



# Journal of the Senate

Number 3

Friday, April 11, 1986

## REPORTS OF COMMITTEES

The Committee on Finance, Taxation and Claims recommends the following pass: SB 272, SB 274, SB 391, CS for SB's 38 and 49

**The bills were referred to the Committee on Appropriations under the original reference.**

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 411

The Committee on Transportation recommends committee substitutes for the following: SB 42, SB 447

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

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 206

**The bill with committee substitute attached was referred to the Committee on Finance, Taxation and Claims under the original reference.**

## INTRODUCTION AND REFERENCE OF BILLS

### First Reading

By Senator Dunn—

**SB 570**—A bill to be entitled An act relating to verification of documents; creating s. 92.525, F.S.; providing methods for verifying documents; providing that knowingly verifying a document by a false written declaration is unlawful; providing penalties; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Thurman—

**SB 571**—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 572**—A bill to be entitled An act relating to worthless checks; amending s. 832.07, F.S., changing certain requirements upon prima facie evidence of identity of a person issuing a worthless check; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senators Thurman and Grant—

**SB 573**—A bill to be entitled An act relating to educational finance; amending s. 236.081, F.S.; requiring the Commissioner of Education to conduct a study relating to the regional grouping of districts for determination of costs; requiring a report; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senators Thomas and Grant—

**SB 574**—A bill to be entitled An act relating to state employment; creating s. 110.141, F.S., establishing a tuition refund program for state employees; providing eligibility requirements and restrictions; providing for rules; providing effective dates.

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

By Senators Thomas and Grant—

**SB 575**—A bill to be entitled An act relating to pari-mutuel taxes; amending s. 550.13, F.S., relating to the distribution of pari-mutuel tax revenues to the counties; providing an effective date.

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

By Senator Frank—

**SB 576**—A bill to be entitled An act relating to prostitution; amending s. 796.07, F.S.; defining "sexual activity" for purposes of the prohibition against prostitution; deleting obsolete language; providing penalties; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Grant—

**SB 577**—A bill to be entitled An act relating to education; providing for pilot projects to increase the use of education paraprofessionals; designating subjects of study; providing selection procedure; creating a steering committee and prescribing its duties; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Plummer—

**SB 578**—A bill to be entitled An act relating to disabled persons; providing for the issuance of a temporary disability parking permit to a person who is certified by a physician to be temporarily disabled; providing for permit renewal; prescribing format and display requirements for the permit; providing fees; prohibiting fraudulent use of the permit; providing penalties; providing an effective date.

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

By Senators Hair and Grant—

**SB 579**—A bill to be entitled An act relating to financial institutions; repealing section 3 of chapter 84-544, Laws of Florida, which provides an expiration date for provisions relating to the control of deposit-taking institutions; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Fox—

**SB 580**—A bill to be entitled An act relating to protection of minors; providing for the appointment of a guardian ad litem or other advocate to represent a minor who is involved in criminal proceedings as either a victim or a witness; prescribing powers and duties of the guardian ad litem or other advocate; providing such person immunity from certain liability; providing for issuance of a search warrant upon probable cause that a child is being abused or neglected; authorizing the officer executing such warrant to take the child into protective custody under certain circumstances; requiring the Department of Law Enforcement to convene a task force relating to development of a system of comprehensive protective and support services for victims of child abuse and their families; specifying composition of the task force; requiring the task force to submit recommendations on specified topics by a specified date; providing an effective date.

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

By Senator Deratany—

**SB 581**—A bill to be entitled An act relating to the City of Satellite Beach, Brevard County; authorizing the city to levy and collect special assessments upon real property for special benefits conferred upon such

property by any bridge over a navigable water; providing for the payment of all or any part of the cost of maintenance, operation, and replacement of such bridge out of the proceeds of such special assessment; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Malchon—

**SB 582**—A bill to be entitled An act relating to toxic substances; amending s. 442.102, F.S., modifying the definition of “article”; amending s. 442.103, F.S., providing exceptions to the application of ss. 442.101-442.127, F.S., relating to toxic substances in the workplace; amending s. 442.106, F.S., clarifying language; amending s. 442.108, F.S., deleting a provision relating to notice of employee education and training requirements; deleting an exemption from the provisions of ss. 442.101-442.127 for certain employers; amending s. 442.115, F.S., modifying requirements for employee education and training; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Malchon—

**SB 583**—A bill to be entitled An act relating to state-administered retirement programs; amending ss. 112.05, 121.091, 122.16, 238.181, F.S., and repealing s. 321.203, F.S., to eliminate restrictions on reemployment after retirement under the supplemental retirement program for certain state officials or employees, the Florida Retirement System, the State and County Officers’ and Employees’ Retirement System, the Teachers’ Retirement System of the State, and the Highway Patrol Pension Trust Fund; providing an effective date.

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

By Senator Malchon—

**SB 584**—A bill to be entitled An act relating to licensure fees; amending s. 390.014, F.S.; increasing the maximum fee allowed for licensure of abortion clinics; amending s. 395.004, F.S.; providing for hospital licensure fees to be established at a rate sufficient to cover the costs of licensure administration; amending s. 400.062, F.S.; revising the method for computing licensure fees for nursing homes; amending s. 400.23, F.S.; increasing the maximum fee for review of plans for nursing homes; amending s. 400.407, F.S.; revising the method for computing licensure fees for adult congregate living facilities; amending s. 400.605, F.S.; increasing the licensure fee for hospices; amending s. 514.033, F.S.; increasing the maximum fee allowed for an initial operating permit for public swimming and bathing facilities; providing an effective date.

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

By Senator Beard—

**SB 585**—A bill to be entitled An act relating to education; amending s. 240.209, F.S.; authorizing the Board of Regents to establish and fund a program for the study of educational spending with respect to elementary and secondary education; creating a Commission on Educational Spending within the Executive Office of the Governor; providing for a final report to be compiled by the commission based on said study; providing duties of the Auditor General; providing an effective date.

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

By Senator Grizzle—

**SB 586**—A bill to be entitled An act relating to sewage disposal; amending s. 403.086, F.S.; providing that facilities for sanitary sewage disposal may not dispose of wastes into certain waters without advanced waste treatment; defining the term “advanced waste treatment”; providing an effective date.

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

By Senator Johnson—

**SB 587**—A bill to be entitled An act relating to tax on sales, use and other transactions; amending s. 212.08, F.S.; specifying that certain non-profit corporations are eligible for exemption as educational institutions; providing an effective date.

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

By Senator Johnson—

**SB 588**—A bill to be entitled An act relating to elections; amending s. 97.072, F.S.; providing for a request for change in party affiliation by means of a registration form or federal postcard application; amending s. 101.64, F.S.; eliminating witness requirements for absentee voter’s certificates; providing that certain irregularities in the voter’s certificate are not grounds for challenging the ballot; amending s. 101.65, F.S.; providing conforming language; amending s. 106.021, F.S.; providing for certain candidates to file the name and address of their campaign treasurer in the candidate’s county of residence; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senators Peterson, Kirkpatrick, D. Childers, Grant, Crawford, Beard and Thurman—

**SB 589**—A bill to be entitled An act relating to honey certification and honeybees; amending s. 586.01, F.S., renaming the Florida Honey Certification Law as the Florida Honey Certification and Honeybee Law; amending s. 586.02, F.S., providing definitions; creating s. 586.025, F.S., prohibiting the introduction of honeybee pests or an unwanted race of honeybees; providing an exception; amending s. 586.03, F.S., providing for the certification and labeling of Florida-produced honey; creating s. 586.035, F.S., providing requirements with respect to the sale, offering for sale, distribution, concealment and information regarding honeybees, honeybee pests, beekeeping equipment and unwanted races of honeybees; providing penalties; amending s. 586.09, F.S., providing for the revocation or suspension of certificates of inspection and permits; amending s. 586.10, F.S., relating to the powers and duties of the department; amending s. 586.11, F.S., relating to the certificate of inspection; creating s. 586.115, F.S., providing for the fumigation, destruction, or treatment of honeybees, honeybee products, and beekeeping equipment; amending s. 586.13, F.S., providing procedures for the removal, destruction or treatment of infested or infected honeybees or beekeeping equipment; amending s. 586.14, F.S., providing for compensation for beekeeping equipment and honeybees destroyed due to infestation with American foulbrood; amending s. 586.15, F.S., providing penalties; creating s. 586.16, F.S., requiring the Department of Agriculture and Consumer Services to deposit moneys into described funds; creating s. 586.161, F.S., creating the Honeybee Technical Council; repealing s. 586.04, F.S., relating to fees for certification; repealing s. 586.05, F.S., relating to the unlawful use of certain words with respect to honey; repealing s. 586.051, F.S., relating to a requirement of purity; repealing s. 586.06, F.S., relating to rules of the Department of Agriculture and Consumer Services; repealing s. 586.07, F.S., relating to certain employees of the department; repealing s. 586.12, F.S., relating to the authority of the department to enter premises and make inspections; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By Senator Malchon—

**SB 590**—A bill to be entitled An act relating to juveniles; amending s. 39.407, F.S., relating to medical care for dependent children; authorizing medical screening by the Department of Health and Rehabilitative Services when a child is to be detained in shelter care; requiring certain consent to medical treatment; authorizing consent by the department under certain circumstances; providing for court orders for medical examination or treatment; providing for mental health or retardation services in emergency situations; deleting conflicting language; providing financial responsibilities of the child’s parents or guardian; clarifying provisions relating to authority of the department as legal custodian of a child; amending s. 415.507, F.S., to conform provisions relating to investigation of child abuse or neglect; providing an effective date.

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

By Senator Hill—

**SB 591**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; changing the criteria for designation of certain correctional personnel to special risk membership; providing an effective date.

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

By Senator Hair—

**SB 592**—A bill to be entitled An act relating to negligence; providing that a claimant's contributory fault in an action based on fault does not bar his recovery; defining "fault"; providing that damages shall be apportioned according to the proportionate fault of the parties; providing exceptions; requiring findings by either the court or the jury regarding the amount of damages to which claimants are entitled and regarding the percentage of fault allocated to parties; requiring the court to determine the award of damages to each claimant and to determine each party's equitable share of the fault pursuant to these findings; providing for the reallocation among the parties of the equitable share of a party whose share is uncollectible; providing that claims shall not be set off except by agreement of both parties; providing for joint and several liability of parties liable upon a claim; providing for a right of contribution available to claimants and parties based upon their equitable share of fault; providing for enforcement of a right of contribution; providing that a release shall reduce a claim by the amount of the released person's equitable share of fault; providing uniformity of application and construction; providing for severability of any provisions held invalid; providing for prospective effect of the act; repealing s. 768.31(1), (2)(a), (b), (d), (3), (4)(a)-(e), (5), (6), (7), F.S., relating to contribution among tortfeasors in negligence actions; providing instructions to the Division of Statutory Revision of the Joint Legislative Management Committee; providing an effective date.

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

By Senator Girardeau—

**SB 593**—A bill to be entitled An act relating to aviation; creating s. 332.008, F.S., creating the Florida Aviation Advisory Council within the Department of Transportation; providing for membership, powers and duties; providing for review and repeal; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Stuart—

**SB 594**—A bill to be entitled An act relating to water resources; creating s. 373.017, F.S.; providing a short title; providing a declaration of policy; providing requirements relating to Everglades restoration; providing for the cooperation and coordination of agency actions pertaining to the Everglades; providing an effective date.

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

By the Committee on Governmental Operations—

**SB 595**—A bill to be entitled An act relating to juveniles; amending s. 39.031, F.S.; continuing the exemption from ch. 119, F.S., inspection requirements provided for certain juvenile records; providing for future legislative review of such exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Governmental Operations—

**SB 596**—A bill to be entitled An act relating to the public record exemption; amending s. 27.151, F.S.; continuing the exemptions from public record disclosure requirements provided for certain executive orders of the Governor, orders of the Supreme Court, and reports to the Legislature; requiring future legislative review of such exemptions pursuant to the Open Government Sunset Review Act; providing for disclosure of an executive order of the Governor; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Hair—

**SB 597**—A bill to be entitled An act relating to alcoholic beverages; amending ss. 561.15, 562.11, 562.111, F.S.; lowering the minimum age for licensure under the beverage law; defining "alcoholic beverage" for purposes of provisions relating to possession of alcoholic beverages by underage persons and to selling, giving, or serving alcoholic beverages to underage persons; providing that such prohibitions do not apply to a licensee acting within the scope of his license; repealing s. 562.113, F.S., relating to sale of alcoholic beverages to active duty military personnel; providing

that certain amendments are void upon the nullification of a specified federal law; providing a rule of construction; providing an effective date.

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

By Senator Fox—

**SB 598**—A bill to be entitled An act relating to education; amending s. 232.246, F.S.; providing that students enrolled in grade 9 prior to a certain date must satisfy the requirements for graduation which were in effect at the time of their enrollment in that grade; providing that students may receive credit toward graduation from high school for a course in debate; providing for the graduation of certain persons; providing an effective date.

—was referred to the Committee on Education.

By Senator Girardeau—

**SB 599**—A bill to be entitled An act relating to local government; prohibiting local governments from requiring persons to carry registration cards, identification cards, or similar devices for certain purposes; providing exclusions; declaring all conflicting ordinances void; providing an effective date.

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

By Senator Crawford—

**SB 600**—A bill to be entitled An act relating to alcoholic beverages; creating ss. 561.025, 563.025, 563.045, 564.025, 564.041, F.S.; amending ss. 565.09, 215.22, F.S.; creating the Alcoholic Beverage and Tobacco Trust Fund; providing for deposit of specified moneys collected by the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation in the trust fund; specifying uses of moneys in the trust fund; imposing surtaxes on certain alcoholic beverage license fees; requiring registration of certain brand labels; providing fees; increasing brand label registration fees for spiritous liquors; providing an effective date.

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

By Senators Fox and Kiser—

**SB 601**—A bill to be entitled An act relating to the Beverage Law; creating s. 561.67, F.S.; providing for a written statement of reclamation of goods issued to a licensed distributor of spirituous and vinous beverages; providing for reclamation; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation to adopt rules; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Fox—

**SR 602**—A resolution relating to restoration of the San Carlos Institute in Key West.

—was referred to the Committee on Rules and Calendar.

By Senator Fox—

**SB 603**—A bill to be entitled An act relating to fire safety; creating the Florida Fire Sprinkler Trust Fund and providing an appropriation thereto from the Insurance Commissioner's Regulatory Trust Fund; authorizing the State Fire Marshal's Office to draw upon such funds to provide loans to licensed adult congregate living facilities and developmental disability group homes for purchase and installation of automatic sprinkler systems; providing for approval of such systems; providing for loan agreements; giving preference to certain facilities; providing an appropriation for employment of personnel to manage the Florida Fire Sprinkler Trust Fund; providing an effective date.

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

By Senator Jennings—

**SB 604**—A bill to be entitled An act relating to judgments; amending ss. 55.01 and 55.505, F.S.; requiring final judgments and affidavits for the recording of foreign judgments to include additional information identi-

fyng the judgment debtor and judgment creditor; providing an effective date.

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

By the Committee on Governmental Operations—

**SB 605**—A bill to be entitled An act relating to the statewide and district human rights advocacy committees; amending s. 20.19, F.S.; providing exemptions from the public meetings and public records law; providing for future legislative review under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senators Peterson and Neal—

**SB 606**—A bill to be entitled An act relating to educational facilities; reenacting ch. 235, F.S.; providing a short title; providing legislative intent; providing purpose and for rules; providing definitions; providing for functions of the Office of Educational Facilities of the Department of Education; providing for delegation of review and approval authority; providing for use of buildings and grounds; providing for the disposal of property by certain educational boards; providing for eminent domain; providing procedures for proposed purchases of real property by certain boards and for confidentiality of records; providing for construction on leased property by certain boards; providing for lease and lease-purchase of educational facilities; providing for purchase, conveyance, and encumbrance of property interests; providing for safety and sanitation standards and inspection of public educational and ancillary plants; prohibiting placing obscenity on educational buildings or vehicles and providing a penalty; providing for emergency drills; providing for surveys for instructional space and for educational plant surveys; providing for construction based on such surveys; providing for capital outlay budgets; providing for site planning and selection; providing for coordination of planning; providing for the cooperative development and use of facilities by two or more boards under certain circumstances; providing procedures and requirements for requests for moneys to construct certain community educational facilities; providing for the use of relocatable facilities and providing for the transfer of title of such facilities; providing for construction techniques and financing mechanisms; providing for low-energy and natural use designs for certain educational facilities under certain circumstances; providing for repayment of loans; providing for the adoption of a state uniform building code for educational and ancillary plants; prohibiting local legislation amending the uniform building code after a certain date; providing for supervision and inspection of certain construction; providing for advertising and awarding of contracts and prequalification of contractors; regulating day-labor projects; specifying substance of contracts; requiring contractors to furnish a performance and payment bond; providing penalties; providing for changes in construction requirements after award of a contract; providing for payments to the contractor; authorizing the expenditure of funds for certain purposes by certain agencies; providing for radio and television facilities; providing for legislative capital outlay budget requests; providing for educational and ancillary plant construction funds; specifying the sources which comprise the Public Education Capital Outlay and Debt Service Trust Fund; providing for allocating moneys from the fund; providing for financing of approved capital projects; reenacting s. 236.25(2)(a), F.S.; authorizing levy of taxes for the purchase of new and replacement equipment; providing that funds from the levy of taxes for certain purposes not supplant current expenditures from operating revenue; ratifying actions taken under ch. 85-116, Laws of Florida; providing for the future repeal and legislative review of certain provisions of ch. 235, F.S.; providing severability; providing a retroactive effective date.

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

By Senator Stuart—

**SB 607**—A bill to be entitled An act relating to environmental regulation; amending ss. 403.021, 403.061, 403.087, 403.0871, 403.165, 403.201, 403.509, 403.511, 403.516, 403.523, 403.526, 403.527, 403.7264, 403.7265, 403.806, 403.813, 403.853, 403.861, 403.916, F.S.; providing public policy; removing certain limitations on designation of Outstanding Florida Waters; providing for collection and disposition of fees; providing for use of pollution awards; providing clarifications; limiting certification conditions and variances; deleting authority relating to electric and magnetic fields; providing for reports; specifying parties to certain proceedings;

providing additional hazardous waste amnesty days; providing for hazardous waste grants; providing exemptions from permitting requirements; providing circumstances for adoption of drinking water standards more stringent than federal standards; providing for local participation in permitting; providing an effective date.

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

By Senator Stuart—

**SB 608**—A bill to be entitled An act relating to water management districts; amending s. 373.047, F.S.; providing for cooperation between districts; amending s. 373.056, F.S.; providing authorization to convey or receive lands; providing an effective date.

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

By Senator Hair—

**SB 609**—A bill to be entitled An act relating to the Mortgage Brokerage Act; amending s. 494.02, F.S.; providing definitions; amending s. 494.03, F.S.; providing exemptions; creating s. 494.035, F.S.; providing powers and duties of the Department of Banking and Finance; creating s. 494.037, F.S.; providing mortgage brokerage licensure requirements; creating s. 494.038, F.S.; providing for renewal of a mortgage broker license; creating s. 494.039, F.S.; providing for registration of mortgage brokerage businesses; providing fees; creating s. 494.0391, F.S.; providing for registration renewal; creating s. 494.0392, F.S.; providing for branch office permits; creating s. 494.0393, F.S.; providing requirements for licensees and registrants; amending s. 494.041, F.S.; expanding scope of provisions relating to mortgages offered by certain land developers; amending s. 494.042, F.S.; providing clarifying language relating to the Mortgage Brokerage Guaranty Fund; eliminating reference to violations of the chapter; amending s. 494.043, F.S.; providing conditions precedent to recovery under the fund; providing for intervention; amending s. 494.044, F.S., limiting certain payments from the fund; creating s. 494.052, F.S.; providing for administrative penalties and fines; specifying violations; creating s. 494.055, F.S.; providing grounds for disciplinary action; amending s. 494.06, F.S.; providing requirements with respect to books, accounts, and records; creating s. 494.065, F.S.; providing for investigation and complaints; providing for confidentiality; providing immunity from civil liability; amending s. 494.07, F.S.; providing powers of the department; providing for subpoenas; providing for attorney's fees; amending s. 494.071, F.S.; authorizing injunctions to restrain violations; amending s. 494.072, F.S.; providing for cease and desist orders and refund orders; amending s. 494.08, F.S.; revising requirements and prohibitions; amending s. 494.081, F.S.; providing that certain fees or charges are not deemed interest or finance charges; amending s. 494.091, F.S.; specifying liability in the case of an unlawful transaction; amending s. 494.093, F.S.; specifying prohibited practices; amending s. 494.10, F.S.; providing penalties; providing for licensure of persons licensed on effective date of act; repealing s. 494.04, F.S., relating to the licensing of mortgage brokers and mortgage solicitors; repealing s. 494.05, F.S., relating to denial, suspension, or revocation of licenses; providing a savings clause; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Gordon—

**SB 610**—A bill to be entitled An act relating to acquired immune deficiency syndrome (AIDS); amending s. 384.01, F.S., designating AIDS as a venereal disease and prohibiting its transmittal to others; creating ss. 760.40-760.48, F.S., relating to discrimination in the treatment of persons with AIDS; providing definitions; providing unlawful practices for any school, college, or university; providing unlawful insurance practices; providing unlawful practices for any employer, employment agency, or labor organization; providing unlawful rental housing practices; providing authority of the Human Relations Commission to administer the act; providing for investigation of complaints; providing a penalty for violating confidentiality; providing for enforcement of the act; providing for civil actions, injunctions, restraining orders, and award of actual and punitive damages and costs and fees; prohibiting intimidation of or interference with persons exercising their rights under the act; providing for enforcement; providing an effective date.

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

By Senator Gordon—

**SB 611**—A bill to be entitled An act relating to turnpike projects; amending s. 338.235, F.S., providing that where the Department of Transportation determines it is in the best interest of the state, the department may extend existing contracts for the provision of services on turnpike projects; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Gordon—

**SB 612**—A bill to be entitled An act relating to local occupational license taxes; amending s. 205.033, F.S., which authorizes certain counties to impose an additional license tax, to revise the rate and distribution thereof; providing an effective date.

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

By Senator Hair—

**SB 613**—A bill to be entitled An act relating to securities transactions; creating the Securities Industry Standards Act; amending s. 20.12, F.S.; renaming the Division of Securities of the Department of Banking and Finance as the Division of Securities and Investor Protection; amending s. 517.021, F.S.; providing definitions with respect to the "Florida Securities and Investor Protection Act"; amending s. 517.061, F.S., relating to exempt transactions, to correct a cross-reference; amending s. 517.07, F.S.; eliminating language with respect to permits in excess of 1 year for the sale of certain debt securities; amending s. 517.082, F.S.; providing for notification registration; amending s. 517.12, F.S., relating to the registration of dealers, associated persons, investment advisers, and branch offices; creating s. 517.122, F.S.; providing for arbitration; amending s. 517.161, F.S.; providing for restricted registration of dealers, investment advisers, or associated persons; providing additional grounds for denial, suspension, or restriction of registration; amending s. 517.221, F.S.; providing for cease and desist orders; amending s. 517.302, F.S.; providing for criminal penalties, alternative fines, the creation of the Anti-Fraud Trust Fund, and a time limitation on criminal prosecutions; amending s. 517.311, F.S.; providing for required disclaimers; providing for review and repeal; providing appropriations; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

#### FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Transportation and Senators D. Childers, Margolis, Plummer, Myers, Gordon, Malchon, Langley and Weinstein—

**CS for SB 17**—A bill to be entitled An act relating to motor vehicles; providing definitions; requiring annual inspection of motor vehicles; prohibiting operation of a vehicle without a current inspection sticker; prohibiting sale of a motor vehicle that does not bear such sticker; specifying time limit for inspection of newly registered vehicles; specifying repair procedures for defective vehicles; requiring reinspection of damaged vehicles; specifying inspection criteria; providing for inspection of license plates; providing for private operation of inspection stations; providing for self-inspection; providing for supervision; providing for adoption of rules and forms by the Department of Highway Safety and Motor Vehicles; providing for collection and deposit of fees; providing for budgeting; providing for operation of inspection stations by counties; requiring approval of schedule of operation of inspection stations; providing for recognition of certain inspection stickers issued by entities other than the state; providing that inspection is not a warranty; prohibiting misuse of stickers; prohibiting altered, forged, or reproduced inspection stickers; providing penalties; providing for phased implementation of the act; repealing s. 325.001, F.S., relating to county inspection systems; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senator Gordon—

**CS for SB 30**—A bill to be entitled An act relating to shelter or foster care; providing legislative intent; directing the Department of Health and Rehabilitative Services to establish a pilot program to provide assistance and services to shelter and foster care homes and to children placed in foster or shelter care and to families identified as being at risk of having children placed in foster or shelter care; providing procedures; providing for funding; providing for evaluation; providing an effective date.

By the Committee on Commerce and Senators McPherson and Thurman—

**CS for SB's 38 and 49**—A bill to be entitled An act relating to horseracing; creating s. 550.51, F.S.; amending ss. 550.04, 550.065, 550.33, 550.37, 550.39, 550.41, F.S.; authorizing horseracing and harness racing permitholders to operate on Sundays subject to certain limitations; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senator Crawford—

**CS for SB 46**—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 taxing certain transactions; providing an exemption for such transactions; providing for future repeal of ss. 212.031(5)-(8), 212.06(7), 212.07(5), (6), 212.08(16), 212.096, F.S., relating to sales tax exemptions; creating a commission to review certain tax exemptions; providing for membership, staffing, and location of the commission; providing for travel and per diem expenses; providing for legislative review; providing an appropriation; specifying use of the funds; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senators Crawford, Castor and Neal—

**CS for SJR's 54 and 3**—A joint resolution proposing an amendment to Section 6, Article VII of the State Constitution, relating to homestead tax exemptions.

By the Committee on Corrections, Probation and Parole—

**CS for SB 62**—A bill to be entitled An act relating to correction work programs; amending s. 946.15, F.S.; providing exceptions to mandatory contract language; providing an effective date.

By the Committee on Governmental Operations and Senator Myers—

**CS for SB 81**—A bill to be entitled An act relating to state agencies; providing definitions; requiring each state agency to employ a chief internal auditor; providing qualifications, powers, and duties; providing for internal audit reports; providing for review of internal audit reports by the Auditor General; providing for Legislative Auditing Committee inquiry; providing for future repeal; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senator Margolis—

**CS for SB 84**—A bill to be entitled An act relating to the investment of state funds; amending s. 215.47, F.S.; authorizing the Board of Administration to invest Retirement System Trust Fund and other available moneys in certain obligations and securities; amending s. 280.03, F.S.; exempting Florida Retirement System Trust Fund deposits and securities from public deposit security requirements under ch. 280, F.S.; providing an effective date.

By the Committee on Commerce and Senator McPherson—

**CS for SB 97**—A bill to be entitled An act relating to hotels and restaurants; amending s. 509.302, F.S.; providing for the supervision of the Hospitality Education Program by the Division of Hotels and Restaurants of the Department of Business Regulation; repealing s. 509.211(1), F.S., relating to the submission of building plans to the division; providing an effective date.

By the Committee on Transportation and Senator Vogt—

**CS for SB 105**—A bill to be entitled An act relating to motor vehicle safety equipment; amending s. 316.650, F.S.; directing the Department of Highway Safety and Motor Vehicles to prepare affidavit of compliance forms with respect to certain traffic violations; amending s. 318.18, F.S.; providing a \$25 fine for all violations of s. 316.610, F.S.; providing for a reduced fine where the defect is corrected; amending s. 322.27, F.S.; providing for points with respect to certain traffic violations relating to operating certain motor vehicles in an unsafe condition or which are not properly equipped; providing for no points where defects are corrected; creating s. 316.6105, F.S.; providing a procedure for disposition of fines collected with respect to violations involving the operation of a motor vehicle in unsafe condition or without required equipment; providing an effective date.

By the Committee on Transportation and Senators Kiser and Kirkpatrick—

**CS for SB 109**—A bill to be entitled An act relating to license plates; creating s. 320.0808, F.S.; providing for the issuance of collegiate license plates for each of the nine institutions within the State University System; requiring an annual use fee for collegiate license plates; providing for use of the fees; providing for registration period and fees related to applications for collegiate license plates; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Grant and Fox—

**CS for SB 194**—A bill to be entitled An act relating to child abuse or neglect; amending s. 415.505, F.S.; allowing certain school instructional staff members to be present at initial interviews with children in certain child protective and criminal investigations; prohibiting school personnel from being present at investigations under any other circumstances; prohibiting disclosure of information; providing for confidentiality; prohibiting schools or school instructional staff from maintaining records; providing penalties; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senator Jenne—

**CS for SB 207**—A bill to be entitled An act relating to municipal firefighters' pension trust funds; amending s. 175.021, F.S.; providing legislative intent; amending s. 175.032, F.S.; providing definitions; amending s. 175.061, F.S.; revising the composition and powers of the board of trustees of a municipal firefighters' pension trust fund; amending s. 175.071, F.S., relating to investment and other powers of such a board of trustees; amending s. 175.091, F.S.; revising terminology; prohibiting municipalities from reducing member contributions to less than 1 percent of salary; amending s. 175.101, F.S., relating to the excise tax on property insurance premiums; amending s. 175.121, F.S.; providing for deduction of certain expenses from moneys collected; providing for remittance of warrants; requiring annual compliance with ch. 175, F.S., in order for a municipality to receive certain tax funds; amending s. 175.131, F.S., relating to the deposit of funds received by a municipality with respect to the pension fund; amending s. 175.141, F.S., relating to excise tax credits; creating s. 175.152, F.S.; providing for contributions; amending s. 175.162, F.S.; revising criteria for retirement and provisions governing payment of retirement income; amending s. 175.171, F.S.; prohibiting firefighters from changing a retirement option after a certain date; amending s. 175.191, F.S., relating to disability retirement; amending s. 175.201, F.S.; revising provisions with respect to death prior to retirement; amending s. 175.261, F.S.; requiring certain financial reports with respect to municipal firefighters' pension trust funds; amending s. 175.291, F.S.; providing for employment of legal counsel and other advisers by the board of trustees; amending s. 175.301, F.S., relating to depositories for retirement funds; amending s. 175.311, F.S.; providing for the independence of boards and municipalities; amending s. 175.351, F.S., relating to municipalities which have their own pension plans for firefighters; amending s. 175.361, F.S.; providing for the termination of certain funds by the Department of Insurance; creating s. 175.371, F.S.; providing criteria with respect to transfers to another state retirement system; creating s. 175.381, F.S.; providing applicability of the act; creating s. 175.391, F.S.; providing for costs and attorney's fees; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senator Jenne—

**CS for SB 208**—A bill to be entitled An act relating to municipal police officers' retirement trust funds; amending s. 185.01, F.S.; providing legislative intent; amending s. 185.02, F.S., relating to definitions; amending s. 185.03, F.S., relating to the creation of such trust funds; amending s. 185.05, F.S.; revising provisions relative to the board of trustees of a municipal police officers' retirement trust fund; amending s. 185.06, F.S., relating to the powers of the board of trustees; amending s. 185.07, F.S.; revising member contributions and prohibiting municipalities from reducing member contributions to the municipal police officers' retirement trust fund to less than 1 percent of salary; amending s. 185.08, F.S., relating to the excise tax on casualty insurance premiums; amending s. 185.10, F.S., relating to the responsibilities of the Insurance Commissioner and Treasurer; amending s. 185.11, F.S., relating to the deposit of funds; amending s. 185.12, F.S., relating to excise tax credits; amending s. 185.14, F.S.; prohibiting municipalities from reducing member contributions to less than 1 percent of salary; amending s. 185.16, F.S.; revising criteria with respect to retirement and provisions governing payment of

retirement income; amending s. 185.161, F.S.; prohibiting police officers from changing retirement options under certain circumstances; amending s. 185.18, F.S.; revising disability retirement criteria; amending s. 185.21, F.S., relating to death prior to retirement; amending s. 185.221, F.S., relating to reports required to be filed with the Department of Insurance; amending s. 185.24, F.S., relating to annual appropriations; amending s. 185.29, F.S.; providing for employment of legal counsel and other persons by the board; amending s. 185.30, F.S., relating to the deposit of funds and securities of the municipal police officers' retirement trust fund; amending s. 185.31, F.S.; providing for the independence of boards and municipalities; amending s. 185.34, F.S., relating to disability in the line of duty; amending s. 185.35, F.S., relating to municipal pension plans for police officers; amending s. 185.37, F.S.; providing for the termination of funds by the Department of Insurance; creating s. 185.38, F.S.; providing for transfers to other state retirement systems; creating s. 185.39, F.S.; providing applicability of the act; creating s. 185.40, F.S.; providing for costs and attorney's fees; providing an effective date.

By the Committee on Education and Senator Peterson—

**CS for SB 215**—A bill to be entitled An act relating to education; amending s. 232.246, F.S.; requiring school districts to modify courses and programs to meet graduation requirements for exceptional students; providing an effective date.

By the Committee on Commerce and Senator Deratany—

**CS for SB 221**—A bill to be entitled An act relating to consumer protection; creating s. 501.015, F.S.; requiring lessors of consumer goods to place deposits in escrow and receive interest thereon under certain circumstances or to post a security bond to cover such deposits; exempting certain goods and services; providing for a statement of account and for release of deposits and claims against deposits; providing for attorney's fees; providing a penalty; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senator Crawford—

**CS for SB 312**—A bill to be entitled An act relating to a tax on oil, gas, and sulfur production; amending s. 211.01, F.S.; providing definitions; amending s. 211.02, F.S.; imposing an excise tax on oil production; providing a tax rate; providing for measurement of production; creating ss. 211.025, 211.026, F.S.; imposing an excise tax on gas and sulfur production; providing a base rate and an annual tax rate adjustment; providing for measurement of production; creating s. 211.027, F.S.; providing exemptions to the production tax; amending s. 211.06, F.S.; providing for distribution from the Oil and Gas Tax Trust Fund; creating s. 211.075, F.S.; providing filing requirements for tax payment; creating s. 211.076, F.S.; providing for interest and penalties; amending s. 211.09, F.S.; providing for deducting and withholding tax under certain circumstances; creating s. 211.125, F.S.; providing for administration; providing for inspection of records; providing for audits and deficiency assessment; providing a claim for refund; providing for tax executions; amending s. 211.13, F.S.; providing that no additional tax be imposed or the ad valorem tax be increased for certain land; creating s. 211.25, F.S.; providing penalties; amending s. 253.023, F.S.; providing for deposit of certain tax proceeds in the Conservation and Recreation Lands Trust Fund; repealing ss. 211.015, 211.03, 211.031, 211.05, 211.07, 211.08, 211.10, 211.11, 211.12, 211.17, 211.20, F.S., relating to tax on the production of oil and gas; providing a retroactive effective date.

By the Committee on Finance, Taxation and Claims and Senator Crawford—

**CS for SB 314**—A bill to be entitled An act relating to the tax on sales and other transactions; amending s. 212.02, F.S.; providing definitions; amending s. 212.07, F.S.; providing criteria for "resale"; authorizing the Department of Revenue to establish effective tax rates for certain industries under certain circumstances; providing tax liability for certain taxable transactions; amending s. 212.031, F.S.; applying the sales tax to certain licenses in real property; providing exemptions; creating s. 212.0505, F.S.; providing for taxing of unlawful transactions involving certain drugs, cannabis, or controlled substances; providing exemptions; providing for administration; amending s. 212.054, F.S.; providing criteria for collecting, and indicating the amount of, certain surtaxes; creating s. 212.0303, F.S.; creating the County Tourist Resort Tax Act; providing for administration and collection of certain taxes; providing penalties; amending s. 212.0305, F.S.; providing legislative intent; providing for the establishment of a Convention Development Trust Fund; authorizing certain counties to levy convention development taxes; providing proce-

dures for administering and collecting such taxes; providing for uses of tax revenues; providing limitations on imposition of the tax; authorizing counties to levy a tourist development tax; providing procedures for levying such tax; requiring a county advisory council; providing for uses of tax revenues; requiring a referendum; providing for the expiration of such tax ordinance; authorizing certain activities of county tourism promotion agencies; amending s. 212.06, F.S.; providing a definition; applying certain title certificate restrictions to mobile homes and motor vehicles; amending s. 212.08, F.S.; correcting a reference to a certain educational institution for tax-exemption purposes; reviving and readopting s. 212.11, F.S., relating to tax returns and regulations; amending s. 212.12, F.S.; providing a tax collection credit for certain dealers; authorizing the Department of Revenue, under certain circumstances, to use certain sampling procedures in estimating sales taxes due; amending s. 212.18, F.S.; providing registration requirements for certain businesses; providing legislative intent; preserving certain ordinances; repealing ss. 125.0104, 212.057, F.S., s. 5, chapter 84-67, Laws of Florida, s. 8, chapter 84-324, Laws of Florida, s. 2, chapter 84-373, Laws of Florida, relating to convention development taxes and tourist development taxes; providing an effective date.

By the Committee on Commerce and Senator Margolis—

**CS for SB 325**—A bill to be entitled An act relating to balloon mortgages; amending s. 697.05, F.S.; clarifying that the amount to be stated in the legend on the mortgage is the principal balance due at maturity; pro-

viding that the wording of the legend is to be substantially as provided; deleting provisions that conspicuous legend must be in type as large as the largest type used in the text of the instrument; revising provisions relating to automatic extension upon noncompliance by a mortgagee or a third party in trust for a mortgagee or creditor; granting the mortgagor the right to prepay a mortgage without penalty during a required extension period; eliminating the forfeiture-of-interest provision; revising and clarifying existing exemptions; providing exemption for mortgages with respect to transactions in which truth-in-lending statements are furnished; providing exemption for certain mortgages granted by purchasers to sellers of real property pursuant to written purchase and sale agreements; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senator Fox—

**CS for SB 411**—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; providing an appropriation for renovation and equipment of acquired immunodeficiency syndrome clinics at Jackson Memorial Hospital; providing an effective date.

#### CO-INTRODUCERS

Senator Margolis—CS for SB 203; Senators Jennings and Vogt—SB 300; Senator Girardeau—SB 328; Senator Weinstein—SB 359; Senator Frank—SB 371; Senator Kirkpatrick—SB 419; Senator Grant—SB 460; Senator Crenshaw—SB 902