



Journal of the Senate

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INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Rehm—

SB 658—A bill to be entitled An act relating to education; amending s. 230.23(4)(n), Florida Statutes, 1982 Supplement; providing for the operation of the educational programs at certain schools; providing an effective date.

—was referred to the Committees on Education, Health and Rehabilitative Services, and Appropriations.

By Senator Myers—

SB 659—A bill to be entitled An act relating to mentally deficient and mentally ill defendants; amending s. 916.17(1) and (2), Florida Statutes, requiring provision for psychotropic medication for incompetent or insane defendants who are conditionally released from commitment; requiring the court to hold a hearing to review the conditional release of incompetent or insane defendants under certain circumstances; providing an effective date.

—was referred to the Committees on Judiciary-Criminal and Appropriations.

By Senator Myers—

SB 660—A bill to be entitled An act relating to water resources; creating s. 20.262, Florida Statutes; creating the Department of Water Resource Management and transferring all powers, duties, and functions relating to water management vested in the Department of Environmental Regulation to the Department of Water Resource Management; amending s. 373.016(3), Florida Statutes; providing legislative policy; amending s. 373.019, Florida Statutes, 1982 Supplement; defining the term "water resource management" and redefining the term "department"; amending s. 373.026, Florida Statutes, providing for the general powers and duties of the Department of Water Resource Management; directing the preparation of a revisor's bill; providing an appropriation; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation, Governmental Operations, and Appropriations.

By Senator Jenne—

SB 661—A bill to be entitled An act relating to public health units; amending s. 20.19(3)(b), Florida Statutes, 1982 Supplement, to provide for the establishment of a public health unit subcommittee within the advisory council to the Health Program Office of the Department of Health and Rehabilitative Services and to provide for duties thereof and other matters relative thereto; amending s. 110.205(2)(p), Florida Statutes, 1982 Supplement, exempting public health unit directors and public health unit administrators from provisions of law relating to career service positions; creating s. 154.001, Florida Statutes, providing intent; amending s. 154.01, Florida Statutes; providing for a public health unit delivery system and providing for funding of same; distinguishing between "public health services," "personal health services," "primary care services," and "public health unit services," for purposes of the act; requiring certain contractual agreements and specifying component parts of the agreements; providing for use of facilities; amending s. 154.02, Florida Statutes; creating the Public Health Unit Trust Fund and providing for its administration; requiring the submission of certain financial statements with respect thereto; amending s. 154.03(1), Florida Statutes, conforming terminology; amending s. 154.04, Florida Statutes, modifying provisions relating to the personnel of public health units; amending s. 154.05, Florida Statutes, conforming terminology; amending s. 154.06, Florida Statutes; providing for the establishment of fee schedules and for

the collection of fees for certain services; providing for disposition of fees; amending s. 458.316(1)(a), Florida Statutes, to conform to the act; providing for review and repeal of s. 20.19(3)(b)3.f., Florida Statutes, in accordance with the Sundown Act; relating to the Health Program Office of the Department of Health and Rehabilitative Services; providing effective dates.

—was referred to the Committees on Health and Rehabilitative Services, Rules and Calendar, and Appropriations.

By Senator Crawford—

SB 662—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending s. 20.04(4), Florida Statutes, relating to structure of the executive branch; amending s. 20.19(1), (3), (4)(a) and (g), (5)(a), (9)(a) and (c), (11), and (17)(b), Florida Statutes, 1982 Supplement; clarifying provisions relating to the organizational structure of the department; providing for establishment of a set of goals, to be revised every 5 years; redesignating the Assistant Secretary for Administrative Services and the Assistant Secretary for Program Planning and Development as the Assistant Secretary for Administration and the Assistant Secretary for Program Planning, respectively; reorganizing service districts and subdistricts; providing for annual departmental program evaluation of 10 percent of the department's programs, rather than 20 percent; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services, and Appropriations.

By Senator Crawford—

SB 663—A bill to be entitled An act relating to criminal procedure; repealing Rule 3.220(d), Florida Rules of Criminal Procedure, relating to the taking of discovery depositions in criminal cases; providing an effective date.

—was referred to the Committees on Judiciary-Criminal and Judiciary-Civil.

By Senator Henderson—

SB 664—A bill to be entitled An act relating to public records; amending s. 119.01, Florida Statutes, requiring the establishment of agency programs for the disposal of certain public records; amending s. 119.011(1), Florida Statutes, modifying the definition of "public records"; amending s. 119.021, Florida Statutes, relating to the designation of custodian; amending s. 119.031, Florida Statutes, relating to the keeping of records in safe places; amending s. 119.041, Florida Statutes, providing for the disposal of records no longer needed; amending s. 119.09, Florida Statutes; requiring public officials to assist the Division of Archives, History and Records Management by preparing certain inventories for the division; requiring the division, rather than the agency having custody of records, to establish a time period for the retention or disposal of records; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Grant—

SB 665—A bill to be entitled An act relating to social and economic assistance; amending s. 409.267(3), Florida Statutes, allowing the Department of Health and Rehabilitative Services and certain delinquent counties to negotiate an installment repayment plan with respect to county contributions to the medical assistance program; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services, and Appropriations.

By Senator Grant—

SB 666—A bill to be entitled An act relating to the local government half-cent sales tax; adding subsection (6) to s. 218.65, Florida Statutes, 1982 Supplement; providing that certain counties which participate in said tax and which are eligible for an emergency distribution under part VI of chapter 218, Florida Statutes, shall be eligible for a supplemental distribution; providing a limitation; providing for annual appropriations; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Finance, Taxation and Claims.

By Senators Mann, McPherson, Grizzle and Henderson—

SM 667—A memorial to the Congress of the United States, urging Congress to authorize the U.S. Army Corps of Engineers to participate fully with its engineering and financial resources in the restoration by dechannelization of the Kissimmee River.

—was referred to the Committee on Rules and Calendar.

By Senator Castor—

SB 668—A bill to be entitled An act relating to the Administrative Procedure Act; amending s. 120.57(1), Florida Statutes; providing for formal-hearings on consumptive use permits to be conducted by hearing officers from the Division of Administrative Hearings, only at the request of the permit applicant; providing that the permit applicant requesting a hearing officer bear the cost of recording the hearing and providing transcripts; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation, and Governmental Operations.

By Senator Meek—

SB 669—A bill to be entitled An act relating to district school boards; creating s. 235.057, Florida Statutes; providing for reimbursement of persons required to move from property acquired by a school board for moving and relocation expenses; providing limitations; providing for promulgation of guidelines by the Department of Education; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senators Kirkpatrick, Grant and Thomas—

SB 670—A bill to be entitled An act relating to insurance; adding s. 626.321(1)(h), Florida Statutes, 1982 Supplement; providing a limited agent's license for crop hail and multiple peril crop insurance; amending s. 626.381(1), Florida Statutes, 1982 Supplement; providing for the continuation and expiration of such licenses; amending s. 626.753(2), Florida Statutes, 1982 Supplement; authorizing sharing of commissions derived from sale of crop hail or multiple peril crop insurance; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Scott, Margolis, Fox, Gordon, Johnston, Gersten and Jenne—

SB 671—A bill to be entitled An act relating to married women's property; amending s. 708.08, Florida Statutes; deleting language relating to the abolished right of dower; providing that certain transactions are valid if executed by a married woman before or after the effective date of the 1968 State Constitution; providing a statute of limitations for filing a notice of lis pendens and contesting a married woman's conveyance or mortgage of her separate property without her husband's joinder before the effective date of such Constitution; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Grant—

SB 672—A bill to be entitled An act relating to education; creating s. 232.0316, Florida Statutes, providing for district school personnel to assist students in the administration of prescribed medications under certain circumstances; requiring a physician's statement, parental permission, and training of school personnel; requiring proper storage of prescribed medications; removing liability; providing an effective date.

—was referred to the Committee on Education.

By Senator McPherson—

SB 673—A bill to be entitled An act relating to harness racing; amending s. 550.08, Florida Statutes, 1982 Supplement; increasing the number of racing days allowed for harness racing; amending s. 550.291(1), Florida Statutes; exempting harness racing from certain limitations; amending s. 550.37(4), Florida Statutes; requiring the Pari-mutuel Commission to allocate a specified number of racing days exclusive of scholarship and charity days to harness racing; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senator Frank—

SB 674—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28(5), Florida Statutes; removing a limitation on the tort liability of the state, its agencies, and subdivisions; providing an effective date.

—was referred to the Committees on Judiciary-Civil; and Finance, Taxation and Claims.

By Senator Gersten—

SB 675—A bill to be entitled An act relating to emergency and non-emergency medical services; transferring from the Department of Health and Rehabilitative Services to the Division of State Fire Marshal of the Department of Insurance the powers, duties, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds relating to the Florida Emergency Medical Services Grant Act and to the Florida Emergency and Nonemergency Medical Services Act; amending ss. 401.101, 401.107, 401.111, 401.113, 401.117(1)-(3), 401.121, Florida Statutes; amending ss. 401.23, 401.24, 401.25(1)-(3), 401.255, 401.26, 401.265(2), 401.27(2)-(5), (7), (8), 401.281(1)(g), (2), (3), 401.30, 401.31(1), (2), 401.34, 401.35(1), (2), 401.411(1)(f), (2), (3), 401.413(1), (2), Florida Statutes, 1982 Supplement; creating ss. 401.235, 401.245, 401.414, Florida Statutes; conforming language; creating the Emergency Medical Services Advisory Council; representing consumers and the professions involved in such services, providing for the duties and meetings of the council and for reimbursement of council members for per diem and travel expenses; providing for appointment of a state medical director of emergency medical services; authorizing the division to take testimony, conduct hearings and investigations, and summon witnesses in connection with matters pertaining to the Florida Emergency and Nonemergency Medical Services Act; reviving and readopting, notwithstanding chapter 82-402, Laws of Florida, ss. 401.23(9), (11), (16), 401.265, 401.27, 401.31(2), 401.34(1)(f)-(k), (5), 401.35(1)(b), (h), 401.41(2)(a), (b), 401.411, Florida Statutes; providing for legislative review; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services, Commerce, and Appropriations.

By Senator Margolis—

SB 676—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.042(1), Florida Statutes; providing a definition; providing that certain real property be assessed for the portion of the tax year that it is substantially completed; providing an effective date.

—was referred to the Committee on Finance, Taxation and Claims.

By Senator Henderson—

SB 677—A bill to be entitled An act relating to school system personnel; creating s. 231.291, Florida Statutes; providing for the contents of the personnel file of a certificated school system employee; prohibiting the maintenance of records other than those expressly provided for by statute; providing for the investigation of certain complaints against certificated employees; providing that certain records in the personnel file shall be opened for public inspection; providing that certain records in the personnel file shall be exempt from public inspection; providing that an employee shall have the right to challenge records in the personnel file pursuant to the Administrative Procedures Act; providing for the purging of certain complaints from the personnel file; amending s. 231.262(4), Florida Statutes, 1982 Supplement; providing that certain records relating to complaints against teachers and administrators be open for public inspection and certain of such records be exempt from public inspection; repealing s. 231.29(7), Florida Statutes, 1982 Supplement, relating to

inspection of personnel files of school employees; providing an effective date.

—was referred to the Committees on Education and Governmental Operations.

By Senator Henderson—

SB 678—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.533(2)(a), Florida Statutes, 1982 Supplement; providing that records relating to investigations of complaints against such an officer are public records; providing that the identity of such an officer is exempt from public inspection until a finding that the complaint is sustained; providing that records containing such exemption shall be designated in a specified manner; providing an effective date.

—was referred to the Committees on Judiciary-Criminal and Governmental Operations.

By Senator Crawford—

SJR 679—A joint resolution proposing amendments to Sections 10 and 11, Article V of the State Constitution, relating to retention of judges, to provide for retention of circuit judges and judges of county courts and for filling a vacancy in such offices under certain circumstances.

—was referred to the Committees on Judiciary-Civil, and Rules and Calendar.

By Senator Crawford—

SB 680—A bill to be entitled An act relating to right to speedy trial; amending s. 918.015(2), Florida Statutes, providing conditions upon the right to discharge from prosecution for violation of the right to speedy trial; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Crawford—

SB 681—A bill to be entitled An act relating to mentally retarded defendants and inmates; amending s. 916.11(2), Florida Statutes, 1982 Supplement, requiring the Department of Health and Rehabilitative Services' diagnosis and evaluation team to examine defendants suspected of being mentally retarded; amending s. 916.13(1), Florida Statutes, and adding subsection (3) thereto, providing for the placement of a defendant adjudicated incompetent to stand trial due to mental retardation; amending s. 916.16, Florida Statutes, including admission to retardation residential services within the jurisdiction of the committing court; creating s. 945.085, Florida Statutes, requiring Department of Corrections to notify Department of Health and Rehabilitative Services prior to the release of mentally retarded inmates; creating s. 947.185, Florida Statutes, allowing the Parole and Probation Commission to require as a condition of parole that mentally retarded inmates apply for services from Department of Health and Rehabilitative Services; providing an effective date.

—was referred to the Committees on Judiciary-Criminal, Health and Rehabilitative Services, and Appropriations.

By Senator Gersten—

SB 682—A bill to be entitled An act relating to game promotions; amending s. 849.094, Florida Statutes, redefining the term "game promotion"; prohibiting a game operator from requiring a fee or proof of purchase as a condition for game entry; exempting certain game promotions from registration requirement; requiring a filing fee; requiring financial institutions holding game promotion trust accounts and game operators who obtain a surety bond in lieu of establishing a trust account to file certain information with the Department of Legal Affairs; providing for waiver of certain requirements; providing methods for informing the public of prizes offered and prize winners and extending the filing deadline for such information; transferring jurisdiction over violations of game promotion laws; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; and Appropriations.

By Senator Carlucci—

SB 683—A bill to be entitled An act relating to special deputy sheriffs; amending s. 30.09(4), Florida Statutes; providing for county sheriffs to deputize and, at club expense, to train special deputies to be employed by certain hunting clubs or fishing clubs to protect certain club property from trespass; providing that such special deputies be exempt from certain statutory provisions; granting to such deputies full arrest powers while performing their official duties on club property; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Margolis—

SB 684—A bill to be entitled An act relating to commercial development; creating s. 288.062, Florida Statutes; creating the Florida Academic/Business Coalition for International Development to be administered by the Department of Education in conjunction with the Department of Commerce; providing for duties of the coalition; providing an appropriation; providing an effective date.

—was referred to the Committees on Education, Commerce, and Appropriations.

By Senator Girardeau—

SB 685—A bill to be entitled An act relating to postsecondary education; amending s. 240.349(2), Florida Statutes; requiring community college district boards of trustees to permit students 60 years of age or older to enroll in a maximum of 6 credit hours of instruction on a nonfee basis up to a limit of 7 percent of full-time equivalent student enrollment at each community college; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Hair—

SB 686—A bill to be entitled An act relating to patient records; amending ss. 455.241, 395.017(3), Florida Statutes, 1982 Supplement; providing that medical records may be furnished to certain persons in specified circumstances; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services, and Judiciary-Civil.

By Senator Henderson—

SB 687—A bill to be entitled An act relating to trust fund deposits; amending s. 496.285, Florida Statutes; requiring all moneys collected under the chapter to be deposited in the Division of Licensing Trust Fund; amending s. 496.335(5), Florida Statutes; requiring recovered civil penalties, attorney's fees, and court costs to be deposited in the Division of Licensing Trust Fund; repealing s. 5, ch. 81-92, Laws of Florida, relating to repeal of provisions relating to the collection and deposit of fees in the Division of Corporations Trust Fund; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Gersten—

SB 688—A bill to be entitled An act relating to professional regulation; amending ss. 114.01, 120.71, 310.011, 310.021, 310.131, 310.151, 455.213(2), 455.225(3), 455.227(2), 458.337(1)(b), 459.015(1)(s), 459.017, 460.413(1)(n), 462.14, 465.016(1)(e), 465.023(1), 471.031(1)(b), 472.033(1)(h), 480.046(1), 486.091, 489.115(1), 489.129(1), Florida Statutes; amending ss. 20.30(2)(a), (3), 455.217(1), 455.241, 475.25(1), Florida Statutes, 1982 Supplement; adding s. 476.184(3), Florida Statutes; renaming the Division of Administrative Services of the Department of Professional Regulation; specifying when a vacancy in a board or commission of the department occurs; providing for disqualification of agency personnel; providing for verification of the amount of pilotage at ports; providing that the Board of Pilotage consists only of the nonpilot members for certain purposes; providing for initial license fees; authorizing release of candidate names and numbers to outside contractors for specified purposes; exempting probable cause panels from agenda requirements; providing for assessment of prosecution costs and probationary costs, revising grounds for discipline and actions that may be taken against medical doctors, osteopaths, chiropractors, naturopaths, pharmacists, engineers, land surveyors, real estate brokers and salesmen, masseurs, midwives, and contractors; providing penalties; requiring display of

barber certificates; specifying effect of certification of contractors; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; Executive Business; and Appropriations.

By Senators Grizzle and Neal—

SB 689—A bill to be entitled An act relating to outdoor advertising; amending s. 479.04(1), Florida Statutes; specifying license fees; amending s. 479.07(2), (4), Florida Statutes, and adding subsection (8) to said section; providing permit fees; requiring erection to commence at a specified time; declaring specified outdoor advertisements to be nuisances; providing for removal; providing for compensation for wrongful removal; amending s. 479.111(2), Florida Statutes; providing for zoning; amending s. 479.17, Florida Statutes; limiting notice to owners; creating s. 479.25, Florida Statutes; providing for display of logo signs on certain rights-of-way; creating s. 479.27, Florida Statutes; providing for a radio advisory program; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Henderson—

SB 690—A bill to be entitled An act relating to contractual services; amending s. 287.012(3) and (5), Florida Statutes, 1982 Supplement, and adding subsections (7) and (8) thereto, redefining the term "contractual services"; defining the terms "physically or mentally disabled person," "extension" and "renewal"; amending s. 287.042(4)(a), Florida Statutes, 1982 Supplement, requiring notice of invitation to bids to be mailed at least 10 days prior to the date of bid submittals; amending s. 287.057(2), (3), (9), (11), (12), (15), and (17), Florida Statutes, 1982 Supplement, and adding new subsections (13) and (17) to said section, providing criteria for bids for contractual services; providing procedures for contract renewal; deleting an internal cross reference; requiring agency certification of emergency situations that justify exceptions to bidding requirements; allowing dollar increases with respect to contract extensions; providing renewal procedures; deleting a prohibition against agency fiscal employees serving on contract selection committees; providing for a review and approval process for certain contractual service contracts; amending s. 287.058, Florida Statutes, 1982 Supplement, providing additional provisions to be included in contract documents; providing for signature of written agreements by agency heads; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator Henderson—

SB 691—A bill to be entitled An act relating to driving while under the influence; adding subsection (4) to s. 316.1931, Florida Statutes, 1982 Supplement, and adding subsection (9) to s. 322.26, Florida Statutes, authorizing and directing the Department of Highway Safety and Motor Vehicles to revoke the driver's license of any person driving while under the influence who is involved in an accident resulting in property damage or personal injury; specifying the condition and duration of such revocation; providing an effective date.

—was referred to the Committees on Transportation and Judiciary-Criminal.

By Senator Henderson—

SB 692—A bill to be entitled An act relating to local government financial matters; creating s. 218.335, Florida Statutes; authorizing units of local government to charge interest on payments overdue from another unit of local government; providing an effective date.

—was referred to the Committee on Economic, Community and Consumer Affairs.

By the Committee on Natural Resources and Conservation and Senators McPherson, Mann and Grizzle—

SB 693—A bill to be entitled An act relating to marine fisheries; creating the Marine Fisheries Commission within the Department of Natural Resources; providing for membership, and compensation of the commissioners; providing duties of the commission; providing rulemaking authority and procedures; providing for enforcement by the department; providing penalties; providing for staff personnel of the commission; repealing certain local laws and providing for such laws to become rules

of the department; providing for certain general laws to be superseded by certain rules adopted by the commission; requiring the commission to prepare a budget; amending s. 370.021(1), Florida Statutes; creating s. 370.025, Florida Statutes; providing certain standards for rules adopted by the commission; providing for review pursuant to the Sundown Act; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation, and Appropriations.

By the Committee on Natural Resources and Conservation and Senators Mann, McPherson, Crawford, Grizzle and Kirkpatrick—

SB 694—A bill to be entitled An act relating to the Department of Natural Resources; amending s. 370.06(2), Florida Statutes; providing for a saltwater products license; setting fees for said license; providing for the use of said license; providing for a credit for the payment of said license; providing for the preservation of saltwater products taken; providing for a marine fisheries data information system; amending s. 370.07(1), (2), Florida Statutes; authorizing the department to issue certain licenses; increasing certain license taxes; adding s. 327.28(3), Florida Statutes; providing for the deposit and distribution of saltwater products license fees; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Finance, Taxation and Claims.

By the Committee on Natural Resources and Conservation—

SB 695—A bill to be entitled An act relating to environmental reorganization; amending s. 403.802, Florida Statutes; providing legislative policy; amending s. 403.803, Florida Statutes; providing definitions; amending s. 403.805, Florida Statutes; authorizing the Secretary of the Department of Environmental Regulation to delegate certain powers and duties to the water management districts; amending s. 403.807, Florida Statutes; providing powers and duties of the Division of Environmental Programs of the department; amending s. 403.808, Florida Statutes; providing duties of the Division of Environmental Permitting of the department; amending s. 403.809, Florida Statutes; providing for boundaries and management personnel of environmental districts; amending s. 403.812, Florida Statutes; providing for delegating certain departmental powers and duties to the water management districts; providing limitations on such powers and duties; amending s. 403.813(1), Florida Statutes, 1982 Supplement; providing criteria for certain projects for which a permit is required; amending s. 373.016(2), Florida Statutes; providing legislative policy; amending s. 373.026(7), Florida Statutes; providing for powers and duties of the department; amending s. 373.106, Florida Statutes; granting the water management districts exclusive authority to issue certain permits; amending s. 373.114, Florida Statutes; providing for review by the department of certain water management district rules; providing procedures for such review; amending s. 373.116(1), Florida Statutes; providing for filing certain permit applications with the districts; amending s. 373.308(1), (2), Florida Statutes; requiring the department to authorize water management districts to exercise certain powers; amending s. 373.323(1), (2), (6), Florida Statutes, and adding subsection (8) to said section; providing for water well contractor's licenses to be issued by the water management districts; amending s. 373.413, Florida Statutes; providing that the water management districts have exclusive authority to issue permits for certain water works projects; amending s. 373.069(1), Florida Statutes; changing the boundaries of the water management districts; requiring the department to conform its district boundaries to water management district boundaries; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation, and Appropriations.

By Senator Gersten—

SB 696—A bill to be entitled An act relating to veterans; amending s. 295.124, Florida Statutes, providing that the Division of Veterans' Affairs of the Department of Administration shall act as the state approving agency for purposes of veterans' education and training pursuant to federal law; providing for the administrative transfer of certain existing powers, duties, personnel, funds, and functions of the Department of Education to the division; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; and Appropriations.

By Senator Grant—

SB 697—A bill to be entitled An act relating to barbering; creating s. 476.158, Florida Statutes, providing for the licensure of barbering instructors; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; and Appropriations.

By Senator Jenne—

SB 698—A bill to be entitled An act relating to traffic violations; creating s. 316.665, Florida Statutes; providing for an additional surcharge for certain violations; providing for the expenditure of proceeds of such surcharge; adding s. 318.13(6), Florida Statutes; defining "civil penalty"; adding s. 318.18(5), Florida Statutes, 1982 Supplement; adding the surcharge to the civil penalties for noncriminal infractions; providing an effective date.

—was referred to the Committees on Transportation; Appropriations; and Finance, Taxation and Claims.

By Senator Thurman—

SB 699—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.135(3), Florida Statutes, restricting the types of blue crabs which may be transported out of the state under special permits; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Senator Gersten—

SB 700—A bill to be entitled An act relating to the waiver of sovereign immunity; adding paragraph (c) to s. 768.28(9), Florida Statutes, excluding actions arising from the performance of certain federally prescribed duties of Florida National Guard members from those actions which may be lawfully brought against the state for damages; reenacting s. 252.36(5)(1), Florida Statutes, to incorporate the amendment to s. 768.28(9), Florida Statutes, in a reference thereto; providing an effective date.

—was referred to the Committees on Governmental Operations; and Finance, Taxation and Claims.

By Senator Gersten—

SB 701—A bill to be entitled An act relating to fire prevention and control; creating s. 633.441, Florida Statutes, requiring the establishment of a Fire Safety Education Program within the Division of State Fire Marshal of the Department of Insurance; establishing duties and responsibilities; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Grant—

SB 702—A bill to be entitled An act relating to local occupational licenses; amending s. 205.053(1), Florida Statutes, clarifying the due date for local occupational license taxes; providing an effective date.

—was referred to the Committee on Finance, Taxation and Claims.

By the Committee on Natural Resources and Conservation—

SB 703—A bill to be entitled An act relating to the Northwest Florida Water Management District; amending s. 373.503(3)(a), Florida Statutes; increasing the maximum total millage rate for district and basin purposes; providing a conditional effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Rules and Calendar.

By the Committee on Natural Resources and Conservation—

SJR 704—A joint resolution proposing an amendment to Section 9, Article VII of the State Constitution, relating to the maximum ad valorem tax of 0.05 mill levied for water management purposes for the northwest portion of the state to provide that the maximum ad valorem tax for water management purposes throughout the state uniformly be 1.0 mill.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Rules and Calendar.

By Senators Neal, Kirkpatrick, McPherson, Mann and Grizzle—

SB 705—A bill to be entitled An act relating to saltwater fisheries; creating s. 370.0605, Florida Statutes, requiring all persons taking saltwater fish for noncommercial purposes in this state to be licensed; providing exceptions; providing license fees; providing for the issuance of licenses; creating the Marine Resources Research Trust Fund; creating the Marine Resources Conservation Trust Fund; providing intent; providing for administration of the fund; establishing a screening committee; providing for travel expenses and per diem for committee members; providing for awarding of research grants; providing for disposition of funds; creating s. 370.0606, Florida Statutes; providing for appointment of subagents to issue and sell saltwater fishing licenses; providing for compensating such subagents; providing penalties; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Finance, Taxation and Claims.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 610 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Criminal Justice and Representative Grant and others—

HB 610—A bill to be entitled An act relating to obstructing justice; creating s. 843.164, Florida Statutes, providing a third degree felony penalty for the possession of certain radio equipment tuned to receive state or police frequencies for the purpose of assisting, planning, preparing, or committing enumerated crimes; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

FIRST READING OF COMMITTEE SUBSTITUTES ON THE CALENDAR

By the Committee on Education, Senators Carlucci, Hair, Johnston and W. D. Childers—

CS for SB 7—A bill to be entitled An act relating to the State University System; providing for the Board of Regents to establish three 4-year universities; providing criteria; providing for periodic evaluation; providing an effective date.

By the Committee on Transportation, Senators Beard and Jenne—

CS for SB 31—A bill to be entitled An act relating to state agency contracts; creating s. 286.30, Florida Statutes; providing definitions; providing a hearing procedure; providing for denial or revocation of a contractor's certificate of qualification or privilege to provide services or commodities to any state agency or to bid on work let by any state agency for specified reasons; providing for a period of disqualification; providing for reapplication or reinstatement of a certificate of qualification or privilege; providing a hearing procedure; providing for a continuation of obligations under preexisting contracts; providing penalties; providing notification requirements; providing investigative authority; creating s. 286.31, Florida Statutes; providing for distribution of moneys recovered; creating s. 286.32, Florida Statutes; providing that a certificate of qualification or other form of authorization to bid on state contracts is not a license for purposes of the Administrative Procedure Act; prohibiting administrative stays of denial or revocation of certificates or other forms of authorization to bid; providing criteria for judicial stays and injunctive relief; providing that certain activities constitute an immediate danger to public safety, health and welfare; creating s. 286.33, Florida Statutes; providing a definite period of time during which a state agency's official project cost estimates and potential bidders' identities are exempt from the provisions of s. 119.07(1), Florida Statutes; exempting the Department of Transportation's bid analysis and monitoring system from the provisions of s. 119.07(1), Florida Statutes; creating s. 286.34, Florida Statutes; providing for continuation of certain state agency procedures; creating s. 286.35, Florida Statutes; providing for compilation and dissemination of contractor ineligibility information by the Department of General Services; providing an effective date.

By the Committee on Commerce and Senator Stuart—

CS for SB 62—A bill to be entitled An act relating to alcoholic beverages; amending ss. 562.06, 561.25, Florida Statutes; providing for the sale and consumption of alcoholic beverages on public property under certain circumstances; providing an exemption for certain persons who may own an interest in licensed establishments authorized to sell beer or wine by package; providing an effective date.

By the Committee on Governmental Operations and Senator Stuart—

CS for SB 64—A bill to be entitled An act relating to private investigators; amending s. 493.301(1)(d), Florida Statutes; limiting exemptions; amending s. 493.304(3), (6), Florida Statutes; requiring self-employed investigators and repossessors to hold Class "A" license; requiring certain process servers to hold Class "C" license and Class "A" license; requiring repossessor to hold Class "E" license and meet requirements of Class "C" license; amending s. 493.305(1), Florida Statutes; requiring application from branch managers; adding s. 493.306(2)(d), Florida Statutes, and amending s. 493.306(3), (4), Florida Statutes; limiting eligibility to reapply for license; increasing experience requirement for private investigators and branch managers; creating s. 493.3065, Florida Statutes; requiring examinations; adding s. 493.308(1)(h), (i), Florida Statutes; specifying fees for intern licenses; amending s. 493.31, Florida Statutes; expanding insurance requirements; amending s. 493.311(1), Florida Statutes, and adding subsection (6) to said section; providing for biennial licensing of interns; requiring display of company name and license number on cards, stationery, and advertising; amending s. 493.313(1), Florida Statutes; prohibiting limits on renewability of license; amending s. 493.318, Florida Statutes; authorizing repossessor to dispose of certain property after notice; amending s. 493.319, Florida Statutes; providing additional grounds for discipline; amending s. 493.322(1), Florida Statutes; authorizing investigation of unlicensed practice; creating s. 493.327, Florida Statutes; providing for confidentiality of certain information about licensees; providing an effective date.

By the Committees on Personnel, Retirement and Collective Bargaining; and Governmental Operations—

CS for SB 107—A bill to be entitled An act relating to other-personal-services employment; amending s. 216.011(1)(o), Florida Statutes; modifying the definition of "other personal services"; providing definitions; prohibiting certain unapproved employment; providing for the adoption of rules; providing for the preparation and distribution of written material explaining terms and conditions of other-personal-services employment; providing for an annual report; providing for exceptions; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Beard—

CS for SB 122—A bill to be entitled An act relating to obstructing justice; creating s. 843.164, Florida Statutes; providing a third degree felony penalty for the possession of certain radio equipment tuned to receive state or police frequencies for the purpose of assisting, planning, preparing, or committing enumerated crimes; providing an effective date.

By the Committee on Judiciary-Civil, Senators Hair, Frank and Langley—

CS for SB's 147 and 11—A bill to be entitled An act relating to elections; amending s. 99.012(2), (3), Florida Statutes; requiring an incumbent public officer who is a candidate for federal office to resign upon qualifying; providing for an automatic resignation; providing for notice of such resignation; amending s. 99.061(1), Florida Statutes; establishing a qualifying period for candidates for federal office; amending s. 100.101, Florida Statutes; providing an exception to the requirement that a special election be called; renumbering present s. 100.111(2), (3), (4), Florida Statutes, and adding a new subsection (2) to said section; specifying the manner in which vacancies in certain state and county offices are filled; eliminating the requirement for a special election in certain state and county elective offices where an incumbent qualifies for federal office; providing for notice to supervisors of elections; providing an effective date.

By the Committee on Commerce—

CS for SB 167—A bill to be entitled An act relating to life care contracts; revising, reviving, and readopting, notwithstanding the Regulatory Sunset Act, ss. 651.011-651.132, Florida Statutes; revising, reviving, and readopting, notwithstanding the Sundown Act, s. 651.121, Florida Statutes; amending s. 651.011, Florida Statutes; clarifying, creating, and

deleting definitions; amending s. 651.015, Florida Statutes; providing clarifying language; providing for deposit of certain moneys into the Insurance Commissioner's Regulatory Trust Fund; amending s. 651.021, Florida Statutes; requiring Department of Insurance approval for expansion under certain conditions; creating s. 651.022, Florida Statutes; providing for provisional certificate of authority; creating s. 651.023, Florida Statutes; providing for certificate of authority; amending s. 651.026, Florida Statutes; providing clarifying language; amending s. 651.033, Florida Statutes; providing clarifying and conforming language; amending s. 651.035, Florida Statutes; increasing the debt service reserve requirement; providing an operating reserve requirement; amending ss. 651.051, 651.061, 651.065, 651.081, 651.085, 651.091, Florida Statutes, and s. 651.055, Florida Statutes, 1982 Supplement; providing clarifying and conforming language; amending s. 651.095, Florida Statutes; providing for application of Unfair Insurance Trade Practices Act; amending s. 651.105, 651.106, 651.111, Florida Statutes; providing clarifying language; amending s. 651.114, Florida Statutes; requiring the advisory council to report certain findings to the department; amending s. 651.121, Florida Statutes; requiring advisory council members to disclose certain financial interests; amending ss. 651.125, 651.13, 651.132, Florida Statutes; providing conforming and clarifying language; creating s. 651.133, Florida Statutes; providing for provisional certificates of authority issued under prior law; providing an effective date.

By the Committee on Commerce—

CS for SB 201—A bill to be entitled An act relating to burial insurance; amending s. 639.07, Florida Statutes; providing definitions; amending s. 639.08, Florida Statutes; providing clarifying language; amending s. 639.09, Florida Statutes; requiring a certificate of authority; amending s. 639.10, Florida Statutes; providing for expiration and renewal of certificates of authority; providing for an annual statement; providing evidence of financial solvency; requiring certain disclosures; creating s. 639.105, Florida Statutes; providing for the approval of forms; amending s. 639.11, Florida Statutes; providing for disposition of funds received on preneed contracts; amending s. 639.13, Florida Statutes, 1982 Supplement; providing for the cancellation of preneed contracts and certain liquidated damages; amending ss. 639.14, 639.15, Florida Statutes; providing conforming language; amending s. 639.16, Florida Statutes; providing grounds for suspension and revocation of certificates of authority; providing for notice, effect, and publication of suspension order; providing for duration of suspension and for reinstatement; creating s. 639.165, Florida Statutes; providing for dissolutions and liquidations; creating s. 639.166, Florida Statutes; providing for administrative fine in lieu of suspension or revocation of certificate of authority; amending ss. 639.17, 639.20, 639.21, Florida Statutes; providing clarifying language; creating s. 639.185, Florida Statutes; providing for the registration of preneed agents with the Department of Insurance; amending s. 470.028, Florida Statutes, 1982 Supplement; deleting the requirement that preneed agents be registered with the Department of Professional Regulation; amending s. 470.002(4), Florida Statutes, 1982 Supplement; and amending ss. 470.019(2)(f), 470.036(1)(q), Florida Statutes; conforming language; creating ss. 639.22, 639.23, Florida Statutes; prohibiting and defining certain unfair methods of competition and unfair or deceptive practices; creating s. 639.24, Florida Statutes; empowering the department to conduct certain examinations and investigations; creating s. 639.25, Florida Statutes; authorizing the department to conduct certain hearings in accordance with chapter 120, Florida Statutes; creating s. 639.26, Florida Statutes; requiring the department to issue cease and desist orders under certain circumstances; providing for an administrative penalty; creating s. 639.27, Florida Statutes; providing for appeal; creating s. 639.28, Florida Statutes; providing a penalty for violation of cease and desist orders; creating s. 639.29, Florida Statutes; providing for injunctions; creating s. 639.30, Florida Statutes; providing for civil liability; reviving and readopting chapter 639, Florida Statutes, as amended, notwithstanding the Regulatory Sunset Act; repealing s. 639.06, Florida Statutes, relating to declaration of policy; repealing s. 639.18, Florida Statutes, relating to false, fraudulent, and deceptive advertising and selling practices; repealing s. 639.19, Florida Statutes, relating to legislative intent; providing for legislative review; providing an effective date.

By the Committee on Commerce—

CS for SB 207—A bill to be entitled An act relating to home warranty associations; revising, reviving, and readopting, notwithstanding the Regulatory Sunset Act, ss. 634.301-634.329, Florida Statutes, relating to the regulation of home warranty associations; amending s. 634.301(3), (5)-(7), Florida Statutes, and adding subsections (11)-(16) to said section;

amending ss. 634.304, 634.305, 634.306(4), 634.307, 634.308, 634.310(1), 634.311(4), 634.313(1), (2), 634.315, 634.317, 634.318, 634.319, 634.321, 634.322, 634.323(1), 634.324, 634.326, Florida Statutes; adding s. 634.320(11), Florida Statutes; creating ss. 634.3045, 634.3112, 634.3125, 634.3126, 634.3135, 634.3225, 634.3275, 634.3285, 634.335-634.345, Florida Statutes; providing definitions; providing qualifications for renewal of license; requiring an unearned premium reserve fund; specifying minimum required net assets; providing for contractual liability insurance in lieu of an unearned premium reserve; eliminating letters of credit; prohibiting refund of license fee upon denial of license; providing for administrative fines in lieu of suspension or revocation of license; providing for disapproval of forms; providing for rates to be filed for informational purposes; specifying contents of annual statements; providing minimum requirements for office records and permitting computer records; revising requirements for service of process; requiring registration of certain real estate brokers; providing for biennial registration of sales representatives; providing grounds and procedures for suspension or revocation of registration; specifying duration of suspension or revocation; increasing administrative fines imposed in lieu of suspension or revocation of registration; providing fees; providing for confidentiality of investigative records; requiring departmental approval of mergers or consolidations of associations; prohibiting unfair methods of competition and unfair trade practices; defining unfair trade practices; providing the department powers; providing remedies for violations; prohibiting coercion of debtors; requiring buyer's right to cancel; allowing to stand repealed pursuant to the Regulatory Sunset Act, s. 634.316, Florida Statutes, relating to service of process; providing for legislative review; providing retroactivity; providing an effective date.

By the Committee on Commerce—

CS for SB 208—A bill to be entitled An act relating to service warranty associations; revising, reviving, and readopting, notwithstanding the Regulatory Sunset Act, ss. 634.401-634.409, 634.411-634.417, and 634.419-634.431, Florida Statutes; relating to the regulation of service warranty associations; amending ss. 634.401(2), (9), (14), Florida Statutes, 1982 Supplement, ss. 634.404, 634.405, 634.406, 634.407(4), 634.408, 634.409(1), (2)(a), (d), 634.412(3), (4), 634.413, 634.415(3), 634.416, 634.417, 634.420, 634.421, 634.423, 634.424, 634.425, 634.426(1), 634.427, 634.429, Florida Statutes; adding ss. 634.401(17), 634.409(2)(f), Florida Statutes; adding s. 634.422(11), Florida Statutes; creating ss. 634.4145, 634.4165, 634.432, 634.434-634.443, Florida Statutes; providing definitions; providing that license issuance requirements apply to license renewals; deleting obsolete language; providing deposit requirements for warrantors; phasing out letters of credit used in place of deposits; permitting the purchase of contractual liability insurance instead of maintaining an unearned premium reserve; providing that license application fees be nonrefundable upon denial of license; providing conforming language; providing grounds for refusal, suspension, or revocation of license; deleting requirement for notification of license reinstatement; providing grounds for disapproval of forms; providing grounds for waiver of examination requirement; requiring office records; providing for service of process; providing for biennial registration of sales representatives; prohibiting the reissuance of a registration revoked twice; providing administrative fines; requiring that the department be notified before merger or consolidation of warranty associations; providing that active department investigations are confidential pending completion; prohibiting unfair methods of competition and unfair acts; authorizing the department to investigate such practices; requiring the department to conduct hearings; providing for cease and desist orders; providing administrative penalties; providing for appeals; providing for injunctive relief; providing that department action does not abrogate other remedies; allowing to stand repealed pursuant to the Regulatory Sunset Act, ss. 634.410, 634.418, Florida Statutes; relating to license suspension procedures and serving process; providing for legislative review; providing retroactivity; providing an effective date.

By the Committee on Transportation, Senators Malchon, Henderson, Vogt, McPherson and Castor—

CS for SB 274—A bill to be entitled An act relating to bicycle safety and traffic control; directing the Department of Transportation to recognize bicycles as a serious mode of transportation in planning transportation facilities; amending s. 316.003(2) and (64), Florida Statutes, 1982 Supplement; redefining the terms "bicycle" and "vehicle" with respect to the "Florida Uniform Traffic Control Law"; amending s. 316.125, Florida Statutes; providing that a vehicle entering or crossing a highway or sidewalk shall yield the right-of-way; amending s. 316.130(15), Florida Stat-

utes; requiring the driver of a vehicle to exercise due care; amending s. 316.151, Florida Statutes; providing turning procedures; providing exceptions; amending s. 316.155(1) and (2), Florida Statutes; providing an exception to the requirement that bicycle operators give continuous hand turn signals; amending s. 316.1945(1)(a) and (b), Florida Statutes; prohibiting parking on a bicycle path or lane; amending s. 316.1995, Florida Statutes; providing that no person shall drive any vehicle other than by human power on a sidewalk; amending s. 316.2005, Florida Statutes; providing conditions for opening vehicle doors; amending s. 316.2065, Florida Statutes; regulating the operation of bicycles; establishing certain age criteria; requiring identification numbers under certain circumstances; creating s. 316.451, Florida Statutes; requiring brakes on bicycles; providing an effective date.

By the Committee on Natural Resources and Conservation, Senators Henderson, Neal, Grizzle and Langley—

CS for SB 285—A bill to be entitled An act relating to saltwater fisheries; creating s. 370.025, Florida Statutes; setting forth policy and standards; amending s. 370.08(11), Florida Statutes; prohibiting the netting of king mackerel; establishing possession and landing prohibitions and recreational limits; providing penalties and providing for confiscation and disposal of equipment; creating s. 370.0815, Florida Statutes; limiting number of hooks per line which may be used to take saltwater fish; amending s. 370.1105, Florida Statutes; prohibiting the use of certain traps and specifying territorial application; providing penalties and for the forfeiture of equipment; creating s. 370.1133, Florida Statutes; prescribing illegal methods of taking certain fish; providing conditions of landing and sale; providing bag limits; providing shrimp trawling and divers not affected; providing penalties and for confiscation and destruction of catches and equipment; amending s. 370.153(3)(b), (4)(b), (5), Florida Statutes, adding paragraph (f) to subsection (3), and adding new subsections (8) and (9) to said section and renumbering; providing qualifications for a license as a live bait producer; providing for nontransferability of licenses; restricting commercial trawling in certain areas of the St. Johns River; prohibiting noncommercial trawling for shrimp in certain rivers and tributaries; restricting commercial trawling in certain areas of the St. Johns River; providing for the identification of licensed river shrimpers; restricting rulemaking by the Department of Natural Resources relating to shrimping in the St. Johns River; providing penalties; adding s. 253.03(13), Florida Statutes, 1982 Supplement; directing the Board of Trustees of the Internal Improvement Trust Fund to provide, by rule, for the leasing of submerged lands for sponge culture; amending s. 370.01(5), Florida Statutes; removing the Division of Marine Resources from the definition of the term "salt water"; amending s. 370.03(2), Florida Statutes; eliminating language prohibiting the Division of Marine Resources of the Department of Natural Resources from leasing sponge beds; amending s. 370.11(2)(a), (5), (6), Florida Statutes; providing length and number limitations on the taking of red drum, red snapper, and cobia; regulating the taking of billfish and eliminating reference to sailfish; amending s. 370.111(3)(b), Florida Statutes; relating to the size of snook which may be lawfully taken during the closed season for snook fishing; amending s. 370.113(1), Florida Statutes; providing that it is unlawful to possess any queen conch of a certain size; adding s. 370.114(3), Florida Statutes; providing for the lawful harvesting of certain coral; amending s. 370.13(1)(b), Florida Statutes; providing that 1 percent of the total number of stone crab claws possessed, sold, or offered for sale may be undersized; amending s. 370.14(2)(b), (3)(i), (4)(a), Florida Statutes; prohibiting the issuance of special permits for the taking of crawfish during closed season; eliminating language relating to searches of boats or crawfish catch without a warrant; requiring export declarations with respect to certain crawfish catches; amending s. 370.17(2), Florida Statutes; providing for procedures for taking sponges; amending s. 372.001(11), Florida Statutes; redefining the term "fresh water"; providing a closed season for the taking of bay scallops; providing limits on the taking of bay scallops during open season; repealing s. 370.08(12), Florida Statutes, relating to the size of mesh used in king mackerel nets; repealing s. 370.17(9), Florida Statutes, relating to restrictions on sponges cultivated by the state; repealing s. 370.171, Florida Statutes, relating to sponge diving; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senator D. Childers—

CS for SB 366—A bill to be entitled An act relating to nursing homes and related health care facilities; revising, reviving, and readopting, notwithstanding the Regulatory Sunset Act, chapter 400, Florida Statutes; amending ss. 400.011, 400.021, 400.023, 400.041, 400.051, 400.063,

400.071, 400.102, 400.121, 400.125, 400.126, 400.141, 400.151, 400.17, 400.176, 400.179, 400.23, 400.241, 400.25, 400.29, 400.314, 400.414, 400.419, 400.422, 400.424(1), (2), 400.426, 400.428, 400.429, 400.431(3), 400.435, 400.441(1)(f), 400.452, 400.454, 400.551, 400.553(3), (4), 400.555, 400.556(1), 400.557(1), 400.558(1), 400.559(2), 400.56, 400.562(1), 400.606(4), 400.608, 400.609(2), 400.6115, Florida Statutes; amending ss. 20.19(6)(f), (7)(g), 400.022, 400.062, 400.111, 400.162, 400.18, 400.19, 400.191, 400.211, 400.301, 400.304, 400.307, 400.311, 400.317, 400.321, 400.402, 400.411, 400.417, 400.418, 400.427(1), (2), (5), (7), 400.434, 400.615(1), Florida Statutes, 1982 Supplement; adding s. 400.404(2)(e), 400.407(8), 400.441(g), Florida Statutes; creating ss. 400.0625, 400.165, 400.3221, 400.412, 400.420, 400.5565, 400.5575, Florida Statutes; providing purpose and intent; providing definitions; changing the term "patient" to "resident"; revising rights of residents with respect to transfer or discharge when the source of payment for care changes; providing rights with respect to the bed reservation policy for hospitalization; revising license fees and disposition thereof; providing minimum standards for test and X-ray results; deleting obsolete language; revising provisions relating to establishment of the Resident Protection Trust Fund, deposits therein and use of such funds; authorizing the Department of Health and Rehabilitative Services to establish, without advance approval, a separate bank account for each facility subject to its intervention for the deposit of moneys received from the trust fund; providing for security and accounting; authorizing the department to requisition moneys from the trust fund in advance of need; providing that certain license renewal applications received after the filing date shall not be subject to the fine; providing for judicial relief; providing that failure to relocate residents by a certain date are not grounds for receivership; establishing prima facie evidence that a facility cannot meet its obligations; revising provisions relating to conditions for appointment and qualifications of a receiver; providing for notice of changes in contracts; directing the department to specify an alternate method for notification to parties to the contract of changes in cost of supplies; revising provisions relating to trust funds and other property of deceased residents; providing billing requirements; providing for distribution of rules; providing for certification of nursing assistants; providing extension of certification; providing for construction standards; providing for standard rating; providing for educational programs; providing for annual reports; providing for ombudsman councils; providing exemptions; providing for a penalty; revising application requirements; requiring notice of personnel changes; providing for sale or transfer of facility; providing for a moratorium on admissions under certain circumstances; authorizing conditional and provisional licensure; deleting obsolete language; changing the name of a trust fund; specifying violations and penalties; prohibiting certain solicitation; requiring notices to residents; specifying rights of residents; providing for refund; relating to examination of ACLF residents; providing responsibility of owner or administrator; providing a restriction upon the employment of physicians; modifying provisions relating to physical examination of admittees; providing for medical records; authorizing annual examination of supplemental security income recipients; providing for examination of certain residents at their own expense; providing for determination of appropriateness of residency; providing for mandatory relocation of residents deemed to be inappropriately in residence; deleting prohibition of random sample auditing; specifying minimum standards; clarifying exemptions; requiring that applications be under oath and include specific information; requiring notification by the department of licensure renewal; expanding grounds for injunctive relief; authorizing the imposition of administrative fines; authorizing the department to request a corrective action plan; including factors to be considered when setting the amount of the fine; providing for deposit and use of fees and fines; providing limits on contractual arrangements for licensed beds; providing for double occupancy; deleting provision for appointment of a task force by the Department of Health and Rehabilitative Services; providing for rules; requiring the department to involve specified offices in development of rules; repealing s. 468.1801, Florida Statutes, as created by chapter 82-163, Laws of Florida, relating to certification of nursing assistants; allowing to stand repealed under the Regulatory Sunset Act ss. 400.261, 400.4175, 400.425, 400.437, 400.561, 400.565, Florida Statutes, relating to an advisory board, test and X-ray standards, patient billing, ad hoc committees, and time for compliance with rules; providing for legislative review; providing an effective date.

The foregoing committee substitutes were placed on the calendar.

REPORTS OF COMMITTEES

The Committee on Commerce recommends the following pass: SB 299 with 7 amendments

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

The Committee on Commerce recommends the following pass: SB 294

The Committee on Corrections, Probation and Parole recommends the following pass: SB 354 with 1 amendment

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

The Committee on Commerce recommends the following pass: SB 303

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

The Committee on Commerce recommends the following pass: SB 290

The bill was referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.

The Committee on Commerce recommends the following pass: SB 223 with 2 amendments, SB 415

The bills were placed on the calendar.

The Committee on Commerce recommends a committee substitute for the following: SB 120

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

The Committee on Commerce recommends a committee substitute for the following: SB 62

The bill with committee substitute attached was placed on the calendar.

CO-INTRODUCERS

Senator Castor—SB 558; Senators Castor, Frank, Grant and Rehm—SB 619