association, Inc. The association must maintain such information, and make such information available to the public upon request, for at least a 10-year period.

And the title is amended as follows:

On page 2, line(s) 3,

insert after the semicolon: providing legislative intent to prohibit plea bargaining in re-offender cases; requiring state attorneys to submit reports regarding any sentencing deviations;

Rep. Roberts-Burke moved the adoption of the amendment, which was adopted by the required two-thirds vote.

On motion by Rep. Roberts-Burke, under Rule 148(h), the following late-filed amendment was considered.

Representative(s) Roberts-Burke, Meek, Logan, Miller, Silver, Chestnut and Lawson offered the following:

Amendment 5—On page 6, line(s) 5 & 6,
remove from the bill: all of said lines

and insert in lieu thereof: *or* (renumber subsequent section[s])

Rep. Roberts-Burke moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of CS/CS/HB 1371. The vote was:

Yeas—114

The Chair	Crady	Jacobs	Posey
Albright	Crist	Jones	Prewitt, D.
Andrews	Crow	Kelly	Pruitt, K.
Argenziano	Culp	King	Putnam
Arnall	Dawson-White	Kosmas	Rayson
Arnold	Dennis	Lacasa	Ritchie
Bainter	Diaz de la Portilla	Laurent	Ritter
Ball	Dockery	Lawson	Roberts-Burke
Barreiro	Effman	Lippman	Rojas
Betancourt	Eggelletion	Littlefield	Safley
Bloom	Fasano	Livingston	Sanderson
Boyd	Feeney	Logan	Saunders
Bradley	Fischer	Lynn	Sembler
Brennan	Frankel	Mackenzie	Silver
Bronson	Fuller	Mackey	Sindler
Brooks	Futch	Martinez	Smith
Brown	Garcia	Maygarden	Spratt
Bullard	Gay	Meek	Stabins
Burroughs	Geller	Melvin	Starks
Bush	Goode	Merchant	Sublette
Byrd	Greene	Miller	Thrasher
Carlton	Hafner	Minton	Tobin
Casey	Harrington	Morroni	Trovillion
Chestnut	Healey	Morse	Turnbull
Clemons	Heyman	Murman	Valdes
Constantine	Hill	Ogles	Villalobos
Cosgrove	Horan	Peaden	Wallace
Warner	Westbrook	Wise	Ziebarth
Wasserman Schultz	Wiles		

Nays—None

Votes after roll call:
Yeas—Bitner

So the bill passed, as amended, and was certified to the Senate after engrossment.

Continuation of General Calendar

Bills and Joint Resolutions on Third Reading

HB 909—A bill to be entitled An act relating to weapons and firearms; providing that a nonresident who is a United States citizen may carry a concealed weapon or firearm in this state if the nonresident has attained a specified age and holds a valid license to carry a concealed weapon or firearm issued in another state; providing that a nonresident is subject to the same laws and restrictions as a licensee in Florida; providing that an out-of-state license to carry a concealed weapon or firearm remains in effect for a certain period following the date the holder of the license establishes legal residence in this state; specifying how legal residence is established; providing an effective date.

—was taken up, having been read the third time earlier today; now pending on motion by Rep. Crady to adopt Amendment 2.

On motion by Rep. Crady, under Rule 148(h), the following late-filed amendment to the amendment was considered.

Representative(s) Crady, Sembler, Mackey, Fasano, and Lippman offered the following:

Amendment 1 to Amendment 2—On page 1, line(s) 27,
remove from the amendment: *subsection*

and insert in lieu thereof: *section*

Rep. Crady moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 2**, as amended, which was adopted by the required two-thirds vote.

The question recurred on the passage of HB 909. The vote was:

Yeas—86

The Chair	Crady	Lacasa	Safley
Albright	Crist	Laurent	Sanderson
Andrews	Culp	Lawson	Saunders
Argenziano	Dawson-White	Lippman	Sembler
Arnall	Dennis	Littlefield	Sindler
Arnold	Diaz de la Portilla	Livingston	Smith
Bainter	Dockery	Mackenzie	Spratt
Ball	Eggelletion	Mackey	Starks
Barreiro	Fasano	Martinez	Thrasher
Betancourt	Feeney	Maygarden	Trovillion
Bitner	Fuller	Melvin	Turnbull
Boyd	Futch	Minton	Valdes
Bradley	Garcia	Morroni	Villalobos
Bronson	Gay	Morse	Wallace
Brooks	Goode	Murman	Warner
Burroughs	Greene	Ogles	Wasserman Schultz
Byrd	Harrington	Peaden	Westbrook
Carlton	Hill	Posey	Wiles
Casey	Horan	Pruitt, K.	Wise
Clemons	Jones	Putnam	Ziebarth
Constantine	Kelly	Ritchie	
Cosgrove	King	Rojas	

Nays—25

Bloom	Brown	Bush	Crow
Brennan	Bullard	Chestnut	Effman

Fischer	Jacobs	Prewitt, D.	Sublette
Frankel	Kosmas	Rayson	Tobin
Hafner	Logan	Ritter	
Healey	Lynn	Roberts-Burke	
Heyman	Miller	Silver	

Votes after roll call:
Yeas—Merchant, Stabins
Yeas to Nays—Greene
Nays to Yeas—Brown

So the bill passed, as amended, and was certified to the Senate after engrossment.

Continuation of Justice Council Calendar

Bills and Joint Resolutions on Second Reading

CS/HB 935—A bill to be entitled An act relating to legal process; amending s. 48.031, F.S., relating to service upon a sole proprietorship; providing that substitute service may be made upon person in charge of the business at the time of service, under specified circumstances; amending s. 48.183, F.S.; providing for service of process in an action for possession of residential premises; amending s. 48.27, F.S.; providing for application and fee for inclusion on list of certified process servers; authorizing certain service when a civil action has been filed in a circuit or county court in the state; amending s. 55.03, F.S., relating to docketing and indexing of civil process generally; revising provisions relating to rate of interest; providing an exception from certain docketing and indexing or collection requirements when rate of interest is not on the face of the process, writ, judgment, or decree; amending s. 56.27, F.S., relating to payment to execution creditor of money collected; providing for payment to a junior writ of certain surplus moneys collected; amending s. 56.28, F.S.; requiring written demand by plaintiff as a condition for officer's liability to pay over within 10 days certain moneys collected; providing an effective date.

—was read the second time by title and, under Rule 127, referred to the Engrossing Clerk.

CS/HB 87—A bill to be entitled An act relating to injunctions and restraining orders for domestic violence; amending s. 28.241, F.S.; limiting certain fees for injunctions relating to domestic violence; amending s. 741.30, F.S.; limiting total charges for issuing or serving injunctions or restraining orders relating to domestic violence; providing an effective date.

—was read the second time by title and, under Rule 127, referred to the Engrossing Clerk.

Governmental Responsibility Council Calendar

Bills and Joint Resolutions on Third Reading

HB 1073—A bill to be entitled An act relating to land reclamation; amending s. 378.601, F.S.; exempting certain heavy mineral mining operations from requirements for development of regional impact review; requiring certain permits or plan approvals; providing an effective date.

—was read the third time by title.

Representative(s) Mackey offered the following:

Amendment 1 (with title amendment)—On page 1, between line(s) 20 and 21, of the bill

insert:

Section 2. Subsections (5), (6), and (7) are added to section 378.035, Florida Statutes, to read:

378.035 Department responsibilities and duties with respect to Nonmandatory Land Reclamation Trust Fund.—

(5) On July 1, 1997, $30 million of the unencumbered funds within the Nonmandatory Land Reclamation Trust Fund are hereby reserved for use by the department. These reserved moneys are to be used to reclaim lands disturbed by the severance of phosphate rock on or after July 1, 1975, in the event that a mining company ceases mining and the associated reclamation prior to all lands disturbed by the operation being reclaimed. Moneys expended by the department to accomplish reclamation pursuant to this subsection shall become a lien upon the property enforceable pursuant to chapter 85. The moneys received as a result of a lien foreclosure or as repayment shall be deposited into the trust fund. In the event the money received as a result of lien foreclosure or repayment is less than the amount expended for reclamation, the department shall use all means available to recover, for the use of the fund, the difference from the affected parties. Paragraph (3)(b) shall apply to lands acquired as a result of a lien foreclosure.

(6)(a) Up to one-half of the interest income accruing to the funds reserved by subsection (5) shall be available to the department annually for the purpose of funding basic management or protection of reclaimed, restored, or preserved phosphate lands:

1. Which have wildlife habitat value as determined by the Bureau of Mine Reclamation;

2. Which have been transferred by the landowner to a public agency or a private, nonprofit land conservation and management entity in fee simple, or which have been made subject to a conservation easement pursuant to s. 704.06; and

3. For which other management funding options are not available.

These funds may, after the basic management or protection has been assured for all such lands, be combined with other available funds to provide a higher level of management for such lands.

(b) Up to one-half of the interest income accruing to the funds reserved by subsection (5) shall be available to the department annually for the sole purpose of funding the department's implementation of:

1. The NPDES permitting program authorized by s. 403.0885, as it applies to phosphate mining and beneficiation facilities, phosphate fertilizer production facilities, and phosphate loading and handling facilities;

2. The regulation of dams in accordance with department Rule 62-672, Florida Administrative Code; and

3. The phosphogypsum management program pursuant to s. 403.4154 and department Rule 62-673, Florida Administrative Code.

On or before August 1 of each fiscal year, the department shall prepare a report presenting the expenditures using the interest income allocated by this section made by the department during the immediately preceding fiscal year, which report shall be available to the public upon request.

(7) Should the nonmandatory land reclamation program encumber all the funds in the Nonmandatory Land Reclamation Trust Fund except those reserved by subsection (5) prior to funding all the reclamation applications for eligible parcels, the funds reserved by subsection (5) shall be available to the program to the extent required to complete the reclamation of all eligible parcels for which the department has received applications.
(renumber subsequent section[s])

And the title is amended as follows:

On page 1, line(s) 6,

after the semicolon insert: amending s. 378.035, F.S.; providing for use of Nonmandatory Land Reclamation Trust Fund moneys for reclamation and management of phosphate lands; providing for liens; requiring a report;

Rep. Mackey moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representative(s) Edwards offered the following:

Amendment 2 (with title amendment)—On page 1, between line(s) 20 and 21, of the bill

insert:

Section 2. Subsections (3) through (9) of section 378.901, Florida Statutes, 1996 Supplement, are renumbered as subsections (4) through (10), respectively, and a new subsection (3) is added to said section to read:

378.901 Life-of-the-mine permit.—

(3) The bureau may also issue life-of-the-mine permits to operators of sand mines as part of the consideration for conveyance to the Board of Trustees of the Internal Improvement Trust Fund of environmentally sensitive lands in an amount equal to or greater than the acreage included in the life-of-the-mine permit and provided such environmentally sensitive lands are contiguous to or within reasonable proximity to the lands included in the life-of-the-mine permit. (renumber subsequent section[s])

And the title is amended as follows:

On page 1, line(s) 6,

after the semicolon insert: amending s. 378.901, F.S.; providing conditions when a life-of-the-mine permit for sand mines may be issued;

Rep. Laurent moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representative(s) Wiles offered the following:

Amendment 3—On page 1, line(s) 20, of the bill

after the period, insert:
This subsection applies only in the following circumstances:

(a) Mining is conducted in counties where the operator has conducted heavy mineral mining activities prior to March 1, 1997; and

(b) The operator of the heavy mineral mining operation has executed a developer agreement pursuant to s. 380.032 as of March 1, 1997. Lands mined pursuant to this section need not be the subject of the developer agreement.

Rep. Wiles moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of HB 1073. The vote was:

Yeas—110

The Chair	Cosgrove	Horan	Peaden
Albright	Crady	Jacobs	Posey
Andrews	Crow	Jones	Prewitt, D.
Argenziano	Culp	Kelly	Pruitt, K.
Arnall	Dawson-White	King	Putnam
Bainter	Dennis	Kosmas	Rayson
Ball	Diaz de la Portilla	Lacasa	Ritchie
Barreiro	Dockery	Laurent	Ritter
Betancourt	Effman	Lawson	Roberts-Burke
Bitner	Eggelletion	Lippman	Safley
Bloom	Fasano	Littlefield	Sanderson
Boyd	Feeney	Logan	Saunders
Bradley	Fischer	Lynn	Sembler
Brennan	Frankel	Mackenzie	Silver
Bronson	Fuller	Mackey	Sindler
Brooks	Futch	Martinez	Smith
Brown	Garcia	Maygarden	Spratt
Bullard	Gay	Meek	Stabins
Burroughs	Geller	Melvin	Starks
Bush	Goode	Merchant	Sublette
Byrd	Greene	Miller	Thrasher
Carlton	Hafner	Minton	Tobin
Casey	Harrington	Morroni	Trovillion
Chestnut	Healey	Morse	Turnbull
Clemons	Heyman	Murman	Valdes
Constantine	Hill	Ogles	Villalobos
Wallace	Westbrook	Wise	Ziebarth
Warner	Wiles		

Nays—1

Arnold

Votes after roll call:
Yeas—Wasserman Schultz

So the bill passed, as amended, and was certified to the Senate after engrossment.

Bills and Joint Resolutions on Second Reading

CS/HB 1775—A bill to be entitled An act relating to oversight and accountability of the South Florida Water Management District; creating s. 11.80, F.S.; creating the Joint Legislative Committee on Everglades Oversight; providing membership; providing responsibilities; requiring the South Florida Water Management District to provide notice to the committee of certain plans, permits, agreements, or land acquisitions; amending s. 338.26, F.S., relating to Alligator Alley toll road; providing for deposit of certain funds in the Everglades Trust Fund; requiring a district report of differences between a Clean Water Act permit received for completion of the Everglades Construction Project and the Everglades Program; providing definitions; providing requirements relating to district financing proposals for fixed or operating capital outlay; requiring publication of a truth-in-borrowing statement; providing legislative findings and intent; providing requirements for district administration of the Everglades Trust Fund; providing requirements for deposits and expenditures; requiring an annual status report; requiring quarterly distribution of trust fund expenditure information; providing effective dates.

—was read the second time by title.

REPRESENTATIVE CRADY IN THE CHAIR

Representative(s) Constantine offered the following:

Amendment 1 (with title amendment)—On page 3, between line(s) 2 and 3,

insert:

(4) Annually, no later than January 1, the South Florida Water Management District shall report to the Joint Legislative Committee on Everglades Oversight on the status of the implementation of the Everglades Forever Act. Such report shall include, but is not limited to:

(a) Progress on the Everglades Construction Project.

(b) Changes to the Everglades Construction Project.

(c) Actual revenues, compared to projected revenues.

(d) Projected acquisition costs, construction costs, operation and maintenance costs, and projected revenues, over the succeeding 5 years.

And the title is amended as follows:

On page 1, line(s) 10, delete all of said line

and insert: agreements, or land acquisitions; requiring an annual status report; amending s.

Rep. Constantine moved the adoption of the amendment, which was adopted.

Representative(s) Constantine offered the following:

Amendment 2—On page 3, line(s) 15-18,
remove from the bill: all of said lines

and insert in lieu thereof:
1994, may be transferred to the Everglades Fund of the South Florida Water Management District. *The South Florida Water Management*

District shall deposit funds for projects undertaken pursuant to s. 373.4592 in the Everglades Trust Fund pursuant to paragraph (4)(a) of section 5 of this act. Any funds remaining in the Everglades Fund may be used for environmental projects to restore the

Rep. Constantine moved the adoption of the amendment, which was adopted.

Representative(s) Constantine offered the following:

Amendment 3—On page 5, line(s) 31,
remove from the bill: all of said line

and insert in lieu thereof:
any fixed capital outlay projects or operating capital outlay for purposes pursuant to s. 373.4592,

Rep. Constantine moved the adoption of the amendment, which was adopted.

Representative(s) Constantine offered the following:

Amendment 4—On page 7, line(s) 23,
remove from the bill: all of said line

and insert in lieu thereof:
implementation of the Everglades Forever Act is critical to the conservation

Rep. Constantine moved the adoption of the amendment, which was adopted.

Representative(s) Constantine offered the following:

Amendment 5 (with title amendment)—On page 8, line(s) 1-6,
remove from the bill: all of said lines

and insert in lieu thereof:

(3) The South Florida Water Management District shall furnish, on a quarterly basis, a detailed copy of its expenditures from the Everglades Trust Fund to the Governor, the President of the Senate, and the Speaker of the House of Representatives, and shall make copies available to the public. The information shall be provided in a format approved by the Joint Legislative Committee on Everglades Oversight. At the direction of the Joint Legislative Committee on Everglades Oversight, a postaudit may be made from time to time by the Auditor General, and such audit shall be within the authority of said Auditor General, to make.

And the title is amended as follows:

On page 1, line(s) 24,
remove from the title of the bill: all of said line

and insert in lieu thereof: Everglades Trust Fund; requiring quarterly distribution of trust fund expenditure information; providing for a postaudit;

Rep. Constantine moved the adoption of the amendment, which was adopted.

Representative(s) Constantine offered the following:

Amendment 6—On page 8, between line(s) 13 and 14, of the bill

insert:

(c) C-139 agricultural privilege tax revenues pursuant to s. 373.4592(7).

(d) Special assessment revenues pursuant to s. 373.4592(8).

(e) Ad valorem revenues pursuant to s. 373.4592(4)(a). (renumber subsequent section[s])

Rep. Constantine moved the adoption of the amendment, which was adopted.

Representative(s) Constantine offered the following:

Amendment 7 (with title amendment)—On page 9, line(s) 3-23,
remove from the bill: all of said lines

and insert in lieu thereof:

(7) Annually, no later than January 1, the South Florida Water Management District shall report to the Joint Committee on Everglades Oversight:

(a) The unencumbered balance which remains in the Everglades Trust Fund at the end of each fiscal year.

(b) The revenues deposited in the Everglades Trust Fund pursuant to this section, by source, and the record of expenditures from the Everglades Trust Fund.

And the title is amended as follows:

On page 1, line(s) 25-28,
remove from the title of the bill: all of said lines

and insert in lieu thereof: for deposits and expenditures; requiring annual reporting; providing effective dates.

Rep. Constantine moved the adoption of the amendment, which was adopted.

On motion by Rep. Constantine, under Rule 148(h), the following late-filed amendment was considered.

Representative(s) Constantine offered the following:

Amendment 8—On page 9, line(s) 1, after the word *sources*

insert: *deposited into the Everglades Trust Fund*

Rep. Constantine moved the adoption of the amendment, which was adopted.

Under Rule 127, the bill was referred to the Engrossing Clerk.

HB 1741—A bill to be entitled An act relating to firesafety; creating the Independent Special Fire Control District Act; prescribing uniform criteria for operation of independent special fire control districts; preempting certain special acts and general acts of local application; providing for the election of district boards of commissioners; providing for conformance by existing districts; authorizing certain exceptions; providing for officers of such boards; providing for commissioners' compensation and expenses; requiring a bond; providing general and special powers of districts; exempting district assets and property from taxation; providing requirements and procedures for the levy of ad valorem taxes, non-ad valorem assessments, user charges, and impact fees; providing for referenda; providing for enforcement; providing requirements and procedures for issuance of bonds; providing for referenda; providing for organization of county fire chiefs; providing requirements for creation, expansion, and merger of such districts; amending s. 316.072, F.S.; providing penalties for failure to obey orders or directions of fire department members at the scene of rescue operations or other emergencies; requiring existing fire control districts to submit draft codified charters to the Legislature for codification; providing an effective date.

—was read the second time by title.

Representative(s) Gay offered the following:

Amendment 1 (with title amendment)—On page 31, line(s) 14, of the bill

after the period insert: *Notwithstanding the provisions of this paragraph, certified emergency medical technicians or paramedics may respond to the scene of emergencies and may provide emergency medical treatment on the scene and provide transport of patients in the performance of their duties for an emergency medical services provider licensed under chapter 401 and in accordance with any local emergency medical response protocols.*

And the title is amended as follows:

On page 1, line(s) 29,

insert after the semi-colon: providing notwithstanding the provisions of this paragraph, certified EMS providers or paramedics may provide response and treatment at the scene of emergencies and transport to patients in performance of their duties as an emergency medical services provider licensed under chapter 401 and in accordance with any local emergency medical response protocols;

Rep. Gay moved the adoption of the amendment, which was adopted.

On motion by Rep. Gay, under Rule 148(h), the following late-filed amendment was considered.

Representative(s) Gay offered the following:

Amendment 2—On page 30, line(s) 26-28,
remove from the bill: all of said lines

and insert in lieu thereof:

(3) The merger of a district with all or portions of other independent special districts or dependent fire control districts is effective only upon ratification by the

Rep. Gay moved the adoption of the amendment, which was adopted.

Under Rule 127, the bill was referred to the Engrossing Clerk.

CS/HB 95—A bill to be entitled An act relating to records of the Department of Highway Safety and Motor Vehicles; amending s. 119.07, F.S.; providing an exemption from public records requirements, upon request by the subject, for personal identifying information in motor vehicle records; authorizing disclosure for specified uses; authorizing disclosure for any use with the consent of the subject; authorizing disclosure to certain entities for resale or redisclosure to persons authorized to receive such information and providing requirements with respect thereto; authorizing certain resale or redisclosure by authorized recipients of such information and requiring such persons to maintain records; providing for fees; authorizing the department to impose conditions upon requests for disclosure; amending s. 319.17, F.S., relating to indexes and records of motor vehicles and mobile homes, s. 319.25, F.S., relating to title records, s. 320.05, F.S., relating to registration records, and s. 322.20, F.S., relating to driver's license records, to conform; increasing the fees for providing certain transcripts or searching for certain records; providing a finding of public necessity; providing an effective date.

—was read the second time by title and, under Rule 127, referred to the Engrossing Clerk.

CS/HB 215 was taken up. On motion by Rep. Lynn, the rules were suspended and CS for CS for SB 1154 was substituted for CS/HB 215. Under Rule 99, the House bill was laid on the table and—

CS for CS for SB 1154—A bill to be entitled An act relating to growth management; amending s. 380.06, F.S.; revising statewide guidelines and standards and substantial deviations for developments of regional impact; amending s. 403.973, F.S.; providing for an expedited permitting process for economic development projects and comprehensive plan amendments; providing effective dates.

—was read the second time by title and, under Rule 127, referred to the Engrossing Clerk.

CS/HB 523—A bill to be entitled An act relating to ecosystem management; creating s. 403.075, F.S.; providing legislative findings; creating s. 403.0751, F.S.; providing definitions; creating s. 403.0752, F.S.; authorizing ecosystem management agreements between the Department of Environmental Protection, or other specified state regulatory agencies, and regulated entities; providing conditions and requirements; providing incentives; authorizing ecosystem management advisory teams; providing that an ecosystem management agreement may be treated as a final agency action and constitute satisfaction of the variance or waiver under ch. 120, F.S.; providing that no rules will be required to implement the act; providing an effective date.

—was read the second time by title.

The Committee on General Government Appropriations offered the following:

Amendment 1 (with title amendment)—On page 4, between line(s) 8 and 9, of the bill

insert:

(3) Ecosystem management agreements shall include provision for any party to the agreement to amend or terminate the agreement by written notice to the other parties, where the party seeking to amend or terminate the agreement demonstrates one or more of the following:

(a) There has been material change in conditions from the original agreement such that the intended net ecosystem benefit is not being, and may not reasonably be expected to be, achieved through continuation of the agreement;

(b) Continuation of the agreement will result in economic hardship or competitive disadvantage; or

(c) A party has violated the terms of the agreement.

Termination of the agreement may not be effective until 90 days after delivery of written notice to all parties. Termination by a governmental entity shall be subject to administrative or judicial review as final agency action. (renumber subsequent section[s])

And the title is amended as follows:

On page 1, line(s) 11,

after "requirements;" insert: providing for amendment or termination;

Rep. Lacasa moved the adoption of the amendment, which was adopted.

The Committee on General Government Appropriations offered the following:

Amendment 2 (with title amendment)—On page 6, between line(s) 11 & 12, of the bill

insert:

(b) An applicant for an ecosystem management agreement being treated as final agency action shall publish and provide proof of publication to the department, at the applicant's own expense, a notice of its request to enter into the agreement in a newspaper of general circulation in the county in which the activity which is the subject of the agreement will be located or take place. Actual mailed notice of the application shall also be provided to property owners adjacent to the activity which is the subject of the agreement and to any other person whose interest is known to the department or the applicant. (renumber subsequent section[s])

And the title is amended as follows:

On page 1, line(s) 16,
after the semicolon:

insert: requiring certain notice;

Rep. Lacasa moved the adoption of the amendment, which was adopted.

The Committee on General Government Appropriations offered the following:

Amendment 3—On page 6, line(s) 3-8,
remove from the bill: all of said lines

and insert in lieu thereof:

2. Review of the agreement and review of the issuance of any permits, licenses, approvals, variances, or waivers contained in the agreement shall be limited to compliance with subsection (2).

3. The subsequent issuance of any permit, license, approval, variance, or waiver pursuant to the agreement, but which is not contained in the agreement, may be reviewed under the provisions of chapter 120 and applicable agency rules. In any such review, any elements of the agreement pertaining to the conditions for such issuance shall be relevant and applicable.

Rep. Lacasa moved the adoption of the amendment, which was adopted.

Under Rule 127, the bill was referred to the Engrossing Clerk.

HB 407 was taken up. On motion by Rep. Bullard, SB 52 was substituted for HB 407. Under Rule 99, the House bill was laid on the table and—

SB 52—A bill to be entitled An act relating to asbestos removal programs; amending s. 376.60, F.S.; providing for the Department of Environmental Protection to reimburse local governments that have been approved to conduct asbestos removal programs under certain circumstances; removing fees for inspection of residential dwellings; exempting specified persons from the fees; prohibiting local governments from charging certain fees while being reimbursed by the department; providing an appropriation; providing an effective date.

—was read the second time by title and, under Rule 127, referred to the Engrossing Clerk.

CS/HB 583 was taken up. On motion by Rep. Argenziano, CS for SB 360 was substituted for CS/HB 583. Under Rule 99, the House bill was laid on the table and—

CS for SB 360—A bill to be entitled An act relating to the Coastal Zone Protection Act of 1985; amending s. 161.54, F.S.; redefining the term "substantial improvement"; providing an effective date.

—was read the second time by title and, under Rule 127, referred to the Engrossing Clerk.

HB 685—A bill to be entitled An act relating to local government audits; amending s. 11.45, F.S.; requiring auditors to notify members of the governing body of a local governmental entity under certain circumstances; providing additional duties of the Auditor General under circumstances of potential financial emergency for a local governmental entity; providing an effective date.

—was read the second time by title and, under Rule 127, referred to the Engrossing Clerk.

THE SPEAKER IN THE CHAIR

On motion by Rep. Thrasher, **HB 1867** was temporarily postponed under Rule 147 and the second reading nullified.

On motion by Rep. Thrasher, the rules were suspended and the House moved to the order of—

Messages from the Senate

The Honorable Daniel Webster, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 2400, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Ways and Means—

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

—was read the first time by title. On motion by Rep. Garcia, the rules were suspended and the bill was read the second time by title.

Rep. Garcia offered five amendments striking the text of the Senate bill and inserting the text of HBs 1817, 1819, 1821, 1823, and 1825. Under Rule 41(e)(1), the amendments were not printed in the *Journal*.

Rep. Logan made an inquiry relating to the amendatory process.

Speaker's Response to Inquiry

Let me explain where we are, Members.

The Senate bill is identical in purpose and intent of the five separate House bills that we have before us that we've already passed out of the House.

Because the Senate appropriations process is different from ours and doesn't match up with ours, the Senate bill is equivalent to our five separate House bills.

What we are trying to do by this motion is to strike everything after the enacting clause and adopt the five House bills, which is the House position on the budget. The sole effect is substituting the House position for the Senate position on the appropriations bill.

Germanity is not the issue, and Rule 151(e) does not apply because this is not a situation of tacking on unrelated bills to another bill to form a train.

The House bills encompassed by these amendments have passed all committees of reference and are available on the Calendar for consideration by the House, and, in this case, have already passed the House.

Therefore, in order to reconcile the differences between the House and Senate budgets in a way that the budgets were passed by each House, it is appropriate and in order to substitute the House bills for the Senate bill by adopting these amendments.

Rep. Garcia moved the adoption of the amendments, which were adopted *en bloc*.

On motion by Rep. Garcia, the rules were suspended and SB 2400, as amended, was read the third time by title. On passage, the vote was:

Yeas—114

The Chair	Crist	King	Ritchie
Albright	Crow	Kosmas	Ritter
Andrews	Culp	Lacasa	Roberts-Burke
Argenziano	Dawson-White	Laurent	Rojas
Arnall	Dennis	Lawson	Safley
Arnold	Diaz de la Portilla	Lippman	Sanderson
Bainter	Dockery	Littlefield	Saunders
Ball	Effman	Livingston	Sembler
Barreiro	Eggelletion	Logan	Silver
Betancourt	Fasano	Lynn	Sindler
Bitner	Feeney	Mackenzie	Smith
Bloom	Fischer	Mackey	Spratt
Boyd	Frankel	Martinez	Stabins
Bradley	Fuller	Maygarden	Starks
Brennan	Futch	Meek	Sublette
Bronson	Garcia	Melvin	Thrasher
Brooks	Gay	Merchant	Tobin
Brown	Geller	Miller	Trovillion
Bullard	Goode	Minton	Turnbull
Burroughs	Greene	Morroni	Valdes
Bush	Hafner	Morse	Villalobos
Byrd	Harrington	Murman	Warner
Carlton	Healey	Ogles	Wasserman Schultz
Casey	Heyman	Peaden	Westbrook
Chestnut	Hill	Posey	Wiles
Clemons	Horan	Prewitt, D.	Wise
Constantine	Jacobs	Pruitt, K.	Ziebarth
Cosgrove	Jones	Putnam	
Crady	Kelly	Rayson	

Nays—1

Wallace

So the bill passed, as amended, and was certified to the Senate.

The Honorable Daniel Webster, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 2402, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Ways and Means—

SB 2402—A bill to be entitled An act relating to implementing the fiscal year 1997-1998 General Appropriations Act; providing legislative intent; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 1997-1998 for qualifying hospitals; amending s. 409.9116, F.S.; altering the formula for rural hospital disproportionate share payments; prohibiting the Agency for Health Care Administration from capitating health maintenance organizations for a specified period of time; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; directing the Departments of Children and Families and Juvenile Justice to conduct a study of certain funds as a state match for specified funds; requiring the Department of Children and Family Services, the Department of Health, and the Department of Juvenile Justice to use specified appropriations to conduct a study and develop recommendations for a district budget flexibility initiative; providing requirements for the study; requiring a report to the Governor and the Legislature; authorizing the Correctional Privatization Commission and the Department of Juvenile Justice to expend appropriated funds to defray impact costs of municipalities and counties associated with opening and operating a facility; amending s. 236.081, F.S., relating to the Florida Education Financing Program; authorizing funds to keep the district required local effort at a specified percentage of the district's total calculation; amending s. 240.605, F.S.; providing for funding of the Florida resident access grant in an amount specified in the General Appropriations Act; amending s. 15.09, F.S.; authorizing the appropriation of funds from the Public Access Data Systems Trust Fund for the operations of the Department of State; authorizing use of the Citrus Advertising Trust Fund; amending s. 253.783, F.S.; authorizing use of general revenue funds for repayment to Duval County; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing severability; providing an effective date.

—was read the first time by title.

Immediately Certified

On motion by Rep. Garcia, the rules were suspended and **SB 2400**, which passed the House earlier today, was immediately certified to the Senate.

On motion by Rep. Garcia, the rules were suspended and SB 2402 was read the second time by title.

Rep. Garcia offered an amendment striking everything after the enacting clause and inserting the text of HBs 1827, 1829, 1831, and 1833. Under Rule 41(e)(1), the amendment was not printed in the *Journal*.

Rep. Garcia moved the adoption of the amendment, which was adopted.

On motion by Rep. Garcia, the rules were suspended and SB 2402, as amended, was read the third time by title. On passage, the vote was:

Yeas—115

The Chair	Crist	King	Ritchie
Albright	Crow	Kosmas	Ritter
Andrews	Culp	Lacasa	Roberts-Burke
Argenziano	Dawson-White	Laurent	Rojas
Arnall	Dennis	Lawson	Safley
Arnold	Diaz de la Portilla	Lippman	Sanderson
Bainter	Dockery	Littlefield	Saunders
Ball	Effman	Livingston	Sembler
Barreiro	Eggelletion	Logan	Silver
Betancourt	Fasano	Lynn	Sindler
Bitner	Feeney	Mackenzie	Smith
Bloom	Fischer	Mackey	Spratt
Boyd	Frankel	Martinez	Stabins
Bradley	Fuller	Maygarden	Starks
Brennan	Futch	Meek	Sublette
Bronson	Garcia	Melvin	Thrasher
Brooks	Gay	Merchant	Tobin
Brown	Geller	Miller	Trovillion
Bullard	Goode	Minton	Turnbull
Burroughs	Greene	Morroni	Valdes
Bush	Hafner	Morse	Villalobos
Byrd	Harrington	Murman	Wallace
Carlton	Healey	Ogles	Warner
Casey	Heyman	Peaden	Wasserman Schultz
Chestnut	Hill	Posey	Westbrook
Clemons	Horan	Prewitt, D.	Wiles
Constantine	Jacobs	Pruitt, K.	Wise
Cosgrove	Jones	Putnam	Ziebarth
Crady	Kelly	Rayson	

Nays—None

So the bill passed, as amended, and was certified to the Senate.

On motions by Rep. Garcia, the House requested the Senate to concur in the amendments to SB 2400, or failing to concur, requested the Senate to appoint a committee of conference to meet with a like committee appointed by the House.

On motion by Rep. Garcia, the House requested the Senate to concur in the amendment to SB 2402, or failing to concur, requested the Senate to appoint a committee of conference to meet with a like committee appointed by the House to consider the substance of HBs 1835, 1837, and 1839 along with SB 2402.

Immediately Certified

On motion by Rep. Garcia, the rules were suspended and **SB 2402**, which passed the House earlier today, was immediately certified to the Senate.

Suspension of the Rules for Committee Meetings and Bills

On motion by Rep. Safley, Chair, the rules were suspended and the Committee on Financial Services was given permission to add HB 1943 to the agenda for its meeting Wednesday, April 16, at 3:00 p.m., in Morris Hall.

On motion by Rep. Gay, Chair, the rules were suspended and the Committee on Community Affairs was given permission to add HB 791 to the agenda for its meeting Tuesday, April 15, at 8:00 a.m., in Morris Hall.

Messages from the Senate

First Reading by Publication

The Honorable Daniel Webster, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 82, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Judiciary and Senator Dudley and others—

CS for SB 82—A bill to be entitled An act relating to real estate transactions; amending s. 475.01, F.S.; defining the terms "customer," "first contact," and "principal"; redefining the term "transaction broker"; deleting the definitions of the terms "buyer," "disclosed dual agent," and "seller"; amending s. 475.25, F.S.; modifying grounds for the imposition of discipline by the Florida Real Estate Commission; conforming a statutory cross-reference; creating ss. 475.2701, 475.272, 475.274, 475.276, 475.278, 475.2801, F.S.; establishing the "Brokerage Relationship Disclosure Act"; providing for notice of nonrepresentation; providing for disclosure of authorized brokerage relationships and the corresponding duties of real estate licensees; authorizing rulemaking by the Florida Real Estate Commission; amending s. 475.5015, F.S.; adding disclosure documents to items to be retained as brokerage business records; amending s. 468.383, F.S.; conforming a statutory cross-reference; providing an effective date.

Placed on the Consent Calendar without reference.

Motion to Adjourn

Rep. Thrasher moved that the House adjourn for the purpose of holding committee meetings and conducting other House business, to reconvene at 8:30 a.m., Wednesday, April 16. The motion was agreed to.

Recorded Votes

Rep. Carlton:

Change from Nay to Yea—Substitute Amendment 45 (Prefile Amendment 45A) to HB 1825; motion to reconsider the vote by which Prefile Amendment 45A to HB 1825 failed of adoption

Rep. Clemons:

Yea—HB 273; CS/HB 311; CS/SB 340; passage of CS/HB 541 after concurrence in Senate amendment(s); HB 627; CS/SB 788; HB 1139; CS/HB 1505; HBs 1817, 1819, 1821, 1823, 1825, 1827, 1829, 1831, 1833, 1835, 1837, and 1839

Nay—CS/CS/HB 379

Cosponsors

HJR 51—Thrasher, Wasserman Schultz
HB 273—Lynn
HB 305—Ziebarth
CS/HB 309—Lynn
HB 395—Bronson, Kelly
CS/HB 411—Jacobs, Lynn
HB 627—Lynn, Saunders
HB 1139—Betancourt
HB 1245—Fasano
CS/CS/HB 1371—Mackey
HB 1415—Posey
HB 1493—Casey
HB 1545—Casey, Chestnut, Crady
HB 1941—Lippman
HB 1943—Lippman
HR 9195—Morse

Withdrawals as Cosponsor

CS/HB 447—Feeney

Introduction and Reference

By the Committee on Health Care Services; Representatives Albright, Lippman, and Peaden—

HB 1999—A bill to be entitled An act relating to certificates of need; amending s. 408.032, F.S.; deleting the definition of the terms "health maintenance organization" and "major medical equipment" for purposes of the review for a certificate of need by the Agency for Health Care Administration; redefining the term "health care facility" to include a hospice and long-term care hospital; defining the terms "home health agency," "long-term care hospital," and "respite care"; amending s. 408.033, F.S.; deleting provisions relating to the Statewide Health Council and duties thereof; amending s. 408.035, F.S., relating to review criteria; revising provisions; deleting reference to hospice and health maintenance organizations; adding replacement of facilities as reviewable activity; deleting a requirement to approve certain facility consolidations or divisions; amending s. 408.036, F.S., relating to health care projects that are subject to certificate-of-need review; requiring the review of certain replacement health care facilities; requiring the review of Medicare-certified home health agencies; providing an exception; eliminating certificate-of-need review for projects exceeding a specified expenditure threshold and for acquisition of major medical equipment; requiring certificate-of-need review of cost increases exceeding a specified threshold and for increase in number of psychiatric or rehabilitation beds; deleting a reference to expedited review of transfer of a certificate of need; modifying requirements relating to expedited review of cost overruns; eliminating the expedited review of donations, acquisition of land for health care facilities or health care provider offices, and termination of health care services; eliminating the expedited review of emergency projects and unforeseen major public health hazards; requiring expedited review of replacement of certain health care facilities; eliminating the exemption from review granted for certain facilities not directly used for health care services; eliminating expedited review of expenditures to address safety hazards, repair of facility or equipment resulting from certain occurrences, and replacement of major medical equipment; deleting an obsolete date relating to expansion of obstetric services; requiring expedited review of replacing or renovating health care facilities; exempting from review certain facilities establishing Medicare-certified home health agencies; exempting from review the establishment of Medicare-certified home health agencies contingent upon specified future actions; exempting from review inmate health care facilities, the termination of a health care service, delicensure of beds, adult inpatient diagnostic cardiac catheterization services contingent upon specified future actions, and certain expenditures for outpatient services; amending s. 408.037, F.S.; revising requirements for the detailed description and financial projection; requiring that an applicant for a certificate of need certify that it will license and operate the health care facility; requiring that certain applicants for a certificate of need be the licenseholder of the health care facility; deleting requirements with respect to the applicant's board of directors; amending s. 408.038, F.S.; providing for the refundability of certain certificate-of-need application fees; amending s. 408.039, F.S.; revising the scope of review cycles and requirements for an applicant with respect to letters of intent and administrative hearings; eliminating review of equipment from review cycles; eliminating a requirement that letters of intent be filed with local health councils; revising content requirements of letters of intent; revising publication requirements for letters of intent; providing a timeframe for submitting a final order; amending s. 408.040, F.S.; extending the length of time that a certificate of need remains effective; deleting authority to extend the time that a certificate of need remains valid; amending s. 408.042, F.S.; increasing the validity period of a certificate of need; amending s. 408.043, F.S.; deleting a provision providing for the validity of a certificate of need; providing that private accreditation is not required for issuance or maintenance of a certificate of need; amending s. 408.0455, F.S.; providing for continuation of certain rules and pending administrative or judicial proceedings; amending ss. 240.5121 and 395.604, F.S.; conforming references and cross references relating to the Statewide Health Council and state health plan; amending s. 408.702, F.S., relating to project monitoring and community health purchasing alliances; conforming cross references; amending ss. 400.602 and 641.60, F.S., relating to hospice licensure for certain entities and the Statewide Managed Care Ombudsman Committee; conforming cross references; repealing ss. 186.003(9) and 186.503(9), relating to the Statewide Health Council; repealing ss. 408.0365 and 408.0366, F.S., relating to certain exemptions from certificate-of-need regulation; providing applicability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Chestnut—

HB 2001—A bill to be entitled An act relating to Columbia County; providing for the relief of Runette J. Bass; providing for an appropriation to compensate her for injuries and damages sustained as a result of the actions of the Sheriff of Columbia County; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Burroughs—

HB 2003—A bill to be entitled An act relating to Santa Rosa County; amending chapter 79-561, Laws of Florida, as amended; revising provisions relating to the Civil Service System for certain employees of Santa Rosa County; providing for the appointment of the fifth member to the board; providing for transfers within the Civil Service System; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Fuller—

HB 2005—A bill to be entitled An act relating to drug abuse prevention and control; creating s. 893.051, F.S.; providing requirements for the prescription of a controlled substance listed in Schedule II of s. 893.03, F.S., to children; providing definitions; requiring mental health professionals and medical professionals to obtain specified information prior to treating a child with any Schedule II controlled substance; requiring specified written parental consent prior to treatment; specifying contents of consent form; requiring that specified information be provided to a child's parent or guardian; requiring monthly evaluation of a child treated by prescription with a Schedule II controlled substance; requiring renewal of approval to continue treatment; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Maygarden—

HB 2007—A bill to be entitled An act relating to education; amending s. 231.40, F.S.; limiting the amount of pay certain employees of district school systems may receive for unused sick leave upon termination of employment; amending s. 231.481, F.S.; limiting the amount of pay certain employees of district school systems may receive for unused vacation leave upon termination of employment; amending s. 240.343, F.S.; limiting the amount of pay certain employees of community college districts may receive for unused sick leave upon termination of employment; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Kelly—

HB 2009—A bill to be entitled An act relating to campaign financing; amending s. 106.141, F.S.; limiting the amount of surplus funds that may be given to a political party; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Business Regulation & Consumer Affairs; Representatives Ogles, Brown, Crist, Dockery, Chestnut, and Lynn—

HB 2011—A bill to be entitled An act relating to regulation of professions; amending s. 177.031, F.S.; revising and providing definitions relating to platting; amending s. 177.041, F.S.; requiring plats and replats of subdivisions submitted for approval to be accompanied by a boundary survey of the platted lands; amending s. 177.051, F.S.; revising provisions relating to naming and replatting subdivisions; amending s. 177.061, F.S.; providing requirements for the recording of a plat; amending s. 177.071, F.S.; revising provisions relating to approval of plats by governing bodies; amending s. 177.081, F.S.; requiring plats to be reviewed by a professional surveyor and mapper prior to approval by a governing body; amending s. 177.091, F.S.; providing requirements for monuments and revising other requirements of plats made for recording; amending s. 177.141, F.S.; revising provisions relating to affidavits confirming errors on recorded plats; amending s. 177.151, F.S.; revising provisions relating to state plane coordinates; amending ss. 177.021, 177.121, 177.131, 177.132, 177.27, 177.38, and 287.055, F.S.; conforming references; amending s. 455.213, F.S., relating to general licensing provisions; providing for direct payment of organization-related or vendor-related fees associated with the examination to the organization or vendor; providing that passing a required examination does not entitle a person to licensure if the person is not otherwise qualified; amending s. 455.217, F.S., relating to examinations; authorizing the contracting for examinations and services related to examinations; providing requirements with respect to examinations developed by the department or a contracted vendor and to national examinations; amending s. 466.007, F.S.; correcting a cross reference; amending s. 455.225, F.S.; authorizing the Department of Business and Professional Regulation to issue a notice of noncompliance for an initial offense of a minor violation when the board has failed to designate such minor violation by rule; amending s. 468.385, F.S.; revising provisions relating to the written examination required to be licensed as an auctioneer; amending s. 468.386, F.S., relating to fees applicable to regulation of auctioneers; eliminating reference to the examination fee; amending s. 468.388, F.S.; eliminating exemptions from the requirement that a written agreement be executed prior to conducting an auction; amending s. 468.389, F.S.; revising a ground for disciplinary action to include reference to property belonging to another; providing penalties; reenacting s. 468.391, F.S., relating to a criminal penalty, to incorporate the amendment to s. 468.389, F.S., in a reference thereto; amending s. 468.393, F.S.; reducing the level at which the Auctioneer Recovery Fund must be maintained and for which surcharges are levied; reenacting s. 468.392(5), F.S., relating to moneys in the Auctioneer Recovery Fund, to incorporate the amendment to s. 468.393, F.S., in a reference thereto; amending s. 468.395, F.S.; revising circumstances under which recovery from the Auctioneer Recovery Fund may be obtained; reducing the amount per claim or claims arising out of the same transaction or auction and the aggregate lifetime limit with respect to any one licensee that may be paid from the fund; amending s. 468.396, F.S., relating to claims against a single licensee in excess of the dollar limitation, to conform; amending s. 468.432, F.S.; authorizing the department to adopt rules relating to licensure and disciplinary requirements applicable to community association management; amending s. 468.542, F.S.; providing definitions for classes of water and wastewater operators; amending s. 468.453, F.S.; requiring each applicant for licensure as an athlete agent to submit a full set of fingerprints for purposes of the required criminal records check; exempting members of The Florida Bar from regulations imposed on athlete agents; amending ss. 468.547 and 468.548, F.S., relating to fees and requirements for licensure; eliminating or revising references to examination and reexamination; amending s. 468.607, F.S.; providing that the Department of Business and Professional Regulation shall be the issuing body for a certificate to practice as a building code administrator, plans examiner, or building code inspector; amending s. 468.609, F.S.; revising requirements for certification as a building code administrator, plans examiner, or building code inspector; amending s. 468.617, F.S.; providing that local governments may employ or authorize persons certified or exempt from such regulation to perform inspections on a contract basis; creating s. 468.619, F.S.; providing requirements for architects and engineers performing building code inspection services; amending s. 468.621, F.S.; revising prohibitions; providing disciplinary actions; amending s. 468.629, F.S.; revising disciplinary grounds; providing penalties; amending s. 469.001, F.S.; revising and providing definitions relating to asbestos abatement; amending s. 469.002, F.S.; revising an exemption relating to asbestos-related activities by governmental employees; amending s. 469.004, F.S.; exempting asbestos consultants from licensure under certain circumstances relating to the moving, removal, or disposal of asbestos-containing roofing materials; amending s. 469.005, F.S.; revising requirements for licensure as an asbestos consultant or asbestos contractor; amending s. 469.006, F.S.; eliminating reference to consultant or contractor seals, and requiring a signature instead;

amending s. 469.013, F.S.; adding course requirements for management planners; repealing s. 469.015, F.S., relating to seals; amending s. 470.002, F.S.; revising the definition of "legally authorized person"; amending s. 470.0085, F.S., relating to the embalmer apprentice program; authorizing an extension of apprenticeship for certain students working in funeral establishments; amending s. 470.009, F.S.; reorganizing provisions relating to licensure as a funeral director by examination, to clarify applicability of the internship requirement; amending ss. 470.015 and 470.018, F.S.; revising continuing education requirements for renewal of a funeral director or embalmer license or registration of a direct disposer; amending s. 470.024, F.S.; authorizing operation of visitation chapels and establishing criteria therefor; providing licensing limitations with respect to colocated facilities; requiring the relicensure of funeral establishments whose ownership has changed; amending s. 470.029, F.S.; providing a filing date for monthly reports on final dispositions; amending s. 470.0301, F.S.; providing requirements for registration of centralized embalming facilities; providing for biennial renewal; providing fees; creating s. 470.0315, F.S.; providing for the storage, preservation, and transportation of human remains; creating s. 470.0355, F.S.; providing for the identification of human remains; amending s. 473.306, F.S.; providing conditions under which the Board of Accountancy may adopt an alternative licensure examination for persons licensed to practice public accountancy or its equivalent in a foreign country; providing for appointment of an Educational Advisory Council for purposes of maintaining proper educational qualifications for licensure of certified public accountants; creating s. 473.3065, F.S.; establishing the Certified Public Accountant Education Minority Assistance Program; providing for scholarships to eligible students; providing for the funding of scholarships; requiring Board of Accountancy rules; providing a penalty for certain violations; creating an advisory council to assist in program administration; amending s. 473.308, F.S.; revising licensure requirements relating to public accountancy experience outside this state; amending s. 473.309, F.S.; providing additional requirements for a partnership to practice public accountancy in this state; amending s. 473.312, F.S.; providing for appointment of a Continuing Professional Education Advisory Council for purposes of maintaining proper continuing education requirements for renewal of licensure of certified public accountants; amending s. 474.203, F.S.; revising and providing exemptions from regulation under chapter 474, F.S., relating to veterinary medical practice; amending s. 474.2065, F.S., relating to fees applicable to regulation of veterinary medical practice; eliminating reference to examination and reexamination fees; amending s. 474.207, F.S., relating to licensure by examination; eliminating obsolete provisions; amending s. 474.211, F.S.; requiring criteria for providers of continuing education to be approved by the board; amending s. 474.2125, F.S.; exempting veterinarians licensed in another state from certain requirements for temporary licensure in this state; correcting a cross reference; amending s. 474.214, F.S.; increasing the administrative fine; amending s. 474.215, F.S.; requiring limited service permittees to register each location and providing a registration fee; providing requirements for certain temporary rabies vaccination efforts; providing permit and other requirements for persons who are not licensed veterinarians but who desire to own and operate a veterinary medical establishment; providing disciplinary actions applicable to holders of premises permits; amending s. 474.217, F.S., relating to licensure by endorsement; revising a reference to an examination; amending s. 475.125, F.S., relating to fees applicable to regulation of real estate brokers, salespersons, and schools; eliminating reference to examination and reexamination fees; amending s. 475.15, F.S.; providing registration and licensing requirements for additional business entities; eliminating a provision that requires the automatic cancellation of the registration of a real estate broker partnership upon the lapse in licensure or registration of any of its partners; amending s. 475.17, F.S.; providing additional requirements for licensure as a real estate broker; amending s. 475.175, F.S.; revising provisions relating to examinations; amending s. 475.183, F.S.; revising the period after which involuntarily inactive licenses expire; revising the time for the required notice to the licensee; amending s. 475.25, F.S.; increasing the administrative fine; revising a ground for disciplinary action to exempt licensees from the reporting of certain violators; providing that violations of certain standards of the Appraisal Foundation are grounds for the Florida Real Estate Commission to deny, revoke, or suspend the license of, or to fine, real estate brokers or salespersons; reenacting ss. 475.180(2)(b), 475.181(2), 475.22(2), 475.422(2), and 475.482(1), F.S., relating to nonresident licenses, licensure, refusal of a broker to comply with certain requests or notices, furnishing of copies of termite and roof inspection reports, and recovery from the Real Estate Recovery Fund, to incorporate the amendment to s. 475.25, F.S., in references thereto; amending s. 475.451, F.S.; revising provisions relating to the permitting of instructors for proprietary real estate schools or state institutions; providing permit renewal requirements; revising references relating to examinations; amending s. 475.452, F.S.; providing requirements applicable to advance expenses, commissions, or fees for brokers auctioning real property; amending s. 475.484, F.S.; providing applicability with respect to a conflict with federal law in the disciplining of certain licensees against whom a judgment has been paid from the Real Estate Recovery Fund; creating s. 475.5016, F.S.; granting the department authority to inspect and audit brokers and brokerage offices; creating s. 475.6145, F.S.; providing for a seal for the Florida Real Estate Appraisal Board to authenticate its proceedings, records, and acts; creating s. 475.6147, F.S.; providing a separate section relating to establishment of fees applicable to the regulation of real estate appraisers; amending s. 475.615, F.S.; providing registration requirements for appraisers; amending s. 475.617, F.S.; clarifying continuing education and experience requirements for real estate appraisers; amending s. 475.624, F.S.; revising a ground for disciplinary action to exempt licensees from the reporting of certain violators; creating s. 475.6295, F.S.; granting the department authority to inspect appraisers and appraisal offices; amending ss. 476.114 and 476.124, F.S.; revising provisions relating to examination for licensure as a barber; repealing s. 476.134, F.S., relating to time, place, and subjects of examination; amending s. 476.144, F.S.; revising requirements for a restricted license to practice barbering; amending s. 476.192, F.S.; eliminating reference to examination and reexamination fees; amending s. 477.013, F.S.; defining the terms "hair wrapping" and "photography studio salon"; amending s. 477.0132, F.S.; providing registration requirements for hair wrappers; providing requirements for hair braiding and hair wrapping outside a cosmetology salon or specialty shop; amending s. 477.0135, F.S.; exempting photography studio salons from licensure as a cosmetology salon or specialty salon and providing requirements with respect thereto; amending s. 477.019, F.S.; revising provisions relating to applicants for licensure by examination; providing continuing education requirements for cosmetologists and cosmetology specialists; providing for privatization of such continuing education; exempting hair braiders and hair wrappers from such continuing education requirements; repealing s. 477.022, F.S., relating to examinations; amending s. 477.026, F.S.; eliminating reference to examination and reexamination fees; providing registration fees for hair wrappers; amending s. 477.0263, F.S.; authorizing the performance of cosmetology services in a photography studio salon; amending ss. 481.207, 481.209, and 481.213, F.S., relating to licensure as an architect or interior designer; revising provisions relating to fees and examinations; amending s. 489.103, F.S.; limiting the ordinances, rules, or regulations that a municipality or county may adopt with respect to the installation or maintenance of water conditioning units; providing an exemption from regulation for the sale, delivery, assembly, or tie-down of prefabricated portable sheds under specified circumstances; amending s. 489.105, F.S.; revising and providing definitions applicable to contractors; amending s. 489.107, F.S.; eliminating reference to board jurisdiction over examinations; requiring the Construction Industry Licensing Board and the Electrical Contractors' Licensing Board to each appoint a committee to meet jointly at least twice a year; amending s. 489.109, F.S.; revising provisions relating to examination fees; amending s. 489.111, F.S.; revising provisions relating to licensure by examination; amending s. 489.113, F.S.; revising a provision relating to the certification examination; revising provisions that authorize persons who are not certified or registered to perform construction work under the supervision of a person who is certified or registered; providing that expansion of the scope of practice of any type of contractor does not limit the scope of practice of any existing type of contractor unless the Legislature expressly provides such limitation; creating s. 489.1136, F.S.; providing for medical gas certification for plumbing contractors who install, improve, repair, or maintain conduits used to transport

gaseous or partly gaseous substances for medical purposes; amending s. 553.06, F.S.; providing that plumbing contractors who install, improve, repair, or maintain such conduits shall be governed by the National Fire Prevention Standard 99C; amending s. 489.115, F.S.; authorizing certificateholders and registrants to apply continuing education courses earned under other regulatory provisions under certain circumstances; amending s. 489.119, F.S.; detailing what constitutes an incomplete contract for purposes of temporary certification or registration of a business organization; amending s. 489.127, F.S.; revising and providing penalties applicable to violations of construction contracting provisions; amending s. 489.140, F.S.; eliminating a provision that requires the transfer of surplus moneys from fines into the Construction Industries Recovery Fund; amending s. 489.141, F.S.; clarifying provisions relating to conditions for recovery from the fund; eliminating a notice requirement; revising a limitation on the making of a claim; amending s. 489.142, F.S.; revising a provision relating to powers of the Construction Industry Licensing Board with respect to actions for recovery from the fund, to conform; amending s. 489.143, F.S.; revising provisions relating to payment from the fund; amending s. 489.503, F.S., relating to exemptions from part II of chapter 489, F.S., relating to electrical and alarm system contracting; revising an exemption relating to public utilities; revising an exemption that applies to telecommunications, community antenna television, and radio distribution systems, to include cable television systems; providing exemptions relating to the monitoring of alarm systems by law enforcement employees or officers or fire department employees or officials, by employees of state or federally chartered financial institutions, or by employees of a business; amending s. 489.505, F.S., and repealing subsection (24), relating to the definition of "limited burglar alarm system contractor"; redefining terms applicable to electrical and alarm system contracting; defining the term "monitoring"; amending s. 489.507, F.S.; requiring the Electrical Contractors' Licensing Board and the Construction Industry Licensing Board to each appoint a committee to meet jointly at least twice a year; amending s. 489.509, F.S.; eliminating reference to the payment date of the biennial renewal fee for certificateholders and registrants; providing for transfer of a portion of certain fees applicable to regulation of electrical and alarm system contracting to fund certain projects relating to the building construction industry and continuing education programs related thereto; amending s. 489.511, F.S.; revising eligibility requirements for certification as an electrical or alarm system contractor; amending s. 489.513, F.S.; revising registration requirements for electrical contractors; amending s. 489.517, F.S.; authorizing certificateholders and registrants to apply continuing education courses earned under other regulatory provisions under certain circumstances; amending s. 489.519, F.S.; authorizing certificateholders and registrants to apply for voluntary inactive status at any time during the period of certification or registration; amending s. 489.521, F.S.; providing conditions on qualifying agents qualifying more than one business organization; providing for revocation or suspension of such qualification for improper supervision; amending s. 489.525, F.S.; changing the date for the Department of Business and Professional Regulation to inform local boards and building officials of the names of all certificateholders and the status of the certificates; amending s. 489.529, F.S.; providing an exception to an alarm verification requirement; amending s. 489.531, F.S.; revising and providing penalties applicable to violations of electrical and alarm system contracting provisions; reenacting s. 489.533(1)(a) and (2), F.S., relating to disciplinary proceedings, to incorporate the amendment to s. 489.531, F.S., in a reference thereto; amending s. 489.537, F.S.; revising requirements relating to subcontracting alarm system contracting; amending ss. 489.539 and 553.19, F.S.; adding a national code relating to fire alarms to the minimum electrical and alarm standards required in this state; amending s. 489.553, F.S.; revising qualifications for registration as a septic tank contractor or master septic tank contractor; creating s. 501.935, F.S.; providing requirements relating to home-inspection reports; providing legislative intent; providing definitions; providing exemptions; requiring, prior to inspection, provision of inspector credentials, a caveat, a disclosure of conflicts of interest and certain relationships, and a statement or agreement of scope, limitations, terms, and conditions; requiring a report on the results of the inspection; providing prohibited acts, for which there are civil penalties; providing that failure to comply is a deceptive and unfair trade practice; creating s. 501.937, F.S.; providing requirements for use of professional titles by industrial hygienists and safety professionals; providing that violation of such requirements is a deceptive and unfair trade practice; amending s. 553.06, F.S.; requiring the Board of Building Codes and Standards to adopt alternative standards for testing water treatment units under certain circumstances; amending s. 553.504, F.S.; revising the required dimensions of water closet seats; amending s. 553.63, F.S., relating to trench excavations in excess of a specified depth; deleting a provision requiring contract bids to include certain items; repealing s. 553.64, F.S., relating to certain requirements for contract bids; amending s. 553.991, F.S.; limiting the purpose of the "Florida Building Energy-Efficiency Rating Act" to providing for a statewide uniform system for rating the energy efficiency of buildings; amending s. 553.994, F.S.; deleting the schedule for phasing in the rating system; amending s. 553.996, F.S.; requiring provision of an information brochure to prospective purchasers of certain real property; deleting a provision authorizing such prospective purchasers to receive a rating on the property upon request; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Health Care Standards & Regulatory Reform; Representatives Lippman, Maygarden, Minton, Saunders, Wasserman Schultz, and Diaz de la Portilla—

HB 2013—A bill to be entitled An act relating to regulation of health care professions; amending s. 402.48, F.S., relating to health care services pools; increasing the period of registration; updating a definition and a provision relating to meeting financial responsibility requirements; amending s. 457.102, F.S.; revising definitions applicable to the regulation of acupuncture; amending s. 457.105, F.S.; revising qualifications for licensure to practice acupuncture; revising fees; conforming terminology; amending s. 457.107, F.S.; revising licensure renewal fees; conforming terminology; amending s. 457.1085, F.S.; revising requirements on the adoption of rules relating to infection control and on the use of acupuncture needles; amending ss. 457.103, 457.108, 457.109, and 457.116, F.S., to conform; amending s. 458.303, F.S.; eliminating references to physician's trained assistants; amending s. 458.305, F.S.; updating the definition of "department"; amending s. 458.307, F.S.; revising provisions relating to probable cause panels of the Board of Medicine; amending s. 455.206, F.S.; correcting a cross reference, to conform; amending s. 458.311, F.S.; revising requirements for licensure of physicians by examination; revising an educational and postgraduate training requirement; allowing certain applicants to complete a specified fellowship to partially satisfy the licensing requirements; providing for additional remedial education or training upon failure to pass the licensing examination after a certain number of attempts; authorizing persons in certain training programs to take the examination under certain circumstances; amending s. 458.313, F.S.; revising requirements for licensure of physicians by endorsement; eliminating a provision authorizing oral examinations; providing for additional remedial education or training upon failure to pass the licensing examination after a certain number of attempts; authorizing additional requirements prior to certification of eligibility for licensure; correcting a cross reference; eliminating a provision authorizing licensure under a period of supervision; providing conditions for reactivation of certain licenses issued by endorsement; amending s. 458.317, F.S., relating to limited licenses; eliminating the requirement that applicants for a limited license be retired from the practice of medicine; restricting certain limited licensees to noncompensated practice; requiring the payment of fees if a person receives compensation for the practice of medicine; amending s. 458.319, F.S.; clarifying requirements for renewal of license to practice medicine; revising recent-practice requirements; amending s. 458.320, F.S.; correcting a cross reference; requiring physicians not carrying medical malpractice insurance to post notice and provide a written statement thereof; providing for acknowledgment that the patient has been so informed; amending s. 458.331, F.S.; revising and providing grounds for disciplinary action; providing penalties; creating s. 458.3312, F.S.; prohibiting physicians from falsely representing that they are board-certified specialists; amending s. 458.345, F.S., relating to registration

of resident physicians, interns, and fellows; providing for designation of a person responsible at each hospital using such residents for the hospital's semiannual reports to the department; requiring certain notice to the executive director of the board; providing that registrants are subject to specified disciplinary provisions; providing requirements for the prescribing of medicinal drugs and controlled substances; amending s. 458.346, F.S.; providing for meetings of the Public Sector Physician Advisory Committee; amending ss. 458.347 and 459.022, F.S.; revising requirements for certification as a physician assistant; updating terminology; amending s. 458.3485, F.S.; requiring medical assistants to be under the direct supervision of a licensed physician; creating ss. 458.351 and 459.025, F.S.; requiring serious incident reports; providing for rules; amending s. 459.003, F.S.; updating the definition of "department"; providing that certain terms are equivalent; amending s. 459.021, F.S.; revising terminology relating to osteopathic medicine; revising provisions relating to registration of resident physicians, interns, and fellows; providing for designation of a person responsible at each hospital using such residents for the hospital's semiannual reports to the department; requiring certain notice to the executive director of the board; providing that registrants are subject to specified disciplinary provisions; amending s. 459.0075, F.S., relating to limited licenses; eliminating the requirement that applicants for a limited license be retired from the practice of osteopathic medicine; restricting certain limited licensees to noncompensated practice; requiring the payment of fees if a person receives compensation for the practice of osteopathic medicine; amending s. 459.0085, F.S.; correcting a cross reference; requiring osteopathic physicians not carrying medical malpractice insurance to post notice and provide a written statement thereof; providing for acknowledgment that the patient has been so informed; amending s. 459.015, F.S.; revising and providing grounds for disciplinary action; providing penalties; creating s. 459.0152, F.S.; prohibiting osteopathic physicians from falsely representing that they are board-certified specialists; amending ss. 240.4067, 390.011, 395.0191, 408.035, 409.905, 415.102, 415.1034, 415.504, 440.106, 440.13, 440.134, 440.15, 456.31, 459.006, 462.01, 468.301, 468.302, 476.044, 477.0135, 483.291, 621.03, 627.351, 627.357, 627.6482, 725.01, 766.101, 766.103, 766.105, 766.110, 817.234, and 945.047, F.S.; conforming and correcting terminology relating to osteopathic medicine; amending s. 460.403, F.S.; updating the definition of "department"; amending s. 460.413, F.S.; revising grounds for disciplinary action; providing penalties; providing criteria for determining the applicable penalty; providing certain evidentiary standards; providing authority and procedure to enjoin a chiropractor from providing medical services under certain circumstances; reenacting ss. 320.0848(9), 455.236(4)(g), and 766.111(2), F.S., relating to parking permits for disabled persons, prohibited referrals to home health agencies, and unnecessary diagnostic testing, to incorporate the amendment to s. 460.413, F.S., in references thereto; amending s. 460.4165, F.S.; revising a provision relating to the fee accompanying applications to supervise chiropractic physician's assistants; amending s. 461.003, F.S.; updating the definition of "department"; amending s. 461.013, F.S.; revising a ground for disciplinary action; providing penalties; amending s. 461.018, F.S.; clarifying a provision relating to the limited practice of podiatry in designated areas of need; amending s. 464.003, F.S.; revising a definition to update authority over regulation of nursing; amending ss. 464.004, 464.008, 464.009, 464.012, 464.013, and 464.014, F.S., to conform; amending s. 464.018, F.S.; revising grounds for disciplinary action; providing penalties; conforming terminology; amending s. 464.019, F.S., relating to approval of nursing programs; providing for a program review fee; conforming terminology; creating s. 464.0205, F.S.; providing for certification of retired volunteer nurses; providing requirements, qualifications, fees, and restrictions; amending s. 464.022, F.S.; providing an exemption from regulation relating to certain nurses accompanying and caring for patients temporarily residing in this state; amending s. 465.003, F.S.; updating the definition of "department"; amending s. 465.004, F.S.; increasing the membership of the Board of Pharmacy; revising membership qualifications; amending s. 465.014, F.S.; increasing the number of pharmacy technicians who may be supervised by a licensed pharmacist; amending s. 465.0156, F.S.; revising information required for registration of nonresident pharmacies; amending s. 465.016, F.S.; revising a ground for disciplinary action; providing penalties; amending s. 465.035, F.S.; allowing the dispensing of controlled substances based on electronic facsimiles of the original prescriptions; amending s. 466.003, F.S.; updating the definition of "department"; amending s. 466.006, F.S., relating to the examination of dentists; revising prerequisites for certain applicants to take the examination; amending s. 466.017, F.S.; eliminating obsolete provisions relating to the utilization of general anesthesia and parenteral conscious sedation by licensed dentists; amending s. 466.028, F.S.; revising grounds for disciplinary action; providing penalties; amending s. 468.1115, F.S.; revising and providing exemptions from regulation as a speech-language pathologist or audiologist; amending s. 468.1125, F.S.; updating the definition of "department"; amending s. 468.1155, F.S.; revising provisional licensure requirements; providing requirements for cross-discipline licensure; amending s. 468.1185, F.S.; revising licensure requirements; conforming a reference; amending s. 468.1195, F.S.; revising continuing education requirements; providing for adoption of standards of approval of continuing education providers; creating s. 468.1201, F.S.; requiring instruction on human immunodeficiency virus and acquired immune deficiency syndrome as a condition of being granted a license or certificate to practice speech-language pathology or audiology; amending s. 468.1215, F.S.; revising requirements for certification as a speech-language pathology or audiology assistant; conforming a reference; amending s. 468.1245, F.S.; revising language relating to certain complaints concerning hearing aids; amending s. 468.1295, F.S.; revising and providing grounds for disciplinary action; revising and providing penalties; creating s. 468.1296, F.S.; prohibiting sexual misconduct in the practice of speech-language pathology and audiology, for which there are penalties; amending s. 468.1655, F.S.; updating the definition of "department"; amending s. 468.1695, F.S.; reducing the number of times a year the examination for licensure as a nursing home administrator must be given; amending s. 468.203, F.S.; revising definitions applicable to regulation of occupational therapy; amending s. 468.205, F.S.; replacing the Occupational Therapy Council with a Board of Occupational Therapy Practice; providing for qualifications, appointments, and terms of board members; providing for the filling of vacancies on the board; amending s. 468.209, F.S.; revising educational requirements for licensure as an occupational therapist or occupational therapy assistant; providing for licensure of certain applicants without meeting such educational requirements; providing for certain temporary permits; requiring documentation of continuing education for certain applicants; amending s. 468.211, F.S.; providing a restriction on the number of times an applicant may fail the examination and requiring remediation after a certain number; amending s. 468.213, F.S.; revising requirements for licensure by endorsement; amending s. 468.225, F.S.; providing exemptions from regulation of occupational therapy; amending ss. 468.351, 468.352, 468.354, 468.355, 468.356, 468.357, 468.358, 468.359, 468.36, 468.361, 468.363, 468.364, 468.365, 468.366, and 468.368, F.S., and transferring and amending s. 468.362, F.S.; providing for licensure of respiratory care practitioners and respiratory therapists; eliminating references to certification and registration; updating the definition of "department"; revising terminology; revising approval of educational programs; eliminating annual continuing education requirements for certain persons; providing penalties; amending s. 478.42, F.S.; updating the definition of "department"; amending s. 478.45, F.S.; revising requirements for licensure as an electrologist; amending s. 478.46, F.S.; revising requirements relating to issuance of temporary permits; correcting a cross reference and terminology; amending s. 478.47, F.S.; revising requirements for licensure by endorsement; amending s. 478.52, F.S.; prohibiting the operation of unlicensed electrolysis facilities; providing penalties; amending s. 480.033, F.S.; revising the definition of "board"; updating the definition of "department"; amending s. 480.034, F.S.; eliminating an exemption from regulation applicable to certain skin treatments and weight-loss programs; amending s. 480.035, F.S.; renaming the Board of Massage as the Board of Massage Therapy; amending s. 480.041, F.S.; eliminating provisional licensure to practice massage therapy; amending s. 480.0415, F.S.; authorizing an increase in the number of classroom hours of continuing education that may be required for renewal of a license to practice massage therapy; amending s. 480.042, F.S.; revising what examinations must measure; repealing s. 480.0425, F.S., relating to inactive status; amending s. 480.043, F.S.; revising provisions relating to the transfer of licenses; amending s.

480.044, F.S.; revising provisions relating to fees; amending s. 480.047, F.S.; prohibiting the practice of massage therapy without a license unless exempted from licensure; creating s. 480.0485, F.S.; prohibiting sexual misconduct in the practice of massage therapy, for which there are disciplinary actions; amending s. 20.43, F.S., relating to the Department of Health; conforming terminology; updating a reference; amending s. 381.81, F.S., to conform; amending s. 483.800, F.S.; revising policy and purpose relating to regulation of clinical laboratory personnel; amending s. 483.801, F.S.; providing a regulatory exemption relating to advanced registered nurse practitioners; amending s. 483.803, F.S.; updating the definition of "department"; providing definitions; amending s. 483.809, F.S.; revising licensing provisions; authorizing an alternative examination for public health laboratory scientists; creating s. 483.812, F.S.; providing for licensure of public health laboratory scientists; amending s. 483.813, F.S.; extending the period of a temporary license for clinical laboratory personnel; providing a period for a conditional license; amending s. 483.823, F.S.; revising provisions relating to qualifications of clinical laboratory personnel; amending s. 483.825, F.S.; revising and providing grounds for disciplinary action; providing penalties; creating s. 483.828, F.S.; providing penalties for specified violations; amending s. 483.901, F.S., the "Florida Medical Physicists Act"; providing that the Advisory Council of Medical Physicists is an advisory rather than a regulatory body; increasing the number and terms of council members; clarifying initial and other appointment provisions; revising provisions relating to council meetings; revising licensure requirements; clarifying that the required continuing education hours are to be satisfied biennially and that the organizations providing such education must be approved by the Department of Health; revising and providing grounds for disciplinary action; revising and providing criminal acts; providing an administrative fine; providing penalties; eliminating a provision authorizing a licensure exception; amending s. 484.041, F.S.; updating the definition of "department"; amending s. 484.042, F.S.; updating a reference, to conform; amending s. 484.051, F.S.; updating a reference, to conform; amending s. 486.021, F.S.; updating the definition of "department"; amending s. 486.023, F.S.; increasing the membership of the Board of Physical Therapy Practice; amending ss. 486.031 and 486.081, F.S.; providing an alternative licensure examination; revising accreditation provisions relating to licensure as a physical therapist; amending s. 486.041, F.S.; revising provisions relating to applying for a license as a physical therapist and to the fee therefor; amending s. 486.051, F.S.; revising provisions relating to examination of applicants for licensure as a physical therapist; amending s. 486.102, F.S.; revising accreditation provisions relating to licensure as a physical therapist assistant; amending s. 486.103, F.S.; revising provisions relating to applying for a license as a physical therapist assistant and to the fee therefor; amending s. 486.104, F.S.; revising provisions relating to examination of applicants for licensure as a physical therapist assistant; creating s. 486.123, F.S.; prohibiting sexual misconduct in the practice of physical therapy, for which there are disciplinary actions; amending s. 486.125, F.S.; providing for recovery of the actual costs of investigation and prosecution; amending s. 641.495, F.S.; requiring a health maintenance organization to designate as medical director a state-licensed physician or osteopathic physician; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Boyd—

HB 2015—A bill to be entitled An act relating to the Cedar Key special water and sewerage district in Levy County; amending section 1 of chapter 63-1569, Laws of Florida, describing the boundaries of the Cedar Key special water and sewerage district; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Boyd—

HB 2017—A bill to be entitled An act relating to the state lottery; amending s. 24.107, F.S.; requiring the Department of Lottery to advertise how moneys from the lottery are apportioned and expended for education; providing criteria; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Children & Family Empowerment; Representative Lacasa—

HB 2019—A bill to be entitled An act relating to program administration by the Department of Children and Family Services; amending s. 20.19, F.S.; providing additional duties for the department's Office of Standards and Evaluation with respect to measuring standards of performance and to reports due to the Legislature; providing duties of program offices; requiring an evaluation and a report from the Assistant Secretary for Administration; revising requirements for the department in procuring contracts for client services and in establishing standards for the delivery of those services; requiring the department to procure certain services competitively; authorizing the department to develop rules relating to an alternative competitive procurement process; allowing a phase-in period for competitive procurement of certain client services; authorizing deferral of the competitive contracting process under certain circumstances; limiting the duration of such deferrals; providing intent that the department enter multi-year contracts; providing for procuring services from multiple sources; requiring that certain provisions relating to penalties be included in specified contracts entered into by the department; requiring that the department develop, and incorporate into the department's Employee Handbook, standards of conduct and a range of disciplinary actions relating to certain staff functions; requiring the department to assure the accountability of each provider of client services; providing duties of the Auditor General and the Office of Program Policy Analysis and Government Accountability; providing for cancellation of contracts under specified circumstances; providing for department liens against certain property constructed or renovated using state funds; amending 394.74, F.S.; adding a provision that contracts for services must be performance-based; deleting an obsolete requirement associated with cost-reimbursement contracts; amending s. 394.76, F.S.; authorizing performance-based contracts, purchase-of-service contracts, and start-up contracts; adding provisions for all types of contracts; requiring an evaluation of the contractor's performance; requiring the department to provide training for staff in negotiating contracts; requiring the department to ensure certain assistance to staff who are negotiating a contract; requiring the department to create contract management units at the district level; providing specifications for these units; specifying the date by which the contract management units must be in operation; requiring the department to evaluate contracting functions in the service districts; requiring reports to the Legislature by the department; authorizing the department to exercise budget and personnel flexibility; authorizing the department to transfer specified funds from certain budget entities in order to create certain staff positions; requiring a report; creating s. 394.490, F.S.; establishing guiding principles for the children's mental health system; creating s. 394.4905, F.S.; providing definitions; creating s. 394.491, F.S.; defining target populations for children's mental health services; creating s. 394.4915, F.S.; providing general performance outcomes for the children's mental health system; creating s. 394.492, F.S.; directing the Department of Children and Family Services and the Agency for Health Care Administration to establish an information and referral process; providing requirements; creating s. 394.4925, F.S.; directing the department, the agency, the Department of Health, the Department of Education, and the Department of Juvenile Justice to establish uniform standards and protocols for screening, assessment, and diagnosis; creating s. 394.493, F.S.; providing for uniform assessment services in the districts of the department; creating s. 394.4935, F.S.; providing for district children's mental health services planning teams; creating s. 394.494, F.S.; specifying requirements for services plans and case management; providing an administrative penalty; creating s. 394.4945, F.S.; directing the department to establish the children's mental health system of care; providing minimum programs and services; creating s. 394.495, F.S.; providing definitions; establishing a children's mental health provider qualification process; providing for market rate reimbursement and a purchase-of-services system; creating s. 394.496,

F.S.; providing for Children's Mental Health Partnership Grants; creating s. 394.497, F.S.; authorizing department and agency contracts for services; requiring an annual report; creating s. 394.499, F.S.; providing for rules and related policy; authorizing application for federal waivers; amending s. 411.203, F.S.; providing for training for parents and caregivers; amending s. 411.204, F.S.; correcting a cross reference; repealing ss. 394.50, 394.56, 394.57, 394.58, 394.59, 394.60, 394.61, and 394.62, F.S., relating to children's residential and day treatment centers, voluntary and involuntary admission to such centers, records, payment for care and treatment of patients, transfer of patients, discharge of voluntary patients, and age limits; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Boyd, Argenziano, Casey, Chestnut, Kelly, Bainter, Albright, and Smith—

HB 2021—A bill to be entitled An act relating to Rainbow Lake Estates, Marion and Levy Counties; amending chapter 69-1298, Laws of Florida; authorizing the levy and assessment of special assessments to fund municipal services; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Meek—

HR 9209—A resolution paying tribute to Wallace Chester, Sr.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Reddick—

HR 9211—A resolution commending the Macon Community for outstanding dedication to their community.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Reddick—

HR 9213—A resolution commending the Orlando Regional Medical Center Air Care Team for its services to the citizens of Central Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Hill—

HR 9215—A resolution recognizing and commending the Bragan family and the Jacksonville Suns upon the occasion of their winning the 1996 Southern League Championship.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Miller—

HR 9217—A resolution honoring the outstanding accomplishments of the Institute on Black Life of the University of South Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

HB 653—Referred to the Committee(s) on Civil Justice & Claims.

HB 1753—Referred to the Committee(s) on Criminal Justice Appropriations.

HB 1815—Placed on the Economic Impact Council Calendar without reference.

HB 1843—Referred to the Committee(s) on Health Care Standards & Regulatory Reform and Health & Human Services Appropriations.

HB 1847—Referred to the Committee(s) on Agriculture, Finance & Taxation, and General Government Appropriations.

HB 1849—Referred to the Committee(s) on Children & Family Empowerment and Governmental Operations.

HB 1851—Referred to the Committee(s) on Regulated Services and Finance & Taxation.

HB 1853—Referred to the Committee(s) on Health Care Services and Health & Human Services Appropriations.

HB 1855—Referred to the Committee(s) on Health Care Standards & Regulatory Reform and Finance & Taxation.

HB 1861—Referred to the Committee(s) on Health Care Services and Governmental Rules & Regulations.

HB 1863—Referred to the Committee(s) on Health Care Services, Finance & Taxation, and Health & Human Services Appropriations.

HB 1865—Referred to the Committee(s) on Health Care Standards & Regulatory Reform, Finance & Taxation, and Health & Human Services Appropriations.

HB 1869—Referred to the Committee(s) on Family Law & Children, Children & Family Empowerment, Finance & Taxation, and Health & Human Services Appropriations.

HB 1871—Referred to the Committee(s) on Finance & Taxation and Education Appropriations.

HB 1873—Placed on the Academic Excellence Council Calendar without reference.

HB 1875—Referred to the Committee(s) on Community Affairs.

HB 1877—Referred to the Committee(s) on Utilities & Communications and Water & Resource Management.

HB 1879—Referred to the Committee(s) on Health Care Services, Governmental Rules & Regulations, and Health & Human Services Appropriations.

HB 1881—Referred to the Committee(s) on Civil Justice & Claims.

HB 1883—Referred to the Committee(s) on Finance & Taxation and Health & Human Services Appropriations.

HB 1887—Referred to the Committee(s) on Governmental Operations and Financial Services.

HB 1889—Referred to the Committee(s) on Agriculture and General Government Appropriations.

HB 1891—Referred to the Committee(s) on Elder Affairs & Long Term Care and Health & Human Services Appropriations.

HB 1893—Referred to the Committee(s) on Elder Affairs & Long Term Care.

HB 1897—Referred to the Committee(s) on Water & Resource Management.

HB 1901—Placed on the Academic Excellence Council Calendar without reference.

HB 1903—Referred to the Committee(s) on Governmental Rules & Regulations.

HB 1907—Referred to the Committee(s) on Community Affairs and Finance & Taxation.

HM 1909—Referred to the Committee(s) on Water & Resource Management.

HCR 1911—Referred to the Committee(s) on Water & Resource Management and Business Development & International Trade.

HB 1913—Referred to the Committee(s) on Regulated Services.

HB 1915—Referred to the Committee(s) on Education Innovation, Finance & Taxation, and Education Appropriations.

HB 1919—Referred to the Committee(s) on Health Care Standards & Regulatory Reform, Business Regulation & Consumer Affairs, and Health & Human Services Appropriations.

HB 1925—Placed on the Government Services Council Calendar without reference.

HM 1927—Referred to the Committee(s) on Environmental Protection.

HB 1929—Referred to the Committee(s) on Governmental Operations and Health & Human Services Appropriations.

HB 1931—Referred to the Committee(s) on Education/K-12 and Education Appropriations.

HB 1933—Placed on the Economic Impact Council Calendar without reference.

HB 1935—Placed on the Academic Excellence Council Calendar without reference.

HB 1937—Referred to the Committee(s) on Transportation and Governmental Rules & Regulations.

HB 1939—Placed on the Governmental Responsibility Council Calendar without reference.

HB 1941—Referred to the Committee(s) on Governmental Operations.

HB 1943—Referred to the Committee(s) on Financial Services.

HB 1945—Placed on the Academic Excellence Council Calendar without reference.

HB 1947—Referred to the Committee(s) on Financial Services, Governmental Operations, and Transportation & Economic Development Appropriations.

HB 1949—Referred to the Committee(s) on Education/K-12, Civil Justice & Claims, and Education Appropriations.

HB 1951—Referred to the Committee(s) on Water & Resource Management and General Government Appropriations.

HB 1953—Referred to the Committee(s) on Community Affairs and Finance & Taxation.

HB 1955—Referred to the Committee(s) on Colleges & Universities, Finance & Taxation, and Education Appropriations.

HB 1957—Referred to the Committee(s) on Governmental Operations.

HB 1959—Referred to the Committee(s) on Business Regulation & Consumer Affairs and Governmental Rules & Regulations.

HB 1961—Referred to the Committee(s) on Financial Services and Business Regulation & Consumer Affairs.

HB 1965—Referred to the Committee(s) on Health & Human Services Appropriations.

HB 1967—Placed on the Government Services Council Calendar without reference.

HB 1969—Referred to the Committee(s) on Governmental Rules & Regulations and General Government Appropriations.

HR 9087—Referred to the Committee(s) on Health Care Services and Rules, Resolutions, & Ethics.

First Reading of Committee Substitutes by Publication

By the Committees on Juvenile Justice; Education Innovation; Representatives Byrd, Feeney, and Fasano—

CS/CS/HB 695—A bill to be entitled An act relating to education; providing intent; amending s. 39.045, F.S., relating to confidential information about juvenile offenders, to provide for disclosure to teachers; amending s. 948.03, F.S.; requiring a juvenile in a community control program to attend a public adult education program or dropout prevention program if available unless an exception is made by the principal; requiring disclosure of certain information if a juvenile attends a regular educational school program; providing an effective date.

By the Committee on Health Care Standards & Regulatory Reform; Representative Geller—

CS/HB 759—A bill to be entitled An act relating to home medical equipment providers; creating part IX of chapter 400, F.S.; providing for regulation of home medical equipment providers by the Agency for Health Care Administration; providing legislative intent; providing definitions; providing for licensure and exemptions; providing unlawful acts; providing penalties; providing for license applications; providing for fees; providing for background screening; providing for provisional licenses and temporary permits; providing for administrative penalties; providing for injunctions, emergency orders, and moratoriums; providing for licensure inspections and investigations; providing minimum standards; providing for agency rules; providing for patient records; providing for notice of toll-free telephone number for the central abuse registry; providing for background screening of home medical equipment provider personnel; providing penalties; providing screening procedures; providing for agency injunctions; prohibiting patient referrals and rebates; providing for application of the act to existing providers; providing an appropriation; providing an effective date.

By the Committee on Environmental Protection; Representatives Constantine, Eggelletion, Crow, Murman, Peaden, Greene, and Putnam—

CS/HBs 1067 & 955—A bill to be entitled An act relating to brownfields redevelopment; creating ss. 376.77-376.84, F.S., the Brownfields Redevelopment Act; providing legislative intent; providing definitions; providing duties of a local government that designates a brownfield area for rehabilitation; providing for notice to the Department of Environmental Protection; providing for public hearings; providing requirements for such designation and specifying effect thereof; requiring establishment of an advisory committee; providing for a brownfield site rehabilitation agreement and providing requirements with respect thereto; providing requirements for contractors performing site rehabilitation and for professional engineers and geologists; providing consequences of failure to comply with a rehabilitation agreement; authorizing the department to enter into delegation agreements with local pollution control programs; encouraging state and local governments to offer redevelopment incentives; specifying financial, local, regulatory, and technical assistance incentives that may be included; directing the department to establish by rule criteria for determining the tasks that comprise a rehabilitation program and the level at which tasks and programs may be deemed completed; providing requirements for such criteria; providing that source removal may be required under certain conditions; providing eligibility requirements for participation in brownfield rehabilitation; providing liability protection for persons who successfully complete a rehabilitation agreement; providing requirements for issuance of a “no further action” letter evidencing completion of rehabilitation; authorizing negotiation with the United States Environmental Protection Agency regarding enforcement; providing certain liability protection for state and local governments and for certain nonprofit land conservation corporations; providing conditions under which further rehabilitation may be required; providing liability protection for certain financial institutions; specifying violations and providing penalties; requiring an annual report; providing an effective date.

By the Committee on Governmental Operations; Representatives Albright and Heyman—

CS/HB 1105—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from public records requirements for a videotaped statement of a minor who is the victim of specified crimes involving sexual battery, lewd acts, or other sexual misconduct regarding such offenses; authorizing access by certain governmental agencies; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

By the Committee on Health Care Services; Representatives Ball, Burroughs, Arnold, Dockery, Peaden, Brooks, Healey, Westbrook, Bronson, Bainter, Starks, Lacasa, Trovillion, Fasano, Kelly, Sindler, Bitner, Feeney, Putnam, Futch, Wise, Fuller, Harrington, Posey, Littlefield, Thrasher, Wallace, Flanagan, Rodriguez-Chomat, Melvin, Smith, Maygarden, Culp, Byrd, Constantine, Andrews, Valdes, K. Pruitt, Barreiro, Arnall, Morroni, Casey, Bullard, Crady, Ogles, Villalobos, Sanderson, Mackey, Saunders, Murman, Ziebarth, Albright, Cosgrove, and Sublette—

CS/HB 1227—A bill to be entitled An act relating to termination of pregnancies; renumbering and amending s. 390.001, F.S.; prohibiting partial-birth abortion; providing a penalty; providing civil liability; providing for relief; renumbering s. 390.002, F.S.; amending s. 390.011, F.S.; expanding scope of definitions; defining "partial-birth abortion"; providing an effective date.

By the Committee on Financial Services; Representative Edwards—

CS/HB 1549—A bill to be entitled An act relating to motor vehicle insurance; creating s. 627.06501, F.S.; providing for reducing certain motor vehicle insurance premiums for successful completion of a specified driver improvement course; providing criteria and limitations; providing for a certificate of completion; providing application; amending s. 318.1451, F.S.; providing for imposing an assessment fee for an additional driver improvement course; amending s. 627.419, F.S.; providing for the construction of policies; amending s. 627.728, F.S.; providing for policy cancellations; providing a time period to cure nonpayment; specifying criteria for electronic notice; amending s. 627.7288, F.S.; clarifying a deductible provision; creating s. 627.72951, F.S.; authorizing temporary binding of motor vehicle insurance coverage under certain circumstances; providing an effective date.

By the Committee on Education Innovation; Representatives Miller and Murman—

CS/HB 1677—A bill to be entitled An act relating to education; authorizing a pilot program to promote school readiness for preschool children; requiring an evaluation and study; authorizing the use of certain funds; providing an effective date.

Daily Folder

Communication was received from the Speaker that under Rule 132, the Daily Folder for Monday, April 14, 1997, beginning at 1:10 p.m., would consist of the following:

1:10 p.m. - 2:30 p.m. General Calendar (Third Reading)
2:30 p.m. - 3:30 p.m. Justice Council Calendar
3:30 p.m. - 5:00 p.m. Governmental Responsibility Council Calendar
5:00 p.m. - 5:30 p.m. Ceremonial Resolutions Calendar

Reports of Councils and Standing Committees

Committee Reports

Received April 14:

The Committee on Crime & Punishment (Justice Council) recommends the following pass:
SB 316

The above bill was placed on the appropriate Calendar.

The Committee on Health & Human Services Appropriations recommends the following pass:
HB 1523, with 1 amendment (fiscal note attached, unanimous)

The above bill was placed on the appropriate Calendar.

The Committee on Transportation & Economic Development Appropriations recommends the following pass:
HB 63 (fiscal note attached, unanimous)
CS/HB 133, with 1 amendment (fiscal note attached)
CS/HB 225, with 1 amendment (fiscal note attached, unanimous)
HB 1201 (fiscal note attached, unanimous)
HB 1689, with 1 amendment (fiscal note attached, unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on Governmental Operations (Governmental Responsibility Council) recommends a committee substitute for the following:
HB 1105 (unanimous)

The above committee substitute was placed on the appropriate Calendar, and, under the rule, HB 1105 was laid on the table.

The Committee on Health Care Services (Government Services Council) recommends a committee substitute for the following:
HB 1227

The above committee substitute was placed on the appropriate Calendar, and, under the rule, HB 1227 was laid on the table.

The Committee on Juvenile Justice (Justice Council) recommends a committee substitute for the following:
CS/HB 695 (unanimous)

The above committee substitute was placed on the appropriate Calendar, and, under the rule, CS/HB 695 was laid on the table.

The Committee on Education Innovation (Academic Excellence Council) recommends a committee substitute for the following:
HB 1677 (unanimous)

The above committee substitute was referred to the Committee on Education Appropriations, and, under the rule, HB 1677 was laid on the table.

The Committee on Environmental Protection (Governmental Responsibility Council) recommends a committee substitute for the following:
HBs 1067 & 955

The above committee substitute was referred to the Committee on General Government Appropriations, and, under the rule, HBs 1067 and 955 were laid on the table.

The Committee on Family Law & Children (Justice Council) recommends the following pass:
HB 1633 (unanimous)

The above bill was referred to the Committee on Children & Family Empowerment (Government Services Council).

The Committee on Business Regulation & Consumer Affairs (Economic Impact Council) recommends the following pass:
HB 1179, with 4 amendments (unanimous)

The above bill was referred to the Committee on Finance & Taxation.

The Committee on Health Care Standards & Regulatory Reform (Government Services Council) recommends the following pass:
HB 511 (unanimous)

The above bill was referred to the Committee on Governmental Operations (Governmental Responsibility Council).

The Committee on Juvenile Justice (Justice Council) recommends the following pass:
HR 9013 (unanimous)

The above bill was referred to the Committee on Rules, Resolutions, & Ethics.

The Committee on Financial Services (Economic Impact Council) recommends a committee substitute for the following:

HB 1549 (unanimous)

The above committee substitute was referred to the Committee on Governmental Rules & Regulations (Governmental Responsibility Council), and, under the rule, HB 1549 was laid on the table.

The Committee on Health Care Standards & Regulatory Reform (Government Services Council) recommends a committee substitute for the following:

HB 759 (unanimous)

The above committee substitute was referred to the Committee on Governmental Rules & Regulations (Governmental Responsibility Council), and, under the rule, HB 759 was laid on the table.

The Committee on Family Law & Children (Justice Council) recommends the following not pass:

HB 881

The above bill was laid on the table under the rule.

Enrolling Reports

HB 115; CS/HB 229; HBs 253, 285, and 399; CS/HB 443; CS/HBs 461, 281 & 75; and HB 599 have been enrolled, signed by the required constitutional officers, and presented to the Governor on April 14, 1997.

John B. Phelps, Clerk

Excused

Rep. Clemons until 3:18 p.m., Rep. Edwards after 2:11 p.m., Rep. Flanagan, Rep. Minton until 3:08 p.m., Reps. Reddick, Rodriguez-Chomat, Stafford

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 5:43 p.m., to reconvene at 8:30 a.m., Wednesday, April 16.