



# Journal of the Senate

Number 7

Tuesday, April 28, 1987

## CALL TO ORDER

The Senate was called to order by the President at 10:00 a.m. A quorum present—39:

Mr. President	Frank	Kirkpatrick	Plummer
Barron	Girardeau	Kiser	Ros-Lehtinen
Beard	Gordon	Langley	Scott
Brown	Grant	Lehtinen	Stuart
Childers, D.	Grizzle	Malchon	Thomas
Childers, W. D.	Hill	Margolis	Thurman
Crawford	Hollingsworth	McPherson	Weinstein
Crenshaw	Jenne	Meek	Weinstock
Deratany	Jennings	Myers	Woodson
Dudley	Johnson	Peterson	

Excused: Senator Hair; President Vogt and Senator Deratany at 12:05 p.m.

## PRAYER

The following prayer was offered by the Rev. David Landers, Pastor, Keystone United Methodist Church, Keystone Heights:

This is a new day, our Father, bringing with it new blessings and new challenges. Make us equal to both the opportunities and difficult decisions that will confront us. Fortify us with your spirit that we may seek, that we may know, that we may be committed to truth.

Help us to relate to one another, not so much as liberals or conservatives, winners or losers, but as fellow servants. Keep us mindful of our humanity, of the fact that we operate under the umbrella of your grace, that we are stewards of your creation, that behind every action are people who will have to live with our decisions.

Where there is brokenness in our midst, be it relational, physical, mental, or spiritual, we pray for healing. And in the same breath, we thank you for your faithfulness, especially as it is expressed in the acceptance and tolerance of our families and friends. Because of your goodness, we gladly commit this day and our lives to you, in your name. Amen.

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

## Consideration of Resolutions

On motion by Senator Weinstein, by unanimous consent—

By Senators Weinstein, Jenne, Margolis, Gordon, Weinstock and Brown—

**SR 1300**—A resolution designating the week of April 26 through May 3, 1987 as the Days of Remembrance of the Victims of the Holocaust.

WHEREAS, in the entire history of humankind, there has been no greater violation of human rights than the Holocaust perpetrated by Nazi Germany during World War II, where six million Jews were murdered and millions of others suffered as victims of a systematic program of genocide, and

WHEREAS, the Holocaust has become a reminder to all men and women who cherish liberty and justice that they should never be complacent in that liberty or secure in that justice and that they must always honor the commitment to fight new forms of tyranny lest these lead to new Holocausts, and

WHEREAS, April 26, 1987, has been designated internationally, and pursuant to an Act of Congress, as a Day of Remembrance of the Victims of the Nazi Holocaust known as Yom Hashoah, and

WHEREAS, it is appropriate for the people of the State of Florida to join in the international commemoration to rededicate themselves to the principal of equal justice for all people and to recognize that bigotry provides a breeding ground for tyranny, and

WHEREAS, in our own time, Soviet Jews who seek to practice their religion, teach their history, study the Hebrew language, celebrate Jewish holidays, and otherwise express themselves as Jews are still targets of frequent harassment and intimidation by Soviet authorities, and

WHEREAS, tens of thousands of Soviet Jews, known as "refuseniks," have applied for exit visas to Israel, have been denied their legal rights under the Helsinki Final Act to emigrate in order to repatriate to their homeland and reunite with their families, and are now outcasts in their own country, often unable to secure employment in their profession, and

WHEREAS, the plight of Soviet Jews is an atrocity of great and growing concern, giving the precipitous decline in the rate of emigration since 1971, with only 914 Jews allowed exit visas in 1986 compared to over 50,000 in 1979, NOW, THEREFORE,

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

That, in memory of the victims of the Holocaust and in the hope that we will strive always to overcome prejudice and inhumanity through education, vigilance and resistance, the week of April 26 through May 3, 1987 is hereby designated as the Days of Remembrance of the Victims of the Holocaust.

BE IT FURTHER RESOLVED that the Florida Senate urges the Soviet Union, in accordance with international law, to open its doors to all Soviet Jews who wish to emigrate, so that they may exercise their fundamental human right to live where and how they choose.

BE IT FURTHER RESOLVED that, in recognition of his continuing efforts on behalf of human rights, a copy of this resolution, with the Seal of the Senate affixed, be presented to Nobel Prize Laureate Elie Weisel during a special joint session of the Florida Legislature, Cabinet, and Supreme Court on May 7, 1987.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Sigmund Strochlitz and Benjamin Meed, Co-Chairmen of the United States Holocaust Memorial Council Days of Remembrance Committee; to Sheldon Gusky, Tallahassee Liaison to the United States Holocaust Memorial Council; to Dr. Abraham S. Fischler, President of the Southeast Florida Holocaust Memorial Council; to Lois Chepenik, President of the Florida Association of Jewish Federations; to Rahamim Timor, Consul General of Israel in Florida; and to Yury Dubinin, Soviet Ambassador to the United States, as tangible tokens of the sentiments of the Florida Senate.

—was introduced out of order and read the first time by title. On motion by Senator Weinstein, SR 1300 was read the second time in full and unanimously adopted.

On motion by Senator Jenne, by unanimous consent—

By Senator Jenne—

**SR 1163**—A resolution recognizing the Hallandale High School Boys' Basketball Team for winning the 1987 State AAA Basketball Championship.

WHEREAS, the Hallandale High School Boys' Basketball Team has overcome the adversity of attending an underenrolled school which was threatened with closure, and

WHEREAS, the young men of that team have exhibited leadership skills through athletic prowess, and

WHEREAS, they are an example of teamwork and cooperation, and

WHEREAS, they are a source of pride and inspiration to their fellow students, and

WHEREAS, they have instilled a sense of unity and school spirit among students, and

WHEREAS, they are an example of excellence to the community, and

WHEREAS, under the leadership of Coach Greg Samuels and Assistant Coach Israel Hepburn they achieved an outstanding record of 31 wins and 1 loss, and

WHEREAS, they have shown that perseverance and dedication can result in one's ultimate goal, and

WHEREAS, the Hallandale High School Boys' Basketball Team won the State AAA Championship on March 14, 1987, and

WHEREAS, the Hallandale High School Chargers are the first team in Broward County to win a State Championship in 25 years, NOW, THEREFORE,

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

That the Senate hereby joins the residents of the City of Hallandale and Broward County in their celebration of the victorious Hallandale High School Chargers, 1987 State AAA Basketball Champions, and hereby commends the young men and coaches of that team for their accomplishment.

—was introduced out of order and read the first time by title. On motion by Senator Jenne, SR 1163 was read the second time in full and unanimously adopted.

On motion by Senator Deratany, by unanimous consent—

By Senator Deratany—

**SR 1302**—A resolution expressing the sorrow of the Senate upon the demise of Ronald Ridgeley Grogan and Douglas Gerald Johnson of Palm Bay.

WHEREAS, Ronald Ridgeley Grogan, 27 years old, was issued Badge Number 80, and was a member of the Palm Bay Police Department for the past 7 months, and

WHEREAS, Douglas Gerald Johnson, 28 years old, was issued Badge Number 67, and was a member of the Palm Bay Police Department for over one year, and

WHEREAS, a gunman's rampage at a Palm Bay shopping center on April 23, 1987, killed six people and wounded twelve others, and

WHEREAS, in pursuing their duties as police officers and in protecting their community, Ronald Ridgeley Grogan and Douglas Gerald Johnson were killed in the line of duty on April 23, 1987, and

WHEREAS, it is fitting and appropriate that the Senate take time out to express the sorrow of the entire state upon the demise of these fine young men, NOW, THEREFORE,

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

That the Florida Senate hereby expresses its sorrow on the demise of Ronald Ridgeley Grogan and Douglas Gerald Johnson and extends heartfelt condolences to the members of their families.

—was introduced out of order and read the first time by title. On motion by Senator Deratany, SR 1302 was read the second time in full and unanimously adopted.

On motion by Senator Frank, by unanimous consent—

By Senator Frank—

**SCR 1284**—A resolution calling for continued legislative interest in organ and tissue donation and support for work and publicity related to that purpose.

WHEREAS, an acute shortage of organ and tissue donors is preventing the transplantation procedures that offer the greatest and perhaps the only opportunity for full and productive life for many, and

WHEREAS, there are several thousand Floridians awaiting organ and tissue transplants, including more than 3,000 awaiting cornea transplants to restore sight, nearly 3,000 awaiting bone transplants to restore mobility and function, and more than 500 awaiting the kidney transplants needed to restore health, and countless more awaiting other organ and tissue transplants including liver, heart, heart-lung, and pancreas, and

WHEREAS, the advances of medical science are making organ and tissue transplantation ever more practical and successful, and transplant programs in this state have the capacity to transplant all organs and tissues used in current therapeutic procedures, and

WHEREAS, the Florida Legislature through the enactment of the "Anatomical Gifts Act" and subsequent legislation has facilitated the life-giving donation of organs and tissues by allowing and encouraging persons to make anatomical gifts as a part of the process of issuing and renewing drivers' licenses, and

WHEREAS, the Legislature has established and provided funding for a program to educate and inform medical professionals, law enforcement agencies, minority and ethnic populations, and the general public about the need for anatomical gifts, and

WHEREAS, this program has been implemented through the formation of a Statewide Organ and Tissue Donor Consortium made up of the Department of Highway Safety and Motor Vehicles, the Department of Health and Rehabilitative Services, other government agencies, transplant programs, organ and tissue recovery organizations, professional health organizations, and voluntary health organizations, and

WHEREAS, this program has been cited by the National Task Force on Transplantation as a model to be emulated by other states, and

WHEREAS, this statewide consortium is engaged in education and work with hospitals to facilitate and encourage organ and tissue donations through the routine inquiry of families of potential donors in order to increase the supply of anatomical gifts so that every Floridian who needs an organ or tissue transplant will be able to get one, NOW, THEREFORE,

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

That the Legislature continue its interest in organ and tissue donation, offer its full support to the work of the Statewide Organ and Tissue Donor Consortium, and cooperate in the Organ and Tissue Donation Awareness Week so designated by the Governor as April 26 through May 2, 1987, and the special Legislative Organ and Tissue Donor Registration on April 28, 1987, in the Capitol.

—was introduced out of order and read the first time by title. On motion by Senator Frank by two-thirds vote SCR 1284 was read the second time in full, unanimously adopted and certified to the House.

On motion by Senator Frank, the rules were waived and SCR 1284 was ordered immediately certified to the House.

#### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, April 28, 1987: SB 565, SB 389, SB 196, CS for SB 100, SB 101, SB 209, SB 475, CS for SB 363, CS for SB 327, SB 560, SB 266, SB 18, SB 529, CS for SB 608, SB 621, SB 927, SB 90, SB 3, CS for SB 59, CS for SB 168, SB 318, SB 504, SB 792, SB 435, SB 131, SB 261, SB 213, SB 298, SB 474, CS for SB 212, CS for SB 115, CS for SB 374

Respectfully submitted,  
*Dempsey J. Barron, Chairman*

The Committee on Economic, Community and Consumer Affairs recommends the following pass: CS for SB 156 with 1 amendment, SB 517 with 1 amendment

The Committee on Judiciary-Criminal recommends the following pass: SB 611

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 292, SB 311 with 1 amendment

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 812

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 790, SB 804

The Committee on Judiciary-Criminal recommends the following pass: SB 539

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 733

The Committee on Judiciary-Civil recommends a committee substitute for the following: SB 492

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 563

**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 Agriculture recommends a committee substitute for the following: Senate Bills 282 and 703

The Committee on Natural Resources and Conservation recommends committee substitutes for the following: SB 392, Senate Bills 606 and 712

The Committee on Transportation recommends committee substitutes for the following: SB 230, Senate Bills 264, 280 and 686

**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 Transportation recommends a committee substitute for the following: SB 659

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 293

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: Senate Bills 484, 498 and 247

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 573

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

The Committee on Judiciary-Civil recommends a committee substitute for the following: SB 401

The Committee on Transportation recommends a committee substitute for the following: SB 516

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

## INTRODUCTION AND REFERENCE OF BILLS

### First Reading

By Senator Thurman—

**SB 1041**—A bill to be entitled An act relating to the distribution and sale of malt beverages; prohibiting the sale of such beverages in certain metal containers; prohibiting a manufacturer from coercing or compelling a beer distributor to accept delivery or order such beverages in such cans; prohibiting a malt beverage manufacturer from retaliating against a distributor who complains of a violation; providing penalties; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Thurman—

**SB 1042**—A bill to be entitled An act relating to state financial matters; amending s. 215.20, F.S.; providing a service fee for certain trust funds distributed to local governments; providing an effective date.

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

By Senator Scott—

**SB 1043**—A bill to be entitled An act relating to the corporate tax; amending s. 214.425, F.S.; providing for determining certain rates of interest; amending ss. 220.03, 220.13, F.S.; providing definitions; providing for the expiration of certain retroactive applications of the Internal Revenue Code; amending ss. 221.01, 221.02, F.S.; limiting application of the emergency excise tax; repealing s. 221.04(3), F.S., relating to certain tax repeal provisions; providing a retroactive effective date.

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

By Senator Hill—

**SB 1044**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.071, F.S.; increasing the retirement contribution rate to fund increased retirement benefits for regular members of the Florida Retirement System; amending s. 121.091, F.S.; providing that regular members will receive graduated increases in the percentage of average final compensation awarded for each 10 years of creditable service; providing an effective date.

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

By Senator Hill—

**SB 1045**—A bill to be entitled An act relating to tax on sales, use, and other transactions; authorizing school districts to levy an additional tax for educational facilities for a specified period; specifying applicability; providing for refunds to certain contractors; providing a penalty; requiring referendum approval; providing for administration, collection, and enforcement and for application of specified penalties; creating a trust fund; providing for distribution; providing applicable brackets; providing for disposition of excess moneys; providing an effective date.

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

By Senator Thurman—

**SB 1046**—A bill to be entitled An act relating to animal industry; amending s. 585.08, F.S.; providing for certificate of veterinary inspection of domestic animals moved into the state; amending s. 585.35, F.S.; authorizing the Department of Agriculture and Consumer Services to examine certain records and documents relating to animals; creating s. 585.415, F.S.; providing a general penalty for violations of provisions relating to animal industry; amending s. 585.61, F.S.; expanding the jurisdiction of diagnostic laboratory services; amending ss. 585.62, 585.621, 585.64, F.S.; expanding the jurisdiction of certain poultry diagnostic disease laboratories and abolishing certain laboratories; removing laboratory construction responsibilities from the department; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By Senator Hill—

**SB 1047**—A bill to be entitled An act relating to compensation for injuries to employees of the Department of Corrections; creating s. 946.095, F.S.; providing that certain injuries to employees of the department are governed by chapter 440; providing an effective date.

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

By Senator D. Childers—

**SB 1048**—A bill to be entitled An act relating to education; creating the School Resource Officer Program; providing for a contract; establishing eligibility criteria; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Deratany—

**SB 1049**—A bill to be entitled An act relating to the corporate tax; amending ss. 220.03, 220.13, F.S.; clarifying definitions; adopting the most recent federal Internal Revenue Code; limiting certain applications of provisions relating to the emergency excise tax; amending s. 220.15, F.S.; providing that the apportionment fraction shall include a sales factor only; amending s. 220.222, F.S.; correcting a cross-reference; clarifying provisions relating to filing returns by certain corporations; amending s. 220.53, F.S.; clarifying application of certain provisions to ch. 220, F.S.; amending ss. 221.01, 221.02, 221.04, F.S.; limiting application of the emergency excise tax; deleting certain automatic repeal provisions; providing for retroactive effect; providing an effective date.

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

By Senator Thurman—

**SR 1050**—A resolution celebrating the 100th birthday of Citrus County.

—was referred to the Committee on Rules and Calendar.

By Senator Thurman—

**SB 1051**—A bill to be entitled An act relating to certified public accountants; amending s. 473.312, F.S.; requiring managing partners of firms which provide auditing services to local governmental entities to meet specific continuing education requirements; providing an effective date.

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

By Senator Thurman—

**SB 1052**—A bill to be entitled An act relating to method of fixing millage; amending s. 200.065, F.S.; revising requirements relating to advertisement of millage levy and budget hearing by school districts; revising requirements relating to the budget summary notice which accompanies said advertisement; providing for restarting the calendar of events required under said section when a review notice is issued; amending s. 237.081, F.S.; providing requirements regarding the school district budget summary notice; amending s. 373.536, F.S., to conform; providing an effective date.

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

By Senator Thurman—

**SB 1053**—A bill to be entitled An act relating to motor vehicles; amending ss. 319.14, 319.30, F.S.; providing for a salvage certificate of title to be issued by the Department of Highway Safety and Motor Vehicles for purposes of identifying certain motor vehicles and mobile homes; amending s. 319.32, F.S.; providing fees for title certificates; amending s. 319.323, F.S.; providing for expedited title service by the department; amending s. 320.01, F.S.; defining "new motor vehicle" for purposes of transfer of ownership; amending ss. 320.27, 320.77, F.S.; providing sales requirements for certain motor vehicle dealers; providing requirements for making application to the department for certain dealer licenses; providing for the expiration of dealer licenses; providing for license renewal; providing training requirements for applicants for initial licensure; providing for temporary sale permits; providing grounds for denial, suspension, or revocation of a license by the department; requiring minimum liability insurance coverage for mobile home and recreational vehicle dealers; amending s. 320.822, F.S.; defining "mobile home dealer"; creating s. 316.1951; prohibiting parking certain motor vehicles in certain locations with the intent to sell, hire, or rent such vehicles; providing penalties; providing an effective date.

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

By Senator Myers—

**SB 1054**—A bill to be entitled An act relating to speed limits; amending s. 316.187, F.S.; increasing the speed limit on rural interstate highways to 65 miles per hour; increasing the speed limit to 65 miles per hour on the Florida Turnpike and other limited access highways and on certain four-lane divided highways upon congressional approval; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Thurman—

**SJR 1055**—A joint resolution proposing an amendment to Section 9 of Article VII of the State Constitution relating to ad valorem taxation for water management purposes.

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

By Senator Lehtinen—

**SB 1056**—A bill to be entitled An act relating to parole, probation, and community control; amending s. 947.18, F.S.; making tests for alcohol, drugs, or controlled substances a condition of parole; amending s. 948.03, F.S.; making tests for alcohol, drugs, or controlled substances a condition of probation or community control; providing an effective date.

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

By Senator Weinstein—

**SB 1057**—A bill to be entitled An act relating to child abuse and neglect; amending s. 415.503, F.S.; providing a definition; amending ss. 415.504, 415.505, F.S.; providing an additional classification for abuse or neglect reports; providing for the removal or amendment of certain child abuse records by the Department of Health and Rehabilitative Services; amending s. 415.51, F.S.; providing the Division of Administrative Hearings of the Department of Administration access to abuse and neglect records under certain circumstances; providing requirements for searching the abuse registry records; amending ss. 110.1127, 393.0655, 394.457, 396.0425, 397.0715, 402.305, 409.175, F.S.; providing conforming language; providing an effective date.

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

By Senator Hair—

**SB 1058**—A bill to be entitled An act relating to the Florida Industrial Development Financing Act; amending s. 159.26, F.S.; providing legislative intent with respect to development of locally-managed pooled venture capital in the private sector; revising purposes of the act and declaring it to be necessary and in the public interest; amending s. 159.27, F.S.; redefining "bonds" to include repayment from certain sinking funds, escrow deposits, and other security provisions; including costs of funding within the definition of "cost"; redefining "project" to include funding of venture capital or economic development funds with certain moneys for investment in a qualified business venture; defining "qualified business venture"; amending s. 159.28, F.S.; providing additional powers of local agencies with respect to investment in qualified business ventures, funding of projects, offer of certain rights to bondholders, and employment of investment managers; amending s. 159.29, F.S.; providing that certain criteria and requirements apply only to certain projects; providing an additional requirement regarding the payment of bonds for certain projects; amending s. 159.30, F.S.; specifying the projects to which requirements regarding agreements of lease apply; amending s. 159.34, F.S.; revising requirements relating to interest on bonds, bondholders' rights, and payment of revenue bonds; providing an effective date.

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

By Senator Gordon—

**SB 1059**—A bill to be entitled An act relating to juveniles; amending s. 39.01, F.S.; providing definitions; amending ss. 39.015, 39.11, 39.403, 39.408, and 959.24, F.S.; providing conforming language; amending ss. 39.401 and 39.402, F.S.; omitting provisions authorizing that certain juveniles be placed in shelter care; creating a new part IV of ch. 39, F.S.; providing definitions and procedures; authorizing the Department of Health and Rehabilitative Services to provide services to certain children and families; providing legislative intent; providing procedures and court jurisdiction; providing for taking into custody a child alleged to be from a family in need of services or alleged to be a child in need of services; providing for placement in a shelter of a child from a family in need of services or a child in need of services; providing for fees; providing for investigation of complaints that a child is from a family in need of services; providing for services and treatment to a family in need of services; providing for fees; providing for case review and service-treatment plans;

providing for family mediation; requiring the department to establish a family mediation program in each district; authorizing the department to contract for family mediation services; providing for selection and qualifications of family mediators; providing for disposition of cases; providing for fees; providing for family arbitration; authorizing county arbitration programs; authorizing the department to contract for family arbitration services; providing for selection and qualifications of family arbitrators; providing for arbitration hearings; providing for disposition of cases; providing for a review of dispositions; authorizing the department to file a petition for a child in need of services; providing for summonses and service of process; providing for response to petition and representation of parties; providing duties of the state attorney; authorizing physical and mental examination and treatment of the child and, under certain circumstances, the parent, guardian, or person requesting custody; authorizing emergency treatment; providing for hearings; providing for orders of adjudication; providing for disposition; providing for oaths, records, and confidential information; providing contempt of court sanctions; providing right to counsel; providing for appeals; providing for compensation for appointed counsel; amending s. 232.19, F.S.; conforming provisions relating to habitual truancy; amending s. 27.51, F.S.; requiring the public defender to represent an indigent alleged to be a child in need of services; creating a Child In Need of Services Trust Fund; providing an effective date.

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

By Senator Thurman—

**SB 1060**—A bill to be entitled An act relating to ad valorem taxation; amending s. 373.503, F.S.; increasing the maximum total millage rate for ad valorem taxes on property within the Northwest Florida Water Management District; providing that such increase shall not take effect if the district is authorized to assess a water user fee; providing a conditional effective date.

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

By Senators Barron, Scott, Crawford and Thomas—

**SB 1061**—A bill to be entitled An act relating to speed limits; amending s. 316.187, F.S.; increasing the speed limit on rural interstate highways to 65 miles per hour; increasing the speed limit to 65 miles per hour on the Florida Turnpike and other limited access highways upon congressional approval; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Weinstein—

**SB 1062**—A bill to be entitled An act relating to adoption; amending s. 63.022, F.S.; requiring consideration of best interests of person being adopted; amending s. 63.032, F.S.; changing definition of "placement" and adding definitions on residency; amending s. 63.082, F.S.; providing clarification on duress as grounds for consent withdrawal; amending s. 63.102, F.S.; providing time limits for filing of an adoption petition; amending s. 63.112, F.S.; requiring certain information to be submitted; creating s. 63.135, F.S.; requiring certain information to be submitted to the court; creating s. 63.185, F.S.; providing a residency requirement; amending s. 63.202, F.S.; providing for adoption of rules regarding child-placing agencies; amending s. 63.207, F.S.; requiring use of Interstate Compact on the Placement of Children in applicable cases; amending s. 63.212, F.S.; providing penalties; creating s. 63.233, F.S.; providing general rulemaking authority; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committee on Economic, Community and Consumer Affairs—

**SB 1063**—A bill to be entitled An act relating to the submittal times of local government comprehensive plans; amending s. 163.3167, F.S.; extending the deadline for submission of local comprehensive plans by noncoastal counties and municipalities located therein; providing an effective date.

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

By Senator Weinstein—

**SB 1064**—A bill to be entitled An act relating to arrests; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant if the officer has probable cause to believe that the person has committed a battery; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Hill—

**SB 1065**—A bill to be entitled An act relating to victims and witnesses of crime; amending ss. 960.001, 960.05, F.S.; providing for the review and coordination of guidelines for the treatment of crime victims and witnesses; amending s. 960.03, F.S.; including certain accidents involving death or injury in the definition of the term "crime" for purposes of the Florida Crimes Compensation Act; providing an effective date.

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

By Senators Hair and Dudley—

**SJR 1066**—A joint resolution proposing the repeal of Section 6 of Article V of the State Constitution, proposing amendments to Sections 1, 2, 5, 7, 8, 10, 11, 12, 16, and 20 of such article, and proposing the addition of new sections 21 and 22 to such article, relating to the judiciary, to abolish the county courts and to transfer certain jurisdiction and judges of the county courts to the circuit courts and to provide for the creation, by general law, of an administrative office or body in each county to determine cases involving certain municipal, county, and state traffic violations.

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

By Senator Stuart—

**SB 1067**—A bill to be entitled An act relating to medical assistance; amending s. 409.266, F.S.; requiring the Department of Health and Rehabilitative Services to establish a program through county public health units to provide medical services to certain indigent persons; providing for funding; providing a schedule for delivery of Medicaid services to certain persons; amending s. 154.01, F.S.; requiring county public health units to ensure provision of primary care services under the program; providing an annual appropriation; providing for selection of participating hospitals; entitling health care providers and hospitals which treat certain indigent persons to specified liability coverage and immunity; creating s. 154.011, F.S.; creating local indigent health care panels; providing for development of county primary care services plans; providing for review of provider contract proposals; creating the Medicaid Non-Institutional Provider Trust Fund and providing for uses; providing an appropriation; requiring the Auditor General to study and revise, and the department to implement, procedures for Medicaid eligibility determinations and the processing of reimbursement claims; requiring the Auditor General to audit the Medicaid program; requiring reports; providing effective dates.

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

By Senator Hill—

**SB 1068**—A bill to be entitled An act relating to the district school system; creating s. 232.2452, F.S.; encouraging school districts to establish report card pick-up days; providing an effective date.

—was referred to the Committee on Education.

By Senator Dudley—

**SB 1069**—A bill to be entitled An act relating to hospitals; amending s. 395.014, F.S.; requiring hospitals to provide for acceptance of patients referred by chiropractic physicians for diagnostic X rays and tests; providing an effective date.

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

By Senator Dudley—

**SB 1070**—A bill to be entitled An act relating to hospitals; amending s. 395.011, F.S.; prohibiting a hospital or ambulatory surgical center from

denying staff membership or clinical privileges to an applicant solely because the applicant is licensed as a chiropractic physician; providing an effective date.

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

By Senator Hair—

**SB 1071**—A bill to be entitled An act relating to workers' compensation; amending s. 440.13, F.S.; providing for an insurer or self-insurer to establish reimbursement amounts for workers' compensation health care services by contract with certain health care providers rather than adhere to reimbursement amounts set by the Department of Labor and Employment Security; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Hill—

**SB 1072**—A bill to be entitled An act relating to the uniform sales of cigarettes; providing definitions; providing methods for establishing wholesale and retail costs and procedures for wholesaling and retailing; allocating funds to the state for enforcement; prescribing penalties; prescribing procedures for reporting wholesale sales; repealing s. 210.01(16), F.S., which defined "manufacturer's representative"; amending s. 210.06, F.S.; prescribing methods of affixing tax stamps; amending s. 210.15, F.S.; revising retail permitting requirements; repealing s. 210.07(1), (2), F.S., relating to metering machines; providing an effective date.

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

By Senator Scott—

**SB 1073**—A bill to be entitled An act relating to transportation; amending s. 348.243, F.S.; authorizing the Broward County Expressway Authority to study, analyze, design, construct, and maintain a tunnel or a system of tunnels as part of the Broward County Expressway System; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Kirkpatrick—

**SB 1074**—A bill to be entitled An act relating to the Florida Academic Improvement Trust Fund for Community Colleges; amending s. 240.36, F.S.; transferring the responsibility for administering the trust fund from the State Board of Education to the State Board of Community Colleges; requiring the latter board to reserve a certain amount of the trust fund for each community college to use to match funds in certain years; providing that the balance in the trust fund remains in the trust fund at the end of the fiscal year; changing the maximum amount of excess trust funds a community college may receive; placing restrictions on expenditures of excess trust funds received by a community college; authorizing community colleges to spend the first challenge grant and the matching funds for such grant for any approved project except scholarships; reducing the minimum amount of private contributions that a community college must receive in order to receive a grant from the trust fund; reducing the amount of the increments of matching funds transferred from the state trust fund to the community college foundation; deleting faculty training and professional development from the list of approved uses of the proceeds of a community college academic improvement trust fund; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Frank—

**SB 1075**—A bill to be entitled An act relating to animals; amending s. 828.055, F.S.; prescribing rulemaking powers of the Board of Pharmacy with respect to permits for the use of drugs in the sedation or euthanasia of injured, sick, or abandoned animals by humane societies and animal-control agencies; providing increased permit fees; providing an effective date.

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

By Senator Girardeau—

**SB 1076**—A bill to be entitled An act relating to the Jacksonville Transportation Authority; amending s. 349.03, F.S.; revising the method of appointing members of the Jacksonville Transportation Authority; continuing staggered terms of office; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Margolis—

**SB 1077**—A bill to be entitled An act relating to education; amending s. 231.533, F.S.; revising annual awards to certain designated associate master teachers under the State Master Teacher Program; revising the term of such teachers; amending s. 5 of chapter 86-157, Laws of Florida; delaying the repeal of the State Master Teacher Program; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Langley—

**SB 1078**—A bill to be entitled An act relating to education; repealing s. 3 of chapter 85-144, Laws of Florida, which provides for the repeal of provisions relating to regular school attendance and home education programs; providing an effective date.

—was referred to the Committee on Education.

By Senators Vogt and Peterson—

**SCR 1079**—A concurrent resolution proclaiming the month of May 1987 as Osceola County Month.

—was referred to the Committee on Rules and Calendar.

By Senators Lehtinen and Hill—

**SB 1080**—A bill to be entitled An act relating to captive insurers; transferring, renumbering, and amending s. 628.035, F.S.; defining a "captive insurer"; creating s. 628.903, F.S.; defining an "industrial insured captive insurer"; transferring, renumbering, and amending s. 628.601, F.S.; limiting when a captive insurer may apply for a license; specifying risks that an industrial insured captive insurer may insure; providing that such insurer need not be incorporated in this state; authorizing industrial insured captive insurers to provide workers' compensation and employer's liability insurance under certain circumstances; transferring, renumbering, and amending s. 628.607, F.S.; correcting cross-references; providing that industrial insured captive insurers are subject to certain provisions of the Florida Insurance Code and exempt from certain other provisions; transferring and renumbering ss. 628.605, 628.609, 628.611, 628.613, 628.617, F.S.; designating ss. 628.901, 628.903, 628.905, 628.907, 628.909, 628.911, 628.913, 628.915, 628.917, F.S., as part III of chapter 628, F.S., entitled "Captive Insurers"; providing for future repeal and legislative review; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Ros-Lehtinen and Lehtinen—

**SB 1081**—A bill to be entitled An act relating to children; amending s. 63.212, F.S.; prohibiting contracts for the transfer of parental rights for any child, whether conceived or not, for consideration; defining "child," for purpose of laws restricting the placement, sale, surrender, or adoption of children or transfer of parental rights, to include unborn children and children not yet conceived; providing penalties; providing an effective date.

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

By Senator Thurman—

**SB 1082**—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; allowing the revenues from such tax to be used to construct public recreational facilities; providing an effective date.

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

By Senator Thurman—

**SB 1083**—A bill to be entitled An act relating to state property; amending ss. 273.02, 216.011, F.S.; specifying state property which must be inventoried; redefining the term "operating capital outlay" for purposes of the fiscal affairs of the state; providing an effective date.

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

By Senator D. Childers—

**SB 1084**—A bill to be entitled An act relating to middle schools; authorizing the Commissioner of Education to designate middle schools having exemplary advisement programs as sites for training personnel of other middle schools; providing criteria for being designated as having an exemplary middle-school advisement program; authorizing funding of such programs; providing for participation by other middle schools in the advisement training program; providing for summer inservice training workshops; providing for evaluation; providing for reports; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Thurman—

**SB 1085**—A bill to be entitled An act relating to mortgage brokers; amending s. 494.037, F.S.; providing education requirements; providing criteria for instructor approval; amending s. 494.038, F.S.; providing continuing education requirements; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Thurman (by request)—

**SB 1086**—A bill to be entitled An act relating to clinical laboratories; creating s. 483.182, F.S.; authorizing licensed clinical laboratory directors to collect and examine specimens upon a patient's written request; requiring reports of contagious diseases; providing for review and repeal; providing an effective date.

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

By Senator Thurman—

**SB 1087**—A bill to be entitled An act relating to auctioneers; amending section 10 of chapter 86-119, Laws of Florida, providing an exemption from license examination requirements; amending s. 468.385, F.S., providing for examination by the Department of Professional Regulation, rather than the Board of Auctioneers; modifying education requirements; decreasing amount of bond required for auctioneers and auction businesses; providing for bond of a licensed auctioneer who is the sole proprietor of an auction business; creating ss. 468.3851 and 468.3852, F.S., providing procedures for license renewal, inactive status, and expiration; amending s. 468.386, F.S., clarifying provisions relating to local occupational licenses; amending s. 468.387, F.S., providing for licensure of non-resident auctioneers by endorsement, rather than reciprocity; amending s. 468.389, F.S., expanding disciplinary actions and grounds therefor; providing for review and repeal; providing an effective date.

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

By Senator Hill—

**SB 1088**—A bill to be entitled An act relating to correctional work programs; amending s. 946.40, F.S.; clarifying the provision for collecting the cost of supervision fee paid by certain persons under community control, probation, or parole supervision; providing an effective date.

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

By Senator Hill—

**SB 1089**—A bill to be entitled An act relating to the Department of Corrections; providing that, in specified circumstances, the Department of Corrections may issue an arrest warrant for an escaped offender; providing that such offender is ineligible for bond, bail, or release on his own recognizance; providing for the duration of the warrant; providing that the issuance of such warrant does not affect the right to the issuance of a warrant under any other provision of law; providing an effective date.

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

By Senator Hill—

**SB 1090**—A bill to be entitled An act relating to group credit life insurance; amending ss. 627.553, 627.679, F.S.; increasing certain limits of coverage; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Hill—

**SB 1091**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; providing that, for purposes of disability retirement, special risk members who are totally and permanently disabled due to specified diseases or conditions be considered to have incurred their disabilities in the line of duty; providing an exception; providing an effective date.

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

By Senator Hill—

**SB 1092**—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 121.021, 121.0515, F.S.; revising and clarifying the procedure for designating special risk membership; permitting any member to apply for designation; providing for the retention of special risk membership for certain members transferred or reassigned to other positions or duties; authorizing certain members of the Regular Class and the Special Risk Administrative Support Class to apply for and be admitted as members of the Special Risk Class; providing for restoration of special risk credit for certain periods of employment; providing for payment of contributions and interest; providing for refund of certain contributions to the employer; closing the Special Risk Administrative Support Class to new members; providing an effective date.

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

By Senator Hill—

**SB 1093**—A bill to be entitled An act relating to state uniform traffic control; amending s. 316.613, F.S., defining the term "motor vehicle" for the purposes of state law governing child restraint requirements; providing exceptions; providing an effective date.

—was referred to the Committee on Transportation.

By Senator D. Childers—

**SB 1094**—A bill to be entitled An act relating to remedial education; amending s. 233.051, F.S.; requiring a district school board to notify the parents of a student receiving remedial education; requiring certain reports to reflect a student's participation and progress in remedial programs; providing an effective date.

—was referred to the Committee on Education.

By Senator Jennings—

**SB 1095**—A bill to be entitled An act relating to financial institutions; amending s. 657.053, F.S.; modifying the assessments state credit unions must pay to the Department of Banking and Finance; changing the dates when such assessments must be paid; amending s. 658.73, F.S.; changing the dates when examination fees and assessments paid to the department by state banks and state trust companies and international bank agencies must be paid; increasing the various application fees that state banks and state trust companies must pay the department; amending s. 663.12, F.S.; increasing the nonrefundable licensing fee paid by the representative office of an international banking corporation to the department; amending s. 665.0201, F.S.; increasing the filing fee that must be filed with an application for authority to organize a savings association; amending s. 665.028, F.S.; increasing the filing fee that must be filed with an application to open a branch office of a savings association; amending s. 665.0301, F.S.; altering the filing fee that must be paid by a federal savings association in order to receive permission from the department to convert into a state savings association; amending s. 665.0311, F.S.; imposing a fee upon a person filing an application to organize a successor institution from the reorganization, merger, or consolidation of other savings associations; amending s. 665.033, F.S.; altering the fee that must be filed with an application for conversion from a federal mutual to a state capital stock association; amending s. 665.034, F.S.; increasing the fee that must accompany an application for control of a capital stock savings association; amending s. 665.082, F.S.; altering the basis upon which fees and assessments paid by state savings and loan associations are determined; changing the date that such fees and assessments are payable; providing an effective date.

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

By Senators Jennings, Barron, Thomas, W.D. Childers, Crenshaw, Scott, Hair, Langley, Deratany, Johnson, Hollingsworth, Brown, Hill, Grant, Peterson, Beard, Malchon, Woodson and Kirkpatrick—

**SB 1096**—A bill to be entitled An act relating to civil liability; amending s. 607.014, F.S.; authorizing corporations to indemnify directors, officers, employees, agents, and volunteers against liability and related expenses; providing for a procedure to pay such expenses; providing limitations on such indemnity; amending s. 617.028, F.S.; providing civil immunity to such persons associated with corporations not for profit; providing limitations on such immunity; providing for the approval and authorization of certain transactions negotiated by such persons; creating s. 607.1645, F.S.; providing officers, directors, and volunteers of a corporation immunity from civil liability; providing limitations; creating s. 607.165, F.S.; providing for the approval and authorization of certain transactions negotiated by an officer or director, the board of directors, or shareholders of a corporation; providing directors, officers, committee members, chief operating officers, executive officers and volunteers, of credit unions immunity from civil liability; providing limitations; providing trustees, officers, or volunteers of a self-insurance trust fund immunity from civil liability; providing limitations; providing trustees, directors, officers, members, or volunteers of a nonprofit organization immunity from civil liability; providing limitations; providing an effective date.

—was introduced and referred to the Committee on Commerce on April 23, and was also referred to the Committee on Judiciary-Civil on April 28.

By Senators Woodson and Thurman—

**SB 1097**—A bill to be entitled An act relating to emergency medical services grants; amending s. 401.107, F.S.; redefining the term "emergency medical services" and defining the term "prehospital care system" for purposes of the "Florida Emergency Medical Services Grant Act of 1973;" amending s. 401.113, F.S.; requiring a board of county commissioners to distribute funds received from the Emergency Medical Services Trust Fund to agencies that operate prehospital care systems and to certain municipalities within the county; providing an effective date.

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

By Senator Myers—

**SB 1098**—A bill to be entitled An act relating to health care; amending s. 395.031, F.S.; providing definitions; requiring the Department of Health and Rehabilitative Services to develop a statewide trauma care system plan, as specified; providing for the department to adopt rules that specify minimum standards for local and regional trauma systems; providing for regional trauma care systems; requiring a local or regional trauma agency to be designated; requiring the agency to submit a plan for departmental approval and specifying minimum components of the plan; providing powers of the local or regional agency; placing restrictions on a hospital that is a trauma center; providing for a county ordinance; requiring an annual update of the plan; creating s. 395.032, F.S.; authorizing the department to define trauma regions for the state; providing criteria; requiring the department to develop regional trauma systems plans and specifying components; providing for the departmental designation of trauma centers; providing requirements for emergency medical services providers; providing for trauma transport protocols; requiring each licensed hospital to furnish trauma registry data; requiring hospitals to request designation as a trauma center; prescribing contents of the application; providing for renewal of the designation; establishing requirements for the operation of a trauma center; providing for the collection and deposit of fees; creating s. 320.0801, F.S.; imposing an additional license tax on certain vehicles; providing for deposit of the tax revenues into the Emergency Medical Services Trust Fund; providing for dispersal of those funds; requiring local matching funds; amending s. 395.017, F.S.; providing an exemption from the confidentiality provisions for certain patient records for specified purposes; providing that certain proceedings and records of committees that oversee specialty health care services are not subject to discovery in litigation and that a person may not be required to testify concerning the committee meetings; providing an effective date.

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

By Senator Woodson—

**SB 1099**—A bill to be entitled An act relating to proceedings relating to juveniles; amending ss. 39.032, 39.111, 39.402, F.S.; providing for the deposit of certain fees that a court orders to be paid for the support of certain institutionalized juveniles into the Children, Youth, and Families Grants and Donations Trust Fund; revising the list of those who must pay such fees; providing that the Department of Health and Rehabilitative Services may use a portion of the fees to fund fee collection and that the department may contract for fee collection; providing an effective date.

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

By Senators Grant, Frank and Beard—

**SCR 1100**—A concurrent resolution proclaiming "Federation Equestre Internationale World Cup Week."

—was referred to the Committee on Rules and Calendar.

By Senator Scott—

**SB 1101**—A bill to be entitled An act relating to tax on sales, use and other transactions; creating s. 212.059, F.S.; providing for levy of the tax on sale and use of services; providing for refunds of tax on services used or consumed outside the state; providing for apportionment under certain conditions; creating s. 212.0591, F.S.; providing exemptions from the tax on services; amending s. 212.02, F.S.; providing definitions; reenacting s. 212.031(1)(a), F.S., relating to exemptions from tax on lease of real property; amending ss. 212.05, 212.054, F.S., to conform; amending s. 212.052, F.S.; correcting a reference; amending ss. 212.06, 212.07, F.S., relating to dealers and collection of the tax, and penalties for violations, to include tax on services; amending s. 212.08, F.S.; reenacting provisions relating to medical exemptions; revising the exemption for sales to political subdivisions; restructuring other exemptions; reenacting the partial exemption for sales of flyable aircraft and removing a deduction allowed manufacturers; amending s. 212.095, F.S., relating to refunds, to conform; amending s. 212.11, F.S.; revising provisions relating to estimated tax liability; amending s. 212.12, F.S.; requiring certain information on returns; including the tax on services within enforcement and collection provisions; amending ss. 212.13, 212.14, 212.17, 212.18, 212.21, F.S., relating to recordkeeping and inspection, hearings and enforcement regarding unpaid taxes, credits for returns, dealer registration, legislative intent, and related penalties, to conform; amending s. 212.61, F.S.; correcting a reference; amending s. 8 of chapter 86-166, Laws of Florida; deleting the repeal scheduled for July 1, 1987, of exemptions relating to motor vehicles sold to residents of another state, flyable aircraft, and electrical energy, building materials, and business property used in, and jobs created in, enterprise zones; amending ss. 212.0821, 290.007, 564.02, F.S.; correcting references; repealing s. 403.715, F.S., relating to certification of resource recovery equipment for tax exemption purposes; amending ss. 212.03, 212.031, 212.04, 212.05, 212.059, 212.06, 212.08, 212.12, F.S., effective January 1, 1988, to reduce the tax levied under part I of chapter 212; directing the Department of Revenue to adopt tax brackets by rule; providing that condominium recreational leases and maintenance fees are not subject to taxation; providing effective dates.

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

By Senator Myers—

**SB 1102**—A bill to be entitled An act relating to public nuisances; creating s. 823.125, F.S.; making it unlawful to smoke in an aircraft on an intrastate flight; providing a penalty; providing an effective date.

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

By Senator Ros-Lehtinen—

**SB 1103**—A bill to be entitled An act relating to public lodging establishments; creating s. 509.093, F.S., prohibiting the operator of a public lodging establishment from renting accommodations for less than a specified time period; prohibiting certain refunds; providing a penalty; providing an effective date.

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

By Senator Langley—

**SB 1104**—A bill to be entitled An act relating to court reporters; creating chapter 478, F.S.; declaring the examination, certification, and supervision of court reporters to be a judicial function and authorizing the Supreme Court of Florida to set and collect fees in connection therewith; providing definitions; prohibiting the verbatim reporting of trials, depositions upon oral examination, and other judicial proceedings except by persons certified to practice court reporting and providing a penalty for violation thereof; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator McPherson—

**SB 1105**—A bill to be entitled An act relating to interior designers; creating the "Interior Designers Licensing Act"; providing legislative findings; providing definitions; providing for administration and enforcement of the act by the Department of Professional Regulation; providing for examination and licensure of interior designers; providing eligibility; specifying contents of examinations; providing for licensure without examination under certain circumstances; providing for license renewal; providing for denial, suspension and revocation of licenses; providing disciplinary actions by the department, including an administrative fine, and specifying grounds therefor; providing for use of a seal; authorizing the practice of interior design by certain business associations; providing for injunction; prescribing fees; creating an advisory committee; providing a penalty for use of the title "interior designer" by persons not licensed; providing exemptions; providing that an interior designer need not be licensed as a contractor; providing severability; providing for review and repeal; providing an effective date.

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

By Senator Beard—

**SB 1106**—A bill to be entitled An act relating to transportation; creating s. 320.0801, F.S., imposing a nonrefundable fee upon owners or registrants upon the initial application for the registration of certain motor vehicles; providing exemptions; requiring tax collectors to remit such fees to the Department of Transportation; providing for the disposition of fees; providing for a restriction on the use of such fees; providing an effective date.

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

By Senator Hollingsworth—

**SB 1107**—A bill to be entitled An act relating to the marketing of agricultural commodities; creating the Florida Agricultural Commodities Marketing Law; providing legislative purpose; providing definitions; requiring industry consent with respect to marketing orders; requiring a petition of producers; providing for petitioner's expense; providing for public hearings; providing findings required to issue an order; providing a procedure for referendum; providing for referendum; providing for a notice of effective date of a marketing order; providing for an advisory council and its duties and exemption from liability; providing for possible subjects of marketing orders; authorizing cooperation with other governments; providing for limited marketing orders; providing a marketing agreement; providing for assessments, funds, audit, and loans; establishing powers and duties of the Department of Agriculture and Consumer Services; providing for certificates of exemption; providing for termination of orders; providing for inspections; requiring certain records; providing penalties; providing for hearings; providing that parts IV, V, and VI of chapter 573, F.S., relating to the Florida Soybean Marketing Law, the Florida Flue-cured Tobacco Marketing Law, and the Florida Peanut Marketing Law, respectively, shall stand repealed upon the date that the Department of Agriculture and Consumer Services adopts marketing orders pursuant to the act; providing for review and repeal; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By Senator Johnson—

**SB 1108**—A bill to be entitled An act relating to education; creating s. 236.1224, F.S.; providing for additional categorical funds for teaching science laboratory skills; providing eligibility criteria for school districts; providing for distribution of funds; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Frank—

**SB 1109**—A bill to be entitled An act relating to state uniform traffic control; creating s. 316.252, F.S.; prohibiting the operation of certain motor vehicles unless equipped with fenders, wheel covers, or other splash and spray suppressant devices, a penalty for which is provided by law; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Frank—

**SB 1110**—A bill to be entitled An act relating to independent tax districts; providing requirements for any special act modifying the election provisions of certain districts with governing boards elected on a one-acre/one-vote basis to allow election of board members by popular vote; providing composition of such boards; providing terms of office; providing for designation of urban areas; providing requirements regarding landowners' meetings; specifying qualifications; providing an effective date.

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

By Senator Deratany—

**SB 1111**—A bill to be entitled An act relating to cruelty to animals; creating s. 828.111, F.S.; providing a criminal penalty for persons whose dog attacks or attempts to attack a guide dog; requiring quarantine of such dog; providing an effective date.

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

By Senator Johnson—

**SB 1112**—A bill to be entitled An act relating to education; amending s. 232.26, F.S.; requiring district school board rules to provide for in-school suspensions prior to out-of-school suspension; providing a penalty for a school not in compliance; requiring payment of a fine by a parent whose child receives an out-of-school suspension; providing an effective date.

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

By Senator Johnson—

**SB 1113**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.071, F.S., requiring employers under the system to make contributions with respect to current or former employees who were omitted from the contribution list; providing an effective date.

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

By Senator Myers—

**SB 1114**—A bill to be entitled An act relating to the Department of Transportation; authorizing the department to covenant to complete certain revenue-producing projects for the St. Lucie County Expressway System; providing conditions; providing priorities for the commitment of funds necessary to satisfy the debt service on certain bonds; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Kirkpatrick—

**SB 1115**—A bill to be entitled An act relating to county correctional facilities; establishing the Local Correctional Facility Construction Account within the State Treasury for the funding of county adult detention facilities; creating the Local Correctional Construction Committee to review county requests for correctional facilities funding; providing criteria for counties to request such funding; providing for the Department of Corrections to make funding recommendations to the committee based on certain criteria; requiring the committee to submit a statewide priority list of correctional facility construction projects to the Legislature; providing for funding to revert to the Local Correctional Facility Construction Account under certain circumstances; allowing counties to use such funds to reduce current debt; providing an effective date.

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

By Senator Weinstein—

**SB 1116**—A bill to be entitled An act relating to securities transactions; amending s. 517.021, F.S., defining the terms “guarantor” and “guaranty” for the purposes of the “Florida Securities and Investor Protection Act”; amending s. 517.051, F.S., providing a restriction on an exemption to the act; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Thurman—

**SB 1117**—A bill to be entitled An act relating to water resources; creating s. 373.504, F.S.; authorizing the Northwest Florida Water Management District to impose water user fees for certain groundwater withdrawn within the district; providing definitions; providing a limit to total annual fees; providing for the determination of such fees; providing for an annual determination of a fee structure; providing certain limits on such fee structure; providing for the district’s authority to impose water user fees to expire upon the increase in the district’s ad valorem property tax assessment; amending ss. 373.506, 373.579, 373.584, F.S.; providing for the use of water user fees levied by the district; providing an effective date.

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

By Senator Crenshaw—

**SB 1118**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.05, F.S.; providing application of the tax to charges for temporary help supply and personnel supply services; providing an effective date.

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

By Senator Crawford—

**SB 1119**—A bill to be entitled An act relating to ad valorem tax exemption; amending ss. 196.081 and 196.091, F.S.; revising the qualifications and procedures for the homestead exemptions for totally and permanently disabled veterans and for disabled veterans confined to wheelchairs; providing for granting of the exemption to the veteran’s spouse when a certificate of disability is awarded after the veteran’s death, under certain conditions; providing an effective date.

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

By Senator Peterson—

**SB 1120**—A bill to be entitled An act relating to public schools; creating the School Completion Improvement Act; declaring the purpose; providing for a comprehensive plan for removing specified obstacles to the academic progress of certain students; providing for training programs in district inservice plans; providing for inservice points in professional growth; providing for evaluation of district school completion plans; providing for funding; authorizing a feasibility study for student service specialists; providing an effective date.

—was referred to the Committees on Education and Appropriations.

**SR 1121** was introduced and adopted April 15.

By Senator Dudley—

**SB 1122**—A bill to be entitled An act relating to mechanic’s liens; amending s. 713.34, F.S.; providing a presumption with respect to intent to defraud in prosecutions for embezzlement arising under the mechanics’ lien law; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senators Langley, Johnson, Thurman, Ros-Lehtinen, Gordon and Meek—

**SB 1123**—A bill to be entitled An act relating to diagnostic and learning resource centers; amending s. 229.832, F.S., providing for instructional technology services; creating s. 229.8341, F.S., providing for services for high-risk or handicapped infants and preschool children, to parents of such children, and to day care and preschool programs; amending s. 411.106, F.S., conforming a cross reference; providing an effective date.

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

By Senators Thomas, W.D. Childers, Hollingsworth, Langley, Grant, Woodson, Crawford, Ros-Lehtinen, Lehtinen and Barron—

**SB 1124**—A bill to be entitled An act relating to the State Comprehensive Plan; amending s. 187.201, F.S.; specifying an additional policy with respect to the portion of the plan relating to agriculture; providing an effective date.

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

By Senator Hollingsworth—

**SB 1125**—A bill to be entitled An act relating to county and municipal detention facilities; amending s. 951.23, F.S.; providing for the Department of Corrections to grant variances to certain department rules upon request by a detention facility; requiring a detention facility which stocks certain drugs to be licensed as a pharmacy under chapter 465; providing that such a facility is exempt from certain inspection requirements; creating s. 951.26, F.S.; establishing a correctional planning committee within each county in the state to assess the population status of the county correctional system; providing for membership on each committee; requiring each committee to develop a local correctional facilities plan; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Economic, Community and Consumer Affairs.

By Senator Myers—

**SB 1126**—A bill to be entitled An act relating to the St. Lucie County Expressway Authority Law; amending s. 348.944, F.S.; allowing bonds sales to be negotiated; providing an effective date.

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

By Senator Peterson—

**SB 1127**—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; postponing coverage of alien agricultural workers; excluding from coverage certain nonimmigrant aliens present in the United States for educational purposes; providing an effective date.

—was referred to the Committees on Commerce and Agriculture.

By Senator Deratany—

**SB 1128**—A bill to be entitled An act relating to railroads; amending s. 351.03, F.S., prohibiting the use of audible warning signals at certain hours of the day within counties which have adopted ordinances prohibiting the sounding of railroad horns and whistles during certain hours; providing conditions; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Hill—

**SB 1129**—A bill to be entitled An act relating to state-employee parking; amending s. 272.161, F.S.; requiring the department to adopt certain guidelines for the lease of parking space; providing for provision of adequate parking for new state facilities; requiring certain contracts to provide parking fees; providing for loading zone permits; authorizing the department to lease parking space to lease to state employees; providing minimum fees for parking space rental by the Department of General Services; authorizing use of the Paid Parking Trust Fund for additional costs; providing an effective date.

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

By Senator Thomas—

**SB 1130**—A bill to be entitled An act relating to insurance; amending s. 629.401, F.S.; expanding the applicability of the surplus lines law to direct Florida risks underwritten by the exchange; revising the composition of the board of governors; providing for the elimination of reinsurance risk for guaranty fund coverage and mandating effective dates; providing limitations on the amount of a claim covered by the guaranty fund; clarifying the department’s investigatory powers regarding changes in directors or principal officers of an underwriting member; expanding the financial reporting requirements for underwriting members; providing

capitalization requirements for new underwriting members; providing increased capitalization requirements and a transition schedule for existing underwriting members; deleting provisions for a pooled underwriting member; reducing the ratio of net premiums written to policyholder surplus; establishing a ratio of gross premiums written to policyholder surplus; allowing the use of projections in calculating the ratios of gross and net premiums written to policyholder surplus; eliminating the exclusions of certain lines of insurance from the calculation of the rates; clarifying the loss reserve requirement for underwriting members; limiting the amount and method of distribution of profits; expanding the grounds for liquidation, rehabilitation, and restrictions; deleting redundant language; expanding the department's regulatory authority regarding tender and exchange offers; limiting common ownership of underwriting members and brokers; providing a transition schedule for existing common ownership of existing underwriting members and brokers; defining the term "underwriting manager"; prohibiting common ownership of underwriting members and underwriting managers; providing a transition schedule for existing common ownership of underwriting members and underwriting managers; prohibiting reinsurance between an underwriting member and affiliate or controlling company; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Frank—

**SB 1131**—A bill to be entitled An act relating to services for the hearing impaired; amending ss. 427.503, 427.504, 427.506, and 427.507, F.S.; providing definitions; conforming provisions; providing certification procedures; providing equipment specifications; providing inventory procedures; exempting certain records from s. 119.01, F.S.; providing for compliance with standards of the Florida Council for the Hearing Impaired; providing an effective date.

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

By Senator Ros-Lehtinen—

**SB 1132**—A bill to be entitled An act relating to child care; amending s. 402.3055, F.S.; exempting child care personnel and teachers who have been fingerprinted or screened from having to be refingerprinted or rescreened; providing an effective date.

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

By Senator Ros-Lehtinen—

**SB 1133**—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S., requiring certain notice to persons upon arraignment for a violation of provisions relating to driving under the influence; providing an effective date.

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

By Senator Deratany—

**SB 1134**—A bill to be entitled An act relating to municipal annexation or contraction; amending s. 171.081, F.S., which provides appeal procedures for parties affected; specifying that said section shall not be construed to limit common law remedies of those who do not meet the definition of "party affected"; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Lehtinen—

**SB 1135**—A bill to be entitled An act relating to controlled substances; amending s. 782.04, F.S.; expanding the classifications of murder relating to controlled substances to encompass the unlawful distribution of any Schedule I or Schedule II controlled substance; amending s. 893.135, F.S.; reducing the amounts of cocaine necessary to establish the offense of trafficking in cocaine, thereby expanding the murder classifications relating to trafficking; providing an effective date.

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

By Senator Lehtinen—

**SB 1136**—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.0805, F.S.; authorizing owners of antique motor

vehicles to use a historical Florida license plate as a personalized prestige plate; amending s. 320.086, F.S.; authorizing the display of a historical Florida license plate on an ancient motor vehicle in lieu of the Horseless Carriage plate; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Deratany—

**SB 1137**—A bill to be entitled An act relating to public fairs and expositions; amending s. 616.091, F.S., deleting language relating to registration and inspection fees for operation of amusement devices and temporary structures; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By Senator Meek—

**SB 1138**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S., defining the term "out-of-state teaching service"; amending s. 121.081, F.S., providing conditions for receiving out-of-state teaching service; providing an effective date.

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

By Senator Meek—

**SB 1139**—A bill to be entitled An act relating to the Teachers' Retirement System of Florida; amending s. 238.06, F.S., providing for out-of-state service credit for service as a teacher in American overseas dependent schools conducted by any person or entity on behalf of or under contract with the Armed Forces of the United States; providing an effective date.

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

By Senator Meek—

**SB 1140**—A bill to be entitled An act relating to educational facilities; amending s. 235.31, F.S., relating to award of contracts to minority business enterprises; providing definitions; providing an effective date.

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

By Senator Hill—

**SB 1141**—A bill to be entitled An act relating to misuse of public office; amending ss. 838.015 and 838.016, F.S.; providing an additional penalty for public servants convicted of bribery or violation of provisions relating to unlawful compensation or reward for official behavior; providing for judgments and enforcement thereof; providing an effective date.

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

By Senator Weinstein—

**SB 1142**—A bill to be entitled An act relating to consumer protection; amending s. 501.1375, F.S., revising penalties with respect to escrow accounts for buyers of residential dwelling units; providing for prima facie evidence of a violation; providing an effective date.

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

By Senator Frank—

**SB 1143**—A bill to be entitled An act relating to dentists; amending s. 466.017, F.S.; providing that licensed dentists who have been utilizing general anesthesia or parenteral conscious sedation routinely and competently for specified time periods preceding January 1, 1980, are deemed to have fulfilled training requirements for administration of such medications; providing an effective date.

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

By Senators Jennings, Vogt and Langley—

**SB 1144**—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; providing additional authorized uses for tax revenues; providing an effective date.

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

By Senator Hollingsworth—

**SB 1145**—A bill to be entitled An act relating to fertilizer; amending s. 576.011, F.S., modifying the definition of "guaranteed analysis"; defining "slow or controlled release fertilizer"; amending s. 576.021, F.S., modifying information required on certain applications for registration; amending s. 576.031, F.S., removing an exemption from certain labeling requirements; amending s. 576.041, F.S., providing a minimum penalty for failure to submit certain reports and fees; amending s. 576.061, F.S., providing a penalty for certain deficiency in a fertilizer-pesticide mixture; providing a penalty for distributing an unregistered fertilizer; increasing the penalty for faulty labeling; providing administrative penalties; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Thurman—

**SB 1146**—A bill to be entitled An act relating to state financial matters; amending s. 215.422, F.S.; extending the period during which certain vouchers must be filed with the Comptroller; reducing the period during which certain warrants must be mailed; providing an appropriation; providing an effective date.

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

By Senator Johnson—

**SB 1147**—A bill to be entitled An act relating to driving under the influence; amending s. 316.1933, F.S.; making mandatory the blood test for impairment or intoxication if a law enforcement officer has probable cause to believe that a motor vehicle driven by a person under the influence has caused the death or serious bodily injury of a human being; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Myers—

**SB 1148**—A bill to be entitled An act relating to insurance; creating s. 624.524, F.S., providing for regulatory assessments with respect to health maintenance organizations and prepaid health clinics; providing for levy and amount, use of funds, tax returns and penalties; amending s. 641.201, F.S., providing for the application of certain provisions of law to HMO's; amending s. 641.21, F.S., prohibiting the Department of Insurance from issuing a certificate of authority to certain HMO's; providing clarifying language; amending s. 641.22, F.S., relating to the issuance of certificates of authority; providing criteria; amending s. 641.23, F.S., providing for the revocation or suspension of certificates of authority; amending s. 641.27, F.S., relating to examination by the Department of Insurance to delete reference to the Department of Health and Rehabilitative Services; repealing s. 641.24, relating to denial and revocation proceedings of the Department of Health and Rehabilitative Services; repealing s. 641.30(4), F.S., deleting language with respect to construction and relationship to other laws with respect to the Health Maintenance Organization Act; repealing s. 641.31(17), F.S., relating to HMO contract provisions; amending s. 641.36, F.S., providing that the Department of Insurance shall promulgate rules with respect to HMO's; amending s. 641.403, F.S., providing that the Department of Insurance shall promulgate rules with respect to the "Prepaid Health Clinic Act"; amending s. 641.405, F.S., prohibiting the Department of Insurance from issuing a certificate of authority to operate a prepaid health clinic to certain applicants; amending s. 641.406, F.S., providing conditions for the issuance of a certificate of authority; repealing s. 641.41(1)(d), F.S., relating to the annual report of the prepaid health clinic to delete certain requirements; amending s. 641.418, F.S., relating to examination of prepaid health clinics by the Department of Insurance; amending s. 641.45, F.S., providing for the revocation or suspension of certificates of authority; creating part IV of chapter 641, F.S., providing definitions; providing for the purpose and application of the act; providing exemptions; providing an application procedure for the certification of HMO's and prepaid health clinics as health care providers; providing fees; providing requirements for issuance and maintenance of certificates; providing for examination by the Department of Insurance; providing for suspension or revocation of a certificate; providing penalties; amending and renumbering s. 641.3109, F.S., providing for hospital and physician information disclosure; amending and renumbering s. 641.395, F.S., relating to the internal risk management program; providing for rulemaking authority; providing for review and repeal; providing an effective date.

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

By Senator Kirkpatrick—

**SB 1149**—A bill to be entitled An act relating to hospitals; amending s. 395.003, F.S., relating to licensure of facilities located on separate premises; providing for independent licensure of certain specialty hospitals; providing an effective date.

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

By Senator Crawford—

**SB 1150**—A bill to be entitled An act relating to alcoholic beverages; creating ss. 562.52-562.528, F.S.; providing a short title, the "Florida Responsible Vendor Act"; providing intent; providing definitions; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation to establish a responsible vendors program; providing for certification of participating vendors; providing qualifications; providing for suspension and revocation; providing third party civil liability for the sale and service of alcoholic beverages to underaged and obviously intoxicated persons; providing for a limitation on civil actions; providing defenses for certified responsible vendors; providing exemptions from license suspension and revocation for such vendors; providing mitigation for Beverage Law violations; imposing a surcharge on alcoholic beverage license fees; providing for disposition and use of surcharge funds; creating s. 627.0636, F.S.; requiring certain liability and workers' compensation insurers to reflect certain savings in premiums for certified responsible vendors; creating s. 562.115, F.S.; prohibiting the sale or service of alcoholic beverages to obviously intoxicated persons; providing a penalty; providing for administrative fines; amending s. 561.025, F.S.; providing for deposit of surcharge funds; repealing s. 562.11(1)(b), F.S., removing a civil defense for selling, giving, or serving alcoholic beverages to a person under age 21; repealing s. 768.125, F.S., removing provisions which impose civil liability upon persons who sell or furnish alcoholic beverages to underaged and habitually addicted persons; providing an appropriation; providing an effective date.

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

By Senator Gordon—

**SB 1151**—A bill to be entitled An act relating to education; amending s. 228.0617, F.S.; providing for the Department of Education to approve and fund additional school-age child care programs conducted by school districts; providing program requirements; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Hill—

**SB 1152**—A bill to be entitled An act relating to criminal penalties; providing that inmates sentenced during a certain period of time may not be denied gain-time solely because of nonpayment of certain fees and court costs as provided by ch. 85-213, Laws of Florida; providing an effective date.

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

By Senator Kirkpatrick—

**SB 1153**—A bill to be entitled An act for the relief of Edgar Burnett; providing an appropriation to compensate him for severe personal injuries, including permanent quadriplegia, arising out of the negligent operation and maintenance of a recreational park by Palm Beach County; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Deratany—

**SB 1154**—A bill to be entitled An act relating to Brevard County; authorizing the board of county commissioners to rename Brevard County Recreation District Number Four as established pursuant to chapter 61-1909, Laws of Florida; prohibiting the board of county commissioners from altering the boundaries of the district; amending s. 9, ch. 71-544, Laws of Florida; prescribing the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Kirkpatrick—

**SB 1155**—A bill to be entitled An act relating to the Board of Professional Engineers; creating s. 471.008, F.S.; providing rulemaking authority; providing an effective date.

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

By Senator Grizzle—

**SB 1156**—A bill to be entitled An act relating to economy and productivity in state government; providing legislative findings; providing definitions; creating the Commission on Economy and Productivity in State Government; providing membership, powers and duties; requiring private sector support; requiring reports to the Legislature; providing effective and expiration dates.

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

By Senator Meek—

**SB 1157**—A bill to be entitled An act relating to education; authorizing each school district to establish an academy for the teaching arts as a teacher training center; providing requirements; providing an appropriation; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Kirkpatrick—

**SB 1158**—A bill to be entitled An act relating to credit service organizations; creating part III of chapter 817, F.S.; providing definitions; prohibiting certain acts; providing an exemption to the requirement to obtain a surety bond under circumstances; requiring a written statement to buyers; providing for an information statement to buyers; specifying provisions of the contract between a buyer and a credit service organization; prohibiting waivers by a buyer; establishing the burden of proving an exemption or exception; providing for penalties; providing actions for damages; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Beard—

**SB 1159**—A bill to be entitled An act relating to education; amending s. 240.209, F.S.; authorizing the Board of Regents to establish and fund a program for the study of educational spending with respect to elementary and secondary education; creating a Commission on Educational Spending within the Executive Office of the Governor; providing for a final report to be compiled by the commission based on said study; providing duties of the Auditor General; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Stuart—

**SB 1160**—A bill to be entitled An act relating to motor vehicle licenses; creating s. 320.0812, F.S.; providing for the issuance of license plates to honorary foreign consuls; providing for verification of eligibility; providing for fees; providing an effective date.

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

By Senator Hill—

**SB 1161**—A bill to be entitled An act relating to medical malpractice; amending s. 768.40, F.S.; extending the definitions of the term "medical review committee" to encompass the Department of Corrections and the Correctional Medical Authority and the term "health care providers" to encompass health care facilities and employees involved in monitoring the quality of medical care; amending s. 119.07, F.S.; exempting from examination the records of a medical review committee of the Department of Corrections or the Correctional Medical Authority; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; Health and Rehabilitative Services; and Governmental Operations.

By Senator Beard—

**SB 1162**—A bill to be entitled An act relating to transportation; amending s. 334.03, F.S.; redefining "arterial road," "collector road," "county road system," "local road," "urban minor arterial roads," and "urban principal arterial roads," and redefining "State Highway System" to exclude certain urban minor arterial routes, for purposes of the Florida Transportation Code; amending s. 335.04, F.S., relating to functional classification of roads by the Department of Transportation; requiring criteria for periodic evaluations; revising provisions relating to required physical condition of roads for which responsibility is transferred; providing time schedule for transfer of responsibility for certain urban minor arterial routes to counties and providing inapplicability of certain provisions; amending s. 336.025, F.S.; increasing the local option gas tax that may be levied under said section; deleting certain time limitations relating to imposition and extension of the tax and establishment of new interlocal agreements; providing time limitations for 1987; amending s. 163.803, F.S.; redefining "metropolitan planning organization" to require the constituent counties to levy the maximum tax under s. 336.025; amending s. 336.026, F.S., to conform; providing effective dates.

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

**SR 1163** was introduced and adopted April 28.

By Senator D. Childers—

**SB 1164**—A bill to be entitled An act relating to higher education; creating the Undergraduate Education Enhancement Act; providing legislative intent; specifying areas of undergraduate education to be improved by the Board of Regents; authorizing the board to establish rules to carry out the purposes of the act; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Stuart—

**SB 1165**—A bill to be entitled An act relating to acquisition, maintenance, and protection of environmentally significant lands; creating the Florida Environmental Lands Trust; providing definitions; providing purposes for the trust; providing for administration of the trust by the Board of Trustees of the Internal Improvement Trust Fund; specifying which lands may be conveyed to the trust; providing for removal of lands from the trust; providing for lands donated to the trust; specifying permitted uses for, and permitted construction activities on, trust lands; providing for local land trusts to manage and protect trust lands; establishing a grant program to provide funding for local land trusts; providing for administration of the grant program by the board of trustees; providing for conveyance of land to the trust and for recording such deeds; providing appropriations; establishing positions within the Department of Natural Resources; providing an effective date.

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

By Senator Hollingsworth—

**SB 1166**—A bill to be entitled An act relating to the local government half-cent sales tax; amending s. 218.65, F.S.; increasing the per capita limitation on distributions to local governments participating in said tax eligible for emergency and supplemental distributions; increasing the annual appropriation to the Local Government Half-cent Sales Tax Clearing Trust Fund; providing an effective date.

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

By Senator Peterson—

**SB 1167**—A bill to be entitled An act relating to driver's licenses; amending s. 322.09, F.S.; requiring that minors applying for a driver's license submit proof of secondary school enrollment or completion with certain exceptions; amending s. 322.274, F.S.; providing for revocation of a minor's driver's license upon withdrawal from school; providing an effective date.

—was referred to the Committees on Transportation and Education.

By Senator Hollingsworth—

**SB 1168**—A bill to be entitled An act relating to agriculture; creating the Agricultural Economic Development Policy Act; providing legislative

purpose; establishing the Agricultural Economic Development Program within the Department of Agriculture and Consumer Services; providing for a 2-year pilot program; providing for duties of the department and Commissioner of Agriculture; requiring reports to the Legislature; providing for interagency and local community cooperation and involvement; providing an appropriation; providing for repeal; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By Senator McPherson—

**SB 1169**—A bill to be entitled An act relating to raffles; amending s. 849.0935, F.S., relating to drawings by chance; providing that it shall not be unlawful for certain civic and school-sponsored groups to conduct single-purpose raffles; providing an effective date.

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

By Senator Langley—

**SB 1170**—A bill to be entitled An act relating to accessibility by handicapped persons; amending s. 553.48, F.S.; providing accessibility requirements of certain buildings; providing exceptions; requiring listening systems for hearing-impaired persons in certain public buildings; amending s. 553.49, F.S.; changing provisions relating to modifications and waivers; changing the advisory committee to an accessibility committee; creating s. 553.495, F.S.; providing for accessibility to public entrances, parking areas, and curb-ramps; amending s. 316.1956, F.S.; providing minimum number and requirements of parking spaces by non-governmental entities for certain disabled persons; amending s. 318.18, F.S.; increasing the fine for certain nonmoving traffic infractions; creating s. 364.391, F.S.; providing for accessibility to pay telephones; providing for review and repeal; providing an effective date.

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

By Senator Stuart—

**SB 1171**—A bill to be entitled An act relating to real estate brokers; amending s. 475.011, F.S., providing an exemption for activities in connection with the referral of certain prospects; providing a limitation on the exemption; providing an effective date.

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

By Senator Girardeau—

**SB 1172**—A bill to be entitled An act relating to state uniform traffic control; amending ss. 316.003 and 320.01, F.S., redefining the terms "bicycle" and "motor-driven cycle" to exclude certain vehicles; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Jenne—

**SB 1173**—A bill to be entitled An act relating to local government code enforcement boards; amending s. 162.05, F.S.; removing a limitation on reappointment; specifying that the chairman is a voting member; providing an effective date.

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

By Senator Frank—

**SB 1174**—A bill to be entitled An act relating to public guardianship; amending s. 744.703, F.S.; removing a restriction upon the appointment of a nonprofit corporation as public guardian; authorizing appointment of a special public guardian to serve patients in a state treatment facility; providing an effective date.

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

By Senator Johnson—

**SB 1175**—A bill to be entitled An act relating to coastal land preservation; authorizing the governing board of a barrier island municipality

to impose a sales tax on the purchase of real property situated within the municipality, if approved by referendum; providing procedures for the payment of such tax; requiring certification of payment of tax before deed may be recorded; providing interest and penalties; authorizing the governing board to purchase, manage, and restore certain barrier island lands with the tax proceeds; providing an effective date.

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

By Senator Weinstock—

**SB 1176**—A bill to be entitled An act relating to accessibility by handicapped persons; creating s. 553.481, F.S., providing special accessibility requirements for a certain percentage of hotel and motel bathrooms constructed or remodeled after the effective date of this act; providing an effective date.

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

By Senator Gordon—

**SB 1177**—A bill to be entitled An act relating to the Legislature; creating s. 11.51, F.S., creating a Legislative Council for Strategic Studies to advise the Legislature on issues relating to Florida's future; providing membership and terms; providing functions and duties; providing for meetings, hearings, and committees; authorizing employment of an executive director and staff; authorizing temporary assignment of state university employees to the council; providing for per diem and travel reimbursement; providing sources of funding; requiring a report to the Legislature; providing an appropriation; providing an effective date.

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

By Senator Grizzle—

**SB 1178**—A bill to be entitled An act relating to coastal construction; amending s. 161.053, F.S., to provide that certain coastal construction control requirements do not apply to the rebuilding of a single-family dwelling which was substantially destroyed by a storm or other violent disturbance; providing an effective date.

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

By Senator Kiser—

**SB 1179**—A bill to be entitled An act relating to the Administrative Procedure Act; amending s. 120.59, F.S., providing for the recovery of costs by a prevailing party in an administrative proceeding and providing recovery of attorney's fees in certain circumstances; providing an effective date.

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

By Senator Langley—

**SB 1180**—A bill to be entitled An act relating to handicapped parking permits; amending s. 320.0848, F.S.; providing for the issuance of lifetime parking permits for handicapped persons with permanent impairment; providing fees; providing a penalty; providing an effective date.

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

By Senator Margolis—

**SB 1181**—A bill to be entitled An act relating to persons with disabilities; authorizing the Governor to designate a private nonprofit corporation to receive federal funds for certain programs providing for protection and advocacy of the rights of persons with disabilities; transferring all powers, duties, property, etc., of the Governor's Commission on Advocacy for Persons with Disabilities to the nonprofit corporation; requiring the nonprofit corporation to meet certain federal requirements; authorizing access to client records and facilities as provided by federal law; providing state liability insurance coverage, use of state communications system, and sovereign immunity; requiring state agencies to cooperate with the nonprofit corporation; providing for submission of annual audits by the nonprofit corporation to the Governor; providing an effective date.

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

By Senator Weinstock—

**SB 1182**—A bill to be entitled An act relating to dog control; providing declaration of purpose; providing definitions; providing requirements for the licensing of vicious dogs; requiring liability insurance; requiring certain tattooing; requiring a warning sign; requiring a fenced enclosure; requiring notification of licensing authority under certain circumstances; providing for investigation, seizure, and impoundment, under certain circumstances; requiring enclosure or control of vicious dogs; prohibiting harboring or possessing vicious dogs for certain purposes; providing for seizure and impoundment for probable cause; providing for civil actions for damage by a vicious dog; providing for confiscation, impoundment, and destruction of a vicious dog; providing grounds; providing fines and disposition thereof; providing for hearings; requiring county and municipal licensing of dogs; providing fees; providing penalties for violation of local ordinances; providing disposition of fines; requiring registration drives within a certain time period; providing an effective date.

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

By Senator Myers—

**SB 1183**—A bill to be entitled An act relating to governmental reorganization; creating a Department of Health; specifying purposes of the department; creating a Board of Health as head of the department; providing for membership and duties of the board; creating a State Health Officer and Deputy State Health Officer; providing qualifications and duties of the State Health Officer; creating assistant health officers and describing responsibilities of their offices; designating the office of the Assistant Health Officer for Program Development and Health Planning as the State Center for Health Statistics; creating a Florida Center for Disease Control; designating regions for administration; providing for appointment and duties of regional health officers; providing for conformity with federal statutes and regulations; providing for procurement of health services; providing for consultation with counties; transferring activities, programs, and functions of the Department of Health and Rehabilitative Services relating to health matters or environmental matters to the Department of Health; transferring the Division of Environmental Programs of the Department of Environmental Regulation to the Department of Health; amending s. 20.04, F.S.; exempting the Department of Health from requirements of internal structure and changing a reference to the Department of Health and Rehabilitative Services to the Department of Human and Social Services; amending s. 20.19, F.S.; changing the name of the Department of Health and Rehabilitative Services to the Department of Human and Social Services; amending s. 20.261, F.S.; deleting the Division of Environmental Programs from the Department of Environmental Regulation to conform to transfer of its functions; providing for transfer of rules; providing for substitution of parties in judicial or administrative proceedings; providing direction to the Division of Statutory Revision; providing severability; providing an effective date.

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

By Senator Johnson—

**SB 1184**—A bill to be entitled An act relating to the inspection of public records; amending s. 119.07, F.S.; exempting certain records of the John and Mable Ringling Museum of Art from provisions allowing the inspection of public records; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Hill—

**SB 1185**—A bill to be entitled An act relating to corrections; creating ss. 944.701-944.705, F.S.; creating the "Transition Assistance Program Act" to provide reentry to society facilitation for inmates released from incarceration by the Department of Corrections; providing legislative intent; providing inmate eligibility standards; providing for vocational placement counselors; establishing a pre-release orientation program; amending s. 944.601, F.S.; providing for release assistance stipends to be administered by the Department of Corrections and the Department of Labor and Employment Security; creating s. 944.707, F.S.; providing for post-release special services, including housing and job placement; amending s. 948.03, F.S.; providing for random drug testing; adding a new section to chapter 948, F.S.; providing for temporary housing; directing the Department of Corrections and the Department of Labor and

Employment Security to promulgate rules; providing for repeal and review; providing an effective date.

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

By Senator Thurman—

**SB 1186**—A bill to be entitled An act relating to death benefits of law enforcement officers; amending s. 112.19, F.S.; providing that persons conducting investigations on behalf of the prosecution or defense of a person arrested or charged with committing a crime are covered by such benefits; amending s. 112.1904, F.S.; providing that investigators employed by a state attorney or public defender are covered by such benefits if such person is unlawfully and intentionally killed in the line of duty; providing an effective date.

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

By Senator Scott—

**SB 1187**—A bill to be entitled An act relating to resource recovery facilities; creating a Resource Recovery Study Council; providing for appointment of members; providing for the council to be assigned administratively to the Department of Environmental Regulation; providing for duties and responsibilities of the study council; providing an appropriation; providing an effective date.

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

By Senator Hair—

**SB 1188**—A bill to be entitled An act relating to surface water improvement and management; creating the Duval County Surface Water Improvement and Management Act; providing legislative findings and intent; providing definitions; creating the Duval County surface water improvement and management program; providing a penalty; creating the Duval County Water Quality Council; providing duties; providing for duties of the St. Johns River Water Management District; providing for duties of the Florida Department of Environmental Regulation; providing for duties of the Florida Game and Fresh Water Fish Commission; providing for duties of the Department of Natural Resources with respect to the Duval County surface water improvement and management program; providing an appeals process; providing for duties of the Public Service Commission; providing for an expanded Lower St. Johns River effort; providing for staff support; providing appropriations; providing an effective date.

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

By Senator Lehtinen—

**SB 1189**—A bill to be entitled An act relating to insurance; amending s. 626.9541, F.S.; changing the circumstances in which surcharges may be imposed on motor vehicle insurance premiums due to traffic infractions; amending s. 626.989, F.S.; authorizing investigators of the Division of Insurance Fraud of the Department of Insurance to carry firearms; providing that investigators shall be deemed to be law enforcement officers; requiring each investigator to be certified by the Criminal Justice Standards and Training Commission; providing an effective date.

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

By Senator Grizzle—

**SB 1190**—A bill to be entitled An act relating to public lands and property; amending s. 253.023, F.S., as amended by chapter 86-294, Laws of Florida; repealing the requirement that lands acquired pursuant to s. 253.023, F.S., the Conservation and Recreation Lands Trust Fund, may only be purchased for 70 percent or less of the appraised value as determined in s. 253.025(7), F.S.; providing an effective date.

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

By Senator Brown—

**SB 1191**—A bill to be entitled An act relating to governmental reorganization; creating s. 20.36, F.S.; creating a Department of Veterans'

Affairs; transferring the Division of Veterans' Affairs of the Department of Administration to said department; providing powers and duties of the department; amending s. 292.04, F.S.; transferring the Florida Commission on Veterans' Affairs from the Executive Office of the Governor to the Department of Veterans' Affairs to serve as an advisory body to the department; conforming certain reporting requirements; amending ss. 20.31, 292.05, 292.07, 292.11, 295.01, 295.016, 295.11, 295.16, 295.17, 320.084, 322.21, 626.833, and 744.421, F.S., to conform; providing an appropriation; providing an effective date.

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

By Senators Peterson and Hill—

**SB 1192**—A bill to be entitled An act relating to agriculture; providing legislative intent; creating the Council on the Future of Agriculture; providing for appointment of council members; providing terms; providing functions and duties of the council; providing for meetings of the council; providing for council staff; providing for compensation of council members and funding of the council; providing for review and repeal; providing an effective date.

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

By Senator Hollingsworth—

**SB 1193**—A bill to be entitled An act relating to meat and meat products; amending s. 585.34, F.S.; authorizing the Commissioner of Agriculture to ban and remove from distribution channels certain foreign cold storage meats; amending s. 585.3401, F.S.; prohibiting public agencies from purchasing certain fresh or frozen meat that has not been inspected by the United States Department of Agriculture or the Department of Agriculture and Consumer Services; revising bid specifications; providing personal liability for public funds spent in violation of the section; creating s. 585.3404, F.S.; prohibiting purveyors of meat or meat products from incorporating foreign cold storage meat therein without authorization by the purchaser; providing a penalty; creating s. 585.3406, F.S.; providing criteria for labeling meat and meat products as "All American" or "Genuine Florida" products; providing severability; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Stuart—

**SB 1194**—A bill to be entitled An act relating to education; amending s. 228.0855, F.S.; revising provisions relating to the Florida Model School Consortia; providing for Florida 20/21 model schools; establishing an advisory committee; requiring the development of a statewide plan; providing duties of the committee to include review and selection of proposals; providing contents of an implementation plan; authorizing the establishment of model schools under a school board or consortia of school boards; providing duties of local model school governance structures; authorizing the request of construction funds; renaming a trust fund; providing for distribution of funds; providing an appropriation; providing for review and repeal; providing an effective date.

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

By Senator Margolis—

**SB 1195**—A bill to be entitled An act relating to infrastructure finance; creating the Florida Infrastructure Trust Fund; providing purpose; providing funding; providing for three different pools of money; providing for use, guaranteed entitlements and qualifications; providing for diligent administration and cooperation; creating s. 336.027, F.S.; providing that a county may impose an additional motor fuel 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 a county or municipality may use the proceeds of the tax for transportation programs and to advance state road projects; providing for reimbursement for expenditures on state projects; providing that a county or municipality 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 or municipalities which have contributed revenues from the tax for state projects; amending s. 336.025, F.S.; removing authorization for extension of local option gas taxes on motor fuel and special fuel; authorizing changes in

distribution of certain local option taxes; providing that rights of bondholders may not be adversely affected by changes in rates of tax or periods for which taxes are imposed; amending s. 206.9825, F.S.; specifying that the newly imposed local option motor fuel tax does not apply to aviation fuel; providing that 10 percent of all net proceeds from the operation of state lotteries shall be dedicated to the construction of educational capital facilities for grades K-12; amending s. 335.20, F.S.; increasing the amount of state moneys allocated for local government cooperative assistance programs; amending s. 218.25, F.S.; allowing local governments to bond certain state moneys received from the revenue sharing trust funds; creating ss. 166.301, 166.311, 166.321, 166.331, 166.341, F.S.; providing for the creation of special service taxing units by municipalities; providing powers; providing for funding by ad valorem taxes upon referendum and not to exceed a combined unit and municipal millage rate of 10 mills; providing for use of funds; providing for taxing units to include independent or community development districts; limiting the aggregate millage rate; creating s. 163.3203, F.S.; creating the Florida Impact Fee Law; providing definitions; providing authority to impose impact fees; providing fee requirements; providing for methodology and ordinance disclosure; providing for post adoption and time of assessment collection of impact fees; providing for compliance; amending s. 380.06, F.S.; clarifying provisions requiring certain contributions of funds or land by a developer; providing for severability; providing an effective date.

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

By Senator Frank—

**SB 1196**—A bill to be entitled An act relating to the practice of cosmetology; amending ss. 477.013, 477.0135, 477.025, 477.026, 477.0265, 477.028, 477.029, F.S.; repealing s. 477.0201, F.S.; eliminating requirements for licensing of persons whose practices are limited to facials, manicuring, pedicuring, and shampooing and for licensing of salons whose services are confined to those specialties; exempting persons whose practices are confined to one or more specialties from regulation and licensing under ch. 477, F.S.; providing for refund of certain amounts paid by specialist licensees and specialty salon licensees; providing for permitting of cosmetology salons operated in mobile vans; amending s. 476.044, F.S.; exempting practices confined to facials, manicuring, pedicuring, and shampooing from regulation as barbering; providing an effective date.

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

By Senator Vogt—

**SB 1197**—A bill to be entitled An act relating to mediation and arbitration; creating s. 44.301, F.S.; providing definitions; creating s. 44.302, F.S.; requiring court-annexed mediation of certain civil actions; authorizing certain privileges for mediation communications; providing for mediation reports; authorizing alternative judicial disposition; creating s. 44.303, F.S.; authorizing court-ordered small claims mediation; providing for privileged communications; requiring the Supreme Court to establish qualifications, rules, and training for mediators and arbitrators; providing for certification; creating s. 44.304, F.S.; authorizing court-ordered nonbinding arbitration of certain civil actions; authorizing parties to request a trial; authorizing the assessment of certain arbitration costs; creating s. 44.305, F.S.; authorizing court-annexed voluntary binding arbitration; providing for compensation of arbitrators; providing duties of the clerk of court; providing for tolling of statutes of limitation; providing for appeals to circuit courts; providing for entry and enforcement of judgments; creating s. 44.306, F.S.; directing the Supreme Court to establish qualifications, rules of conduct, and training standards for mediators and arbitrators; creating s. 44.307, F.S.; requiring judicial circuits to establish court dispute resolution centers; providing duties; creating s. 44.308, F.S.; creating the Florida Court Alternative Dispute Resolution Commission; providing membership and duties; providing for review and repeal; creating s. 25.405, F.S.; creating the Court Alternative Dispute Resolution Trust Fund to fund court-annexed mediation and arbitration services; providing funding sources; providing for reports; amending s. 28.241, F.S.; imposing additional filing charges on civil actions for deposit in the trust fund; requiring the Supreme Court to develop a pilot program for implementation of the act; providing an effective date.

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

By Senator Meek—

**SB 1198**—A bill to be entitled An act relating to commodities, insurance, and contractual services; amending s. 287.012, F.S., redefining the term “minority-owned firm or company” to exclude joint ventures consisting of one or more nonminority firms; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Frank, Johnson, Brown, Ros-Lehtinen, Myers and Thurman—

**SB 1199**—A bill to be entitled An act relating to education; creating s. 228.0725, F.S., relating to adult education for handicapped students; providing for participation in specified programs; providing for rules for eligibility and entrance and exit criteria and program standards; amending ss. 228.074, 228.075, and 228.076, F.S.; providing responsibility of regional coordinating councils for adult education for the handicapped; providing for course offerings and approval and funding of adult education for the handicapped programs; amending s. 236.081, F.S., relating to the Florida Education Finance Program; providing for moderately and severely handicapped programs; providing additional funding for adult handicapped students enrolled in certain programs; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Johnson—

**SB 1200**—A bill to be entitled An act relating to education; creating the Quality Arts in Education Task Force to evaluate and make recommendations concerning arts education in the state; providing for membership and organization of the task force; providing duties and responsibilities; requiring a report of findings and recommendations; providing for administrative support; providing an appropriation; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Scott—

**SB 1201**—A bill to be entitled An act relating to resource recovery facilities; requiring the use of best-available control technology for resource recovery facilities; providing an effective date.

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

By Senator Kiser—

**SB 1202**—A bill to be entitled An act relating to licenses; amending s. 320.131, F.S.; providing for temporary license tags for marine boat trailers to be issued; providing an effective date.

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

By Senator Gordon—

**SB 1203**—A bill to be entitled An act relating to public teachers' salaries; amending s. 236.02, F.S.; requiring a school district that pays a salary supplement to coaches to pay a supplement of an equal amount to coaches of male and female teams; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator D. Childers—

**SB 1204**—A bill to be entitled An act relating to hunting and fishing licenses and stamps; amending s. 372.57, F.S.; creating a sportsman's license for a resident to take freshwater fish and game and to engage in other sporting activities; charging a fee for such license; providing an effective date.

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

By Senator Woodson—

**SB 1205**—A bill to be entitled An act relating to adoption; creating s. 63.075, F.S., requiring disclosure of specific information to natural parent or parents by an intermediary; requiring natural parent or parents to be given 5 days to seek independent legal advice prior to executing a consent; requiring written acknowledgment of disclosure; requiring an

intermediary to disclose specified information to person or persons seeking to adopt a child; requiring signed statement acknowledging disclosure; requiring submission of statement to the Department of Health and Rehabilitative Services; creating s. 63.083, F.S., providing for revocation of consent to adoption; providing timeframes for revocation; establishing criteria for revocation; amending s. 63.092, F.S., deleting provisions allowing placement of a child in less than 30 days of notification of Department of Health and Rehabilitative Services of intended placement; providing for exceptions for stepparent, spouse of natural parent, or relative adoptive placements; amending s. 63.142, F.S., prohibiting granting of petition for adoption under certain circumstances; providing for refusal to grant petition for adoption if preliminary study failed to satisfy certain requirements; amending s. 63.212, F.S., prohibiting any department employee from referring a natural parent or parents to any intermediary for adoption placement and any intermediary from accepting any referral for such placement from the department; providing penalties; correcting a cross-reference; repealing s. 63.082(5), F.S., relating to withdrawal of consent obtained by fraud or duress; repealing s. 63.085, F.S., relating to disclosure by intermediary; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

**SCR 1206** was withdrawn prior to introduction.

By Senator Meek—

**SB 1207**—A bill to be entitled An act relating to sale of money orders; amending ss. 560.02 and 560.03, F.S., and creating s. 560.125, F.S.; providing that persons who are engaged in such sale solely because of provision of services to effect payment or delivery of money outside the United States are exempt from licensing requirements; providing for registration of such persons; providing exemptions; providing qualifications, procedures and fees; specifying requirements applicable to registrants; requiring bonding; amending ss. 560.11, 560.12, 560.13, and 560.16, F.S.; including registrants within provisions relating to financial liability, name of issuer on money order, revocation of registration and examination of records, and prohibition of sale by agent of unregistered principal seller; revising provisions relating to examination of records and payment of related expenses of the Department of Banking and Finance; amending s. 560.17, F.S.; providing a penalty; providing for review and repeal; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Plummer—

**SB 1208**—A bill to be entitled An act relating to health care; establishing the Long-Term Health Care Planning Commission under the Department of Health and Rehabilitative Services; providing for membership, terms, and meetings; authorizing appointment of an executive director; providing for per diem and travel expenses; providing powers and duties; requiring preparation of a state master plan for long-term health care; requiring certain recommendations to the department and the Legislature; requiring development of a mechanism for public input; requiring annual review of the state master plan and recommendations to the Legislature; providing for review and repeal; providing an effective date.

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

By Senator Girardeau—

**SJR 1209**—A joint resolution proposing an amendment to Section 5 of Article II of the State Constitution relating to elected public officers.

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

By Senator Langley—

**SB 1210**—A bill to be entitled An act relating to insurance; amending s. 627.653, F.S.; authorizing employees of more than one employer to be insured as a single employee group under certain circumstances; amending s. 627.657, F.S.; providing that group health policies covering certain employee groups are not required to comply with specified requirements regarding inclusions and coverage; creating s. 641.3055, F.S.; authorizing health maintenance organizations to offer certain groups of subscribers a health maintenance contract that does not include minimum required services and coverage; providing for review and repeal; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Langley—

**SB 1211**—A bill to be entitled An act relating to investigative and security services; amending s. 493.301, F.S., providing exemptions from part I of chapter 493 for retail security personnel and certain employers; amending s. 493.302, F.S., authorizing the Department of State to establish standards of practice and set certain fees; amending s. 493.306, F.S., providing training requirements for a Class "D" license; providing for training standards and annual certification of training facilities and instructors; providing fees; grandfathering certain licensees; amending s. 493.307, F.S., relating to notice of change in the officers of a security agency; amending s. 493.308, F.S., conforming provisions relating to possession of a concealed weapon; creating s. 493.3095, F.S., providing license reciprocity; amending s. 493.31, F.S., authorizing temporary bond or surety in lieu of insurance for certain licensees or applicants; amending s. 493.313, F.S., specifying additional requirements for license renewal; amending s. 493.315, F.S., authorizing possession of a concealed weapon under certain circumstances; amending s. 493.319, F.S., providing disciplinary actions; amending s. 493.322, F.S., providing confidentiality of department investigations; reenacting s. 493.568, F.S., relating to insurance for detection deception examiners, to incorporate amendment to s. 493.31, F.S., in a reference; reenacting s. 493.575, F.S., relating to disciplinary proceedings for detection deception examiners, to incorporate amendment to s. 493.319, F.S., in a reference; amending s. 790.25, F.S., correcting cross references; providing for review and repeal; providing an effective date.

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

By Senator Crenshaw—

**SB 1212**—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, 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; providing an effective date.

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

By Senator Malchon—

**SB 1213**—A bill to be entitled An act relating to health care; creating the Patient's Bill of Rights; providing definitions; providing purpose; providing rights of patients to individual dignity, receipt of information, including financial information, access to health care, notice of experimental research, and notice of the terms of the Patient's Bill of Rights; providing a grievance procedure; providing a cause of action for damages resulting from noncompliance; amending s. 395.005, F.S.; providing rule-making authority to the Department of Health and Rehabilitative Services to ensure that licensed facilities comply with the Patient's Bill of Rights; amending s. 395.016, F.S.; specifying certain information that must be included in hospital patient medical records; amending s. 395.017, F.S.; providing patients with the right to obtain medical records under certain circumstances; amending s. 455.241, F.S.; requiring health care providers to provide certain medical records to a patient's guardian or spouse; providing that statements made to a health care provider in the course of care and treatment are confidential; amending s. 458.301, F.S.; providing legislative findings with respect to the manner in which health care is provided; amending ss. 395.0115, 458.331, 459.015, F.S.; providing that violations of the Patient's Bill of Rights are grounds for disciplinary actions against licensed facilities, physicians and osteopathic physicians; providing for adoption of rules; providing an effective date.

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

By Senator Weinstein—

**SJR 1214**—A joint resolution proposing an amendment to Section 8 of Article V of the State Constitution relating to qualifications for service of a justice or judge.

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

By Senator Frank—

**SB 1215**—A bill to be entitled An act relating to public meetings; amending s. 286.011, F.S.; declaring that meetings of the Legislature, legislative committees, and meetings between the executive branch and the Legislature are public meetings open to the public at all times; providing for enforcement and for the award of attorneys' fees; providing criminal penalties; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Grizzle—

**SB 1216**—A bill to be entitled An act relating to drug products; creating s. 499.033, F.S.; providing that rabies vaccines are legend drugs and may be dispensed only upon prescription of a licensed veterinarian; providing an effective date.

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

By Senator Frank—

**SB 1217**—A bill to be entitled An act relating to impact fees; creating s. 163.3203, F.S., the Florida Impact Fee Law; providing definitions; authorizing counties and municipalities to impose impact fees; providing requirements and limitations; requiring adoption of certain rules by the Department of Community Affairs; providing procedures for assessment and payment and requiring certain security; providing for use of such fees; providing relationship to the local comprehensive plan; providing procedures and requirements for adoption of impact fee ordinances; amending s. 380.06, F.S.; revising requirements relating to certain developer contributions with respect to developments of regional impact; requiring conformance of existing local ordinances; providing severability; providing an effective date.

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

By Senator McPherson—

**SB 1218**—A bill to be entitled An act relating to licensing of vendors and manufacturers of alcoholic beverages; amending s. 561.221, F.S.; providing an exception to the prohibition against the issuance of a manufacturer's license to a person licensed as a vendor of alcoholic beverages under certain circumstances; amending s. 563.02, F.S.; requiring a vendor licensed as a manufacturer to pay an annual state license tax; providing an effective date.

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

By Senator Hair (by request)—

**SB 1219**—A bill to be entitled An act relating to apportionment of damages; amending s. 768.81, F.S.; providing that a state agency or subdivision is not jointly and severally liable for economic damages under certain circumstances; providing an exclusive remedy; providing an effective date.

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

By Senator Grizzle—

**SJR 1220**—A joint resolution proposing to create Section 17 of Article VII of the State Constitution to provide limitations upon state revenues.

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

By Senator McPherson—

**SB 1221**—A bill to be entitled An act relating to other track wagering; providing definitions; providing for the issuance of other track wagering licenses and permits; providing powers and duties of licenses; providing for tax on handle; providing for duties of receiving permitholders with respect to wagers; providing for takeout requirements; providing an effective date.

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

By Senator Malchon—

**SB 1222**—A bill to be entitled An act relating to bingo; amending s. 849.093, F.S., deleting a prohibition against a person regularly involved in the conduct of bingo games from participating in bingo games at the same location; providing an effective date.

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

By Senator Plummer—

**SB 1223**—A bill to be entitled An act relating to the Public Health Trust of Dade County; providing for the relief of Mattie Bohannon and Edwin Bohannon, to compensate them for injuries and suffering sustained by Edwin Bohannon due to negligence of the Public Health Trust of Dade County; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator D. Childers—

**SB 1224**—A bill to be entitled An act relating to adult basic and functional literacy; creating the Florida Model Literacy Program Act; creating s. 228.0713, F.S.; requiring the state and each local educational agency to develop literacy plans; defining basic literacy and functional literacy; providing for review of local plans by regional coordinating councils and approval by the Commissioner of Education; amending s. 228.075, F.S., relating to regional coordinating councils, to conform; amending s. 228.076, F.S.; providing for denial of funds if plan is not approved; amending s. 237.34, F.S.; providing for reporting separate adult general education program costs for adult basic skills and adult high school; amending ss. 236.081 and 240.359, F.S.; establishing an adult basic skills education program adjustment; amending s. 228.0715, F.S., relating to the Adult Literacy Act; providing definitions; clarifying language; providing for coordination of adult, individualized instruction programs with nonprofit organizations; authorizing nonprofit organizations to use appropriated funds for certain purposes; directing local literacy sponsors to submit certain information and the Commissioner of Education to prepare a summary report; providing an annual appropriation; prohibiting supplanting of such funds; amending s. 228.072, F.S., relating to adult general education; clarifying language; establishing a priority for basic literacy instruction; requiring local educational agencies to test certain persons for basic or functional literacy skills; providing for interagency cooperation; creating s. 228.0725, F.S.; providing for a model noninstructional adult literacy center pilot program; providing for proposals and selection; providing an appropriation; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Crawford—

**SB 1225**—A bill to be entitled An act relating to the Uniform Commercial Code: Investment Securities; revising ch. 678, F.S., relating to investment securities; amending ss. 678.101-678.406, F.S., and creating ss. 678.108, 678.321, 678.407, 678.408, F.S.; expanding the scope of that chapter to provide rules regulating the rights and duties of the issuers of, and other parties dealing with, uncertificated investment securities; revising definitions; prescribing the issuer's lien, the effect of overissue, negotiability, applicability of law, and method of transfer; providing for registration of pledge and release of uncertificated securities; prescribing persons considered "issuers" and issuers' responsibilities and defenses; providing for notice of defect or defense, staleness as such notice, effect of issuer's restrictions on transfer, effect of unauthorized signature, completion or alteration of security or statement, issuer's rights and duties with respect to registered owners and registered pledgees, effect of signature of authenticating trustee, registrar, or transfer agent, rights acquired by purchaser, persons considered "bona fide purchasers," adverse claims, title acquired by bona fide purchaser, persons considered "brokers," notice to purchaser of adverse claims, staleness as notice, warranties, indorsements, instructions, effect of unauthorized indorsement or instruction, effect of guaranteeing signature, indorsement, or instruction, when transfer to purchaser occurs, financial intermediary as bona fide purchaser, persons considered "financial intermediaries," duty to transfer and when transfer is completed, action against transferee, creditor's rights, nonliability of agent or bailee, the statute of frauds, and transfer or pledge within a central depository; providing for enforceability, attachment, perfection, and termination of security interests; providing for

duty of issuer to register transfer, pledge, or release; providing for assurance that indorsements and instructions are effective; providing for issuer's duty as to adverse claims, liability and nonliability for registration, and duty of authenticating trustee, transfer agent, or registrar; providing for exchangeability of securities; providing for lost, destroyed, and stolen certificated securities; amending s. 671.201, F.S., relating to definitions applicable to the code, to conform; amending s. 675.103, F.S., relating to definitions applicable to letters of credit, to conform; amending s. 675.114, F.S., relating to issuer's duty and privilege to honor, to conform; amending ss. 679.103, 679.105, 679.203, 679.302, 679.304, 679.309, 679.312, F.S., relating to secured transactions, to conform; amending s. 90.953, F.S., relating to the admissibility of duplicates into evidence, to conform; amending s. 518.115, relating to the power of a fiduciary or custodian to deposit securities in a central depository, to conform; amending s. 628.511, F.S., relating to book-entry accounting systems, to conform; providing an effective date.

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

By Senators Weinstock and Brown—

**SB 1226**—A bill to be entitled An act relating to contracting; creating ss. 489.133, 489.539, F.S.; providing definitions; providing restrictions on the work of journeymen, apprentices, and laborers engaged in construction or electrical construction; providing grounds for disciplinary action against contractors; requiring certain inspections by building code inspection agencies; providing for review and repeal; providing an effective date.

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

By Senator Meek—

**SB 1227**—A bill to be entitled An act naming the football stadium on the North Campus of Miami-Dade Community College the "Nathaniel 'Traz' Powell Football Stadium"; directing the board of trustees of the community college to erect suitable markers; providing an effective date.

—was referred to the Committee on Education.

By Senator Crawford—

**SB 1228**—A bill to be entitled An act relating to food products; amending s. 500.10, F.S.; providing that confectioneries containing a specified amount of alcohol are not deemed to be adulterated if certain restrictions on the sale of such confectioneries are observed; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Peterson—

**SB 1229**—A bill to be entitled An act relating to economic development; amending section 1 of chapter 86-216, Laws of Florida; renaming the Florida Council on Far East Research and Development; increasing the membership of the council; revising the date of a required report of the council; extending the expiration date of the council; specifying content of its report; providing an effective date.

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

By Senator Grant—

**SB 1230**—A bill to be entitled An act relating to plumbing; amending s. 553.01, F.S.; providing a short title; repealing s. 553.041, F.S., relating to exemption from bonding requirements for plumbing contractors in certain counties; amending s. 553.05, F.S.; requiring each county to employ at least one plumbing inspector; specifying the duties of a plumbing inspector; authorizing two or more counties to jointly employ a plumbing inspector; authorizing municipalities and districts to employ a plumbing inspector; amending s. 553.06, F.S.; requiring the Florida Board of Building Codes and Standards to prepare and adopt a State Plumbing Code; providing minimum plumbing standards; amending s. 553.09, F.S.; authorizing the Florida Board of Building Codes and Standards to establish an advisory council to interpret the State Plumbing Code; amending s. 553.11, F.S.; providing that the State Plumbing Code does not apply to counties that have adopted plumbing codes with similar minimum standards; repealing ss. 553.12, 553.13, F.S., relating to exemption of certain counties; providing an effective date.

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

By Senator Deratany—

**SB 1231**—A bill to be entitled An act relating to insurance; exempting certain employees of motor vehicle rental or leasing companies from licensure in certain circumstances; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Weinstein—

**SB 1232**—A bill to be entitled An act relating to dependent children; amending s. 39.01, F.S.; providing definitions; amending ss. 39.015, 39.40, 39.402, 39.403, F.S.; conforming cross-references; amending s. 39.404, F.S.; providing requirements for filing of petition for termination of parental rights; amending s. 39.41, F.S.; conforming cross-references; deleting provisions relating to termination of parental rights; creating a new part IV of chapter 39, F.S.; relating to children in foster care; providing legislative findings and intent; requiring performance agreements; delineating contents of the agreements; providing procedures for preparation and amendment; requiring initial court review and hearing; requiring permanent placement plans under specified circumstances; providing requirements for content, preparation, amendment, and review; requiring notice of potential result of placement of child in care; providing for judicial review; providing for hearing; providing for petition and notices; requiring a social study report to include specified items; requiring the court to make certain determinations in its deliberation; providing for disposition; providing for initiation of termination of parental rights proceedings under certain circumstances; providing immunity from liability; providing exemptions; creating new part V of chapter 39, F.S.; relating to termination of parental rights proceedings; providing procedures and jurisdiction; providing for filing of a petition for termination of parental rights; providing for process and service; providing for waiver of notice; providing consequences for failure to respond; providing for answer; providing procedure for voluntary termination of parental rights; providing extraordinary procedures for termination of parental rights; providing right to counsel and guardian ad litem; providing for hearings; providing for orders of adjudication; providing the court's powers of disposition; providing for oaths, records, and confidential information; providing for court and witness fees; providing for appeals; limiting compensation for appointed counsel; repealing s. 409.168, F.S., relating to permanency planning and judicial review of children in foster care; providing an effective date.

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

By Senator McPherson—

**SB 1233**—A bill to be entitled An act relating to the regulation of yacht brokers and salesmen by the Department of Professional Regulation; providing definitions; providing for the administration of brokers' and salesmen's licenses; prescribing qualifications for issuance of a license; prohibiting unlicensed persons from acting as brokers or salesmen; pending exceptions; providing for license fees; providing for the denial, revocation, or suspension of licenses; requiring surety bonds; providing for the handling and disposition of funds received by licensees; providing for the adoption of rules; providing an effective date.

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

By Senator Stuart—

**SB 1234**—A bill to be entitled An act relating to the sale of alcoholic beverages; prohibiting the sale of certain alcoholic beverages to the driver or passenger of a motor vehicle under specified circumstances; providing for license revocation; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Dudley—

**SB 1235**—A bill to be entitled An act relating to submerged and filled land subject to private ownership; amending s. 253.141, F.S.; excluding certain streams from inclusion within navigable waters; any releasing to the fee-simple titleholders of record, interest of the state in lands submerged under nonnavigable waters which were conveyed without reservation of public rights in and to the waters over the land, in lands submerged beneath nonmeandered bodies of water if certain taxes on the lands were paid by the titleholders or their predecessors in title, in formerly submerged lands which have been filled or exposed and for which

certain taxes were paid by the titleholders or their predecessors in title; providing for recording of a certificate evidencing the payment of such taxes; providing an effective date.

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

By Senator Malchon—

**SB 1236**—A bill to be entitled An act relating to solicitation of annuity contracts; authorizing the sale of fixed-rate annuity contracts by registered sales representatives and persons under their supervision; requiring insurers to register sales representatives with the Department of Insurance; providing for such registration; providing for reporting and accounting of funds by sales representatives; providing a penalty for diversion or misappropriation of funds; limiting commissions and requiring disclosure of such commissions; providing for disciplinary action against sales representatives by the department on specified grounds; providing for administrative fines; providing for the disposition of fees and fines; providing an effective date.

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

By Senator Stuart—

**SB 1237**—A bill to be entitled An act relating to the beverage law; amending s. 565.045, F.S.; removing restrictions on the products permitted to be sold by certain licensed vendors of alcoholic beverages; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Kirkpatrick—

**SB 1238**—A bill to be entitled An act relating to the disposition of dead human bodies; amending ss. 470.019, 470.036, F.S.; providing for disciplinary actions on prescribed grounds against direct disposers, direct disposal establishments, cinerator facilities, and certain licenses by the Board of Funeral Directors and Embalmers and the Department of Professional Regulation; providing an effective date.

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

By Senator Hill—

**SB 1239**—A bill to be entitled An act relating to professional regulation; amending s. 455.218, F.S.; prescribing standards required for foreign-trained professionals to take licensure examinations; deleting provisions relating to the licensure of podiatric technicians; repealing s. 455.2182, F.S., which prohibits the unsupervised practice of certain health care practitioners; providing an effective date.

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

By Senator Hill—

**SB 1240**—A bill to be entitled An act relating to state government; requiring state agencies to respond to legislators' requests within a specified period; providing an effective date.

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

By Senator Thurman—

**SB 1241**—A bill to be entitled An act relating to pharmacy; amending s. 465.007, F.S.; providing for the examination and licensing of certain pharmacists licensed in other states; providing an effective date.

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

By Senator Plummer—

**SB 1242**—A bill to be entitled An act relating to local government; requiring county and municipal governing bodies to prepare and advertise an economic impact statement in connection with the adoption of certain ordinances or resolutions imposing or increasing fees or charges; providing an effective date.

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

By Senator Beard—

**SB 1243**—A bill to be entitled An act relating to the Florida Highway Patrol; creating the Law Enforcement Trust Fund in the State Treasury; providing for the deposit of certain revenues from criminal or forfeiture proceedings and witness fees into such trust fund; providing for the appropriation of moneys in the trust fund for certain purposes; amending s. 932.704, F.S.; requiring the Department of Highway Safety and Motor Vehicles to deposit certain proceeds from forfeiture proceedings into the Law Enforcement Trust Fund; providing an effective date.

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

By Senator Crawford—

**SB 1244**—A bill to be entitled An act relating to sales taxes; creating the "Fairness in Retail Sales Taxation Act"; providing legislative intent; creating s. 212.0592, F.S.; imposing sales taxes on mail order sales; amending s. 212.06, F.S.; redefining "dealer" to include retailers who transact mail order sales; imposing a tax on sales made in this state of property to be transported to "cooperating states," as defined; prescribing procedures for levying and administering the tax; amending s. 212.20, F.S.; providing for refund of unconstitutionally collected taxes; amending s. 212.02, F.S.; redefining "retail sale" and defining "mail order sale"; amending s. 212.05, F.S., to conform legislative intent; amending s. 212.12, F.S.; providing for negotiation of dealers' collection allowances; authorizing audit of dealers who make mail order sales; amending s. 212.15, F.S., to conform; amending s. 212.18, F.S.; providing that no registration fee is required of a person engaged in making mail order sales; providing an appropriation; providing severability; providing an effective date.

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

By the Committee on Governmental Operations—

**SB 1245**—A bill to be entitled An act relating to direct-support organizations and citizen-support organizations; amending s. 11.45, F.S.; directing the Auditor General to conduct performance audits of such organizations under certain circumstances; providing an effective date.

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

By Senator Weinstein—

**SB 1246**—A bill to be entitled An act relating to sheriffs; amending s. 30.14, F.S.; providing procedures for transferring duties upon death or expiration of term of sheriff; providing for liability for neglect or refusal to comply with such procedures; amending s. 30.56, F.S.; prescribing punishment for a person who is arrested on a traffic violation charge and released on recognizance and who fails to appear to answer the traffic charge; repealing s. 26.50, F.S., relating to sheriffs purchasing articles for court; repealing s. 30.13, F.S., relating to disposition of papers of deceased sheriff; repealing s. 30.19, F.S., relating to failure to execute process; repealing s. 30.25, F.S., relating to compensation for feeding prisoners; repealing s. 30.26, F.S., relating to fees for services in lunacy proceedings; repealing s. 30.28, F.S., relating to delivery of prisoners to successor; repealing s. 30.31, F.S., relating to fingerprinting; repealing s. 30.32, F.S., relating to duties as timber agent; repealing s. 30.33, F.S., relating to timber claims; repealing s. 30.34, F.S., relating to timber seizure; repealing s. 30.35, F.S., relating to compensation as timber agent; providing an effective date.

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

By Senator Myers—

**SB 1247**—A bill to be entitled An act relating to employment opportunities for public assistance applicants and recipients; creating s. 409.029, F.S., the "Florida Employment Opportunity Act"; providing legislative findings and intent; providing definitions; providing interagency service integration requirements; requiring the development of district employment and training plans; providing for an employment and training program, as specified; providing for support services for participants; providing for case management, assessment, and employment plan contracts; providing registration and participation requirements; providing procedures for sanctioning mandatory participants for program noncompliance; requiring contracts, subcontracts, and agreements to include spe-

cific performance criteria; requiring a program evaluation and annual report; providing rulemaking authority to the Department of Health and Rehabilitative Services; amending s. 228.074, F.S.; requiring representation of the department on the regional coordinating councils; amending s. 443.181, F.S.; providing for expending of moneys in accordance with s. 409.029, F.S.; amending s. 446.20, F.S.; requiring the State Job Training Coordinating Council to have a committee on employment opportunities for public assistance recipients; repealing s. 409.027, F.S., relating to the Public Assistance Productivity Act; repealing s. 409.028, F.S., relating to workfare policy; providing an effective date.

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

By Senator McPherson—

**SB 1248**—A bill to be entitled An act relating to elections; amending s. 97.063, F.S.; making the need to have an elector complete a registration cancellation form optional; amending s. 97.091, F.S.; registering persons without a permanent address in the county courthouse precinct; amending s. 97.1031, F.S.; providing a uniform method to update registration information; amending s. 98.031, F.S.; abolishing the prohibition against changing election districts or precincts during certain years; amending s. 99.097, F.S.; requiring the state to pay for signatures checked on a petition submitted by one who cannot pay; amending s. 100.011, F.S.; providing when polls shall be open in counties covering two time zones; amending s. 100.371, F.S.; providing a deadline for submission of signatures on initiative petitions; providing for the adoption of rules for early submission by the Secretary of State; providing alternative methods of verification; amending s. 101.72, F.S.; providing the supervisors of elections discretion in determining the number of voting booths needed; amending s. 102.012, F.S.; providing any qualified elector in the county can be appointed as a poll inspector or clerk; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Frank—

**SB 1249**—A bill to be entitled An act relating to testamentary instruments; amending ss. 731.201, 732.502, 732.503, 732.505, F.S.; defining the term "will" to include a videotape; providing such videotape may be admissible as a will; providing requirements for a videotape will; requiring an acknowledgement instrument and a transcript; providing for revocation of a previous will by a videotape will; providing conforming language; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Hair—

**SB 1250**—A bill to be entitled An act relating to electrical contracting; amending s. 489.505, F.S.; defining "journeyman electrician" or "journeyman"; creating s. 489.536, F.S.; providing for voluntary certification of journeyman electricians; providing for the Electrical Contractors' Licensing Board to establish procedures for certification of journeyman electricians; providing an effective date.

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

By Senator Stuart—

**SB 1251**—A bill to be entitled An act relating to developmental intervention, parent support and training programs, and follow-up intervention services for high-risk and handicapped infants and their families; amending s. 411.104, F.S.; revising the Handicap Prevention Act continuum of services; creating s. 411.1071, F.S.; providing for developmental intervention and parent support and training programs; providing definitions; providing program guidelines; providing for evaluation; requiring the act to be implemented to the extent of available resources; providing an effective date.

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

By Senator Crawford—

**SB 1252**—A bill to be entitled An act relating to excise tax on documents; amending s. 201.01, F.S.; providing which documents are taxable; providing for tax liability and filing and recordation requirements; amending s. 201.02, F.S.; provides for tax on deeds and other instruments conveying an interest in real property; repealing s. 201.04, F.S., relating

to tax on stock transfers; amending s. 201.05, F.S.; providing tax on issues of stock; defining "stock"; repealing s. 201.07, F.S., relating to tax on bond issues; amending s. 201.08, F.S.; providing for taxation of written obligations to pay money and of security documents; amending s. 201.09, F.S.; providing exemption from tax on certain written obligations to pay money and on certain security documents; amending s. 201.11, F.S.; providing for filing officers or agents to collect the tax; providing compensation; amending s. 201.12, F.S.; providing duties of filing officers; providing penalties for certain violations; amending s. 201.132, F.S.; providing for exceptions to use of stamps on recorded documents; providing a deadline for transmitting funds; amending s. 201.133, F.S.; providing for exceptions to use of stamps on documents not to be recorded; amending s. 201.17, F.S.; providing penalties and interest for failure to pay tax required; amending s. 201.21, F.S.; exempting certain principal obligations relating to wholesale warehouse mortgage agreements and certain notes or obligations relating to real estate; repealing s. 201.22, F.S., relating to Uniform Commercial Code financing statements; repealing s. 201.23(1)(c), F.S., relating to certain foreign notes; providing an effective date.

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

#### FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Transportation and Senator Crenshaw—

**CS for SB 230**—A bill to be entitled An act relating to highway safety; creating s. 322.065 and amending s. 322.08, F.S.; providing additional requirements for issuance of a first-time driver's license; directing the Department of Highway Safety and Motor Vehicles to establish a traffic law and alcohol and drug abuse education program; providing for fees; requiring certified local DWI schools to offer the program; prohibiting the department from issuing a driver's license to certain persons who do not complete the program; creating s. 322.51, F.S.; providing for an assessment to fund administration of the program; providing an effective date.

By the Committee on Transportation and Senators Beard, Myers, Peterson and Thurman—

**CS for SB's 264, 280 and 686**—A bill to be entitled An act relating to motor vehicles; amending ss. 316.1955, 316.1956, 316.1964, 320.0842, 320.0843, 320.0848, 338.155, 347.19, F.S.; providing that a person who is permanently confined to a wheelchair, and whose motor vehicle displays a license plate designating that disability, may park such vehicle in parking spaces specially designated for disabled persons; providing for biennial renewal of the exemption entitlement parking for handicapped persons; providing that a person who has been issued a license plate pursuant to s. 320.0843, F.S., may park free of charge in any metered space; providing for procedures for the return of license plates issued pursuant to ss. 320.0842, 320.0843, F.S.; exempting certain handicapped persons from the payment of tolls in this state; continuing certain existing permits; providing an effective date.

By the Committee on Agriculture and Senators Kirkpatrick and Beard—

**CS for SB's 282 and 703**—A bill to be entitled An act relating to aquaculture; amending ss. 1.01 and 570.02, F.S.; conforming definitions of "agriculture" and including aquaculture therein; amending s. 205.064, F.S.; exempting persons selling aquacultural products from local occupational license requirements; amending s. 206.63, F.S.; providing for refund of taxes on motor fuel used in the practice of aquaculture; amending s. 571.03, F.S.; including aquacultural products within the definition of "agricultural product" under the Florida Seal of Quality Law; amending s. 597.005, F.S.; expanding membership of the Aquaculture Review Council; providing for per diem and expenses; amending s. 618.01, F.S.; including aquacultural products within the definition of "agricultural products" with respect to laws governing agricultural cooperative marketing associations; amending s. 823.14, F.S.; including aquacultural production within the definition of "farm" under the Florida Right to Farm Act; providing an effective date.

By the Committee on Governmental Operations and Senator Grant—

**CS for SB 293**—A bill to be entitled An act relating to public officers and employees; amending s. 112.312, F.S.; defining "breach of public trust," "facts materially related to the complaint at issue," "parties materially related to the complaint at issue," and "relative"; amending s. 112.313, F.S.; revising an exemption from certain standards relating to

doing business with one's agency and conflicting employment or contractual relationships; amending and renumbering s. 116.111, F.S., relating to restrictions on employment of relatives; revising definitions applicable thereto; removing a penalty; amending s. 112.3144, F.S.; revising requirements relating to full and public disclosure of financial interests; amending s. 112.317, F.S.; expanding penalty provisions; amending s. 112.320, F.S.; specifying purposes of the commission; amending s. 112.322, F.S.; specifying powers and duties of the commission and providing for delegation of certain authority; requiring state attorneys to file complaints of ethics violations under certain circumstances; providing for actions to recover penalties; specifying rulemaking powers; creating s. 112.3231, F.S.; providing time limitations with respect to proceedings of the Commission on Ethics relating to violations within its jurisdiction; amending s. 112.324, F.S.; revising provisions relating to procedures on complaints of violations, including complaints against impeachable officers or members of the Legislature; designating the disciplinary body with respect to former officers and employees and candidates and former candidates; creating s. 112.325, F.S.; prohibiting certain coercion, intimidation, or interference with respect to rights and obligations under the code of ethics; providing for injunctive relief and remedies; repealing s. 112.3185(1)(b), F.S., which provides a definition of "agency"; repealing ss. 839.08, 839.09, 839.091, and 839.10, F.S., which prohibit the purchase of supplies for public use by public officers from themselves or by boards from board members, with certain exemptions, and which prohibit officers and board members from bidding for contracts for public works for which they are a party to the letting; providing an effective date.

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

**CS for SB 392**—A bill to be entitled An act relating to saltwater fisheries; amending s. 327.28, F.S.; changing distribution of certain moneys in the Motorboat Revolving Trust Fund; amending s. 370.01, F.S.; defining "restricted species"; amending s. 370.06, F.S.; specifying persons who must have a saltwater products license; requiring a restricted species endorsement on a saltwater products license, for certain purposes; providing restrictions on issuance of such endorsement; providing exemptions; increasing saltwater products license fees; limiting persons to whom saltwater products may be sold; prohibiting certain purchase of restricted species; requiring a saltwater products license for certain harvest levels; amending s. 370.14, F.S.; decreasing the fee for use of traps, cans, drums, buoys, or similar devices; providing a fee for certain harvest by any other method; changing fee disposition; requiring a saltwater products license for certain harvest of crawfish; providing an appropriation from the Motorboat Revolving Trust Fund to implement a trap retrieval program; providing a retrieval fee; conditioning renewal of a trap number upon payment of such fees; providing for waiver under certain circumstances; providing that this act does not affect the scheduled repeal of certain provisions of the Florida Statutes or Laws of Florida; providing an effective date.

By the Committee on Judiciary-Civil—

**CS for SB 401**—A bill to be entitled An act relating to the Florida Mobile Home Act; amending s. 723.061, F.S.; renumbering existing provisions; creating a new section of the statutes; creating the Mobile Home Study Commission; providing prospective repeal of s. 723.061(2)(a)2.c., F.S., as created by the act, relating to payment to a mobile home owner who is evicted for a change in land use of a scaled percentage of the difference between book value and market value of a mobile home and appurtenances; repealing s. 723.061(2)(e), F.S., relating to eviction from a mobile home park based upon a change of land use, to delete a repeal of procedures governing such eviction; providing for retroactivity; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Myers, Ros-Lehtinen, Stuart, Lehtinen, Grant, Woodson, Margolis and Malchon—

**CS for SB's 484, 498 and 247**—A bill to be entitled An act relating to indigent health care; amending s. 125.01, F.S.; enabling a county to establish municipal service taxing or benefit units to provide indigent health care services in unincorporated areas; authorizing a county to establish a dependent special district or an independent special district to provide indigent health care services throughout the county; providing for appointment and duties of the governing board of the independent special district; providing authority for the indigent health care board to prepare and adopt a budget; authorizing the levy of ad valorem taxes subject to referendum; limiting the millage rate; providing for expenditure of

tax revenues; providing for financial reports; amending s. 154.01, F.S.; allowing county public health units to deliver services directly or to broker services provided by others; requiring a formal request-for-proposal process in selecting counties for primary care programs; limiting start-up costs; specifying components of primary care programs; creating s. 154.011, F.S.; requiring each county to establish a primary health care panel; providing for membership of the panel; providing for the development of a plan for the delivery of primary care services through the county public health unit; providing for duties of the panel; amending s. 155.40, F.S.; requiring hospitals which reorganize as not-for-profit corporations to continue to provide indigent care as required by this act; amending s. 395.502, F.S.; modifying definitions used by Hospital Cost Containment Board; amending s. 409.266, F.S.; requiring the purchase of medical services for eligible persons in a specified manner; increasing the annual Medicaid outpatient hospital services cap; increasing the Public Medical Assistance Trust Fund contribution for primary care services through county public health units; authorizing disbursement from Public Medical Assistance Trust Fund to hospitals on a pro rata formula basis for uncompensated care; extending Medicaid services to financially eligible pregnant women, children under age 5, elderly persons, and disabled persons; providing for fee increases to Medicaid noninstitutional providers; directing the Department of Health and Rehabilitative Services to implement procedures for contracting for onsite Medicaid eligibility determinations; requiring a report; requiring the Auditor General to contract for a study of certain aspects of the Medicaid program; requiring the Auditor General to conduct a program audit of the Medicaid program and its implementation by the department and issue a report; amending s. 409.2662, F.S.; increasing the general revenue appropriation for the Public Medical Assistance Trust Fund; limiting expenditures from the Public Medical Assistance Trust Fund for purposes of this act; creating s. 409.2673, F.S.; establishing a shared county and state health care program for low-income persons; providing for eligibility for the program; providing for county and state share of the program funding for counties participating in the program; delineating state and county responsibility should the funds of either be depleted; requiring participating counties to maintain current indigent health care efforts; providing for eligibility determination; specifying conditions for reimbursement to hospitals; providing for development and adoption of rules governing the program; authorizing the establishment of the Florida Small Business Health Access Corporation; providing for the organization and operation of the corporation, including collection of premiums, establishment of benefits, payment of claims; authorizing staff to administer the program; providing that the corporation shall not be licensed by the Department of Insurance; providing for reinsurance; providing for review and repeal of the Medicaid medically needy program; providing an effective date.

By the Committee on Judiciary-Civil and Senator Grant—

**CS for SB 492**—A bill to be entitled An act relating to lost or abandoned property and unclaimed evidence; amending s. 705.01, F.S.; providing definitions; deleting language with respect to county court judge ordered sales; amending s. 705.02, F.S.; providing for reporting of lost or abandoned property; providing a penalty; deleting provisions with respect to method of ascertaining salvage; amending s. 705.03, F.S.; providing a procedure with respect to lost or abandoned property; deleting language with respect to disposition of proceeds of sale; providing penalties; creating s. 705.041, F.S.; providing for title to lost or abandoned property; amending s. 705.05, F.S.; providing a procedure with respect to unclaimed evidence; deleting provisions requiring the sheriff to report certain money received to the county court judge; amending s. 705.17, F.S.; conforming cross-references; repealing s. 705.07, F.S., relating to failure of finder of derelict goods to report goods; repealing s. 705.08, F.S., relating to the finder of derelict goods appropriating such goods; repealing ss. 705.09, 705.10, 705.11, 705.12, 705.13, 705.14, 705.15, F.S., relating to the forfeiture and disposition of seized goods; repealing s. 705.16, F.S., relating to abandoned property and supplemental procedure for removal and destruction of property; repealing s. 925.06, F.S., relating to sale or destruction of unclaimed personal property in criminal proceedings; repealing ss. 116.23, 116.24, 116.25, 116.26, 116.27, 116.28, 116.29, 116.30, 116.31, 116.32, F.S., relating to forfeiture of personal property intended for use as evidence in the custody of the clerk of the circuit court; repealing s. 715.01, F.S., relating to title to personal property found in public places; providing an effective date.

By the Committee on Transportation and Senator Meek—

**CS for SB 516**—A bill to be entitled An act relating to the obstruction of public streets, highways, and roads; amending ss. 316.2045,

316.655, F.S.; prohibiting such obstruction in order to solicit under certain circumstances; providing exceptions; providing a penalty; providing an effective date.

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

**CS for SB 563**—A bill to be entitled An act relating to regulation of oil and gas resources; amending s. 377.22, F.S.; providing for forms of security other than a bond as a condition to perform certain activities; creating s. 377.2409, F.S.; requiring that information about geophysical activities be furnished to the Division of Resource Management of the Department of Natural Resources; providing for confidentiality of information; providing penalty for wrongful disclosure; amending s. 377.24, F.S.; changing fee-setting standards; requiring division approval for abandonment of wells; amending s. 377.2424, F.S.; providing for confidentiality of permit information given to counties and municipalities, for which there are penalties for failure to comply; creating s. 403.267, F.S.; providing an exemption from Department of Environmental Regulation permit requirements for such activities when conducted under permit issued by the Department of Natural Resources; providing an effective date.

By the Committee on Governmental Operations and Senators Stuart, Deratany and Girardeau—

**CS for SB 573**—A bill to be entitled An act relating to information technology resources; creating the Information Resources Management Act; amending ss. 186.021, 215.96, 216.031, F.S.; requiring the preparation of certain agency plans and budget requests; creating s. 216.0445, F.S.; requiring an evaluation of such budget requests by the Information Resource Commission; amending s. 216.292, F.S.; providing for the transfer of certain funds; creating ss. 282.003, 282.004, F.S.; providing a short title; providing legislative intent; amending ss. 282.101, 282.303, F.S.; providing definitions; amending s. 282.102, F.S.; providing additional powers and duties of the Division of Communications of the Department of General Services; creating s. 282.1021, F.S.; requiring the division to develop a state plan for the implementation of communications services; amending ss. 282.103, 282.104, 282.105, 282.107, F.S.; creating the SUNCOM Network as the state communications system within the division; providing for the development and use of such system; amending s. 282.305, F.S.; providing additional powers and duties for the Information Resource Commission; creating ss. 282.3061, 282.3062, F.S.; requiring the commission to prepare a state strategic plan for information resources management; requiring the commission to prepare an annual report on information resources management; providing requirements for such plans and reports; amending ss. 282.307, 282.308, 282.309, F.S.; requiring each department, state university, and certain judicial courts to prepare a strategic plan for information resources management; providing requirements for such plans; amending s. 282.311, F.S.; providing additional duties and responsibilities for agency information resource managers; creating ss. 282.3115, 282.312, F.S.; requiring agency information resource managers to prepare operating plans and performance reports; creating s. 282.314, F.S.; creating the Information Resources Management Advisory Council; amending ss. 282.318, 282.403, F.S.; providing conforming language; providing for future repeal and review pursuant to the Sundown Act; repealing ss. 282.301, 282.302, 282.401, F.S., relating to prior legislative intent; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Hollingsworth and W. D. Childers—

**CS for SB's 606 and 712**—A bill to be entitled An act relating to hunting; amending s. 372.57, F.S.; providing separate nonresident hunting license fees with respect to residents of certain states contiguous to Florida; providing an effective date.

By the Committee on Transportation and Senator Kiser—

**CS for SB 659**—A bill to be entitled An act relating to transportation-related contracts; amending s. 120.53, F.S.; providing circumstances under which and procedures by which an agency shall stop the bid solicitation process or contract award process pending resolution of a protest; prescribing time within which a hearing officer in a protest hearing shall render a recommended order; amending s. 337.105, F.S.; providing for suspension of persons or firms providing professional services; amending s. 337.11, F.S.; providing that a person protesting an award must post a bond in a specified amount; providing for the payment of certain costs and charges; providing circumstances in which the department may proceed with bid solicitation or contract award; requiring department con-

tracts to contain a provision requiring the prime contractor to pay all affected subcontractors and suppliers for work completed; amending s. 337.14, F.S.; authorizing the department to limit the amount of any contracts on which a person is qualified to bid or the total contracts that a person may have under contract at any one time; providing for waiver of the contract bond; prohibiting a person from filing a protest in certain circumstances; amending s. 337.16, F.S.; requiring a contractor's application for a certificate of qualification to be denied or his current certificate suspended if he is determined delinquent on a contract; providing that, for reasons other than delinquency in progress, the Department of Transportation for good cause may also deny a certificate of qualification; creating s. 337.175, F.S.; requiring the department to include in its construction contracts a provision for retaining a percentage of the amount due the contractor for work completed; prohibiting the department from accepting securities for amounts retained on construction contracts, but requiring the department to allow certain contractors to substitute securities; amending s. 337.18, F.S.; providing for waiver of all or part of the surety bond; providing for alternate security; specifying that the department is not liable for certain anticipated profits when a contract is in default; increasing the amount charged as liquidated damages for certain contracts; providing a penalty for failure to complete a project within the time stipulated in the contract or within any extension granted; providing for recovery for damages suffered by third parties; providing that any liquidated damages, penalty, and additional damages assessed in contracts containing incentive and disincentive provisions are payable when the contract time or extension is exceeded; amending s. 337.403, F.S.; allowing the department to participate in certain work that exceeds cost estimates; limiting the amount of the departmental participation; providing an effective date.

By the Committee on Governmental Operations and Senator Kiser—

**CS for SB 733**—A bill to be entitled An act relating to the reorganization of the Governor's office; amending s. 229.8053, F.S.; transferring the Florida High Technology and Industry Council to the Department of Commerce; providing for a type four transfer of the council; amending s. 366.82, F.S.; transferring to the Department of Community Affairs the powers of the Executive Office of the Governor as a party to proceedings to adopt energy consumption goals; amending ss. 377.602, 377.603, 377.604, 377.605, 377.606, 377.608, 377.701, 377.703, F.S.; transferring the Executive Office of the Governor's energy functions to the Department of Community Affairs; providing for a type four transfer of such functions; repealing s. 377.706, F.S.; abolishing the Florida Energy Research and Development Task Force; amending ss. 450.181, 450.191, F.S.; transferring migrant labor functions to the Department of Labor and Employment Security; providing for a type four transfer of such functions; amending s. 395.503, F.S.; providing for a type four transfer of the Hospital Cost Containment Board from the Governor's office to the Office of the Secretary of the Department of Health and Rehabilitative Services; providing an effective date.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Scott, by two-thirds vote CS for SB 8, SB 112, CS for SB 141, SB 175, CS for SB 220, Senate Bills 268, 436 and 164 were withdrawn from the Committee on Appropriations.

On motion by Senator Scott, by two-thirds vote CS for SB 401 was removed from the calendar and referred to the Committee on Appropriations.

On motions by Senator Grant, by two-thirds vote SB 252 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Langley, by two-thirds vote CS for SB's 369 and 450, Senate Bills 587 and 710, CS for SB's 484, 498 and 247 were withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Meek, by two-thirds vote SB 192 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Crawford, by two-thirds vote SB 981 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Gordon, by two-thirds vote SB 314 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Frank, by two-thirds vote SCR 1206 was indefinitely postponed.

On motions by Senator Malchon, by two-thirds vote SB 343 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Deratany, by two-thirds vote CS for SB 164 was withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Myers, by two-thirds vote SB 1102 was withdrawn from the committees of reference and indefinitely postponed.

#### MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State Senate Bills 30, 114 and CS for SB 777 which he approved on April 23, 1987.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

##### First Reading

*The Honorable John W. Vogt, President*

I am directed to inform the Senate that the House of Representatives has passed House Bills 100, 291; has passed as amended HB 1172 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Clements and others—

**HB 100**—A bill to be entitled An act relating to homicide; creating s. 782.072, F.S.; defining vessel homicide; providing penalties; providing additional penalties for a person who commits vessel homicide and refuses to stop, leaves the scene of the incident without rendering assistance, or fails to give required notice; providing an effective date.

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

By the Committee on Regulatory Reform and Representative Kelly—

**HB 291**—A bill to be entitled An act relating to the teachers' retirement system; amending s. 238.01, F.S., deleting the definition of "medical board"; correcting cross references; repealing s. 238.04, F.S., abolishing the medical board under the Division of Retirement of the Department of Administration; amending ss. 238.06, 238.11, and 238.17, F.S., correcting cross references; amending s. 238.07, F.S., revising procedures relating to medical certification for a disability retirement allowance; providing an effective date.

—was referred to the Committee on Personnel, Retirement and Collective Bargaining.

By Representative Gardner—

**HB 1172**—A bill to be entitled An act relating to gambling; creating s. 849.47, F.S., exempting certain foreign vessels docked in this state or transiting in territorial waters of the state from the gambling statutes under certain circumstances; providing an effective date.

—was referred to the Committee on Commerce.

*The Honorable John W. Vogt, President*

I am directed to inform the Senate that the House of Representatives has passed with amendments SB 36 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

**SB 36**—A bill to be entitled An act relating to the marketing of peanuts; amending s. 573.895, F.S.; changing the composition of, and method of appointment of members of, the marketing order advisory councils; providing for officers, personnel, meetings, and expenses of the council; providing for conduct of business; providing for travel expenses of members; amending s. 573.897, F.S., relating to council members' exemption from individual liability, to include employees of the council within the exemption; reviving and readopting ss. 573.885(14), 573.895-573.897, F.S., as amended, notwithstanding the provisions of ch. 81-59 or ch. 82-46, Laws of Florida; providing for future repeal and review of said subsection and sections; providing an effective date.

**Amendment 1**—On page 1, line 20, strike everything after the enacting clause and insert:

Section 1. Subsections (13), (14), and (15) of section 573.885, Florida Statutes, are amended and a new subsection (17) is added to said section to read:

573.885 Definitions.—As used in this part:

(13) "Advertising and sales promotion," in addition to the ordinarily accepted meaning, means trade promotion and activities for the ~~correction prevention, modification, or removal~~ of trade practices barriers which ~~unfairly or detrimentally affect the distribution and handling restrict the free flow of peanuts within the state to market,~~ and may include the presentation of facts to, and negotiations with, the state, federal, and foreign governmental agencies on matters which affect the production and marketing of peanuts.

(14) "Advisory council" means the ~~peanut~~ advisory council or councils established pursuant to this part.

(15) "General rules" means rules applicable to all marketing orders and marketing agreements issued and made effective by the department to provide uniform methods and procedures to facilitate the administration and enforcement of all marketing orders and marketing agreements. Uniform methods and procedures may include, but shall not be limited to, methods and procedures pertaining to the receiving, depositing, and expenditure of moneys received from assessments; the preparation, handling, and payment of claim schedules for the payment of bills, salaries, and other obligations; ~~the establishment of maximum rates to be allowed for travel expenses of council members and council employees;~~ the preparation, verification, and filing of evidence relating to violations of marketing orders, agreements, and marketing regulations; and other fiscal and administrative activities which the department finds are necessary to obtain reasonable uniformity, efficiency, and economy in the administration and enforcement of any marketing order or agreement.

(17) "Commissioner" means the Commissioner of Agriculture.

Section 2. Section 573.895, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 573.895, F.S., for present text.)

573.895 Peanut advisory council.—

(1) COMPOSITION.—A peanut advisory council shall be created to advise the department in administration of each marketing order issued pursuant to this part.

(a) An advisory council shall be composed of seven members with an alternate for each member. The majority of members and their alternates must be producers.

(b) Members and their alternates shall be appointed by the commissioner from nominees submitted by producers in the various peanut-producing counties. In the absence of nominations, the commissioner shall appoint such persons as are qualified under the provisions of this section. No more than two members and no more than two alternates may be appointed from any one county and at least two members and alternates must be selected from counties lying east of Leon County. Any vacancy shall be filled for the remainder of the term in the same manner as an initial appointment.

(c) Initially, four members and their alternates shall be appointed for 4-year terms and three members and their alternates shall be appointed for 2-year terms. Thereafter, members and alternates shall be appointed for 4-year terms.

(d) Terms of members and alternates of existing advisory councils, created pursuant to this part, shall be subject to the provisions in this subsection for initial appointment and replacement.

(e) An alternate member shall have all the rights, privileges, and powers of the member for whom he is the alternate in the absence of that member.

(f) When a marketing order expires or is otherwise terminated, the terms of all advisory council members or alternate members appointed with respect to that order shall also terminate.

(2) MEETINGS; PROCEDURES; RECORDS.—The advisory council shall meet at least annually and elect a chairman and a vice chairman for 1-year terms.

(a) The advisory council shall meet at the call of its chairman, at the request of a majority of its membership, at the request of the department, or at such times as may be prescribed by its rules of procedure.

(b) A designee of the department shall serve as secretary of the advisory council.

(c) In conducting its meetings, the advisory council shall use accepted rules of procedure. The secretary shall keep a complete record of the proceedings of each meeting which shall show the names of the members present and the actions taken. Such records shall be kept on file with the secretary, and these records and other documents about matters within the jurisdiction of the advisory council shall be subject to inspection by the members of the advisory council.

(3) OFFICIAL ACTION.—A majority of the members shall constitute a quorum, and action by a majority of a quorum shall be official.

(4) PER DIEM AND SUPPORT SERVICES.—Members or alternate members of any advisory council shall receive no compensation for their services, but shall be entitled to reimbursement for per diem and travel expenses as provided in s. 112.061. The department may employ necessary personnel, including professional and technical services, fix their compensation and terms of employment, and incur expenses, to be paid from moneys collected as provided in this part, as the department may deem necessary and proper to enable the advisory council to properly perform its authorized duties.

Section 3. Section 573.897, Florida Statutes, is amended to read:

573.897 Advisory council; exemption of members and employees from liability.—The members and alternate members of any advisory council duly appointed by the commissioner, and the employees of such council, shall not be held responsible individually in any way whatsoever to any producer, distributor, or other handler or any other person for errors in judgment, mistakes, or other acts, either of commission or omission, as principal, agent, or employee, except for their own individual acts of dishonesty or crime. No such member or employee shall be held responsible individually for any act of any other member or employee of the council.

Section 4. Notwithstanding the provisions of the Sundown Act or of any other provision of law which provides for review and repeal in accordance with s. 11.611, Florida Statutes, subsection (14) of section 573.885 and sections 573.895, 573.896, and 573.897, Florida Statutes, shall not stand repealed on October 1, 1987, and shall continue in full force and effect as amended herein.

Section 5. Subsection (14) of section 573.885 and sections 573.895, 573.896, and 573.897, Florida Statutes, are repealed on October 1, 1997, and shall be reviewed by the Legislature pursuant to s. 11.611, Florida Statutes.

Section 6. This act shall take effect October 1, 1987.

Amendment 2—On page 1, in the title, lines 2-18, strike all of said lines and insert: An act relating to the Florida Peanut Marketing Law; amending s. 573.885, F.S.; clarifying definitions; adding a definition; amending s. 573.895, F.S.; providing for appointment and terms of advisory council; providing for conduct of business and per diem and support services for council; amending s. 573.897, F.S.; clarifying exemptions from liability; saving ss. 573.885(14), 573.895, 573.896, and 573.897, F.S., from Sundown repeal; providing for future review and repeal; providing an effective date.

On motions by Senator Hollingsworth, the Senate concurred in the House amendments.

SB 36 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Girardeau	Kiser	Ros-Lehtinen
Beard	Gordon	Langley	Scott
Brown	Grant	Lehtinen	Stuart
Childers, D.	Grizzle	Malchon	Thomas
Childers, W. D.	Hill	Margolis	Thurman
Crawford	Hollingsworth	McPherson	Weinstein
Crenshaw	Jenne	Meek	Weinstock
Deratany	Jennings	Myers	Woodson
Dudley	Johnson	Peterson	
Frank	Kirkpatrick	Plummer	

Nays—None

Excused: Hair

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed with amendments SB 37 and requests the concurrence of the Senate.

John B. Phelps, Clerk

**SB 37**—A bill to be entitled An act relating to the marketing of flue-cured tobacco; amending s. 573.869, F.S.; changing the composition of, and method of appointment of members of, the marketing order advisory councils; providing for officers, personnel, meetings, and expenses of the council; providing for conduct of business; providing for travel expenses of members; amending s. 573.870, F.S.; revising council duties; amending s. 573.878, F.S.; providing for the Department of Agriculture and Consumer Services to issue certificates of exemption to producers and handlers; reviving and readopting ss. 573.859(14), 573.869-573.871, F.S., as amended, notwithstanding the provisions of ch. 81-60 or ch. 82-46, Laws of Florida; providing for future repeal and review of said subsection and sections; providing an effective date.

**Amendment 1**—On page 1, line 21, strike everything after the enacting clause and insert:

Section 1. Subsection (5) of section 573.858, Florida Statutes, is amended to read:

573.858 Purposes.—The purposes of this part are:

(5) To ~~correct prevent, modify, or eliminate~~ trade practices barriers which ~~unfairly or detrimentally affect the distribution and handling obstruct the free flow of~~ flue-cured tobacco ~~within the state to market~~.

Section 2. Subsections (13), (14), and (15) of section 573.859, Florida Statutes, are amended and a new subsection (17) is added to said section to read:

573.859 Definitions.—As used in this part:

(13) "Advertising and sales promotion," in addition to the ordinarily accepted meaning, means trade promotion and activities for the ~~correction prevention, modification, or removal~~ of trade practices barriers which ~~restrict the free flow unfairly and detrimentally affect the distribution and handling of~~ flue-cured tobacco ~~within the state to market~~ and may include the presentation of facts to, and negotiations with, the state, federal, and foreign governmental agencies on matters which affect the production and marketing of flue-cured tobacco.

(14) "Advisory council" means the advisory ~~administrative~~ council or councils established pursuant to this part.

(15) "General rules" means rules applicable to all marketing orders and marketing agreements issued and made effective by the department to provide uniform methods and procedures to facilitate the administration and enforcement of all marketing orders and marketing agreements. Uniform methods and procedures may include, but shall not be limited to, methods and procedures pertaining to the receiving, depositing, and expenditure of moneys received from assessments; the preparation, handling, and payment of claim schedules for the payment of bills, salaries, and other obligations; ~~the establishment of maximum rates to be allowed for travel expenses of council members and council employees;~~ the preparation, verification, and filing of evidence relating to violations of marketing orders, agreements, and marketing regulations; and other fiscal and administrative activities which the department finds are necessary to obtain reasonable uniformity, efficiency, and economy in the administration and enforcement of any marketing order or agreement.

(17) "Commissioner" means the Commissioner of Agriculture.

Section 3. Section 573.869, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 573.869, F.S., for present text.)

573.869 Flue-cured tobacco advisory council.—

(1) **COMPOSITION**.—A flue-cured tobacco advisory council shall be created to advise the department in administration of each marketing order issued pursuant to this part.

(a) An advisory council shall be composed of seven members with an alternate for each member. The majority of members and their alternates must be producers.

(b) Members and their alternates shall be appointed by the commissioner from nominees submitted by producers in the various flue-cured tobacco-producing counties. In the absence of nominations, the commissioner shall appoint such persons as are qualified under the provisions of this section. No more than one member and no more than one alternate may be appointed from any one county. Any vacancy shall be filled for the remainder of the term in the same manner as an initial appointment.

(c) Initially, four members and their alternates shall be appointed for 4-year terms and three members and their alternates shall be appointed for 2-year terms. Thereafter, members and alternates shall be appointed for 4-year terms.

(d) Terms of members and alternates of existing advisory councils, created pursuant to this part, shall be subject to the provisions in this subsection for initial appointment and replacement.

(e) An alternate member shall have all the rights, privileges, and powers of the member for whom he is the alternate in the absence of that member.

(f) When a marketing order expires or is otherwise terminated, the terms of all advisory council members or alternate members appointed with respect to that order shall also terminate.

(2) **MEETINGS; PROCEDURES; RECORDS**.—The advisory council shall meet at least annually and elect a chairman and a vice chairman for 1-year terms.

(a) The advisory council shall meet at the call of its chairman, at the request of a majority of its membership, at the request of the department, or at such times as may be prescribed by its rules of procedure.

(b) A designee of the department shall serve as secretary of the advisory council.

(c) In conducting its meetings, the advisory council shall use accepted rules of procedure. The secretary shall keep a complete record of the proceedings of each meeting which shall show the names of the members present and the actions taken. Such records shall be kept on file with the secretary, and these records and other documents about matters within the jurisdiction of the advisory council shall be subject to inspection by the members of the advisory council.

(3) **OFFICIAL ACTION**.—A majority of the members shall constitute a quorum, and action by a majority of a quorum shall be official.

(4) **PER DIEM AND SUPPORT SERVICES**.—Members or alternate members of any advisory council shall receive no compensation for their services, but shall be entitled to reimbursement for per diem and travel expenses as provided in s. 112.061. The department may employ necessary personnel, including professional and technical services, fix their compensation and terms of employment, and incur expenses, to be paid from money collected as provided in this part, as the department may deem necessary and proper to enable the advisory council to properly perform its authorized duties.

Section 4. Section 573.870, Florida Statutes, is amended to read:

573.870 Advisory council; duties.—The duties of any advisory council shall be ~~advisory administrative~~ only, and may include the following:

(1) To recommend to the department administrative rules and regulations relating to the marketing order.

(2) To receive and report to the department complaints or violations of the marketing order.

(3) To recommend to the department amendments to the marketing order.

(4) To ~~advise assist~~ the department in the assessment of members of the industry and in the collection of funds to cover expenses incurred by the department in the administration of the marketing order.

(5) To ~~advise assist~~ the department in the collection of information and data which the department may deem necessary to the proper administration of this part.

(6) To advise the department on the condition of the tobacco crop.

(7) To recommend to the department a date for opening the flue-cured tobacco marketing season.

Section 5. Section 573.871, Florida Statutes, is amended to read:

573.871 Advisory council; exemption from liability.—The members and alternate members of any advisory council duly appointed by the commissioner department, including employees of the council, shall not be held responsible individually in any way whatsoever to any producer, distributor, or other handler or any other person for errors in judgment, mistakes, or other acts, either of commission or omission, as principal, agent, person, or employee, except for their own individual acts of dishonesty or crime. No such person or employee shall be held responsible individually for any act of any other member of any council.

Section 6. Section 573.878, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 573.878, F.S., for present text.)

573.878 Procedures for exemptions.—The department shall by rule adopt procedures by which certificates of exemption may be issued to producers and handlers and issue certification of exemption to any qualified applicant who complies with the rules or procedures adopted. This section does not require participation under a marketing order, and any person who sells tobacco and does not desire to participate under such an order is exempt from the assessment deductions referred to in this part if such person notifies the department of that desire in writing at least 30 days before the sale.

Section 7. Notwithstanding the provisions of the Sundown Act or of any other provision of law which provides for review and repeal in accordance with s. 11.611, Florida Statutes, subsection (14) of section 573.859 and sections 573.869, 573.870, and 573.871, Florida Statutes, shall not stand repealed on October 1, 1987, and shall continue in full force and effect as amended herein.

Section 8. Subsection (14) of section 573.859 and sections 573.869, 573.870, and 573.871, Florida Statutes, are repealed on October 1, 1997, and shall be reviewed by the Legislature pursuant to s. 11.611, Florida Statutes.

Section 9. This act shall take effect October 1, 1987.

**Amendment 2**—On page 1, in the title, strike all of lines 2-19 and insert: An act relating to the Florida Flue-cured Tobacco Marketing Law; amending s. 573.858, F.S.; redefining the purpose; amending s. 573.859, F.S.; clarifying definitions; amending s. 573.869, F.S.; providing for appointment and terms of advisory council; providing for conduct of business and per diem and support services for council; amending s. 573.870, F.S.; revising council duties; amending s. 573.871, F.S.; clarifying liability exemptions; amending s. 573.878, F.S.; providing for the Department of Agriculture and Consumer Services to issue certificates of exemption to producers and handlers; saving ss. 573.859(14), 573.869, 573.870, and 573.871, F.S., from Sundown repeal; providing for future review and repeal; providing an effective date.

On motions by Senator Hollingsworth, the Senate concurred in the House amendments.

SB 37 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Girardeau	Kiser	Scott
Beard	Gordon	Langley	Stuart
Brown	Grant	Malchon	Thomas
Childers, D.	Grizzle	Margolis	Thurman
Childers, W. D.	Hill	McPherson	Weinstein
Crawford	Hollingsworth	Meek	Weinstock
Crenshaw	Jenne	Myers	Woodson
Deratany	Jennings	Peterson	
Dudley	Johnson	Plummer	
Frank	Kirkpatrick	Ros-Lehtinen	

Nays—None

Excused: Hair

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed with amendments SB 38 and requests the concurrence of the Senate.

John B. Phelps, Clerk

**SB 38**—A bill to be entitled An act relating to marketing of soybeans; amending s. 573.843, F.S.; changing the composition of, and method of appointment of members of, the marketing order advisory councils; providing for officers, personnel, meetings, and expenses of the council; providing for conduct of business; providing for travel expenses of members; reviving and readopting ss. 573.833(14), 573.843-573.845, F.S., as amended, notwithstanding the provisions of ch. 81-61 or ch. 82-46, Laws of Florida; providing for future repeal and review of said subsection and sections; providing an effective date.

**Amendment 1**—On page 1, line 17, strike everything after the enacting clause and insert:

Section 1. Subsection (5) of section 573.832, Florida Statutes, is amended to read:

573.832 Purposes.—The purposes of this part are:

(5) To correct ~~prevent, modify, or eliminate~~ trade practices barriers which unfairly or detrimentally affect the distribution and handling ~~obstruct the free flow~~ of soybeans within the state ~~to market~~.

Section 2. Subsections (13), (14), and (15) of section 573.833, Florida Statutes, are amended and a new subsection (17) is added to said section to read:

573.833 Definitions.—As used in this part:

(13) "Advertising and sales promotion," in addition to the ordinarily accepted meaning, means trade promotion and activities for the ~~correction prevention, modification, or removal~~ of trade practices barriers which ~~restrict the free flow unfairly and detrimentally affect the distribution and handling of soybeans within the state to market~~ and may include the presentation of facts to, and negotiations with, the state, federal, and foreign governmental agencies on matters which affect the production and marketing of soybeans.

(14) "Advisory council" means the advisory ~~administrative~~ council or councils established pursuant to this part.

(15) "General rules" means rules applicable to all marketing orders and marketing agreements issued and made effective by the department to provide uniform methods and procedures to facilitate the administration and enforcement of all marketing orders and marketing agreements. Uniform methods and procedures may include, but shall not be limited to, methods and procedures pertaining to the receiving, depositing, and expenditure of moneys received from assessments; the preparation, handling, and payment of claim schedules for the payment of bills, salaries, and other obligations; ~~the establishment of maximum rates to be allowed for travel expenses of council members and council employees;~~ the preparation, verification, and filing of evidence relating to violations of marketing orders, agreements, and marketing regulations; and other fiscal and administrative activities which the department finds are necessary to obtain reasonable uniformity, efficiency, and economy in the administration and enforcement of any marketing order or agreement.

(17) "Commissioner" means the Commissioner of Agriculture.

Section 3. Section 573.843, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 573.843, F.S., for present text.)

573.843 Soybean advisory council.—

(1) **COMPOSITION**.—A soybean advisory council shall be created to advise the department in administration of each marketing order issued pursuant to this part.

(a) An advisory council shall be composed of seven members with an alternate for each member. The majority of members and their alternates must be producers.

(b) Members and their alternates shall be appointed by the commissioner from nominees submitted by producers in the various soybean-

producing counties. In the absence of nominations, the commissioner shall appoint such persons as are qualified under the provisions of this section. No more than one member and no more than one alternate may be appointed from any one county. Any vacancy shall be filled for the remainder of the term in the same manner as an initial appointment.

(c) Initially, four members and their alternates shall be appointed for 4-year terms and three members and their alternates shall be appointed for 2-year terms. Thereafter, members and alternates shall be appointed for 4-year terms.

(d) Terms of members and alternates of existing advisory councils, created pursuant to this part, shall be subject to the provisions in this subsection for initial appointment and replacement.

(e) An alternate member shall have all the rights, privileges, and powers of the member for whom he is the alternate in the absence of that member.

(f) When a marketing order expires or is otherwise terminated, the terms of all advisory council members or alternate members appointed with respect to that order shall also terminate.

(2) MEETINGS; PROCEDURES; RECORDS.—The advisory council shall meet at least annually and elect a chairman and a vice chairman for 1-year terms.

(a) The advisory council shall meet at the call of its chairman, at the request of a majority of its membership, at the request of the department, or at such times as may be prescribed by its rules of procedure.

(b) A designee of the department shall serve as secretary of the advisory council.

(c) In conducting its meetings, the advisory council shall use accepted rules of procedure. The secretary shall keep a complete record of the proceedings of each meeting which shall show the names of the members present and the actions taken. Such records shall be kept on file with the secretary, and these records and other documents about matters within the jurisdiction of the advisory council shall be subject to inspection by the members of the advisory council.

(3) OFFICIAL ACTION.—A majority of the members shall constitute a quorum, and action by a majority of a quorum shall be official.

(4) PER DIEM AND SUPPORT SERVICES.—Members or alternate members of any advisory council shall receive no compensation for their services, but shall be entitled to reimbursement for per diem and travel expenses as provided in s. 112.061. The department may employ necessary personnel, including professional and technical services, fix their compensation and terms of employment, and incur expenses, to be paid from moneys collected as provided in this part, as the department may deem necessary and proper to enable the advisory council to properly perform its authorized duties.

Section 4. The introductory paragraph and subsections (4) and (5) of section 573.844, Florida Statutes, are amended to read:

573.844 Advisory council; duties.—The duties of any advisory council shall be advisory administrative only, and may include the following:

(4) To advise assist the department in the assessment of members of the industry and in the collection of funds to cover expenses incurred by the department in the administration of the marketing order.

(5) To advise assist the department in the collection of information and data which the department may deem necessary to the proper administration of this part.

Section 5. Section 573.845, Florida Statutes, is amended to read:

573.845 Advisory council; exemption from liability.—The members and alternate members of any advisory council duly appointed by the commissioner department, including employees of the council, shall not be held responsible individually in any way whatsoever to any producer, distributor, or other handler or any other person for errors in judgment, mistakes, or other acts, either of commission or omission, as principal, agent, person, or employee, except for their own individual acts of dishonesty or crime. No such person or employee shall be held responsible individually for any act of any other member of any council.

Section 6. Notwithstanding the provisions of the Sundown Act or of any other provision of law which provides for review and repeal in

accordance with s. 11.611, Florida Statutes, subsection (14) of section 573.833 and sections 573.843, 573.844, and 573.845, Florida Statutes, shall not stand repealed on October 1, 1987, and shall continue in full force and effect as amended herein.

Section 7. Subsection (14) of section 573.833 and sections 573.843, 573.844, and 573.845, Florida Statutes, are repealed on October 1, 1997, and shall be reviewed by the Legislature pursuant to s. 11.611, Florida Statutes.

Section 8. This act shall take effect October 1, 1987.

**Amendment 2**—On page 1, in the title, strike all of lines 2-15 and insert: An act relating to the Florida Soybean Marketing Law; amending s. 573.832, F.S.; redefining the purpose; amending s. 573.833, F.S.; clarifying definitions; amending s. 573.843, F.S.; providing for appointment and terms of advisory council; providing for conduct of business and per diem and support services for council; amending s. 573.844, F.S.; revising council duties; amending s. 573.845, F.S.; clarifying exemptions from liability; saving ss. 573.833(14), 573.843, 573.844, and 573.845, F.S., from Sundown repeal; providing for future review and repeal; providing an effective date.

On motions by Senator Hollingsworth, the Senate concurred in the House amendments.

SB 38 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Girardeau	Kiser	Scott
Beard	Gordon	Langley	Stuart
Brown	Grant	Lehtinen	Thomas
Childers, D.	Grizzle	Malchon	Thurman
Childers, W. D.	Hill	Margolis	Weinstein
Crawford	Hollingsworth	McPherson	Weinstock
Crenshaw	Jenne	Meek	Woodson
Deratany	Jennings	Myers	
Dudley	Johnson	Peterson	
Frank	Kirkpatrick	Ros-Lehtinen	

Nays—None

Excused: Hair

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed with amendments SB 94 and requests the concurrence of the Senate.

John B. Phelps, Clerk

**SB 94**—A bill to be entitled An act relating to the Dairy Industry Technical Council; amending s. 570.42, F.S.; providing for terms of office for council members to begin on a certain date; reviving and readopting ss. 570.42, 570.43, F.S., notwithstanding repeals scheduled under the Sundown Act; providing for future review and repeal of said sections; providing an effective date.

**Amendment 1**—On page 1, line 12, strike everything after the enact clause and insert:

Section 1. Section 570.34, Florida Statutes, is amended to read:  
(Substantial rewording of section. See s. 570.34, F.S., for present text.)  
570.34 Plant Industry Technical Council.—

(1) COMPOSITION.—The Plant Industry Technical Council is hereby created in the Department of Agriculture and Consumer Services and shall be composed of 11 members as follows:

(a) The citrus, vegetable, ornamental horticulture, foliage plants, tropical fruits, commercial flower grower, turfgrass, forestry, apiary, and citizen-at-large representatives who serve on the State Agricultural Advisory Council and one additional representative from the citrus fruit industry who shall be appointed by the commissioner for a 4-year term or until his successor is duly qualified and appointed.

(b) The additional citrus fruit representative shall be appointed subject to the same qualifications and by the same procedure as pre-

scribed in s. 570.23 for membership to the council by the citrus representative. If a vacancy occurs with regard to this position, it shall be filled for the remainder of the term in the same manner as an initial appointment.

(2) **POWERS AND DUTIES.**—The Plant Industry Technical Council shall have the powers and duties to:

- (a) Consider and study the entire field of plant industry.
- (b) Advise and consult with the commissioner and the division director, at their request or upon its own initiative, regarding the promulgation, administration, and enforcement of all laws, rules, and regulations relating to the plant industry.
- (c) Consider all matters submitted to it by the commissioner or the division director.
- (d) Submit proposed legislation and rules to the commissioner.
- (e) Suggest policies and practices for the conduct of the business of the Division of Plant Industry to the commissioner or the division director which they shall duly consider.

(3) **MEETINGS; PROCEDURES; RECORDS.**—The technical council shall meet at least annually and elect a chairman and a vice chairman for 1-year terms.

(a) The technical council shall meet at the call of its chairman, at the request of a majority of its membership, at the request of the department, or at such times as may be prescribed by its rules of procedure.

(b) The division director shall serve as secretary of the Plant Industry Technical Council.

(c) In conducting its meetings, the technical council shall use accepted rules of procedure. The secretary shall keep a complete record of the proceedings of each meeting, which shall show the names of the members present and the actions taken. These records shall be kept on file with the secretary, and these records and other documents about matters within the jurisdiction of the technical council shall be subject to inspection by the members of the technical council.

(4) **OFFICIAL ACTION.**—A majority of the members shall constitute a quorum, and action by a majority of a quorum shall be official.

(5) **PER DIEM.**—Members of the Plant Industry Technical Council shall receive no compensation for their services, but shall be entitled to reimbursement for per diem and travel expenses as provided in s. 112.061.

Section 2. Section 570.38, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 570.38, F.S., for present text.)

570.38 **Animal Industry Technical Council.**—

(1) **COMPOSITION.**—The Animal Industry Technical Council is hereby created in the Department of Agriculture and Consumer Services and shall be composed of 11 members as follows:

(a) The beef cattle, swine, dairy, horse, independent agricultural markets, meat processing and packing establishments, veterinary medicine, and poultry representatives who serve on the State Agricultural Advisory Council and three additional representatives from the beef cattle industry who shall be appointed by the commissioner for 4-year terms or until their successors are duly qualified and appointed.

(b) Each additional beef cattle representative shall be appointed subject to the qualifications and by the procedure as prescribed in s. 570.23 for membership to the council by the beef cattle representative. If a vacancy occurs in these three positions, it shall be filled for the remainder of the term in the same manner as an initial appointment.

(2) **POWERS AND DUTIES.**—The Animal Industry Technical Council shall have the powers and duties to:

- (a) Consider and study the entire field of animal industry.
- (b) Advise and consult with the commissioner and the division director, at their request or upon its own initiative, regarding the promulgation, administration, and enforcement of all laws, rules, and regulations relating to the animal industry.
- (c) Consider all matters submitted to it by the commissioner or the division director.
- (d) Submit proposed legislation and rules to the commissioner.

(e) Suggest policies and practices for the conduct of the business of the Division of Animal Industry to the commissioner or the division director which they shall duly consider.

(3) **MEETINGS; PROCEDURES; RECORDS.**—The technical council shall meet at least annually and elect a chairman and a vice chairman for 1-year terms.

(a) The technical council shall meet at the call of its chairman, at the request of a majority of its membership, at the request of the department, or at such times as may be prescribed by its rules of procedure.

(b) The division director shall serve as secretary of the Animal Industry Technical Council.

(c) In conducting its meetings, the technical council shall use accepted rules of procedure. The secretary shall keep a complete record of the proceedings of each meeting, which shall show the names of the members present and the actions taken. These records shall be kept on file with the secretary, and these records and other documents about matters within the jurisdiction of the technical council shall be subject to inspection by the members of the technical council.

(4) **OFFICIAL ACTION.**—A majority of the members shall constitute a quorum, and action by a majority of a quorum shall be official.

(5) **PER DIEM.**—Members of the Animal Industry Technical Council shall receive no compensation for their services, but shall be entitled to reimbursement for per diem and travel expenses as provided in s. 112.061.

Section 3. Section 570.42, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 570.42, F.S., for present text.)

570.42 **Dairy Industry Technical Council.**—

(1) **COMPOSITION.**—The Dairy Industry Technical Council is hereby created in the Department of Agriculture and Consumer Services and shall be composed of seven members as follows:

(a) Two citizens of the state, one of whom shall be associated with the Agricultural Extension Service of the University of Florida and the other with the College of Agriculture of the University of Florida.

(b) An employee of the Department of Health and Rehabilitative Services.

(c) Two dairy farmers who are actively engaged in the production of milk in this state and who earn a major portion of their income from the production of milk. The commissioner shall appoint the two members provided for in this paragraph from no fewer than four nor more than six nominees submitted by the recognized statewide organizations representing this group. In the absence of nominations, the commissioner shall appoint other persons qualified under the provisions of this paragraph.

(d) Two distributors of milk. "Distributor" means any milk dealer who operates a milk gathering station or processing plant where milk is collected and bottled or otherwise processed and prepared for sale. The commissioner shall appoint the two members provided for in this paragraph from no fewer than four nor more than six nominees submitted by the recognized statewide organizations representing this group. In the absence of nominations, the commissioner shall appoint other persons qualified under the provisions of this paragraph.

(e) All members shall serve 4-year terms or until their successors are duly qualified and appointed. If a vacancy occurs, it shall be filled for the remainder of the term in the manner of an initial appointment.

(2) **POWERS AND DUTIES.**—The Dairy Industry Technical Council shall have the powers and duties to:

- (a) Consider and study the entire field of dairy industry.
- (b) Advise and consult with the commissioner and the division director, at their request or upon its own initiative, regarding the promulgation, administration, and enforcement of all laws, rules, and regulations relating to the dairy industry.
- (c) Consider all matters submitted to it by the commissioner or the division director.

(d) Submit proposed legislation and rules to the commissioner.

(e) Suggest policies and practices for the conduct of the business of the Division of Dairy Industry to the commissioner or the division director which they shall duly consider.

(3) **MEETINGS; PROCEDURES; RECORDS.**—The technical council shall meet at least annually and elect a chairman and a vice chairman for 1-year terms.

(a) The technical council shall meet at the call of its chairman, at the request of a majority of its membership, at the request of the department, or at such times as may be prescribed by its rules of procedure.

(b) The division director shall serve as secretary of the Dairy Industry Technical Council.

(c) In conducting its meetings, the technical council shall use accepted rules of procedure. The secretary shall keep a complete record of the proceedings of each meeting, which shall show the names of the members present and the actions taken. These records shall be kept on file with the secretary, and these records and other documents about matters within the jurisdiction of the technical council shall be subject to inspection by the members of the technical council.

(4) **OFFICIAL ACTION.**—A majority of the members shall constitute a quorum, and action by a majority of a quorum shall be official.

(5) **PER DIEM.**—Members of the Dairy Industry Technical Council shall receive no compensation for their services, but shall be entitled to reimbursement for per diem and travel expenses as provided in s. 112.061.

Section 4. Section 576.091, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 576.091, F.S., for present text.)

576.091 Fertilizer Technical Council.—

(1) **COMPOSITION.**—The Fertilizer Technical Council is hereby created in the Department of Agriculture and Consumer Services and shall be composed of 13 members as follows:

(a) Three representatives of the Department of Agriculture and Consumer Services, a citizen at large, and the dean for research and the dean for extension, Institute of Food and Agricultural Sciences, University of Florida, who shall be appointed by the Commissioner of Agriculture; and the beef cattle, field crops, citrus, vegetable, commercial fertilizer, commercial pesticide, and agricultural limestone members of the State Agricultural Advisory Council.

(b) If a vacancy occurs, it shall be filled for the remainder of the term in the same manner as an initial appointment.

(2) **POWERS AND DUTIES.**—The Fertilizer Technical Council shall have the powers and duties to:

(a) Consider and study the entire field of commercial fertilizer.

(b) Review and make recommendations to the department on any commercial fertilizer registration submitted to it by the department.

(c) Advise, and consult with the Commissioner of Agriculture and the directors of the Divisions of Chemistry and Inspection, at their request or upon its own initiative, regarding the promulgation, administration, and endorsement of all laws, rules, and regulations relating to commercial fertilizer.

(d) Consider all matters submitted to it by the Commissioner of Agriculture, the division directors, or other members of the council.

(e) Submit proposed legislation and rules to the Commissioner of Agriculture.

(f) Suggest policies and practices for the administration of this chapter to the Commissioner of Agriculture and the division directors which they shall duly consider.

(3) **MEETINGS; PROCEDURES; RECORDS.**—The council shall meet at least annually and elect a chairman and a vice chairman for 1-year terms.

(a) The technical council shall meet at the call of the chairman, at the request of the department or of a majority of the council membership, or at such times as may be prescribed by its rules of procedure.

(b) The State Chemist shall serve as secretary of the Fertilizer Technical Council.

(c) In conducting its meetings, the technical council shall use accepted rules of procedure. The secretary shall keep a complete record of the proceedings of each meeting, which shall show the names of the members present at each meeting and the actions taken. Such records shall be kept on file with the secretary, and these records and other documents about matters within the jurisdiction of the technical council shall be subject to inspection by the members of the technical council.

(4) **OFFICIAL ACTION.**—A majority of the members shall constitute a quorum, and action by a majority of a quorum shall be official.

(5) **PER DIEM.**—Members of the Fertilizer Technical Council shall receive no compensation for their services, but shall be entitled to reimbursement for per diem and travel expenses as provided in s. 112.061.

Section 5. Sections 570.35, 570.39, and 570.43, Florida Statutes, are hereby repealed.

Section 6. Notwithstanding the provisions of the Sundown Act or of any other provision of law which provides for review and repeal in accordance with s. 11.611, Florida Statutes, ss. 570.34, 570.38, 570.42, and 576.091, Florida Statutes, shall not stand repealed on October 1, 1987, and shall continue in full force and effect as amended herein.

Section 7. Sections 570.34, 570.38, 570.42, and 576.091, Florida Statutes, are repealed on October 1, 1997, and shall be reviewed by the Legislature pursuant to s. 11.611, Florida Statutes.

Section 8. This act shall take effect October 1, 1987.

**Amendment 2**—On page 1, in the title, strike all of lines 2-10 and insert: An act relating to agricultural technical councils; amending s. 570.34, F.S., relating to the Plant Industry Technical Council; amending s. 570.38, F.S., relating to the Animal Industry Technical Council; amending s. 570.42, F.S., relating to the Dairy Industry Technical Council; amending s. 576.091, F.S., relating to the Fertilizer Technical Council; providing for appointment and terms of members; redefining and clarifying the powers and duties of the councils; repealing ss. 570.35, 570.39, and 570.43, F.S., relating to powers and duties of the Plant Industry Technical Council, the Animal Industry Technical Council, and the Dairy Industry Technical Council, respectively; saving ss. 570.34, 570.38, 570.42, and 576.091, F.S., from Sundown repeal; providing for future review and repeal; providing an effective date.

On motions by Senator Hollingsworth, the Senate concurred in the House amendments.

SB 94 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Girardeau	Kiser	Scott
Beard	Gordon	Langley	Stuart
Brown	Grant	Lehtinen	Thomas
Childers, D.	Grizzle	Malchon	Thurman
Childers, W. D.	Hill	Margolis	Weinstein
Crawford	Hollingsworth	McPherson	Weinstock
Crenshaw	Jenne	Meek	Woodson
Deratany	Jennings	Myers	
Dudley	Johnson	Peterson	
Frank	Kirkpatrick	Ros-Lehtinen	

Nays—None

Excused: Hair

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 93, 104, 193 and 214.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

**SPECIAL ORDER**

**SB 565**—A bill to be entitled An act relating to the designation of a state reptile; creating s. 15.0385, F.S.; designating the American alligator as the official state reptile; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 565 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Frank	Kirkpatrick	Plummer
Barron	Girardeau	Kiser	Ros-Lehtinen
Beard	Gordon	Langley	Scott
Brown	Grant	Lehtinen	Stuart
Childers, D.	Grizzle	Malchon	Thomas
Childers, W. D.	Hill	Margolis	Thurman
Crawford	Hollingsworth	McPherson	Weinstein
Crenshaw	Jenne	Meek	Weinstock
Deratany	Jennings	Myers	Woodson
Dudley	Johnson	Peterson	

Nays—None

Excused: Hair

On motion by Senator Kirkpatrick, the rules were waived and SB 565 was ordered immediately certified to the House.

**SB 389**—A bill to be entitled An act relating to legislative review of advisory bodies adjunct to executive agencies and of regulatory programs and functions; providing for future repeal and legislative review of the following provisions of law relating to advisory bodies adjunct to executive agencies pursuant to the Sundown Act; repealing s. 228.0615(8), F.S., relating to the State Advisory Council on Early Childhood Education; repealing s. 231.5336, F.S., relating to the Professional Teacher Career Development Council; repealing s. 242.68, F.S., relating to the Board of Correctional Education; repealing s. 586.161, F.S., relating to the Honeybee Technical Council; repealing ss. 945.601, 945.602, 945.603, 945.6035, F.S., relating to the State of Florida Correctional Medical Authority; repealing ss. 229.861, 229.863, 229.865, 229.867, F.S., relating to the Board of Public Schools; providing for future repeal and legislative review of the following provisions of law relating to regulatory programs and functions pursuant to the Regulatory Sunset Act; repealing s. 475.021, F.S., relating to certain duties of the Division of Real Estate; repealing s. 481.2055, F.S., relating to the authority of the Board of Architecture to make rules; repealing s. 498.024, F.S., relating to certain land sales practices; repealing s. 631.0515, F.S., relating to insurer solvency, rehabilitation, and liquidation; repealing s. 499.0053, F.S., relating to the power to administer oaths, take depositions, and issue subpoenas in connection with the Florida Drug and Cosmetic Act; repealing ss. 627.0612, 627.0625, 627.0635, F.S., relating to insurance rates and rating organizations; repealing ss. 627.4133, 627.4205, F.S., relating to the insurance contract; repealing ss. 627.6057, 627.6058, F.S., relating to medical malpractice insurance; repealing ss. 627.7282, 627.7283, F.S., relating to motor vehicle and casualty insurance contracts; repealing s. 627.9126, F.S., relating to insurer reporting; amending s. 89 of ch. 86-220, Laws of Florida, to prospectively repeal the Technical Organ Transplant Advisory Council and to abrogate the inadvertent repeal of s. 61.046, F.S., relating to family law; amending s. 17 of ch. 86-250, Laws of Florida, which prospectively repeals chs. 628, 631, 634, 637, 638, 639, 641, 651, F.S., relating to the Insurance Code, to change the repeal date of amended or added sections of chs. 628, 631, 634, 641, F.S.; amending s. 65(1) of ch. 86-160, Laws of Florida, which prospectively repeals ss. 768.73, 768.78, 768.80, 768.81, F.S., relating to damages, to delete an inappropriate reference to s. 11.61, F.S.; amending s. 11.6105, F.S., as amended by ch. 83-265, Laws of Florida, relating to legislative review of regulatory functions, to change the scheduled repeal date of s. 499.022, F.S., relating to the Florida Drug and Cosmetic Technical Review Panel; providing an effective date.

—was read the second time by title.

Senator Kiser moved the following amendments which were adopted:

**Amendment 1**—On page 5, between lines 26 and 27, insert: a new (12) to read

(12) Section 561.68, Florida Statutes, 1986 Supplement, relating to the licensure of salesmen of spirituous or vinous beverages, is repealed October 1, 1996, and shall be reviewed by the Legislature prior to that date pursuant to s. 11.61, Florida Statutes.

**Amendment 2**—On page 6, line 21, after "Section 6." insert: Subsection (8), of section 11.6105, Florida Statutes, as amended by chapter 81-318, Laws of Florida, and

**Amendment 3**—On page 6, between lines 26 and 27, insert:

(8) The following provisions of the Florida Statutes are repealed on October 1, 1990 and shall be reviewed by the Legislature pursuant to this act:

(a) Sections 210.15, 210.16, and 210.161, Florida Statutes, relating to cigarette taxes.

(b) ~~Chapter 350, Florida Statutes, relating to the Florida Public Services Commission.~~

(b)(e) Chapter 470, Florida Statutes, relating to funeral directing, embalming, and direct disposition.

(c)(d) Chapter 493, Florida Statutes, relating to investigative agencies and deception detectors.

(d)(e) Chapter 509, Florida Statutes, relating to public lodging and food service establishments.

(e)(f) Chapter 517, Florida Statutes, relating to securities transactions.

(f)(g) Chapter 520, Florida Statutes, relating to retail installment sales.

(g)(h) Part IV of chapter 559, Florida Statutes, relating to cemeteries.

(h)(i) Sections 604.15, 604.151, 604.16, 604.17, 604.18, 604.19, 604.20, 604.21, 604.211, 604.22, 604.23, 604.25, 604.27, 604.28, 604.29, 604.30, Florida Statutes, relating to dealers in agricultural products.

**Amendment 4**—In title, on page 2, line 30, after "by" insert: ch. 81-318 and

**Amendment 5**—In title, on page 3, line 1, after "to" insert: delete the scheduled repeal of the Public Service Commission, to

**Amendment 6**—In title, on page 2, line 15, after the semicolon (;) insert: repealing s. 561.68, F.S., relating to licensure of salesmen of spirituous and vinous beverages;

On motion by Senator Kiser, by two-thirds vote SB 389 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Kirkpatrick	Ros-Lehtinen
Barron	Girardeau	Kiser	Scott
Beard	Gordon	Langley	Thomas
Brown	Grant	Lehtinen	Thurman
Childers, D.	Grizzle	Malchon	Weinstein
Childers, W. D.	Hill	Margolis	Weinstock
Crawford	Hollingsworth	McPherson	Woodson
Crenshaw	Jenne	Meek	
Deratany	Jennings	Myers	
Dudley	Johnson	Peterson	

Nays—None

Excused: Hair

On motion by Senator Lehtinen, by two-thirds vote HB 291 was withdrawn from the Committee on Personnel, Retirement and Collective Bargaining.

On motions by Senator Lehtinen—

**HB 291**—A bill to be entitled An act relating to the teachers' retirement system; amending s. 238.01, F.S., deleting the definition of "medical board"; correcting cross references; repealing s. 238.04, F.S., abolishing the medical board under the Division of Retirement of the Department of Administration; amending ss. 238.06, 238.11, and 238.17, F.S., correcting cross references; amending s. 238.07, F.S., revising procedures relating to medical certification for a disability retirement allowance; providing an effective date.

—a companion measure, was substituted for SB 196 and by two-thirds vote read the second time by title.

On motion by Senator Lehtinen, by two-thirds vote HB 291 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Kirkpatrick	Plummer
Barron	Girardeau	Kiser	Ros-Lehtinen
Beard	Gordon	Langley	Scott
Brown	Grant	Lehtinen	Thomas
Childers, D.	Grizzle	Malchon	Thurman
Childers, W. D.	Hill	Margolis	Weinstein
Crawford	Hollingsworth	McPherson	Weinstock
Crenshaw	Jenne	Meek	Woodson
Deratany	Jennings	Myers	
Dudley	Johnson	Peterson	

Nays—None

Excused: Hair

SB 196 was laid on the table.

**CS for SB 100**—A bill to be entitled An act relating to correctional education; amending s. 20.315, F.S.; providing for the Adult Services Program Office, the Youth Offender Program Office, and the Community Services Program Office of the Department of Corrections; amending s. 120.52, F.S.; redefining the term "educational unit" so as to make the Correctional Education School Authority subject to the Administrative Procedure Act; amending s. 232.2481, F.S.; providing that the Correctional Education School Authority is a district school board for specified purposes; providing an effective date.

—was read the second time by title.

Senator Hill moved the following amendment which was adopted:

**Amendment 1**—On page 3, line 14, after "Regents." insert: The Correctional Education School Authority shall not be deemed an "educational unit" for the purposes of ss. 120.54(1), 120.54(9), and 120.54(11), Florida Statutes.

On motion by Senator Hill, by two-thirds vote CS for SB 100 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	Girardeau	Kirkpatrick	Plummer
Beard	Gordon	Kiser	Ros-Lehtinen
Brown	Grant	Langley	Scott
Childers, D.	Grizzle	Lehtinen	Thomas
Childers, W. D.	Hill	Margolis	Thurman
Crawford	Hollingsworth	McPherson	Weinstein
Crenshaw	Jenne	Meek	Weinstock
Dudley	Jennings	Myers	Woodson
Frank	Johnson	Peterson	

Nays—None

Excused: Hair

**SB 101**—A bill to be entitled An act relating to crime prevention; amending s. 163.3177, F.S.; providing for an element in the local comprehensive plan that relates to tangible and structural crime prevention techniques; amending s. 187.201, F.S.; establishing as part of the state comprehensive plan the goal of reducing commercial crime exposure through applied tangible and structural crime prevention techniques and technology; providing an effective date.

—was read the second time by title.

The Committee on Corrections, Probation and Parole recommended the following amendment which was moved by Senator Hill and adopted:

**Amendment 1**—On page 1, line 15, through page 4, line 2, strike all of said lines and insert:

Section 1. Section 16.55, Florida Statutes, is created to read:

16.55 Crime prevention training.—The department shall develop model crime prevention training materials for the localities. The training material shall provide each county commission and city commission in the State of Florida with up-to-date information on how to reduce commercial crime exposure through environmental design. Included in the model training materials shall be information on lighting, cash handling procedures, obstructed vision, traffic flow, counter placement, and staffing. The model training materials shall be completed and dispersed no later than July, 1988.

The Committee on Corrections, Probation and Parole recommended the following amendment which was moved by Senator Hill and failed:

**Amendment 2**—On page 4, between lines 2 and 3, insert:

Section 2. The sum of \$30,000 is appropriated from the General Revenue Fund to the Department of Legal Affairs for the purpose of developing crime prevention training materials as set forth in Section 1 of this act.

(Renumber subsequent sections.)

The Committee on Corrections, Probation and Parole recommended the following amendment which was moved by Senator Hill and adopted:

**Amendment 3**—In title, on page 1, strike all of lines 2-6 and insert: An act relating to crime prevention; creating s. 16.55, F.S.; providing for the development of crime prevention training materials for the localities; amending s. 187.201, F.S.;

On motion by Senator Hill, by two-thirds vote SB 101 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	Plummer
Barron	Girardeau	Kirkpatrick	Ros-Lehtinen
Beard	Gordon	Kiser	Scott
Brown	Grant	Langley	Thomas
Childers, D.	Grizzle	Malchon	Thurman
Childers, W. D.	Hill	McPherson	Weinstein
Crenshaw	Hollingsworth	Meek	Weinstock
Deratany	Jenne	Myers	Woodson
Dudley	Jennings	Peterson	

Nays—None

Excused: Hair

Vote after roll call:

Yea—Stuart

**SB 209**—A bill to be entitled An act relating to election petition, including petitions for constitutional initiatives; creating s. 15.21, F.S.; requiring the Secretary of State to submit to the Attorney General revisions or amendments to the State Constitution proposed by initiative petition; creating s. 16.061, F.S.; requiring the Attorney General to request an advisory opinion of the justices of the Supreme Court; amending s. 99.097, F.S.; providing that persons or sponsors of a petition to have an issue placed on the ballot are exempt from paying the verification fee upon a showing that it will impose an undue burden; amending s. 100.371, F.S.; providing a deadline for submission of signatures to supervisors of elections; providing for the verification of signatures on initiative petitions; permitting compensation of persons soliciting signatures for initiative petitions; creating s. 100.372, F.S.; providing procedures for Supreme Court review of initiative petitions; amending s. 101.161, F.S.; requiring the Secretary of State to revise the ballot title and substance of a proposed revision or amendment to the State Constitution by initiative where necessary; providing for publication of a proposed revision or amendment to the State Constitution; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote SB 209 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Kirkpatrick	Plummer
Barron	Girardeau	Kiser	Ros-Lehtinen
Beard	Gordon	Langley	Scott
Brown	Grant	Lehtinen	Thomas
Childers, D.	Grizzle	Malchon	Thurman
Childers, W. D.	Hill	Margolis	Weinstein
Crawford	Hollingsworth	McPherson	Weinstock
Crenshaw	Jenne	Meek	Woodson
Deratany	Jennings	Myers	
Dudley	Johnson	Peterson	

Nays—None

Excused: Hair

**SB 475**—A bill to be entitled An act relating to personal representatives; amending s. 733.615, F.S.; providing circumstances under which the powers and duties of joint personal representatives may be exercised by a majority; providing immunity from liability for certain joint personal

representatives; providing protection for persons who deal with a joint personal representative under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Dudley moved the following amendments which were adopted:

**Amendment 1**—On page 1, line 22, after “all” insert: *joint personal representatives appointed pursuant to a will or codicil executed prior to October 1, 1987, or appointed to administer an intestate estate of a decedent who died prior to October 1, 1987, or of a majority of joint personal representatives appointed pursuant to a will or codicil executed on or after October 1, 1987, or appointed to administer the intestate estate of a decedent dying on or after October 1, 1987,*

**Amendment 2**—On page 1, line 26, strike “of all” and insert: *required under this subsection*

**Amendment 3**—On page 1, line 30, strike “Any power vested in three or more” and insert: *Where action by a majority of the*

**Amendment 4**—On page 1, line 31, strike “of a decedent who dies after September 30,” and insert: *appointed is authorized*

**Amendment 5**—On page 2, lines 1 and 2, strike “1988, may be exercised by a majority, unless the will provides otherwise, but”

**Amendment 6**—On page 2, line 3, after “liable” insert: *to the beneficiaries or others*

**Amendment 7**—On page 2, line 6, after “majority” insert: *of the joint personal representatives*

On motion by Senator Dudley, by two-thirds vote SB 475 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Kirkpatrick	Ros-Lehtinen
Barron	Girardeau	Langley	Scott
Beard	Gordon	Lehtinen	Stuart
Brown	Grant	Malchon	Thomas
Childers, D.	Grizzle	Margolis	Thurman
Childers, W. D.	Hill	McPherson	Weinstein
Crawford	Hollingsworth	Meek	Weinstock
Crenshaw	Jenne	Myers	Woodson
Deratany	Jennings	Peterson	
Dudley	Johnson	Plummer	

Nays—None

Excused: Hair

**CS for SB 363**—A bill to be entitled An act relating to judgments; amending s. 55.081, F.S.; clarifying that the lien period provided by that section is subject to s. 55.10, F.S.; amending s. 55.10, F.S.; providing that a judgment, order, or decree shall be a lien for a specified period of time; providing for extension of such time; providing for prospective operation; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote CS for SB 363 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Kirkpatrick	Scott
Barron	Girardeau	Langley	Stuart
Beard	Gordon	Lehtinen	Thomas
Brown	Grant	Malchon	Thurman
Childers, D.	Grizzle	Margolis	Weinstein
Childers, W. D.	Hill	McPherson	Weinstock
Crawford	Hollingsworth	Myers	Woodson
Crenshaw	Jenne	Peterson	
Deratany	Jennings	Plummer	
Dudley	Johnson	Ros-Lehtinen	

Nays—None

Excused: Hair

**CS for SB 327**—A bill to be entitled An act relating to warranty deeds; amending s. 689.02, F.S.; requiring inclusion of a blank space for entry of the property appraiser's parcel identification number on warranty deeds; providing for the effect of noncompliance; providing that the parcel identification number is not to be used as the property description; providing an effective date.

—was read the second time by title. On motion by Senator Weinstein, by two-thirds vote CS for SB 327 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Kirkpatrick	Ros-Lehtinen
Barron	Girardeau	Kiser	Scott
Beard	Gordon	Langley	Stuart
Brown	Grant	Lehtinen	Thomas
Childers, D.	Grizzle	Malchon	Thurman
Childers, W. D.	Hill	Margolis	Weinstein
Crawford	Hollingsworth	McPherson	Weinstock
Crenshaw	Jenne	Meek	Woodson
Deratany	Jennings	Myers	
Dudley	Johnson	Plummer	

Nays—None

Excused: Hair

Vote after roll call:

Yea—Peterson

**SB 560**—A bill to be entitled An act relating to state lands; amending s. 253.025, F.S.; providing that the Board of Trustees of the Internal Improvement Trust Fund may waive the requirement for evidence of marketability in the acceptance of real property under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 560 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Girardeau	Kiser	Scott
Barron	Gordon	Langley	Stuart
Beard	Grant	Lehtinen	Thomas
Brown	Grizzle	Malchon	Thurman
Childers, D.	Hill	Margolis	Weinstein
Childers, W. D.	Hollingsworth	McPherson	Weinstock
Crenshaw	Jenne	Meek	Woodson
Deratany	Jennings	Myers	
Dudley	Johnson	Plummer	
Frank	Kirkpatrick	Ros-Lehtinen	

Nays—None

Excused: Hair

Vote after roll call:

Yea—Peterson

**SB 266**—A bill to be entitled An act relating to eminent domain; amending s. 337.27, F.S.; requiring the Department of Transportation, in the condemnation of certain lands within a designated transportation corridor, to produce certain documentation; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 2, line 5, after “projections,” insert: *and may demonstrate*

On motion by Senator Kiser, by two-thirds vote SB 266 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Childers, W. D.	Frank	Hill
Barron	Crawford	Girardeau	Hollingsworth
Beard	Crenshaw	Gordon	Jenne
Brown	Deratany	Grant	Jennings
Childers, D.	Dudley	Grizzle	Kirkpatrick

Kiser	McPherson	Ros-Lehtinen	Weinstein
Langley	Meek	Scott	Woodson
Lehtinen	Myers	Stuart	
Malchon	Peterson	Thomas	
Margolis	Plummer	Thurman	

Nays—None

Excused: Hair

Vote after roll call:

Yea—Weinstock

**SB 18**—A bill to be entitled An act relating to housing authorities; amending s. 421.08, F.S.; providing that a housing authority may appear in court through any of its officers, agents, or employees; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote SB 18 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Girardeau	Kiser	Ros-Lehtinen
Barron	Gordon	Langley	Scott
Beard	Grant	Lehtinen	Stuart
Brown	Grizzle	Malchon	Thomas
Childers, D.	Hill	Margolis	Thurman
Childers, W. D.	Hollingsworth	McPherson	Weinstein
Crawford	Jenne	Meek	Weinstock
Deratany	Jennings	Myers	Woodson
Dudley	Johnson	Peterson	
Frank	Kirkpatrick	Plummer	

Nays—None

Excused: Hair

Vote after roll call:

Yea—Gordon

**SB 529**—A bill to be entitled An act relating to securities transactions; amending s. 48.151, F.S.; expanding the Comptroller's responsibility as an agent for service of process with respect to violations of ch. 517, F.S., relating to securities transactions; amending s. 517.021, F.S.; excluding certain persons from the definition of the term "dealer"; amending s. 517.082, F.S.; authorizing the registration of certain securities filed under the Investment Company Act of 1940; deleting restrictions on the registration of securities due to the commission of reportable acts; amending s. 517.161, F.S.; providing grounds for the revocation, denial, or suspension of the registration of a dealer, investment adviser, associated person, or branch office; providing an effective date.

—was read the second time by title. On motion by Senator Crenshaw, by two-thirds vote SB 529 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Frank	Kirkpatrick	Peterson
Beard	Girardeau	Kiser	Ros-Lehtinen
Brown	Gordon	Langley	Scott
Childers, D.	Grant	Lehtinen	Stuart
Childers, W. D.	Grizzle	Malchon	Thomas
Crawford	Hill	Margolis	Thurman
Crenshaw	Hollingsworth	McPherson	Weinstein
Deratany	Jenne	Meek	Weinstock
Dudley	Jennings	Myers	Woodson

Nays—None

Excused: Hair

**CS for SB 608**—A bill to be entitled An act relating to the Administrative Procedure Act; amending s. 120.52, F.S.; defining the term "invalid exercise of delegated legislative authority"; amending s. 120.54, F.S.; prohibiting the use of general intent or general policy as a basis for rule promulgation; deleting the requirement that a separate statement of a rule's effect upon small business be submitted to the committee; amending s. 120.545, F.S.; providing clarifying language to create uniform terminology for review of rules; amending s. 120.57, F.S.; providing 15 days for agency request for hearing officer; amending s. 120.59, F.S.; clarifying statutory sections under which administrative hearing or judicial review is available; amending s. 120.68, F.S.; requiring agencies to submit copies of certain appeal petitions to the committee; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote CS for SB 608 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Kirkpatrick	Plummer
Barron	Girardeau	Kiser	Ros-Lehtinen
Beard	Gordon	Langley	Scott
Brown	Grant	Lehtinen	Stuart
Childers, D.	Grizzle	Malchon	Thomas
Childers, W. D.	Hill	Margolis	Weinstein
Crawford	Hollingsworth	McPherson	Weinstock
Crenshaw	Jenne	Meek	Woodson
Deratany	Jennings	Myers	
Dudley	Johnson	Peterson	

Nays—None

Excused: Hair

**SB 621**—A bill to be entitled An act relating to the Florida Administrative Code; amending s. 120.55, F.S.; deleting the requirement that sets of the Florida Administrative Code be distributed without charge; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 621 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Frank	Kirkpatrick	Plummer
Barron	Girardeau	Kiser	Ros-Lehtinen
Beard	Gordon	Langley	Scott
Brown	Grant	Lehtinen	Stuart
Childers, D.	Grizzle	Malchon	Thomas
Childers, W. D.	Hill	Margolis	Thurman
Crawford	Hollingsworth	McPherson	Weinstein
Crenshaw	Jenne	Meek	Weinstock
Deratany	Jennings	Myers	Woodson
Dudley	Johnson	Peterson	

Nays—None

Excused: Hair

On motion by Senator Margolis, by two-thirds vote HB 1172 was withdrawn from the Committee on Commerce.

On motions by Senator Margolis—

**HB 1172**—A bill to be entitled An act relating to gambling; creating s. 849.47, F.S., exempting certain foreign vessels docked in this state or transiting in territorial waters of the state from the gambling statutes under certain circumstances; providing an effective date.

—a companion measure, was substituted for SB 927 and by two-thirds vote read the second time by title. On motion by Senator Margolis, by two-thirds vote HB 1172 was read the third time by title and failed to pass. The vote was:

Yeas—18

Mr. President	Dudley	Malchon	Scott
Brown	Girardeau	Margolis	Thomas
Crawford	Hill	McPherson	Thurman
Crenshaw	Jennings	Meek	
Deratany	Lehtinen	Ros-Lehtinen	

Nays—18

Beard	Grant	Langley	Weinstein
Childers, D.	Grizzle	Myers	Weinstock
Childers, W. D.	Hollingsworth	Peterson	Woodson
Frank	Johnson	Plummer	
Gordon	Kiser	Stuart	

Excused: Hair

Vote after roll call:

Yea to Nay—Thomas

Senator Kiser moved that the Senate reconsider the vote by which HB 1172 failed.

The motion was placed on the calendar.

On motion by Senator McPherson, by two-thirds vote HB 100 was withdrawn from the Committee on Natural Resources and Conservation.

On motions by Senator McPherson—

**HB 100**—A bill to be entitled An act relating to homicide; creating s. 782.072, F.S.; defining vessel homicide; providing penalties; providing additional penalties for a person who commits vessel homicide and refuses to stop, leaves the scene of the incident without rendering assistance, or fails to give required notice; providing an effective date.

—a companion measure, was substituted for SB 90 and by two-thirds vote read the second time by title. On motion by Senator McPherson, by two-thirds vote HB 100 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Frank	Johnson	Plummer
Beard	Girardeau	Kiser	Ros-Lehtinen
Brown	Gordon	Langley	Scott
Childers, D.	Grant	Lehtinen	Thomas
Childers, W. D.	Grizzle	Malchon	Thurman
Crawford	Hill	McPherson	Weinstein
Crenshaw	Hollingsworth	Meek	Weinstock
Deratany	Jenne	Myers	Woodson
Dudley	Jennings	Peterson	

Nays—None

Excused: Hair

SB 90 was laid on the table.

**SB 3**—A bill to be entitled An act relating to certificates of need for health care facilities, health services, and hospices; amending s. 381.495, F.S.; limiting the price that may be charged for a transfer of a certificate of need; providing penalties; providing an effective date.

—was read the second time by title.

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

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

Section 1. Subsections (5) and (6) are added to section 381.495, Florida Statutes, to read:

381.495 Certificate of need; requirement of filing; penalties; fines; exemptions; transfer.—

(5) *A certificate of need issued by the department prior to February 14, 1986, is valid, provided that the health care facility or health service provider has expended at least \$50,000 in reliance upon such certificate of need, excluding legal fees, prior to the initiation of proceedings under the Administrative Procedure Act subsequent to February 14, 1986, contesting the validity of the certificate of need.*

(6) *The holder of a certificate of need shall not charge a price for the transfer of the certificate of need to another health service provider of any character whatever, that exceeds the total amount of the actual costs incurred by the holder in obtaining the certificate of need. Such actual costs must be documented by an affidavit executed by the transferor under oath and filed with the department. A holder who violates this subsection is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or by a fine not exceeding \$10,000, or both.*

Section 2. This act shall take effect upon becoming a law.

Senator Woodson moved the following amendment which was adopted:

**Amendment 2**—In title, on page 1, line 4, after "F.S.," insert: providing that certain certificates of need issued by the Department of Health and Rehabilitative Services are valid;

Senators Weinstein and Scott offered the following amendment to the bill as amended which was moved by Senator Weinstein and adopted:

**Amendment 3**—On page 1, line 31, after the period (.) insert: *Nothing in this section shall be construed to prevent or alter the value of a transfer or sale by an existing facility of a Certificate of Need obtained before the effective date of this section when such facility is transferred with the Certificate of Need.*

On motion by Senator Johnson, by two-thirds vote SB 3 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Girardeau	Langley	Scott
Beard	Gordon	Lehtinen	Stuart
Brown	Grant	Malchon	Thomas
Childers, D.	Grizzle	Margolis	Thurman
Childers, W. D.	Hill	McPherson	Weinstein
Crawford	Hollingsworth	Meek	Weinstock
Crenshaw	Jenne	Myers	Woodson
Deratany	Jennings	Peterson	
Dudley	Johnson	Plummer	
Frank	Kiser	Ros-Lehtinen	

Nays—None

Excused: Hair

**Motion**

On motion by Senator Barron, the rules were waived and time of adjournment was extended until 12:30 p.m. or upon completion of the calendar, whichever occurred first.

**CS for SB 59**—A bill to be entitled An act relating to facilities for treating substance abusers; creating ss. 396.1725, 397.082, F.S.; exempting certain facilities that treat alcoholics or drug abusers or dependents from licensure by the Department of Health and Rehabilitative Services; providing conditions for exemptions; providing an effective date.

—was read the second time by title.

Senator D. Childers moved the following amendments which were adopted:

**Amendment 1**—On page 1, line 19, after the word "whose" strike "treatment or rehabilitation of alcoholics is" and insert: programs for alcoholics are

**Amendment 2**—On page 2, lines 9 and 10, after the word "whose" strike "treatment or rehabilitation of drug abusers or drug dependents is" and insert: programs for drug abusers or drug dependents are

**Senator Thomas presiding**

Senator Frank moved the following amendment which failed:

**Amendment 3**—On page 2, between lines 23 and 24, insert:

Section 3. Penalties.—It is a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes, for any person to knowingly, willfully, or intentionally fail to comply with s. 397.082(2), (3), or (4), Florida Statutes.

(Renumber subsequent section.)

On motion by Senator D. Childers, by two-thirds vote CS for SB 59 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—29

Barron	Gordon	Kiser	Ros-Lehtinen
Beard	Grant	Langley	Scott
Brown	Hill	Lehtinen	Thomas
Childers, D.	Hollingsworth	Margolis	Thurman
Childers, W. D.	Jenne	Meek	Woodson
Crawford	Jennings	Myers	
Crenshaw	Johnson	Peterson	
Dudley	Kirkpatrick	Plummer	

Nays—7

Frank	Grizzle	McPherson	Weinstock
Girardeau	Malchon	Stuart	

Excused: Hair

Vote after roll call:

Yea to Nay—Plummer

Senator Meek moved that the Senate reconsider the vote by which CS for SB 59 passed.

The motion was placed on the calendar.

CS for SB 168—A bill to be entitled An act relating to records of residents of nursing home facilities; requiring nursing homes to provide a copy of records to certain persons; providing that such copies shall not be considered part of a deceased resident's estate; providing for a fee; authorizing the inspection of original records; providing an effective date.

—was read the second time by title.

Senator Woodson moved the following amendment which was adopted:

Amendment 1—On page 1, line 25, after "facility" insert: , except progress notes and consultation report sections of a psychiatric nature

Senator Gordon moved the following amendment which failed:

Amendment 2—On page 1, strike all of lines 13-15 and insert:

Section 1. Upon admission to the facility or as soon thereafter as possible, appropriate staff of any nursing home licensed pursuant to part I of chapter 400, Florida Statutes, shall explain to a legally competent resident the law and related rules and policies regarding release of resident records and shall explain that the resident can limit the release of his records, such limits to apply during his stay in the nursing home, following discharge, or in the event of his death. The staff shall provide appropriate and necessary information to the resident to assist him in making his decision. Unless expressly prohibited by a legally competent resident, any nursing home shall furnish to the

Senator Woodson moved the following amendment which was adopted:

Amendment 3—In title, on page 1, line 5, after the semicolon (;) insert: providing an exception for certain psychiatric records;

On motion by Senator Woodson, by two-thirds vote CS for SB 168 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

Barron	Girardeau	Kirkpatrick	Peterson
Beard	Gordon	Kiser	Ros-Lehtinen
Brown	Grant	Langley	Scott
Childers, D.	Grizzle	Lehtinen	Stuart
Childers, W. D.	Hill	Malchon	Thomas
Crawford	Hollingsworth	Margolis	Thurman
Crenshaw	Jenne	McPherson	Weinstein
Dudley	Jennings	Meek	Weinstock
Frank	Johnson	Myers	Woodson

Nays—None

Excused: Hair

SB 318—A bill to be entitled An act relating to adoption; amending s. 63.172, F.S.; providing that grandparental rights are not terminated by adoption under certain circumstances; amending s. 732.108, F.S.; providing that adoption by a close relative does not affect a child's relationship with the natural family, relative to intestate succession; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote SB 318 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Barron	Girardeau	Kiser	Plummer
Beard	Grant	Langley	Ros-Lehtinen
Brown	Grizzle	Lehtinen	Scott
Childers, D.	Hill	Malchon	Stuart
Childers, W. D.	Hollingsworth	Margolis	Thomas
Crawford	Jenne	McPherson	Thurman
Crenshaw	Jennings	Meek	Weinstein
Dudley	Johnson	Myers	Weinstock
Frank	Kirkpatrick	Peterson	Woodson

Nays—None

Excused: Hair

SB 504—A bill to be entitled An act relating to the State Comprehensive Health Association Act; amending ss. 627.6494, 627.6498, F.S.; abrogating the repeal of laws relating to rates and to tax offsets for assessments paid under a comprehensive health insurance plan; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote SB 504 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Barron	Girardeau	Kirkpatrick	Plummer
Beard	Gordon	Kiser	Ros-Lehtinen
Brown	Grant	Langley	Scott
Childers, D.	Grizzle	Lehtinen	Stuart
Childers, W. D.	Hill	Margolis	Thomas
Crawford	Hollingsworth	McPherson	Thurman
Crenshaw	Jenne	Meek	Weinstein
Dudley	Jennings	Myers	Weinstock
Frank	Johnson	Peterson	Woodson

Nays—None

Excused: Hair

SB 792—A bill to be entitled An act relating to the enforcement of local government codes; amending s. 162.06, F.S.; revising the procedure to be followed by a code inspector when he finds a violation of a code; amending s. 162.09, F.S.; specifying factors that a code enforcement board must consider in setting a fine for a code violation; amending s. 162.12, F.S.; providing an additional method of serving notices under the Local Government Code Enforcement Boards Act; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote SB 792 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Barron	Girardeau	Kirkpatrick	Ros-Lehtinen
Beard	Gordon	Kiser	Scott
Brown	Grant	Langley	Stuart
Childers, D.	Grizzle	Lehtinen	Thomas
Childers, W. D.	Hill	Margolis	Thurman
Crawford	Hollingsworth	Meek	Weinstein
Crenshaw	Jenne	Myers	Weinstock
Dudley	Jennings	Peterson	Woodson
Frank	Johnson	Plummer	

Nays—None

Excused: Hair

SB 435—A bill to be entitled An act relating to robbery; amending s. 812.13, F.S.; redefining the offense of "robbery"; defining the term "in the course of the taking"; providing an effective date.

—was read the second time by title. On motion by Senator Jenne, by two-thirds vote SB 435 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Barron	Girardeau	Kirkpatrick	Plummer
Beard	Gordon	Kiser	Ros-Lehtinen
Brown	Grant	Langley	Scott
Childers, D.	Grizzle	Lehtinen	Stuart
Childers, W. D.	Hill	Margolis	Thomas
Crawford	Hollingsworth	McPherson	Thurman
Crenshaw	Jenne	Meek	Weinstein
Dudley	Jennings	Myers	Weinstock
Frank	Johnson	Peterson	Woodson

Nays—None

Excused: Hair

SB 131—A bill to be entitled An act relating to the Parole and Probation Commission; amending s. 947.04, F.S.; authorizing the commission to transact its business anywhere in the state; providing an effective date.

—was read the second time by title. On motion by Senator Lehtinen, by two-thirds vote SB 131 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Barron	Girardeau	Kiser	Plummer
Beard	Gordon	Langley	Ros-Lehtinen
Brown	Grant	Lehtinen	Scott
Childers, D.	Grizzle	Malchon	Stuart
Childers, W. D.	Hill	Margolis	Thomas
Crawford	Hollingsworth	McPherson	Thurman
Crenshaw	Jennings	Meek	Weinstein
Dudley	Johnson	Myers	Weinstock
Frank	Kirkpatrick	Peterson	Woodson

Nays—None

Excused: Hair

**SB 261**—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 20.201, F.S.; removing statutory references to bureaus; deleting the independent authority of the department to establish bureaus; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 2, line 13, insert: a new Section 2

Section 2. Section 943.29, Florida Statutes, is amended to read:

943.29 Division of *Crime Laboratories and Staff Services*.—There is created a Division of *Crime Laboratories and Staff Services* within the Department of Law Enforcement. The division shall be supervised by a director who shall be employed upon the recommendation of the executive director. The division shall establish a system of administrative and technical services for the department.

(Renumber subsequent section.)

Senator Kiser moved the following amendment which was adopted:

**Amendment 2**—On page 1, between lines 9 and 10, insert:

Section 1. Paragraph (b) of subsection (3) of section 20.055, Florida Statutes, 1986 Supplement, is amended to read:

20.055 Agency chief internal auditors.—

(3) The chief internal auditor shall possess the following qualifications:

(b) A master's degree in accounting, or business administration, or public administration from an accredited college or university and 3 years of experience as required in paragraph (a); or

(Renumber subsequent sections.)

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

**Amendment 3**—In title, on page 1, line 6, after the semicolon (;) insert: amending s. 943.29, F.S.; renaming the Division of Staff Services;

Senator Kiser moved the following amendment which was adopted:

**Amendment 4**—In title, on page 1, strike all of lines 2-5 and insert: An act relating to state agencies; amending s. 20.055, F.S.; providing that a person holding a master's degree in public administration is qualified to be a chief internal auditor of a state agency; amending s. 20.201, F.S.; removing statutory references to bureaus; deleting the independent authority of the Department of Law Enforcement to

On motion by Senator Kiser, by two-thirds vote SB 261 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Barron	Gordon	Langley	Scott
Beard	Grant	Lehtinen	Stuart
Brown	Grizzle	Malchon	Thomas
Childers, D.	Hill	Margolis	Thurman
Childers, W. D.	Hollingsworth	McPherson	Weinstein
Crawford	Jenne	Meek	Weinstock
Crenshaw	Jennings	Myers	Woodson
Dudley	Johnson	Peterson	
Frank	Kirkpatrick	Plummer	
Girardeau	Kiser	Ros-Lehtinen	

Nays—None

Excused: Hair

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Hill, by two-thirds vote CS for SB's 149, 150, 248 and 260 was withdrawn from the Committees on Finance, Taxation and Claims; Economic, Community and Consumer Affairs; and Appropriations; and re-referred to the Committees on Economic, Community and Consumer Affairs; Finance, Taxation and Claims; and Appropriations.

#### Committee Meeting Change

On motion by Senator Margolis, the rules were waived and the Committee on Economic, Community and Consumer Affairs was granted permission to meet Thursday, April 30, at 1:30 p.m. in lieu of 2:00 p.m.

#### CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 23 was corrected and approved.

#### CO-INTRODUCERS

Senator Weinstein—SB 161; Senator Peterson—SB 200; Senator Thomas—SB 298; Senator Malchon—SB 317; Senator Weinstein—SB 375; Senators Brown, Grizzle, Stuart, W. D. Childers, Woodson, Myers, Thurman and Dudley—SB 508; Senator Peterson—SB 542; Senators Kiser and Malchon—SB 579; Senator Malchon—SB 898 and SB 987; Senators Peterson, D. Childers, Frank, Johnson and Plummer—SB 1002; Senators Malchon, Frank, Gordon, Hill, Hollingsworth, McPherson, Stuart, Weinstein and Woodson—SM 1009; Senator Thomas—SB 1040

#### RECESS

On motion by Senator Barron, the Senate recessed at 12:30 p.m. to reconvene at 10:00 a.m., Thursday, April 30.

#### SENATE PAGES

April 27-May 1

Wendy Brewton, Tallahassee; Katherine E. Bunce, Miami; Kerry DeBay, West Palm Beach; Kelly Dick, Bradenton; Laura Drobnie, Miami; Erin Fitzpatrick, Deland; Charles Herrman, Panama City Beach; Jonathan Thomas Matson, Palm Beach Gardens; Jeffrey McGaughey, Clearwater; Laura Anne Meherg, Winter Park; Sarah L. Mielcarek, Cocoa Beach; April R. Pace, Tallahassee; Margaret Schroeder, Maitland; Rick Warren, Tallahassee; Fred Irvin Williams, Tampa; Catherine Wray, Ocala; Jennifer Hutcheson Wray, Ocala