



Journal of the Senate

Number 10

Tuesday, May 6, 1986

PRAYER

The following prayer was offered by the Rev. Robert M. Gibbs, Pastor, John Wesley United Methodist Church, Tallahassee:

Eternal God, spirit of all grace and truth, all peace and love, we seek the refreshment of your presence this day. Energize us, O God. Fire us up to do the work that lies before us. Strengthen us to persevere in doing what is right and just. Don't let us settle for anything less.

As this legislative session reaches its mid-way point, O God, we pray that these men and women will not succumb to the grind of long hours, abundant words and tense debate, but will be enlivened by your graceful power and assuring presence. Re-charge their spiritual and emotional batteries for the remainder of the journey.

Keep ever in our minds, O God, the needs of those who are hurting and helpless. Bring us to a clearer understanding of your peace and your justice. And now, O God, as this prayer ends, may it not be the end of our awareness of your presence in our lives today. Amen.

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

CALL TO ORDER

The Senate was called to order by the President at 9:00 a.m. A quorum present—39:

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

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, May 6, 1986: CS for SB 399, CS for SB 225, CS for SB 330, CS for SB 221, SB 51, SB 513, SB 216, SB 551, SB 616, SB 406, SB 458, CS for SB 226, SB 659, SB 731, SB 617, SB 236, SB 847, SB 916, SB 217, CS for SB 300, CS for SB 194, SB 334, SB 716, SB 615, SB 785, CS for SB 631, SB 564, SB 356, SB 515, SB 280, SB 248, SB 256, SB 322, SB 845, CS for SB 405, SB 880, CS for SB 58, CS for SB 96, CS for SB 447, SB 391. SB 73, SB 83, SB 259, SB 130, SB 464, CS for SB 582, CS for SB 614, CS for SB 380, SB 127, SB 98, SB 128, SB 85, CS for SB 97, CS for SB 183, SB 213

Respectfully submitted,
Kenneth C. Jenne, Chairman

The Committee on Corrections, Probation and Parole recommends the following pass: SB 552

The Committee on Education recommends the following pass: SB 577, SB 784, SB 813 with 1 amendment, SB 959 with 1 amendment, CS for SB 516 with 2 amendments

The Committee on Governmental Operations recommends the following pass: SB 923 with 1 amendment

The Committee on Judiciary-Civil recommends the following pass: SB 763

The Committee on Natural Resources and Conservation recommends the following pass: SJR 1018 with 1 amendment

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: CS for SB 438, SB 555, SB 828 with 1 amendment, SB 946

The Committee on Transportation recommends the following pass: SB 1119 with 2 amendments

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

The Committee on Governmental Operations recommends the following pass: SB 1020 with 2 amendments

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 116 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1031 with 1 amendment, SB 1085 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Education recommends the following pass: SB 950

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 1033 with 2 amendments

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

The Committee on Education recommends the following pass: SB 776 with 3 amendments

The bill was referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 838 with 13 amendments

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

The Committee on Corrections, Probation and Parole recommends the following pass: HB 227

The Committee on Judiciary-Civil recommends the following pass: SB 714

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

The Committee on Judiciary-Civil recommends the following pass: SB 120 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: SB 1082

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

The Committee on Judiciary-Civil recommends the following pass: SB 279, SB 570, SB 588

The bills were placed on the calendar.

The Committee on Commerce recommends a committee substitute for the following: SB 328

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 870

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 336, SB 373, SB 931

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 344, SB 653, Senate Bills 1005 and 121

The Committee on Judiciary-Civil recommends committee substitutes for the following: SB 669, SB 865, SB 258

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: Senate Bills 469 and 306

The Committee on Personnel, Retirement and Collective Bargaining recommends committee substitutes for the following: SB 864, SB 1012

The Committee on Transportation recommends a committee substitute for the following: SB 1023

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

The Committee on Judiciary-Civil recommends a committee substitute for the following: SB 780

The bill with committee substitute attached was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 976

The Committee on Judiciary-Civil recommends a committee substitute for the following: SB 397

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: Senate Bills 432 and 281

The Committee on Transportation recommends committee substitutes for the following: SB 470, SB 1118, SB 1022

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 871

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 655

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

The Committee on Commerce recommends a committee substitute for the following: Senate Bills 465, 349, 592, 698, 699, 700, 701, 702, 956, 977 and 1120

The bills with committee substitute attached were referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 557

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

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 90

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

The Committee on Economic, Community and Consumer Affairs recommends committee substitutes for the following: SB 137, SB 260

The Committee on Education recommends a committee substitute for the following: SB 59

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 392, SB 520, SB 873

The Committee on Governmental Operations recommends a committee substitute for the following: SB 971

The Committee on Judiciary-Civil recommends committee substitutes for the following: SB 345, SB 376

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

The Committee on Transportation recommends that the Senate confirm the appointment made by the Governor of Thomas E. Drawdy, Tallahassee, as Secretary of Transportation, 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.

REQUESTS FOR EXTENSION OF TIME

May 1, 1986

The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: Senate Bills 473, 754, 866

May 2, 1986

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: Senate Bills 40, 47, 95, 166, 177, 186, 218, 219, 239, 250, 327, 377, 416, 445, 457, 543, 576, 620, 629, 632, 707, 732, 762, 764, 772, 773, 778, 782, 790, 810, 812, 817, 823, 826, 832, 854, 874, 881, 882, 883, 884, 885, 886, 887, 888, 891

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: Senate Bills 9, 81, 91, 93, 112, 117, 173, 235, 245, 249, 263, 264, 286, 305, 318, 329, 353, 369, 378, 382, 404, 410, 501, 526, 533, 544, 545, 546, 547, 548, 560, 568, 581, 602, 630, 637, 641, 691, 695, 704, 710, 719, 721, 724, 738, 743, 789, 803, 804, 840, 918, 928, 943, 944, 1064, 1129, 1140, 1163, 1173, 1187, 1196, 1200, 1255, 1259, 1263, 1265, 1267, 1268, 1269, 1270, 1272, 1273; House Bills 13, 415

May 5, 1986

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 101, 711, 734, 751, 768, 793, 794, 802, 807, 811, 816, 820, 821, 825, 836, 841, 842, 843, 852, 853, 861, 876, 878

The Committee on Education requests an extension of 15 days for consideration of the following: Senate Bills 20, 27, 86, 88, 102, 106, 115, 151, 169, 270, 289, 354, 358, 365, 387, 398, 414, 433, 442, 494, 502, 507, 518, 531, 553, 573, 585, 598, 606, 621, 622, 634, 668, 677, 683, 722, 723, 727, 729, 737, 748, 756, 760, 765, 769, 788, 796, 797, 799, 801, 805, 844, 896, 926, 927, 930, 949, 962, 975, 985, 988, 1002, 1004

The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: Senate Bills 5, 18, 64, 65, 176, 209, 234, 240, 252, 255, 276, 326, 384, 428, 517, 922, 934, 1007

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: Senate Bills 44, 74, 80, 87, 104, 114, 125, 134, 162, 185, 223, 254, 266, 309, 331, 366, 402, 412, 422, 436, 440, 478, 542, 549, 563, 580, 610, 919, 948, 974, 991

The Committee on Transportation requests an extension of 15 days for consideration of the following: Senate Bills 126, 294, 347, 370, 527, 535, 567, 650, 708, 713, 715, 750, 849, 855, 867, 899, 925, 965, 1015, 1048, 1070, 1094, 1162, 1170, 1203; House Bills 43, 370, 803, 945

May 6, 1986

The Committee on Appropriations requests an extension of 15 days for consideration of the following: Senate Bills 11, 16, 17, 26, 28, 30, 35, 42, 53, 54, 60, 62, 63, 69, 70, 75, 79, 105, 109, 119, 131, 132, 148, 149, 150, 159, 163, 193, 196, 198, 205, 210, 227, 229, 230, 237, 244, 258, 265, 267, 269, 274,

285, 291, 311, 312, 313, 314, 315, 328, 332, 336, 341, 342, 344, 348, 368, 373, 374, 381, 385, 386, 438, 444, 448, 449, 450, 452, 456, 459, 468, 472, 475, 476, 486, 492, 503, 516, 523, 555, 558, 559, 569, 571, 574, 577, 590, 591, 593, 607, 609, 613, 644, 651, 653, 669, 685, 694, 696, 735, 736, 746, 763, 779, 784, 800, 813, 814, 828, 837, 850, 864, 865, 870, 901, 931, 939, 946, 957, 959, 1005, 1012, 1018, 1023, 1119

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: Senate Bills 48, 89, 108, 124, 135, 146, 171, 175, 212, 253, 273, 275, 301, 302, 304, 316, 319, 338, 340, 367, 401, 424, 437, 439, 441, 443, 534, 911, 951, 969, 984, 992, 1006; House Bill 95

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 77, 94, 188, 189, 191, 324, 372, 379, 426, 936, 978, 986

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Johnson—

SB 1276—A bill to be entitled An act relating to the Englewood Water District in Charlotte and Sarasota Counties; providing for a recall petition for the removal of a member of the board of supervisors by the electors of the district; specifying grounds for the removal of elected district supervisors; providing for a recall election; providing for the filling of vacancies by special elections; providing for the filling of vacancies caused by resignation from office prior to the recall election; determining when a recall petition may be filed; providing punishment for offenses relating to recall petitions; 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 Johnson—

SB 1277—A bill to be entitled An act relating to the Englewood Water District in Charlotte and Sarasota Counties; amending section 1 of chapter 59-931, Laws of Florida, as amended, enlarging the area of the Englewood Water District; providing for a referendum; amending section 3 of chapter 59-931, Laws of Florida, as amended; providing that all terms of office for supervisors shall commence on the 1st day of January following the annual election; deleting holdover provisions for members' terms; providing for the appointment of a supervisor by a majority vote of the supervisors to fill terms of office not otherwise filled at the annual election; providing for local qualification of candidates; providing that terms commencing prior to the effective date of this act shall be continued until January 1st following the original term; providing compensation to board members in an annual amount of \$1,000 each; deleting provisions requiring the treasurer to be a non-board member; adding section 35 to chapter 59-931, Laws of Florida, as amended; providing for a recall petition for the removal of any member of the board of supervisors by the electors of the district; providing grounds for the removal of elected district supervisors; providing for a recall election; providing for the filling of vacancies by special elections; providing for the filling of vacancies caused by resignation from office prior to the recall election; determining when a recall petition may be filed; providing a penalty for offenses relating to recall petitions; adding section 36 to chapter 59-931, as amended; providing a penalty for violation of any lawful rule, regulation, resolution or order of the Englewood Water District; providing that each violation thereof shall be a separate offense; 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 Deratany—

SB 1278—A bill to be entitled An act relating to Indian River County; providing for the enforcement of Indian River County Code of Laws and Ordinances, Chapter 3, the Indian River County Animal Control Ordinance; providing authority to designate animal control officers to issue notices to appear in court for violations of the Indian River County Animal Control Ordinance; allowing specific penalties for the violation thereof; authorizing the enactment of an ordinance establishing procedures to implement this act; providing for penalties; providing for codification; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Girardeau—

SR 1279—A resolution commending Dr. Reuben Pershing Groom for his contribution to the dental profession in Florida and for his outstanding civic leadership.

—was referred to the Committee on Rules and Calendar.

By Senators Weinstein, Scott and McPherson—

SB 1280—A bill to be entitled An act relating to the Port Everglades Authority; amending s. 6, Art. I, Part II, chapter 59-1157, Laws of Florida, as amended; increasing the maximum compensation of port commissioners; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Weinstein, Scott and McPherson—

SB 1281—A bill to be entitled An act relating to the City of Coral Springs, Broward County; extending and enlarging the corporate limits of the City of Coral Springs to include specified unincorporated lands within said corporate limits; providing that contracts regarding annexed areas be unaffected; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Weinstein, Scott and McPherson—

SB 1282—A bill to be entitled An act relating to the City of Coral Springs, Broward County; extending and enlarging the corporate limits of the City of Coral Springs to include specified unincorporated lands within said corporate limits; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Weinstein, Scott and McPherson—

SB 1283—A bill to be entitled An act relating to Broward County; amending s. 14, ch. 82-274, Laws of Florida; providing for extension of a landowners' meeting called for the election of supervisors if a quorum is lacking; providing that if a quorum is lacking at the extended meeting, a quorum shall be considered present if a specified number of landowners are present; providing for election of candidates for supervisor in such circumstances; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

SR 1284 was introduced and adopted May 1.

By Senator Crenshaw—

SR 1285—A resolution commending the state MATHCOUNTS champions.

—was referred to the Committee on Rules and Calendar.

SR 1286 was introduced and adopted May 1.

SR 1287 was introduced and adopted May 1.

By Senator Johnston—

SR 1288—A resolution commending the Capitol Press Corps Softball Team for its victory over the Senate Softball Team.

—was referred to the Committee on Rules and Calendar.

By Senator Vogt—

SB 1289—A bill to be entitled An act relating to Brevard County; relating to the enforcement of chapter 12, garbage and refuse, and chapter 23, water and sewer, Code of Brevard County, by enforcement officers of the Division of Environmental Services; allowing specific penalties for the violation thereof; authorizing the enactment of an ordinance establishing procedures to implement this act; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Weinstein, McPherson and Scott—

SB 1290—A bill to be entitled An act relating to the Hollywood Reclamation District, Broward County; providing for the annexation of certain lands into the boundaries of the district and subjecting all of said lands to the jurisdiction of the district; providing for the applicability of existing laws, regulations, and resolutions in the territory annexed; providing that this act shall take precedence over any conflicting law to the extent of such conflict; providing a severability clause; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Weinstein, McPherson and Scott—

SB 1291—A bill to be entitled An act relating to the City of Coconut Creek, Broward County; extending and enlarging the corporate limits of the City of Coconut Creek to include specified unincorporated lands within said corporate limits; redefining the city limits; providing that contracts regarding annexed areas be unaffected; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Weinstein, McPherson and Scott—

SB 1292—A bill to be entitled An act relating to the Central Broward Drainage District, Broward County; amending section 12a. of chapter 61-1439, Laws of Florida, as amended; providing for the levy and assessment of ad valorem taxes upon real and tangible personal property in the district; providing for construction of act; approving the manner of giving notice of intention to apply for this act; 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 Senators Weinstein, McPherson and Scott—

SB 1293—A bill to be entitled An act relating to the Town of Davie, Broward County; extending and enlarging the corporate limits of the Town of Davie to include specified unincorporated lands within said corporate limits; providing that contracts regarding annexed areas be unaffected; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator D. Childers—

SB 1294—A bill to be entitled An act relating to the City of West Palm Beach; repealing paragraph (b) of subsection (8) of section 16 of chapter 24981, Laws of Florida, 1947, as amended, relating to compulsory retirement of members of the West Palm Beach Police Pension and Relief Fund; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Judiciary-Criminal and Senators Langley, Johnston, Neal, Thurman, Dunn, Myers and Malchon—

CS for SB 2—A bill to be entitled An act relating to driving under the influence; creating the Impaired Driving Commission; providing membership, terms, powers, and duties; providing for establishment of policies and information programs; providing for recommendations; providing for funding; creating a county impaired driving commission in each county; providing membership, terms, powers, and duties; providing for establishment of alternative programs for confinement, counseling, and treatment of persons convicted of driving under the influence and driving while intoxicated; creating the Impaired Driving Commission Trust Fund and providing for disposition of moneys therein; providing for deposit of a specified portion of fines for driving under the influence and driving while intoxicated in the trust fund; providing an appropriation; providing an effective date.

By the Committee on Education and Senator Myers—

CS for SB 59—A bill to be entitled An act relating to nonpublic colleges; amending s. 246.085, F.S.; providing for exemptions from licensing requirements for nonpublic colleges chartered in Florida; amending s. 246.021, F.S.; defining a college agent; amending s. 246.031, F.S.; revising the membership of the State Board of Independent Colleges and Universities; amending s. 246.081, F.S.; describing conditions under which a nonpublic college may be established or operate within the state; amending s. 246.091, F.S.; providing standards for the expansion of programs and degrees; amending s. 246.111, F.S.; providing for denial or revocation of licenses and probation of licensees; providing an effective date.

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

CS for SB 90—A bill to be entitled An act relating to marine fisheries; amending ss. 370.026, 370.027, 370.071, F.S.; expanding membership of the Marine Fisheries Commission; providing for appointment of additional members by presiding officers of the Legislature; providing terms; expanding waters within which rules of the commission apply; prescribing rulemaking authority of the commission; specifying regulatory authority of the Department of Natural Resources with respect to saltwater products for sale for human consumption; authorizing licensing and certification of facilities used to process oysters, clams, mussels, and crabs; providing for seizure and destruction of adulterated or misbranded shellfish; amending s. 6, chapter 83-134, Laws of Florida, as amended; revising the list of statutory provisions relating to marine fisheries which 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 that oysters sold in this state must be labeled as to point of harvest; providing for rules; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Kirkpatrick, Beard and Plummer—

CS for SB's 126, 36 and 662—A bill to be entitled An act relating to highway safety; amending ss. 322.03, 322.12, 322.25, 322.261, 322.271, 322.28, 322.282, 322.29, 322.291, F.S.; providing additional requirements for issuance of a license to a person who has received certain convictions within a specified period; increasing reinstatement fees; specifying driving authorized by a driving privilege restricted for business purposes only and by a driving privilege restricted for employment purposes only; specifying what constitutes a prior conviction for purposes of s. 322.271, F.S.; providing procedures and circumstances for restoration of the driving privilege of a person whose license has been revoked or suspended under certain circumstances; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senators Langley, Johnston, Johnson, Neal, Dunn, Peterson, Kiser and Grizzle—

CS for SB 137—A bill to be entitled An act relating to mobile home parks; amending s. 723.003, F.S.; adding definitions; changes definition of "mobile home" to include mobile homes regardless of length; amending s. 723.004, F.S.; changing legislative intent; amending s. 723.011, F.S.; changing disclosure requirements; amending s. 723.012, F.S.; changing prospectus requirements; creating s. 723.0125, F.S.; providing for modification of prospectus; amending s. 723.031, F.S.; limiting conditions of lot rental increases; amending s. 723.032, F.S.; prohibiting certain costs as basis for rental increases; amending s. 723.033, F.S.; changing factors to be considered when determining unconscionability of lot rental agreement; amending s. 723.037, F.S.; changing lot rental increase procedure; amending s. 723.038, F.S.; providing for mandatory, nonbinding arbitration; amending s. 723.042, F.S.; limiting capital and permanent improvement; amending s. 723.058, F.S.; limiting certain entrance fee amounts; amending s. 723.059, F.S.; providing for transferability and renewal of lifetime leases; amending s. 723.061, F.S.; changing a park owner's rights upon electing to change land use; creating s. 723.0615, F.S.; prohibiting retaliatory conduct; amending s. 723.076, F.S.; providing for filing by a homeowners' association of a notice of right to exercise the purchase option; creating s. 723.084, F.S.; providing civil remedies; providing for venue; providing injunctive relief; repealing s. 723.083, F.S., relating to governmental action affecting removal of mobile home owners; providing an effective date.

By the Committee on Judiciary-Civil and Senator Vogt—

CS for SB 258—A bill to be entitled An act relating to payments to jurors and witnesses; amending s. 40.24, F.S.; providing for an incremental increase in the daily compensation and mileage allowance for jurors; amending s. 40.31, F.S.; allowing State Courts Administrator rather than the Comptroller to apportion appropriation; requiring that, under certain circumstances, reimbursement for juror and witness payment shall not exceed the amount apportioned to each county; amending s. 40.32, F.S.; providing conforming language; amending s. 40.34, F.S.; providing for form, submission, payment, and audit of juror and witness payrolls; repealing ss. 40.29, 40.30, 40.33, F.S., relating to estimation and requisition of funds for juror and witness payment by county court clerks; repealing s. 40.35, F.S., relating to the requirement that the clerk render an accounting to the Comptroller; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senators Frank and Fox—

CS for SB 260—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; defining manicuring, pedicuring, facials, and nail sculpturing; redefining shampooing; defining aesthetician and nail sculpturist; deleting definitions of specialists, and specialty; redefining specialty salon; amending s. 477.0135, F.S.; providing certain exemptions from licensure; creating s. 477.0195, F.S.; providing registration for aestheticians and nail sculpturists; providing qualifications for registration; providing for renewal of registration; amending s. 477.025, F.S., permitting mobile cosmetology salons; amending s. 477.026, F.S., providing fees; creating s. 477.0262, F.S.; providing for refund of fees; providing appropriation; amending s. 477.0265, F.S.; providing certain prohibited acts for aestheticians and nail sculpturists; deleting specialists; amending s. 477.028, F.S.; providing disciplinary proceedings for cosmetologists, aestheticians, and nail sculpturists; deleting references to specialists; amending s. 477.029, F.S.; providing penalties; amending s. 476.044, F.S.; providing exemption from licensure as a barber for persons practicing manicuring, pedicuring, and shampooing; repealing s. 477.0201, F.S.; removing provisions for licensure of specialists; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Johnston, Langley, Thurman, Gersten, Kirkpatrick, Crenshaw, Beard, Jenne, Crawford, Weinstein, Kiser, Plummer, D. Childers, Castor and Peterson—

CS for SB's 294, 184, 1061, 251, 647, 963, 987, 1040 and 1089—A bill to be entitled An act relating to highway safety; amending ss. 39.10, 316.193, 316.1932, 322.02, 322.261, 322.271, 322.34, F.S.; creating s. 322.055, F.S.; providing for revocation or nonissuance of drivers' licenses for persons under specified ages who have been found guilty of or delinquent for certain alcohol-related or drug-related offenses; authorizing restricted driving privileges for such persons; requiring clerks of court to report findings of guilt or delinquency; providing felony penalties for fourth or subsequent conviction for driving under the influence or driving while intoxicated; providing mandatory minimum incarceration for persons convicted of driving under the influence or driving while intoxicated who had a specified blood alcohol level; increasing the period of driver's license suspension for persons who refuse breath, blood, or urine tests; requiring substance abuse course for issuance of driver's license to a person who has certain previous convictions; specifying effect of restricted driving privileges; providing minimum mandatory penalties for driving while person's driving privilege has been suspended, canceled, or revoked if such suspension, cancellation, or revocation was for driving under the influence or driving while intoxicated; providing an effective date.

By the Committee on Commerce and Senators Margolis, Jenne, Gordon, McPherson, W. D. Childers, Weinstein, Hill, Fox, Meek, Grizzle, Grant, Frank, Neal, Johnston, Malchon, Stuart, Crawford, D. Childers, Dunn and Girardeau—

CS for SB 328—A bill to be entitled An act relating to insurance; creating s. 624.45, F.S.; authorizing certain participation of financial institutions in reinsurance and in insurance exchanges; amending s. 626.9541, F.S.; changing restrictions upon insurance dealings involving increased premiums; amending s. 626.973, F.S.; excluding certain property or casualty insurance from provisions relating to fictitious groups; amending s. 627.062, F.S.; changing factors to be considered by the Department of Insurance in reviewing rates; providing for orders; providing that certain violations of provisions relating to unfair insurance trade practices violate rate provisions; creating s. 627.0625, F.S.; providing for risk management

plans for commercial property insurance and commercial casualty insurance; requiring affected insurers to file information with the department; requiring insurers realizing an excessive profit to place the profits in a special fund and providing the use of such funds; amending s. 627.072, F.S.; limiting certain rate-making provisions to workers' compensation and employer's liability insurance; amending s. 627.331, F.S.; conforming rate-reporting provisions to the act; amending s. 627.351, F.S.; authorizing the department to adopt a joint underwriting plan for property and casualty insurance risk apportionment; creating a Risk Underwriting Committee; amending s. 627.356, F.S.; expanding provisions relating to professional liability self-insurance to cover certain professions in addition to law; providing for joint and several liability of members to the self-insurance trust fund; providing for review of rates; amending s. 627.357, F.S.; expanding the types of health care providers eligible to establish a medical malpractice risk management trust fund; expanding the entities which may be insured by the fund; providing for joint and several liability of members to the fund; providing for review of rates; creating s. 627.4133, F.S.; requiring certain insurers to notify insureds of cancellations, nonrenewals, or renewal premiums; creating s. 627.4205, F.S.; requiring insurers to issue coverage identification numbers to insureds; amending s. 627.421, F.S.; specifying a period by which insurance policies shall be delivered; amending s. 629.50, F.S.; changing restrictions on formation of limited reciprocal insurers; amending s. 629.501, F.S.; conforming provisions relating to limited reciprocal insurers; amending s. 629.511, F.S.; changing restrictions of use of agents by limited reciprocal insurers; amending s. 629.513, F.S.; prohibiting excessive rates by limited reciprocal insurers; amending s. 629.517, F.S.; changing conditions of suspension or revocation of the certificate of authority of a limited reciprocal insurer; amending s. 629.519, F.S.; conforming provisions relating to conversion of limited reciprocal insurers; providing an appropriation; providing for certain rate filings; creating ss. 624.460, 624.462, 624.464, 624.466, 624.468, 624.470, 624.472, 624.473, 624.474, 624.476, 624.478, 624.480, 624.482, 624.484, 624.486, 624.488, F.S.; amending s. 517.051, F.S.; creating the Commercial Self-Insurance Fund Act; authorizing certain entities to form commercial self-insurance funds; requiring certificate of authority; specifying conditions for maintenance of certificate of authority; requiring annual reports; specifying liability of members; requiring approval of department for dividends; providing for assessments of members; providing for impaired funds; providing for use of agents; requiring approval of forms; prohibiting inadequate or unfairly discriminatory rates; providing for designation of registered agent; providing for examination; specifying applicability of related laws; providing that certain insurance securities are exempt from registration requirements; providing an appropriation; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senators W. D. Childers and Hair—

CS for SB 336—A bill to be entitled An act relating to concurrent jurisdiction to enforce state criminal laws; providing that the United States Government and the Governor of the State of Florida or competent local authorities may enter into written agreements for the concurrent exercise of authority to enforce the state criminal law within lands within the State of Florida; providing an effective date.

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

CS for SB 344—A bill to be entitled An act relating to emergency medical services; amending s. 401.113, F.S.; revising the formula for expenditures from the Emergency Medical Services Trust Fund; amending ss. 401.211, 401.23, 401.281, 401.35, and 401.38, F.S.; removing provisions relating to nonemergency medical transportation services; amending s. 401.24, F.S.; providing for biennial revision of the comprehensive state plan for emergency medical services; amending s. 401.245, F.S.; authorizing certain reimbursement for members of the Emergency Medical Services Advisory Council and revising membership; removing a restriction on council meetings; amending s. 401.25, F.S.; extending the service area for basic and advanced life support services to include waterways; amending s. 401.26, F.S.; providing for concurrent expiration of vehicle permits and service licenses; amending s. 401.27, F.S.; modifying renewal certification requirements for emergency medical technicians; removing provisions which authorize certification of physician's assistants as emergency medical technicians; modifying certificate expiration dates; amending s. 401.31, F.S.; revising provisions relating to inspection of licensees; amending s. 401.34, F.S.; revising a fee schedule; authorizing the Department of Health and Rehabilitative Services to amend fees by rule and prorate certain fees; eliminating fee exemptions for certain gov-

ernment-operated services; revising provisions relating to fee exemptions for volunteer service providers; amending s. 458.348, F.S.; requiring certain notice when a physician enters into a formal supervisory relationship, standing orders, or established protocol with a paramedic; amending s. 743.064, F.S.; authorizing prehospital care of minors by emergency medical services personnel; repealing s. 401.21, F.S., relating to short title; repealing s. 401.255, F.S., relating to licensure of nonemergency medical transportation services; repealing s. 401.33(6) and (7), F.S., relating to exemptions for certain nonemergency transportation services; providing an effective date.

By the Committee on Judiciary-Civil and Senator Dunn—

CS for SB 345—A bill to be entitled An act relating to the Fictitious Name Statute; amending s. 865.09, F.S.; providing for periodic expiration of registrations of fictitious names; providing a form for the registration statement; requiring a statement of withdrawal by a partner who withdraws from a partnership operating under a fictitious name; providing for names registered before the effective date of the act; providing for notice; providing an effective date.

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

CS for SB 373—A bill to be entitled An act relating to tax on sales, use, and other transactions; creating s. 212.0505, F.S.; providing for taxing of unlawful transactions involving certain drugs, cannabis, or controlled substances; providing exemptions; providing for administration; providing an effective date.

By the Committee on Judiciary-Civil and Senator Castor—

CS for SB 376—A bill to be entitled An act relating to domestic violence; amending s. 741.30, F.S., relating to action by a spouse for injunction for protection against domestic violence; revising conditions for standing; revising contents of petition; clarifying language; providing for civil or criminal contempt; providing for bail in arrests for certain violations of such injunction; creating s. 741.31, F.S., providing a penalty for certain violations of such injunction; providing an effective date.

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

CS for SB 392—A bill to be entitled An act relating to homestead exemption; amending s. 196.131, F.S.; authorizing counties to waive the requirement for annual application for homestead exemption; providing for application of certain lien provisions; amending s. 196.161, F.S.; providing for taxes and interest on certain persons not entitled to a homestead exemption; providing an effective date.

By the Committee on Judiciary-Civil and Senators Dunn, Kiser, Frank, Fox and Vogt—

CS for SB 397—A bill to be entitled An act relating to limited partnerships; replacing the existing laws relating to the formation, organization, and internal affairs of, and the transaction of business in this state by, domestic and foreign limited partnerships and to the liability of general and limited partners with the Florida Revised Uniform Limited Partnership Act (1986); providing for annual reports by limited partnerships; providing for revocation of authority to transact business for failure to file annual reports, pay fees when due, or file amendments when required; prescribing fees of the Department of State; providing for disposition of moneys collected; providing for applicability of the Uniform Partnership Act under certain circumstances; transferring and amending s. 620.081, F.S.; providing for conveyances to and by limited partnerships; deleting a provision that is no longer needed; repealing ss. 620.01-620.08, 620.09-620.49, F.S., relating to domestic and foreign limited partnerships; providing for the duties of registered agents; amending s. 48.061, F.S.; providing for service of process on limited partnerships; providing severability; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Hair and Neal—

CS for SB's 432 and 281—A bill to be entitled An act relating to beach management; amending s. 161.021, F.S.; transferring regulatory powers of Division of Marine Resources under ch. 161, F.S., to the Division of Beaches and Shores; defining "beach renourishment" and "beach restoration" and other terms; amending s. 161.041, F.S.; placing restrictions on permits for construction of a coastal inlet jetty or excavation or maintenance of such an inlet; amending s. 161.053, F.S.; providing coastal

construction and excavation regulation; amending s. 161.054, F.S.; providing liability for damage to sovereignty lands or to beaches, shores, or beach-dune systems, including animal, plant, or aquatic life thereon; creating s. 161.088, F.S.; declaring public policy relating to beach erosion control and beach restoration and renourishment projects; amending s. 161.091, F.S.; providing for use of moneys in the Beach Management Trust Fund; amending s. 161.101, F.S.; providing for state and local participation in federally authorized projects and studies relating to beach erosion control; amending s. 161.131, F.S.; providing for statutory construction of ss. 161.011-161.212, F.S.; amending s. 161.141, F.S.; providing property rights of state and private upland owners in beach restoration project areas; creating s. 161.142, F.S.; declaring public policy relating to improved navigation inlets; regulating construction and maintenance dredging; requiring placement of sand on downdrift beaches; providing for a management plan to mitigate adverse impacts of coastal inlets on beaches; amending s. 161.161, F.S.; providing for a management plan; providing procedures for approval of projects; amending s. 161.26, F.S.; providing that local beach renourishment or restoration projects may not be undertaken without certain approvals; amending s. 253.03, F.S.; providing that the Board of Trustees of the Internal Improvement Trust Fund and other state agencies may levy a charge or attach a lien on materials dredged from certain lands; amending s. 315.03, F.S.; authorizing counties, port districts, port authorities, and municipalities to expend moneys to mitigate adverse impacts of inlets on beaches; amending s. 373.026, F.S.; providing powers and duties for the Department of Environmental Regulation with respect to plans or projects for coastal inlets; amending s. 403.813, F.S.; providing for the Board of Trustees of the Internal Improvement Trust Fund to fix a charge for the removal of material to create or maintain a coastal inlet; amending s. 403.8163, F.S.; providing for selection of sites for disposal of spoil from maintenance dredge operations; providing an effective date.

By the Committee on Commerce and Senators Hair, Vogt, Barron, Crawford, Kirkpatrick, Thomas, Girardeau, Mann, Grant, Peterson, Neal, Myers, Margolis, Beard, Hill, Jennings, Gordon, Jenne, Fox and Langley—

CS for SB's 465, 349, 592, 698, 699, 700, 701, 702, 956, 977 and 1120—A bill to be entitled An act relating to insurance and civil actions; providing findings and purpose; creating s. 624.45, F.S.; authorizing certain participation of financial institutions in reinsurance and in insurance exchanges; amending s. 626.9541, F.S.; changing restrictions upon insurance dealings involving increased premiums; amending s. 626.973, F.S.; excluding certain property or casualty insurance from provisions relating to fictitious groups; amending s. 627.062, F.S.; changing factors to be considered by the Department of Insurance in reviewing rates; providing for orders; providing that certain violations of provisions relating to unfair insurance trade practices violate rate provisions; creating s. 627.0625, F.S.; providing for risk management plans for commercial property insurance and commercial casualty insurance; requiring affected insurers to file information with the department; requiring insurers realizing an excessive profit to place the profits in a special fund and providing the use of such funds; amending s. 627.072, F.S.; limiting certain rate-making provisions to workers' compensation and employer's liability insurance; amending s. 627.331, F.S.; conforming rate-reporting provisions to the act; amending s. 627.351, F.S.; authorizing the department to adopt a joint underwriting plan for property and casualty insurance risk apportionment; creating a Risk Underwriting Committee; amending s. 627.356, F.S.; expanding provisions relating to professional liability self-insurance to cover certain professions in addition to law; providing for joint and several liability of members to the self-insurance trust fund; providing for review of rates; amending s. 627.357, F.S.; expanding the types of health care providers eligible to establish a medical malpractice risk management trust fund; expanding the entities which may be insured by the fund; providing for joint and several liability of members to the fund; providing for review of rates; creating s. 627.4133, F.S.; requiring certain insurers to notify insureds of cancellations, nonrenewals, or renewal premiums; creating s. 627.4205, F.S.; requiring insurers to issue coverage identification numbers to insureds; amending s. 627.421, F.S.; specifying a period by which insurance policies shall be delivered; amending s. 629.50, F.S.; changing restrictions on formation of limited reciprocal insurers; amending s. 629.501, F.S.; conforming provisions relating to limited reciprocal insurers; amending s. 629.511, F.S.; changing restrictions of use of agents by limited reciprocal insurers; amending s. 629.513, F.S.; prohibiting excessive rates by limited reciprocal insurers; amending s. 629.517, F.S.; changing conditions of suspension or revocation of the certificate of authority of a limited reciprocal insurer; amending s. 629.519, F.S.; conforming provisions relating to conversion of lim-

ited reciprocal insurers; providing an appropriation; providing for certain rate filings; creating ss. 624.460, 624.462, 624.464, 624.466, 624.468, 624.470, 624.472, 624.473, 624.474, 624.476, 624.478, 624.480, 624.482, 624.484, 624.486, 624.488, F.S.; amending s. 517.051, F.S.; creating the Commercial Self-Insurance Fund Act; authorizing certain entities to form commercial self-insurance funds; requiring certificate of authority; specifying conditions for maintenance of certificate of authority; requiring annual reports; specifying liability of members; requiring approval of department for dividends; providing for assessments of members; providing for impaired funds; providing for use of agents; requiring approval of forms; prohibiting inadequate or unfairly discriminatory rates; providing for designation of registered agent; providing for examination; specifying applicability of related laws; providing that certain insurance securities are exempt from registration requirements; providing an appropriation; providing findings and purpose; limiting joint and several liability to economic damages; providing for apportionment of damages; providing for recovery of noneconomic damages; limiting amount of noneconomic damages; requiring leave of court to plead punitive damages; providing for distribution of punitive damages; providing for offer of judgment and demand for judgment in civil actions; providing for periodic payments of future damages; providing for itemized verdicts; providing for reduction of damages in amounts paid by collateral sources of indemnity; providing for a plan for mediation and arbitration of civil actions; providing for a study commission; requiring annual reports; requiring a reduction of insurance rates; repealing s. 768.31(1), (2)(a), (b), (d), (3), (4)(a)-(e), (5), (6), (7), F.S., relating to contribution among tortfeasors in negligence actions; providing instructions to the Division of Statutory Revision of the Joint Legislative Management Committee; providing severability; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Meek, Dunn, Margolis, Gordon and McPherson—

CS for SB's 469 and 306—A bill to be entitled An act relating to youth; creating the Florida Youth Conservation Corps Act of 1986; providing intent; providing definitions; establishing the Office of Civilian Conservation within the Department of Natural Resources to administer the Florida Youth Conservation Corps program; providing conservation and public service components of the program; providing for appointment of a director of the Office of Civilian Conservation; providing duties and authority of the department; providing an educational component of the program; providing for emergency response activities; providing program eligibility, length of service, wages, and duties; providing for department rules; providing severability; providing for future repeal; providing an effective date.

By the Committee on Transportation and Senator Hill—

CS for SB 470—A bill to be entitled An act relating to vehicles; amending s. 316.003, F.S.; providing definitions for purposes of ch. 316, F.S.; amending s. 316.183, F.S.; establishing a maximum speed limit for mopeds and motor-driven cycles; amending s. 316.2065, F.S.; removing the provision relating to the minimum age requirements for moped drivers; removing the provision relating to moped safety equipment; amending s. 316.208, F.S.; requiring mopeds and motor-driven cycles to be driven on the right-hand side of the roadway; providing exceptions; prohibiting the operation of a motor-driven cycle on the sidewalk; amending s. 316.2085, F.S.; providing for applicability of provisions regulating motorcycles to mopeds and motor-driven cycles; creating s. 316.460, F.S.; adopting by reference the federal government's safety equipment regulations relating to mopeds; amending s. 319.20, F.S.; exempting mopeds and motor-driven cycles from the provisions of ch. 319, F.S.; amending s. 320.01, F.S.; providing definitions; amending s. 320.08, F.S.; requiring moped owners to pay an annual license tax; amending s. 320.0803, F.S.; exempting mopeds and motor-driven cycles from the requirements of ch. 320, F.S.; providing exceptions; establishing the dimensions of license plates for mopeds and motor-driven cycles; amending s. 320.64, F.S.; removing a reference to "motor scooters"; amending s. 322.01, F.S.; providing definitions for purposes of ch. 322, F.S.; amending s. 322.03, F.S.; exempting operators of motor-driven cycles from the requirement of possessing a specialized driver's license; amending s. 322.07, F.S.; authorizing holders of instruction permits to operate mopeds and motor-driven cycles; amending s. 322.12, F.S.; exempting operators of motor-driven cycles from the requirement of obtaining a specialized driver's license; amending s. 322.16, F.S.; prohibiting restricted drivers under the age of 16 from operating certain motorcycles; amending s. 324.021, F.S.; relating to proof of financial responsibility; exempting motor-driven cycles from its provisions; amending s. 403.415, F.S.; relating to motor vehicle noise; exempting moped and motor-driven cycles from its provisions; providing an effective date.

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

CS for SB 520—A bill to be entitled An act relating to ad valorem tax administration; amending s. 197.363, F.S., relating to optional method of collecting special assessments and service charges; correcting a reference; amending s. 197.413, F.S., relating to delinquent personal property taxes; revising tax collector's fee; amending s. 197.472, F.S.; revising provisions relating to redemption of tax certificates; amending s. 197.473, F.S., relating to disposition of unclaimed redemption moneys; revising tax collector's service charge; amending s. 197.502, F.S., relating to tax deeds; revising provisions relating to consolidated applications; providing for taxes on lands listed as available for taxes; providing for escheat to the county; 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 conveyance; providing for a refund of certain fees; providing effective dates.

By the Committee on Corrections, Probation and Parole and Senator Hill—

CS for SB 557—A bill to be entitled An act relating to the state correctional system; amending s. 944.47, F.S.; correcting a definitional cross-reference; amending s. 951.22, F.S.; prohibiting possession of contraband in county detention facilities; specifying what constitutes such contraband; providing penalties; providing an effective date.

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

CS for SB 653—A bill to be entitled An act relating to housing for the elderly; providing for formation of an advisory group under the Department of Community Affairs and the Florida Housing Finance Agency; providing purposes and duties; directing the Department of Health and Rehabilitative Services to provide services related to housing for the elderly; authorizing certain demonstration projects; requiring annual reports; directing the Board of Regents to develop a proposal for a multidisciplinary center on housing for the elderly at one or more state universities; providing for a report; providing for review and repeal; providing an effective date.

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

CS for 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; 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; amending ss. 370.15, 370.151, 370.155, 370.156, F.S.; providing regulations for shrimp; providing license requirements; 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 non-resident license requirement for sponge fishing; providing that this act does not affect the scheduled repeal of certain provisions of the Florida Statutes; 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 that oysters sold in this state must be labeled as to point of harvest; providing for rules; providing effective dates.

By the Committee on Judiciary-Civil and Senators Mann, Castor, Frank, Kiser, Malchon, Gersten, Gordon and Dunn—

CS for SB 669—A bill to be entitled An act relating to elections; creating ss. 106.30-106.37, F.S., the Florida Election Campaign Financing Act; creating an Election Campaign Financing Trust Fund and providing for appropriations thereto; authorizing contributions to certain statewide candidates; providing eligibility requirements; providing for expenditure limitations; providing distribution procedures; providing penalties; providing for prohibitions pertaining to certain indirect expenditures; 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; amending s. 106.265, F.S.; providing for the deposit of certain fines into the Election Campaign Financing Trust Fund; providing for legislative review; providing for future repeal; providing an effective date.

By the Committee on Judiciary-Civil and Senator Jennings—

CS for SB 780—A bill to be entitled An act relating to local parking regulation; amending s. 316.008, F.S.; authorizing counties and municipalities to provide, by ordinance, increased fines for violation of specified fire-safety related noncriminal traffic violations; providing for use of increased fines for firefighter education programs; providing for reporting of fine collections by clerks of court; providing an effective date.

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

CS for SB 864—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.113, F.S.; providing for participation by a surviving spouse of an elected official who dies in office before accumulating the required number of years of creditable service, upon the payment of certain contributions into the system trust fund; providing for such participation when the spouse has received a refund of the member's contributions, upon the repayment of the refunded contributions plus interest and the payment of certain contributions into the system trust fund; providing an effective date.

By the Committee on Judiciary-Civil and Senator Hair—

CS for SB 865—A bill to be entitled An act relating to campaign financing; creating ss. 106.093, 106.096, F.S.; providing for public campaign financing for candidates for election or nomination to the office of State Treasurer; prescribing qualifications candidates must meet to be eligible for such financing; requiring candidates to agree to certain conditions; prescribing procedures for applying for financing; prescribing limitations on campaign expenditures for candidates eligible to receive financing; providing penalties for failure to comply with limitations; requiring reporting of campaign contributions; prescribing fines for failure to return to the state public funds to which a candidate is not entitled; creating the Florida Public Campaign Trust Fund; providing for distribution of moneys in the fund to eligible candidates; providing for supervision of the fund; providing a continuing appropriation; providing an effective date.

By the Committee on Corrections, Probation and Parole—

CS for SB 870—A bill to be entitled An act relating to the state correctional system; amending s. 944.598, F.S.; raising the population of the correctional system which constitutes a state of emergency; amending the gain-time provisions for reduction of the inmate population by providing for the Secretary of Corrections and the Parole and Probation Commission to determine those persons entitled to early termination of incarceration; amending s. 945.091, F.S.; providing for supervised release for certain inmates; providing an effective date.

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

CS for SB 871—A bill to be entitled An act relating to vital statistics; creating ss. 382.001 and 382.002, F.S., relating to vital statistics; providing definitions; amending ss. 382.01, 382.031, 382.04, 382.37, 382.32, and 382.38, F.S.; consolidating provisions relating to vital statistics, the State Registrar, and local registrars of vital statistics; providing for reports; amending s. 382.50, F.S., relating to the microfilming and destruction of vital records; amending ss. 382.36, 382.33, and 382.05, F.S.; consolidating provisions relating to local registrars, deputy registrars, and subregistrars; amending s. 382.061, F.S.; changing procedures regarding burial-transit permits; amending ss. 382.14, 382.081, and 382.091, F.S.; clarifying the applicability of certain provisions to stillbirths; changing certain pro-

cedures relating to death registrations; amending s. 382.10, F.S.; changing procedures with respect to certain deaths; creating s. 382.012, F.S.; providing for presumptive death certificates; amending s. 382.16, F.S.; changing provisions relating to selection of surnames for birth certificates; amending s. 382.17, F.S.; changing birth certificate information which is confidential; amending ss. 382.21, 382.22, and 382.49, F.S.; changing provisions relating to corrections and substitutions of birth records; amending s. 382.215, F.S., relating to new birth certificates for alien children; amending ss. 382.40, 382.44, 382.45, and 382.48, F.S., relating to delayed birth certificates; amending ss. 382.19 and 382.20, F.S., relating to filings of birth and death certificates; amending ss. 382.23, 382.24, and 382.25, F.S., relating to marriage licenses and records of dissolutions of marriage; increasing the filing charge for judgment of dissolution of marriage; amending s. 382.29, F.S., relating to records of the Department of Health and Rehabilitative Services; amending s. 382.35, F.S.; providing for computer certification of certain records; changing confidentiality requirements; increasing certain fees; providing for the release of certain data to specified persons; amending s. 382.39, F.S.; providing for administrative fines for certain violations; amending s. 382.51, F.S., relating to adoption information; amending ss. 28.101, 68.07, and 383.04, F.S., to conform; repealing ss. 382.02, 382.071, 382.15, 382.26, 382.28, 382.30, 382.321, 382.34, 382.41, 382.42, 382.43, and 383.10, F.S., relating to vital records, to conform; amending ss. 63.165, 383.327, 741.02, and 943.26, F.S.; correcting cross-references, to conform; providing an effective date.

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

CS for SB 873—A bill to be entitled An act relating to telecommunications; amending ss. 166.231, 203.01, 203.012, 203.013, 203.60, 203.63, 212.05, F.S.; specifying applicability of municipal public service tax on telecommunication services; authorizing municipalities to audit certain telecommunication service providers; providing confidentiality; specifying applicability of state tax on operating costs of private telecommunication systems; defining "gross receipts" for telecommunication services, "telecommunication service," and "interstate" for purposes of gross receipts tax; providing for calculation of gross receipts tax on interstate telecommunication service, interstate teletypewriter or computer exchange service, and interstate private communication services; providing a limit on sales taxes imposed on certain telecommunication service providers; providing for administration; amending s. 337.401, F.S.; authorizing municipalities to impose an annual license fee on certain telecommunication service providers for certain purposes; providing an effective date.

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

CS for SB 931—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.037, F.S.; specifying the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business Regulation as the agency to receive and disburse certain escrow accounts; amending s. 193.074, F.S.; providing for confidentiality of certain returns; amending s. 194.013, F.S.; providing for refunding certain filing fees under certain circumstances; amending s. 195.002, F.S.; broadening the Department of Revenue's authority to administer certain schools; authorizing the department to charge certain fees; providing that such fees are not state funds; amending s. 195.087, F.S.; authorizing tax collectors and property appraisers to pay certain fees to the department; authorizing travel and per diem expenses under certain circumstances; amending s. 196.1995, F.S.; making prospective the application of certain ad valorem tax exemption provisions; amending s. 200.065, F.S.; removing certain increases in assessed value from the exclusion from rolled-back millage rate calculations; providing that notices of tax increase include references to the budget; creating s. 201.022, F.S.; requiring that a return showing real property interest transfers be filed with the clerk of the circuit court; providing for confidentiality; providing an effective date.

By the Committee on Governmental Operations and Senator Kiser—

CS for SB 971—A bill to be entitled An act relating to public officers and employees; amending s. 112.3143, F.S.; requiring disclosure of conflicts of interest by appointed public officers; requiring appointing bodies to consider certain records prior to appointment; providing an effective date.

By the Committee on Governmental Operations and Senator Scott—

CS for SB 976—A bill to be entitled An act relating to vehicle title certificates; amending s. 319.25, F.S.; limiting provision of oral informa-

tion; providing for reduced fees for information requested by governments; deleting provisions for free written information; providing an effective date.

By the Committee on Corrections, Probation and Parole and Senators Thurman, Grant and Deratany—

CS for SB's 999 and 742—A bill to be entitled An act relating to county and municipal prisoners; amending s. 951.23, F.S.; changing information collected by the Department of Corrections from county detention facilities; requiring the department to make available lists of certain construction plans for county adult detention facilities; providing for departmental review of plans of changes in existing or proposed county or municipal detention facilities prior to construction; requiring written documentation prior to housing nondangerous felons with misdemeanants; establishing a minimum square footage requirement for the housing of inmates under certain conditions in county adult detention facilities; authorizing jail inspection matters to be submitted to an advisory jail review committee within the department; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Malchon, Weinstein, Meek, Fox, Scott, Margolis and Frank—

CS for SB's 1005 and 121—A bill to be entitled An act relating to protection from abuse, neglect, and exploitation; amending s. 415.101, F.S., creating the "Adult Protective Services Act"; clarifying legislative intent with respect to such protection for aged persons and disabled adults; amending s. 415.102, F.S., modifying definitions and providing additional definitions; amending s. 415.103, F.S., clarifying language; specifying additional persons who are required to report known or suspected abuse, neglect, or exploitation of aged persons or disabled adults; specifying contents of and modifying procedures with respect to reports; providing for expunction of records under certain circumstances; providing the tollfree number for the central abuse registry; providing immunity to persons making reports; amending s. 415.104, F.S., requiring on-site investigation of reports by the Department of Health and Rehabilitative Services; providing a time limit; requiring report of criminal justice agency investigations; requiring certain notification to the state attorney; requiring monthly reports from the state attorney; amending s. 415.105, F.S., providing departmental procedures with respect to provision of protective services when consent is given, when consent is withdrawn, when the person involved lacks capacity to consent, or when a caregiver refuses to allow services; providing for hearings; authorizing emergency protective services intervention, emergency entry of and removal from premises, and medical treatment, under certain circumstances; providing for petition, hearing, and notice; amending s. 415.106, F.S., requiring certain interprogram agreements or procedures; providing for interagency cooperation; amending s. 415.107, F.S., permitting access to confidential reports to certain additional persons; providing for notification of investigation upon request of the person making the initial report of abuse, neglect, or exploitation; providing for investigation of applicants for licensure of certain facilities; disqualifying certain persons from licensure; providing for exemptions; creating s. 415.1085, F.S., authorizing use of photographs, medical examinations, and X-rays in investigations of abused or neglected aged persons or disabled adults; providing for recovery of costs; providing procedures with respect to medical treatments; amending ss. 415.109, 415.112, 400.304, and 400.307, F.S., to conform to the act; amending s. 415.111, F.S., providing penalties for abusing, neglecting, or exploiting an aged person or disabled adult; repealing s. 415.108, F.S., relating to immunity from liability in reporting abuse, neglect or exploitation of aged or disabled persons; repealing s. 827.09, F.S., relating to penalties for abuse, neglect, or exploitation of aged or disabled persons; providing an effective date.

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

CS for SB 1012—A bill to be entitled An act relating to state employment; amending s. 110.205, F.S.; specifying which positions are exempt from the Career Service System and the personnel systems in which they are placed; specifying the manner in which salaries and benefits for such positions will be set; amending s. 110.402, F.S.; defining coverage of the Senior Management Service; amending s. 110.403, F.S.; reducing the maximum number of employees that may be included in the Senior Management Service; providing for area differentials for employees in certain areas of the state; amending s. 110.406, F.S.; changing the due date of the annual report regarding the administration of the Senior Management Service; amending s. 110.601, F.S.; changing the name of the Selected Professional Service to the "Selected Exempt Service";

amending s. 110.602, F.S.; providing for coverage of the Selected Exempt Service; amending s. 110.603, F.S.; providing for area differentials in the pay plan for certain employees; providing conforming language; amending ss. 110.604-110.607, F.S.; conforming terminology; changing the due date for the annual report regarding the administration of the Selected Exempt Service; creating s. 121.055, F.S.; creating the Senior Management Service Class of membership within the Florida Retirement System; specifying who may participate; providing for employer contributions; providing for minimum creditable service for retirement; specifying average final compensation; providing for the rate of retirement credit; providing for the establishment of the Senior Management Service Optional Annuity Program; providing for participation; providing for employer and employee contributions; providing for payment of benefits; providing for administration; providing for distribution of certain financial and actuarial information; providing for an accounting of participant accounts; amending s. 121.021, F.S.; including the Senior Management Service Class within the definition of "member" for purposes of the Florida Retirement System and providing a normal retirement date for such members; amending s. 447.203; conforming terminology; providing an effective date.

By the Committee on Transportation and Senators Gordon, Crawford, Johnson, Neal and Stuart—

CS for SB 1022—A bill to be entitled An act relating to taxation on fuels; creating s. 336.027, F.S.; providing that a county may impose an additional gas tax by a majority plus one vote of the commission; providing for the collection, administration, and distribution of the tax; providing that bonds may be issued pursuant to the State Bond Act pledging the revenues from the tax; providing that the county may use the proceeds of the tax for county transportation programs and to advance state road and public transportation projects and may distribute such proceeds by joint agreement with municipalities in the county; providing for reimbursement for expenditures on state projects; providing that a county must specify the projects on which the proceeds of the tax will be expended; prohibiting the Department of Transportation from reducing its program allocations in those counties which have contributed revenues from the tax for state projects; providing an effective date.

By the Committee on Transportation and Senator Gordon—

CS for SB 1023—A bill to be entitled An act relating to transportation; amending s. 334.046, F.S.; requiring the Department of Transportation to submit with its proposed 5-year transportation plan a report containing certain analyses and comparisons; requiring the department to make an oral presentation to the transportation committees of the Senate and the House of Representatives; amending s. 339.135, F.S.; requiring the 5-year transportation plan to include reports on construction contract time and manpower; requiring the submission of the 5-year transportation plan prior to the start of each regular session of the Legislature; providing an effective date.

By the Committee on Agriculture and Senator D. Childers—

CS for SB 1105—A bill to be entitled An act relating to citrus; directing the Department of Agriculture and Consumer Services to adopt rules relating to citrus canker; providing for voluntary destruction agreements; imposing an excise tax on citrus for a 1-year period; providing administrative and collection procedures; providing a penalty; providing an appropriation to the department for expenses incurred in citrus canker eradication; providing for a financial assistance program for persons whose plants were destroyed or identified to be destroyed as of a specified date and providing an appropriation; providing an effective date.

By the Committee on Transportation—

CS for SB 1118—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; providing that each district of the Department of Transportation be headed by a deputy assistant secretary; providing that the department advise the Legislative Auditing Committee of its determination that a recommendation of the Auditor General should be altered or not implemented; amending s. 163.803, F.S.; providing that for purposes of the Metropolitan Transportation Authority Act a metropolitan planning organization is an entity composed entirely of counties that have adopted the 6-cent local option gas tax; amending s. 163.806, F.S.; deleting the prohibition against a metropolitan transportation authority expending tax revenues available to it to finance a bus system; amending s. 163.807, F.S.; deleting the requirement that a local government continue to fund a publicly owned transportation system after its

acquisition by a metropolitan transportation authority; amending s. 163.816, F.S.; providing that if an entity created by general or special law is acquired by an authority all funding sources of such entity shall remain in effect and shall be administered as originally authorized; amending s. 163.818, F.S.; providing that a metropolitan transportation authority may also succeed to the rights, obligations, responsibilities, commitments and bonded indebtedness of certain transit authorities; providing that a referendum on the question of a transfer to a metropolitan transportation authority may also include transit systems; amending s. 207.002, F.S.; redefining the term "commercial motor vehicle" for purposes of tax on operation of commercial motor vehicles under ch. 207, F.S.; amending s. 316.076, F.S.; providing that the conduct of drivers approaching railroad-highway crossings be governed by s. 316.1575; amending s. 316.1575, F.S.; providing requirements for persons walking or driving a vehicle and approaching a railroad-highway crossing; amending s. 316.171, F.S.; requiring railroad companies to erect signs and other traffic control devices at crossings which conform to the provisions of s. 316.0745, F.S.; amending s. 316.515, F.S.; revising an exemption from vehicle length limitations; amending s. 316.545, F.S.; providing that a person who has been assessed a penalty for failure to have a valid vehicle registration certificate is not subject to a delinquent fee if a registration certificate is obtained within a certain time; amending s. 316.605, F.S.; providing that a truck of net weight greater than 10,000 pounds must display its license plate on the front of the vehicle; amending s. 320.01, F.S.; providing definitions; amending s. 320.02, F.S.; providing that odometer readings are not required to be reported on apportionable vehicles; amending s. 320.055, F.S.; prescribing vehicle registration renewal periods; amending s. 320.0605, F.S.; providing that the cab card for certain vehicles must be in the possession of the operator; amending s. 320.07, F.S.; providing that a person assessed a penalty pursuant to s. 316.545, F.S., for failure to have a valid vehicle registration certificate is not subject to a delinquent fee for failure to renew a registration; amending s. 320.0706, F.S.; providing that the owner of a truck of net weight more than 10,000 pounds must display the registration license plate on the front of the vehicle; amending s. 320.071, F.S.; providing that the owner of a currently registered apportioned vehicle may file for renewal 5 months preceding the date of expiration; amending s. 320.0715, F.S.; providing that designated authorized agents of the department may issue permits to motor carriers; requiring the department or its agents to charge a service charge for temporary operational permits; amending s. 320.0805, F.S.; providing that an owner of a vehicle registered under the International Registration Plan may not obtain a personalized prestige license plate; amending s. 320.26, F.S.; prohibiting the counterfeiting, alteration, or manufacture of certain permits; amending s. 320.37, F.S.; requiring foreign corporations, certain for-hire vehicles, and commercial vehicles to comply with motor vehicle registration requirements; amending s. 330.30, F.S.; providing for the adjustment of the expiration date of an airport license; providing for prorated fees; amending s. 332.007, F.S.; providing for the advance funding of land acquisition costs at certain existing airports; amending s. 334.044, F.S.; authorizing the department to cooperate with the commission or authority of any other state; amending s. 335.141, F.S.; providing a definition of a public railroad-highway grade crossing; providing that the department and railroad companies are not liable for any action or omission in the development of the railroad-highway grade crossing hazard reduction program; requiring railroad companies maintaining public railroad-highway grade crossings to install traffic control devices upon notice from the department; requiring the railroad company or governmental entity performing construction or maintenance to notify the other party; requiring a local governmental entity or other public or private agency planning a public event that will cross a railroad track to give advance notice to the railroad company; amending s. 335.20, F.S.; providing for the announcement of the availability of funds; deleting the requirement that the department provide funding under the Local Government Transportation Assistance Act to those counties who have adopted each of the 6-cent local option taxes on motor fuel and special fuel; providing that a county may use any of the local option gas tax for matching purposes; amending s. 336.025, F.S.; providing that a county may pledge the revenues from the entire local option taxes; repealing the requirement for an extraordinary vote of the governing body in order to impose the third, fourth, fifth, and sixth cent local option tax; amending s. 336.026, F.S.; clarifying that the amount of the local option gas tax is 6 cents; amending s. 336.045, F.S.; providing that required curb ramps at intersections be in substantial conformance with the Uniform Federal Accessibility Standards; providing that the requirement is applicable to curb ramps let to contract after a certain date; amending s. 337.11, F.S.; providing that district deputy assistant secretaries may approve certain supplemental agreements; amending s. 337.14, F.S.; providing that an interim financial state-

ment of a construction contract bidder is required under certain circumstances; providing that each required annual or interim financial statement be audited and accompanied by the opinion of a certified public accountant or a public accountant approved by the department; amending s. 338.221, F.S.; clarifying the definition of "turnpike improvement" for purposes of the Florida Turnpike Law; amending s. 338.223, F.S.; requiring a proposed turnpike project or turnpike improvement to be developed in accordance with the Florida Transportation Plan and the 5-year transportation plan and with approval by affected cities, counties, and metropolitan planning organizations; amending s. 339.08, F.S.; deleting the prohibition against the use of moneys in the State Transportation Trust Fund for economic development road projects; amending s. 341.301, F.S.; providing definitions; amending s. 351.03, F.S.; requiring railroad companies to erect and maintain crossbuck grade crossing warning signs at all public or private railroad-highway grade crossings; requiring advance railroad warning signs and pavement markings to be installed and maintained at public railroad-highway grade crossings by the governmental entity having jurisdiction over or maintenance responsibility for the highway or street; repealing s. 316.158, F.S., relating to dangerous highway grade crossings; requiring the department to submit a decentralization plan by October 1, 1986; providing an effective date.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Malchon, the rules were waived and by two-thirds vote SB 992 was withdrawn from the Committee on Judiciary-Civil.

On motions by Senator Grant, by two-thirds vote SB 745 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Dunn, the rules were waived and the Committee on Judiciary-Civil was granted permission to consider CS for SB 656 and SJR 171 on May 7.

On motion by Senator Crawford, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to consider SB 497 on May 7.

On motion by Senator Hill, the rules were waived and the Committee on Corrections, Probation and Parole was granted permission to meet May 8 from 1:00 p.m. until 4:00 p.m. in lieu of 2:00 p.m. until 5:00 p.m.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

Appointments Subject to Confirmation by the Senate:

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Brevard Community College, Members Appointees: Dobson, Roger W. Nohrr, P. F.	05/31/90 05/31/90
Board of Trustees of Daytona Beach Community College, Members Appointees: Beighle, J. Wayne Sacks, Leonard	05/31/90 05/31/90
Board of Trustees of Gulf Coast Community College, Members Appointees: Poyner, James A. Tapper, George G. Whitehead, C. A.	05/31/90 05/31/90 05/31/90
Board of Trustees of Lake City Community College, Members Appointees: Bowdoin, Leroy Floyd, Ben H. Levy, Alfonso	05/31/90 05/31/90 05/31/90
Board of Trustees of Polk Community College, Member Appointee: Harris, Jr., George W.	05/31/90
Board of Trustees of St. Petersburg Junior College, Members Appointees: McElroy, J. Patrick Young, Robert C.	05/31/90 05/31/90

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Professional Engineers, Member Appointee: Cromartie, William D.	12/20/89
Environmental Regulation Commission, Member Appointee: Buford, Jr., A. L. Jack	07/01/89
Board of Medical Examiners, Member Appointee: Stuart, Kathryn Ann	08/01/89
North Central Florida Regional Planning Council, Region 3, Member Appointee: Young, Aubra E.	10/01/88
Board of Trustees of the John and Mable Ringling Museum of Art, Member Appointee: Padron, Eduardo J.	11/05/89

Referred to the Committee on Executive Business.

Florida Citrus Commission, Member
Appointee: D'Albora, Jr., John V. 05/31/89

Referred to the Committees on Agriculture and Executive Business.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

First Reading

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has passed HB 109; CS for HB 371 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Clements—

HB 109—A bill to be entitled An act relating to state uniform traffic control; amending ss. 316.082, 316.087, 316.090, 316.271, 316.455, and 324.201, F.S.; restructuring provisions relating to passing vehicles proceeding in opposite directions, limitations on driving to the left of center of a roadway, driving on divided highways, horns and warning devices, certain required equipment, and violations with respect to return of license or registration to the Department of Highway Safety and Motor Vehicles, to provide for a single violation or restriction per statute subdivision; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Regulatory Reform and Representative Shackelford—

CS for HB 371—A bill to be entitled An act relating to historic preservation; repealing s. 3 of chapter 80-536, Laws of Florida, and amending and renumbering ss. 1 and 2 thereof; redesignating the commission to advise the Division of Recreation and Parks with respect to the Judah P. Benjamin Memorial at Gamble Plantation Historical Site as an advisory council; saving said chapter from repeal; providing for future review and repeal; providing an effective date.

(Substituted for SB 916 on the special order calendar this day.)

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 and 2 and passed HB 265 as amended.

Allen Morris, Clerk

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has passed SB 8, CS for SB 56, CS for SB 66, and CS for SB 157.

Allen Morris, Clerk

The bills contained in the foregoing message were ordered enrolled.

SPECIAL ORDER

CS for SB 399—A bill to be entitled An act relating to podiatrists; reviving and readopting, notwithstanding the Regulatory Sunset Act, ch. 461, F.S.; amending ss. 461.001, 461.002, 461.003, 461.004, 461.005, 461.006, 461.007, 461.008, 461.012, 461.013, F.S.; changing the term "podiatry" to "podiatric medicine"; providing exceptions; deleting obsolete language; increasing fees; increasing continuing education requirements; defining terms related to malpractice; prohibiting fraud, deceit, or misconduct; requiring investigation of reported instances of malpractice in specified circumstances; providing for future repeal and legislative review; providing an effective date.

—was read the second time by title.

Senator Frank moved the following amendments which were adopted:

Amendment 1—On page 14, between lines 12 and 13, insert:

Section 11. Section 461.0132, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 461.0132, F.S., for present text.)

461.0132 Treatment programs for impaired practitioners.—

(1) The board shall appoint a licensee who shall serve on the Impaired Practitioners Committee.

(2) The department shall by rule designate approved treatment programs under this section. The department may adopt rules setting forth appropriate criteria for approval of treatment providers based on the policies and guidelines established by the committee.

(3) The department shall retain one or more impaired practitioner consultants as recommended by the committee. A consultant shall be a practitioner or recovered practitioner licensed under chapter 457, chapter 458, chapter 459, chapter 460, chapter 461, chapter 463, chapter 464, chapter 465, chapter 466, chapter 467, chapter 474, chapter 484, or chapter 486. The consultant shall assist the probable cause panel and the department in carrying out the responsibilities of this section. This shall include working with department investigators to determine whether a practitioner is, in fact, impaired.

(4)(a) Whenever the consultant is notified and there is reason to believe that a practitioner licensed by the state under this chapter is impaired as a result of the misuse or abuse of alcohol or drugs, or both, or due to a mental condition, which could affect the practitioner's ability to practice his profession, and no complaint against the practitioner other than impairment exists, the reporting of such information shall not constitute a complaint within the meaning of s. 455.225, if the probable cause panel of the board under which the practitioner is licensed finds that:

1. The practitioner has acknowledged his impairment problem;
2. The practitioner has voluntarily enrolled in an appropriate, approved treatment program; and
3. The practitioner has voluntarily withdrawn from his practice or limited the scope of his practice as determined by the panel in each case, until such time as the panel is satisfied that he has successfully completed an approved treatment program.

(b) Whenever the department is notified, and there is reason to believe, that a practitioner is impaired as described in paragraph (a) and no complaint against the practitioner other than impairment exists, the department shall forward all information regarding the impaired practitioner in its possession to the consultant. For the purposes of this section a suspension from hospital staff privileges due to the impairment does not constitute a complaint.

(c) The probable cause panel shall work directly with the consultant, and all information concerning a practitioner obtained from the consultant by the panel shall remain confidential, subject to the provisions of subsections (6) and (7).

(d) A finding of probable cause shall not be made as long as the panel is satisfied, based upon information it receives from the consultant and the department, that the impaired practitioner is progressing satisfactorily in an approved treatment program.

(5) In any disciplinary action for a violation other than impairment in which a licensee establishes that the violation for which he is being

prosecuted was due to or connected with impairment, and further establishes that he is satisfactorily progressing through or has successfully completed an approved treatment program pursuant to this section, such information may be considered by the board as a mitigating factor in determining the appropriate penalty. This subsection does not limit the mitigating factors the board may consider.

(6)(a) An approved treatment provider shall, upon request, disclose to the consultant all information in its possession regarding the issue of a practitioner's impairment and his participation in the treatment program. Notwithstanding s. 119.14, all information obtained by the consultant and the department pursuant to this section is exempt from disclosure under s. 119.07 and shall be held confidential, subject to the provisions of this subsection and subsection (7). This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14. Failure to provide such information to the consultant is grounds for withdrawal of approval of such program or provider.

(b) If in the opinion of the consultant, after consultation with a treatment provider, an impaired practitioner has not progressed satisfactorily in a treatment program, the consultant shall disclose to the department all information in his possession regarding the issue of a practitioner's impairment and his participation in a treatment program. Such disclosure shall constitute a complaint pursuant to the general provisions of s. 455.225. Whenever the consultant concludes that impairment affects a practitioner's practice and constitutes an immediate, serious danger to the public health, safety, or welfare, that conclusion shall be communicated to the secretary of the department.

(7)(a) If a consultant or probable cause panel has any reason to believe that there is collaboration between an impaired practitioner and a treatment provider, or if the probable cause panel has any reason to believe that there is collaboration between an impaired practitioner and a consultant, for the purpose of representing that the practitioner is rehabilitated when he is not, the consultant or panel shall report this to the department. The department shall investigate the allegation of collaboration and the treatment provider or consultant shall, upon request, turn over all information in his possession regarding the issue of a practitioner's impairment and his participation in the treatment program.

(b) Any collaboration between an impaired practitioner and a treatment provider or consultant, for the purpose of representing that the impaired practitioner is rehabilitated when he is not, is a felony of the third degree punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(8) A consultant, licensee, or approved treatment provider who makes a disclosure pursuant to this section is not subject to civil liability for such disclosure or its consequences. The provisions of s. 768.40 apply to any officer, employee, or agent of the department or the board and to any officer, employee, or agent of any entity with which the department has contracted pursuant to this section.

(Renumber subsequent sections.)

Amendment 2—On page 5, lines 28-32, and on page 6, lines 1-17, strike all of said lines and insert:

(1) A license which has become inactive may be reactivated pursuant to this section s-461.007 upon application to the department. The board shall prescribe by rule continuing education requirements as a condition of reactivating a license. The continuing education requirements for reactivating a license shall not exceed 20 1/2 classroom hours for each year the license was inactive in addition to completion of the number of hours required for renewal on the date the license became inactive. Any such license which has been inactive for more than 4 years shall automatically expire if the licensee has not made application for reactivation renewal of such license. Once a license expires, it becomes null and void without any further action by the board or department. One year prior to expiration of the inactive license, the department shall give notice to the licensee at the licensee's last address of record.

(2) The board shall promulgate rules relating to application procedures for inactive status, the renewal of inactive licenses, and for the reactivation of licenses. The board shall prescribe by rule an application fee for inactive status, a renewal fee for inactive status, and a fee for the reactivation of a license. Each of these fees shall be the same as the biennial renewal fee established by the board for an active license. ~~licenses which have become inactive and for the renewal of inactive licenses. The board shall prescribe by rule a fee not to exceed \$50 for the reactivation of an inactive license and a fee not to exceed \$50 for the renewal of an inactive license.~~

(3) *The department shall not reactivate a license unless the inactive licensee has paid an inactive application fee, any applicable biennial renewal fee, and a reactivation fee.*

Amendment 3—In title, on page 1, line 6, after "461.013," insert: 461.0132,

Amendment 4—In title, on page 1, between lines 14 and 15, insert: providing for treatment programs for impaired practitioners; providing penalties for falsely representing that an impaired practitioner is rehabilitated; providing immunity from liability;

On motion by Senator Frank, by two-thirds vote CS for SB 399 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—2

Fox Gersten

Vote after roll call:

Yea—Scott

CS for SB 225—A bill to be entitled An act relating to education; amending s. 231.613, F.S.; deleting provision which gives school districts authority to modify subject areas of instruction for inservice training institutes; requiring training to be on consecutive days; encouraging districts to use university and community college personnel to provide training; changing the date by which district plans must be submitted to the Department of Education; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote CS for SB 225 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Scott

Consideration of CS for SB 330 was deferred.

On motion by Senator Stuart, by unanimous consent—

CS for SB 300—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; authorizing certain counties to levy an additional tax by ordinance; restricting use of revenues; revising provisions relating to the chairman of the tourist development council and its membership and meetings; revising provisions relating to issuance of bonds and providing for issuance of revenue refunding bonds; providing an effective date.

—was taken up out of order and read the second time by title.

Two amendments were adopted to conform the bill to CS for HB 271.

Pending further consideration of CS for SB 300 as amended, on motions by Senator Stuart, the rules were waived and by two-thirds vote CS for HB 271 was withdrawn from the Committees on Economic, Community and Consumer Affairs; and Finance, Taxation and Claims.

On motion by Senator Stuart—

CS for HB 271—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; authorizing certain counties to levy an additional tax by ordinance or by referendum; restricting use of revenues; revising provisions relating to the chairman of the tourist development council and its membership and meetings; revising provisions relating to issuance of bonds and providing for issuance of revenue refunding bonds; providing an effective date.

—a companion measure, was substituted for CS for SB 300 as amended and read the second time by title. On motion by Senator Stuart, by two-thirds vote CS for HB 271 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Scott

CS for SB 300 was laid on the table.

On motion by Senator Stuart, the rules were waived and CS for HB 271 was ordered immediately certified to the House.

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

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote CS for SB 221 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Scott

On motions by Senator Langley, the rules were waived and by two-thirds vote CS for HB 27 was withdrawn from the Committees on Agriculture and Judiciary-Criminal.

On motion by Senator Langley—

CS for HB 27—A bill to be entitled An act relating to cruelty to animals; creating s. 828.125, F.S., prohibiting the killing, maiming, mutilating, causing bodily harm or causing permanent breeding disability to any

registered breed of horse or cattle or hybrid thereof; prohibiting conspiracy to commit such acts; prohibiting certain threats to commit such acts; providing penalties; providing for restitution; providing language with respect to construction of the act; providing an effective date.

—a companion measure, was substituted for SB 51 and read the second time by title. On motion by Senator Langley, by two-thirds vote CS for HB 27 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Scott

SB 51 was laid on the table.

SB 513—A bill to be entitled An act relating to liability insurance for sheriffs; amending s. 768.28, F.S.; deleting provisions which restricted the joint purchase of liability coverage or self-insurance of such risks by sheriffs; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote SB 513 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 216—A bill to be entitled An act relating to geophysical operations; amending s. 377.2424, F.S.; providing a permit condition that surety bonds in an amount sufficient to protect all lands upon which geophysical activities are conducted be posted; providing that applicants for geophysical permits employ persons to accompany geophysical crews to perform certain duties; providing an effective date.

—was read the second time by title.

Senator Mann moved the following amendments which were adopted:

Amendment 1—On page 2, line 8, after the period (.) insert: The department shall share geophysical permit information with a county or municipality upon request. However, in order to avoid unnecessary duplication, no county, municipality, or other political subdivision of the state may adopt or establish programs to accomplish the purpose of s. 377.2424.

Amendment 2—On page 2, line 1, strike "employ" and insert: contract with

On motion by Senator Mann, by two-thirds vote SB 216 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

SB 551—A bill to be entitled An act relating to public food service establishments; creating s. 509.214, F.S.; requiring certain notification of automatic gratuity charges at such establishments; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, strike all of lines 13-16 and insert: Every public food service establishment shall include on the face of the bill provided to the customer whether or not an automatic gratuity is included.

On motion by Senator Kiser, by two-thirds vote SB 551 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	Fox	Jennings	Neal
Barron	Frank	Johnson	Peterson
Beard	Gersten	Kirkpatrick	Plummer
Castor	Girardeau	Kiser	Scott
Childers, D.	Gordon	Langley	Stuart
Childers, W. D.	Grant	Malchon	Thomas
Crawford	Grizzle	Margolis	Thurman
Crenshaw	Hair	McPherson	Vogt
Deratany	Hill	Meek	Weinstein
Dunn	Jenne	Myers	

Nays—None

On motion by Senator Beard, by two-thirds vote HB 109 was withdrawn from the Committee on Transportation.

On motions by Senator Beard—

HB 109—A bill to be entitled An act relating to state uniform traffic control; amending ss. 316.082, 316.087, 316.090, 316.271, 316.455, and 324.201, F.S.; restructuring provisions relating to passing vehicles proceeding in opposite directions, limitations on driving to the left of center of a roadway, driving on divided highways, horns and warning devices, certain required equipment, and violations with respect to return of license or registration to the Department of Highway Safety and Motor Vehicles, to provide for a single violation or restriction per statute subdivision; providing an effective date.

—a companion measure, was substituted for SB 616 and by two-thirds vote read the second time by title.

Further consideration of HB 109 was deferred.

SB 406—A bill to be entitled An act relating to trust administration; amending s. 737.3053, F.S.; providing that the net income of certain trusts must, unless otherwise provided in the will or trust instrument, be distributed at least annually; amending s. 737.306, F.S.; relieving certain successor trustees of personal liability for acts and omissions of certain prior trustees and of any duty to institute actions against such prior trustees; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 406 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Jenne

On motion by Senator Peterson, by two-thirds vote HB 910 was withdrawn from the Committee on Agriculture.

On motions by Senator Peterson—

HB 910—A bill to be entitled An act relating to plant industry; amending s. 581.091, F.S.; specifying prohibited acts with regard to noxious weeds and infected plants or regulated articles, for which a penalty is provided by law; providing an effective date.

—a companion measure, was substituted for SB 458 and read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 910 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Jenne

SB 458 was laid on the table.

CS for SB 226—A bill to be entitled An act relating to educational management; amending s. 229.551, F.S., revising criteria under which a student in a job preparatory program is to be considered a "placement" for purposes of computing placement rates of vocational education programs; providing for follow-up procedures to determine placement status; amending s. 230.645, F.S., classifying certain postsecondary students as residents for tuition purposes; providing an effective date.

—was read the second time by title.

Senator Peterson moved the following amendments which were adopted:

Amendment 1—On page 4, between lines 5 and 6, insert:

Section 2. Subsection (1) of section 232.2454, Florida Statutes, is amended to read:

232.2454 Uniform student performance standards, instruments, and assessment procedures.—

(1) The State Board of Education shall adopt rules to provide for the development and periodic revision of uniform, statewide student performance standards, instruments, and assessment procedures to measure public-school-student performance in each major subject area or major area of study approved by the state board; provided that vocational education shall be one of the areas of study approved by the state board. Such rules shall be adopted in time to ensure that such assessments and related reporting of results occur for all approved areas no later than the fall of the 1989-1990 school year. However, initial assessments shall not occur until the spring of the 1988-1989 school year, and initial reporting

shall not occur until the fall of the 1989-1990 school year. Such rules shall include, but are not limited to, provisions for information which permits numerical rankings and other analyses which consider socioeconomic composition, aptitude, and historical student achievement.

(Renumber subsequent sections.)

Amendment 2—In title, on page 1, line 9, after the semicolon (;) insert: amending s. 232.2454, F.S., requiring the State Board of Education to designate vocational education as an area of study for which student performance standards and assessment tests are to be developed;

On motion by Senator Peterson, by two-thirds vote CS for SB 226 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Jenne

On motion by Senator Vogt, by two-thirds vote HB 945 was withdrawn from the Committee on Transportation.

On motions by Senator Vogt—

HB 945—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.

—a companion measure, was substituted for SB 659 and read the second time by title. On motion by Senator Vogt, by two-thirds vote HB 945 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Jenne

SB 659 was laid on the table.

SB 731—A bill to be entitled An act relating to the Broward County Expressway Authority Law; amending ss. 348.241, 348.243, F.S.; removing references to the Deerfield Expressway; redefining the Sawgrass Expressway; providing an effective date.

—was read the second time by title. On motion by Senator Weinstein, by two-thirds vote SB 731 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnson	Peterson
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

On motion by Senator Thurman, by two-thirds vote HB 803 was withdrawn from the Committee on Transportation.

On motions by Senator Thurman—

HB 803—A bill to be entitled An act relating to road designation; designating a portion of State Road 40 in Ocala as the James C. Cunningham Memorial Highway; providing for the Department of Transportation to erect appropriate markers; providing an effective date.

—a companion measure, was substituted for SB 617 and read the second time by title. On motion by Senator Thurman, by two-thirds vote HB 803 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 617 was laid on the table.

SB 236—A bill to be entitled An act relating to elections; amending s. 99.061, F.S.; changing the qualifying period for special district elections; providing an effective date.

—was read the second time by title.

Senator Thurman moved the following amendments which were adopted:

Amendment 1—On page 2, between lines 4 and 5, insert:

Section 2. Subsection (4) of section 106.141, Florida Statutes, is hereby repealed.

(Renumber subsequent section.)

Amendment 2—In title, on page 1, line 4, after the semicolon (;) insert: repealing s. 106.141(4), F.S., which provides for disposition of surplus campaign funds which have not been used within 2 years from the date the campaign account was established;

On motion by Senator Thurman, by two-thirds vote SB 236 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Deratany, Mann

Senator Langley presiding

SB 847—A bill to be entitled An act relating to the naming of state buildings; naming the annex to the Kirkman Building the “Ina S. Thompson Building”; authorizing the Department of Highway Safety and Motor Vehicles to erect suitable signs and markers designating the building; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote SB 847 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Jenne

On motions by Senator Neal—

CS for HB 371—A bill to be entitled An act relating to historic preservation; repealing s. 3 of chapter 80-536, Laws of Florida, and amending and renumbering ss. 1 and 2 thereof; redesignating the commission to advise the Division of Recreation and Parks with respect to the Judah P. Benjamin Memorial at Gamble Plantation Historical Site as an advisory council; saving said chapter from repeal; providing for future review and repeal; providing an effective date.

—a companion measure, was substituted for SB 916 and by two-thirds vote read the second time by title. On motion by Senator Neal, by two-thirds vote CS for HB 371 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Jenne

SB 916 was laid on the table.

SB 217—A bill to be entitled An act relating to funds for teaching writing skills; amending s. 236.1223, F.S.; increasing the maximum number of students per teacher in writing skills classes; providing an effective date.

—was read the second time by title. On motion by Senator Gordon, by two-thirds vote SB 217 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Beard	Childers, D.	Crawford	Deratany
Castor	Childers, W. D.	Crenshaw	Dunn

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

Nays—None

Vote after roll call:

Yea—Jenne

CS for SB 330—A bill to be entitled An act relating to plumbing; amending s. 553.03, F.S., defining “journeyman plumber” or “journeyman”; creating s. 553.051, F.S., providing for licensure of journeyman plumbers; providing qualifications; providing an effective date.

—was read the second time by title. On motion by Senator Stuart, by two-thirds vote CS for SB 330 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Jenne

Consideration of CS for SB 194 was deferred.

The President presiding

SB 334—A bill to be entitled An act relating to game and freshwater fish; creating s. 372.5716, Florida Statutes, requiring persons who hunt deer to wear a certain amount of daylight fluorescent orange material while hunting; providing an effective date.

—was read the second time by title. On motion by Senator Stuart, by two-thirds vote SB 334 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Gersten	Jennings	Meek
Castor	Girardeau	Johnson	Myers
Childers, D.	Gordon	Kiser	Stuart
Crenshaw	Grant	Langley	Weinstein
Dunn	Grizzle	Malchon	
Fox	Hair	Margolis	
Frank	Jenne	McPherson	

Nays—12

Barron	Crawford	Kirkpatrick	Scott
Beard	Deratany	Mann	Thomas
Childers, W. D.	Hill	Plummer	Thurman

Vote after roll call:

Yea—Neal

Yea to Nay—Grant, Langley

Reconsideration

On motion by Senator Beard, the rules were waived and the Senate reconsidered the vote by which HB 109 was substituted for SB 616.

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 read the second time by title. On motion by Senator Beard, by two-thirds vote SB 616 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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	Weinstein
Crenshaw	Hill	McPherson	
Dunn	Jenne	Meek	
Fox	Jennings	Myers	

Nays—None

Vote after roll call:

Yea—Neal

SPECIAL ORDER, continued

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

—was read the second time by title. On motion by Senator Grant, by two-thirds vote CS for SB 194 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Neal

SB 716—A bill to be entitled An act relating to conveyances to and by trustees of unincorporated churches; vesting title to real property in trustees of unincorporated churches; conferring power on the trustees of unincorporated churches to convey and mortgage real property; providing for an affidavit to identify trustees of unincorporated churches; providing a saving clause; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote SB 716 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Beard	Childers, D.	Crawford
Barron	Castor	Childers, W. D.	Crenshaw

Deratany	Grant	Kiser	Myers
Dunn	Grizzle	Langley	Peterson
Fox	Hair	Malchon	Plummer
Frank	Hill	Mann	Stuart
Gersten	Jennings	Margolis	Thomas
Girardeau	Johnson	McPherson	Thurman
Gordon	Kirkpatrick	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Jenne, Neal

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 read the second time by title. On motion by Senator Langley, by two-thirds vote SB 615 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Neal

SB 785—A bill to be entitled An act relating to pesticide applicators; amending s. 487.157, F.S.; prescribing recertification options required by the Department of Agriculture and Consumer Services or Institute of Food and Agricultural Sciences; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 785 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Girardeau, Neal

On motion by Senator W. D. Childers, the rules were waived and SB 785 was ordered immediately certified to the House.

Reconsideration

On motion by Senator Thurman, the rules were waived and the Senate reconsidered the vote by which SB 236 as amended passed this day.

On motion by Senator Thurman, by two-thirds vote HB 127 was withdrawn from the Committee on Judiciary-Civil.

On motions by Senator Thurman—

HB 127—A bill to be entitled An act relating to elections; amending s. 99.061, F.S.; changing the qualifying period for special district elections; providing an effective date.

—a companion measure, was substituted for SB 236 and read the second time by title.

Senator Thurman moved the following amendments which were adopted:

Amendment 1—On page 2, between lines 4 and 5, insert:

Section 2. Subsection (4) of section 106.141, Florida Statutes, is hereby repealed.

(Renumber subsequent section.)

Amendment 2—In title, on page 1, line 4, after the semicolon (;) insert: repealing s. 106.141(4), F.S., which provides for disposition of surplus campaign funds which have not been used within 2 years from the date the campaign account was established;

On motion by Senator Thurman, by two-thirds vote HB 127 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 236 was laid on the table.

On motion by Senator Thurman, the rules were waived and HB 127 was ordered immediately certified to the House.

SPECIAL ORDER, continued

CS for 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; extending the time limits for agencies and affected parties to file notices and take certain actions pertaining to the adoption of rules; extending the time within which affected persons may request a hearing with respect thereto; providing an effective date.

—was read the second time by title.

Senator Frank moved the following amendment which was adopted:

Amendment 1—On page 1, strike all of lines 14-26 and insert:

Section 1. Subsection (1), paragraph (a) of subsection (3), paragraphs (a), (b), and (c) of subsection (4), paragraph (b) of subsection (11), and paragraph (b) of subsection (13) of section 120.54, Florida Statutes, are amended to read:

120.54 Rulemaking; adoption procedures.—

(1) Prior to the adoption, amendment, or repeal of any rule not described in subsection (9), an agency shall give notice of its intended action, setting forth a short and plain explanation of the purpose and effect of the proposed rule, the specific legal authority under which its adoption is authorized, and a summary of the estimate of the economic impact of the proposed rule on all persons affected by it.

(a) Except as otherwise provided in this paragraph, the notice shall be mailed to the committee, to all persons named in the proposed rule, and to all persons who have made requests of the agency for advance notice of its proceedings at least 14 days prior to such mailing. The agency shall also give such notice as is prescribed by rule to those particular classes of persons to whom the intended action is directed. Notice of intent by an educational unit to adopt, amend, or repeal any rule not described in subsection (9) shall be made:

1. By publication in a newspaper of general circulation in the affected area;
2. By mail to all persons who have made requests of the educational unit for advance notice of its proceedings and to organizations representing persons affected by the proposed rule; and

3. By posting in appropriate places so that those particular classes of persons to whom the intended action is directed may be duly notified.

Such publication, mailing, and posting of notice shall occur at least 21 1/2 days prior to the intended action.

On motion by Senator Frank, by two-thirds vote CS for SB 631 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	Fox	Jennings	Myers
Barron	Frank	Johnson	Neal
Beard	Gersten	Kirkpatrick	Peterson
Castor	Girardeau	Kiser	Plummer
Childers, D.	Gordon	Langley	Stuart
Childers, W. D.	Grant	Malchon	Thomas
Crawford	Grizzle	Mann	Thurman
Crenshaw	Hair	Margolis	Vogt
Deratany	Hill	McPherson	Weinstein
Dunn	Jenne	Meek	

Nays—None

SB 564—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; postponing coverage of alien agricultural workers contingent upon a consistent change in federal law; providing for retroactive application; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, lines 15 and 16, strike "Farm Labor Contractor Registration Act of 1963" and insert: *Migrant and Seasonal Agricultural Worker Protection Act of 1983* ~~Farm Labor Contractor Registration Act of 1963~~

On motion by Senator Peterson, by two-thirds vote SB 564 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Gordon

SB 356—A bill to be entitled An act relating to state universities; amending s. 240.233, F.S.; prescribing exemptions to the foreign language requirement as a condition for admission to a state university; authorizing a university president to grant certain exemptions and directing the president to make certain reports with respect thereto; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 356 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 515—A bill to be entitled An act relating to title insurance; amending s. 627.792, F.S.; providing for the apportionment of liability among title insurers for defalcation, conversion, or misappropriation by an agent representing multiple companies; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 16, after “a” insert: *licensed*

On motion by Senator Thomas, by two-thirds vote SB 515 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

SB 280—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; reenacting definitions of “state group health insurance plans” and “state insurance program”; deleting provisions requiring legislative approval of certain Department of Administration activities in administering the program; deleting obsolete language; providing a retroactive effective date; providing an effective date.

—was read the second time by title.

The Committee on Personnel, Retirement and Collective Bargaining recommended the following amendments which were moved by Senator Hill and adopted:

Amendment 1—On page 2, strike all of lines 8-10 and insert: program as established by this section and shall promulgate such rules as are necessary to perform its responsibilities. To implement this program, the department shall, subject to legislative approval:

Amendment 2—On page 4, strike all of lines 15 and 16 and insert:

~~(c) Promulgate such rules as may be necessary to perform its responsibilities.~~

On motion by Senator Hill, by two-thirds vote SB 280 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

On motion by Senator Hill, the rules were waived and SB 280 after being engrossed was ordered immediately certified to the House.

SB 248—A bill to be entitled An act relating to veterans; creating s. 295.017, F.S., providing educational opportunity at state expense for dependent children of the servicemen who died or suffered 100-percent disability in the Lebanon and Grenada military arenas; amending s. 295.02, F.S., providing use of funds; providing an effective date.

—was read the second time by title.

Senator Gersten moved the following amendments which were adopted:

Amendment 1—On page 2, lines 6-31, and on page 3, lines 1-18, strike all of said lines and insert:

Section 2. Section 295.018, Florida Statutes, is created to read:

295.018 *Children of servicemen who died in Newfoundland air tragedy.*—

(1) *It is hereby declared to be the policy of the state to provide educational opportunity at state expense for the dependent children of those servicemen killed in the crash of a military transport airplane in Gander, Newfoundland, on December 12, 1985, while returning from Mideast peacekeeping duties in the Sinai Desert, which servicemen entered the military service from this state. A certified copy of a death certificate shall be prima facie evidence of the fact that the dependent children of the servicemen are eligible for such benefits.*

(2) *The provisions of ss. 295.03, 295.04, and 295.05 shall apply.*

Section 3. Section 295.02, Florida Statutes, is amended to read:

295.02 Use of funds; age, etc.—All sums appropriated and expended under this chapter shall be used to pay tuition and registration fees, board, and room rent and to buy books and supplies for the children of deceased or disabled veterans or servicemen, as defined and limited in s. 295.01, or s. 295.016, s. 295.017, or s. 295.018, or of prisoners of war or missing in action, as defined and limited in s. 295.015, who are between the ages of 16 and 22 years and who are in attendance at a state-supported institution of higher learning, including a community college or vocational-technical school. Any child having entered upon a course of training or education under the provisions of this chapter, consisting of a course of not more than 4 years, and arriving at the age of 22 years before the completion of such course may continue the course and receive all benefits of the provisions of this chapter until the course is completed. The Department of Education shall administer this educational program subject to regulations of the department.

Section 4. Section 295.03, Florida Statutes, is amended to read:

295.03 Minimum requirements.—Upon failure of any child benefited by the provisions of *this chapter s. 295.01 or s. 295.015* to comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship, the benefits thereof shall be withdrawn as to him and no further moneys expended for his benefits so long as such failure or delinquency continues.

Section 5. Section 295.04, Florida Statutes, is amended to read:

295.04 Appropriation; benefits.—The sum necessary for the purposes of *this chapter ss. 295.01 and 295.015* shall be appropriated in the General Appropriations Act for each fiscal year, provided that no student shall receive an amount in excess of tuition and registration fees. Only students in good standing in their respective institutions shall receive the benefits thereof, and no student shall receive such benefits for more than 12 quarters, 8 semesters, or 8 trimesters.

Section 6. Section 295.05, Florida Statutes, is amended to read:

295.05 Admission; enrollment.—Eligibility for admission is not affected by this chapter, but all children receiving benefits under *this chapter s. 295.01 or s. 295.015* shall be enrolled according to the customary rules and requirements of the institution attended.

Section 7. Paragraph (b) of subsection (3) of section 230.645, Florida Statutes, is amended to read:

230.645 Postsecondary student fees; waiver; deferral.—

(3)

(b) Any veteran or other eligible student receiving benefits under *chapter 30, chapter 31, chapter 32, chapter 34, or chapter 35, 38 U.S.C., or chapter 106, 10 U.S.C.*, is entitled to one deferment each academic year and an additional deferment each time there is a delay in the receipt of his or her benefits.

Section 8. Subsection (2) of section 240.235, Florida Statutes, is amended to read:

240.235 Fees.—

(2) The university may permit the deferral of registration and tuition fees for those students receiving financial aid from federal or state assistance programs when such aid is delayed in being transmitted to the student through circumstances beyond the control of the student. Failure to make timely application for such aid shall be insufficient reason to receive such deferral. Veterans and other eligible students receiving benefits under *chapter 30, chapter 31, chapter 32, chapter 34, or chapter 35, 38 U.S.C., or chapter 106, 10 U.S.C.*, shall be entitled to one deferment each academic year and an additional deferment each time there is a delay in the receipt of their benefits.

Section 9. Paragraph (b) of subsection (2) of section 240.345, Florida Statutes, is amended to read:

240.345 Financial support of community colleges.—

(2) STUDENT FEES.—

(b) The State Board of Community Colleges shall adopt rules permitting the deferral of registration and tuition fees for those students who receive financial aid from federal or state assistance programs when such aid is delayed in being transmitted to the student through circumstances beyond the control of the student. The failure to make timely application for such aid is insufficient reason to receive such deferral.

1. A veteran or other eligible student who receives benefits under *chapter 30, chapter 31, chapter 32, chapter 34, or chapter 35, 38 U.S.C., or chapter 106, 10 U.S.C.*, is entitled to one deferment each academic year and an additional deferment each time there is a delay in the receipt of his or her benefits.

2. In adopting such rules, the State Board of Community Colleges is required to enforce the collection of or otherwise settle delinquent accounts.

3. The State Board of Education shall require that each institution within the community college system withdraw all requests for course approval from the Veterans Administration for education programs offered in correctional facilities which are provided through state funding at no cost to the inmate.

Section 10. This act shall take effect July 1, 1986.

Amendment 2—In title, on page 1, lines 7-9, after the semicolon, strike all of said lines and insert: creating s. 295.018, F.S., providing free educational opportunity at state expense for the dependent children of certain servicemen killed in a described airplane crash; amending ss. 295.02, 295.03, 295.04 and 295.05, F.S., providing clarifying language with respect to benefits received by the dependent children of certain veterans; amending ss. 230.645, 240.235, and 240.345, F.S., providing reference to additional federal programs for veterans to receive fee benefits for postsecondary student fees, university fees and community college fees; providing an effective date.

On motion by Senator Gersten, by two-thirds vote SB 248 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
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

On motion by Senator Gersten, the rules were waived and SB 248 after being engrossed was ordered immediately certified to the House.

SB 256—A bill to be entitled An act relating to county officials; amending s. 145.19, F.S.; amending the definition of "annual factor" for purposes of calculating annual salary increases for county officers; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 256 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Neal, Weinstein

SB 322—A bill to be entitled An act relating to the Mortgage Brokerage Act; amending s. 494.03, F.S.; prescribing exemptions from the act; providing an effective date.

—was read the second time by title.

Senator Deratany moved the following amendment which was adopted:

Amendment 1—On page 1, line 16, strike "small loan" and insert: *consumer finance*

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

Amendment 2—On page 1, line 17, after "s. 517.12," insert: *when dealing with their corporate or individual clients in the normal course of their securities business.*

On motion by Senator Deratany, by two-thirds vote SB 322 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Fox, Jenne

SB 845—A bill to be entitled An act relating to education; amending s. 231.532, F.S.; revising criteria for selection as a meritorious school for purposes of the district quality instruction incentives programs; providing an effective date.

—was read the second time by title.

Senators Johnson and Kiser offered the following amendment which was moved by Senator Kiser:

Amendment 1—On page 1, line 8, strike the enacting clause

Further consideration of SB 845 was deferred.

Consideration of Resolutions

On motion by Senator Jenne, the rules were waived and by two-thirds vote SR 1255 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Jenne—

SR 1255—A resolution honoring the mothers of this state and this nation.

WHEREAS, we firmly believe that the mothers of this state and this nation are the cornerstones of the family unit, and

WHEREAS, as men and women of all ages, including the leaders and lawmakers of this great state and nation, owe much to the support, dedication, and love of their mothers, and

WHEREAS, mothers have instilled in us pride in our past and present and hope for our future, and

WHEREAS, May 11, 1986, has been designated as Mother's Day, NOW, THEREFORE,

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

That we, the members of the Florida Senate, do now, through this resolution, pay tribute to and extol the virtues of the mothers of our state and nation, and

BE IT FURTHER RESOLVED that we, individually, do on this day express our devotion, gratitude, and affection for all mothers, and especially to our own.

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

All senators were recorded as co-introducers of SR 1255.

On motion by Senator Thomas, the rules were waived and by two-thirds vote SR 1196 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Thomas—

SR 1196—A resolution commending the Grand Ridge High School basketball team for winning the 1986 Class A state championship.

WHEREAS, the Grand Ridge High School basketball team won the Class A state championship in 1986, for the first time in the history of the school, and

WHEREAS, in its progress to the state championship, the team achieved a record of 35 wins and 3 losses, the best record in the history of the school, and

WHEREAS, the Grand Ridge High School basketball team also won the Jackson County Christmas Tournament, with team members Gary Brown, Brian Durden, and Henry Williams, Jr. achieving the honor of being named to the all-tournament team, and

WHEREAS, the team also won the Collegetown Classic at the O'Connell Center of the University of Florida, in which game Gary Brown was honored by being named most valuable player, and

WHEREAS, the team's head coach, Jerry Davis; assistant coach, Holland Braxton; and players Gary Brown, Wilfred Brown, Tim Decree, Brian Durden, Tarzan Garrett, Anthony Hall, Lloyd Hatcher, Keldin Johnson, Charles McLeroy, Keith McNealy, Karie Speights, and Henry Williams, Jr. all deserve the congratulations of the people of Florida for their outstanding performance, NOW, THEREFORE,

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

That the players and coaches of the Grand Ridge High School basketball team are commended for their outstanding accomplishments during the championship season of 1985-1986.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the Grand Ridge High School basketball team and to Head Coach Jerry Davis as a tangible token of the sentiments of the Florida Senate.

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

On motion by Senator Crenshaw, by two-thirds vote SR 1285 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Crenshaw—

SR 1285—A resolution commending the state MATHCOUNTS champions.

WHEREAS, the future of engineering and science in Florida and throughout the United States depends on a continuing supply of young people who are both enthusiastic about, and excellent in, mathematics, and

WHEREAS, this state is seeking, in a variety of ways, including improving the mathematical abilities of its students, to raise the level of its educational system to the top quartile in the nation, and

WHEREAS, middle school students and junior high school students are forming lifelong attitudes toward mathematics, science, and technology, and

WHEREAS, young people need early motivation and recognition from their peers and the public if they are to meet the challenge of excelling in mathematics and planning for careers that depend on expertise in mathematics, and

WHEREAS, MATHCOUNTS, a coaching and competitive project of the Florida Engineering Society and the National Society of Professional Engineers, provides an opportunity for seventh-grade and eighth-grade students to both advance and exhibit their mathematics expertise, and

WHEREAS, the Florida MATHCOUNTS team placed first in the nation in 1985, and

WHEREAS, hundreds of seventh-grade and eighth-grade Florida students in 1986 became more involved in and enthusiastic about mathematics as a result of the MATHCOUNTS experience at school, regional, and state levels, NOW, THEREFORE,

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

That the Florida Senate commends the sponsors of school, regional, and state level MATHCOUNTS competitions and Florida's MATHCOUNTS champions— Davis King, The Bolles School, Jacksonville; Mike Livstone, The Pine View School, Sarasota; Brian Ewald, Plantation Middle School, Plantation; Mark Ventimiglia, Southwood Junior High School, Miami; and Dennis Caruso, their coach, Plantation Middle School, Plantation—and wishes them well in their national competition.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the MATHCOUNTS champions and their coach, Dennis Caruso, as a tangible token of the sentiments of the Florida Senate.

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

On motion by Senator Grizzle, by unanimous consent—

By Senator Grizzle—

SR 1299—A resolution commending Chief John F. Brady of the Pinellas County Sheriff's Department for his heroism in protecting the lives of citizens of the state and recognizing Chief Brady as Florida Law Enforcement Officer of the Year for 1986.

WHEREAS, on March 28, 1985, Paul Shelby, an armed robber, held a hostage at gunpoint in a Clearwater bank while 6 other employees hid undetected, fearing for their lives, and

WHEREAS, Chief Brady negotiated with the bank robber to exchange himself in place of the hostage before the assailant became aware that six other employees were hiding in the bank, and

WHEREAS, following instructions from Shelby, John Brady arranged for the delivery of a getaway car and entered the bank unarmed and without protection of a bullet-proof vest, and

WHEREAS, Chief Brady continued negotiating with the assailant before being led to the getaway car, during which time, continued threats were made by Shelby to kill if his demands were not met, and

WHEREAS, pursuant to prearranged plans, Chief Brady faked a heart attack while being led to the getaway car at gunpoint, allowing only seconds for a S.W.A.T. Team sniper to shoot the assailant and neutralize a crisis situation, and

WHEREAS, Chief Brady placed his own life in jeopardy to carry out his plan of action, not willing to risk the lives of the hostage, bank employees, or fellow officers, and

WHEREAS, Chief Brady's act of uncommon valor went far beyond the bounds of duty and exemplifies his professionalism and extraordinary courage in that he did willfully, and without hesitation, risk his own life to save the lives of seven innocent people, and

WHEREAS, John F. Brady is Chief Criminal Deputy of the Pinellas County Sheriff's Department, and

WHEREAS, Chief Brady is a 36-year veteran of law enforcement, and

WHEREAS, Chief Brady should be recognized for his heroism and for his outstanding contributions to law enforcement in this state, NOW, THEREFORE,

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

That Chief John F. Brady is commended for his efforts in protecting the citizens of the state and is hereby recognized as Florida Law Enforcement Officer of the Year for 1986.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Chief John F. Brady 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 Grizzle, SR 1299 was read the second time in full and adopted. The vote was:

Yeas—37

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

Nays—None

Senator W. D. Childers presiding

Recognition of President and President Pro Tempore

Senator W. D. Childers introduced the following guests: Vickie Middlebrooks and Amanda Leigh Middlebrooks, the daughter and granddaughter of President and Mrs. Johnston; and Barbara Lester, the artist who painted the President's portrait.

Senator W. D. Childers requested the President and Mrs. Johnston to join him at the rostrum.

Senator Jenne was invited to the rostrum where he presented gifts from the members of the Senate to President and Mrs. Johnston.

Senator W. D. Childers requested President Pro Tempore Betty Castor to join him at the rostrum.

Senator Jenne presented a gift from the members of the Senate to Senator Castor.

The official portrait of Senator Johnston was unveiled and presented to the Senate.

The President presiding

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Neal, the rules were waived and by two-thirds vote Senate Bills 113, 308, 498, 703, 706, 818 and 923 were withdrawn from the Committee on Appropriations.

On motions by Senator Neal, by two-thirds vote CS for SB 565 and CS for SB 640 were removed from the calendar and referred to the Committee on Appropriations.

On motion by Senator Frank, by two-thirds vote SB 924 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Jenne, the rules were waived and by two-thirds vote SB 869 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Jenne, the rules were waived and by two-thirds vote SB 1097 was referred to the Committee on Natural Resources and Conservation as the first committee of reference.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 1 was corrected and approved.

CO-INTRODUCERS

Senator D. Childers—CS for SB 16, SB 137, CS for SB 994; Senator Grant—Senate Bills 81, 938, 1138; Senator Kiser—Senate Bills 219, 460; Senator Castor—CS for SB 328; Senator Stuart—SB 442; Senator Crawford—SB 938, SJR 1018

RECESS

On motion by Senator Jenne, the Senate recessed at 11:32 a.m. to reconvene at 9:00 a.m., Thursday, May 8.

SENATE PAGES

May 5 - 9

Michele Alexander, Tallahassee; Karsten Amlie, Pompano Beach; Marguerite E. Beiner, St. Petersburg; Wendy Brewton, Tallahassee; Mitch Bryant, St. Petersburg; Heather Lee Caudill, Naples; Cindy Ann Clements, Lake City; Sarah Scott Dailey, Tallahassee; Ronald Goldin, Plantation; Peter D. Gianini, Orlando; Gary Ray Gore, Macclenny; Stephannie Lynn Hepler, Frostproof; Jennifer Leigh Jones, Tallahassee; Leah Diane Ransbottom, Ormond Beach; Jeffrey Roth, Miami; Kent M. Shaw, Orlando; James E. Terrill, III, Clewiston