



# Journal of the Senate

Number 4

Tuesday, April 15, 1986

## PRAYER

The following prayer was offered by the Rev. Herbert C. Alexander, Associate Professor, College of Education, FAMU, Tallahassee:

O God, our help in ages past, our hope for years to come, our shelter from the stormy blast and our eternal home.

Bless now this occasion for which we have gathered.

Bless, O Lord our God, the leadership of our state and this august body that has invited the university into this sharing and caring forum.

Bless and preserve we pray the foundation of our university, the beauty of her verdant hills, the inspiration and vitality of her strivings.

Lift high her name and the noble achievements of her sons and daughters. Grant unto her through us a fellowship and kindred tie with all who seek to do thy will.

Bless this day and the power of thy influence in our lives.

Keep "Georgia on our minds" so that we may be more thankful and grateful to thee for our own blessed State of Florida.

May the God of Abraham, Isaac and Jacob ever be our refuge and our strength. 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 10:00 a.m. A quorum present—40:

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

The President announced that today is "FAMU Day" in the legislature and introduced the following guests: Sterlin Adams, executive assistant to the president of Florida A. and M. University; and Leo P. Sams, Jr., vice president of University Relations, Florida A. and M. University.

The President announced that today is "Ray Charles Day" in the Senate.

## Consideration of Resolution

On motion by Senator Thomas, by unanimous consent—

By Senator Thomas—

**SR 720**—A resolution commending Ray Charles for his contribution to the field of entertainment.

WHEREAS, Ray Charles Robinson, known throughout the world as Ray Charles, was born in our neighbor state of Georgia but moved to Florida at an early age, and

WHEREAS, Ray Charles has transcended language barriers, entertaining widely diversified audiences around the world, ranging from adolescents to fans of foreign jazz, country and western, rhythm-and-blues, ballads, gospel, spirituals, rock 'n' roll, Broadway show tunes, American popular music, and contemporary jazz, and

WHEREAS, Ray Charles not only performs but has received critical acclaim as a music composer and arranger, and

WHEREAS, Ray Charles is the recipient of numerous awards in the entertainment field, including multiple leading male vocalist awards in the International Jazz Critics vote conducted by "Down Beat" magazine, numerous Grammy awards from the National Academy of Recording Arts and Sciences, and membership in the Playboy Jazz and Pop Hall of Fame, the Rhythm and Blues Hall of Fame, and the Ebony Black Music Hall of Fame, NOW, THEREFORE,

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

That Ray Charles is hereby commended for his outstanding contribution to the field of entertainment and for the pleasure he has provided to millions of persons throughout the world.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Ray Charles as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read the first time by title. On motion by Senator Thomas, SR 720 was read the second time in full and unanimously adopted.

The President appointed Senators Thomas, Meek, Grant and Girardeau to escort Ray Charles to the rostrum where he was presented copies of the resolution, one of which was prepared in braille by the Division of Blind Services, Department of Education.

Ray Charles then entertained the Senate with his rendition of Merle Haggard's "Three-Fourths Time".

## Presentation of Awards

The President invited to the rostrum Dr. Allen Morris, Clerk of the House of Representatives, and William E. Sweigood, editor of the editorial page of the Florida Times-Union and Jacksonville Journal, 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 1985 Senate:

Runner-up Most Effective in Committee—Pat Thomas

Most Effective in Committee—George Kirkpatrick

Runner-up Most Effective in Debate—Jack Gordon

Most Effective in Debate—Richard Langley

Runner-up Most Effective Member of the Senate—Kenneth Jenne

Most Effective Member of the Senate—John Vogt

## Consideration of Resolutions

On motions by Senator Thomas, by unanimous consent—

By Senator Thomas—

**SR 917**—A resolution honoring Miss Leah Lizette Fischer, 1986 Florida Honey Queen.

WHEREAS, Leah Lizette Fischer, the daughter of Mr. and Mrs. Stephen Fischer of Umatilla, has been selected the 1986 Florida Honey Queen in a contest sponsored by the Florida State Beekeepers Association, and

WHEREAS, the beautiful Miss Fischer was graduated from Umatilla High School in 1984 where she was active in student council, a member of Letterman's Club and the Future Homemakers of America, and a cheerleader, and

WHEREAS, Leah is presently enrolled as a sophomore at Lake Sumter Community College, where she is a Senator in student government and serves as tutor in the V.I.T.A.L. Program for the Lake County School System, and

WHEREAS, energetic Leah enjoys swimming, sailing, racquetball, painting, and traveling in her spare time, and

WHEREAS, Miss Fischer is enthusiastically promoting Florida's bee-keeping industry and talking to children about Florida honey, NOW, THEREFORE,

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

That Miss Leah Lizette Fischer is commended on being selected Florida Honey Queen and for her contributions to the promotion of Florida honey.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Miss Leah Lizette Fischer as a tangible token of the appreciation of the Florida Senate.

—was introduced out of order and read the first time by title. On motion by Senator Thomas, SR 917 was read the second time in full and unanimously adopted.

Senator Thomas introduced Miss Fischer and Karen Joiner of Bristol, Tupelo Honey Queen, who were accompanied by Gloria Merritt of Sopchoppy. They were escorted by Senators McPherson and Stuart to the rostrum where they were greeted by the President.

On motions by Senator Fox, by unanimous consent—

By Senator Fox—

**SR 1092**—A resolution recognizing April 17 as the 2506 Light Assault Brigade Day.

WHEREAS, April 17 marks the anniversary of the Bay of Pigs Invasion, and

WHEREAS, more than 2,000 men participated in the operation, and

WHEREAS, more than 200 members of the brigade were killed during the invasion, including four American pilots assigned the brigade's air forces, and

WHEREAS, a monument at S.W. 8th Street and 13th Avenue in Miami stands as a tribute to the members of the brigade who died in combat and to freedom fighters around the world, and

WHEREAS, the Florida Senate has great sympathy and respect for the members of the 2506 Light Assault Brigade who participated in the Bay of Pigs Invasion, NOW, THEREFORE,

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

That the members of the 2506 Light Assault Brigade are commended for their heroic sacrifices and April 17 is recognized as the 2506 Light Assault Brigade Day.

—was introduced out of order, read the first time by title and referred to the Committee on Rules and Calendar.

On motions by Senator Fox, by two-thirds vote SR 1092 was withdrawn from the Committee on Rules and Calendar read the second time in full and unanimously adopted.

On motions by Senator Kirkpatrick, by unanimous consent—

By Senator Kirkpatrick—

**SR 1103**—A resolution recognizing April 15, 1986, as Professional Firefighter and Rescue/Paramedic Day.

WHEREAS, firefighting is acknowledged as our nation's most hazardous profession, and

WHEREAS, Florida professional firefighters and rescue/paramedics are recognized worldwide as among the best trained and most highly skilled members of their professions, as witnessed by their involvement in the recent Mexican earthquake, and

WHEREAS, Florida professional firefighters and rescue/paramedics place their lives in jeopardy and risk bodily injury daily to serve their fellow-man, saving lives and property, and

WHEREAS, national statistics indicate that almost 50 percent of Florida's professional firefighters and rescue/paramedics will receive some type of injury in 1986, and

WHEREAS, in spite of the danger these men and women face, they remain dedicated and committed to protecting life and property in Florida, NOW, THEREFORE,

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

That the Senate of the State of Florida hereby recognizes Tuesday, April 15, 1986, as Professional Firefighter and Rescue/Paramedic Day.

—was introduced out of order, read the first time by title and referred to the Committee on Rules and Calendar.

On motions by Senator Kirkpatrick, by two-thirds vote SR 1103 was withdrawn from the Committee on Rules and Calendar, read the second time in full and unanimously adopted.

#### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, April 15, 1986: SB 8, SB 45, SB 52, SB 55, CS for SB 56, CS for SB 57, CS for SB 66, CS for SB 76, CS for SB 157, CS for SB 107, CS for SB 110, SB 178, CS for SB 179, CS for SB 181, CS for SB 203

Respectfully submitted,  
*Kenneth C. Jenne, Chairman*

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 16

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

The Committee on Corrections, Probation and Parole recommends the following pass: SB 374 with 2 amendments, SB 456

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 198, SB 229

The Committee on Judiciary-Criminal recommends the following pass: SB 341

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

The Committee on Commerce recommends the following pass: SB 75 with 2 amendments, SB 423 with 1 amendment

**The bills were referred to the Committee on Finance, Taxation and Claims under the original reference.**

The Committee on Judiciary-Criminal recommends the following pass: SB 141 with 7 amendments

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

The Committee on Judiciary-Criminal recommends the following pass: SB 241 with 2 amendments

**The bill was referred to the Committee on Natural Resources and Conservation under the original reference.**

The Committee on Judiciary-Criminal recommends the following pass: SB 350

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

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 311

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

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 183

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 307

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

The Committee on Health and Rehabilitative Services recommends that the Senate confirm the appointment made by the Governor of William J. Page, Tallahassee, as Secretary of Health and Rehabilitative Services, to serve at the pleasure of the Governor.

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 Malchon—

**SB 614**—A bill to be entitled An act relating to nurses; amending s. 395.011, F.S.; providing for application for hospital staff membership and professional clinical privileges of advanced registered nurse practitioners; prohibiting denial of an application under certain conditions; providing criteria for practice by certain advanced registered nurse practitioners; providing an effective date.

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

By Senator Langley—

**SB 615**—A bill to be entitled An act relating to conveyances; providing for estates by the entirety in real property mortgages and assignments of real property mortgages; providing severability; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Beard—

**SB 616**—A bill to be entitled An act relating to motor vehicle operation and equipment; amending ss. 316.082, 316.087, 316.090, 316.271, 316.455, 324.201, F.S., relating to passing vehicles proceeding in opposite directions, limitations on driving to left of center of roadway, driving on divided highways, horns and warning devices, motorcycle and motor-driven cycle equipment, and return of license or registration to the Department of Motor Vehicle and Highway Safety; reorganizing said sections so that a single violation is listed in a separate subdivision and otherwise clarifying the provisions of said sections; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Thurman—

**SB 617**—A bill to be entitled An act relating to road designations; designating a portion of State Road 40 as the "James C. Cunningham Memorial Highway"; authorizing suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Thurman—

**SB 618**—A bill to be entitled An act relating to dance studio services; creating s. 501.015, F.S.; creating the "Dance Studio Act"; providing findings; providing definitions; specifying applicability; requiring contracts for dance studio services to contain specified provisions; providing a customer's right to cancel; prohibiting certain provisions in contracts for dance studio services; requiring posting of bond; specifying prohibited acts; specifying customer's remedies; providing for award of treble damages, costs, and attorney's fees; providing an exemption; providing penalties; providing an effective date.

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

By Senator Thurman—

**SB 619**—A bill to be entitled An act relating to land development; amending s. 177.031, F.S.; defining "setback requirement" in provisions relating to platting; amending s. 177.071, F.S.; requiring verification that plats include on their face applicable setback requirements before their approval by the governing body; amending s. 177.091, F.S.; prohibiting developers from imposing setback requirements unless they are shown on

the plat; creating s. 472.018, F.S.; imposing financial responsibility requirements upon land surveyors as a condition of licensure; providing an exception; amending s. 553.79, F.S.; prohibiting the issuance of building permits unless they disclose applicable setback requirements; providing for review and repeal; providing an effective date.

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

By Senator Thurman—

**SB 620**—A bill to be entitled An act relating to fraudulent practices; creating s. 817.037, F.S., to make it a misdemeanor to engage in the practice of fraudulently seeking a refund; requiring the posting of notice by business establishments; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Johnson—

**SB 621**—A bill to be entitled An act relating to educational finance; amending s. 236.081, F.S.; revising the method of computing district required local effort millage; providing an effective date.

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

By Senator Johnson—

**SB 622**—A bill to be entitled An act relating to the district school system; amending s. 230.2319, F.S.; authorizing bicycle safety training in physical education programs; providing an effective date.

—was referred to the Committee on Education.

By Senator Kiser—

**SB 623**—A bill to be entitled An act relating to administrative procedures; amending ss. 120.52, 120.57, 120.59, 120.68, F.S.; providing that if an agency elects to proceed under s. 120.57(1), F.S., before a hearing officer assigned by the Division of Administrative Hearings of the Department of Administration, the final order of the hearing officer is final agency action; providing definitions; providing for preliminary and final orders; providing for judicial review; deleting authorization of agency to grant stay; providing for remand; providing for attorney's fees; providing an effective date.

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

By Senator Myers—

**SB 624**—A bill to be entitled An act relating to the "Florida Home Equity Conversion Act"; amending ss. 697.203, 697.204, and 697.205, F.S., extending the time period for mortgages issued under the act; revising language with respect to the term of the loan under the act; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Myers—

**SB 625**—A bill to be entitled An act relating to condominiums; amending s. 718.112, F.S.; requiring the bylaws of a condominium association to contain a provision for voluntary binding arbitration of disputes arising from the operation of a condominium among developers, unit owners, associations, and their agents and assigns; providing an effective date.

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

By Senator Gordon—

**SB 626**—A bill to be entitled An act relating to workers' compensation; amending s. 440.13, F.S., relating to limitations on charges for medical services under the Workers' Compensation Law; providing procedures and considerations for determining schedules of maximum reimbursement allowances to health care providers; providing for adoption of such schedules by rule by the Department of Labor and Employment Security; providing for certain payment to hospitals when the applicable schedule is based on diagnosis-related groups; defining "schedules" for purposes of such reimbursement systems; providing criteria for establishment of systems based on diagnosis-related groups; providing for establishment of

policies authorizing additional reimbursement due to atypical circumstances; prohibiting use of schedules based on diagnosis-related groups for rehabilitation services; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator McPherson—

**SB 627**—A bill to be entitled An act relating to pari-mutuel wagering; creating s. 551.032, F.S., authorizing an additional number of nights of operation for jai alai permittees; providing an effective date.

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

By Senator Margolis—

**SB 628**—A bill to be entitled An act relating to insurance; amending s. 628.461, F.S., relating to acquisition of controlling stock of a domestic stock insurer; creating s. 628.4615, F.S., providing for acquisition of controlling stock, ownership interest, assets or control; merger or consolidate with respect to allied lines insurers; providing penalties; amending ss. 631.051 and 642.032, F.S., conforming language to the act; amending ss. 634.252, 634.3073, 634.4085, 641.255, and 641.416, F.S.; creating ss. 637.153, 637.316, 637.422, 638.052, 639.106, 641.125, and 651.024, F.S., providing similar procedures with respect to acquisition for motor vehicle service agreement companies, home warranty associations, service warranty associations, optometric service plans, pharmaceutical service plans, dental service plan corporations, ambulance service associations, sellers of preneed contracts, health care service plans, health maintenance organizations; prepaid health clinics, and life care facilities; providing for review and repeal; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Thurman—

**SB 629**—A bill to be entitled An act relating to retail and farm theft; amending s. 812.015, F.S., providing definitions; revising language with respect to retail and farm theft; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Johnson—

**SB 630**—A bill to be entitled An act relating to Sarasota County; amending chapter 70-929, Laws of Florida, as amended; adding certain parcels of land to the Warm Mineral Springs Lighting District, No. 1; increasing the maximum allowable millage for such district; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Frank—

**SB 631**—A bill to be entitled An act relating to the Administrative Procedure Act; amending s. 120.54, F.S., relating to the adoption of rules, to extend the time within which affected persons may request a hearing with respect thereto; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Kiser—

**SB 632**—A bill to be entitled An act relating to battery; amending s. 794.011, F.S.; prohibiting any battery involving the touching by the sexual organ or the touching of the vagina or anus; providing penalties; including such prohibition within the statutory provisions relating to sexual battery; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Kiser—

**SB 633**—A bill to be entitled An act relating to mobile home park tenancies; amending s. 723.061, F.S.; providing for the purchase of the mobile home or payment of relocation expenses of certain evicted mobile home park tenants by a mobile home park owner; providing for the determination of fair market value or reasonableness of relocation by the circuit court under certain circumstances; providing an effective date.

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

By Senator Kiser—

**SB 634**—A bill to be entitled An act relating to public education; amending s. 228.041, F.S., and creating s. 240.123, F.S.; requiring that the school year for public schools and the fall semester for public postsecondary educational institutions shall not begin prior to Labor Day; providing an effective date.

—was referred to the Committee on Education.

By Senator Dunn—

**SB 635**—A bill to be entitled An act relating to attorney's fees; amending s. 57.105, F.S.; changing the standard for award; providing for liberal construction of provisions providing for awards of attorney's fees in civil actions under certain circumstances; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator D. Childers—

**SB 636**—A bill to be entitled An act relating to consumer protection; providing that a check received as a deposit for the sale of goods or services may not be cashed, deposited, or otherwise negotiated until the sale is approved; providing for return of such check upon disapproval of the sale; providing an effective date.

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

By Senator Plummer—

**SB 637**—A bill to be entitled An act relating to Monroe County; amending section 1 of chapter 76-438, Laws of Florida; providing that the county shall pay the monthly premiums for continued insurance of retired officials and employees who meet the requirements of the Florida Retirement System; providing that retired officials and employees who do not meet such requirements may continue to be insured and pay the premiums therefor; excluding coverage for dependents; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Myers—

**SB 638**—A bill to be entitled An act relating to governmental reorganization; amending ss. 20.19, 20.261, F.S.; creating s. 20.191, F.S.; creating the Department of Public Health; specifying functions of the department; providing for appointment of the head of the department; transferring activities, programs, and functions of the Department of Health and Rehabilitative Services relating to health matters or environmental matters to the Department of Public Health; transferring the Division of Environmental Programs of the Department of Environmental Regulation to the Department of Public Health; changing the name of the Department of Health and Rehabilitative Services to the Department of Human and Social Services; providing an effective date.

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

By Senator Deratany—

**SB 639**—A bill to be entitled An act relating to local government code enforcement boards; amending ss. 162.06, 162.07, 162.09, and 162.12, F.S.; revising procedures and requirements for hearings held by said board, notices, and orders issued by said boards; providing an effective date.

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

By Senator Deratany—

**SB 640**—A bill to be entitled An act relating to the acquisition of rights-of-way for roads; amending s. 337.241, F.S.; providing for the recording of certain maps by the Department of Transportation or certain expressway authorities after an advertised public hearing; extending the time for the department or expressway authority to acquire certain property following an administrative hearing; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Kirkpatrick—

**SCR 641**—A concurrent resolution commending Ernest Ellison for 22 years of outstanding service as Auditor General of the State of Florida.

—was referred to the Committee on Rules and Calendar.

By Senator Kirkpatrick—

**SB 642**—A bill to be entitled An act relating to financial matters; creating s. 215.424, F.S.; providing findings; providing definitions; creating a cause of action for treble damages for submission of materially incorrect claims or invoices to state or local agencies; providing for costs; providing for attorney's fees; providing for administrative fines; authorizing the Department of Legal Affairs or local agencies to institute such actions; providing for disposition of such fines, costs, fees, and damages; providing an effective date.

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

By Senator Kirkpatrick—

**SB 643**—A bill to be entitled An act relating to food products; amending s. 500.10, F.S.; excluding from the definition of adulterated food certain confectioneries which contain less than 5 percent of alcohol by volume; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Kirkpatrick—

**SB 644**—A bill to be entitled An act relating to State University System funding; amending s. 240.271, F.S.; allowing the Board of Regents to reduce enrollment, on a pilot basis, at any state university with an approved plan to improve the quality of undergraduate education; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Kirkpatrick—

**SB 645**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.05, F.S.; providing application to the sale of boats; providing for exemptions under specified circumstances; providing penalties; amending s. 212.06, F.S.; revising provisions relating to exemptions from use tax; providing conditions for exemption of boats from use tax; providing application of sales tax to sales of such boats; amending s. 212.085, F.S.; providing penalties for illegal claims for total or partial tax exemption; providing for rules; providing an effective date.

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

By Senator Kirkpatrick—

**SB 646**—A bill to be entitled An act relating to the Department of Professional Regulation; amending s. 20.30, F.S.; revising the list of regulatory boards within the department to conform to other provisions of law; providing an effective date.

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

By Senator Kirkpatrick—

**SB 647**—A bill to be entitled An act relating to drivers' licenses; creating s. 322.055, F.S.; requiring proof of completion of an approved alcohol awareness course prior to issuance of a license to a person under a specified age; prohibiting issuance of a license to a person under a specified age who has been found guilty of specified alcohol-related or drug-related offenses; providing an effective date.

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

By Senator Johnson—

**SB 648**—A bill to be entitled An act relating to elections; amending s. 102.031, F.S.; prohibiting solicitation on certain private property; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Crawford—

**SB 649**—A bill to be entitled An act relating to a special election for the approval or rejection by the electors of a joint resolution relating to a state bond bank; providing for publication of notice and for procedures; providing an effective date.

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

By Senator Hill—

**SB 650**—A bill to be entitled An act relating to traffic control; amending ss. 318.14, 318.18, 320.0605, 320.07, 322.03, 322.15, F.S.; providing that specified violations are noncriminal traffic infractions; providing penalties; requiring persons electing an alternative penalty to provide proof of compliance prior to attending the driver improvement course; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Hill—

**SB 651**—A bill to be entitled An act relating to inmates of the Department of Corrections who are in mental health treatment facilities; amending s. 945.48, F.S.; specifying procedures for providing medical treatment to such inmates; allowing the administrator or his designee to authorize emergency medical treatment of an inmate, as specified; conforming language; providing an effective date.

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

By Senator Malchon—

**SB 652**—A bill to be entitled An act relating to ad valorem tax administration; amending s. 197.592, F.S.; providing that certain lands acquired by a county for delinquent taxes which are located within the boundaries of an incorporated municipality shall be conveyed to the governing board of the municipality; providing that liens of record held by the county on tax delinquent lands do not survive specified conveyances; providing an effective date.

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

By Senator Malchon—

**SB 653**—A bill to be entitled An act relating to elderly persons; requiring the Department of Community Affairs to establish an advisory group on housing for the elderly; requiring the Department of Health and Rehabilitative Services to provide specified services relating to housing for the elderly; requiring reports to the Legislature; providing appropriations; providing an effective date.

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

By Senator Scott—

**SB 654**—A bill to be entitled An act relating to municipalities; creating s. 171.046, F.S., to prohibit special laws and general laws of local application which provide for annexation, or for the extension or enlargement of boundaries, except upon approval at a dual referendum; providing an effective date.

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

By Senator McPherson—

**SB 655**—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.027, F.S.; limiting rulemaking authority of the Marine Fisheries Commission; amending s. 370.06, F.S.; providing licensing requirements for certain activities relating to saltwater products; providing license fees; providing for license fee distribution; authorizing the Department of Natural Resources to adopt certain rules for processing and issuing licenses; amending s. 370.07, F.S.; providing for the confidentiality of certain seafood dealer reports; amending s. 370.071, F.S.; authorizing the Department of Natural Resources to adopt rules for the regulation of seafood processors; providing a license requirement and fee; providing for deposit of license revenue; authorizing the department to revoke such license under certain circumstances; amending ss. 370.08,

370.101, 370.13, 370.135, F.S.; providing regulations and license requirements with respect to use of gear and other equipment, use of poisons, drugs, and chemicals, catching or possessing saltwater fish, taking of stone crabs, and taking of blue crabs; providing penalties; repealing s. 370.082(2), F.S., relating to the confiscation of unattended nets and devices in specified counties; amending s. 370.14, F.S.; providing license requirements for harvesting crawfish; providing for trap numbers; providing for disposition and use of proceeds from license fees; amending ss. 370.15, 370.151, 370.155, 370.156, F.S.; providing regulations for shrimping; providing license requirements; providing for deposit of license revenues; providing penalties; amending s. 370.16, F.S.; providing regulations for oyster, clam, and mussel harvesting; providing license requirements; prohibiting all dredging of shell deposits; providing penalties; amending s. 370.17, F.S.; providing a nonresident license requirement for sponge fishing; amending s. 327.28, F.S.; providing for distribution of funds in the Motorboat Revolving Trust Fund; providing that this act does not affect the scheduled repeal of certain provisions of the Florida Statutes; amending s. 2, ch. 80-52, Laws of Florida; providing license requirements for the harvesting and transport of oysters for commercial use; amending s. 6, ch. 83-134, Laws of Florida, as amended; revising the list of statutory provisions relating to marine fisheries that will stand repealed upon adoption of appropriate rules by the Governor and Cabinet; providing that certain rules shall remain in force as rules of the Department of Natural Resources; providing an effective date.

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

By Senator Frank—

**SB 656**—A bill to be entitled An act relating to anatomical gifts; creating s. 732.922, F.S.; providing duties of hospital administrators with respect to requests for anatomical gifts; providing for execution of gifts; requiring Department of Health and Rehabilitative Services rules; providing that no recovery be allowed under certain circumstances; providing an effective date.

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

By Senators W.D. Childers and Thomas—

**SCR 657**—A concurrent resolution recognizing the Florida Tribe of Eastern Creek Indians.

—was referred to the Committee on Rules and Calendar.

By Senator W.D. Childers—

**SB 658**—A bill to be entitled An act relating to district school board direct-support organizations; amending s. 496.04, F.S.; exempting certain district school board direct-support organizations from the registration requirements of the Solicitation of Charitable Contributions Act; providing an effective date.

—was referred to the Committees on Education and Commerce.

By Senator Vogt—

**SB 659**—A bill to be entitled An act relating to road designation; designating and naming State Road 407 from State Road 528, the Bee Line Expressway, to State Road 405, Columbia Boulevard, the "Challenger Memorial Parkway"; providing for appropriate markers to be erected by the Department of Transportation; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Vogt—

**SB 660**—A bill to be entitled An act relating to beverage law enforcement; amending s. 562.45, F.S.; authorizing counties and incorporated municipalities to enact ordinances regulating certain conduct at certain establishments licensed under the Beverage Law; providing an effective date.

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

By Senators Plummer and Weinstein—

**SB 661**—A bill to be entitled An act relating to motor vehicle insurance; amending s. 324.011, F.S.; changing the purpose of the chapter on

financial responsibility; creating s. 324.012, F.S.; requiring owners and operators of motor vehicles to maintain proof of financial ability to respond in damages for liability; providing penalties; creating s. 324.013, F.S.; requiring insurers to notify the Department of Highway Safety and Motor Vehicles upon the cancellation or nonrenewal of certain motor vehicle insurance policies; amending s. 324.021, F.S.; changing the definition of motor vehicle; amending s. 324.051, F.S.; providing for suspensions of licenses and registrations under certain circumstances; amending ss. 324.061, 324.071, 324.121, 324.131, and 324.191, F.S., making conforming changes; creating s. 316.646, F.S.; requiring operators of a motor vehicle to possess proof of maintenance of required security in their immediate possession; providing for display of such proof upon demand; providing for dismissal of charges upon display of proof of security; providing a penalty; repealing s. 324.251, F.S.; deleting an obsolete short title; providing an effective date.

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

By Senator Plummer—

**SB 662**—A bill to be entitled An act relating to drivers' licenses; amending s. 316.193, F.S.; providing that a fourth conviction for driving under the influence constitutes a third degree felony; amending s. 316.1932, F.S.; providing for increased periods of suspension and authorizing revocation of driver's licenses of persons for refusal to submit to tests for alcohol or certain substances; authorizing such persons to apply for restricted privileges; amending s. 322.03, F.S., requiring any person applying for a driver's license who has been convicted two or more times of the offense of driving under the influence to present proof of completion of an approved substance abuse education course and proof of financial responsibility; amending s. 322.271, F.S., defining business purposes only and employment purposes as restrictions to driving privileges; providing for reinstatement of driving privileges for persons convicted of two or more offenses for driving under the influence and limiting reinstatement to employment purposes only; requiring such persons to remain under the supervision of approved education or treatment programs; providing that such persons shall assume reasonable costs for the continuing supervision; providing for cancellation of such person's driving privilege for failure to comply with such continuing supervision; amending s. 322.291, F.S., relating to enrollment in substance abuse treatment course for reinstatement of a driving privilege; authorizing cancellation of such privilege if the treatment course is not completed within a specified period; providing an effective date.

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

By Senator Hair—

**SB 663**—A bill to be entitled An act relating to public examination of documents; amending s. 624.319, F.S.; excluding certain lists of insurers or regulated companies being monitored by the Department of Insurance from public inspection under certain circumstances; providing an effective date.

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

By Senator Mann—

**SB 664**—A bill to be entitled An act relating to campaign financing; amending s. 106.03, F.S.; providing that the nature of the interest or interests represented by political committees shall be included in their statements of organization; amending s. 106.04, F.S.; providing that committees of continuous existence shall include in certain reports the nature of the business of certain contributors and the nature of the interest or interests represented by certain political committees or committees of continuous existence, for which there is a penalty for failure to comply; amending s. 106.07, F.S.; modifying filing requirements of campaign contribution and expenditure reports due on the Friday immediately preceding any election; providing additional information required of all campaign contribution and expenditure reports, for which there is a penalty for failure to comply; amending s. 106.15, F.S.; prohibiting use in any political campaign of state, county, or municipal workers during working hours; prohibiting solicitation of contributions at certain state, county, or municipal buildings; providing a penalty; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Malchon—

**SB 665**—A bill to be entitled An act relating to consumer protection; amending s. 501.021, F.S.; including lease and rental transactions in the definition of "home solicitation sale"; creating s. 501.022, F.S.; providing for permits for home solicitation sales, to be issued by the sheriff in each county; providing exemptions; providing for fees; providing for denial, suspension, or revocation of the permit; amending s. 501.035, F.S.; providing exclusions from the act; amending s. 501.046, F.S.; requiring affected businesses to ensure compliance on the part of their employees; amending s. 501.047, F.S.; proscribing certain practices with respect to home solicitation sales; amending s. 501.055, F.S.; providing penalties; providing an effective date.

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

By Senator Deratany—

**SB 666**—A bill to be entitled An act relating to the South Brevard Water Authority; amending sections 1, 4, 6, 10, and 13, chapter 83-375, Laws of Florida; providing legislative intent; providing for appointments to fill vacancies on the governing board; authorizing the district to furnish water outside the district; granting new powers and duties to the authority; establishing limitations on its powers; establishing a procedure to amend the authority budget and boundaries; 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 Peterson—

**SB 667**—A bill to be entitled An act relating to education; amending s. 230.23, F.S.; authorizing school boards to provide awards and incentives; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senators Peterson and W.D. Childers—

**SB 668**—A bill to be entitled An act relating to public school finance; providing that a total revenue deficiency allocation be made to school districts that are calculated to be below the state average when considering all general fund operating revenues available for appropriation; providing that certain revenues available for appropriation be excluded from the calculation; providing that any operating discretionary millage not levied be included in the calculation; providing that weighted full-time equivalent student membership be used in the calculation; providing that district cost differentials be applied in the calculation; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senators Mann, Castor and Frank—

**SB 669**—A bill to be entitled An act relating to elections; creating ss. 106.30-106.36, F.S., the Florida Election Campaign Financing Act; creating an Election Campaign Financing Fund and providing for appropriations thereto; authorizing contributions to certain statewide candidates; providing eligibility requirements; providing for expenditure limitations; providing distribution procedures; providing penalties; amending s. 106.141, F.S.; providing for disposition of surplus campaign funds by persons who receive contributions from the fund; amending s. 106.22, F.S.; providing for audits of campaign accounts of such persons; providing an effective date.

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

By Senator Fox—

**SB 670**—A bill to be entitled An act relating to domestic relations; amending s. 61.001, F.S., relating to the construction and purposes of ch. 61, F.S.; providing technical changes; creating s. 61.046, F.S.; providing definitions for purposes of ch. 61, F.S.; amending ss. 61.052, 61.08, 61.09, 61.10, F.S., relating to dissolution of marriage, alimony, alimony and child support unconnected with divorce, and adjudication of obligation to support spouse or minor child; providing changes in terminology and technical changes; amending s. 61.13, F.S.; providing that child support orders contain provisions for health insurance when it is reasonably avail-

able; prohibiting the withholding of support payment because the custodial parent refuses to honor visitation rights; prohibiting the custodial parent from preventing visitation for failure to make child support payments; authorizing certain relief; providing a remedy; amending s. 61.1301, F.S.; providing for the issuance of income deduction orders; providing for a statement to an obligor regarding his rights, remedies, and duties with regard to an income deduction order; creating s. 61.13015, F.S.; providing for the enforcement of income deduction orders; providing procedures; providing for collection of administrative costs; providing civil penalties; creating s. 61.1352, F.S.; providing for claims of lien against real and personal property when an obligor is delinquent in any payment ordered pursuant to ch. 39, ch. 61, ch. 88, ch. 409, or ch. 742, F.S.; providing procedures; creating s. 61.1354, F.S.; providing for the sharing of information between consumer reporting agencies and the IV-D agency; amending s. 61.14, F.S., relating to modification of support, maintenance, or alimony agreements or orders; providing conforming and technical changes; amending s. 61.181, F.S.; providing for a central depository for alimony and child support payments; requiring the depository to provide reports to the IV-D agency; providing for the acceptance of personal checks; providing fees; creating s. 61.182, F.S.; providing for expedited procedures for establishing and enforcing support in certain cases; providing for the appointment of special masters; prescribing duties; creating s. 61.1822, F.S.; providing exceptions to provisions for expedited procedures; creating s. 61.183, F.S.; providing for mediation; providing procedures; providing for the confidentiality of certain information; providing that conduct or statements made during a mediation proceeding are inadmissible in any civil proceeding; amending ss. 88.065, 88.121, F.S., relating to conditions of interstate rendition and to the representation of petitioners; providing conforming language; providing that private counsel in non-IV-D cases may represent a petitioner in the proceedings; amending s. 88.151, F.S.; providing for the assessment of application fees, filing fees, attorney's fees, court costs, and administrative costs from a respondent in a court order; providing that the petitioner shall be responsible if costs cannot be recovered from respondent; authorizing the IV-D agency to impose and collect fees for services rendered; amending ss. 88.181, 88.191, F.S., relating to the duty of this state as responding state and of the other state as responding state; providing conforming language; amending s. 88.211, F.S.; requiring the responding court if it finds a duty of support to enter separate income deduction orders pursuant to ch. 61, F.S.; providing conforming language; amending s. 88.251, F.S., relating to additional duty of initiating court; providing conforming language; amending ss. 88.297, 88.345, 88.351, F.S., relating to appeals, representation, and registration procedures; providing conforming language; amending s. 95.11, F.S.; providing that the statute of limitations in determination of paternity proceedings runs from the date the child reaches majority; amending s. 409.2551, F.S., relating to legislative intent with respect to enforcement of support for financially dependent children; providing conforming language; amending s. 409.2554, F.S.; providing definitions for purposes of ss. 409.2551-409.2597, relating to public assistance and actions for support; amending s. 409.2561, F.S., relating to public assistance payments and reimbursement of obligation to the Department of Health and Rehabilitative Services; providing conforming language; amending s. 409.2564, F.S.; providing that any order issued by the court as a result of an action shall require payments to be made to the department through the central depository; requiring the depository to provide to the department certified payment statements at no cost to the department; requiring the department to notify the depository to redirect payments in certain cases; specifying that the IV-D agency is a party in certain actions; providing conforming language; amending s. 409.2567, F.S., relating to services to individuals not otherwise eligible; providing conforming language and technical changes; creating s. 409.2569, F.S.; providing for continuation of services to public assistance recipients after benefits terminate; amending s. 409.2571, F.S., relating to court and witness fees and bond; providing conforming language; amending s. 409.2572, F.S.; specifying terms of cooperation in public assistance cases; amending s. 409.2574, F.S.; providing for enforcement of income deduction orders in IV-D cases; amending s. 409.2584, F.S.; providing for the collection of interest of 10 percent per year on certain support obligations; amending s. 742.011, F.S.; specifying persons who may bring a paternity action; amending s. 742.021, F.S., relating to venue in paternity proceedings; providing conforming language and technical changes; amending s. 742.031, F.S.; deleting the authority for paternity issues to be tried by a jury; providing that the court shall order either or both parents to pay support; amending s. 742.10, F.S.; providing that ch. 742, F.S., establishes the primary jurisdiction and procedures for determining paternity; creating s. 742.12, F.S.; providing for scientific testing to determine paternity; providing for payment of test fees; requiring that the

Supreme Court, by rule, establish state guidelines for determining child support award amounts; amending section 6 of ch. 85-178, Laws of Florida, to continue three comprehensive child support enforcement projects; providing that the state Title IV-D agency may withhold funds or terminate the contract for failure to comply with federal Title IV-D requirements; providing for an evaluation of the projects; providing an appropriation; repealing s. 61.081, F.S., relating to issuance of income deduction orders in conjunction with alimony orders; repealing s. 61.1306, F.S., relating to definitions under the Uniform Child Custody Jurisdiction Act; repealing s. 88.031(11), F.S., relating to the definition of prosecuting attorney under the Revised Uniform Reciprocal Enforcement of Support Act; repealing s. 409.2587, F.S., relating to uncollectible child support debts; repealing s. 742.041, F.S., relating to monthly child support contributions; providing that the legality of income deduction orders, child support orders, and alimony orders entered prior to the effective date of the act shall not be affected; providing that causes of actions accruing prior to the effective date of the act shall not be affected; providing severability; providing effective dates.

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

By Senator Myers—

**SB 671**—A bill to be entitled An act relating to the administration of environmental functions; creating the Department of Environmental and Resource Management; providing for the head of the department; establishing divisions within the department, including a division to coordinate the various water management districts in the management of water as a state resource; transferring the Department of Natural Resources, the Department of Environmental Regulation, including the Environmental Regulation Commission, and the Division of Forestry of the Department of Agriculture and Consumer Services to the new department; providing for the appointment of assistant executive directors; repealing ss. 20.14(2)(f), 20.25, and 20.261, F.S., relating to the Division of Forestry, the Department of Natural Resources, and the Department of Environmental Regulation; providing for the preparation of a reviser's bill to conform to organizational changes; providing an effective date.

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

By Senator Dunn—

**SB 672**—A bill to be entitled An act relating to elections; amending s. 101.5609, F.S.; revising ballot requirements; amending s. 101.5610, F.S.; providing for inspection of ballot information by election board; amending s. 101.5614, F.S., relating to canvass of returns; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Dunn—

**SB 673**—A bill to be entitled An act relating to claims against the state; amending s. 284.385, F.S.; authorizing the Department of Insurance to enter into structured settlements to pay claims against the state arising out of tort or federal civil rights actions; exempting such settlements from competitive bidding requirements; limiting amount of such settlements; authorizing payment of attorney's fees; providing an effective date.

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

By Senator Dunn—

**SB 674**—A bill to be entitled An act relating to health care practitioners; amending s. 455.241, F.S.; providing that such practitioners shall furnish certain patient information to the patient or his legal representative upon request; prohibiting the release of such information to others without the patient's consent; providing exceptions; providing an effective date.

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

By Senator Dunn—

**SB 675**—A bill to be entitled An act relating to county or municipal code enforcement; amending s. 162.09, F.S., providing that a certified copy of an order imposing a fine recorded in the public records shall con-

stitute a lien against certain real or personal property; amending s. 162.10, F.S., increasing the duration of the lien; amending s. 162.12, F.S., providing that the sheriff or another law enforcement officer may serve notice; providing an effective date.

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

By Senator Plummer—

**SB 676**—A bill to be entitled An act relating to motor vehicle liability insurance; amending s. 626.9541, F.S.; changing restrictions upon increases in premiums for, or refusal to review, motor vehicle liability insurance solely because of certain noncriminal traffic infractions; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Peterson—

**SB 677**—A bill to be entitled An act relating to education; amending s. 232.425, F.S.; providing for ineligibility for participation in extracurricular activities upon receipt of a failing grade as a semester average in a subject; providing an effective date.

—was referred to the Committee on Education.

By Senator Langley—

**SJR 678**—A joint resolution fixing the effective date for Senate Bill 661, which relates to weapons and firearms and which was passed in the 1985 Regular Session and vetoed by the Governor.

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

By Senator Girardeau—

**SB 679**—A bill to be entitled An act relating to insurance; creating ss. 627.6403 and 627.6618, F.S., requiring individual and group health insurance policies that provide acupuncture coverage to meet certain conditions; providing for review and repeal; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Girardeau—

**SB 680**—A bill to be entitled An act relating to discriminatory practices; creating s. 760.38, F.S.; providing for confidentiality of certain records relating to complaints of discriminatory practices filed with certain governmental agencies; providing for review and repeal; providing an effective date.

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

By Senator McPherson—

**SB 681**—A bill to be entitled An act relating to airports and air commerce; creating s. 331.20, F.S., authorizing counties which own and operate airports to expend funds for the purposes of publicizing, advertising, and promoting their airports and related facilities; providing an effective date.

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

By Senator McPherson—

**SB 682**—A bill to be entitled An act relating to financial assistance to public libraries; creating part II of chapter 257, F.S., the "Public Library Financial Assistance Act of 1986"; imposing a tax on the sale or transfer of printed materials and spoken book audiotapes; providing exemptions; providing powers of the Department of Revenue relating to administration, collection, enforcement and audits; providing penalties and interest and providing for application of certain enforcement and penalty provisions; creating the Public Library Financial Assistance Trust Fund and providing for deposit of tax proceeds therein; providing for distribution of funds to library administrative units; providing an appropriation to the trust fund and providing for repayment; providing an effective date.

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

By Senator Peterson—

**SB 683**—A bill to be entitled An act relating to education; amending s. 232.2454, F.S.; requiring the State Board of Education to identify vocational education as an area for which assessment procedures to measure student performance are to be developed; providing an effective date.

—was referred to the Committee on Education.

By Senator Malchon—

**SB 684**—A bill to be entitled An act relating to lotteries; prohibiting any person who sells food for consumption off the premises from selling lottery tickets or similar devices; providing exceptions; providing penalties; providing an effective date.

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

By Senator Malchon—

**SB 685**—A bill to be entitled An act relating to drugs, devices, and cosmetics; creating s. 499.0052, F.S., prohibiting certain false or misleading advertisement, or the manufacture, repackaging, sale, or distribution of any falsely advertised or labeled drug, device, or cosmetic; prohibiting advertisement that a drug or device has any effect on certain conditions, disorders, diseases, or processes; creating s. 499.0053, F.S., providing an exemption for certain advertisements directed at health professionals or provided for educational purposes; providing for advertisement of drugs or devices for self-medication, under certain circumstances; amending s. 499.066, F.S., increasing the fine for violation of the Florida Drug and Cosmetic Act; providing for deposit of fines in the Florida Drug, Device, and Cosmetic Trust Fund; providing for review and repeal; providing an effective date.

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

By Senator Malchon—

**SB 686**—A bill to be entitled An act relating to health care; creating the Patient's Bill of Rights; providing definitions; providing purpose; providing rights of patients to individual dignity, receipt of information, including financial information, access to health care, notice of experimental research, and notice of the terms of the Patient's Bill of Rights; providing a grievance procedure; providing a cause of action for damages resulting from noncompliance; amending ss. 458.331, 459.015, 395.005, 395.0115, F.S.; providing that a violation of the Patient's Bill of Rights is grounds for disciplinary action against medical doctors, osteopaths, and health care facilities; providing for adoption of rules; providing an effective date.

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

By Senator Plummer—

**SB 687**—A bill to be entitled An act relating to the Coupon Bight Aquatic Preserve; providing a policy statement, a definition, a report on recommended legislative and administrative action, and a program of research and public awareness; providing responsibility of the Coupon Bight Aquatic Preserve Protection Association and for use of certain moneys thereby; providing an effective date.

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

By Senator Plummer—

**SB 688**—A bill to be entitled An act relating to motor vehicle insurance; creating s. 627.7282, F.S.; providing for return of premium when motor vehicle insurance is canceled by the insured; providing interest penalties; authorizing civil remedies; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Plummer—

**SB 689**—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.727, F.S.; clarifying the applicability of provisions authorizing certain motor vehicle lessees to accept or reject uninsured motor vehicle coverage; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Margolis—

**SB 690**—A bill to be entitled An act relating to nursing homes; creating s. 400.142, F.S.; requiring specified nursing homes to have at least one registered nurse on duty at all times; providing an effective date.

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

By Senator Frank—

**SB 691**—A bill to be entitled An act relating to the Legislature; creating the Legislative Compensation Study Commission; providing for membership, organization, and purpose of the commission; requiring a biannual report to the Legislature; providing for staffing by the Executive Office of the Governor; repealing s. 11.13(1)(b), F.S., relating to the requirement for an annual adjustment of salaries of members of the Legislature; providing an effective date.

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

By Senator Meek—

**SB 692**—A bill to be entitled An act relating to a surtax on documents; creating an advisory council in those counties which have implemented the provisions of ch. 83-220, Laws of Florida, as amended; specifying membership and terms of office; providing for removal of members; providing staff assistance; providing for meetings; providing an effective date; providing an expiration date.

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

By Senator Plummer—

**SB 693**—A bill to be entitled An act for the relief of William Knapp; providing an appropriation to compensate him for a loss sustained as a result of the failure of the Department of Highway Safety and Motor Vehicles to check the title to a stolen car purchased by Mr. Knapp; providing an effective date.

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

By Senator Kirkpatrick—

**SB 694**—A bill to be entitled An act relating to hazardous waste; amending s. 403.201, F.S.; prohibiting certain variances from hazardous waste management requirements; amending s. 403.703, F.S.; providing definitions; amending s. 403.704, F.S.; authorizing the Department of Environmental Regulation to accept certain delegation of a federal hazardous waste management program; amending s. 403.721, F.S.; revising provisions relating to reports by generators of hazardous waste and requirements imposed on owners and operators of hazardous waste facilities; providing for requirements for solid waste management units and land disposal facilities and prohibition of certain land disposal and storage; providing for regulation of hazardous waste fuel; amending s. 403.722, F.S.; providing for hazardous waste facility permit conditions; providing additional criteria for permit revocation; providing requirements for certain land disposal facilities operating with a temporary operation permit; providing for termination of certain temporary permits; providing for continued temporary permits for certain hazardous waste facilities; providing time limitation for hazardous waste facility operation permits; creating s. 403.7221, F.S.; providing for research, development, and demonstration permits for certain facilities; amending s. 403.7222, F.S.; specifying departmental powers relating to disposal of hazardous waste; amending s. 403.7234, F.S.; specifying regulation of waste management practices of small quantity generators; amending s. 403.724, F.S.; providing for claims against guarantors who provide evidence of financial responsibility for owners or operators; amending s. 403.727, F.S.; specifying additional violations with respect to hazardous waste; amending s. 403.751, F.S.; revising provisions relating to authorized uses of used oil; creating s. 403.7545, F.S.; specifying departmental power with respect to regulation of used oil as a hazardous waste; providing an effective date.

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

By Senator Mann—

**SB 695**—A bill to be entitled An act relating to Gasparilla Island, including Boca Grande Isles and the Gasparilla Golf Course Island, Three Sisters Island, Hogans Key, and Loomis Island, located in Charlotte County and Lee County; amending Section 4 of Chapter 80-473, Laws of Florida, as amended; defining the term nonconforming use; defining the criteria for traditional use; allowing the right to rebuild or repair nonconforming existing structures under certain circumstances; providing time limitation for issuance of permits for rebuilding or repair of such structures; establishing the Gasparilla Inn Historic Resort Area; providing boundaries; providing for traditional use within the area; providing density and height standards; providing exemptions to the act within the area boundaries; 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 Fox—

**SB 696**—A bill to be entitled An act relating to the care of dependent children; amending s. 409.145, F.S., expanding the categories of persons 18 to 21 years of age who may continue to receive services in the children's foster care program; providing an effective date.

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

By Senator Fox—

**SB 697**—A bill to be entitled An act relating to developmental disabilities; amending s. 393.063, F.S., defining "domicile"; amending s. 393.065, F.S., requiring domicile in Florida as a condition for eligibility for certain services; amending s. 393.066, F.S., providing restrictions with respect to the provision of medical and dental care to developmentally disabled persons; amending s. 393.12, F.S., providing that admission of certain developmentally disabled persons to a major state retardation facility or residential facility shall not prejudice the legal competence of such persons; amending s. 393.122, F.S., clarifying grandfathering provisions; amending s. 393.13, F.S., requiring a physician's examination prior to certain behavioral reduction procedures; restricting treatment involving noxious or painful stimuli; amending s. 393.15, F.S., providing eligibility for certain loans to foster care, group home, and developmental training facilities and renaming the trust fund therefor; providing for nonprofit status; amending s. 393.21, F.S., correcting a cross reference; providing an effective date.

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

By Senators Barron, Mann, Thomas, Jennings, Gordon, Grant, Beard, Peterson and Vogt—

**SB 698**—A bill to be entitled An act relating to civil actions; creating s. 768.33, F.S.; providing for periodic payments of damages and attorney fees in certain civil actions; providing an effective date.

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

By Senators Barron, Mann, Thomas, Jennings, Grant, Beard, Peterson and Vogt—

**SB 699**—A bill to be entitled An act relating to civil actions; creating s. 768.34, F.S.; limiting the recovery of noneconomic losses to a certain amount; providing an effective date.

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

By Senators Barron, Mann, Thomas, Jennings, Grant, Beard, Peterson and Vogt—

**SB 700**—A bill to be entitled An act relating to civil actions; creating s. 768.047, F.S.; requiring leave of court to plead punitive damages; providing for distribution of proceeds for attorneys' fees and to fund medical care for indigent persons; creating a trust fund; providing an effective date.

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

By Senators Barron, Mann, Thomas, Jennings, Beard, Peterson and Vogt—

**SB 701**—A bill to be entitled An act relating to civil actions; creating s. 768.36, F.S.; providing for the application of comparative negligence in determining damage awards in certain actions; eliminating joint and several liability in certain actions; providing an effective date.

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

By Senators Barron, Mann, Thomas, Jennings, Beard, Peterson and Vogt—

**SB 702**—A bill to be entitled An act relating to civil actions; creating s. 768.047, F.S.; requiring leave of court to plead punitive damages; providing for distribution of proceeds of punitive damages for attorneys' fees and to fund medical care for indigent persons; creating a trust fund; creating s. 768.33, F.S.; providing for periodic payments of damages and attorney fees in certain civil actions; creating s. 768.34, F.S.; limiting the recovery of noneconomic losses to a certain amount; creating s. 768.36, F.S.; providing for the application of comparative negligence in determining damage awards in certain actions; providing for severability; providing an effective date.

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

By the Committee on Personnel, Retirement and Collective Bargaining—

**SB 703**—A bill to be entitled An act relating to the State Retirement Commission; amending s. 121.24, F.S.; authorizing panels of not fewer than three members to hear appeals; providing for training of newly appointed members; increasing the daily honorarium paid to members; reviving and readopting provisions relating to the State Retirement Commission; providing for future legislative review and repeal; providing an effective date.

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

By Senator Fox—

**SCR 704**—A concurrent resolution observing January 28 as Jose Marti Day.

—was referred to the Committee on Rules and Calendar.

#### FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Transportation, and Senators Margolis and Myers—

**CS for SB 42**—A bill to be entitled An act relating to transportation of school children; amending s. 234.02, F.S., relating to safety and health of pupils, to provide for adoption by the State Board of Education of a state plan providing for examination, maintenance, and repair of transportation equipment used in connection with the public school system; amending s. 234.051, F.S., relating to public school buses, to redefine the term "school bus" and to modify standards therefor; amending s. 234.091, F.S., relating to general qualifications of public school bus drivers, to clarify such provisions and provide age and training requirements; amending s. 316.003, F.S., redefining the term "school bus" for purposes of the Florida Uniform Traffic Control Law; amending s. 316.615, F.S., revising provisions relating to equipment and inspection of school buses and physical requirements of nonpublic school bus drivers to expand equipment requirements and inspection provisions and to provide additional qualifications for such drivers; allowing nonpublic school buses to deliver and pick up students in the same areas as public school buses or in designated pickup zones; providing an appropriation; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs—

**CS for SB 183**—A bill to be entitled An act relating to dental practitioners; amending s. 466.001, F.S.; providing purpose and legislative intent; amending s. 466.002, F.S.; providing exemption of a qualified anesthetist from certain regulations; amending s. 466.003, F.S.; defining "dentistry," "irremediable tasks," and "remediable tasks"; amending s. 466.004, F.S.; prescribing the qualifications of and providing for the appointment of board members; amending s. 466.006, F.S.; providing for dentists' licensure examinations; amending s. 466.007, F.S.; providing for the dental hygiene licensure examinations; amending s. 466.009, F.S.;

providing for reexaminations; amending s. 466.0135, F.S.; specifying continuing education requirements for dentists and specifying associations which may offer continuing education programs; amending s. 466.014, F.S.; specifying continuing education requirements for dental hygienists, and providing for the procedure for submitting proof of required dental hygiene continuing education; amending s. 466.015, F.S.; providing for inactive status of licensees; amending s. 466.017, F.S.; providing for administration of anesthesia by dentists; amending s. 466.018, F.S.; providing for the maintenance of patient records; amending s. 466.019, F.S.; regulating advertising by dentists; amending s. 466.021, F.S.; regulating employment of unlicensed persons by dentists; amending s. 466.023, F.S.; prescribing the scope of practice of dental hygienists; amending s. 466.024, F.S.; limiting dentists' employment and supervision of dental hygienists and expanded functions auxiliaries; amending s. 466.026, F.S.; proscribing certain acts and providing penalties; amending s. 466.028, F.S.; prescribing grounds for disciplinary action; amending s. 466.0285, F.S.; prohibiting nondentists from owning a dental office or dental equipment; amending s. 466.031, F.S.; defining "dental laboratory"; amending s. 466.032, F.S.; providing for the registration of dental laboratories; amending s. 466.0395, F.S.; providing a savings clause; creating s. 466.084, F.S.; creating an impaired-professional's committee and establishing its duties; amending s. 627.912, F.S.; providing reporting requirements for insurers regarding professional liability claims and actions; reviving and readopting chapter 466, F.S., as amended; providing for future repeal and sunset review; repealing s. 466.006(4)(c), F.S., relating to manual skills examinations; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Thurman, Kirkpatrick, Stuart, Castor, Gordon, Frank, Meek and Grant—

**CS for SB 206**—A bill to be entitled An act relating to environmental protection; amending s. 215.22, F.S.; authorizing certain administrative deductions from the Port Spoil Site Trust Fund, the Inland Protection Trust Fund, and the Water Quality Trust Fund; amending s. 376.11, F.S., relating to the Florida Coastal Protection Trust Fund; providing a definition; deleting provisions relating to acquisition and improvement of spoil disposal sites for designated ports; reducing the limits of the fund; authorizing the transfer of certain moneys from the fund to the Inland Protection Trust Fund and the Port Spoil Site Trust Fund; providing for collection of the excise tax; creating s. 376.22, F.S.; establishing the Port Spoil Site Trust Fund for acquisition and improvement of spoil disposal sites for designated ports; amending s. 376.30; revising legislative intent with respect to ss. 376.30-376.317, F.S.; authorizing the establishment of a program for restoring or replacing potable water systems or potable water wells contaminated with pollutants; authorizing reimbursement of the Department of Health and Rehabilitative Services for certain services; amending s. 376.301, F.S.; adding definitions of terms used in ss. 376.30-376.317, F.S.; creating s. 376.3025, F.S.; making it unlawful to intentionally damage a petroleum storage system or petroleum product pipeline; providing a penalty; amending s. 376.303, F.S.; revising powers and duties of the Department of Environmental Regulation under ss. 376.30-376.317, F.S.; creating s. 376.304, F.S.; fixing fees with respect to registration of pollutant storage systems and petroleum product pipelines; providing for deposit in the Inland Protection Trust Fund and the Water Quality Assurance Trust Fund; providing for issuance and display of registration certificates; amending s. 376.305, F.S.; revising cross-references to conform to this act; providing that an undertaking to contain, remove, or abate a discharge of a pollutant is not an admission of responsibility for the discharge; creating s. 376.3071, F.S.; establishing the Inland Protection Trust Fund to be used for the purposes of ss. 376.30-376.317, F.S., and to respond to incidents of environmental contamination related to petroleum product discharges; providing for funding of the fund from the Florida Coastal Protection Trust Fund and other sources; creating s. 376.3073, F.S.; imposing an excise tax on the operation of a terminal facility or a facility used for storing, handling, or transferring a petroleum product in order to assist in funding the Inland Protection Trust Fund; providing for expiration and review of the tax; establishing a temporary petroleum product detection incentive program for reporting petroleum storage system and petroleum product pipeline leaks; authorizing reimbursement of site cleanup costs for certain persons; creating s. 376.3075, F.S.; providing for criteria for cleanup of sites contaminated by petroleum products and for cessation of cleanup activities; creating s. 376.3077, F.S.; authorizing the Department of Environmental Regulation to contract with local governments for the administration of cleanup and other responsibilities through locally administered programs; amending s. 376.308, F.S.; revising cross-references to conform with this act; conforming terminology; amending s. 376.309, F.S.; revising cross-references to

conform with this act; providing for manner of bringing claims; amending s. 376.313, F.S.; revising cross-references to conform with this act; deleting injured party entitlement to costs of action and attorneys' fees; creating s. 376.314, F.S.; authorizing the department to hold harmless and indemnify certain response action contractors; requiring the department to adopt rules providing standards for indemnification; providing criteria; amending ss. 376.315, 403.091, F.S.; revising cross-references to conform with this act; amending s. 403.1655, F.S.; authorizing the Department of Environmental Regulation to use the Water Quality Assurance Trust Fund or the Inland Protection Trust Fund to respond to certain incidents in an emergency; creating s. 403.7245, F.S.; authorizing the department to hold harmless and indemnify certain response action contractors; requiring the department to adopt rules providing standards for indemnification; providing for criteria; transferring s. 376.307, F.S., to s. 403.7255, F.S., and amending said section; revising purposes for which the Water Quality Assurance Trust Fund may be expended; providing for collection of the excise tax; providing for actions to reimburse the trust fund; amending s. 403.726, F.S.; providing for use of moneys in the Inland Protection Trust Fund to abate imminent hazards caused by hazardous substances; amending s. 489.105, F.S.; defining the terms "petroleum storage systems specialty contractor," "pollutant storage tank," and "tank" with respect to regulating the practice of contracting; amending s. 489.113, F.S.; requiring rules to be adopted for certifying petroleum storage system specialty contractors; providing for temporary certification; prohibiting practice by uncertified persons; providing for inspection of installation or construction of pollutant storage tanks; providing for delegation of responsibilities; providing for injunctions against installation or construction of pollutant storage tanks; requiring notice of certification requirements to certain mechanical and plumbing contractors; amending s. 489.127, F.S.; providing penalties for violations; providing for future repeal and review of provisions of the act relating to petroleum storage systems specialty contractors; amending s. 570.07, F.S.; requiring the Department of Agriculture and Consumer Services to notify the Department of Environmental Regulation with respect to unregistered tanks; providing additional positions to the Department of Health and Rehabilitative Services and the Department of Environmental Regulation for certain purposes; providing an appropriation; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Grant—

**CS for SB 307**—A bill to be entitled An act relating to sexual offenses involving children; amending ss. 827.071, 847.012, 847.0125, 847.013, F.S.; revising the elements of the crimes of sexual performance by a child, sale or distribution of harmful materials to a child, retail display of materials harmful to minors, and exposing minors to harmful motion pictures, exhibitions, shows, presentations, or representations; providing definitions; providing penalties; providing an effective date.

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

**CS for SB 311**—A bill to be entitled An act relating to the corporate income tax; amending s. 214.14, F.S.; providing procedures and interest rate relating to refunds of overpayment of taxes; amending s. 214.40, F.S.; providing penalties for failing to provide certain notice or file certain returns; amending s. 214.72, F.S.; providing for computing revenue miles for certain transportation services; amending s. 220.131, F.S.; revising the deadline for filing certain consolidated returns; providing for apportioning certain income of certain affiliated group members; amending s. 220.03, F.S.; adopting the current Internal Revenue Code; amending s. 214.71, F.S.; including certain charges in an apportionment formula sales factor; amending s. 220.15, F.S.; including intangible personal property in an apportionment formula property factor; amending s. 221.01, F.S.; applying the emergency excise tax to certain income; repealing s. 220.13(1)(c), F.S., relating to installment sales occurring on or before October 19, 1980; repealing s. 220.69, F.S., relating to certain exemptions for out-of-state banks; amending ss. 220.03, 221.01, 221.02, 221.04, F.S.; applying emergency excise tax provisions for an additional year; providing an appropriation; providing a retroactive effective date.

By the Committee on Transportation and Senators Jennings, Grizzle, Langley, Johnson, Kiser, Beard and Myers—

**CS for SB 447**—A bill to be entitled An act relating to transportation; amending s. 339.08, F.S.; authorizing the use of moneys in the State Transportation Trust Fund for reimbursing counties or municipalities for certain expenditures made on projects in the State Highway System; amending s. 339.12, F.S.; providing for participation by municipalities in rights-of-way, state road building, and maintenance projects under cer-

tain circumstances; authorizing the Department of Transportation to reimburse counties and municipalities for expenditures made on certain projects in the State Highway System under certain circumstances; providing an effective date.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator McPherson, by two-thirds vote Senate Bills 37 and 147 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator McPherson, by two-thirds vote SB 744 was withdrawn prior to introduction.

On motions by Senator Myers, by two-thirds vote Senate Bills 82 and 165 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Fox, the rules were waived and by two-thirds vote Senate Bills 237 and 290 were also referred to the Committee on Health and Rehabilitative Services as the first committee of reference.

On motions by Senator Fox, by two-thirds vote Senate Bills 247 and 153 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Hill, the rules were waived and by two-thirds vote SB 557 was also referred to the Committee on Corrections, Probation and Parole as the first committee of reference.

On motions by Senator Vogt, the rules were waived and by two-thirds vote SB 349 was referred to the Committee on Commerce as the first committee of reference.

On motion by Senator Peterson, by two-thirds vote SR 287 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Neal, the rules were waived and by two-thirds vote CS for SB's 38 and 49, and SB 41, CS for SB 84, CS for SB 207, CS for SB 208 and SB 391 were withdrawn from the Committee on Appropriations.

On motions by Senator Neal, the rules were waived and by two-thirds vote SB 482 was also referred to the Committee on Appropriations.

On motions by Senator Jenne, the rules were waived and by two-thirds vote CS for SB 97 was withdrawn from the Committee on Education; and Senate Bills 362 and 394 were withdrawn from the Committee on Transportation.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

##### First Reading

By the Committee on Appropriations and Representatives Bell and Mills—

**HB 1180**—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 and Appropriations.

By the Committee on Appropriations and Representatives Bell and Mills—

**HB 1181**—A bill to be entitled An act relating to educational facilities; reenacting ss. 35-41, ch. 85-116, Laws of Florida, including provisions vetoed by the Governor; authorizing and providing funding for specified public educational capital outlay projects; naming the joint-use project with Edison Community College; ratifying actions taken under ch. 85-116, Laws of Florida; providing severability; providing a retroactive effective date.

—was referred to the Committee on Appropriations.

On motions by Senator Jenne, by two-thirds vote HB 1180 was withdrawn from the Committees on Education and Appropriations, and by two-thirds vote placed on the special order calendar to be considered following SB 45 this day.

On motions by Senator Jenne, by two-thirds vote HB 1181 was withdrawn from the Committee on Appropriations and by two-thirds vote placed on the special order calendar to be considered following HB 1180 this day.

#### SPECIAL ORDER

**SB 8**—A bill to be entitled An act relating to unemployment compensation; amending sections 2 and 3 of chapter 82-23, Laws of Florida, as amended; extending the temporary period during which general payment of benefits by mail and reporting by mail to certify for payment of benefits are authorized; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 8 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Neal

Vote after roll call:

Yea—Dunn

**SB 45**—A bill to be entitled An act relating to schools; creating s. 232.426, F.S.; requiring certain rules, policies or bylaws relating to athletic activities to conform to certain postsecondary athletic scholarship opportunities; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendments which were moved by Senator Kirkpatrick and adopted:

**Amendment 1**—On page 1, strike all of lines 13-19 and insert:

232.426 Conformance of athletic activities to postsecondary scholarship opportunities.—The rules, policies, or bylaws governing athletic activities sponsored by a district school board for which the State University System provides athletic scholarships shall provide encouragement to the extent necessary to promote athletic scholarship opportunities. This section shall not be construed to affect academic requirements for participation or to prevent the districts from sponsoring activities in addition to those for which scholarships are provided.

**Amendment 2**—In title, on page 1, line 5, strike "certain"

On motion by Senator Kirkpatrick, by two-thirds vote SB 45 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea to Nay—Barron

On motions by Senator Peterson, by two-thirds vote—

**HB 1180**—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 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 require-

ments 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 read the second time by title and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator Peterson, the rules were waived and HB 1180 was ordered immediately certified to the House.

On motions by Senator Neal, by two-thirds vote—

**HB 1181**—A bill to be entitled An act relating to educational facilities; reenacting ss. 35-41, ch. 85-116, Laws of Florida, including provisions vetoed by the Governor; authorizing and providing funding for specified public educational capital outlay projects; naming the joint-use project with Edison Community College; ratifying actions taken under ch. 85-116, Laws of Florida; providing severability; providing a retroactive effective date.

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

Yeas—40

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

Nays—None

On motion by Senator Neal, the rules were waived and HB 1181 was ordered immediately certified to the House.

**SB 52**—A bill to be entitled An act relating to the direct deposit of funds; amending s. 17.076, F.S.; specifying information subject to the public records law and specifying information exempt from it; providing for review of exemptions pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 52 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**Senator Mann presiding**

**SB 55**—A bill to be entitled An act relating to records of the direct-support organizations of the Sunshine State Games; amending s. 14.22, F.S.; specifying information which is exempt from the provisions of law relating to public records; providing for review of exemptions pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations recommended the following amendment which was moved by Senator Vogt and adopted:

**Amendment 1**—On page 2, strike all of lines 13-16 and insert: *the provisions of s. 119.14, the identity of donors who desire to remain anonymous and all information identifying such donors and such prospective donors are exempt from the provisions of chapter 119 shall be protected and that anonymity shall be*

On motion by Senator Vogt, by two-thirds vote SB 55 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

**CS for SB 56**—A bill to be entitled An act relating to law enforcement; repealing s. 23.129, F.S., relating to limitation of access to certain records; amending s. 119.07, F.S.; specifying information compiled by criminal justice agencies which is exempt from the public records law; specifying persons who may have access to exempt information; providing for review of exemptions pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote CS for SB 56 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**CS for SB 57**—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 110.123, F.S., providing for the payment of certain premiums for state group health insurance with respect to the surviving spouse of a law enforcement or correctional offi-

cer killed in the line of duty; providing for the payment of premiums with respect to certain children; amending s. 112.19, F.S., providing an additional death benefit with respect to certain law enforcement officers killed in the line of duty; providing an effective date.

—was read the second time by title. On motion by Senator Weinstein, by two-thirds vote CS for SB 57 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

|                 |           |             |           |
|-----------------|-----------|-------------|-----------|
| Barron          | Gersten   | Johnson     | Myers     |
| Castor          | Girardeau | Kirkpatrick | Plummer   |
| Childers, D.    | Gordon    | Kiser       | Scott     |
| Childers, W. D. | Grant     | Langley     | Stuart    |
| Crawford        | Grizzle   | Malchon     | Thomas    |
| Crenshaw        | Hair      | Mann        | Thurman   |
| Deratany        | Hill      | Margolis    | Vogt      |
| Dunn            | Jenne     | McPherson   | Weinstein |
| Frank           | Jennings  | Meek        |           |

Nays—None

Vote after roll call:

Yea—Beard, Neal

**CS for SB 66**—A bill to be entitled An act relating to noncriminal traffic infractions; amending s. 318.14, F.S., allowing certain persons cited for infractions to attend a driver improvement course in the location of their choice; providing an effective date.

—was read the second time by title. On motion by Senator Weinstein, by two-thirds vote CS for SB 66 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Peterson

**CS for SB 76**—A bill to be entitled An act relating to dentures and dental prostheses; requiring marking for identification purposes of removable dental prostheses; providing conditions for omission of identification; providing an effective date.

—was read the second time by title.

Senator W. D. Childers moved the following amendment which was adopted:

**Amendment 1**—On page 1, lines 19 and 21, strike “or” and insert: and

On motion by Senator W. D. Childers, by two-thirds vote CS for SB 76 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

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

Nays—None

**CS for SB 157**—A bill to be entitled An act relating to grain dealers; amending s. 604.33, F.S.; specifying securities which satisfy certain requirements for the maintenance of liquid security; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote CS for SB 157 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

**The President presiding**

**CS for SB 107**—A bill to be entitled An act relating to osteopathic medical practice; amending s. 459.004, F.S.; deleting provisions concerning original appointment of board members; providing clarifying language; amending s. 459.006, F.S.; prescribing qualifications for licensure by examination; amending s. 459.007, F.S.; amending licensure by endorsement provision; amending s. 459.0075, F.S.; deleting the prohibition of a limited licensure fee; requiring supervision of limited license holders; requiring continuing education for such licensure; clarifying a cross-reference; amending s. 459.0077, F.S.; deleting reference to a faculty certificate fee cap; amending s. 459.008, F.S.; establishing a continuing education requirement for license renewal; amending s. 459.009, F.S.; increasing the continuing education requirement for reactivation purposes; limiting the length of time during which a license may be maintained on inactive status; deleting references to fees and fee caps for renewal of inactive licenses; deleting references to fee caps for reactivation of inactive licenses; amending s. 459.0095, F.S.; requiring the Department of Professional Regulation to provide certain information to the Department of Health and Rehabilitative Services rather than to each district office; amending s. 459.0125, F.S.; requiring osteopathic physicians to inform breast cancer patients of available treatment alternatives; amending s. 459.015, F.S.; providing for reports of violations to an impaired-professional consultant; providing that prescription and administration of certain drugs is grounds for disciplinary action; deleting authorization of board to establish continuing education requirements; amending s. 459.022, F.S.; providing clarifying language; deleting reference to certificates of approval for osteopathic physician's assistants' training programs; requiring physicians to reapply annually for certification to supervise an osteopathic physician's assistant; authorizing tentative approval of changes in an osteopathic physician's assistant's affiliation with osteopathic physicians; deleting references to fees; amending s. 459.024, F.S.; saving certain pending proceedings; creating s. 459.023, F.S.; authorizing and establishing limits for certain fees; creating s. 459.025, F.S.; establishing a program for impaired professionals; reviving and readopting chapter 459, F.S., as amended; providing for future repeal and sunset review; repealing s. 459.0153, F.S., relating to the prescription and administration of amygdalin (laetrile); providing an effective date.

—was read the second time by title.

Senator Gordon moved the following amendments which were adopted:

**Amendment 1**—On page 19, strike all of lines 17-19 and insert: but such chapter, as amended, is hereby revived and readopted.

**Amendment 2**—In title, on page 2, strike all of lines 25-27 and insert: repeal and sunset review;

On motion by Senator Frank, by two-thirds vote CS for SB 107 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**CS for SB 110**—A bill to be entitled An act relating to acupuncture; reviving and readopting, notwithstanding the Regulatory Sunset Act, ch. 457, F.S.; amending ss. 457.101, 457.102, 457.103, 457.105, 457.107, 457.109, 457.116, F.S.; creating ss. 457.108, 457.1085, F.S.; providing intent; providing definitions; specifying educational requirements for certification; providing for renewal and inactive status of certificates; requiring procedures for infection control; providing additional grounds for disciplinary action; specifying criminal violations; providing penalties; repealing s. 457.111, F.S., relating to informed consent; repealing s. 457.119, F.S., relating to a saving clause; providing for legislative review and future repeal; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote CS for SB 110 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 178**—A bill to be entitled An act relating to acupuncture clinics; repealing ss. 389.011-389.026, F.S., relating to regulation of acupuncture clinics; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote SB 178 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**CS for SB 179**—A bill to be entitled An act relating to nursing home administrators; reviving and readopting, notwithstanding the Regulatory Sunset Act, ss. 468.1635-468.1775, F.S.; amending ss. 468.1635, 468.1645, 468.1655, 468.1665, 468.1685, 468.1695, 468.1705, 468.1715, 468.1725, 468.1735, 468.1755, F.S.; providing purpose; limiting scope of certain licenses; providing definitions; specifying membership of Board of Nursing Home Administrators; providing for cooperation with other regulatory boards; specifying educational requirements for licensure; restricting issuance of licenses to persons under investigation for certain offenses; providing procedures for licensure by endorsement; providing for reactivation of inactive licenses; providing for provisional licenses; providing for mental or physical examinations to determine whether specified

grounds for discipline exist; creating s. 468.1756, F.S.; providing for a statute of limitation for filing administrative complaints; providing for future repeal and legislative review; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote CS for SB 179 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 181—A bill to be entitled An act relating to chiropractors; amending ss. 460.404, 460.406, 460.407, 460.408, 460.409, 460.4095, 460.415, 460.4165, F.S.; creating ss. 460.42, 460.43, F.S.; reviving and re-adopting, notwithstanding scheduled repeal, chapter 460, F.S., relating to regulation of chiropractors; deleting obsolete language; providing for application and examination fees; specifying educational qualifications; deleting maximum limit on certain fees; providing continuing education requirements; providing for expiration of inactive licenses; providing for information relating to acceptance of Medicare assignments; providing saving clauses; revising provisions relating to certification of chiropractic physicians' assistants; providing for licensure by endorsement; providing for establishment of fees; providing for future repeal and legislative review; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote CS for SB 181 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 203—A bill to be entitled An act relating to boat registration and safety; amending s. 327.50, F.S.; providing safety regulations; amending s. 327.72, F.S.; specifying noncriminal violations; providing procedures and penalties; providing an effective date.

—was read the second time by title.

Senators Stuart and Dunn offered the following amendment which was moved by Senator Stuart and adopted:

Amendment 1—On page 1, lines 21-31, and on page 2, lines 1-19, strike all of said lines and insert:

Section 2. Section 327.73, Florida Statutes, is created to read:

327.73 Noncriminal infractions.—

(1) Violations of the following provisions of this chapter are non-criminal infractions:

- (a) Section 327.11(5), relating to display of number and possession of registration certificate;
- (b) Section 327.11(7), relating to display of decal;
- (c) Section 327.13(2), relating to display of number;

(d) Section 327.14, relating to spacing of digits and letters of identification number;

(e) Section 327.25(9), relating to operation without a current registration;

(f) Section 327.33(2), relating to careless operation;

(g) Section 327.37(2), relating to water skiing, aquaplaning, and similar activities at night;

(h) Section 327.44, relating to interference with navigation;

(i) Section 327.46, relating to restricted areas;

(j) Section 327.48, relating to regattas and races;

(k) Section 327.50, relating to required safety equipment; and

(l) Section 327.65, relating to muffling devices.

Any person cited for a violation of any such provision shall be deemed to be charged with a noncriminal infraction and shall be cited for such an infraction and shall be cited to appear before the county court. The civil penalty for any such infraction is \$35, except as otherwise provided in this section.

(2) Any person cited for an infraction under this section may:

(a) Post a bond, which shall be equal in amount to the applicable civil penalty; or

(b) Sign and accept a citation indicating a promise to appear.

The offer may indicate on the citation the time and location of the scheduled hearing and shall indicate the applicable civil penalty.

(3) Any person who willfully refuses to post a bond or accept and sign a summons is guilty of a misdemeanor of the second degree.

(4) Any person charged with a noncriminal infraction under this section may:

(a) Pay the civil penalty, either by mail or in person, within 10 days of the date of receiving the citation; or,

(b) If he has posted bond, forfeit bond by not appearing at the designated time and location.

If the person cited follows either of the above procedures, he shall be deemed to have admitted the infraction and to have waived his right to a hearing on the issue of commission of the infractions. Such admission shall not be used as evidence in any other proceedings.

(5) Any person electing to appear before the county court or who is required so to appear shall be deemed to have waived the limitations on the civil penalty specified in subsection (1). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction has been proven, the court may impose a civil penalty not to exceed \$500.

(6) The commission of a charged infraction at a hearing under this chapter must be proved beyond a reasonable doubt.

(7) If a person is found to have committed an infraction by the hearing official, he may appeal that finding to the circuit court.

Section 3. Section 327.72, Florida Statutes, is amended to read:

327.72 Penalties.—

(1) ~~Any violation of the provisions of s. 327.33(2) is a noncriminal violation, as defined in s. 775.00(3), punishable by a fine of \$25.~~

(2) Any person failing to comply with the provisions of this chapter or chapter 328 not specified in s. 327.73 subsection (1) or not paying the fine specified in said section subsection (1) within 10 days, except as otherwise provided in this chapter or chapter 328, is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 4. This act shall take effect October 1, 1986.

Senator Stuart moved the following amendment which was adopted:

**Amendment 2**—In title, on page 1, lines 4-6, strike “amending s. 327.72, F.S.; specifying noncriminal violations; providing procedures and penalties;” and insert: creating s. 327.73, F.S.; specifying noncriminal violations; providing procedures; amending s. 327.72, F.S.; providing penalties; providing an effective date.

On motion by Senator Stuart, by two-thirds vote CS for SB 203 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator Jenne, the rules were waived and the Senate reverted to—

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motions by Senator Kirkpatrick, by two-thirds vote Senate Bills 158 and 363 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Neal, by two-thirds vote CS for SB 60, SB 69 and CS for SB 193 were removed from the calendar and referred to the Committee on Appropriations.

On motion by Senator Crawford, by two-thirds vote SB 933 was withdrawn prior to introduction.

On motion by Senator Jenne, the rules were waived and by two-thirds vote SB 564 was withdrawn from the Committee on Agriculture.

**CORRECTION AND APPROVAL OF JOURNAL**

The Journals of April 11, 10 and 8 were corrected and approved.

**CO-INTRODUCERS**

Senator Gordon—SB 549; Senator Crenshaw—SB 560; Senator Grant—SB 767; Senators Deratany and Margolis—SB 1030

**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 22 at 10:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Jenne, the Senate recessed at 12:02 p.m. to reconvene at 10:00 a.m., Tuesday, April 22.

**SENATE PAGES**

April 14-18

Melissa Atkinson, Hollywood; Jeffrey D. Carroll, Sarasota; Brooke Deratany, Indialantic; Ivey Charles Herrman, Panama City Beach; Stephanie Kierstead, Indialantic; Dana N. Livaudais, Cocoa Beach; Jennifer Nicewander, Stuart; Joel T. Overton, Tallahassee; Courtney Lynne Porter, Sarasota; Tracy Ramshaw, Cooper City; Marc A. Robinson, Miami; Cecilia Redding, Panama City; Doni Shuman, Indialantic; Robert Allen Smith, Holmes Beach; Melissa Jane Walton, South Miami; Natalie A. Wright, Tampa; Marchetti T. Williams, Tallahassee; LaTisha Hutley, Quincy.