



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 1:00 p.m.
A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Bullard

PRAYER

The following prayer was offered by Rev. James Bridwell, Youth and College Pastor, First Baptist Church, Crawfordville:

God, we turn our attention to you now. We recognize that you are the giver of all good things, and the revealer of truth. There is no one like you—perfect in knowledge and wisdom. So we come to you as your children today, asking you to give us insight and wisdom concerning your people.

We thank you for the great responsibility of ruling your people. We thank you for the law and how it preserves our society. It is, however, a task that we cannot do on our own. In our own imperfect way, we cry out to you today, not only on our behalf, but on behalf of those we represent.

We ask that you bless our meeting today, so that your people will be cared for, and so that our great state would be blessed. Each of us carries the burden of representing a variety of people with a variety of agendas. We ask that you would be patient with us and our weaknesses as we try to press forward through these. Please guide us down the right path in spite of our selfishness and our fear of men.

God, we implore you to uncover any wicked schemes that would set themselves against the prosperity and advancement of your people. If someone is trying to cause division or trying to secretly undermine the good of the people of our state, we would ask that you expose them for what they are doing. Thank you for the constant provision and abundant

blessing that you have poured out upon us and our families. Please guide us as we move forward now. Give us success as we submit to you. Amen.

PLEDGE

Senate Pages, Benjamin Simmons III of Jacksonville; Champayne Freeman of Riviera Beach; Rachael Sears, Amanda Velez-Cortes, and Chantel Farmer of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Thrasher—

By Senator Thrasher—

SR 2070—A resolution congratulating the St. Johns County School District and its teachers, staff, students, and parents for exemplifying commitment to the highest standards for lifelong learning through education.

WHEREAS, the St. Johns County School District is accredited as a quality school system by the Council on Accreditation and School Improvement of the Southern Association of Colleges and Schools, and

WHEREAS, the St. Johns County School District is comprised of 17 elementary schools, 1 K-8 school, 7 middle schools, 7 high schools, 2 alternative centers, 4 charter schools, including a vocational-technical college, and 3 juvenile justice facilities, and

WHEREAS, the graduation rate of students in the St. Johns County School District is 93.3 percent, higher than the statewide average of 81.2 percent, and

WHEREAS, the St. Johns County School District has a dropout rate of .8 percent, significantly lower than the statewide average of 1.9 percent, and

WHEREAS, in the 8 years that the Florida Department of Education has compiled school district data based on Florida Comprehensive Assessment Test (FCAT) scores, the St. Johns County School District has consistently set an example of excellence and continues to set a high bar for the K-12 public school system, and

WHEREAS, based on FCAT scores, the Department of Education has ranked the St. Johns County School District as the top district in the state for the last 3 years in FCAT achievement, awarding it 25 “A”s and 6 “B”s in the 2010-2011 school year, alone, and

WHEREAS, the mission of the St. Johns County School District is to inspire good character and a passion for lifelong learning in all students, creating educated and caring contributors to the world, and

WHEREAS, given the outstanding performance of the students, teachers, staff, and parents of the St. Johns County School District, it exemplifies its mission with its commitment to education, NOW, THEREFORE,

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

That the members of the Senate congratulate the St. Johns County School District and its teachers, staff, students, and parents for exemplifying commitment to the highest standards for lifelong learning through education.

—was introduced out of order and read by title. On motion by Senator Thrasher, **SR 2070** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Thrasher introduced the following guests who were present in the chamber: St. Johns County School Superintendent, Dr. Joseph Joyner, and President of St. Johns County Education Association, Dawn Chapman.

At the request of Senator Altman—

By Senator Altman—

SR 932—A resolution recognizing January 29 through February 4, 2012, as “Catholic Schools Week” in the State of Florida.

WHEREAS, the tradition of Catholic schools dates back to 1606, when Franciscans opened a Catholic school to teach reading, mathematics, and the principles of the Catholic religion in St. Augustine, and

WHEREAS, this Catholic school was followed by other missions established by Spanish missionaries long before the settlement at Jamestown, Virginia, and before the Pilgrims landed at Plymouth Rock, and

WHEREAS, today, 82,464 students attend 213 Catholic elementary and high schools throughout this state, which employ 6,669 professional educators, and

WHEREAS, the Constitution of Florida states that all persons have inalienable rights, among them the rights to pursue happiness and to be rewarded for industry, and recognizes the education of children as a fundamental value of all Floridians, and

WHEREAS, Catholic schools provide young people with a strong foundation of faith, values, and academic skills needed to become responsible citizens of our state and nation, and

WHEREAS, the Catholic Church views parents as the primary educators of their children and parental involvement as playing a major role in their children’s education, and

WHEREAS, Catholic schools believe that teaching morals and values is paramount in the complete education of the student, since every member of society continually makes moral decisions and value judgments, and

WHEREAS, Catholic schools educate many students of other faiths, some of whom are economically disadvantaged or have special educational needs, and

WHEREAS, Catholic school educators are dedicated to producing faith-filled, academically strong students who also commit themselves to service, and the influences of a Catholic school education — faith, knowledge, morals, and discipline — last a lifetime, and

WHEREAS, January 29 through February 4, 2012, has been designated as “Catholic Schools Week,” with the theme “Catholic Schools: Faith, Academics, Service” adopted by the National Catholic Educational Association (NCEA) and the United States Conference of Catholic Bishops, and

WHEREAS, the common good of the state of Florida is strengthened through the existence of Catholic schools, NOW, THEREFORE,

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

That January 29 through February 4, 2012, is recognized as “Catholic Schools Week” in the State of Florida.

—**SR 932** was introduced, read and adopted by publication.

At the request of Senator Benacquisto—

By Senator Benacquisto—

SR 1260—A resolution recognizing the students, alumni, faculty, and administration of Edison State College as it celebrates its 50th Anniversary as an institution of higher learning in Florida.

WHEREAS, in 1962, Edison State College offered its first classes in the Andrew D. Gwynne Institute and at a second center at Dunbar High School in Fort Myers, and, with the generous support of community donors, opened its first permanent campus in 1965, and

WHEREAS, Edison State College began offering classes in Charlotte County in 1974 and opened a permanent campus there in 1997, and

WHEREAS, Edison State College began offering classes in Collier County in 1974 and moved to a permanent campus there in 1992, and

WHEREAS, Edison State College has recently opened a permanent center in LaBelle, which serves Glades and Hendry Counties, and

WHEREAS, Edison State College has continuously adapted to the needs of the students and employers in Southwest Florida by staying at the forefront of innovative education programming and offering college baccalaureate degrees, workforce training, and continuing education, and

WHEREAS, Edison State College began offering baccalaureate degrees in 2007 and currently offers 10 baccalaureate degrees in the fields of education, nursing, cardiovascular technology, public safety management, and supervision and management, and

WHEREAS, Edison State College has maintained a strong commitment to providing open access to the most relevant and technologically advanced education available at the certificate, associate’s degree, and bachelor’s degree levels using traditional classroom, blended-online, and online program delivery, and

WHEREAS, Edison State College continues to seek new ways to increase student success and address barriers to completing a higher education credential, and

WHEREAS, Edison State College continues to explore new partnerships with institutions in the State University System to increase access to higher education, and has begun operating collegiate charter high schools in order to provide more opportunity for parental choice in public education, and

WHEREAS, Edison State College is home to many community cultural resources such as the Bob Rauschenberg Gallery, which hosts numerous art exhibits, and the Barbara B. Mann Performing Arts Hall, which has hosted many Broadway-caliber live performances, and

WHEREAS, as a proud member of the “Great 28” in the Florida College System, Edison State College in 2012 is celebrating 50 years of excellence as an institution of higher education in Southwest Florida, NOW, THEREFORE,

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

That the members of the Senate recognize the students, alumni, faculty, and administration of Edison State College as it celebrates its 50th Anniversary as an institution of higher learning in Florida.

—**SR 1260** was introduced, read and adopted by publication.

SPECIAL GUESTS

Senator Benacquisto introduced the following guest who was present in the gallery: President of Edison State College and former Representative J. Dudley Goodlette.

At the request of Senator Hays—

By Senators Hays, Evers, Margolis, Negron, Smith, Benacquisto, Braynon, Haridopolos, Alexander, Altman, Bennett, Bogdanoff, Dean, Detert, Diaz de la Portilla, Dockery, Fasano, Flores, Gaetz, Garcia, Gardiner, Gibson, Jones, Joyner, Latvala, Lynn, Montford, Norman, Oelrich, Rich, Richter, Ring, Sachs, Simmons, Siplin, Sobel, Storms, Thrasher, and Wise—

SR 1396—A resolution commending the nation of Israel for its cordial and mutually beneficial relationship with the United States and with the State of Florida.

WHEREAS, Israel has been granted her lands under and through the oldest recorded deed, as recorded in the Old Testament, a tome of scripture held sacred and revered by Jews and Christians, alike, as presenting the acts and words of God, and

WHEREAS, the claim and presence of the Jewish people in Israel has remained constant throughout the past 4,000 years of history, and

WHEREAS, the legal basis for the establishment of the State of Israel was a binding resolution under international law, which was unanimously adopted by the League of Nations in 1922 and subsequently affirmed by both houses of the United States Congress, and

WHEREAS, this resolution affirmed the establishment of a national home for the Jewish people in the historical region of the Land of Israel, including areas of Judea, Samaria, and Jerusalem, and

WHEREAS, Article 80 of the United Nations charter recognized the continued validity of the rights granted to states or peoples which already existed under international instruments, and, therefore, the 1922 League of Nations resolution remains valid, and the 650,000 Jews currently residing in the areas of Judea, Samaria, and eastern Jerusalem reside there legitimately, and

WHEREAS, Israel declared its independent control and governance of these lands on May 14, 1948, with the goal of reestablishing its God-given and legally recognized lands as a homeland for the Jewish people, and

WHEREAS, the United States, having been the first country to recognize Israel as an independent nation and as Israel's principal ally, has enjoyed a close and mutually beneficial relationship with Israel and her people, and

WHEREAS, Israel is the greatest friend and ally of the United States in the Middle East and the values of our two nations are so intertwined that it is impossible to separate one from the other, and

WHEREAS, there are those in the Middle East who have continually sought to destroy Israel, from the time of its inception as a state, and those same haters of Israel also hate, and seek to destroy, the United States, and

WHEREAS, the State of Florida and Israel have enjoyed cordial and mutually beneficial relations since 1948, a friendship that continues to strengthen with each passing year, NOW, THEREFORE,

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

That the members of the Senate commend Israel for its cordial and mutually beneficial relationship with the United States and with the State of Florida and support Israel in its legal, historical, moral, and God-given right of self-governance and self-defense upon the entirety of its own lands, recognizing that Israel is neither an attacking force nor an occupier of the lands of others, and that peace can be afforded the region only through a whole and united Israel governed under one law for all people.

—**SR 1396** was introduced, read and adopted by publication.

At the request of Senator Hays—

By Senator Hays—

SR 1736—A resolution recognizing the students, alumni, faculty, administration, and District Board of Trustees of Lake-Sumter Community College as the college celebrates its 50th Anniversary as an institution of higher learning.

WHEREAS, in 1961, at a time when segregation was still widely accepted in the South, the Legislature approved an act to build two junior colleges in Lake County to serve the white and black constituents of Lake and Sumter Counties, and

WHEREAS, in 1962, Lake-Sumter Junior College and Johnson Junior College offered their first classes, housed in temporary facilities on the campuses of Leesburg High School and Carver Heights High School, respectively, and

WHEREAS, in 1964, with the generous support of the community, Lake-Sumter Junior College opened its first permanent campus on Highway 441 in Leesburg, and Johnson Junior College opened its permanent facility on Beecher Street in Leesburg, and

WHEREAS, in compliance with the Civil Rights Act of 1964, Lake-Sumter Junior College and Johnson Junior College were merged in 1965, and, in 1970, Lake-Sumter Junior College was officially renamed as “Lake-Sumter Community College,” and

WHEREAS, a joint-use facility with the Sumter County School District was opened in Sumterville in the summer of 1995, and, in Clermont at a joint-use facility with the University of Central Florida, classes began in September of 1999, and

WHEREAS, Lake-Sumter Community College's dedicated and talented faculty and staff have continuously sought new ways to increase opportunities for students and ensure their success, have adapted to the needs of the students and employers in Lake and Sumter Counties by staying at the forefront of innovative education programming by offering certificates, associate degrees, workforce training, and continuing education, and are in the process of obtaining permission to offer a baccalaureate degree in organizational management, and

WHEREAS, as a proud member of the “Great 28” in the Florida College System, Lake-Sumter Community College will celebrate in the 2012-2013 academic year 50 years of excellence as an institution of higher learning, NOW, THEREFORE,

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

That the members of the Senate recognize the students, alumni, faculty, administration, and District Board of Trustees of Lake-Sumter Community College as the college celebrates its 50th Anniversary as an institution of higher learning in Florida.

—**SR 1736** was introduced, read and adopted by publication.

At the request of Senator Richter—

By Senator Richter—

SR 2062—A resolution recognizing July 2012 as “Bladder Cancer Awareness Month” in Florida.

WHEREAS, bladder cancer is the fifth most common cancer in the United States, and

WHEREAS, men have a 1 in 27 chance and women have a 1 in 86 chance of being diagnosed with bladder cancer in their lifetime, and

WHEREAS, every year in the United States approximately 70,000 new cases of bladder cancer are diagnosed and nearly 14,000 people die from the disease, and

WHEREAS, bladder cancer occurs in more women annually than cervical cancer, and

WHEREAS, women often have a delayed diagnosis due to bladder cancer being mistaken for common gynecological problems, and

WHEREAS, although bladder cancer can occur at any age, a high percentage of people suffering from the disease are over the age of 55, and

WHEREAS, due to a nearly 80 percent reoccurrence rate, bladder cancer is one of the most expensive cancers to treat, NOW, THEREFORE,

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

That July 2012 is recognized as “Bladder Cancer Awareness Month” in Florida.

—**SR 2062** was introduced, read and adopted by publication.

BILLS ON THIRD READING

SB 374—A bill to be entitled An act relating to public records; amending s. 272.136, F.S.; exempting from public record requirements all identifying information of a donor or prospective donor to the direct-support organization of the Florida Historic Capitol and the Legislative Research Center and Museum; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **SB 374** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Vote after roll call:

Yea—Oelrich

SB 446—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 409.25661, F.S., relating to a public records exemption for insurance claim data exchange information used for identifying parents who owe past due child support; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Storms, **SB 446** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Vote after roll call:

Yea—Oelrich

SB 570—A bill to be entitled An act relating to public records; defining the term “publicly owned performing arts center”; creating an exemption from public records requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned performing arts center if the donor desires to remain anonymous; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **SB 570** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Vote after roll call:

Yea—Oelrich

CS for SB 98—A bill to be entitled An act relating to education; authorizing a district school board to adopt a policy that allows an inspirational message to be delivered by students at a student assembly; providing policy requirements; providing purpose; providing an effective date.

—as amended January 31 was read the third time by title.

SENATOR WISE PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Siplin, **CS for SB 98** as amended was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Evers	Negron
Alexander	Fasano	Norman
Altman	Flores	Oelrich
Benacquisto	Gaetz	Richter
Bennett	Garcia	Simmons
Bogdanoff	Gardiner	Siplin
Braynon	Hays	Storms
Dean	Jones	Thrasher
Detert	Latvala	Wise
Diaz de la Portilla	Lynn	
Dockery	Montford	

Nays—8

Gibson	Joyner	Margolis
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Rich
Ring

Sachs
Smith

Sobel

REPORTS OF COMMITTEES

The Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations recommends the following pass: CS for SB 504

The Committee on Budget Subcommittee on Finance and Tax recommends the following pass: SB 1274

The Committee on Budget Subcommittee on Health and Human Services Appropriations recommends the following pass: CS for SB 376; CS for SB 414; SB 1040

The Committee on Criminal Justice recommends the following pass: SB 1200

The Committee on Higher Education recommends the following pass: SB 1558

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1128

The bill was referred to the Committee on Criminal Justice under the original reference.

The Committee on Higher Education recommends the following pass: SB 878

The bill was referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1662

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

The Committee on Budget recommends the following pass: CS for SB 116; SB 140; CS for SB 186; CS for SB 226; SB 388; CS for SB 390; SB 436; SB 532; SB 638; SB 792; CS for SB 800

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 990

The bills were placed on the Calendar.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1782

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 320

The Committee on Criminal Justice recommends committee substitutes for the following: CS for CS for SB 540; SB 1816

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1704

The Committee on Health Regulation recommends committee substitutes for the following: SB 1600; SB 1826

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1886

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1502

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1874

The Committee on Criminal Justice recommends a committee substitute for the following: SB 732

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 Higher Education recommends the following not pass: SB 1018

The bill was laid on the table.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

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

Office and Appointment

*For Term
Ending*

Board of Trustees, Florida Atlantic University

Appointee: Moabery, Abdol

01/06/2016

Board of Trustees, Florida International University

Appointee: Armas, Jose

01/06/2016

Board of Trustees, University of North Florida

Appointee: Pincomb, Myron W.

01/06/2016

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

COMMITTEE SUBSTITUTES

FIRST READING

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

CS for SB 320—A bill to be entitled An act relating to background screening; amending s. 394.4572, F.S.; providing that mental health personnel working in a facility licensed under ch. 395, F.S., who work on an intermittent basis for less than 15 hours per week of direct, face-to-face contact with patients are exempt from the fingerprinting and screening requirements under certain conditions; providing an exception; amending s. 408.809, F.S.; providing additional conditions for a person to satisfy screening requirements; eliminating a rule that requires the Agency for Health Care Administration to stagger rescreening

schedules; providing a rescreening schedule; amending s. 409.1757, F.S.; adding law enforcement officers who have a good moral character to the list of professionals who are not required to be refingerprinted or rescreened; amending s. 409.221, F.S.; revising provisions relating to background screening for persons rendering care in the consumer-directed care program; amending s. 413.20, F.S., relating to general vocational rehabilitation programs; providing a definition; amending s. 413.208, F.S.; requiring registration of service providers; requiring background screening and rescreening of certain persons having contact with vulnerable persons; providing exemptions from background screening; providing disqualifying offenses; providing that the cost of screening shall be borne by the provider or the person being screened; providing conditions for the denial of registration; providing for notice of denial or termination; requiring providers to remove persons who have not successfully passed screening; providing for applicability; amending s. 430.0402, F.S.; including a person who has access to a client's personal identification information within the definition of the term "direct service provider"; exempting certain professionals licensed by the Department of Health, attorneys in good standing, relatives of clients, and volunteers who assist on an intermittent basis for less than 20 hours per month from level 2 background screening; excepting certain licensed professionals and persons screened as a licensure requirement from further screening under certain circumstances; requiring direct service providers working as of a certain date to be screened within a specified period; providing a phase-in for screening direct service providers; requiring that employers of direct service providers and certain other individuals be rescreened every 5 years unless fingerprints are retained electronically by the Department of Law Enforcement; removing an offense from the list of disqualifying offenses for purposes of background screening; amending s. 435.02, F.S.; revising and providing definitions relating to employment screening; amending s. 435.04, F.S.; requiring vendors who submit fingerprints on behalf of employers to meet specified criteria; amending s. 435.06, F.S.; authorizing an employer to hire an employee to a position that otherwise requires background screening before the completion of the screening process for the purpose of training the employee; prohibiting the employee from having direct contact with vulnerable persons until the screening process is complete; creating s. 435.12, F.S.; creating the Care Provider Background Screening Clearinghouse under the Agency for Health Care Administration, in consultation with the Department of Law Enforcement; providing rule-making authority; providing for the implementation and operation of the clearinghouse; providing for the results of certain criminal history checks to be shared among specified agencies; providing for retention of fingerprints; providing for the registration of employers; providing an exemption for certain employees who have undergone a criminal history check before the clearinghouse is operational; creating s. 456.0135, F.S.; requiring an application for initial licensure or license renewal in a profession regulated by the Department of Health to include fingerprints submitted by an approved vendor after a specified date; providing procedures and conditions for retention of fingerprints; requiring the applicant to pay the costs of fingerprint processing; amending s. 464.203, F.S.; requiring the Board of Nursing to waive background screening requirements for certain certified nursing assistants; amending s. 943.05, F.S.; providing procedures for qualified entities participating in the Criminal Justice Information Program that elect to participate in the fingerprint retention and search process; providing for the imposition of fees for processing fingerprints; authorizing the Department of Law Enforcement to exclude certain entities from participation for failure to timely remit fingerprint processing fees; amending s. 943.053, F.S.; providing procedures for the submission of fingerprints by private vendors, private entities, and public agencies for certain criminal history checks; requiring the vendor, entity, or agency to enter into an agreement with the Department of Law Enforcement specifying standards for electronic submission of fingerprints; exempting specified criminal justice agencies from the requirement for an agreement; providing procedures for the vendor, entity, or agency to collect certain fees and to remit those fees to the Department of Law Enforcement; authorizing the Department of Law Enforcement to exclude certain entities from participation for failure to timely remit fingerprint processing fees; amending s. 943.0585, F.S.; revising provisions relating to the court-ordered expunction of criminal history records; amending s. 943.059, F.S.; revising provisions relating to the court-ordered sealing of criminal history records; providing an effective date.

By the Committees on Criminal Justice; Community Affairs; and Commerce and Tourism; and Senators Smith, Montford, Evers, and Lynn—

CS for CS for CS for SB 540—A bill to be entitled An act relating to secondhand dealers and secondary metals recyclers; amending s. 538.03, F.S.; requiring that a secondary metals recycler conform to the requirements for a secondhand dealer; defining the term "appropriate law enforcement official"; deleting exemptions from regulation as a secondhand dealer which relate to flea market transactions; conforming terminology; amending s. 538.04, F.S., relating to recordkeeping requirements; conforming terminology and clarifying provisions; amending s. 538.18, F.S.; revising and providing definitions; amending s. 319.30, F.S.; conforming a cross-reference; amending s. 538.19, F.S.; revising requirements for the types of information that secondary metals recyclers must obtain and maintain regarding purchase transactions, including requirements for the maintenance and transmission of electronic records of such transactions; revising the period required for secondary metals recyclers to maintain certain information regarding purchase transactions involving regulated metals property; limiting the liability of secondary metals recyclers for the conversion of motor vehicles to scrap metal under certain circumstances; amending s. 538.235, F.S.; revising requirements for payments made by secondary metals recyclers to sellers of regulated metals property to prohibit certain cash transactions; providing penalties; providing methods of payment for restricted regulated metals property; requiring that purchases of certain property be made by check or by electronic payment; providing procedures; amending s. 538.25, F.S.; requiring the Department of Revenue to accept applications from a fixed business address; prohibiting the department from accepting an application that provides an address from a hotel or motel room, a vehicle, or a post office box; amending s. 538.26, F.S.; prohibiting secondary metals recyclers from purchasing regulated metals property, restricted regulated metals property, or ferrous metals during specified times or from certain locations; prohibiting the purchase of regulated metal property from a seller who uses a name other than his or her own name or the registered name of the business, is younger than 18 years of age, or is under the influence of drugs or alcohol, if such a condition is visible or apparent; prohibiting the purchase of specified restricted regulated metals property without obtaining certain proof of the seller's ownership and authorization to sell the property; providing penalties; creating s. 538.28, F.S.; preempting to the state the regulation of secondary metals recyclers and purchase transactions involving regulated metals property; exempting county and municipal ordinances and regulations enacted before March 1, 2012, from preemption; prohibiting requirements for verification of compliance with certain federal regulations; reenacting and amending s. 538.23(1)(a), F.S., relating to violations and penalties, to incorporate the amendments made by this act to ss. 538.19 and 538.235, F.S., in references thereto; correcting a cross-reference; amending s. 812.145, F.S.; redefining the term "utility"; providing that a person who assists in the taking of certain metals commits a felony of the first degree; providing that a person who illegally takes copper or other nonferrous metals from a utility or communications services provider is liable to the utility or communications provider for damages equal to three times the amount of any claim against the utility or communication services provider resulting from the illegal taking of copper or other nonferrous metals; limiting the liability of a public or private owner of metal property for injuries occurring during the theft or attempted theft of metal property and for injuries occurring as the result of the theft or attempted theft; providing that no additional duty of care is imposed on the owner of metal property; providing an effective date.

By the Committee on Criminal Justice; and Senators Bogdanoff and Joyner—

CS for SB 732—A bill to be entitled An act relating to sentences of inmates; amending s. 893.135, F.S.; revising the quantity of a controlled substance which a person must knowingly sell, purchase, manufacture, deliver, or bring into this state with the intent to distribute in order to be subject to the automatic imposition of a mandatory minimum term of imprisonment; providing the method for determining the weight of a controlled substance in a mixture that is a prescription drug; revising legislative intent; amending s. 921.0022, F.S.; revising provisions to conform to changes made by the act; reenacting ss. 775.087(2)(a) and 782.04(1)(a), (3), and (4), F.S., relating to the possession or use of a

weapon and murder, respectively, to incorporate the amendments made to s. 893.135, F.S., in references thereto; providing an effective date.

By the Committee on Criminal Justice; and Senator Evers—

CS for SB 1502—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances or that contain any of these substances' salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; reenacting ss. 893.13(1)-(6) and 921.0022(3)(b)-(e), F.S., relating to prohibited acts involving controlled substances and the Criminal Punishment Code, respectively, to incorporate the amendments made to s. 893.03, F.S., in references thereto; amending s. 893.13, F.S.; providing that it is a misdemeanor of the first degree to possess specified amounts of certain synthetic cannabinoids in nonpowdered form; providing an effective date.

By the Committee on Health Regulation; and Senator Storms—

CS for SB 1600—A bill to be entitled An act relating to telebehavioral health care services; amending s. 409.906, F.S.; requiring that the Agency for Health Care Administration implement telebehavioral health care services by licensed mental health professionals as authorized by the Centers for Medicare and Medicaid Services for all community-based behavioral health care services, except for those services that require physical contact; requiring that telebehavioral health care services be delivered by a licensed person who is under contract with a Medicaid provider that is enrolled in this state and authorized to provide telebehavioral health care services; requiring that the agency seek authorization from the Centers for Medicare and Medicaid Services to allow the delivery of telebehavioral health care services by any person currently authorized by rule to deliver such services; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Wise—

CS for SB 1704—A bill to be entitled An act relating to high school athletics; amending s. 1006.15, F.S.; expanding the eligibility of certain students in private schools to participate in sports programs in public schools; amending ss. 1006.165 and 1006.18, F.S.; requiring private schools that are members of the Sunshine Independent Athletic Association to comply with certain requirements for having an operational automated external defibrillator on school grounds and to comply with cheerleader safety standards; amending s. 1006.20, F.S.; designating the Sunshine Independent Athletic Association as the governing nonprofit organization of athletics in private schools in this state; revising provisions relating to the bylaws of the Florida High School Athletic Association and providing for organization, authority, and duties of the Sunshine Independent Athletic Association; requiring the bylaws of both associations to allow certain students who transfer to a private school to participate in sports offered by the school; requiring such bylaws to regulate investigators used by the associations and providing restrictions on investigations that are conducted; requiring such bylaws to allow coaches to coach in outside youth sports organizations; prohibiting the Florida High School Athletic Association from denying or discouraging interscholastic competition between public and private schools; providing for annual interscholastic competition championships between public and private high schools for each sport and competition level offered in public and private high schools in this state; providing procedures for appeals to the Sunshine Independent Athletic Association; requiring that appeals to a committee on appeals for the Florida High School Athletic Association or the Sunshine Independent Athletic Association be held in the county where the appellant's school is located; requiring that an appeals process be expedited, if possible; providing for the composition of a committee on appeals for the Sunshine Independent Athletic Association; creating a board of directors of the Sunshine Independent Athletic Association and providing authority and duties of the board; providing for the composition of the board membership; authorizing any high school in this state, including a virtual school or a home-education cooperative, to become a member of the Florida High School Athletic Association or the Sunshine Independent Athletic Association; prohibiting a public high school from joining the Sunshine Independent Athletic Association; providing for the use of fines collected by either association; amending s. 1012.467, F.S.; requiring school districts to

accept reciprocity of the level 2 screening for Sunshine Independent Athletic Association officials; amending s. 1012.55, F.S.; adding approved sports safety courses by the Sunshine Independent Athletic Association to the list of required school district inservice instruction for athletic coaching certification; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Latvala and Alexander—

CS for SB 1782—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; transferring and reassigning functions and responsibilities of the Division of Law Enforcement, excluding the Bureau of Emergency Response, within the Department of Environmental Protection to the Division of Law Enforcement within the Fish and Wildlife Conservation Commission; reassigning the Bureau of Emergency Response within the Department of Environmental Protection to the Secretary of Environmental Protection, as the Office of Emergency Response, within the Department of Environmental Protection; providing for the transfer of additional positions to the commission; providing for a memorandum of agreement between the department and the commission regarding the responsibilities of the commission to the department; transferring and reassigning functions and responsibilities of sworn positions funded by the Conservation and Recreation Lands Program and assigned to the Florida Forest Service within the Department of Agriculture and Consumer Services and the investigator responsible for the enforcement of aquaculture violations at the Department of Agriculture and Consumer Services to the Division of Law Enforcement within the Fish and Wildlife Conservation Commission; providing for a memorandum of agreement between the department and the commission regarding the responsibilities between the commission and the department; providing for transition advisory working groups; assigning powers, duties, responsibilities, and functions for enforcement of the laws and rules governing certain lands managed by the Department of Environmental Protection and certain lands and aquaculture managed by the Department of Agriculture and Consumer Services to the Fish and Wildlife Conservation Commission; conferring full power to the law enforcement officers of the Fish and Wildlife Conservation Commission to investigate and arrest for violations of rules of the Department of Agriculture and Consumer Services, the Department of Environmental Protection, and the Board of Trustees of the Internal Improvement Trust Fund; authorizing salary parity and other pay adjustments for positions transferred by the act; providing for the retention and transfer of specified benefits for employees who are transferred from the Department of Environmental Protection and the Department of Agriculture and Consumer Services to fill positions transferred to the Fish and Wildlife Conservation Commission; creating s. 258.601, F.S.; specifying powers and duties of the commission relating to state parks and preserves and wild and scenic rivers; amending ss. 20.255, 258.008, 258.501, 282.709, 316.003, 316.2397, 316.640, 375.041, 376.065, 376.07, 376.071, 376.16, 376.3071, 379.3311, 379.3312, 379.3313, 379.333, 379.341, 403.413, 784.07, 843.08, 870.04, and 932.7055, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Criminal Justice; and Senator Benacquisto—

CS for SB 1816—A bill to be entitled An act relating to protection of vulnerable persons; amending s. 39.01, F.S.; deleting the definition of the term "other person responsible for a child's welfare"; conforming provisions; amending s. 39.201, F.S.; revising provisions concerning child abuse reporting; amending s. 39.205, F.S.; requiring specified educational institutions and their law enforcement agencies to report known or suspected child abuse, abandonment, or neglect in certain circumstances; providing financial penalties for violations; amending s. 39.302, F.S.; conforming a cross-reference; creating s. 796.036, F.S.; providing for upward reclassification of certain prostitution offenses involving minors; amending s. 960.198, F.S.; providing for relocation assistance for certain victims of sexual violence; amending ss. 794.056 and 938.085, F.S.; conforming cross-references; providing an effective date.

By the Committee on Health Regulation; and Senator Gardiner—

CS for SB 1826—A bill to be entitled An act relating to developmental disabilities; creating s. 383.141, F.S.; providing legislative findings; providing definitions; requiring that health care providers provide

pregnant women with current information about the nature of the developmental disabilities tested for in certain prenatal tests, the accuracy of such tests, and resources for obtaining support services for Down syndrome and other prenatally diagnosed developmental disabilities; providing duties for the Department of Health concerning establishment of an information clearinghouse; creating an advocacy council within the Department of Health to provide technical assistance in forming the clearinghouse; providing membership for the council; providing duties of the council; providing terms for members of the council; providing for election of a chairperson and vice chairperson; providing meeting times for the council; requiring the members to serve without compensation but be reimbursed for per diem and travel expenses; requiring the Department of Health to provide administrative support; amending s. 1002.39, F.S., relating to the John M. McKay Scholarships for Students with Disabilities Program; expanding eligibility requirements; requiring that each school provide information regarding the John M. McKay Scholarship Program upon the enrollment of certain dependent children members of the United States Armed Forces; creating a 2-year pilot program to provide for scholarships to certain students who have disabilities to attend certain private schools under contract with providers of supported employment services; providing eligibility requirements for students; providing a definition for a student who has a disability; providing for the term of the scholarship; authorizing supported employment services to be provided at multiple sites; providing eligibility requirements for providers of supported employment services and private schools; providing that a private school that fails to meet the eligibility requirements is ineligible to participate in the program; requiring that a student who chooses to participate in the program notify the Department of Education of the student's acceptance into the program; providing for the restrictive endorsement of a warrant by a participating scholarship student or parent; prohibiting a power of attorney for endorsing a scholarship warrant; providing requirements for scholarship funding and payment; requiring that the Department of Education request from the Department of Financial Services a sample of endorsed warrants to review and confirm compliance with endorsement requirements; amending s. 1004.55, F.S.; requiring each regional autism center in this state to provide coordination and dissemination of local and regional information regarding available resources for services for children who have developmental disabilities; revising the requirements for regional autism centers with respect to supporting state agencies in the development of training; providing an effective date.

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

CS for SB 1874—A bill to be entitled An act relating to adoption; amending s. 63.022, F.S.; revising legislative intent to delete a reference to reporting requirements for placements of minors and exceptions; amending s. 63.032, F.S.; revising definitions; amending s. 63.037, F.S.; exempting adoption proceedings initiated under chapter 39, F.S., from a requirement for a search of the Florida Putative Father Registry; amending s. 63.039, F.S.; providing that all adoptions of minor children require the use of an adoption entity that will assume the responsibilities provided in specified provisions; providing an exception; amending s. 63.0423, F.S.; revising terminology relating to surrendered infants; providing that an infant who tests positive for illegal drugs, narcotic prescription drugs, alcohol, or other substances, but shows no other signs of child abuse or neglect, shall be placed in the custody of an adoption entity; providing that if the Department of Children and Family Services is contacted regarding a surrendered infant who does not appear to have been the victim of actual or suspected child abuse or neglect, it shall provide instruction to contact an adoption entity and may not take custody of the infant; providing an exception; revising provisions relating to scientific testing to determine the paternity or maternity of a minor; amending s. 63.0425, F.S.; requiring that a child's residence be continuous for a specified period in order to entitle the grandparent to notice of certain proceedings; amending s. 63.0427, F.S.; prohibiting a court from increasing contact between an adopted child and siblings, birth parents, or other relatives without the consent of the adoptive parent or parents; providing for agreements for contact between a child to be adopted and the birth parent, other relative, or previous foster parent of the child; amending s. 63.052, F.S.; deleting a requirement that a minor be permanently committed to an adoption entity in order for the entity to be guardian of the person of the minor; limiting the circumstances in which an intermediary may remove a child; providing that an intermediary does not become responsible for a

minor child's medical bills that were incurred before taking physical custody of the child; providing additional placement options for a minor surrendered to an adoption entity for subsequent adoption when a suitable prospective adoptive home is not available; amending s. 63.053, F.S.; requiring that an unmarried biological father strictly comply with specified provisions in order to protect his interests; amending s. 63.054, F.S.; authorizing submission of an alternative document to the Office of Vital Statistics by the petitioner in each proceeding for termination of parental rights; providing that by filing a claim of paternity form the registrant expressly consents to paying for DNA testing; requiring that an alternative address designated by a registrant be a physical address; providing that the filing of a claim of paternity with the Florida Putative Father Registry does not relieve a person from compliance with specified requirements; amending s. 63.062, F.S.; revising requirements for when a minor's father must be served prior to termination of parental rights; requiring that an unmarried biological father comply with specified requirements in order for his consent to be required for adoption; revising such requirements; providing that the mere fact that a father expresses a desire to fulfill his responsibilities towards his child which is unsupported by acts evidencing this intent does not meet the requirements; providing for the sufficiency of an affidavit of nonpaternity; providing an exception to a condition to a petition to adopt an adult; amending s. 63.063, F.S.; conforming terminology; amending s. 63.082, F.S.; revising language concerning applicability of notice and consent provisions in cases in which the child is conceived as a result of a violation of criminal law; providing that a criminal conviction is not required for the court to find that the child was conceived as a result of a violation of criminal law; requiring an affidavit of diligent search to be filed whenever a person who is required to consent is unavailable because the person cannot be located; providing that in an adoption of a stepchild or a relative, a certified copy of the death certificate of the person whose consent is required may be attached to the petition for adoption if a separate petition for termination of parental rights is not being filed; authorizing the execution of an affidavit of nonpaternity before the birth of a minor in preplanned adoptions; revising language of a consent to adoption; providing that a home study provided by the adoption entity shall be deemed to be sufficient except in certain circumstances; providing for a hearing if an adoption entity moves to intervene in a dependency case; revising language concerning seeking to revoke consent to an adoption of a child older than 6 months of age; providing that if the consent of one parent is set aside or revoked, any other consents executed by the other parent or a third party whose consent is required for the adoption of the child may not be used by the parent who consent was revoked or set aside to terminate or diminish the rights of the other parent or third party; amending s. 63.085, F.S.; revising language of an adoption disclosure statement; requiring that a copy of a waiver by prospective adoptive parents of receipt of certain records must be filed with the court; amending s. 63.087, F.S.; specifying that a failure to personally appear at a proceeding to terminate parental rights constitutes grounds for termination; amending s. 63.088, F.S.; providing that in a termination of parental rights proceeding if a required inquiry that identifies a father who has been adjudicated by a court as the father of the minor child before the date a petition for termination of parental rights is filed the inquiry must terminate at that point; amending s. 63.089, F.S.; specifying that it is a failure to personally appear that provides grounds for termination of parental rights in certain circumstances; revising provisions relating to dismissal of petitions to terminate parental rights; providing that contact between a parent seeking relief from a judgment terminating parental rights and a child may be awarded only in certain circumstances; providing for placement of a child in the event that a court grants relief from a judgment terminating parental rights and no new pleading is filed to terminate parental rights; amending s. 63.092, F.S.; requiring that a signed copy of the home study must be provided to the intended adoptive parents who were the subject of the study; amending s. 63.097, F.S.; providing guidelines for a court considering a reasonable attorney fee associated with adoption services; amending s. 63.152, F.S.; authorizing an adoption entity to transmit a certified statement of the entry of a judgment of adoption to the state registrar of vital statistics; amending s. 63.162, F.S.; authorizing a birth parent to petition that court to appoint an intermediary or a licensed child-placing agency to contact an adult adoptee and advise both of the availability of the adoption registry and that the birth parent wishes to establish contact; amending s. 63.167, F.S.; requiring that the state adoption center provide contact information for all adoption entities in a caller's county or, if no adoption entities are located in the caller's county, the number of the nearest adoption entity when contacted for a referral to make an adoption plan; amending s. 63.212, F.S.; restricting who may

place a paid advertisement or paid listing of the person's telephone number offering certain adoption services; requiring of publishers of telephone directories to include certain statements at the beginning of any classified heading for adoption and adoption services; providing requirements for such advertisements; providing criminal penalties for violations; prohibiting the offense of adoption deception by a person who is a birth mother or a woman who holds herself out to be a birth mother; providing criminal penalties; providing liability by violators for certain damages; amending s. 63.213, F.S.; providing that a preplanned adoption arrangement does not constitute consent of a mother to place her biological child for adoption until 48 hours following birth; providing that a volunteer mother's right to rescind her consent in a preplanned adoption applies only when the child is genetically related to her; revising the definitions of the terms "child," "preplanned adoption arrangement," and "volunteer mother"; amending s. 63.222, F.S.; providing that provisions designated as remedial may apply to any proceedings pending on the effective date of the provisions; amending s. 63.2325, F.S.; revising terminology relating to revocation of consent to adoption; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Wise—

CS for SB 1886—A bill to be entitled An act relating to zero tolerance for crime and victimization in schools; amending s. 1006.13, F.S.; revising legislative intent to encourage schools to address disruptive behavior through school offense protocols; requiring that each district school board adopt a policy for reporting to a law enforcement agency acts that pose a serious threat to school safety; requiring that acts that do not pose a serious threat to school safety be handled within the school's disciplinary system; requiring that a child accused of a misdemeanor offense not be arrested and formally processed in the juvenile justice system; requiring that minor incidents be diverted from the juvenile justice system or handled within the school system's disciplinary system; requiring each district school board to implement a training program for school administrators and teachers regarding the negative consequences and future effects of an arrest of a juvenile and of the existing in-school alternatives to discipline a student for committing petty acts of misconduct without involving a law enforcement agency; requiring that each district school board enter into an agreement with the county sheriff's office and local police department which includes a role for school resource officers, if applicable, to handle reported incidents that pose a serious threat to school safety; requiring the agreements to prescribe the circumstances and offenses that school officials must handle without filing a report with a law enforcement agency;

requiring the school principal to certify, in writing, when an arrest of a student under the jurisdiction of the school board is for an incident that is a serious threat to school safety; requiring that, by a specified date and annually thereafter, each school district provide its policies related to zero tolerance for crime and victimization to the Department of Education; providing an effective date.

COMMITTEE MEMBERSHIP CHANGE

Communications were received from the President of the following committee membership changes: Senate Committee on Budget: Senators Bennett and Norman were appointed, and Senator Fasano was removed; Senate Budget Subcommittee on Criminal and Civil Justice Appropriations: Senator Bogdanoff was appointed and named Chair, and Senator Fasano was removed; Senate Budget Subcommittee on Finance and Tax: Senator Norman was named Chair, and Senator Bogdanoff was removed.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of January 31 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—SR 1396; Altman—SR 1396; Bennett—SR 1396; Bogdanoff—SR 1396; Dean—SR 1396; Detert—SR 1396; Diaz de la Portilla—SR 1396; Dockery—SR 1396; Fasano—SR 1396; Flores—SB 1018, SR 1396; Gaetz—SR 1396; Garcia—SR 1396; Gardiner—SR 1396; Gibson—SR 1396; Haridopolos—SR 1396; Jones—SR 1396; Joyner—SR 1396; Latvala—SR 1396; Lynn—SR 1396; Margolis—SB 1066; Montford—SR 1396; Norman—SR 1396; Oelrich—SR 1396; Rich—SR 1396; Richter—SR 1396; Ring—SR 1396; Sachs—SR 1396; Simmons—SR 1396; Siplin—SR 1396; Sobel—SR 1396; Storms—SR 1396; Thrasher—SR 1396; Wise—SR 1396

RECESS

On motion by Senator Thrasher, the Senate recessed at 2:40 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:30 a.m., Tuesday, February 7 or upon call of the President.