



# Journal of the Senate

Number 16—Regular Session

Tuesday, April 18, 2017

## CONTENTS

Bills on Third Reading . . . . .	418
Call to Order . . . . .	417
Co-Introducers . . . . .	426
Committee Substitutes, First Reading . . . . .	425
Executive Business, Reports . . . . .	424
Reports of Committees . . . . .	423, 424
Resolutions . . . . .	417
Special Guests . . . . .	419
Special Order Calendar . . . . .	420
Vote, Disclosure . . . . .	420

## CALL TO ORDER

The Senate was called to order by President Negrón at 10:00 a.m. A quorum present—37:

Mr. President	Farmer	Rader
Artiles	Flores	Rodríguez
Baxley	Gainer	Rouson
Bean	Galvano	Simmons
Benacquisto	García	Simpson
Book	Gibson	Stargel
Bracy	Grimsley	Steube
Bradley	Hutson	Stewart
Brandes	Mayfield	Thurston
Braynon	Montford	Torres
Broxson	Passidomo	Young
Campbell	Perry	
Clemens	Powell	

Excused: Senator Hukill

## PRAYER

The following prayer was offered by LaQuisha Persak, an employee with the Senate Majority Office:

Heavenly Father, we come before you today with thanksgiving and humble hearts, giving you all the glory for allowing us to be here today. We thank you, Lord, for all of our leaders in government, but specifically, we thank you for our state Senators. We acknowledge that you have called them and positioned them for such a time as this.

Lord, we pray for your divine guidance and direction as they consider this very important state business before them today. Proverbs 37:5 says, "Commit everything you do to the Lord. Trust him, and he will help you." Proverbs 3:5-7 says, "Trust in the Lord with all your heart; do not depend on your own understanding. Seek his will in all you do, and he will show you which path to take."

Lord, we thank you that you are a great God in whom we can put our trust. We are confident in the fact that you are always here to help us and will show us the way. As our state motto is so beautifully displayed in the Senate chamber, it holds so true to our prayer today: "In God We Trust." Amen.

## PLEDGE

Senate Pages, John Hunschofsky of Parkland; Bradley Lockett of Clermont; Grace Robinson of Largo; and Kierra Law of Orlando, led the

Senate in the Pledge of Allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Jason Pirozzolo of Winter Garden, sponsored by Senator Bracy, as the doctor of the day. Dr. Pirozzolo specializes in sports medicine.

## ADOPTION OF RESOLUTIONS

At the request of Senator Rodríguez—

By Senator Rodríguez—

**SR 1812**—A resolution recognizing the extraordinary contribution of John W. Walsh in the fight against alpha-1 antitrypsin deficiency and remembering his life and legacy.

WHEREAS, John W. Walsh was born on February 4, 1949, in Arlington, Massachusetts, received a degree in political science from Norwich University, served as a staff assistant to the United States Senate, and served his country as an Army Ranger in the Army Special Forces Reserves, and

WHEREAS, John W. Walsh went on to become a successful business executive and real estate developer, and

WHEREAS, after his diagnosis with alpha-1 antitrypsin deficiency, John W. Walsh waged a national and international campaign to heighten public awareness of lung disease, including alpha-1 antitrypsin deficiency and chronic obstructive pulmonary disease (COPD), improve patient care, and support efforts to develop a cure, and

WHEREAS, John W. Walsh founded the Alpha-1 Foundation in 1995 and later established AlphaNet, a nonprofit health management company to provide services for people with the deficiency, and

WHEREAS, in 2004, John W. Walsh founded the COPD Foundation, an international organization dedicated to education, research, advocacy, and public awareness of COPD, and

WHEREAS, John W. Walsh gave those suffering from COPD and their families, doctors, nurses, respiratory therapists, and researchers the gift of hope, and

WHEREAS, thanks to the vision and leadership of John W. Walsh, the State of Florida Alpha-1 Detection Program has led the nation in detection of and early intervention in the disease and in the education of Alpha-1 patients, and

WHEREAS, John W. Walsh, who died in Miami on March 7, 2017, at the age of 68, was a giant in patient advocacy and was a devoted husband, father, and grandfather who leaves behind an enduring legacy of public health service and will be remembered as a national champion and visionary for a cure for lung disease, NOW, THEREFORE,

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

That the members of the Senate extend their heartfelt sympathy to the family of John W. Walsh.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the family of John W. Walsh as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Bean—

By Senator Bean—

**SR 1814**—A resolution commending the Florida Association for Behavior Analysis on its 37th anniversary and recognizing the month of October 2017 as “Florida Behavior Analysis Month.”

WHEREAS, the Florida Association for Behavior Analysis is the nation’s largest statewide organization committed to the promotion and support of behavior analysis, and

WHEREAS, for the past 37 years the Florida Association for Behavior Analysis has promoted the ethical, humane, and effective application of behavioral principles in all aspects of society, including education, business, rehabilitation facilities, and government, and

WHEREAS, behavior analysis is a science-based, cost-effective approach for training teachers, parents, and caregivers to prevent and solve serious behavior problems, and

WHEREAS, behavior analysis has demonstrated its effectiveness for many applications, including the treatment of autistic individuals, teaching basic self-help skills and language to persons with developmental disabilities, and helping foster parents lovingly raise emotionally difficult children, and

WHEREAS, the behavior analysts who are members of the Florida Association for Behavior Analysis have diverse backgrounds, including employment in consulting firms, state government programs, private therapy practices, and school administrations, and

WHEREAS, the Florida Association for Behavior Analysis holds an annual conference each fall as a forum for exchanging ideas and data-based research relating to behavior analysis, behavior therapy, performance management, and behavior management programming, NOW, THEREFORE,

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

That the Florida Association for Behavior Analysis is recognized for its 37 years of contributions to the field of behavior analysis and that the month of October 2017 is recognized as “Florida Behavior Analysis Month” in this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Florida Association for Behavior Analysis as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

**BILLS ON THIRD READING**

**CS for SB 532**—A bill to be entitled An act relating to public notification of pollution; creating s. 403.076, F.S.; providing a short title; creating s. 403.077, F.S.; providing goals and legislative findings; specifying authority of the Department of Environmental Protection; specifying that the act does not alter or affect the emergency management responsibilities of certain other governmental entities; creating s. 403.078, F.S.; defining the term “reportable pollution release”; requiring an owner or operator of an installation at which a reportable pollution release occurred to provide certain information to the department within 24 hours after the discovery of a reportable pollution release; authorizing the owner or operator to amend such notice; specifying compliance and enforcement requirements; requiring owners or operators to provide notice when a reportable pollution release migrates outside the property boundaries of the installation; requiring the department to publish such information in a specified manner; requiring the department to establish an electronic mailing list; requiring the department to provide a reporting form and e-mail address for such

notice; specifying that providing a notice does not constitute an admission of liability or harm; specifying penalties for violations; requiring the department to adopt rules; amending s. 403.121, F.S.; specifying penalties for failure to provide required notice; providing an effective date.

—was read the third time by title.

On motion by Senator Galvano, **CS for SB 532** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Farmer	Powell
Artiles	Flores	Rader
Baxley	Gainer	Rodriguez
Bean	Galvano	Rouson
Benacquisto	Garcia	Simmons
Book	Gibson	Simpson
Bracy	Grimsley	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Thurston
Broxson	Montford	Torres
Campbell	Passidomo	Young
Clemens	Perry	

Nays—None

**CS for CS for SB 886**—A bill to be entitled An act relating to public records; creating s. 397.6760, F.S.; providing an exemption from public records requirements for petitions for involuntary assessment and stabilization, court orders, related records, and personal identifying information regarding substance abuse impaired persons; providing exceptions authorizing the release of such petitions, orders, records, and identifying information to certain persons and entities; providing applicability; prohibiting a clerk of court from publishing personal identifying information on a court docket or in a publicly accessible file; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Powell, **CS for CS for SB 886** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Farmer	Perry
Artiles	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young

Nays—None

**SB 350**—A bill to be entitled An act relating to the Criminal Justice Standards and Training Commission; amending s. 943.12, F.S.; requiring the Criminal Justice Standards and Training Commission to implement, administer, maintain, and revise a basic abilities examination by a specified date; requiring the commission to establish specified procedures and standards; amending s. 943.17, F.S.; requiring the commission to set a fee for the basic abilities examination; requiring

a nonrefundable fee for each examination attempt; requiring that examination fees be deposited in the Criminal Justice Standards and Training Trust Fund; providing a condition for when the examination fee takes effect; reenacting s. 943.173(3), F.S., relating to examinations, administration, and materials not being public records, to incorporate the amendment made to s. 943.17, F.S., in a reference thereto; reenacting and amending s. 943.25(2), F.S., relating to criminal justice trust funds; conforming a provision to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Clemens, **SB 350** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Farmer	Powell
Artiles	Flores	Rader
Baxley	Gainer	Rodriguez
Bean	Galvano	Rouson
Benacquisto	Garcia	Simmons
Book	Gibson	Simpson
Bracy	Grimsley	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Thurston
Broxson	Montford	Torres
Campbell	Passidomo	Young
Clemens	Perry	

Nays—1

Latvala

Vote after roll call:

Nay to Yea—Latvala

**HB 671**—A bill to be entitled An act relating to reemployment assistance fraud; amending s. 322.142, F.S.; adding the Department of Economic Opportunity as an entity that may be issued reproductions from certain files or digital records for specified reasons; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **HB 671** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Farmer	Perry
Artiles	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young

Nays—None

**CS for HB 399**—A bill to be entitled An act relating to guardianship; amending s. 744.331, F.S.; requiring each examining committee member in a proceeding to determine incapacity to file his or her report with the clerk of the court within a specified timeframe after appointment; requiring the clerk of the court to serve each report on specified persons

within a specified timeframe; requiring the clerk of the court to file a certificate of service of each report in the incapacity proceeding; revising the timeframe before the hearing on the petition within which specified parties must be served with all reports; authorizing parties to agree to waive the timeframe; authorizing the petitioner and the alleged incapacitated person to move for a continuance if service is not timely effectuated and to object to the introduction of all or any part of a report by filing and serving a written objection to admissibility on the other party within a specified timeframe; specifying that the admissibility of the report is governed by the rules of evidence; requiring that the adjudicatory hearing be conducted within a specified timeframe after the filing of the last filed report; amending s. 744.367, F.S.; increasing the time that a guardian has to file a required annual guardianship plan with the court if the court does not require filing on a calendar year basis; changing the time that a guardian has to file a required annual guardianship plan with the court if the court requires calendar-year filing; amending s. 744.3725, F.S.; eliminating the requirement that a court must first find that a ward's spouse has consented to dissolution of marriage before the court may authorize a guardian to exercise specified rights; amending s. 744.441, F.S.; removing the cap on funeral expenses that may be paid from a ward's estate; reenacting s. 744.3215(4), F.S., relating to the rights of persons determined incapacitated, to incorporate the amendment made to s. 744.3725, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Passidomo, **CS for HB 399** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Farmer	Perry
Artiles	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young

Nays—None

**INTRODUCTION OF FORMER SENATORS**

The President recognized former Senators Nan Rich and Geraldine Thompson, who were present in the chamber.

**CS for CS for SB 18**—A bill to be entitled An act for the relief of “Survivor” and the Estate of “Victim”; providing appropriations to compensate Survivor and the Estate of Victim for injuries and damages sustained as a result of the negligence of the Department of Children and Families, formerly known as the Department of Children and Family Services; providing that the amount already paid by the department and the appropriation satisfy all present and future claims related to the injuries of Survivor and the death of Victim; providing a limitation on the payment of attorney fees; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for CS for SB 18** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Benacquisto	Brandes
Artiles	Book	Braynon
Baxley	Bracy	Broxson
Bean	Bradley	Campbell

Clemens	Lee	Simpson
Farmer	Mayfield	Stargel
Flores	Montford	Steube
Gainer	Passidomo	Stewart
Galvano	Perry	Thurston
Garcia	Powell	Torres
Gibson	Rader	Young
Grimsley	Rouson	
Latvala	Simmons	

Nays—None

Vote after roll call:

Yea—Hutson

**DISCLOSURE**

Pursuant to Senate Rule 1.39(1), I am disclosing that certain provisions in **CS for CS for SB 18** provide a special private gain or loss to me. The nature of the interest is specified below.

While I do not believe circumstances described in Rule 1.39(2) apply to my vote on the matter, in an abundance of caution I will abstain from voting on SB 18 (2017) under that Rule based on work performed for a principal.

As established by Senate Rule 1.39(1), I abstain from voting on this matter.

*Senator Jose Javier Rodriguez, 37th District*

**CS for CS for SB 852**—A bill to be entitled An act relating to human trafficking; amending s. 39.524, F.S.; requiring the Department of Children and Families or a sheriff's office to conduct a multidisciplinary staffing on child victims of commercial sexual exploitation to determine the child's service and placement needs; revising the date by which the department or sheriff's office must submit a report to the Legislature on child commercial sexual exploitation and safe-harbor placements; revising the contents of the report, including recommendations by the Office of Program Policy Analysis and Government Accountability study on commercial sexual exploitation of children; requiring the department to maintain certain data on the child victims; amending s. 92.565, F.S.; adding commercial sexual activity as a crime in which the defendant's admission is admissible during trial; amending s. 409.016, F.S.; defining the term "commercial sexual exploitation"; amending s. 409.1678, F.S.; deleting the term "sexually exploited child"; removing an obsolete date; conforming provisions to changes made by the act; amending s. 409.1754, F.S.; requiring the department or sheriff's office to conduct multidisciplinary staffings for child victims; requiring a service plan for all victims of child commercial sexual exploitation; requiring the department or sheriff's office to follow up on all victims of child commercial sexual exploitation within a specified timeframe; amending s. 464.013, F.S.; revising the continuing medical education course requirements for certain relicensures or recertifications to include a course in human trafficking; providing requirements and procedures for the course; amending s. 907.041, F.S.; adding human trafficking to the list of crimes requiring pretrial detention of the defendant; reenacting s. 790.065(2)(c), F.S., relating to the sale and delivery of firearms to incorporate the amendment made to s. 907.041, F.S., in a reference thereto; providing an effective date.

—as amended April 13, was read the third time by title.

On motion by Senator Garcia, **CS for CS for SB 852**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bracy	Clemens
Artiles	Bradley	Farmer
Baxley	Brandes	Flores
Bean	Braynon	Gainer
Benacquisto	Broxson	Galvano
Book	Campbell	Garcia

Gibson	Passidomo	Simpson
Grimsley	Perry	Stargel
Hutson	Powell	Steube
Latvala	Rader	Stewart
Lee	Rodriguez	Thurston
Mayfield	Rouson	Torres
Montford	Simmons	Young

Nays—None

**CS for CS for SB 884**—A bill to be entitled An act relating to shark fins; creating s. 379.2426, F.S.; defining terms; prohibiting persons from possessing separated shark fins except under certain conditions; providing penalties; prohibiting persons with suspended or revoked license privileges from engaging in certain activities; providing an effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for CS for SB 884** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Farmer	Perry
Artiles	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young

Nays—None

**SPECIAL ORDER CALENDAR**

**CS for SB 36**—A bill to be entitled An act for the relief of Jennifer Wohlgenuth by the Pasco County Sheriff's Office; providing for an appropriation to compensate her for injuries and damages sustained as a result of the negligence of an employee of the Pasco County Sheriff's Office; providing a limitation on the payment of attorney fees; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 36**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 6533** was withdrawn from the Committees on Judiciary; Community Affairs; and Rules.

On motion by Senator Montford—

**CS for HB 6533**—A bill to be entitled An act for the relief of Jennifer Wohlgenuth by the Pasco County Sheriff's Office; providing for an appropriation to compensate her for injuries and damages sustained as a result of the negligence of an employee of the Pasco County Sheriff's Office; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

—a companion measure, was substituted for **CS for SB 36** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 6533** was placed on the calendar of Bills on Third Reading.

On motion by Senator Book—

**CS for CS for SB 1124**—A bill to be entitled An act relating to newborn screenings; amending s. 383.14, F.S.; requiring the Depart-

ment of Health, upon the advice of the Genetics and Newborn Screening Advisory Council, to expand within a specified period the statewide screening of newborns to include any condition on the federal Recommended Uniform Screening Panel; requiring the council to determine whether a condition should be included in the state's screening program within a specified period after its addition to the federal panel; requiring the department to submit a legislative budget request to fund additional testing; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1124** was placed on the calendar of Bills on Third Reading.

On motion by Senator Passidomo—

**CS for CS for SB 724**—A bill to be entitled An act relating to estates; amending s. 732.2025, F.S.; conforming cross-references; amending s. 732.2035, F.S.; providing that a decedent's property interest in the protected homestead is included in the elective estate; amending s. 732.2045, F.S.; revising the circumstances under which the decedent's property interest in the protected homestead is excluded from the elective estate; amending s. 732.2055, F.S.; providing for the valuation of the decedent's protected homestead under certain circumstances; amending s. 732.2075, F.S.; conforming cross-references; amending s. 732.2085, F.S.; requiring the payment of interest on any unpaid portion of a person's required contribution toward the elective share with respect to certain property; amending s. 732.2095, F.S.; revising provisions relating to the valuation of a surviving spouse's interest in property to include protected homestead; conforming cross-references; amending s. 732.2115, F.S.; conforming a cross-reference; amending s. 732.2135, F.S.; revising the period within which a specified person may petition the court for an extension of time for making an election; removing a provision authorizing assessment of attorney fees and costs if an election is made in bad faith; amending s. 732.2145, F.S.; requiring the payment of interest on any unpaid portion of a person's required contribution toward the elective share after a certain date; creating s. 732.2151, F.S.; providing for the award of fees and costs in certain elective share proceedings; providing that a court may direct payment from certain sources; providing applicability; amending s. 738.606, F.S.; providing that a surviving spouse may require a trustee of a marital or elective share trust to make property productive of income; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 724** was placed on the calendar of Bills on Third Reading.

On motion by Senator Steube—

**CS for SB 530**—A bill to be entitled An act relating to health insurer authorization; amending s. 627.42392, F.S.; revising and providing definitions; revising criteria for prior authorization forms; requiring health insurers and pharmacy benefits managers on behalf of health insurers to provide certain information relating to prior authorization in a specified manner; prohibiting such insurers and pharmacy benefits managers from implementing or making changes to requirements or restrictions to obtain prior authorization, except under certain circumstances; providing applicability; requiring such insurers or pharmacy benefits managers to authorize or deny prior authorization requests and provide certain notices within specified timeframes; creating s. 627.42393, F.S.; providing definitions; requiring health insurers to publish on their websites and provide in writing to insureds a specified procedure to obtain protocol exceptions; specifying timeframes in which health insurers must authorize or deny protocol exception requests and respond to an appeal to a health insurer's authorization or denial of a request; requiring authorizations or denials to specify certain information; providing circumstances in which health insurers must grant a protocol exception request; authorizing health insurers to request documentation in support of a protocol exception request; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 530** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hutson—

**CS for CS for SB 388**—A bill to be entitled An act relating to the Beverage Law; amending s. 561.42, F.S.; providing an exemption from provisions relating to the tied house evil for specified financial transactions between a manufacturer of beer or malt beverages and a licensed vendor; providing conditions for the exception; amending s. 562.13, F.S.; revising applicability to specify circumstances under which persons under the age of 18 years who are employed in specified businesses are excluded from certain employment prohibitions; repealing s. 564.05, F.S., relating to limitations on the size of individual wine containers; amending s. 564.055, F.S.; authorizing the packaging, filling, refilling, or sale of cider in growlers; amending s. 564.09, F.S.; revising provisions authorizing a restaurant to allow a patron to remove a resealed wine container from a restaurant for off-premises consumption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 388** was placed on the calendar of Bills on Third Reading.

On motion by Senator Powell—

**CS for SB 718**—A bill to be entitled An act relating to vessel registrations; amending s. 328.72, F.S.; revising a reduction of vessel registration fees for recreational vessels equipped with certain position indicating and locating beacons; deleting a registration date limitation; deleting an expiration date; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 718** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

**CS for SB 404**—A bill to be entitled An act relating to ratification of Department of Financial Services rules; ratifying specified rules relating to the Florida Workers' Compensation Reimbursement Manual for Hospitals and Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers for the sole and exclusive purpose of satisfying any condition on effectiveness imposed under s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; providing construction; providing for a certain notice in the Florida Administrative Code, the Florida Administrative Register, or both; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 404** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

**CS for SB 148**—A bill to be entitled An act relating to students remaining on school grounds during school hours; amending s. 1001.43, F.S.; providing that a district school board may adopt policies for releasing students for the school lunch period; requiring schools in certain districts to obtain written parental consent before permitting students to leave school grounds during the lunch period; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 148** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 1062**—A bill to be entitled An act relating to public records; amending s. 119.0714, F.S.; providing an exemption from public

records requirements for petitions, and the contents thereof, for certain protective injunctions that are dismissed in certain circumstances; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1062**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 239** was withdrawn from the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

On motion by Senator Powell—

**CS for HB 239**—A bill to be entitled An act relating to public records; amending s. 119.0714, F.S.; providing an exemption from public records requirements for petitions, and the contents thereof, for certain protective injunctions that are dismissed in certain circumstances; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1062** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 239** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Latvala—

**CS for CS for SB 582**—A bill to be entitled An act relating to regulatory boards; amending ss. 455.203, 456.004, and 497.103, F.S.; requiring the Department of Business and Professional Regulation, the Department of Health, and the Department of Financial Services, respectively, to determine whether final board decisions constitute certain anticompetitive conduct; requiring the departments to review final board decisions for anticompetitive conduct and issue orders approving, modifying, or voiding each decision; specifying that the departments' anticompetitive review constitutes a limited legal review and its resulting determination is not subject to legal challenge; specifying actions that are considered final board decisions; requiring that legal costs for defense of antitrust actions and financial damages be paid from specified accounts; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 582** was placed on the calendar of Bills on Third Reading.

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**CS for CS for SB 812**—A bill to be entitled An act relating to insurance policy transfers; amending s. 627.4133, F.S.; authorizing an insurer to transfer a personal lines residential or commercial residential property insurance policy to another authorized insurer upon expiration of the policy term if specified conditions are met; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 812**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 805** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

On motion by Senator Perry—

**CS for CS for HB 805**—A bill to be entitled An act relating to insurance policy transfers; amending s. 627.4133, F.S.; authorizing an insurer to transfer a residential property insurance policy to another authorized insurer upon expiration of the policy term if specified conditions are met; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 812** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 805** was placed on the calendar of Bills on Third Reading.

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**CS for CS for SB 624**—A bill to be entitled An act relating to body cameras; amending s. 943.1718, F.S.; requiring law enforcement agen-

cies that permit law enforcement officers to wear body cameras to establish policies and procedures that include a provision permitting a law enforcement officer using a body camera to review body camera footage before taking certain actions; providing an exception; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 624**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 305** was withdrawn from the Committees on Criminal Justice; Judiciary; and Rules.

On motion by Senator Steube—

**CS for HB 305**—A bill to be entitled An act relating to law enforcement body cameras; amending s. 943.1718, F.S.; requiring law enforcement agencies to establish policies and procedures authorizing an officer's review of camera footage of an incident before writing a report or providing a statement; providing an exception; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 624** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 305** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Hutson—

**CS for SB 818**—A bill to be entitled An act relating to timeshares; amending s. 721.05, F.S.; revising the definition of the term "interestholder" to clarify that the term does not include certain parties to a certain multisite timeshare plan; amending s. 721.08, F.S.; clarifying current law; providing that certain instruments are not an encumbrance as they relate to certain vacation and timeshare plans; amending s. 721.125, F.S.; revising requirements for the termination of a timeshare plan; providing that the termination of a timeshare plan does not change the corporate status of an owners' association under certain circumstances; providing that the owners' association continues to exist until certain affairs are concluded; requiring the board of administration of the owners' association to serve as the termination trustee after termination of a timeshare plan; providing powers of the termination trustee; specifying that certain expenses incurred by the termination trustee must be borne by the tenants of a former timeshare property; requiring the termination trustee to adopt certain procedures to implement the partition or sale of a former timeshare property; requiring a voting representative to be designated under certain circumstances; specifying the voting rights of the voting representative; conforming provisions to changes made by the act; creating s. 725.1255, F.S.; providing legislative findings; specifying the percentage of votes required to extend the term of a timeshare plan under certain circumstances; specifying what constitutes a quorum under certain circumstances; specifying that a meeting to extend a timeshare plan may be held at any time; authorizing an owners' association to determine if a person or entity holding a voting interest is ineligible to vote, subject to certain requirements; specifying the maximum duration of validity of a proxy; providing that a proxy for a vote is revocable unless otherwise stated; specifying requirements for certain extension votes to be effective; providing applicability; providing an effective date.

—was read the second time by title.

Senator Hutson moved the following amendment which was adopted:

**Amendment 1 (942532)**—Delete lines 190-208 and insert:

(c) *The owners' association meeting held pursuant to paragraph (a) may be held at any time before the termination of the timeshare plan.*

(d) *The board of administration of the owners' association may determine that any voting interest that is delinquent in the payment of more than 2 years of assessments is ineligible to vote on any extension of the timeshare plan unless such delinquency is paid in full before the vote.*

(e) *A proxy for a vote to extend a timeshare plan pursuant to this section is valid for up to 3 years and is revocable unless the proxy states it is irrevocable.*

(3) *If an extension vote or consent pursuant to this section is proposed for a component site of a multisite timeshare plan located in this state, the proposed extension is effective only if the person authorized to make additions or substitutions of accommodations and facilities pursuant to the timeshare instrument also approves the extension.*

Pursuant to Rule 4.19, **CS for SB 818**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**CS for CS for SB 340**—A bill to be entitled An act relating to transportation network companies; creating s. 627.748, F.S.; defining terms; providing for construction; providing that a transportation network company (TNC) driver is not required to register certain vehicles as commercial motor vehicles or for-hire vehicles; requiring a TNC to designate and maintain an agent for service of process in this state; providing fare requirements; providing requirements for a TNC's digital network; providing for an electronic receipt, subject to certain requirements; providing automobile insurance requirements for a TNC and a TNC driver; providing requirements for specified proof of coverage for a TNC driver under certain circumstances; providing certain disclosure requirements for a TNC driver in the event of an accident; requiring a TNC to cause its insurer to issue certain payments directly to certain parties; requiring a TNC to make specified disclosures in writing to TNC drivers under certain circumstances; authorizing specified insurers to exclude certain coverage, subject to certain limitations; providing that the right to exclude coverage applies to any coverage included in an automobile insurance policy; providing applicability; providing for construction; providing that specified automobile insurers have a right of contribution against other insurers that provide automobile insurance to the same TNC drivers in satisfaction of certain coverage requirements under certain circumstances; requiring a TNC to provide specified information upon request by certain parties during a claims coverage investigation; requiring certain insurers to disclose specified information upon request by any other insurer involved in the particular claim; providing that TNC drivers are independent contractors if specified conditions are met; requiring a TNC to implement a zero-tolerance policy for drug or alcohol use, subject to certain requirements; providing TNC driver requirements; requiring a TNC to conduct a certain background check for a TNC driver after a specified period; requiring the Department of Financial Services to direct a TNC to submit to the department an agreed-upon procedures report prepared by a certified public accountant, subject to certain restrictions and requirements; authorizing the department to impose specified fines for violations and repeat violations identified in the report; authorizing the department to direct a TNC to address noncompliance identified in the report within a timeframe prescribed by the department; authorizing injunctive relief under certain circumstances; specifying when a repeat violation occurs; providing applicability; prohibiting a TNC driver from accepting certain rides or soliciting or accepting street hails; requiring a TNC to adopt a policy of nondiscrimination with respect to riders and potential riders and to notify TNC drivers of such policy; requiring TNC drivers to comply with the nondiscrimination policy and certain applicable laws regarding nondiscrimination and accommodation of service animals; prohibiting a TNC from imposing additional charges for providing services to persons who have physical disabilities; requiring a TNC that contracts with a governmental entity to provide paratransit services to comply with certain state and federal laws; requiring a TNC to reevaluate a decision to remove a TNC driver's authorization to access its digital network in certain instances; requiring a TNC to maintain specified records; providing legislative intent; specifying that TNCs, TNC drivers, and TNC vehicles are governed exclusively by state law; prohibiting local governmental entities and subdivisions from taking specified actions; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 340**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 221** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Rules.

On motion by Senator Brandes—

**CS for HB 221**—A bill to be entitled An act relating to transportation network companies; creating s. 627.748, F.S.; defining terms; providing for construction; providing that a transportation network company

(TNC) driver is not required to register certain vehicles as commercial motor vehicles or for-hire vehicles; requiring a TNC to designate and maintain an agent for service of process in this state; providing fare requirements; providing requirements for a TNC's digital network; providing for an electronic receipt, subject to certain requirements; providing automobile insurance requirements for a TNC and a TNC driver; providing requirements for specified proof of coverage for a TNC driver under certain circumstances; providing certain disclosure requirements for a TNC driver in the event of an accident; requiring a TNC to cause its insurer to issue certain payments directly to certain parties; requiring a TNC to make specified disclosures in writing to TNC drivers under certain circumstances; authorizing specified insurers to exclude certain coverage, subject to certain limitations; providing that the right to exclude coverage applies to any coverage included in an automobile insurance policy; providing applicability; providing for construction; providing that specified automobile insurers have a right of contribution against other insurers that provide automobile insurance to the same TNC drivers in satisfaction of certain coverage requirements under certain circumstances; requiring a TNC to provide specified information upon request by certain parties during a claims coverage investigation; requiring certain insurers to disclose specified information upon request by any other insurer involved in the particular claim; providing that TNC drivers are independent contractors if specified conditions are met; requiring a TNC to implement a zero-tolerance policy for drug or alcohol use, subject to certain requirements; providing TNC driver requirements; requiring a TNC to conduct a certain background check for a TNC driver after a specified period; requiring a TNC to submit an examination report prepared by a certified public accountant to the Department of Financial Services to verify certain compliance; requiring the department to impose specified fines for noncompliance; providing for disposition and use of moneys received; authorizing petition for an administrative proceeding; authorizing the department to seek injunctive relief under certain circumstances; authorizing the department to adopt rules; providing construction; prohibiting a TNC driver from accepting certain rides or soliciting or accepting street hails; prohibiting a TNC from altering presentation of information on its digital network to an enforcement official; requiring a TNC to adopt a policy of nondiscrimination with respect to riders and potential riders and to notify TNC drivers of such policy; requiring TNC drivers to comply with the nondiscrimination policy and certain applicable laws regarding nondiscrimination and accommodation of service animals; prohibiting a TNC from imposing additional charges for providing services to persons who have physical disabilities; requiring a TNC that contracts with a governmental entity to provide paratransit services to comply with certain state and federal laws; requiring a TNC to reevaluate a decision to remove a TNC driver's authorization to access its digital network in certain instances; requiring a TNC to maintain specified records; providing legislative intent; specifying that TNCs, TNC drivers, and TNC vehicles are governed exclusively by state law; prohibiting local governmental entities and subdivisions from taking specified actions; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 340** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 221** was placed on the calendar of Bills on Third Reading.

## REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Tuesday, April 18, 2017: **CS for SB 36**, **CS for CS for SB 1124**, **CS for CS for SB 724**, **CS for SB 530**, **CS for CS for SB 388**, **CS for SB 718**, **CS for SB 404**, **CS for SB 148**, **CS for CS for SB 1062**, **CS for CS for SB 582**, **CS for CS for SB 812**, **CS for CS for SB 624**, **CS for SB 818**, **CS for CS for SB 340**.

Respectfully submitted,  
*Lizbeth Benacquisto*, Rules Chair  
*Wilton Simpson*, Majority Leader  
*Oscar Braynon II*, Minority Leader

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 552

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 686; CS for SB 1014

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

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: CS for SB 476

**The bill was referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.**

The Committee on Banking and Insurance recommends the following pass: SB 1088

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

The Committee on Education recommends the following pass: SB 1474

**The bill was referred to the Appropriations Subcommittee on Pre-K - 12 Education under the original reference.**

The Committee on Banking and Insurance recommends the following pass: SB 1566

**The bill was referred to the Committee on Commerce and Tourism under the original reference.**

The Committee on Education recommends the following pass: SB 1586

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

The Committee on Criminal Justice recommends the following pass: SB 1436

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

The Committee on Commerce and Tourism recommends the following pass: SB 822; CS for SB 1298; CS for SB 1678

The Committee on Community Affairs recommends the following pass: CS for SB 14; CS for SB 40; CS for SB 46; SB 314; CS for SB 850; SB 914; CS for SB 1494

The Committee on Criminal Justice recommends the following pass: CS for CS for SB 680

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 248; CS for SB 600; CS for SB 1008; CS for SB 1084; SB 1408; SB 7028

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

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 1224

**The bill was placed on the Calendar.**

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 278

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1580

The Committee on Criminal Justice recommends committee substitutes for the following: SB 970; SB 972

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 474

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 304

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

## REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Criminal and Civil Justice recommends committee substitutes for the following: CS for SB 260; CS for SB 302; CS for SB 448; CS for SB 844; CS for SB 1068; SB 1102; SB 1670

The Appropriations Subcommittee on Finance and Tax recommends committee substitutes for the following: CS for SB 226; CS for SB 282; CS for SB 330; CS for CS for SB 764; SB 1320; CS for SB 1536

The Appropriations Subcommittee on General Government recommends committee substitutes for the following: CS for CS for SB 166; CS for SB 400; CS for SB 590; CS for SB 872

The Appropriations Subcommittee on the Environment and Natural Resources recommends committee substitutes for the following: CS for SB 1018; CS for SB 1104; CS for SB 1590; CS for SB 1592

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends committee substitutes for the following: CS for SB 56; CS for SB 368; CS for SB 842; CS for SB 1118

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

## REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Commerce and Tourism recommends that the Senate confirm the following appointments made by the Governor:

*Office and Appointment*

*For Term Ending*

Board of Directors, Enterprise Florida, Inc.

Appointee: Rood, John Darrell

09/30/2019

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor and Cabinet:

*Office and Appointment*

*For Term Ending*

Florida Commission on Offender Review

Appointee: Wyant, David A.

06/30/2022



The Committee on Education recommends that the Senate confirm the following appointments made by the Board of Governors:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida State University	
Appointee: Burr, Edward E.	01/06/2021
Board of Trustees, New College of Florida	
Appointee: Lilly, John N.	01/06/2021

The Committee on Education recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida State University	
Appointee: Alvarez, Maximo	01/06/2021
Board of Trustees, Florida Gulf Coast University	
Appointee: Priddy, Russell A.	01/06/2021
Board of Trustees, University of North Florida	
Appointee: Hollingsworth, Adam	01/06/2021

The Committee on Governmental Oversight and Accountability recommends that the Senate confirm the following appointments made by the Board of Administration:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Investment Advisory Council	
Appointee: Collins, Peter H.	12/31/2021

The Committee on Health Policy recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Health Care Administration	
Appointee: Senior, Justin M.	Pleasure of Governor
State Surgeon General	
Appointee: Philip, Celeste	Pleasure of Governor

The appointments were referred to the Committee on Ethics and Elections under the original reference.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Community Affairs; and Ethics and Elections; and Senators Steube and Brandes—

**CS for CS for SB 278**—A bill to be entitled An act relating to local tax referenda; amending s. 212.055, F.S.; requiring referenda adopting or amending local government discretionary sales surtaxes, except for surtaxes that are revenue-neutral to a county, special taxing district, or both, to be held only at a general election and specifying the required approval of voters necessary for passage; authorizing referenda for revenue-neutral surtaxes to be held at a special election or conducted by mail ballot; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Community Affairs; and Judiciary; and Senator Thurston—

**CS for CS for SB 304**—A bill to be entitled An act relating to the payment of claims by the Palm Beach County School Board; providing for an appropriation to compensate Altavious Carter for injuries sustained as a result of the negligence of a bus driver of the Palm Beach County School District; providing that the amount awarded under the act to Altavious Carter satisfies all present and future claims related to the negligent act; providing a limitation on the payment of fees; providing for an appropriation and annuity to compensate Dustin Reinhardt for injuries sustained as a result of the negligence of employees of the Palm Beach County School District; providing that certain payments and the amount awarded under the act to Dustin Reinhardt satisfy all present and future claims related to the negligent act; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; and Health Policy; and Senator Grimsley—

**CS for CS for SB 474**—A bill to be entitled An act relating to hospice care; amending s. 400.60501, F.S.; requiring the Department of Elderly Affairs, in conjunction with the Agency for Health Care Administration, to adopt national hospice outcome measures and survey data by a specified date and to make such measures available to the public; creating s. 400.6096, F.S.; authorizing certain hospice personnel to assist in the disposal of certain prescribed controlled substances; requiring a hospice that chooses to assist in the disposal of certain prescribed controlled substances to establish policies, procedures, and systems for the disposal; authorizing a hospice physician, nurse, or social worker to assist in the disposals of certain prescribed controlled substances; providing requirements for such disposals; amending s. 400.611, F.S.; requiring a hospice to maintain an up-to-date interdisciplinary record of care; revising the patient records retention period; providing for the confidentiality of the interdisciplinary record of patient care; specifying to whom and under what conditions a hospice may release a patient's interdisciplinary record of care; defining a term; requiring a hospice to release patient statistical data to certain agencies; specifying that information from patient records is confidential and exempt from certain provisions; providing an effective date.

By the Committee on Criminal Justice; and Senator Bracy—

**CS for SB 970**—A bill to be entitled An act relating to trust funds; creating s. 787.0611, F.S.; creating the Trust Fund for Victims of Human Trafficking and Prevention within the Department of Legal Affairs; providing the purposes of, and funding sources for, the trust fund; providing for administration of the fund by the Statewide Council on Human Trafficking; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committee on Criminal Justice; and Senator Bracy—

**CS for SB 972**—A bill to be entitled An act relating to victims of human trafficking; creating s. 787.061, F.S.; providing a short title;

creating s. 787.062, F.S.; defining terms; creating s. 787.063, F.S.; providing legislative findings; creating a civil cause of action for victims of human trafficking, or for the Statewide Council on Human Trafficking on their behalves, against a trafficker or facilitator; providing procedures and requirements for bringing a claim; requiring a court to impose a civil penalty against a defendant if a victim, or the council on the victim's behalf, prevails; requiring a court to impose a civil penalty and award it equitably to one or more law enforcement agencies under certain circumstances; providing that such actions are not subject to a statute of limitations; creating s. 787.064, F.S.; requiring the council to issue an annual report to the Legislature which includes specified information, by a specified date; amending s. 16.617, F.S.; adding functions and duties for the council; providing for administration of the trust fund by the council; providing appropriations; providing an effective date.

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By the Committee on Children, Families, and Elder Affairs; and Senator Gibson—

**CS for SB 1580**—A bill to be entitled An act relating to admission of children and adolescents to mental health facilities; amending s. 394.463, F.S.; requiring a facility to initiate an involuntary examination of a minor within 12 hours and complete the examination within 24 hours after the patient's arrival; providing an exception; creating a task

force within the Department of Children and Families; requiring the task force to analyze certain data and make recommendations in a report to the Governor and the Legislature by a specified date; specifying task force membership; specifying operation of the task force; providing for expiration of the task force; providing an effective date.

### **CORRECTION AND APPROVAL OF JOURNAL**

The Journals of April 13 and April 17 were corrected and approved.

### **CO-INTRODUCERS**

Senators Artiles—CS for SB 732; Brandes—CS for SB 40; Rodriguez—CS for SCR 920; Rouson—CS for SCR 920; Torres—CS for CS for SB 852, CS for CS for SB 1062; Young—CS for CS for SB 624

### **ADJOURNMENT**

On motion by Senator Benacquisto, the Senate adjourned at 10:51 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, April 19 or upon call of the President.