



Journal of the Senate

Number 3

Tuesday, April 9, 1985

Prayer

The following prayer was offered by Father Patrick O'Neill, President, St. Thomas University, Miami:

Many times when we pray, we think that we need to be at our synagogues or churches, to be on our knees and to look serious. I would like to suggest this morning that this is a holy place, that the Lord is with us in this great state.

I am asking you to look up to the skies and claim a smile on your face.

And when we come before our Heavenly Father to pray, there should be joy and laughter in our hearts and hands: a sign of God's life within us. And so, Heavenly Father, we thank you for our homeland, for the men and women of this state who have already begun to bring new hope for a paradise reclaimed. Bless our spirit, our communities and our Senators. We thank you for the continued gift of your presence. In confidence that you guide us on this journey, we pray for your continued encouragement. Amen.

The Senate pledged allegiance to the flag of the United States of America.

Call to Order

The Senate was called to order by the President at 9:00 a.m. A quorum present—38:

Mr. President	Frank	Kirkpatrick	Peterson
Beard	Gersten	Kiser	Plummer
Carlucci	Gordon	Langley	Scott
Castor	Grant	Malchon	Stuart
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Hill	McPherson	Vogt
Deratany	Jenne	Meek	Weinstein
Dunn	Jennings	Myers	
Fox	Johnson	Neal	

Excused: Senators Barron and Girardeau

On motion by Senator Castor, by two-thirds vote SR 516 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Castor—

SR 516—A resolution recognizing the honors received by the Community College System in this state and joining in the observance of Community College Day and Week.

WHEREAS, the Community College System of Florida is the most comprehensively developed community college system in America, and

WHEREAS, the Community College System of Florida has grown to become the largest such system in America and serves as a national model for higher educational planning, and

WHEREAS, the State Board of Community Colleges has demonstrated its commitment to excellence in education, and

WHEREAS, the Florida Community College System has brought honor and recognition to the State Board of Community Colleges and the State Board of Education, and

WHEREAS, the State Board of Community Colleges has determined the mission, the role, and the scope of community colleges and has mani-

fested them in the master plan for the Florida Community College System, and

WHEREAS, administrators, faculty, and students of the Community College System of Florida have accepted the challenge to achieve educational excellence, and

WHEREAS, the Florida Community College System has made a significant contribution to the goal of the State Board of Education to move this state into the upper quartile in education among the states, and

WHEREAS, a program of the Florida Community College System has received the National Secretary's Award and a college in the system has been designated as the number one community college in America, and

WHEREAS, there is an increasing awareness in this state and the United States of excellence in education, and

WHEREAS, the Florida Community College System has an Annual Brain Bowl, Florida Annual Community College Statewide Computer Skills Competition, and other academic and vocational activities to enhance the education of community college students, and

WHEREAS, the Florida Association of Community Colleges has selected April 8-12, 1985, as Community College Week, and

WHEREAS, the Florida Association of Community Colleges has further selected April 9, 1985, as Community College Day, NOW, THEREFORE,

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

That the Florida Senate recognizes the honors and distinctions that have been bestowed on the community colleges of this state and joins in the observance of Community College Day and Community College Week.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Florida Senate affixed, be transmitted to the State Board of Community Colleges as a tangible token of the sentiments expressed herein.

—was taken up out of order by unanimous consent, read the second time in full and unanimously adopted.

The President invited former Senate President Philip D. Lewis, Chairman of the Board of the State Board of Community Colleges, and former Senator Clark Maxwell, Executive Director of the State Board of Community Colleges, to the rostrum where they were presented a copy of SR 516.

On motion by Senator Meek, by two-thirds vote SR 347 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Meek—

SR 347—A resolution commending Miami-Dade Community College upon its 25th Anniversary.

WHEREAS, from humble beginnings in a makeshift campus in 1960, Miami-Dade Community College has grown into an institution with four major campuses serving thousands of students throughout Dade County, and

WHEREAS, Miami-Dade Community College is nationally recognized as a unique, innovative educational institution, and

WHEREAS, Miami-Dade Community College has recently been ranked as the number one community college in America in a national survey conducted by the Community College Leadership Program at the University of Texas, and

WHEREAS, Miami-Dade Community College provides a courageous example of leadership as it continues to emphasize access for all students, regardless of background, while demanding quality efforts from its teachers and students, and

WHEREAS, during this 1984-1985 school year, Miami-Dade Community College is celebrating 25 years of offering quality education in Dade County, and will award its 100,000th degree in May, 1985, and

WHEREAS, its many outstanding graduates have added to the quality of life in Florida throughout the past 25 years, NOW, THEREFORE,

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

That Miami-Dade Community College is congratulated on its Silver Anniversary and commended for its outstanding contributions to Dade County and the entire state during the past 25 years.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Dr. Robert H. McCabe, President of Miami-Dade Community College and Mr. Daniel K. Gill, Chairman of the District Board of Trustees of Miami-Dade Community College, as a tangible token of the sentiments of the Florida Senate.

—was taken up out of order by unanimous consent, read the second time in full and unanimously adopted.

The President appointed Senator Meek to escort Dan Gill, Chairman of the Board of Miami-Dade Community College, and Dr. Robert McCabe, President of Miami-Dade Community College, to the rostrum where they were presented a copy of SR 347.

On motion by Senator Thomas, by two-thirds vote SR 536 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Thomas—

SR 536—A resolution honoring Miss Alicia Watson, the 1985 Florida Honey Queen.

WHEREAS, Miss Alicia Watson has been chosen the 1985 Florida Honey Queen, and

WHEREAS, Miss Watson, the daughter of Mr. and Mrs. Jimmy Watson of Bristol, graduated from Liberty County High School, where she was a member of the band and a majorette, and was also a member of the Beta Club, Future Homemakers of America, and the annual staff, and

WHEREAS, Miss Watson is now attending Tallahassee Community College, and she is active at Lake Mystic Baptist Church, and

WHEREAS, the achievements of this fine young person are deserving of commendation, NOW, THEREFORE,

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

That the Senate of the State of Florida commends Miss Alicia Watson for her selection as the 1985 Florida Honey Queen, and wishes to extend to her its best wishes for continued success.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Miss Alicia Watson as a tangible token of the sentiments expressed herein.

—was taken up out of order by unanimous consent, read the second time in full and unanimously adopted.

The President introduced Alicia Watson and Michele Howell, Tupelo Queen, to the Senate. Miss Watson was escorted to the rostrum where she was presented a copy of SR 536.

The President invited Dr. Allen Morris, Clerk of the House of Representatives, to the rostrum where he joined Bobby G. Reid, corporate officer of Morris Communications Corporation, for presentation of the Allen Morris Awards. Dr. Morris presented to the following Senators plaques symbolizing honors voted them in secret balloting by their colleagues in the 1984 Senate:

Runner-up Most Effective First Term Member—William Myers

Most Effective First Term Member—Peter Weinstein

Most Effective in Committee—Pat Neal

Runner-up Most Effective in Debate—Richard Langley

Most Effective in Debate—Jack Gordon

Runner-up Most Effective Member of the Senate and Runner-up Most Effective in Committee—Warren Henderson

Most Effective Member of the Senate—Kenneth Jenne

On motion by Senator McPherson, by two-thirds vote SCR 111 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator McPherson—

SCR 111—A concurrent resolution declaring the month of June 1985 as “Florida State Parks Golden Anniversary Month” in Florida, and encouraging all citizens of Florida and visitors to the state to join in the celebration.

WHEREAS, on June 4, 1935, Governor David Sholtz signed into law chapter 17025, Laws of Florida, which provided for the establishment of a system of state parks, and

WHEREAS, from that beginning, our system of state parks has grown to a current total of 128 units, embracing some 334,000 acres of land and water, and is now one of the largest and most diverse state park systems in the nation, and

WHEREAS, the citizens of Florida and visitors to the state have been enriched by the many quality outdoor recreational opportunities available to them through the acquisition, management, and use of some of Florida’s finest natural and cultural resources, and

WHEREAS, it is especially appropriate that Florida’s state park system be recognized and acknowledged for the position of prominence it has achieved on this occasion of its 50th anniversary, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the month of June 1985 is declared as “Florida State Parks Golden Anniversary Month” in Florida.

BE IT FURTHER RESOLVED that an open house celebration will be observed in every unit of the state park system on the weekend of June 22 and 23, 1985, and that all citizens of Florida and visitors to the state are encouraged to join in the celebration by visiting their favorite state park.

—was taken up out of order by unanimous consent and read the second time in full.

Senator McPherson moved the following amendment which was adopted:

Amendment 1—On page 2, line 1, strike “22 and 23” and insert: 29 and 30

On motion by Senator McPherson, SCR 111 was read as amended, unanimously adopted, ordered engrossed and then certified to the House.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, April 9, 1985: SB 196, SB 150, SB 32, SB 33, SB 83, SB 153, SB 173, SB 89, SB 48, CS for SB 30, SB 301

Respectfully submitted,
Kenneth C. Jenne, Chairman

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 29 with 4 amendments

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 487

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

The Committee on Corrections, Probation and Parole recommends the following pass: SB 185

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 178, SB 192, SB 251, SB 274 with 1 amendment

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 214

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

The Committee on Education recommends that the Senate confirm the appointment made by the Governor of Robert C. Westerfeldt, Largo, Student Member, Board of Regents, for term ending September 1, 1985.

The appointment contained in the foregoing report was referred to the Committee on Executive Business under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Dunn—

SB 538—A bill to be entitled An act relating to the Utilities Commission of the City of New Smyrna Beach, Volusia County; amending chapter 67-1754, Laws of Florida; limiting the length and number of terms of members of the commission; providing that the commission may extend city utilities beyond the corporate limits of the city only upon approval of the city commission; providing for city commission review and approval of the commission budget; providing for approval of the city commission before issuing or refunding revenue certificates; providing for city commission approval before entering into certain contracts; providing for the fiscal year required by general law; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Frank, Castor and Beard—

SB 539—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; providing that vendors holding malt beverage off-premises sales licenses under state beverage laws shall be subject to alcoholic beverage zoning ordinances of the City of Tampa; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Commerce; and Rules and Calendar.

By Senator Thurman—

SB 540—A bill to be entitled An act relating to Citrus County, Homosassa Special Water District; amending Section 1 of Chapter 59-1177, Laws of Florida, as amended, by increasing the territorial limits of the district; providing for a referendum in the existing district limits and in the area to be included; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SB 541—A bill to be entitled An act relating to the Tri-Par Estates Park and Recreation District, Sarasota County; amending s. 7, ch. 78-618, Laws of Florida, as amended by s. 2, ch. 83-521, Laws of Florida, to provide for special assessment against each lot or proportionally against any fraction thereof which is part of an improved residential parcel; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Thurman—

SB 542—A bill to be entitled An act relating to Marion County; authorizing the Board of County Commissioners of Marion County to provide for conditional zoning in any zoning ordinance embracing the

unincorporated areas of the county; providing a definition for "conditional zoning"; authorizing the county to adopt such zoning, subject to certain standards; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SB 543—A bill to be entitled An act relating to Sarasota County; merging the South Trail Area Fire Control District, the Northeast Fire District, and the Fruitville Area Fire Control District into the Metropolitan Sarasota Fire and Rescue District; specifying territory of district; providing purposes and powers; providing for governing body; providing for election and terms of commissioners; prohibiting nepotism; prohibiting employment of commissioners by district; providing assessment procedures; providing that assessments are liens; providing for enforcement; providing for deposit of funds; requiring audits; providing for acquisition and disposal of property; providing for indebtedness; providing for contracts with governmental units; providing for employment of personnel; providing for fees; providing for claims against the district; providing for annexation; providing for impact fees; providing penalties; providing for attorney's fees; providing severability; repealing chapters 81-488, 81-489, 81-490, Laws of Florida, relating to the merged districts; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SB 544—A bill to be entitled An act relating to the Englewood Water District; providing penalties for violation of lawful rules, regulations, resolutions, and orders of the district; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Natural Resources and Conservation; and Rules and Calendar.

By Senator Johnson—

SB 545—A bill to be entitled An act relating to Sarasota County; providing restrictions on fishing and the possession of fishing nets and traps between certain hours on certain waters within the county; providing for inspections; providing for the seizure and forfeiture of certain nets and illegally taken fish under certain circumstances; providing penalties; providing for legislative intent; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Crawford—

SB 546—A bill to be entitled An act relating to the Highlands County Hospital District; amending s. 2, ch. 61-2232, Laws of Florida, as amended, and adding an additional section; amending the monthly meeting requirement of the Board of Commissioners of the District to provide for quarterly meetings; authorizing the board to enter into contracts and leases for the purpose of operating and managing district facilities; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Thurman—

SB 547—A bill to be entitled An act relating to Marion County; relating to municipal service taxing units for fire protection in the unincorporated areas of Marion County; authorizing levies of special assessments on a per parcel, per structure, and per acre basis as set forth in a schedule of land use classifications; providing for an additional charge that may be assessed for hazardous conditions; establishing a category for emergency services rendered to motor vehicles; providing for the levy and collection of assessments; providing for collection of impact fees on new construction within the municipal service taxing unit to defray the cost of improvements required to provide fire and emergency service to such new construction; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Scott—

SB 548—A bill to be entitled An act for the relief of the City of Wilton Manors in Broward County; providing an appropriation to reimburse the city for the costs incurred for the expansion of a sewerage treatment plant which may not be used by the city as a result of actions mandated by state authority; providing an effective date.

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

By Senators Jenne, Stuart, Neal, Frank, Kirkpatrick, Crawford, Vogt, Mann and Peterson—

SB 549—A bill to be entitled An act relating to the State Comprehensive Plan; providing the purposes of the State Comprehensive Plan; providing for the adoption of the plan; identifying the goals and policies of the State Comprehensive Plan; providing an effective date.

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

By Senators Stuart and Mann—

SB 550—A bill to be entitled An act relating to aquatic preserves; amending s. 258.39, F.S.; designating and specifying the boundaries of the Florida Keys-Monroe County Aquatic Preserve; providing an effective date.

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

By Senator Thomas—

SB 551—A bill to be entitled An act relating to archives, history and records management; creating s. 267.073, F.S.; establishing the Union Bank Advisory Council to advise the Division of Archives, History and Records Management of the Department of State in matters related to the preservation and use of the Union Bank Building; providing for appointment, qualifications, terms, meetings, compensation, and organization; providing for staff assistance; providing responsibilities of the council; providing for future review and repeal; providing an effective date.

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

By Senator Girardeau—

SB 552—A bill to be entitled An act relating to the construction of public buildings; amending s. 255.05, F.S., providing that, persons who enter into contracts for the construction of public buildings need not be required to execute a payment and performance bond when the contract is of a certain value; providing an effective date.

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

By Senator Girardeau—

SB 553—A bill to be entitled An act relating to motor vehicles; amending s. 316.515, F.S., increasing the maximum length limitation for certain vehicles; amending s. 320.01, F.S., increasing the allowable length and width of travel trailers and park trailers; amending s. 320.08, F.S., providing for license taxes on certain park trailers; amending s. 320.081, F.S., providing for the collection and distribution of annual license taxes imposed upon mobile homes, park trailers, travel trailers, and fifth-wheel travel trailers exceeding a certain length; amending s. 320.822, F.S., redefining the terms "length"; defining the term "body size of a park trailer and travel trailer"; providing an effective date.

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

By Senator Girardeau—

SB 554—A bill to be entitled An act relating to alcoholic beverages; creating s. 562.51, F.S.; providing that retail alcoholic beverage establishments are private enterprises but the right to refuse service shall not be for discriminatory reasons; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Girardeau—

SB 555—A bill to be entitled An act relating to insurance; amending s. 283.10, F.S., relating to contracts with respect to the printing or furnishing of insurance examinations and related material; amending s. 624.501, F.S., establishing fees for limited surety agents, professional bail bondsmen, and runners; amending s. 626.171, F.S., deleting language relating to primary and additional agent's license; amending s. 626.181, F.S., providing that an examination is not required for each license of the same type; amending s. 626.231, F.S., relating to the 60-day waiting period for general lines agent and solicitor examinations; amending ss. 626.251 and 626.261, F.S., relating to the time, place, and conduct of examinations for a license as agent, solicitor, or adjuster; amending s. 626.331, F.S., deleting language relating to an agent's primary license; amending s. 626.341, F.S., deleting and revising language relating to primary and to life and health agent's license; amending s. 626.391, F.S., deleting language relating to an agent's primary license; amending s. 626.431, F.S., deleting language relating to additional or subsequent agent's license; amending s. 626.471, F.S., deleting and revising language relating to an agent's primary license; amending s. 626.740, F.S., relating to temporary limited licenses as an industrial fire agent; amending s. 626.786, F.S., deleting language relating to an agent's primary license; amending s. 626.790, F.S., extending temporary life agent licenses to a 6-month period; amending s. 632.471, F.S., changing the scope of the examination for a fraternal agent's license; amending s. 634.171, F.S., providing for biennial registration of motor vehicle warranty salesmen; amending s. 634.318, F.S., changing the registration date for home warranty salesmen; amending s. 634.420, changing the registration date for service warranty associations; amending s. 642.036, F.S., changing the registration date for legal expense insurance salesmen; amending s. 648.25, F.S., deleting references to general lines agents from bail bondsmen definitions; amending s. 648.27, F.S., to correct references to bail bondsmen license renewal dates; amending s. 648.38, F.S., relating to bail bondsmen license examinations; amending s. 648.41, F.S., changing the license renewal date for runners; providing an effective date.

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

By Senator Weinstein—

SJR 556—A joint resolution proposing an amendment to Section 16, Article I of the State Constitution, relating to criminal venue.

—was referred to the Committees on Judiciary-Criminal; and Rules and Calendar.

By Senator Weinstein—

SB 557—A bill to be entitled An act relating to indigent defendants in criminal trials; amending s. 914.06, F.S.; requiring payment by the county for the services of expert witnesses required by an indigent defendant in a criminal case; amending s. 914.11, F.S.; requiring payment of the defendant's cost of procuring the subpoena of witnesses and cost of copies of certain depositions and transcripts; authorizing payment of travel expenses for such witnesses under certain circumstances; amending s. 939.07, F.S.; allowing such defendants to subpoena witnesses without a court determination of necessity; removing certain limitations on the right of a defendant to summon witnesses; providing an effective date.

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

By Senator Weinstein—

SB 558—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; providing that, for purposes of the penalties for such offense, public service may include the donation of blood; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Weinstein—

SB 559—A bill to be entitled An act relating to trust funds; amending s. 943.362, F.S.; allowing the Department of Law Enforcement to deposit certain revenues into the Forfeiture and Investigative Support Trust Fund; providing an effective date.

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

By Senator Weinstein—

SB 560—A bill to be entitled An act relating to health and rehabilitative services; creating a study commission to study funding of health and rehabilitative services; providing for a report; providing for the expiration of the commission; providing an effective date.

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

By Senator Weinstein—

SB 561—A bill to be entitled An act relating to the repayment of bonds; amending s. 215.70, F.S.; authorizing local governments to incur debt obligations secured by state shared revenues and superior to certain bond repayment claims; providing an effective date.

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

By Senator Weinstein—

SB 562—A bill to be entitled An act relating to motor vehicle sales warranties; amending s. 681.104, F.S.; providing that certain actions under the Motor Vehicle Warranty Enforcement Act shall be brought in a described time period; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Weinstein—

SB 563—A bill to be entitled An act relating to evidence; amending ss. 90.603, 90.605, F.S.; limiting provision relating to disqualification of witnesses because of communicative skills; providing that a child who understands the duty to tell the truth shall be allowed to testify without taking an oath; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Weinstein—

SB 564—A bill to be entitled An act relating to offenses against children; creating s. 90.8045, F.S.; providing an exception to the hearsay rule for statements of children describing certain offenses in specified circumstances; providing an effective date.

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

By Senator Weinstein—

SB 565—A bill to be entitled An act relating to antitrust actions; creating s. 542.235, F.S.; limiting antitrust actions against political subdivisions and officers and employees thereof; providing an effective date.

—was referred to the Committees on Judiciary-Criminal; and Economic, Community and Consumer Affairs.

By Senator Weinstein—

SB 566—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S., 1984 Supplement; including certain emergency medical technicians and paramedics within the Special Risk Class of membership of the system; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

By Senator Weinstein—

SB 567—A bill to be entitled An act relating to venue; amending s. 910.14, F.S.; providing for venue in kidnapping and false imprisonment cases under certain circumstances; providing a contingent effective date.

—was referred to the Committees on Judiciary-Criminal; and Rules and Calendar.

By Senator Gordon—

SB 568—A bill to be entitled An act relating to the Florida Education Finance Program; amending s. 236.02, F.S.; authorizing salary schedule recognition of all prior teaching experience for certain personnel; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Crawford—

SB 569—A bill to be entitled An act relating to alcoholic beverages; amending s. 564.06, F.S., which exempts from taxation wines manufactured from certain products; revising the lists of such products and deleting the requirement that they be grown in Florida; providing that the exemptions do not apply to beverages produced in jurisdictions which impose certain discriminatory taxes or provide certain economic incentives; providing an effective date.

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

By Senator Carlucci—

SB 570—A bill to be entitled An act relating to drivers' licenses; amending s. 322.13, F.S., directing the Department of Highway Safety and Motor Vehicles to provide for designation of driver's education instructors as driver's license examiners; providing for duties; limiting liability with respect to such driver's license examiners; providing an effective date.

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

By Senator McPherson—

SB 571—A bill to be entitled An act relating to alcoholic beverages; creating s. 561.525, F.S.; providing for an excise tax credit for vendors with respect to beverages that become unsalable because of breakage; providing for rules; providing an effective date.

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

By Senator Gordon—

SB 572—A bill to be entitled An act relating to community colleges; amending s. 240.313, F.S.; providing circumstances under which a community college district board of trustees may consist of seven members; providing an effective date.

—was referred to the Committee on Education.

By Senator Gordon—

SB 573—A bill to be entitled An act relating to health maintenance organizations; amending s. 119.07, F.S., exempting certain health maintenance organization patient and subscriber records from public disclosure; amending s. 624.610, F.S., including health maintenance organizations (HMOs) within the term "ceding insurer" for limited reinsurance purposes; amending s. 627.6675, F.S., deleting HMOs from insurance provisions relating to conversion on termination of eligibility; amending s. 641.18, F.S., providing state policy; providing legislative declaration regarding the unauthorized operation of a health maintenance organization; amending s. 641.19, F.S., redefining "insolvent" and "surplus" and defining "reporting period" and "geographic area"; creating s. 641.201, F.S., requiring new HMOs to be incorporated; amending s. 641.21, F.S., authorizing applicants for certification to engage in certain activities; providing an exemption; amending s. 641.22, F.S., requiring notice to the Department of Health and Rehabilitative Services of changes in the geographic area of an HMO; authorizing the Department of Insurance to prohibit an expansion under certain circumstances; increasing blanket fidelity bond requirement; requiring grievance procedures for HMOs; requiring accessibility of services; creating s. 641.221, F.S., providing continuing eligibility requirements for certificates of authority; amending s. 641.225, F.S., revising surplus requirements; creating s. 641.227, F.S., creating a fund; providing deposit requirements upon HMOs; amending s. 641.26, F.S., relating to the reporting period for annual reports; authorizing the department to require additional reports or information; amending s. 641.27, F.S., specifying the frequency of examinations; requiring examinations regarding quality at least once every three years; providing for audits or examinations by outside sources; creating s. 641.281, F.S., providing the Department of Insurance with the power to seek injunctive relief relating to specified violations; creating s. 641.282, F.S., providing for payments of judgments by such organizations; amending s. 641.285, F.S., changing deposit and securities requirements relating to insolvency protection; amending s. 641.29, F.S., increasing certain application fees; amending s. 641.30, F.S., changing the effect of certain other laws on the regulation of such organizations; amending s. 641.31, F.S., requiring furnishing of certain information to subscribers; imposing additional

requirements upon health maintenance contracts; providing for disapproval of forms; imposing additional requirements upon contracts with Medicare recipients; providing delivery requirements; providing for primacy of HMO coverage over Medicaid benefits; creating ss. 641.3101-641.3108, F.S., authorizing additional contractual provisions; providing restrictions upon cancellation and refusals to renew; providing additional restrictions upon contracts and other materials; providing for the execution of contracts; providing for the validity of noncomplying contracts; providing for the construction and delivery of contracts; requiring notice of cancellation; creating s. 641.3109, F.S., requiring disclosure of primary care physicians; creating s. 641.311, F.S., creating a statewide subscriber grievance assistance program; amending s. 641.35, F.S., relating to assets, liabilities, and investments; imposing investment restrictions; amending s. 641.37, F.S., prohibiting persons from engaging in certain activity and providing penalties therefor; creating s. 641.3901, F.S., prohibiting unfair methods of competition and unfair and deceptive acts or practices; creating s. 641.3903, F.S., specifying such methods, acts, or practices; creating s. 641.3905, F.S., providing investigative powers; creating s. 641.3907, F.S., providing enforcement procedures; creating s. 641.3909, F.S., providing for cease and desist and other orders; creating s. 641.3911, F.S., providing for appeals; creating s. 641.3913, F.S., providing penalties for violating such orders; creating s. 641.3917, F.S., providing civil liability; creating ss. 641.3921 and 641.3922, F.S., providing for conversion of group health maintenance contracts on termination of eligibility; providing for future review and repeal; providing an effective date.

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

By Senator Gordon—

SB 574—A bill to be entitled An act relating to insurance; amending s. 627.066, F.S., providing for interest to be included in the refund of excess profits by insurers issuing private passenger automobile insurance; amending s. 627.215, F.S., providing for interest to be included in the refund of excess profits by insurers issuing workers' compensation and employer's liability insurance; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Gordon—

SB 575—A bill to be entitled An act relating to public records and meetings; amending s. 119.07, F.S.; exempting certain records pertaining to the acquisition of real property from public inspection; amending s. 286.011, F.S.; exempting certain meetings pertaining to the acquisition of real property or meetings between certain governmental entities and their attorneys for the purpose of discussing pending litigation from the requirement of being open to the public; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Carlucci—

SB 576—A bill to be entitled An act relating to the Beverage Law; amending s. 562.48, F.S.; prohibiting operators of certain premises where alcoholic beverages are sold from allowing persons under age 19 to patronize or loiter in such premises; providing penalties; providing an effective date.

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

By Senator Carlucci—

SB 577—A bill to be entitled An act relating to judicial proceedings involving minors; creating s. 90.9001, F.S.; providing circumstances under which the testimony of a minor may be taken outside of the courtroom and televised by means of closed circuit television in the courtroom; providing procedures for taking such testimony; providing an effective date.

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

By Senator McPherson—

SB 578—A bill to be entitled An act relating to horseracing; amending s. 550.335, F.S.; authorizing summer harness or quarter horse racing at certain harness tracks and extending the season for such racing; providing an effective date.

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

By Senator Gordon—

SB 579—A bill to be entitled An act relating to farm labor; amending s. 450.29, F.S.; limiting exclusions from farm labor registration; creating s. 450.345, F.S.; providing definitions; providing intent regarding exemptions; requiring farm labor contractors, agricultural employers, and agricultural associations to make certain disclosures to migrant or seasonal agricultural workers; requiring maintenance of certain records; requiring any person using a farm labor contractor to determine whether he possesses a certificate of registration; prohibiting false information; creating s. 450.375, F.S.; providing private right of action for violations by such contractors, employers, and associations; barring such action under certain circumstances; authorizing appointment of counsel; providing for damage awards; amending s. 450.38, F.S.; providing penalties, administrative fines, and injunctive relief; repealing chapter 77-25, Laws of Florida, deleting the conditional repeal of part III of chapter 450, F.S., relating to farm labor registration; providing an effective date.

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

By Senator Gordon—

SB 580—A bill to be entitled An act relating to elective surgery performance records; requiring each hospital and each ambulatory surgical center as a condition of licensure to maintain and update performance records on elective surgery performed at such facility; requiring that copies of such records be provided to the public; requiring the adoption of rules defining elective surgery; providing an effective date.

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

By Senator Deratany—

SB 581—A bill to be entitled An act relating to the City of Vero Beach, Indian River County, granting extra-territorial power to said city to acquire by eminent domain certain real property within the city's electrical service territory for specified purposes relating to the construction, operation, and maintenance of an electrical transmission line; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Margolis—

SB 582—A bill to be entitled An act relating to telecommunications services; amending s. 166.231, F.S.; authorizing municipalities to levy a tax on telecommunications services; providing alternatives; amending s. 203.01, F.S.; levying the gross receipts tax on certain telecommunications services; providing an exception; specifying the form of the gross receipts tax on telecommunications services; providing penalties; amending s. 203.012, F.S.; providing definitions; amending s. 203.013, F.S.; revising the formula for taxing interstate telecommunications services; amending s. 212.05, F.S.; imposing the sales tax on certain telecommunications service charges; repealing s. 203.05, F.S., relating to express company gross receipts taxation; providing an effective date.

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

By Senator Stuart—

SB 583—A bill to be entitled An act relating to environmental laboratories; requiring the Department of Environmental Regulation and the Department of Health and Rehabilitative Services to establish criteria for certification of certain laboratories; specifying duties of the Department of Health and Rehabilitative Services; authorizing the collection of fees; establishing a trust fund; authorizing the Department of Health and Rehabilitative Services to request additional positions; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Health and Rehabilitative Services; and Appropriations.

By Senators Neal, Castor, Mann, Kirkpatrick and Thomas—

SB 584—A bill to be entitled An act relating to trust funds; transferring, consolidating, and abolishing certain trust funds; providing for the disposition of assets and liabilities of certain trust funds; amending ss.

206.60, 206.875, 207.026, 265.26, F.S.; conforming language; amending s. 403.725, F.S.; deleting requirement that certain fines and permit and excise tax fees be deposited in the Hazardous Waste Management Trust Fund; conforming language; deleting authority to recover moneys expended from the fund; repealing s. 240.509, F.S., relating to the Agricultural College Trust Fund; repealing s. 288.32, F.S., relating to the Urban Planning Assistance Revolving Trust Fund; repealing s. 420.425, F.S., relating to the Neighborhood Housing Services Grant Trust Fund; providing an effective date.

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

By Senator Grant—

SB 585—A bill to be entitled An act relating to deposits of public funds; amending s. 280.02, F.S.; revising the definition of “public deposit,” “qualified public depository,” and “required collateral”; amending s. 280.03, F.S.; prohibiting the deposit of public funds in negotiable certificates of deposit; creating an additional exemption; amending s. 280.04, F.S.; revising the procedure for designating qualified public depositories; revising procedures for substituting or withdrawing collateral; providing a limitation on total public deposits for each depository; amending s. 280.05, F.S.; providing penalties; providing additional powers of the Treasurer; amending s. 280.08, F.S.; clarifying procedures for the payment of losses of qualified public depositories in default; providing for payment of accrued interest; amending s. 280.09, F.S.; authorizing the Treasurer to impose an additional assessment against a qualified public depository in certain circumstances; providing for the disposition of such assessment; amending s. 280.16, F.S.; extending the time for certain reports; creating s. 280.20, F.S.; creating a public deposits task force; providing membership, powers, and duties of the task force; creating s. 280.21, F.S.; creating an additional position within the office of the Treasurer; providing an appropriation; providing an effective date.

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

By Senator Vogt—

SB 586—A bill to be entitled An act relating to blood transfusions; amending s. 381.601, F.S.; amending the requirements for labeling donated blood; providing for the designation of a recipient of donated blood; providing restrictions on withdrawing blood; requiring donors to sign a statement; providing penalties; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator Vogt—

SB 587—A bill to be entitled An act relating to county or municipal code enforcement; amending s. 162.02, F.S., providing legislative intent with respect to the “Local Government Code Enforcement Boards Act”; providing an effective date.

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

By Senator Dunn—

SB 588—A bill to be entitled An act relating to motor vehicles; amending s. 320.27, F.S.; increasing certain motor vehicle dealer license fees; amending s. 320.62, F.S.; increasing the license fees for a motor vehicle manufacturer, factory branch, distributor, or importer; amending s. 320.77, F.S.; increasing certain license fees for mobile home and recreational vehicle dealers; amending s. 320.8225, F.S.; increasing certain license fees for mobile home and recreational vehicle manufacturers; providing an effective date.

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

By Senator Plummer—

SB 589—A bill to be entitled An act relating to drivers' licenses; amending s. 318.15, F.S., deleting a requirement for the reinstatement of a suspended driver's license; amending s. 322.051, F.S., expanding provisions relating to the issuance of identification cards by the Department of Highway Safety and Motor Vehicles and increasing the fee therefor; providing for permanent cards; authorizing the department to change voluntarily terminated drivers' licenses into identification cards; amend-

ing s. 322.19, F.S., providing for issuance of stickers to update a change of address on a driver's license; amending s. 322.245, F.S., deleting a requirement for the reinstatement of a suspended driver's license; amending s. 322.29, F.S., providing an alternate procedure for reinstatement of a suspended driver's license by certain courts, rather than the department; providing for fees; providing for rules and for a pilot project; providing an effective date.

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

By Senator Dunn—

SB 590—A bill to be entitled An act relating to compensation of county officials; amending s. 145.11, F.S.; increasing the base salary for tax collectors; providing an effective date.

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

By Senators Malchon, Langley, Johnson, Jenne and W. D. Childers—

SB 591—A bill to be entitled An act relating to state attorneys; amending s. 27.34, F.S.; requiring counties included within a state attorney's judicial circuit to provide certain services to the state attorney; creating s. 27.3455, F.S., imposing an additional court cost in certain criminal and misdemeanor cases; providing procedures for collecting such costs; providing for use of such amounts to fund the costs of the state attorney's office, public defender's office, and medical examiner's and victim-witness programs; providing an effective date.

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

By Senator Carlucci—

SB 592—A bill to be entitled An act relating to state employees; creating s. 110.1122, F.S.; authorizing the Administration Commission to adopt rules providing for standards of conduct in the relationships between a Career Service employee, or a Senior Management employee, and entities regulated by such employee's agency; providing definitions; prescribing the content of such rules; providing that the position description of each employee with regulatory responsibilities shall include a statement about the employee's regulatory responsibilities and duties and that each such employee shall sign a statement acknowledging the employee's understanding of the obligations imposed under this section; providing that reports required under this section be promptly provided to the agency head and be kept for a prescribed period of time; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Governmental Operations.

By Senator Meek—

SB 593—A bill to be entitled An act relating to insurance; creating s. 627.3515, F.S.; requiring the adoption of a market assistance plan by the Department of Insurance to place certain property insurance and casualty insurance risks; requiring participation by certain insurers and requiring them to fund and staff the plan; providing for placement fees; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Peterson and Carlucci—

SB 594—A bill to be entitled An act relating to driver's licenses; amending s. 322.09, F.S.; requiring that minors applying for a driver's license submit proof of secondary school enrollment or completion with certain exceptions; amending s. 322.274, F.S.; providing for revocation of a minor's driver's license upon withdrawal from school; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Meek—

SB 595—A bill to be entitled An act relating to motor vehicle insurance; requiring insurers to provide premium reductions for operators of certain motor vehicles equipped with passive occupant restraint systems; requiring consideration of savings and other effects resulting from legislation requiring use of seat belts in rate filings by insurers; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Meek—

SB 596—A bill to be entitled An act relating to postsecondary education; amending s. 240.319, F.S.; authorizing district boards of trustees to control and supervise community colleges except as prohibited by law; providing an effective date.

—was referred to the Committee on Education.

By Senator Meek—

SB 597—A bill to be entitled An act relating to juveniles; amending s. 39.032, F.S., changing the circumstances in which a court may order delivery of a child to a jail or other adult detention facility; providing an effective date.

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

By Senator Meek—

SB 598—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 112.05, 121.091, 122.16, 238.181, 321.203, F.S.; providing that restrictions on reemployment of retirees during the year following retirement do not apply to reemployment with a public school or community college or with the State University System; providing a retroactive effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Education; and Appropriations.

By Senator Hair—

SB 599—A bill to be entitled An act relating to education; creating s. 231.142, F.S.; creating the Teacher Aide Task Force within the Department of Education; providing for the appointment of members by the commissioner; providing purpose of the task force; providing for a report of the task force's findings; requiring the State Board of Education to recommend funding for a program of teacher aide training and certification; authorizing reimbursement for expenses for members; requiring monthly meetings; providing for future repeal; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Plummer—

SB 600—A bill to be entitled An act relating to alcoholic beverage licenses; amending s. 561.20, F.S.; authorizing issuance of special alcoholic beverage licenses to certain historically significant hotels and motels; providing an effective date.

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

By Senator Hair—

SB 601—A bill to be entitled An act relating to the Florida Primary Education Program; amending s. 230.2312, F.S.; providing for additional primary specialists; authorizing the Department of Education to approve alternative procedures for providing the services of primary specialists; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Fox—

SCR 602—A resolution proclaiming April as Child Abuse and Neglect Prevention Month.

—was referred to the Committee on Rules and Calendar.

By Senator Thurman—

SB 603—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.533, F.S., including sheriffs within the term law enforcement officer for the purpose of confidentiality of certain reports; including state attorneys and public officials within a list of persons for which confidentiality shall be maintained with respect to complaints; providing penalties; providing an effective date.

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

By Senator Johnson—

SB 604—A bill to be entitled An act relating to Sarasota County; authorizing the extension of the boundaries of the Venice Gardens Lighting District upon an affirmative vote of the majority of the qualified freeholders in the area to be annexed; providing for notice of the election; providing election procedures; authorizing the governing body of the district to assess and collect taxes upon approval of the boundary extension; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Kiser—

SB 605—A bill to be entitled An act relating to Pinellas County; prohibiting municipalities from annexing territory within the Palm Harbor Special Fire Control District or the East Lake Woodlands Fire District; authorizing the board of county commissioners to create a municipal service taxing unit within the area encompassed by such districts and to levy, within the unit, ad valorem taxes, services charges, and special assessment to provide municipal services and facilities not provided by the districts; requiring a referendum prior to the provision of certain services; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SB 606—A bill to be entitled An act relating to the Englewood Water District; amending s. 3(B), chapter 59-931, Laws of Florida, as amended; authorizing the board of such district to meet outside the district for certain limited purposes; authorizing the vice-chairman of the district to sign contracts in the chairman's absence; providing that board members and officers shall be indemnified for certain expenses, including attorneys' fees; providing for the election of an interim chairman, vice-chairman, or secretary; amending s. 4, chapter 59-931, Laws of Florida, as amended; providing a limit on the amount of general obligation bonds that a district may issue; providing the power of eminent domain shall be exercised pursuant to chapter 73 or 74, Florida Statutes; authorizing the board to make certain expenditures for construction projects without advertising or receiving bids; authorizing the board to sell or dispose of certain by-products; authorizing the board to charge a deposit to ensure payment for services; amending s. 9, chapter 59-931, Laws of Florida; authorizing the board to disconnect or shut off services to delinquent customers; authorizing certain fees, including attorneys' fees; providing for recovery of such fees; amending s. 12, chapter 59-931, Laws of Florida; providing that interest rates on general obligation bonds shall not exceed the maximum allowed by general law; amending s. 21, chapter 59-931, Laws of Florida; providing conforming language; amending s. 24, chapter 59-931, Laws of Florida; authorizing the district to dispose of certain property without formal consideration; amending s. 26, chapter 59-931, Laws of Florida; providing conforming language; adding ss. 32, 33, and 34, chapter 59-931, Laws of Florida, as amended; authorizing the district to assume the operation of certain water or sewer systems; authorizing the district to lease real property of the district for certain purposes; authorizing the district to assess and collect an interest charge on certain contractual obligations; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Grizzle—

SB 607—A bill to be entitled An act relating to the Pinellas County Water and Navigation Control Authority; amending ss. 2, 4, 8, 10, 11, 12(a), 13, and 27 of chapter 31182, Laws of Florida, 1955, as amended, and adding a new s. 32 to said chapter; authorizing the construction of docks, piers, wharves, mooring piles, and buoys; authorizing the dredging and maintenance of certain nonnavigable waterway channels; providing for the regulation of the construction docks, piers, wharves, mooring piles, and buoys by the authority; providing for permit applications; requiring two copies of the proposed plan to accompany the application; omitting certain requirements from the board's notice of public hearing; deleting the requirement that certain notices be sent by registered mail or personal service; specifying projects where notice and public hearings are not required; removing the requirement that work under the permit

be commenced within 1 year from the date of issuance and completed within 3 years from the date of issuance; providing for a 1-year extension under certain circumstances; authorizing the authority to contract for the dredging and maintenance of waterways; authorizing the assessment of initial dredging costs against properties specifically benefited by the dredging; authorizing the authority to promulgate certain rules relating to the special assessment; authorizing affected landowners to petition for the initiation of such dredging projects; authorizing the board to initiate such dredging projects without a petition from affected landowners; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Grizzle—

SB 608—A bill to be entitled An act relating to the Department of Transportation; requiring the department to increase the Pinellas Bayway toll upon discharge of the bond indebtedness related thereto; requiring the department to operate and maintain the facility; providing for disbursement of tolls collected; providing an effective date.

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

By Senator Plummer—

SB 609—A bill to be entitled An act relating to fire inspectors; amending s. 633.14, F.S.; authorizing certain persons who are designated as fire inspectors to serve summonses, make arrests, make searches and seizures, and carry firearms; requiring such inspectors and agents of the State Fire Marshal who carry firearms to meet certain standards; providing an effective date.

—was referred to the Committees on Commerce; Personnel, Retirement and Collective Bargaining; and Appropriations.

By Senator Fox—

SB 610—A bill to be entitled An act relating to insurance; amending s. 627.732, F.S.; excluding motor vehicles used as a taxicab, limousine, charter, tour, contract or common carriage vehicle, or otherwise used in public or livery conveyance of passengers from provisions of the Florida Motor Vehicle No-Fault Law; providing an effective date.

—was referred to the Committees on Commerce and Transportation.

By Senator Kirkpatrick—

SB 611—A bill to be entitled An act relating to physical therapy; amending ss. 486.031, 486.041, 486.102, 486.103, 486.125, 486.151, F.S.; specifying educational requirements for certain applicants for licensure as a physical therapist or physical therapist assistant; increasing maximum application fees; specifying grounds for disciplinary action; specifying disciplinary actions that may be taken; prohibiting certain acts; providing penalties; providing an effective date.

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

By Senator Fox—

SB 612—A bill to be entitled An act relating to mortgage brokerage; amending s. 494.02, F.S.; amending the definition of "mortgage broker"; amending s. 494.04, F.S.; requiring durational residency in the state before a person is licensed as a mortgage broker; deleting certain citizenship requirements; amending s. 494.042, F.S.; providing for special fees assessed against first-time licensees to fund the Mortgage Brokerage Guaranty Fund; providing for the assessment of such special fees upon license renewal under certain circumstances; amending s. 494.043, F.S.; waiving certain requirements for recovery from the Mortgage Brokerage Guaranty Fund under certain circumstances; amending s. 494.044, F.S.; increasing the maximum benefits payable from the fund; amending s. 494.05, F.S.; providing additional grounds for the denial, suspension, or revocation of a mortgage broker's license; amending s. 491.071, F.S.; providing for the impounding of certain property of a mortgage broker and the appointment of a receiver or administrator for such property under certain circumstances; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Meek—

SB 613—A bill to be entitled An act relating to adult education; amending s. 228.072, F.S.; providing for the funding of college preparatory instruction; requiring the Commissioner of Education to submit a plan to implement a common placement test and testing instrument to test certain skills and to identify students who would benefit from college preparatory instruction; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Meek—

SCR 614—A concurrent resolution commending the Charles Stewart Mott Foundation for its contributions to community education throughout the world, the nation and especially to the State of Florida.

—was referred to the Committee on Rules and Calendar.

By Senator Frank—

SB 615—A bill to be entitled An act relating to alcoholic beverages; amending s. 563.02, F.S., eliminating the preemption of local zoning for certain beer sales; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Hair, Neal and Dunn—

SB 616—A bill to be entitled An act relating to representation of certain persons convicted and sentenced to death; providing legislative intent; amending s. 27.51, F.S.; providing for the termination of representation by the public defender and for the appointment of a capital, collateral representative; creating ss. 27.75-27.80, F.S.; creating the office of capital, collateral representative and establishing his duties; providing for the appointment of substitute counsel in cases of conflict of interest; providing for the appointment of assistants and other staff; providing for salaries and expenses of the office; prohibiting the private practice of law by the capital, collateral representative and his full-time assistants; amending s. 43.16, F.S.; providing for administrative services, assistance, and budget requirements by the Judicial Administrative Commission; providing an effective date.

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

By Senators Castor, Thurman, Meek, Neal, Kirkpatrick, Jenne, Fox, Malchon, Mann, Grant, Grizzle, Beard, Johnson and Weinstein—

SB 617—A bill to be entitled An act relating to the State University System; providing legislative intent; creating s. 240.2012, F.S.; establishing the State University System as a political subdivision; amending s. 240.205, F.S.; providing authority to acquire real and personal property; amending s. 240.209, F.S.; providing for employment of personnel; providing authority for management information systems; providing for the adoption of rules; providing for the administration of a program for the maintenance and construction of facilities; providing for administrative costs; amending s. 240.227, F.S.; providing powers and duties of university presidents; amending s. 240.257, F.S.; providing for the establishment of challenge grants; creating s. 240.269, F.S.; providing for appropriations; creating s. 240.2695, F.S.; providing for operating budgets and budget controls; amending s. 240.273, F.S.; providing that funds and property shall be held by the Board of Regents; amending s. 240.277, F.S.; providing for approval of expenditure of vending machine collections; providing an exemption for certain budget entities; amending s. 240.279, F.S.; providing for working capital funds; amending s. 240.281, F.S.; providing for deposit of funds; creating s. 11.063, F.S.; providing that employees may participate in lobbying activities; amending s. 110.205, F.S.; exempting State University System personnel from the career service system; amending s. 255.245, F.S.; providing for rental fees for space in state buildings; amending s. 282.308, F.S.; providing for information technology resource plans; allowing for participation in certain insurance programs; amending ss. 287.155, 287.20, F.S.; authorizing participation in the state motor pool; amending s. 447.203, F.S.; providing authority for collective bargaining; repealing ss. 240.225, 240.283, F.S., and 240.285, F.S., as amended, relating to delegations by the Department of General Services, additional compensation, and the transfer of funds; providing an effective date.

—was referred to the Committees on Education; Personnel, Retirement and Collective Bargaining; Rules and Calendar; and Appropriations.

By Senator Myers—

SB 618—A bill to be entitled An act relating to drug abuse prevention and control; amending s. 893.03, F.S.; including alfentanil within the list of substances controlled in Schedule I; removing sufentanil from the list of substances controlled by Schedule I and including it within the list of substances controlled in Schedule II; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Myers—

SB 619—A bill to be entitled An act relating to records pertaining to disciplinary actions against persons licensed by the Department of Professional Regulation; amending s. 458.337, F.S.; providing an exception to the reporting of disciplinary actions taken against physicians by medical organizations or hospitals; providing that certain records of such actions be provided to the Department of Professional Regulation; providing that such records are not public records; amending s. 455.241, F.S.; providing additional grounds for the Department of Professional Regulation to obtain certain records of physicians, osteopaths, chiropractors, podiatrists, naturopaths, optometrists, nurses, dentists, veterinarians, psychologists, clinical social workers, marriage and family therapists, mental health counselors, or school psychologists; amending s. 395.017, F.S.; permitting the Department of Professional Regulation to obtain certain confidential patient records from hospitals or ambulatory surgical centers under certain circumstances; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; Health and Rehabilitative Services; and Governmental Operations.

By Senator Johnson—

SB 620—A bill to be entitled An act relating to education; amending s. 231.533, F.S.; establishing the Career Teacher Program in place of the State Master Teacher Plan; providing for adoption of career teacher programs by school districts; providing for approval of district programs for state financing; providing for participation in the program as a current teacher, an apprentice teacher, a senior teacher, an associate master teacher, or a master teacher; providing qualifications for eligibility, conditions of employment, and compensation; providing for State Board of Education rules, documentation of qualifications, and issuance of endorsements; providing for annual appropriations; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Dunn—

SB 621—A bill to be entitled An act relating to service of process; amending s. 48.031, F.S.; providing for alternative service of process by certain types of mail, delivery, or courier service; providing forms; amending s. 48.051, F.S.; providing for alternative service of process on state prisoners; amending s. 48.111, F.S.; providing for service of process and alternative service of process on public agencies and officers; amending s. 48.121, F.S.; providing for service of process on the state; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Thurman—

SB 622—A bill to be entitled An act relating to public defenders; amending s. 27.54, F.S.; providing that the state shall pay certain expenses of the public defender from the appropriation provided for circuit courts in certain circumstances; providing an effective date.

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

By Senators Thurman and Weinstein—

SB 623—A bill to be entitled An act relating to the right to trial by jury; creating s. 918.0155, F.S.; providing a right to trial by jury for any offense punishable by imprisonment; providing an effective date.

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

By Senator Thurman—

SB 624—A bill to be entitled An act relating to county detention facilities; creating s. 951.231, F.S., requiring the Department of Corrections to collect information on persons housed in county detention facilities; creating s. 944.092, F.S., requiring the department to reimburse counties for state inmates and parole violators transferred to, or housed in, a county detention facility under certain circumstances; repealing s. 30.25, F.S., relating to compensation to the sheriff for feeding prisoners; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; Judiciary-Criminal; and Appropriations.

By Senator Thurman—

SB 625—A bill to be entitled An act relating to mobile home and recreational vehicle inspection; amending ss. 320.8255, 320.8256, 215.22, F.S.; providing for fees and the deposit thereof in a specified trust fund, rather than the General Revenue Fund; authorizing deductions from the trust fund; providing an effective date.

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

By Senator Hair—

SB 626—A bill to be entitled An act relating to counties; amending s. 212.0305, F.S.; authorizing certain coastal counties to levy a convention development tax on the rental, lease, or use of certain living accommodations; specifying uses of revenues collected; providing for the collection and administration of the tax; authorizing the Department of Revenue to adopt rules; prohibiting persons from failing or refusing to collect, or from refunding, the tax; providing penalties; providing that the tax constitutes a lien; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; and Finance, Taxation and Claims.

By Senator Carlucci—

SB 627—A bill to be entitled An act relating to executions; amending s. 922.11, F.S.; requiring the Department of Corrections to adopt rules to allow certain persons to witness an execution; providing an effective date.

—was referred to the Committee on Corrections, Probation and Parole.

By Senator Hair—

SB 628—A bill to be entitled An act relating to postsecondary education; amending s. 240.1201, F.S.; providing for the qualification of certain members of the armed forces and teachers and administrators as residents for tuition purposes; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Weinstein—

SB 629—A bill to be entitled An act relating to sexual battery; amending s. 794.022, F.S.; prohibiting the giving of certain jury instructions; providing an effective date.

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

By Senator Weinstein—

SB 630—A bill to be entitled An act relating to the Department of Administration; amending s. 20.31, F.S.; abolishing the Division of Human Resource Management and the Division of Personnel; establishing a Division of Personnel Management Services and reassigning it certain functions and responsibilities; establishing an Office of State Employees' Insurance and reassigning it certain functions and responsibilities; providing an effective date.

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

By Senator D. Childers—

SB 631—A bill to be entitled An act relating to the Florida Highway Patrol; providing for sale of Florida Highway Patrol mementos; providing for deposit of proceeds in an employee benefit fund; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator W. D. Childers—

SB 632—A bill to be entitled An act relating to tangible personal property purchased by the state; allowing the Department of Health and Rehabilitative Services to grant the legal title to certain property to a client; exempting such property from the requirements of ch. 273, F.S.; providing an effective date.

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

By Senator Johnson—

SB 633—A bill to be entitled An act relating to excise tax on documents; creating s. 201.025, F.S.; authorizing counties to levy an additional excise tax on certain transactions; providing for a referendum; providing for disposition of the proceeds of such additional tax; amending s. 201.15, F.S.; providing an exception to certain disposition requirements; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; and Finance, Taxation and Claims.

By Senator Myers—

SB 634—A bill to be entitled An act relating to cruelty to animals; creating s. 828.065, F.S., specifying disposition of domestic animals by animal control agencies, shelters, and pounds; prohibiting officers, employees, or agents thereof from providing such animals to persons or institutions for the ultimate purpose of live animal experimentation, research, or testing; prohibiting persons and institutions from accepting for such purpose, without fee, from certain sources, any domestic animal not purposely bred for research; providing penalties; providing an effective date.

—was referred to the Committee on Agriculture.

By Senators Dunn and Beard—

SB 635—A bill to be entitled An act relating to motor vehicle registration plates; amending s. 320.06, F.S.; requiring such plates to be made of metal which has been fully or partially treated with retroreflective material; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Jenne—

SB 636—A bill to be entitled An act relating to pharmacy; amending s. 465.003, F.S.; redefining the term "prescription"; creating s. 465.186, F.S.; providing for the creation of a committee to establish a formulary of medicinal drugs; providing criteria for the development of the formulary of medicinal drugs; directing the Board of Pharmacy and the Board of Medical Examiners to adopt certain rules; providing for reimbursement to pharmacists; providing a penalty; providing for review and repeal; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; and Judiciary-Criminal.

By Senator D. Childers—

SB 637—A bill to be entitled An act relating to controlled substances; creating s. 893.132, F.S.; providing enhanced penalties for committing certain prohibited acts relating to controlled substances on or near certain public or private schools; providing an effective date.

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

By Senator Johnson—

SB 638—A bill to be entitled An act relating to the judiciary; amending s. 25.073, F.S.; deleting the requirement that a retired justice or retired judge assigned to temporary duty have been reelected or retained in his last judicial office; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Myers—

SCR 639—A concurrent resolution designating Interstate Highway 95 from Miami to the Georgia state line as the Dwight David Eisenhower Veterans Memorial Highway.

—was referred to the Committees on Transportation; and Rules and Calendar.

By Senator D. Childers—

SB 640—A bill to be entitled An act relating to hospitals; creating s. 395.0147, F.S., requiring licensed hospitals to notify within a certain time period emergency medical technicians, paramedics, and other persons who have come in direct contact with patients who are subsequently diagnosed as having an infectious disease; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator Margolis—

SB 641—A bill to be entitled An act relating to taxation; amending s. 192.001, F.S., redefining "homestead"; providing an effective date.

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

By Senator Mann—

SB 642—A bill to be entitled An act relating to state-owned land; creating s. 298.415, F.S.; exempting certain state-owned land from taxes and assessments levied by water control districts; repealing s. 298.36(3), F.S., relating to assessment and taxation of state-owned land by water control districts; providing an effective date.

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

By Senator Dunn—

SB 643—A bill to be entitled An act relating to district courts of appeal; amending s. 35.22, F.S.; deleting the requirement that the salary of clerks of the district courts of appeal be \$4,000 less than the annual salary of the Clerk of the Supreme Court; providing an effective date.

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

By Senator Myers—

SB 644—A bill to be entitled An act relating to school food service programs in the district school system; amending s. 228.195, F.S., to require annual state funding of the school food service personnel incentive program at a specified rate; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Margolis—

SJR 645—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution relating to homestead exemption.

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

By Senator Stuart—

SB 646—A bill to be entitled An act relating to the Legislature; amending s. 11.148, F.S., requiring the Joint Legislative Management Committee to provide members of the Legislature electronic access to the legislative information system, upon request; providing member responsibility for equipment; providing an effective date.

—was referred to the Committees on Rules and Calendar; and Appropriations.

By Senator Deratany—

SB 647—A bill to be entitled An act relating to transportation; amending s. 337.241, F.S., relating to the preparation of right-of-way maps by the Department of Transportation and local governmental entities; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Deratany—

SB 648—A bill to be entitled An act relating to ad valorem tax assessment; amending s. 193.011, F.S.; providing additional criteria for determining the highest and best use of property in deriving just valuation; providing an effective date.

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

By Senator Deratany—

SB 649—A bill to be entitled An act relating to tax on sales, use and other transactions; authorizing counties to levy an additional tax for road and bridge projects for a specified period; specifying applicability; providing for refunds to certain contractors; providing a penalty; requiring referendum approval; providing for administration, collection, and enforcement and for application of specified penalties; creating a trust fund; providing for distribution; providing for repeal of such tax; providing an effective date.

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

By Senator Margolis—

SB 650—A bill to be entitled An act relating to the sales tax; amending s. 212.05, F.S.; providing criteria for computing the sales tax on occasional or isolated sales of certain motor vehicles; requiring the Department of Revenue to adopt certain rules; providing penalties; providing an appropriation; providing an effective date.

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

By Senator Stuart—

SB 651—A bill to be entitled An act relating to public property and publicly owned buildings; amending s. 255.27, F.S.; relating to state policy on smoking in public buildings, to provide an exception; providing an effective date.

—was referred to the Committees on Governmental Operations; and Rules and Calendar.

By Senator Grizzle—

SB 652—A bill to be entitled An act relating to clerks of the circuit courts; amending ss. 83.49, 559.917, and 718.201, F.S., requiring the clerk's approval of certain surety bonds and authorizing the collection of a fee of \$5 for such approval; authorizing the clerk to collect a fee for the issuance of certain certificates; providing an effective date.

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

By Senator Gersten—

SB 653—A bill to be entitled An act relating to investigative and patrol services; prohibiting the use of uniforms and marked patrol vehicles by such services unless approved by the Department of State; providing approval criteria; providing for fines for violations; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senators Crawford, Mann, Jenne, Grant and Neal—

SB 654—A bill to be entitled An act relating to sales tax exemptions; amending ss. 212.02, 212.031, 212.04, 212.05, 212.06, 212.08, 288.385, F.S.; repealing certain sales tax exemptions; providing for future repeal of ss. 212.03(4), (7), 212.031(5)-(8), 212.052, 212.06(7), 212.07(5), (6), F.S., relating to sales tax exemptions; providing for legislative review; amending s. 59, ch. 84-356, Laws of Florida; changing an effective date; providing an effective date.

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

By Senators Johnson, Thurman, Grant, Grizzle, Meek, Frank, Malchon, Margolis, W. D. Childers, Jenne and Fox—

SB 655—A bill to be entitled An act relating to education; amending s. 228.072, F.S., relating to the adult general education program; revising a definition, certain criteria for participation in the program, and the location of instruction; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By the Committee on Judiciary-Criminal—

SB 656—A bill to be entitled An act relating to escape; amending s. 944.40, F.S.; specifying the elements of the offense of escape; defining "official detention" for the purpose of the elements of such offense; providing penalties; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Johnson—

SB 657—A bill to be entitled An act relating to fine arts; creating the Florida Artists Hall of Fame; providing procedures for selecting members to the Hall of Fame; providing an appropriation; providing an effective date.

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

By the Committee on Judiciary-Criminal—

SB 658—A bill to be entitled An act relating to contraband forfeiture; amending s. 932.703, F.S.; providing that replevin or any other action to recover interest in seized property may be maintained if forfeiture proceedings are not initiated within a specified period; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Grant—

SB 659—A bill to be entitled An act relating to education; requiring certain male students applying for or receiving state funded scholarships or financial aid to show proof of compliance with Selective Service System registration requirements; providing penalties; providing for notification and appeal; providing an effective date.

—was referred to the Committee on Education.

By Senators Scott and Margolis—

SB 660—A bill to be entitled An act relating to unemployment compensation; amending s. 443.111, F.S., changing the individual maximum weekly benefit amount; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Kiser—

SB 661—A bill to be entitled An act relating to weapons and firearms; creating s. 790.225, F.S., prohibiting the sale, display, use, or possession of certain knives or devices; providing that such knives or devices are contraband; providing exceptions; providing a penalty; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Dunn—

SB 662—A bill to be entitled An act relating to drivers' licenses; amending s. 318.14, F.S., 1984 Supplement; providing that driving with an expired license under certain circumstances is a noncriminal traffic infraction; amending ss. 318.18, 322.03, 322.15, F.S., 1984 Supplement; providing penalties; amending s. 322.264, F.S., 1984 Supplement; providing for revocation of drivers' licenses of habitual traffic offenders; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Johnson—

SB 663—A bill to be entitled An act relating to insurance; creating s. 627.0652, F.S., requiring premium discounts for motor vehicle insurance for persons of a certain age completing an accident prevention course; requiring the Department of Highway Safety and Motor Vehicles to approve courses for this purpose; providing an effective date.

—was referred to the Committees on Commerce and Transportation.

By Senator D. Childers—

SB 664—A bill to be entitled An act relating to South Florida Conservancy District, Palm Beach and Hendry Counties; amending section 4 of chapter 17258, Laws of Florida, 1935, as amended, authorizing the board of supervisors to adopt rules; authorizing the board of supervisors to establish and collect fees for connection to and use of works of the district; providing a lien for such fees; prohibiting connection without written consent; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Malchon—

SB 665—A bill to be entitled An act relating to Pinellas County; granting authority to county and municipal human relations review boards to petition the circuit court with respect to enforcement of orders relating to discriminatory practices; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Deratany—

SB 666—A bill to be entitled An act relating to Indian River County; creating the Indian River County Environmental Control Board; providing short title; providing for declaration of intent; providing definitions; providing for an environmental control board; providing organization, duties, and powers; providing for environmental control officer appointment, duties, and powers; providing limitations; providing for hearing board organization, duties, and powers; providing for appeals from actions or decisions of environmental control officers; providing procedure; providing for civil enforcement; providing for enforcement of hearing board orders and injunctive relief; providing civil penalties; providing for civil fines to be liens; providing for refusal to obey subpoenas; providing for construction in relation to other law; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Thurman—

SB 667—A bill to be entitled An act relating to Hernando County; providing for the distribution, to the board of county commissioners and to the school board, of Race Track Funds allocated to Hernando County; repealing chapters 22796, 24262, 25336, 59-1342, and 63-1380, Laws of Florida, relating to the distribution of Race Track Funds to Hernando County, to the school district, to the Hernando County Hospital, and to the City of Brooksville; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Crawford—

SB 668—A bill to be entitled An act relating to the emergency telephone system; amending s. 365.171, F.S., authorizing counties to impose a fee upon telephone services to fund the emergency telephone system; providing for a referendum; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; Commerce; and Finance, Taxation and Claims.

By Senator Crawford—

SB 669—A bill to be entitled An act relating to water management; amending s. 373.0693, F.S.; transferring a portion of the St. Johns River Water Management District to the Southwest Florida Water Management District.

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

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Natural Resources and Conservation and Senator McPherson—

CS for SB 110—A bill to be entitled An act relating to the Department of Natural Resources; amending s. 258.024, F.S.; providing that certain park officers may make arrests on certain state lands; providing an effective date.

By the Committee on Natural Resources and Conservation and Senator Grizzle—

CS for SB 189—A bill to be entitled An act relating to environmental regulation; amending s. 403.061, F.S.; applying certain classifications, standards, and criteria for waters used for deepwater shipping to additional ports; amending s. 403.816, F.S.; applying certain provisions relating to maintenance dredging of deepwater ports to additional ports; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The following Executive Order was filed with the Secretary:

EXECUTIVE ORDER NUMBER 85-87

(Executive Order of Suspension)

WHEREAS, JAMES R. LAWSON is presently serving as Member of the School Board of Bradford County, Florida, and

WHEREAS, on April 2, 1985, the Grand Jury for Bradford County, Florida returned an indictment charging JAMES R. LAWSON with two counts of lewd assault upon a child under the age of 14, and

WHEREAS, it is in the best interest of the citizens of the State of Florida that JAMES R. LAWSON be suspended from the public office which he now holds, upon the constitutional grounds hereinafter set forth:

NOW, THEREFORE, I, BOB GRAHAM, Governor of Florida, do hereby find, determine, and for the purposes of Section 112.41, Florida Statutes, allege as follows:

A. JAMES R. LAWSON is, and at all times material hereto was, a member of the School Board of Bradford County, Florida.

B. The office of member of the School Board of Bradford County is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached indictment alleges that JAMES R. LAWSON did commit acts in violation of Florida law and these allegations are hereby incorporated by reference as if fully set forth in this Executive Order.

D. The act alleged herein constitutes the offenses of malfeasance, misfeasance and/or commission of a felony as such offenses are used in Article IV, Section 7 of the Florida Constitution.

E. The interest of the residents of Bradford County, Florida, and the citizens of the State of Florida can best be served by the immediate suspension of JAMES R. LAWSON from the public office which he now holds.

BEING FULLY ADVISED in the premises, and in accordance with the laws of the State of Florida, this Executive Order is hereby promulgated, effective immediately:

Section 1.

JAMES R. LAWSON is hereby suspended from the public office which he now holds, to wit: member of the Bradford County School Board, Bradford County, Florida.

Section 2.

JAMES R. LAWSON is hereby prohibited from performing any official act, duty, or function of public office, from receiving any pay or allowance, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 5th day of April, 1985.

Bob Graham
GOVERNOR

ATTEST:
George Firestone
SECRETARY OF STATE

(Copy of indictment was filed in the office of the Secretary of the Senate.)

Referred to the Committee on Executive Business.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Neal, by two-thirds vote SB 151 was withdrawn from the Committee on Appropriations.

On motions by Senator Neal, the rules were waived and by two-thirds vote SB 95 was also referred to the Committee on Appropriations.

On motions by Senator Myers, by two-thirds vote SB 123 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Langley, by two-thirds vote SB 257 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Meek, by two-thirds vote Senate Bills 69, 227 and 278 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator D. Childers, by two-thirds vote SB 12 and SJR 143 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Jenne, the requirement in Rule 4.10 for filing a card with the Secretary relative to withdrawal of bills from, or referenced to, the Committee on Appropriations was waived for the remainder of the session.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 827 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives R. C. Johnson and Gordon—

HCR 827—A concurrent resolution proclaiming April as Child Abuse and Neglect Prevention Month.

—was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator Fox, by two-thirds vote HCR 827 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Fox, HCR 827 was taken up out of order by unanimous consent and by two-thirds vote read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—35

Mr. President	Fox	Kirkpatrick	Peterson
Beard	Frank	Kiser	Plummer
Carlucci	Gordon	Malchon	Scott
Castor	Grant	Mann	Stuart
Childers, D.	Grizzle	Margolis	Thomas
Childers, W. D.	Hair	McPherson	Thurman
Crawford	Hill	Meek	Vogt
Deratany	Jenne	Myers	Weinstein
Dunn	Jennings	Neal	

Nays—None

Vote after roll call:

Yea—Johnson, Langley

Special Performance

The President introduced the "Pacesetters", a group of 18 students from Palm Beach Junior College who sang "America the Beautiful" and "Florida, the Greatest State in the USA". The group was directed by Patricia Adams Johnson.

The President also introduced Dr. Edward Michael Eissey, President, and Mrs. Dolly Hand, Vice Chairman, Board of Trustees of Palm Beach Junior College.

SPECIAL ORDER

SB 196—A bill to be entitled An act relating to torts; creating s. 768.35, F.S.; abrogating the doctrine of interspousal tort immunity for certain intentional torts; providing an effective date.

—was read the second time by title.

Senators Langley, Kiser and Scott offered the following amendment which was moved by Senator Langley and adopted:

Amendment 1—On page 1, strike all of lines 20-22

On motion by Senator Fox, by two-thirds vote SB 196 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gersten	Kirkpatrick	Neal
Beard	Gordon	Kiser	Peterson
Castor	Grant	Langley	Plummer
Childers, W. D.	Grizzle	Malchon	Scott
Crawford	Hair	Mann	Stuart
Deratany	Hill	Margolis	Thomas
Dunn	Jenne	McPherson	Thurman
Fox	Jennings	Meek	Vogt
Frank	Johnson	Myers	Weinstein

Nays—None

Vote after roll call:

Yea—D. Childers

Senator Castor presiding

SB 150—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; redefining "wages"; providing retroactivity; providing an effective date.

—was read the second time by title.

The Committee on Commerce recommended the following amendment which was moved by Senator Grant and adopted:

Amendment 1—On page 4, strike all of lines 13-15 and reletter subsequent subsubparagraphs

On motion by Senator Grant, by two-thirds vote SB 150 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Beard	Grant	Langley	Plummer
Childers, D.	Grizzle	Malchon	Scott
Childers, W. D.	Hair	Mann	Stuart
Crawford	Hill	Margolis	Thomas
Deratany	Jenne	McPherson	Thurman
Dunn	Jennings	Meek	Vogt
Fox	Johnson	Myers	Weinstein
Frank	Kirkpatrick	Neal	
Gersten	Kiser	Peterson	

Nays—None

Vote after roll call:

Yea—Gordon

SB 32—A bill to be entitled An act relating to beverage law enforcement; amending s. 562.47, F.S.; providing that malt beverages contained in specified containers are presumed to be alcoholic for purposes of beverage law prosecutions; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 32 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Beard	Childers, D.	Crawford	Dunn
Carlucci	Childers, W. D.	Deratany	Fox

Frank	Jennings	Margolis	Scott
Gersten	Johnson	McPherson	Stuart
Gordon	Kirkpatrick	Meek	Thomas
Grant	Kiser	Myers	Thurman
Grizzle	Langley	Neal	Vogt
Hair	Malchon	Peterson	Weinstein
Hill	Mann	Plummer	

Nays—None

SB 33—A bill to be entitled An act relating to parking; amending ss. 316.1955, 316.1956, F.S.; providing that a vehicle bearing a handicapped parking permit issued by another state may be parked in spaces reserved for certain disabled persons; amending s. 320.0848, F.S.; prohibiting a person from fraudulently obtaining or unlawfully using such permit; providing penalties; providing an effective date.

—was read the second time by title.

Senators Vogt and W. D. Childers offered the following amendments which were moved by Senator Vogt and adopted:

Amendment 1—On page 1, line 13, strike everything after the enacting clause and insert:

Section 1. Subsections (1) and (5) of section 316.1955, Florida Statutes, 1984 Supplement, are amended to read:

316.1955 Parking spaces provided by governmental agencies for certain disabled persons.—

(1) Each state agency and political subdivision having jurisdiction over street parking or publicly owned and operated parking facilities shall provide a minimum number of specially designed and marked motor vehicle parking spaces for the exclusive use of those severely physically disabled individuals who have permanent mobility problems that substantially impair their ability to ambulate and who have been issued, pursuant to s. 320.0848, an exemption entitlement parking permit or a metal license plate, each bearing the internationally accepted wheelchair symbol, or who are residents of another state and have been issued a similar permit or plate by that state pursuant to s. 320.0848.

(5) It is unlawful for any person to stop, stand, or park a vehicle within any such specially designated and marked parking space provided in accordance with this section, unless such vehicle displays a parking permit or plate issued pursuant to s. 320.0848, or a handicapped parking permit or plate issued by another state, and such vehicle is transporting a person eligible for the parking permit or plate. Whenever a law enforcement officer or a parking enforcement specialist finds a vehicle in violation of this subsection, that officer shall:

(a) Have the vehicle in violation removed to any lawful parking space or facility or require the operator or other person in charge of the vehicle immediately to remove the unauthorized vehicle from the parking space. Whenever any vehicle is removed by a law enforcement officer, parking enforcement specialist, or agency to a storage lot, garage, or other safe parking space, the cost of such removal and parking shall be a lien against the vehicle.

(b) Charge the operator or other person in charge of the vehicle in violation with a noncriminal traffic infraction, punishable as provided in s. 316.008(4) or s. 318.18(2). However, any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit or plate, momentary parking in any such parking space, for the purpose of loading or unloading such disabled person. No penalty shall be imposed upon the driver for such momentary parking.

Section 2. Subsections (1) and (3) of section 316.1956, Florida Statutes, 1984 Supplement, are amended to read:

316.1956 Parking spaces provided by nongovernmental entities for certain disabled persons.—

(1) Any business, firm, or other person licensed to do business with the public may provide specially designed and marked motor vehicle parking spaces for the exclusive use of physically disabled persons who have been issued a permit or a metal license plate, each bearing the internationally accepted wheelchair symbol, parking permits pursuant to s. 320.0848, or who are residents of another state and have been issued a similar permit or plate by that state. The minimum number of such parking spaces shall be as provided in s. 316.1955(2)(c).

(3) Any person who parks a vehicle in any parking space designated with the internationally accepted wheelchair symbol or the caption "PARKING BY DISABLED PERMIT ONLY," or with both such symbol and caption, is guilty of a traffic infraction, punishable as provided in s. 316.008(4) or s. 318.18(2), unless such vehicle displays either a permit or a metal license plate, each bearing the internationally accepted wheelchair symbol, a parking permit issued pursuant to s. 320.0848, or a similar permit or plate issued by another state, and such vehicle is transporting a person eligible for such parking permit. However, any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit or metal license plate, momentary parking in any such parking space for the purpose of loading or unloading a disabled person. No penalty shall be imposed upon the driver for such momentary parking.

Section 3. Section 316.1964, Florida Statutes, is amended to read:

316.1964 Exemption of vehicles transporting certain disabled persons from payment of parking fees and penalties.—No state agency, county, municipality, or any agency thereof, shall exact any fee for parking on the public streets or highways or in any metered parking space from the disabled driver of a vehicle which displays a parking permit bearing the internationally accepted wheelchair symbol attached or affixed to the vehicle's license plate issued pursuant to s. 320.0848 or a license plate issued pursuant to s. 320.084, or s. 320.0842, s. 320.0843, or s. 320.0848 if such vehicle is transporting a person eligible for such parking permit or license plate; nor shall the driver of such a vehicle transporting such a disabled person be penalized for parking, except in clearly defined bus loading zones, fire zones, or in areas posted as "No Parking" zones. Further, vehicles from other jurisdictions displaying a permit or metal license plate bearing the internationally accepted wheelchair symbol shall be exempt from the payment of parking fees and penalties within the state. Such vehicles shall also be entitled to park in spaces specially provided for handicapped persons.

Section 4. Section 320.0848, Florida Statutes, 1984 Supplement, is amended to read:

(Substantial rewording of section. See s. 320.0848, F.S., for present text.)

320.0848 Handicapped persons; issuance of exemption entitlement parking permits; permits for providers of transportation services; reciprocity with other jurisdictions.—

(1) The internationally accepted wheelchair symbol either imprinted on a metal license plate as provided in s. 320.0842 or s. 320.0843 or a permit imprinted with such symbol issued by the department and attached or affixed to the vehicle's license plate, or a similar permit or plate issued by another state, shall be the recognized entitlement parking permit for parking in specially designated parking spaces provided for handicapped persons under the provisions of s. 316.1955, s. 316.1956, or s. 316.1964.

(2) The department shall, upon application and payment of the applicable fees, issue either a metal license plate or a decal suitable for mounting to a license plate bearing the internationally accepted wheelchair symbol to any handicapped person who is currently certified by a physician or an osteopathic physician licensed in the United States, by the Division of Blind Services of the Department of Education, or by the Veterans Administration as being severely physically or mentally disabled and having permanent mobility problems which substantially impair his ability to ambulate or who is certified as legally blind.

(3) The department shall promulgate rules in accordance with chapter 120 for the issuance of a permit to any person or entity who can adequately demonstrate a bona fide need for the permit because the person or entity provides regular transportation services to an aged person as defined in s. 415.102, or to disabled or severely handicapped persons who are certified as required in subsection (2).

(4) The exemption entitlement parking permit shall be of such size as determined by the department by rule and shall be the wheelchair symbol with the word "Florida" followed by a sequential audit number. The fee for the permit shall be \$1. The permit shall be renewed annually by the disabled or handicapped owner of the vehicle. It may not be transferred from one vehicle to another.

(5) Any person or entity who fraudulently obtains or unlawfully uses a parking permit or plate issued pursuant to this section or a similar

handicapped parking permit or plate issued by another state, or who uses an unauthorized replica of such a permit or plate, is guilty of a nonmoving traffic violation punishable as provided in s. 318.18(2).

(6) Notwithstanding the provisions of s. 320.39, the department shall negotiate reciprocal agreements with other jurisdictions to facilitate the convenience of all handicapped persons in using specially designated parking spaces throughout the country.

Section 5. This act shall take effect upon becoming a law.

Amendment 2—In title, on page 1, line 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to motor vehicle parking for disabled persons; amending ss. 316.1955, 316.1956, 316.1964, and 320.0848, F.S.; providing that a vehicle bearing a handicapped parking permit or plate issued by another state may be parked in spaces reserved for certain disabled persons; providing for the use of a metal license plate imprinted with the international wheelchair symbol or a permit, similarly imprinted, attached to the vehicle's license plate as the recognized entitlement parking permit for parking in spaces provided for disabled persons; providing for parking privileges for vehicles from other jurisdictions displaying a similar permit or plate; providing for issuance of such permits or plates to certain disabled persons and to certain persons who transport aged and disabled persons; providing for fees; providing for permit renewal; providing penalties for fraudulent use of such permits or plates or use of replicas thereof; providing for negotiation of reciprocal agreements with other jurisdictions; providing an effective date.

On motion by Senator Vogt, by two-thirds vote SB 33 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Beard	Gersten	Kiser	Peterson
Carlucci	Gordon	Langley	Plummer
Childers, D.	Grant	Malchon	Scott
Childers, W. D.	Grizzle	Mann	Stuart
Crawford	Hill	Margolis	Thomas
Deratany	Jenne	McPherson	Thurman
Dunn	Jennings	Meek	Vogt
Fox	Johnson	Myers	Weinstein
Frank	Kirkpatrick	Neal	

Nays—None

SB 83—A bill to be entitled An act relating to fighting or baiting animals; amending s. 828.122, F.S.; increasing penalties for using any animal for the purpose of fighting or baiting any other animal, for owning, managing, or operating any facility used for such purpose, for promoting, staging, advertising, or charging an admission fee for such purpose, and for betting on or attending the fighting or baiting of animals; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Criminal recommended the following amendment which was moved by Senator Dunn and adopted:

Amendment 1—On page 1, strike everything after the enacting clause and insert:

Section 1. Subsections (1), (3), and (4) of section 828.122, Florida Statutes, are amended to read:

828.122 Fighting or baiting animals; penalties.—

(1) This act shall be known and may be cited as "The Animal Fighting Act of 1976."

(3) Any person who commits any of the following acts is guilty of a felony ~~misdemeanor~~ of the ~~third first~~ degree, punishable by a term of imprisonment not exceeding 1 year and a day, and, in addition to or in lieu of such imprisonment, by a fine not exceeding \$5,000 for a violation of paragraph (a) as provided in s. 775.082 or by a fine of not less than \$5,000 ~~\$1,000~~ and not more than \$10,000 for a violation of paragraph (b) or paragraph (c) \$5,000, or both:

(a) Baiting, or using any animal for the purpose of fighting or baiting any other animal.

(b) Knowingly owning, managing, or operating any facility kept or used for the purpose of fighting or baiting any animal.

(c) Promoting, staging, advertising, or charging any admission fee to a fight or baiting between two or more animals.

It is the intent of the Legislature that the maximum term of imprisonment for a violation of this subsection shall be imposed only in the most egregious of circumstances.

(4) Any person who willfully commits any of the following acts is guilty of a misdemeanor of the ~~first second~~ degree, punishable as provided in s. 775.082 or by a fine of not more than \$5,000, or both:

(a) Betting or wagering any money or other valuable consideration on the fighting or baiting of animals; or

(b) Attending the fighting or baiting of animals.

Section 2. This act shall take effect October 1, 1985.

On motion by Senator Dunn, by two-thirds vote SB 83 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Beard	Gersten	Kirkpatrick	Neal
Carlucci	Gordon	Kiser	Plummer
Childers, D.	Grant	Langley	Scott
Childers, W. D.	Grizzle	Malchon	Stuart
Crawford	Hair	Mann	Thomas
Deratany	Hill	Margolis	Thurman
Dunn	Jenne	McPherson	Vogt
Fox	Jennings	Meek	Weinstein
Frank	Johnson	Myers	

Nays—None

The President presiding

SB 153—A bill to be entitled An act relating to durable powers of attorney; amending s. 709.08, F.S.; permitting certain persons to be designated attorneys-in-fact by a durable power of attorney; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote SB 153 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fox	Johnson	Myers
Beard	Frank	Kirkpatrick	Neal
Carlucci	Gersten	Kiser	Peterson
Castor	Grant	Langley	Plummer
Childers, D.	Grizzle	Malchon	Scott
Childers, W. D.	Hair	Mann	Thomas
Crawford	Hill	Margolis	Thurman
Deratany	Jenne	McPherson	Vogt
Dunn	Jennings	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Gordon

SB 173—A bill to be entitled An act relating to telephone companies; amending s. 364.335, F.S.; providing that the Public Service Commission may grant a certificate of necessity to a proposed or existing telephone company which will be providing competitive or duplicative pay telephone service; providing an effective date.

—was read the second time by title.

The Committee on Commerce recommended the following amendments which were moved by Senator McPherson and adopted:

Amendment 1—On page 2, line 4, after the period (.) insert: *Pay telephone service shall include that telephone service using telephones that are capable of accepting payment by specie, paper money, or credit cards.*

Amendment 2—In title, on page 1, line 8, strike after “service;” and insert: defining pay telephone service;

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 3—On page 2, line 5, strike “October 1, 1985” and insert: upon becoming law.

On motion by Senator McPherson, by two-thirds vote SB 173 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gersten	Kiser	Plummer
Beard	Gordon	Langley	Scott
Castor	Grant	Malchon	Stuart
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Hill	McPherson	Vogt
Deratany	Jenne	Meek	Weinstein
Dunn	Jennings	Myers	
Fox	Johnson	Neal	
Frank	Kirkpatrick	Peterson	

Nays—1

Carlucci

SB 89—A bill to be entitled An act relating to the designation of state roads; designating a portion of State Road 25 in Marion County as the “O. D. ‘Buddy’ Huff, Jr., Memorial Drive”; providing for the erection of appropriate markers by the Department of Transportation; providing an effective date.

—was read the second time by title. On motion by Senator Thurman, by two-thirds vote SB 89 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Kirkpatrick	Peterson
Beard	Gersten	Kiser	Plummer
Carlucci	Gordon	Langley	Scott
Castor	Grant	Malchon	Stuart
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Hill	McPherson	Vogt
Deratany	Jenne	Meek	Weinstein
Dunn	Jennings	Myers	
Fox	Johnson	Neal	

Nays—None

SB 48—A bill to be entitled An act relating to the registration of vessels; amending s. 327.11, F.S.; exempting vessels owned by the United States Government that are used for recreational purposes from registration requirements; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 48 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Kirkpatrick	Peterson
Beard	Gersten	Kiser	Plummer
Carlucci	Gordon	Langley	Scott
Castor	Grant	Malchon	Stuart
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Hill	McPherson	Vogt
Deratany	Jenne	Meek	Weinstein
Dunn	Jennings	Myers	
Fox	Johnson	Neal	

Nays—None

CS for SB 30—A bill to be entitled An act relating to public accountability; reviving and readopting the laws relating to public accountability notwithstanding the Regulatory Sunset Act; amending s. 473.303, F.S.; deleting dates relating to the appointment of board members and the

length of initial terms; amending s. 473.305, F.S.; providing for a reactivation fee; amending s. 473.306, F.S.; authorizing the board to determine passing grades for the licensure examination; clarifying certain language with regard to determining good moral character; amending s. 473.308, F.S.; requiring applicants to pass the licensure examination; amending ss. 473.311, 473.312, F.S.; requiring proof of completion of required continuing education; amending s. 473.313, F.S.; authorizing a reactivation fee; amending s. 473.323, F.S.; providing a ground for disciplinary action by the board; repealing s. 473.325, F.S., relating to present certificates remaining in effect and to the licensing of public accountants as certified public accountants; providing for present licenses to remain in full force and effect; providing for future repeal and sunset review; providing an effective date.

—was read the second time by title.

Senator Frank moved the following amendments which were adopted:

Amendment 1—On page 2, line 12, after “years.” insert: *Each member shall be appointed by the Governor, subject to confirmation by the Senate.*

Amendment 2—On page 4, line 30, after “473.312” insert: *and who has passed an examination approved by the board on Chapters 455 and 473 and the related administrative rules.*

Amendment 3—On page 6, strike all of lines 11-14, and insert: *(m) The failure by the licensee to maintain the good moral character requirement provided in s. 473.306.*

Amendment 4—In title, on page 1, line 15, after “473.311,” insert: F.S.; requiring applicants for renewal to complete continuing education requirements and pass an exam; amending s.

Amendment 5—In title, on page 1, line 7, after “terms;” insert: providing for appointment by the Governor and confirmation by the Senate;

On motion by Senator Frank, by two-thirds vote CS for SB 30 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Kirkpatrick	Plummer
Beard	Gersten	Kiser	Scott
Carlucci	Gordon	Langley	Stuart
Castor	Grant	Malchon	Thomas
Childers, D.	Grizzle	Mann	Thurman
Childers, W. D.	Hair	Margolis	Vogt
Crawford	Hill	McPherson	Weinstein
Deratany	Jenne	Meek	
Dunn	Jennings	Myers	
Fox	Johnson	Peterson	

Nays—None

SB 301—A bill to be entitled An act relating to viticulture; creating s. 599.0005, F.S.; providing a short title; amending s. 599.003, F.S.; prescribing duties of the Commissioner of Agriculture relating to the State Viticulture Plan; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 301 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Kirkpatrick	Peterson
Beard	Gersten	Kiser	Plummer
Carlucci	Gordon	Langley	Scott
Castor	Grant	Malchon	Stuart
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Hill	McPherson	Vogt
Deratany	Jenne	Meek	Weinstein
Dunn	Jennings	Myers	
Fox	Johnson	Neal	

Nays—None

On motions by Senator W. D. Childers, by two-thirds vote SB 442 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Dunn, the rules were waived by unanimous consent and the Senate reverted to Introduction and Reference of Bills for the purpose of introducing the following resolution out of order:

INTRODUCTION AND REFERENCE OF BILLS

By Senators Dunn and Kirkpatrick—

SR 789—A resolution proclaiming Florida Blue Key Legislative Day.

WHEREAS, Florida Blue Key was founded in November 1923 to perform and encourage service to the University of Florida; to recognize, unify, and demonstrate leadership; and to foster a greater spirit of unity among the student body, and

WHEREAS, Florida Blue Key is the university's leading honorary and leadership organization and its membership includes student leaders from all groups on campus, and

WHEREAS, Florida Blue Key is concerned about the issues that affect Florida and is devoted to fostering and recognizing leadership which will develop a better quality of life for the citizens of Florida, and

WHEREAS, the purpose of Florida Blue Key Legislative Day is to stimulate the involvement of University of Florida student leaders with the state's legislative affairs and to encourage such student leaders to meet with our state leaders, NOW, THEREFORE,

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

That April 9, 1985, is proclaimed Florida Blue Key Legislative Day in the State of Florida.

—which was read the first time by title. On motion by Senator Dunn, SR 789 was read the second time in full and adopted. The vote on adoption was:

Yeas—38

Mr. President	Frank	Kirkpatrick	Peterson
Beard	Gersten	Kiser	Plummer
Carlucci	Gordon	Langley	Scott
Castor	Grant	Malchon	Stuart
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Hill	McPherson	Vogt
Deratany	Jenne	Meek	Weinstein
Dunn	Jennings	Myers	
Fox	Johnson	Neal	

Nays—None

By permission the following certificate was received:

SUPREME COURT OF FLORIDA

No. 66,613

IN RE: CERTIFICATE OF JUDICIAL MANPOWER FOR DISTRICT COURTS OF APPEAL, CIRCUIT COURTS AND COUNTY COURTS, AS REQUIRED BY ARTICLE V, SECTION 9, FLORIDA CONSTITUTION.

[March 20, 1985]

PER CURIAM.

Pursuant to article V, section 9 of the Florida Constitution, and in accordance with the criteria, additional factors, and procedures set forth in Florida Rule of Judicial Administration 2.035, we hereby certify the need for twenty additional judgeships during fiscal year 1985-86, as follows:

	District Court	Circuit Court	County Court
Second Appellate District	1		
Third Appellate District	1		
Fourth Appellate District	1		
Fifth Appellate District	1		
Fourth Judicial Circuit		1	
Sixth Judicial Circuit		1	1 (Pinellas)
Seventh Judicial Circuit			1 (Volusia)

Ninth Judicial Circuit	1	1 (Orange)
Eleventh Judicial Circuit	1	2 (Dade)
Twelfth Judicial Circuit		1 (Sarasota)
Fourteenth Judicial Circuit	1	
Fifteenth Judicial Circuit	1	1 (Palm Beach)
Seventeenth Judicial Circuit		1 (Broward)
Eighteenth Judicial Circuit		1 (Brevard)
Nineteenth Judicial Circuit	1	
TOTALS	4	7
		9

Further, we hereby certify the need for five additional judgeships in FY 1986-87 as follows:

	District Court	Circuit Court	County Court
Fifth Judicial Circuit		1	
Eighth Judicial Circuit			1 (Alachua)
Twelfth Judicial Circuit			1 (Manatee)
Eighteenth Judicial Circuit		1	
Twentieth Judicial Circuit		1	
TOTALS		3	2

On January 26, 1984 we certified the need for a total of thirty-three new judgeships for FY 1984-85. The Legislature funded seventeen additional judgeships during the 1984 legislative session, nine circuit court and eight county court. We have now received a total of twenty-seven requests for FY 1985-86 and eleven requests for FY 1986-87. Twelve of the requests for FY 1985-86 are for recertification and authorization of judgeships not authorized in the 1984 session of the legislature.

For those circuits for which we have certified a need for new circuit or county judges in the first year of the biennium, we have generally not certified judges for the second year. We will reassess the needs of those circuits and counties affected, as part of next year's certification process.

**FINDINGS
DISTRICT COURTS OF APPEAL**

In 1979 the Appellate Structure Commission recommended a standard of no more than 250 primary assignment cases for each appellate judge. On February 23, 1984 this court adopted that standard as part of the certification criteria and procedures of Florida Rule of Judicial Administration 2.035, acknowledging that an appellate judge should not be required to handle more than 250 primary case assignments per year. In reality, each judge's case load would be three times the number of primary assigned cases because district courts sit in panels of three and each judge has two secondary case assignments for each primary assignment. All of the district courts presently exceed this standard. In order to ensure the integrity of the appellate process, this excessive case load should be reduced, as soon as practical, to the 250 case per judge standard.

Florida's district courts of appeal have consistently ranked high among the country's intermediate appellate courts in filings per judge and number of published opinions. The judges of these courts have worked diligently to keep abreast of case loads in excess of the recommended standard in spite of the fact that no new judgeships have been authorized for the district courts of appeal since 1982. Further, the courts have endeavored to improve the manner in which cases are managed and employ procedural innovations, such as placing selected cases on a fast track and reducing briefing requirements. The district courts of appeal have also developed plans for the use of automation to speed word processing tasks, improve case management and enhance legal research.

This year's certification of but four of the six judgeships certified last year, reflects a commitment to seek and employ alternatives to the authorization of new judgeships wherever possible. We encourage the authorization and funding of the four judges certified. We also encourage funding of additional legal and administrative support staff for various of the courts in lieu of additional judgeships, as well as for automation. These resources, when collectively employed, will enable Florida's district courts of appeal to better manage what is clearly among the largest case loads in the country.

First Appellate District. The First District, which currently has twelve judges, has not requested any additional judges this year. To achieve the 250 primary case assignment standard in 1985, the First District would need one additional judge. The First District, however, has expressed

administrative concerns about expanding beyond its current membership. Additionally, the filings in the First District have leveled off over the last few years. Accordingly, we are not certifying the need for a judgeship this year.

However, the First District Court of Appeal has undertaken a major office automation project that will enhance its word processing, case management and legal research capabilities. The systems being developed are to serve as prototypes for the other four district courts of appeal. Therefore, we ask the continued support of the Legislature for this effort.

Second Appellate District. The Second District currently has ten judges, and the need for two additional judges was certified in 1984. We certify the need for one additional judgeship for FY 1985-86. The general leveling off in appellate filings and a 1984 filing rate slightly below the 1982 high realized by the court, while not diminishing the potential cost effectiveness of adding two judges, makes consideration and funding of alternatives to one of the requested judgeships viable.

The Second District currently has the fewest number of support staff per judge of the five district courts. Its work is further complicated by the difficulties of maintaining collegiality and timely disposing of matters, with judges assigned to two locations. The court had 283 filings per judge and produced 259 dispositions per judge in 1984. We find these factors plus an increase in filings of 198 cases, from 1983 to 1984, to justify the need for the one additional judgeship which is certified. In lieu of certification of the need for a second judgeship, we recommend funding of two senior law clerk positions and the administrative support staff for the Clerk's office, requested by the Second District Court of Appeal in its FY 1985-86 budget request.

Third Appellate District. The Third District currently has nine judges, and the need for one additional judge in FY 1985-86 is certified.

The Third District has, for the past two years, had the highest ratio of filings and dispositions per judge. The court had 345 filings per judge and produced 351 dispositions per judge in 1984. In order to achieve the 250 primary case assignment standard in 1984, a total of almost four additional judges would be required, rather than just the one requested and presently certified. The Third District has not requested the additional judges because of space limitations. When additional space is provided, the already existing needs of the Third District will justify the certification of additional judges in order to reduce its filings per judge, presently the highest in the state, to a more acceptable standard.

Fourth Appellate District. The Fourth District has nine judges, and the need for one additional judge in FY 1985-86 is certified. The court had 309 filings per judge and produced 318 dispositions per judge. The Fourth District continues to have the largest number of pending cases of the five district courts of appeal. Filings exceeded dispositions in 1982 and 1983.

The developing backlog is a function of an unusually high percentage of civil cases, which are generally more complex. Many involve appeals from trial court judgments in cases classified as complex litigation. This has resulted in the Court granting oral argument in fewer than 50 percent of the cases and issuing more PCA opinions.

In order to fully achieve the 250 primary case assignment standard in 1985, the two additional judges certified in 1984 would be required in the Fourth District. At this time, however, we certify only the one additional judge and request that funding be provided for two senior law clerks in FY 1985-86, in lieu of the second.

Fifth Appellate District. The Fifth District has had six judges since its creation in 1979, and the need for one additional judge in FY 1985-86 is certified. This is a recertification of a need that has existed for the past two years and continues to exist.

The Fifth District continues to have the highest ratio of population per judge of any district and a high attorney per judge ratio. Filings have increased every year since the Fifth District's creation, with the exception of a very slight reduction in 1984. Projections show a continued growth trend. The Fifth District currently has the second highest number of cases pending per judge of the five district courts of appeal. The court had 314 filings per judge and produced 332 dispositions per judge in 1984.

In order to fully achieve the 250 primary case assignment standard in 1985, two additional judgeships would be required, but we certify only the one requested at this time, requesting that funds be provided for two additional senior law clerks in lieu of a second judge.

CIRCUIT AND COUNTY COURTS

At the trial court level, case filing statistics are not as significant in relation to other criteria and factors as they are at the appellate level. Geographic size, attorneys per judge, the presence of nonlawyer county judges, the extent to which county judges are utilized in circuit court, the location of state institutions within the circuit, the availability of retired judges and masters, resident and transient population, and case complexity are all considered in evaluating the need for additional trial court judgeships. Thus, while a standard of not more than 250 primary case assignments has been developed for the district courts, no similar standard can be applied at the trial court level. A case load standard at the trial level that ignores variations among the circuits would not be a correct measure of the need for additional judges.

Case load information on the trial courts, available at the state level, is derived through the Summary Reporting System (SRS), which was implemented in 1977. SRS requires the commitment of only limited state resources. The clerks of the circuit courts provide monthly tabulations of case filing and disposition statistics to the State Courts Administrator's Office. While regular reviews of up to one third of the counties annually indicate substantial compliance by the clerks with reporting guidelines, it is recognized that improved measures of judicial workload are needed. In its 1984 certification order, we encouraged judges, clerks and court support personnel to work with the Office of the State Courts Administrator to study and recommend improved means of assessing the need for additional judges. A broadly representative group called the Court Statistics and Workload Committee was subsequently charged with that task by then Chief Justice James E. Alderman. The Committee filed a report in November of 1984, recommending substantial changes in the Summary Reporting System. The report also recommended the collection of data on active pending case loads and the establishment of audit trails for data reported to the state level. Other suggestions of the committee included: application of the results of a delphi exercise, designed to measure variations in the complexity of different types of cases, to the certification process; development of time standards for case processing; and improvement of management information available to judges. On February 7, 1985, we endorsed the recommendations of the Court Statistics and Workload Committee and directed the Office of the State Courts Administrator to work further with the Committee toward their implementation. Once in place, the proposed changes should yield improved data for use in determining the need for new judgeships.

A number of factors have generally influenced case loads in Florida's trial courts over the past year. Two statutes passed by the 1984 Legislature have resulted in measurable increases in judicial workload. The domestic violence and child support enforcement statutes, while they reflect critically needed changes in Florida law, have significantly increased hearing time. Florida's DUI law continues to have the effect of increasing trials. Also, judges report that trials are becoming longer, largely as a function of an increasing motions practice in most jurisdictions.

The trial courts have responded to workload pressures in a number of ways. Dispute resolution alternatives are employed in most courts for selected types of cases. Citizen dispute settlement, juvenile arbitration, mediation and conciliation in family cases, and the use of general or special masters, are all relied upon more frequently. Procedural innovations such as the use of uniform motions calendars, improved judicial control of cases, strict continuance policies, and regular review of pending cases, have also been used extensively. In sum, Florida's trial judiciary is identifying and effectively employing alternatives to establishment of new judgeships in many areas of the state.

Still there remains a need for new judgeships at the trial level. The primary considerations prompting our certification of need for the respective judicial circuits are as follows:

Fourth Judicial Circuit (Clay, Duval, and Nassau Counties). There are currently twenty-four circuit and fourteen county court judges in the Fourth Circuit. The need for one additional circuit judgeship was certified in each of the last two years. We recertify that need for FY 1985-86.

The Fourth Circuit has not received a new judgeship since 1980 and has received only three additional circuit judgeships since the adoption of article V in 1972. Three county court judges are nonlawyers and, therefore, cannot assist in circuit jurisdiction. Further, the Fourth Circuit realized an 18 percent increase in filings in 1984.

Fifth Judicial Circuit (Citrus, Hernando, Lake, Marion, and Sumter Counties). The Fifth Circuit currently has eleven circuit and seven county court judges. We certify the need for an additional circuit judge in the second year of the biennium.

In spite of having received a new circuit judge in 1984, the Fifth Circuit is ranked second in the ratio of filings and dispositions per judge and first in the ratio of population per judge. It is projected to experience a very large growth in population through 1985. It is also ranked third in combined factors, including attorneys and trials per judge. Three of its seven county court judges cannot assist on the circuit bench, as they are non-lawyer judges. No retired judges reside in the Fifth Circuit. Additionally, the circuit covers a geographic area of 4,160 square miles and has five state correctional institutions located within its boundaries. Cross assignment of one judge to help another, when his or her calendar clears, is difficult because of distance.

Sixth Judicial Circuit (Pasco and Pinellas Counties). The Sixth Circuit currently has twenty-nine circuit and fourteen county court judges, three of whom are in Pasco County. The need for one additional county court judge for Pinellas County was certified in 1984, and we recertify that need for FY 1985-86. In addition, we certify the need for one circuit judge in FY 1985-86.

In 1984 Pinellas County ranked sixth in county court filings per judge and fifth in dispositions per judge. The county continues to realize tremendous growth and is ranked tenth in population per judge. The county court operates in four locations. Travel between these locations has become increasingly time consuming, making the sharing of judicial resources difficult. The last new county court judgeship was created in Pinellas County in 1979, and that was the only new county judgeship created in the circuit since 1976.

Our certification of an additional circuit judge is based on the high ratio of population per judge, projected population growth, the large number of attorneys in the circuit, and geographic considerations relating to travel time within the circuit, in view of the five primary and two satellite courthouses. Additionally, there has been a 20 percent increase in circuit court jury trials between 1982 and 1984. Finally, the mix of cases is generally more complex than in comparable circuits.

Pinellas County has a high ratio of jury trials per county court judge. Therefore, county court judges are not readily available to assist with circuit court cases. The circuit court was required to utilize one hundred thirty-seven retired judge days in 1984. The Sixth Circuit has also made a strong effort to employ citizen dispute settlement, juvenile mediation-arbitration and family mediation, to supplement and reduce the case load burden on judges.

Seventh Judicial Circuit (Volusia, St. Johns, Flagler, and Putnam Counties). The Seventh Judicial Circuit currently has fourteen circuit and ten county judgeships. We certify the need for one additional judgeship in Volusia County in FY 1985-86.

Volusia ranks among the highest in county filings per judge and has realized a 167 percent increase in jury trials since 1982. This is, in part, due to a major law enforcement crackdown on drunk drivers. Volusia is ranked seventeenth in attorneys per judge. Geographical factors were deemed significant in this certification, in as much as the county court operates at three locations. Only one judge sits full time in Deland, where the jail is located, yet all must travel to that location for first appearances.

Eighth Judicial Circuit (Alachua, Baker, Bradford, Gilchrist, Levy, and Union Counties). The Eighth Circuit currently has nine circuit and nine county court judges. We certify the need for one additional county judge in the second year of the biennium.

The circuit has experienced a 16 percent increase in filings since 1982. Filings continue to significantly exceed dispositions in spite of Alachua County being ranked third in the state in dispositions/judge. Eight state correctional institutions are located in the circuit, and geographically the circuit is 100 miles long and 50 miles wide. County court judges who are eligible to assist with circuit case load are used regularly for that purpose, thereby reducing judicial resources in the county court.

Ninth Judicial Circuit (Orange and Osceola Counties). The Ninth Circuit currently has nineteen circuit and twelve county court judges. One additional circuit judgeship was certified and authorized last year. However, we certify the need for an additional circuit judgeship in FY 1985-86. In addition, we certify the need for a county court judge in Orange County in FY 1985-86.

There has been a significant growth in population in the Ninth Circuit since 1975, and that trend is expected to continue. The circuit also has a large transient and tourist population. The Ninth Circuit ranks third in ratio of attorneys per judge and is ranked sixth in trials per judge. A large number of cases are handled through juvenile mediation-arbitration and civil mediation programs. Still, two hundred and sixty-seven retired judge days were required in the circuit in 1984, and one hundred and eighty-six days of additional compensation were paid county judges for circuit work. The latter has placed a greater load on other Orange County judges.

Orange County ranks high in combined filings, dispositions, trials, attorneys, and population per judge and has not had a new county court judge since 1979, despite significant population and tourist increases. Orange County has the sixth highest ratio of trials per judge among urban counties. An in-depth study of judge assignments and workloads in the Orange County court, by the Office of the State Courts Administrator, indicated that assignment of an additional judge to the traffic division was necessary to handle an increasing traffic case load.

Eleventh Judicial Circuit (Dade County). The Eleventh Circuit currently has fifty-eight circuit and thirty-three county court judges. One circuit and one county judgeship were authorized last year. Two circuit judgeships and one county judgeship we certified last year were not funded. We revise that previous certification and certify the need for one circuit and two county court judgeships in FY 1985-86.

The Eleventh ranks second in the state in ratio of attorneys per judge. It continues to have a high tourist and transient population. In addition, as we noted last year, the circuit has experienced a significant resident population increase, as well as a major influx of immigrants. The latter, coupled with an already large Spanish-speaking population, has required the court to employ a large staff of interpreters. In excess of 64,000 translations were made in 1984. The use of interpreters has the effect of almost doubling hearing or trial time when they are necessary.

Continued increases in the number of sworn law enforcement personnel in the county have resulted in increases in criminal filings, both at the circuit and county court level. The Eleventh Circuit is ranked fifth in the state in jury trials per judge. County court judges have been assisting on the circuit bench, with two county court judges serving almost full-time in the circuit criminal division. A total of five hundred seventy-three days of additional compensation were paid county judges for circuit work in FY 1983-84 and four hundred sixty-three retired judge days were utilized in the same year.

With high county court case loads, county judges must now attend to their own dockets. Dade County is ranked fourth in county court filings per judge. Traffic and criminal cases have increased significantly. Notwithstanding the extensive use of citizen dispute settlement and other dispute resolution alternatives, there is a need for both of the new county judgeships certified. The authorization of one circuit judge should allow the equivalent of at least one county court judge to return to the county bench from his circuit court assignment.

Twelfth Judicial Circuit (DeSoto, Manatee, and Sarasota Counties). The Twelfth Circuit currently has eleven circuit and six county court judges, with three county court judges in Sarasota County. The need for an additional county court judgeship for Sarasota County has been certified previously. We recertify that need for FY 1985-86.

Although the Legislature approved additional circuit judgeships for the Twelfth Circuit in 1981 and 1982, no county court judgeship has been approved in Sarasota County since 1976. The county court case loads have continued to grow and presently rank near the top in ratio of filings and dispositions per judge. Circuit court judges cannot assist regularly in county court due to the ever-increasing circuit court case load. Sarasota County is ranked fourth in ratio of population per judge, and third in number of attorneys per judge.

We certify the need for one additional county judgeship in Manatee County in the second year of the biennium. At fourteenth in both filings and dispositions per judge, Manatee County ranks relatively high in the state. It also ranks fourth in the state in jury trials per judge. Like its sister counties, it has realized a significant increase in population and now ranks second in population per judge. It is ranked thirteenth in attorneys per judge.

Fourteenth Judicial Circuit (Bay, Calhoun, Gulf, Holmes, Jackson and Washington Counties). The Fourteenth Circuit currently has five circuit

judgeships and eight county judgeships, three of which are in Bay County. The Court certifies the need for one additional circuit judgeship in FY 1985-86.

The Fourteenth Circuit ranks number one in the state in filings and jury trials per circuit judge. It ranks seventh in dispositions per judge and third in population per judge. The Court has been precluded from utilizing county judges to help with the increasing case load in circuit court because five of the eight county judges in the circuit are nonlawyers. Only thirty-five days of additional compensation were paid for county judges to sit in circuit jurisdiction in FY 1983-84. Fifty-five retired judge days were paid in FY 1983-84. However, the retired judge who served elected not to bill for in excess of one hundred additional days.

The sharing of judicial resources across counties is difficult because travel between the various court locations in the circuit requires a considerable amount of time. Geographical factors, the inability to use the non-lawyer county judges and increasing case loads justify at least one additional circuit judgeship.

Fifteenth Judicial Circuit (Palm Beach County). The Fifteenth Circuit currently has twenty-two circuit and eleven county court judges. The need for two additional county court judgeships was certified last year, and the Legislature authorized one of those positions. We recertify the need for the second county judgeship and additionally certify the need for one circuit judge.

The circuit continues to realize significant increases in resident population and has a large tourist population. Projections for 1985 are for a 50 percent increase over the 1975 population. The circuit ranks fifth in combined factors of filings, dispositions, trials, attorneys, and population per circuit judge. The circuit court has been highly dependent on the use of retired judges (one hundred eighty-three days paid in FY 83-84) and on county judges to sit in circuit divisions (one hundred forty days of additional compensation paid in FY 83-84). The cases that the circuit court must hear are generally more complex than the mix of cases of other circuits. The need for the additional circuit judge exists in spite of a greater reliance on dispute resolution alternatives (masters and mediation for domestic relations cases) and procedural innovations such as a uniform motions calendar.

There remains a need for at least one additional county court judge. Palm Beach County ranks third in county court filings per judge, fourth in dispositions per judge and first in combined overall ratios. Palm Beach County also ranks first among the urban counties in ratio of trials per county judge.

Seventeenth Judicial Circuit (Broward County). The Seventeenth Circuit currently has forty-one circuit and nineteen county court judges. The need for two additional county court judges was certified last year and both were authorized. We certify the need for one additional county judgeship in FY 1985-86.

Broward County judges are not generally available to assist in circuit court work. Three hundred ninety-eight retired judge days were used in the circuit in FY 1983-84. Broward County ranks second in overall combined ratios of filings, dispositions, attorneys, trials and population per county judge. Broward County ranks number one in total filings per judge and supplemental filings per judge. The county court has used dispute resolution alternatives extensively, handling approximately 1,000 cases per year through its citizen dispute settlement program. The need for authorization of a new county judge remains in spite of reliance on this program and employment of other measures designed to improve utilization of the existing judges.

Eighteenth Judicial Circuit (Brevard and Seminole Counties). The Eighteenth Circuit currently has fourteen circuit and nine county court judges. We certify the need for one additional county judge in Brevard County in FY 1985-86 and one additional circuit judge in the second year of the biennium.

At sixteenth, Brevard County ranks relatively high in filings per judge. It ranks fifth in jury trials per judge. Geographical factors are significant in this certification in that the court operates out of three locations. It is difficult and time consuming for judges to travel between those locations. County judges have not been available to assist in circuit court. Two hundred seventy-five retired judge days were paid in FY 1983-84, yet no days of additional compensation for county judges were paid in that same year. A recent study of workload distribution for the county court, conducted by the Office of the State Courts Administrator, suggests the need for an additional judge to be assigned to the central portion of the county.

The Eighteenth Circuit, while realizing a decline in number of circuit jury trials over the past two years, is still ranked second in jury trials per judge. It ranks fifth in population per judge. The same geographical factors which inhibit the sharing of workload in the county court affect the circuit as well. These factors coupled with the requirement for two hundred seventy-five retired judge days in FY 1983-84 support the request for the additional circuit judge in the second year.

Nineteenth Judicial Circuit (Indian River, Martin, Okeechobee, and St. Lucie Counties). The Nineteenth Circuit currently has eight circuit and seven county court judgeships. The need for one additional circuit judgeship was certified in each of the past two years. We recertify that need for FY 1985-86.

The Nineteenth Circuit is ranked third in both filings and dispositions per judge. It has realized a significant population increase which is expected to continue. Due to the size of the circuit (2,423 square miles), travel time is considerable. One of the county court judges is a nonlawyer. Nonetheless, the circuit has been heavily reliant on county judges to assist in handling circuit cases. Two hundred forty-six days of additional compensation were paid to county judges in FY 1983-84. Also, one hundred thirteen retired judge days were required in the circuit during the last fiscal year. Part of the problem facing circuit judges in the Nineteenth Circuit is attributable to the increasing complexity of drug related cases and an increase in motions practice.

Twentieth Judicial Circuit (Charlotte, Collier, Glades, Hendry, and Lee Counties). The Twentieth Circuit currently has twelve circuit and nine county court judges. The need for one additional circuit judgeship is certified in the second year of the biennium.

The Twentieth Circuit ranks second in population per judge, and fourth in the ratio of trials per judge. It ranks second in the combined factors of filings, dispositions, population and attorneys per judge. It ranks relatively high in filings and dispositions per judge, at sixth and eighth respectively. Three of the county court judges are nonlawyers and cannot assist on the circuit bench. The circuit covers a large geographic area. This has made it difficult for judges in one location to backup those in another. Further, the circuit court has been heavily reliant on county judges, paying one hundred eight days of additional compensation in FY 1983-84. One hundred twenty-six retired judge days were also used in the circuit in that fiscal year.

CERTIFICATION

Accordingly, pursuant to article V, section 9, Florida Constitution, we certify the need for four additional district court of appeal judgeships, seven additional circuit court judgeships, and nine additional county court judgeships for fiscal year 1985-86. These judicial officers are necessary for the proper administration of justice, and we recommend they be made permanent and funded by the state. These new judgeships should become effective August 1, 1985.

We certify the need for three circuit and two county judgeships in the second year of the biennium. However, the Court will reassess the needs of all circuits next year and may certify the need for additional judges, if warranted.

BOYD, C.J., ADKINS, OVERTON, ALDERMAN, McDONALD, EHR-
LICH AND SHAW, JJ., Concur

Original Proceeding—Certificate of Judicial Manpower

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 8 and 2 were corrected and approved.

CO-INTRODUCERS

Senator Carlucci—Senate Bills 81 and 409; Senator Myers—SB 119; Senators Scott and Johnson—SB 121; Senator Johnson—SB 136; Senator Gersten—SB 170; Senator Beard—SB 172; Senator McPherson—SB 180; Senator Gordon—Senate Bills 169, 180, 204, 276, 292, 294 and SCR 227; Senator Margolis—SB 191 and 443; Senators Hair, Castor, Vogt and Meek—SB 204; Senator Weinstein—SB 241 and SJR 242; Senator Neal—Senate Bills 329 and 277; Senators Malchon and Frank—SB 408; Senators Meek and Hill—SB 443; Senator Fox—Senate Bills 469 and 204; Senator Malchon—SB 417

RECESS

Senator Jenne moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Tuesday, April 16 at 9:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Jenne, the Senate recessed at 10:32 a.m. to reconvene at 9:00 a.m., Tuesday, April 16.

SENATE PAGES

April 8-12

Alisa Atkinson, Hollywood; Tara Bennett, St. Petersburg; Leigh Biven, Pensacola; Brooke Deratany, Indialantic; Richard Eaton Dodson, Jr., Neptune Beach; Erica English, Miami; Scott James Firley, Miami; Becki Hill, Tallahassee; Stacy McMenemy, Plantation; Helen Brandon Middlebrooks, Tallahassee; Mary Elizabeth Murphy, Palm Beach; Barbara Ann Nohrr, Indialantic; Shaune A. Pettis, Jacksonville; Amy Michele Presnell, Tallahassee; Jonathan R. Satter, Atlantis; Elayne Silver, North Miami Beach; Nicole Carmen Sims, Jacksonville; Alice L. Smith, Vero Beach