



# Journal of the Senate

Number 8

Thursday, April 30, 1987

## CALL TO ORDER

The Senate was called to order by the President at 10:00 a.m. A quorum present—40:

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

## PRAYER

The following prayer was offered by the Rev. Don Guthrie, Pastor, First Baptist Church, Perry:

Our Heavenly Father, today we pray for revival of personal morality and corporate justice, not only in this state, but in our land. We pray for strong churches and synagogues where people can be saved from their lower instincts and for city streets where children can be safe. We pray for families teaching the right, living it, exemplifying it for their children and for a government that then protects the rights of the weakest member.

We pray for those who gather here today. We pray for them compassion and strength, wisdom, conviction. We pray that you would help them to see the difference between political pressure and truth, to always place service beyond selfish gain. We pray, Father, for them, that you in fact, might lead them that this nation might dwell in safety. We believe that you are present here. We believe that the concerns of the weak are your concerns; the concerns of the family and this nation, in fact, are in your heart. We pray for them and we add only to the prayers of thousands of others who believe in you and trust in you and have prayed for those who have gathered here today, this very day. We believe and we pray this that you will answer it and we pray it in your name. Amen.

## Consideration of Resolutions

On motion by Senator Thurman, by two-thirds vote SR 1050 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Thurman—

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

WHEREAS, Citrus County, Florida's 44th county, was created on June 2, 1887, when Governor Edward A. Perry signed into law a bill dividing Hernando County into three separate counties, Hernando, Pasco, and Citrus, and

WHEREAS, Citrus County, named as a tribute to the state's main agricultural product, participated in the Orange Boom of the 1880's and 1890's, an industry suddenly and severely undermined by the Big Freeze of 1894-1895, and

WHEREAS, the county's phosphate industry, another major industry, peaked in 1909 with 34 plants and receded drastically with the onset of World War I, due to the fact that the primary market of Germany was at war with our allies, and

WHEREAS, other industries in the area include lumber, turpentine, and tourism, and

WHEREAS, political factions struggled over the location of the county seat which was finally selected by voters as Inverness in 1891, and

WHEREAS, in 1891 Henry Martin donated a parcel of land where a new wooden courthouse was erected, remaining until the landmark brick structure was built in 1912, and

WHEREAS, despite a new 3-story courthouse annex being constructed in 1977 across the street from the landmark structure, the Old Courthouse continues to thrive and now contains the Citrus County Museum's Indian Exhibit Hall and the offices of state legislators, Senator Karen Thurman and Representative Dick Locke, and

WHEREAS, notable public servants in the area include B.R. Quinn, who served as sheriff from 1952-1980, and State Senator Nick Connor, who was designated President of the Florida Senate in 1964, and

WHEREAS, it is fitting and appropriate that the Senate joins the citizens of Citrus County in celebrating the county's 100th birthday, NOW, THEREFORE,

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

That the Senate of the State of Florida hereby joins the citizens of Citrus County in celebrating the 100th birthday of the county and extends its warmest wishes for a joyful celebration.

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

The President requested Senators Thurman and Thomas to escort Alex Griffin, chairman of the Citrus County Centennial Committee and the Citrus County Board of Commissioners to the rostrum where he was presented a copy of the resolution.

On motion by Senator Thurman, by two-thirds vote SR 281 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Thurman—

**SR 281**—A resolution recognizing Pasco County's Centennial.

WHEREAS, Pasco County was created by the Florida Legislature on June 2, 1887, and

WHEREAS, Pasco County was named in honor of Samuel Pasco, a speaker of the Florida House of Representatives who was later elected United States Senator for Florida, and

WHEREAS, Pasco County, which was at one time the southern end of Hernando County, also called the "Clabber" end of Hernando County, has grown from a rural agricultural community into one of the fastest growing communities in the United States, and

WHEREAS, Pasco County includes the only two known surviving Catholic villages in the 20th century in Saint Leo and Saint Joseph, and

WHEREAS, the Pasco Packing Company, currently known as the Lykes-Pasco Packing Company, established in Pasco County during the 1920's, was a pioneer developer of citrus concentrate and is today the world's largest citrus packer, and

WHEREAS, the residents of Pasco County, representing a mixture of Florida's pioneer times and the modern era, commemorate Pasco County's Centennial Celebration in 1987, and

WHEREAS, it is fitting and appropriate that the Florida Senate, on May 5, 1987, join the residents of Pasco County in commemorating Pasco County's Centennial, NOW, THEREFORE,

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

That the Florida Senate hereby joins, on May 5, 1987, the residents of Pasco County in commemorating Pasco County's Centennial.

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

On motion by Senator Thomas, by unanimous consent—

By Senator Thomas—

**SR 1291**—A resolution commending all government employees for their work and commending the Florida Department of Law Enforcement for receiving the "Most Outstanding State Agency in the United States" award.

WHEREAS, the public service employees of this state perform the tasks necessary to provide residents of and visitors to the state with essential public services including health, safety, transportation, education, and quality-of-life services, often with little or no public recognition, and

WHEREAS, the state has proclaimed the week of May 4 through 10 as Public Service Employees' Recognition Week to honor the contributions of all government employees, to inform the public of the quality and value of the services provided by those employees, to develop a strong teamwork spirit among public employees, and to encourage an interest in government careers, and

WHEREAS, the Public Employees' Roundtable, a nonprofit coalition of 24 professional and managerial associations representing more than 750,000 members, has reviewed the work of local, state, and federal government groups and agencies from across the nation to determine which is the best agency, and to honor the employees of that agency for their excellence and achievements which have exhibited the highest standard of dedication, innovation, and accomplishment in public service, and

WHEREAS, the Florida Department of Law Enforcement has exemplified the spirit of public service excellence through its work in fighting Florida's drug and crime problems and through its investigations, information and identification systems, and criminal intelligence, forensics, and training programs and its assistance to the law enforcement and criminal justice agencies of this state, and

WHEREAS, the Florida Department of Law Enforcement has also excelled in its efforts to foster an internal esprit de corps through a variety of programs and communication efforts and in the quality and scope of services it provides to the community, in its law enforcement innovations, in its management and leadership programs, and in its development and enhancement of worklife programs, and

WHEREAS, after intensive competition among state agencies nationwide, the Public Employees' Roundtable selected the Florida Department of Law Enforcement to receive the 1987 Public Service Excellence Award as the most outstanding state agency in the United States, NOW, THEREFORE,

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

That all government employees in this state are commended for the important public functions they perform.

BE IT FURTHER RESOLVED that Commissioner Robert R. Dempsey and the members of the Florida Department of Law Enforcement are commended for their achievements in winning the prestigious title of the "Most Outstanding State Agency in the United States."

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

—was introduced out of order and read the first time by title. On motion by Senator Thomas, SR 1291 was read the second time in full and unanimously adopted.

The President requested Senator Thomas to escort Robert R. Dempsey, Executive Director, Florida Department of Law Enforcement, and Tim Moore, Deputy Executive Director, Florida Department of Law Enforcement, to the rostrum where they were presented a copy of the resolution.

On motion by Senator Langley, by unanimous consent—

By Senator Langley—

**SR 1305**—A resolution declaring the week of April 24-May 1, 1987, as "Law Week" and May 1, 1987, as "Law Day."

WHEREAS, this year marks the 30th annual nationwide observance of Law Day, and the Congress of the United States and the President by official proclamation have set aside May 1 as a special day for recognition of the place of law in American life, and

WHEREAS, Florida, through the Governor's Proclamation, recognizes April 24 through May 1 as Law Week, with "We the People" as a national theme, and

WHEREAS, the Declaration of Independence, the Constitution of the United States, and the Bill of Rights are the foundations upon which rests our democratic form of government, our economic well being, and our entire social order, and

WHEREAS, the greatest heritage of American citizenship is a system of government under laws established by elected representatives of the people and administered by independent courts, in which every American enjoys equal standing, and

WHEREAS, the purpose of Law Day is to call the attention of every citizen to both the principles and practice of American law and justice, NOW, THEREFORE,

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

That the Senate of the State of Florida hereby recognizes the week of April 24 through May 1, 1987, as Law Week and May 1 as Law Day and encourages all citizens of the State of Florida to reflect on their legal heritage, the role of law in a free society, and the rights they enjoy under the United States Constitution; and further urges all citizens to actively participate in Law Week activities in their counties.

BE IT FURTHER RESOLVED that copies of this resolution, with the seal of the Senate affixed, be presented to the Governor and to the Chief Justice of the Supreme Court.

—was introduced out of order and read the first time by title. On motion by Senator Langley, SR 1305 was read the second time in full and unanimously adopted.

#### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, April 30, 1987: SB 213, SB 298, SB 474, CS for SB 212, CS for SB 115, CS for SB 374, SB 300, CS for SB 219, CS for SB 496, SB 719, CS for SB 121, SB 204, SB 393, SB 667, SB 26, SB 284, SB 570, SB 509, SB 166, SB 585, SB 545, SB 153, SB 541, CS for SB 731, CS for SB 516, SB 625, SB 330

Respectfully submitted,  
Dempsey J. Barron, Chairman

The Committee on Rules and Calendar submits the following bills to be placed on the Local Bill Calendar for Thursday, April 30, 1987: SB 263, SB 442, SB 478, SB 488, SB 551, SB 577, SB 591, SB 623, SB 708, SB 709, SB 798, SB 818, SB 885, SB 887, SB 888, SB 889, SB 1154

Respectfully submitted,  
Dempsey J. Barron, Chairman

The Committee on Commerce recommends the following pass: CS for SB 152

The Committee on Governmental Operations recommends the following pass: CS for SB 659 with 2 amendments, SB 666

The Committee on Health and Rehabilitative Services recommends the following pass: SB 839, SB 1031

The Committee on Judiciary-Civil recommends the following pass: SB 68, SB 69, SB 279, SB 813

The Committee on Natural Resources and Conservation recommends the following pass: SB 619 with 3 amendments, SB 650

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 603, SB 729, SB 811 with 1 amendment, SB 836 with 1 amendment, SB 848, SB 905

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

The Committee on Education recommends the following pass: SB 178 with 1 amendment

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 770 with 2 amendments

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 768

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

The Committee on Education recommends the following pass: SB 757

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

The Committee on Health and Rehabilitative Services recommends the following pass: SB 251

The Committee on Natural Resources and Conservation recommends the following pass: SB 575 with 1 amendment

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

The Committee on Judiciary-Civil recommends the following pass: SB 321

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

The Committee on Commerce recommends the following pass: CS for SB 404, SB 820

The Committee on Education recommends the following pass: SB 840

The Committee on Governmental Operations recommends the following pass: SB 380, SB 614, SB 696, SB 841, SB 864

The Committee on Health and Rehabilitative Services recommends the following pass: SB 373 with 1 amendment

The Committee on Judiciary-Civil recommends the following pass: SB 381 with 1 amendment, SB 762

The Committee on Natural Resources and Conservation recommends the following pass: SB 388

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

The Committee on Education recommends the following not pass: CS for SB 80

**The bill was laid on the table.**

The Committee on Commerce recommends a committee substitute for the following: SB 821

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 454

The Committee on Education recommends a committee substitute for the following: SB 56

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 670

**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 Governmental Operations recommends a committee substitute for the following: SB 628

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 378, SB 868

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 793

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

The Committee on Commerce recommends a committee substitute for the following: SB 819

The Committee on Economic, Community and Consumer Affairs recommends committee substitutes for the following: SB 182, SB 365, SB 834

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 515

**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 Commerce recommends a committee substitute for the following: CS for SB 338

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

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 216

**The bill with committee substitute attached was referred to the Committee on Health and Rehabilitative Services under the original reference.**

The Committee on Commerce recommends a committee substitute for the following: Senate Bills 1096, 963 and 654

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 754

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 1036

The Committee on Judiciary-Criminal recommends a committee substitute for the following: Senate Bills 35, 437, 894 and 923

The Committee on Transportation recommends a committee substitute for the following: SB 572

**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 Commerce recommends a committee substitute for the following: SB 824

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

The Committee on Commerce recommends committee substitutes for the following: SB 167, SB 370, SB 407, SB 837, SB 906, SB 908

The Committee on Economic, Community and Consumer Affairs recommends committee substitutes for the following: SB 148, SB 720

The Committee on Education recommends a committee substitute for the following: SB 276

The Committee on Governmental Operations recommends a committee substitute for the following: SB 457

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 787

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 494

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

## REQUESTS FOR EXTENSION OF TIME

April 29, 1987

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 414, 681, 684, 687, 693, 699, 714, 723, 724, 740, 741, 751, 764, 782

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following: Senate Bills 615, 683, 688, 691, 707, 730, 742, 765, 766, 774

April 30, 1987

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for consideration of the following: Senate Bills 13, 197, 523, 564, 622, 627, 722, 801, 966, 1015, 1034, 1044, 1091, 1092, 1113, 1138, 1139, 1186

## INTRODUCTION AND REFERENCE OF BILLS

## First Reading

By Senator Girardeau—

**SB 1253**—A bill to be entitled An act relating to inmate labor and correctional work programs; amending s. 946.006, F.S.; deleting reference to marketing with respect to correctional work programs; amending s. 946.01, F.S.; providing legislative intent; amending s. 946.10, F.S.; revising language relative to the development of an inmate compensation plan; amending s. 946.15, F.S., relating to the use of goods and services produced in correctional work programs; restricting the marketplace for such goods or services and requiring sale through a certified contract vendor; providing for resolution of disputes; amending s. 946.18, F.S.; requiring a performance audit of the corporation operating the correctional work programs; amending s. 946.19, F.S.; providing that each report of the corporation to the state or the Department of Corrections is a public record; amending s. 946.22, F.S., relating to the use of goods and services produced in correctional work programs; conforming provisions to the act; providing an effective date.

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

By Senator Peterson—

**SR 1254**—A resolution commending Mr. C. W. Monts De Oca for his 38 years of service with the Department of Transportation.

—was referred to the Committee on Rules and Calendar.

By Senator Stuart—

**SB 1255**—A bill to be entitled An act relating to municipalities; amending s. 170.01, F.S.; authorizing the governing authorities of municipalities to levy a special assessment on property located within retail or wholesale business districts to provide for the physical and economic enhancement of such districts; amending s. 170.03, F.S.; requiring governing authorities to declare, the location of business districts to be improved; providing an effective date.

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

By Senator Beard—

**SB 1256**—A bill to be entitled An act relating to highway beautification; creating the Florida Highway Beautification Council; providing membership, terms, and duties; providing for a chairman and staff; providing for the creation of local highway beautification councils; providing duties of the director of the Division of Tourism of the Department of Commerce for the award of highway beautification grants; providing for grant requests; providing an appropriation; providing for repeal and review; providing an effective date.

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

By Senator Meek—

**SB 1257**—A bill to be entitled An act relating to the Department of Education; amending s. 20.15, F.S.; establishing the Division of Human Resource Development within the Department of Education; providing an effective date.

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

**SR 1258** was introduced and adopted April 21.

By Senator Brown—

**SB 1259**—A bill to be entitled An act relating to state agencies; amending s. 20.055, F.S.; providing time limits for submission of responses to a chief internal auditor's adverse findings; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Economic, Community and Consumer Affairs—

**SB 1260**—A bill to be entitled An act relating to new motor vehicle warranties; amending s. 681.101, F.S.; providing legislative intent; amending s. 681.102, F.S.; clarifying and adding definitions; amending s. 681.104, F.S.; prescribing what constitutes nonconformity of a motor vehicle; imposing duties on manufacturers; amending s. 681.108, F.S.; establishing the Florida New Motor Vehicle Arbitration Board; providing for its duties and reimbursement; providing that the board is an alternative to certain manufacturer-sponsored arbitration programs; providing for an arbitration fee; requiring a report; providing for rulemaking; prescribing procedures; providing for appeals; providing for fines; providing for recovery of attorney's fees and damages; requiring statistical compilations; amending s. 681.111, F.S.; defining an unfair or deceptive trade practice; creating s. 681.112, F.S.; providing remedies for a manufacturer's violation of this chapter; creating s. 681.113, F.S.; providing for the resale of a vehicle returned for nonconformity; creating s. 681.115, F.S.; providing that the rights created by this act are unwaivable; extending such rights to a subsequent owner; repealing s. 681.103, F.S., relating to manufacturer's duties to conform and s. 681.110, F.S., relating to disciplinary action; providing for repeal and review; providing an effective date.

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

By Senator Woodson—

**SB 1261**—A bill to be entitled An act relating to educational finance; amending s. 236.081, F.S.; revising procedures relating to the allocation of full-time equivalents in the Florida Education Finance Program; providing for enrollment ceilings for three program groups; providing calculations; revising the full-time equivalent student assignment for the visually handicapped; providing for calculation of a caps adjustment supplement; including the caps adjustment supplement in the calculation of the annual state allocation to each district for current operation; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Crawford—

**SB 1262**—A bill to be entitled An act relating to security for public deposits; amending s. 280.02, F.S.; providing definitions; amending s. 280.03, F.S.; providing that public deposits must be held in trust or escrow by a trust company that has complied with certain state and federal laws in order to be exempt from the provisions of ch. 280, F.S.; providing that transfers of funds to pay registrars and paying agents are exempt from such chapter; amending s. 280.04, F.S.; providing formulas for a qualified public depository to determine the amount of its required collateral and its collateral-pledging level; authorizing a qualified public depository to deposit such collateral with a custodian; requiring a qualified public depository to deliver a power of attorney, bond power, or bond assignment, if registered certified securities are used as collateral; prohibiting a qualified public depository from accepting certain deposits without depositing additional collateral; providing penalties; repealing s. 280.043, F.S., relating to collateral required if contingent liability is prohibited or inadequate; amending s. 280.05, F.S.; authorizing the Treasurer to increase the collateral-pledging level of a qualified public depository; authorizing the Treasurer to reduce the amount of required collateral from a qualified public depository under certain circumstances; providing for administrative penalties; creating s. 280.051, F.S.; specifying the grounds for the suspension or disqualification of a qualified public depository; creating s. 280.052, F.S.; providing a procedure for such suspension or disqualification; creating s. 280.053, F.S.; specifying the period of time that a qualified public depository may be suspended or disqualified; providing for obligations during the period; providing a procedure for reinstatement or requalification at the end of such period; creating s. 280.054, F.S.; specifying the administrative penalties that the Treasurer may impose upon a qualified public depository; creating s. 280.055, F.S.; authorizing the Treasurer to issue certain orders to correct

violations of this act; providing administrative penalties for a violation of such an order; creating s. 280.06, F.S.; providing criminal sanctions for certain violations; providing immunity for the state or the Public Deposit Security Trust Fund with respect to information given by depositories and financial institutions; amending s. 280.07, F.S.; providing that an insolvent qualified public depository is not required to guarantee public depositors against loss caused by the default or insolvency of other qualified public depositories; amending s. 280.08, F.S.; changing the procedure for the payment of losses to a public depositor caused by the default or insolvency of a qualified public depository; creating s. 280.085, F.S.; requiring the Treasurer to provide notice of such default or insolvency; amending s. 280.09, F.S., relating to the Public Deposit Security Trust Fund, to conform; amending s. 280.10, F.S.; specifying the responsibilities of a qualified public depository that merges into, that consolidates with, or is acquired by a bank or savings association; requiring such depository to give notice thereof to the Treasurer; requiring reports of change of name or address; amending s. 280.11, F.S.; changing the procedure for withdrawing from the public deposit security program; amending s. 280.13, F.S.; specifying the securities that are eligible to be pledged by banks as collateral for public deposits; amending s. 280.14, F.S.; specifying the securities that are eligible to be pledged by savings associations as collateral for public deposits; amending s. 280.16, F.S.; specifying the information that a qualified public depository must submit to the Treasurer; creating s. 280.17, F.S.; requiring public depositors to provide certain information to the Treasurer; amending s. 280.18, F.S.; providing that the state is not liable for any loss caused by the default or insolvency of a qualified public depository; creating s. 280.20, F.S.; creating the Security For Public Deposits Task Force to review and recommend changes in legislation; providing an effective date.

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

By Senator Kirkpatrick—

**SB 1263**—A bill to be entitled An act relating to the naming of state buildings; naming the Department of Education building in Tallahassee the “Ralph D. Turlington Education Building”; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Vogt—

**SB 1264**—A bill to be entitled An act relating to high-speed rail transportation; amending s. 341.322, F.S.; revising and adding definitions; amending s. 341.332, F.S.; prescribing additional standards in the award of franchises; amending s. 341.338, F.S.; providing rulemaking authority with respect to requests for proposals; amending s. 341.343, F.S.; providing for extensions of time in review of applications; amending s. 341.345, F.S.; providing rulemaking authority with respect to alternate corridor or transit station location proposals; amending s. 341.347, F.S.; providing that local government hearings shall receive input on ancillary facilities; amending s. 341.355, F.S.; providing rulemaking authority with respect to assessment of franchise components; amending s. 341.363, F.S.; providing that franchise conditions take precedence over nonprocedural standards, rules, or regulations on the Local Government Comprehensive Planning and Land Development Act; amending s. 341.368, F.S.; revising procedures for modification of franchise; amending s. 163.3221, F.S.; redefining the term “developer” to include an applicant for a high-speed rail transportation franchise; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Girardeau—

**SB 1265**—A bill to be entitled An act relating to economic development; establishing the Florida Institute for African and Caribbean Affairs at the Florida Agricultural and Mechanical University; specifying the purposes and responsibilities of the institute; providing for the appointment of a director and an advisory council for the institute; providing for funding the institute; providing an appropriation; providing an effective date.

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

By Senator Johnson—

**SB 1266**—A bill to be entitled An act relating to electrical contracting; amending s. 489.509, F.S.; authorizing the Electrical Contractors' Licensing Board of the Department of Professional Regulation to establish fees for the transfer of a certificate of competency; providing a maximum fee for such transfer; increasing the maximum fee the board may charge for initial application and examination for certification; providing a maximum initial application fee for registration for certificateholders; repealing s. 489.511(7), F.S.; deleting a prohibition on the transfer of a certificate; amending s. 489.519, F.S.; providing for the reactivation of an inactive license; providing a continuing education requirement; providing for the expiration of a license that has been inactive for a certain period of time; amending s. 489.521, F.S.; deleting a restriction against charging a fee for the issuance of a new certificate to a person starting business under a new name; amending s. 489.533, F.S.; providing grounds for which an electrical contractor may be disciplined; providing an effective date.

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

By Senator Langley—

**SB 1267**—A bill to be entitled An act relating to workers' compensation benefits; creating s. 440.65, F.S.; allowing an offset of workers' compensation benefits against the pension or other benefits of employees of public entities or quasi-public corporations in specified circumstances; providing an effective date.

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

By Senators Lehtinen, Weinstock, Kirkpatrick, Frank, McPherson, Hill and Crenshaw—

**SB 1268**—A bill to be entitled An act relating to traffic control; amending s. 316.192, F.S.; increasing the maximum fine that may be imposed for reckless driving; amending s. 316.193, F.S.; increasing the maximum fine that may be imposed for driving under the influence; amending s. 316.1935, F.S.; increasing the maximum fine that may be imposed for fleeing or attempting to elude a police officer; amending s. 316.655, F.S.; increasing the maximum civil penalty that may be imposed for certain infractions of chapter 316; providing that a court may suspend or revoke a person's operator's license for certain infractions of chapter 316; amending s. 322.16, F.S.; specifying operators licenses held by persons under the age of 21 as probationary, and requiring the revocation of such a license under specified circumstances; providing an effective date.

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

By Senator Margolis—

**SB 1269**—A bill to be entitled An act relating to real estate time-sharing; amending s. 721.08, F.S.; providing that an escrow agent who holds a purchaser's deposit owes the purchaser certain fiduciary duties; amending s. 721.11, F.S.; requiring a developer of a time-share plan to file prize and gift promotional offers with the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business Regulation; authorizing the director of the division to accept surety bonds or letters of credit or other assurances to secure prize or gift promotional offers; providing an exception from penalties to certain developers whose advertisements are not in compliance with the time-sharing act; exempting signs, billboards, and advertisements for certain rental facilities from disclosure requirements; amending s. 721.111, F.S.; revising provisions relating to prize and gift promotional offers; amending s. 721.13, F.S.; requiring managing entities of time-share plans to maintain and update a list of the names and addresses of purchasers of time-share interests; amending s. 721.15, F.S.; specifying the liability of certain purchasers for common expenses; amending s. 721.20, F.S.; exempting certain purchasers who engage in soliciting activities on behalf of a time-share plan from occupational licensing under that section or from licensing under ch. 475, F.S.; providing an effective date.

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

By Senator Hill—

**SB 1270**—A bill to be entitled An act relating to corrections; creating s. 944.053, F.S.; providing for a system of environmental detention units for inmate work programs; providing for inmates to perform services for state agencies, political subdivisions, and nonprofit corporations; providing certain restrictions on inmate placement with an environmental detention unit; renumbering and amending ss. 946.01, 946.02, 946.03, 946.035, 946.041, 946.042, 946.044, 946.081, 946.11, 946.14, 946.15, 946.20, F.S.; amending s. 946.21, F.S.; providing conforming language; amending s. 946.40, F.S.; providing for an increase in the number of inmates available for a public works project without supervision by the Department of Corrections; renumbering ss. 946.055, 946.082, 946.083, 946.09, 946.10, 946.18, 946.19, 946.22, F.S.; creating part I of ch. 946, F.S., relating to correctional work programs generally; creating part II of ch. 946, F.S., relating to leased or managed work programs; providing an effective date.

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

By Senator Thurman—

**SB 1271**—A bill to be entitled An act relating to firesafety; amending s. 553.73, F.S.; providing for the resolution of conflicts between building codes and firesafety codes; amending s. 553.79, F.S.; providing for the application of firesafety codes by code enforcement agencies; amending s. 633.01, F.S.; specifying the duties of the State Fire Marshal; amending s. 633.021, F.S.; providing definitions; creating s. 633.022, F.S.; establishing minimum and uniform firesafety standards; providing for the establishment of firesafety standards by local authority; amending s. 633.061, F.S.; providing clarifying language; amending s. 633.081, F.S.; providing for building inspections; providing qualifications for firesafety inspectors; providing exceptions for firefighters; providing for inspector certificate denial, renewal, suspension, and revocation; requiring firesafety inspections by certain authorities; amending s. 633.15, F.S.; providing effect of laws and rules; amending s. 633.161, F.S.; providing power of the State Fire Marshal to issue certain orders pertaining to certain violations; amending s. 633.162, F.S.; providing for suspension and revocation of license and permits; amending s. 633.171, F.S.; providing penalties; amending s. 633.549, F.S.; providing for injunctions; amending s. 633.554, F.S.; making chapter 633, F.S., applicable to contractors; creating s. 633.70, F.S.; creating the Florida Fire Code Advisory Council; providing the composition and duties of the council; amending ss. 381.472, 513.05, F.S.; providing clarifying language; repealing s. 633.05, F.S.; relating to the State Fire Marshal's authority to adopt rules and regulations; repealing s. 633.051, F.S., relating to procedures for the adoption of regulations; repealing s. 633.40, F.S.; relating to the Division of State Fire Marshal's preparation of a state fire protection study; providing severability; providing an effective date.

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

By Senator Hill—

**SB 1272**—A bill to be entitled An act relating to the Department of Corrections; amending s. 20.315, F.S.; changing the number of budget entities within the Department of Corrections from four to nine; making the budget request process biennial rather than annual; removing certain authority of the secretary and regional directors to make certain budget transfers; providing an effective date.

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

**SR 1273** was introduced and adopted April 21.

By Senator D. Childers—

**SB 1274**—A bill to be entitled An act relating to building construction standards; amending s. 553.73, F.S.; prescribing additional conditions upon adoption of local standards which are more stringent than those in the State Minimum Building Codes; amending s. 553.79, F.S.; requiring building permit applications to be acted on within a specified time; providing an effective date.

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

By Senator Crawford—

**SB 1275**—A bill to be entitled An act relating to veterinary service plan corporations; creating ss. 637.501-637.527, F.S.; providing for the issuance by the Department of Insurance of a certificate of authority to a veterinary service plan corporation authorizing it to issue contracts to subscribers or groups for the provision of veterinary services to pets through participating veterinary clinics or veterinarians; providing for the organization of a veterinary service plan corporation and for endorsement of the department's consent to incorporation on the corporate charter or certificate of incorporation; requiring departmental approval of rates charged for veterinary benefits; establishing requisites for provider contracts; prescribing requirements for issuance of a certificate of authority, including financial requirements; providing for fees; requiring veterinary service plan corporations to establish procedures for review and mediation of subscriber complaints; providing for renewal of a certificate of authority; requiring changes in a charter or certificate of incorporation, bylaws, terms of provider or subscriber contracts, or rates to be approved by the department; requiring annual statements and fees; providing for examination of a veterinary service plan corporation by the department; providing investigatory powers; restricting the investment of funds of such corporations; prohibiting nonlicensed persons or corporations from using certain phrases in their names, logos, contracts, or literature; prohibiting a veterinary service plan corporation from using certain names or logos; providing for dissolution or liquidation of a veterinary service plan corporation; providing for suspension or revocation of a certificate of authority for suspension of enrollment, and for assessment of administrative fines; providing rulemaking authority; providing penalties for engaging in business without a certificate of authority or for having willfully made a false statement in a document required to be filed with the department or an examiner; providing for injunctive relief; prohibiting a veterinary service plan corporation from transacting any other type of insurance business unless it has a certificate of authority to transact such insurance; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Hair—

**SB 1276**—A bill to be entitled An act relating to the Jacksonville Transportation Authority; amending s. 349.03, F.S.; providing for election of authority members; providing for compensation of members; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Ros-Lehtinen—

**SCR 1277**—A concurrent resolution declaring the third week of May 1987, as Cuban Municipalities in Exile Week.

—was referred to the Committee on Rules and Calendar.

By Senator Peterson—

**SR 1278**—A resolution designating May 23 as William Bartram Day in the State of Florida.

—was referred to the Committee on Rules and Calendar.

**SR 1279** was introduced and adopted April 21.

By Senator Gordon—

**SB 1280**—A bill to be entitled An act relating to motor fuel taxes; creating s. 206.592; imposing an additional state tax on motor fuel; providing for the distribution of the proceeds; providing for use of certain proceeds; amending ss. 206.625, 206.64, F.S.; providing for the collection and refund of an additional state tax on motor fuel; providing an effective date.

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

By Senator Thurman—

**SB 1281**—A bill to be entitled An act relating to onsite sewage disposal systems; defining "septic tank contractor"; providing for registration and regulation of septic tank contractors by the Department of Health and Rehabilitative Services; specifying qualifications for registration; providing for licensing fees; providing exemptions; providing an effective date.

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

By Senator Margolis—

**SB 1282**—A bill to be entitled An act relating to educational facilities; amending s. 230.23, F.S.; authorizing district school boards to enter into leases or lease-purchases of educational facilities; authorizing the stipulation of purchase price and interest in lease-purchase agreements and master equipment-financing agreements; limiting the interest rate on the unpaid price of such agreements; amending s. 235.056, F.S.; requiring the State Board of Education or each district school board to coordinate deferred-payment purchases; limiting the period of time during which equipment may be acquired pursuant to any one master equipment-financing agreement and limiting the period of financing under such agreement; providing that no agreement creates a debt, liability, or obligation of the state or of a district school board; amending s. 236.25, F.S.; increasing the maximum capital outlay millage a school district may levy; authorizing the use of capital outlay millage to finance lease-purchase agreements; providing that certain lease-purchase agreements must be approved in the same manner as bonds payable from ad valorem taxes; providing an effective date.

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

By Senator Gordon—

**SB 1283**—A bill to be entitled An act relating to the Department of Natural Resources; creating the Coastal Wetlands Recovery Act; requiring the department to identify certain wetland areas in the state suitable for restoration; requiring the department to prepare restoration plans for such areas; providing requirements for restoration plans; providing for agency cooperation; providing for coastal wetland restoration demonstration projects; creating the Coastal Wetlands Restoration Trust Fund; providing an appropriation; providing an effective date.

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

**SCR 1284** was introduced and adopted April 28.

**SR 1285** was introduced and adopted April 21.

By Senator Thurman—

**SB 1286**—A bill to be entitled An act relating to condominiums; amending s. 718.116, F.S.; imposing a duty on a condominium association to record a lien for an unpaid assessment against a condominium parcel owned by the developer within a specified period of time after payment of the assessment is due under certain circumstances; requiring a condominium developer to post a surety bond to secure payment of assessments with respect to parcels owned by the developer under certain circumstances; providing for release of the bond; providing an effective date.

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

By Senator Johnson—

**SB 1287**—A bill to be entitled An act relating to education; amending ss. 229.814, 231.17, 231.608, 233.37, 236.088, 237.161, 237.162, 240.311, 240.335, 240.35, 240.401, 240.402, 240.404, 240.4045, 240.409, 240.60, 240.601, 240.604, F.S.; deleting provisions requiring the State Board of Education to adopt certain rules for high school examinations; providing requirements for teacher certification; deleting certain reporting requirements for teacher education centers; deleting provisions requiring submission of implementation plans for using instructional materials by district school superintendents; deleting provisions requiring the termination of state funding for certain compensatory education programs; deleting provisions requiring the Department of Education to approve certain obligations incurred by a school board; deleting certain provisions relating to annual reports by community colleges; authorizing the State Board of Community Colleges to prescribe the content of such reports; deleting provisions requiring community colleges to report on status of programs for eradication of discrimination in salaries; revising criteria for eligibility for receiving a state tuition voucher, certain scholarship awards, a state financial aid award, a student assistance grant, and participating in certain work experience programs; changing the method of showing compliance with the Selective Service System registration requirements; providing for the use of certain college career work experience funds; repealing ss. 229.561, 229.585, 229.841, 230.2311, 232.301(2), 233.051, 233.055(2), 233.34(2)(b), 233.46(2), 235.014(3), (11), 235.149, 235.197, 235.41(3)(b), (c), 235.435(1)(b), (c), (d), (f), (3)(c), (4), F.S., relat-

ing to the Educational Research and Development Program, relating to computerized instructional management system programs, relating to the adoption of the metric system by the Department of Education, relating to early childhood and basic skills development programs, relating to obsolete provisions pertaining to model programs for the prevention of student failure and school dropout, relating to district remediation programs, relating to the commissioner's planning budget for implementing a remedial reading program, relating to Department of Education surveys of districts with respect to and submission of the selection of instructional materials, relating to solicitation comments by instructional staff on instructional materials, relating to certain responsibilities of the Office of Educational Facilities of the Department of Education, relating to surveys and reports on the availability of instructional space, relating to the disposal of certain state-owned facilities by the State Board of Education, relating to information required in the capital outlay portion of the legislative budget request submitted by the Commissioner of Education, relating to certain exemptions, restrictions, and requirements pertaining to the funding of capital outlay education projects; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Langley—

**SB 1288**—A bill to be entitled An act creating the Surrogate Parent Act; providing definitions; providing jurisdiction; providing for representation by counsel; requiring a verified petition, as specified, and providing for court approval; specifying provisions of a surrogate contract; specifying procedures; providing a presumption as to parentage; providing for payment of costs; providing for relief upon breach of contract; legalizing payments to a surrogate; prohibiting the withdrawal of consent to adoption, as specified; providing that this act controls over any conflicting provisions of law; providing for the surrogate contract to control in certain disputes; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Ros-Lehtinen—

**SB 1289**—A bill to be entitled An act relating to social services; amending s. 39.12, F.S.; providing for use of records in disqualification from certain employment; amending s. 39.411, F.S.; providing for use of records in disqualification from certain employment; amending s. 110.1127, F.S.; changing requirements for employee security checks; expanding possible exemptions from employment disqualification; providing penalties; amending s. 393.063, F.S.; providing changes in definitions; amending s. 393.0655, F.S.; changing minimum standards for screening of caretakers; expanding possible exemptions from employment disqualification; requiring information to be provided by a time certain; removing certain distinctions between permanent and probationary status caretakers; amending s. 393.066, F.S.; providing rulemaking authority; amending s. 393.067, F.S.; deleting outdated provisions; requiring submission of information by a time certain; providing penalty for noncompliance; amending s. 393.0675, F.S.; providing for injunctive proceedings; amending s. 394.455, F.S.; deleting employment history checks and checks of reference from definition of "screening"; amending s. 394.457, F.S.; revising minimum standards for mental health personnel; expanding possible exemptions from employment disqualification; deleting outdated provisions; providing for chapter 120 hearing; requiring certain information to be provided by a time certain; providing penalty for noncompliance; removing certain distinctions between permanent and probationary employee status; amending s. 396.032, F.S.; deleting employment history checks and checks of reference from definition of "screening"; amending s. 396.042, F.S.; deleting outdated provisions; requiring certain information to be provided by a time certain; providing penalties for noncompliance; amending s. 396.0425, F.S.; revising minimum standards for screening of treatment resource personnel; expanding possible exemptions from employment disqualification; requiring certain information to be supplied by specified time; providing penalty for noncompliance; removing certain distinctions between permanent and probationary status treatment resource personnel; requiring automatic termination of treatment resource personnel under certain circumstances; amending s. 396.173, F.S.; requiring submission of fingerprints; amending s. 396.175, F.S.; providing for issuance of license if screening materials have been timely submitted; prohibiting licensure under specified circumstances; providing for the issuance of a probationary license; amending s. 397.021, F.S.; deleting employment history checks and checks of reference from definition of "screening"; amending s. 397.0715, F.S.; revising minimum standards for screening of treatment resource personnel;

expanding possible exemptions from employment disqualification; requiring certain information be supplied by specified time; providing penalty for noncompliance; removing certain distinctions between permanent and probationary status treatment resource personnel; amending s. 397.081, F.S.; providing penalty for failure to supply required information by a time certain; amending s. 397.091, F.S.; deleting outdated provisions; providing penalty for failure to supply required information by a time certain; providing for issuance of license under certain circumstances; providing for the issuance of a probationary license; amending s. 402.302, F.S.; changing definitions of "child care personnel" and "screening"; amending s. 402.305, F.S.; revising the minimum standards for child care personnel; expanding possible exemptions from employment disqualification; providing for contesting through chapter 120 procedures and others; amending s. 402.3055, F.S.; deleting outdated provisions; providing penalty for failure to supply information within specified time; removing certain distinctions between permanent and probationary child care personnel; amending s. 402.308, F.S.; providing for issuance or renewal of license if all screening materials have been timely submitted; amending s. 402.309, F.S.; providing for issuance of provisional license; amending s. 402.313, F.S.; providing guidelines for screening; amending s. 409.175, F.S.; providing changes in definitions; providing for promulgation of rules; providing requirements for licensure and operation; providing changes to screening requirements; expanding possible exemptions from employment disqualification; requiring submission of information; providing penalty for failure to submit within time required; deleting outdated provisions; providing for issuance or renewal of license under certain circumstances; prohibiting licensure of summer day camps or summer 24-hour camps; providing departmental access to certain records; providing for issuance of provisional license; amending s. 415.102, F.S.; adding a definition of "confirmed report"; amending s. 415.103, F.S.; adding "confirmed report"; providing for amendment and expungement of records; providing procedures; providing for confidentiality; amending s. 415.104, F.S.; providing for classification of report; amending s. 415.107, F.S.; providing Division of Administrative Hearings access to records; providing for search of records; providing for classification of records; specifying information to be released to certain parties; amending s. 415.503, F.S.; adding definition of "confirmed report"; amending s. 415.504, F.S.; providing for classification of reports; providing for amendment and expungement of records; providing procedures; providing for confidentiality; amending s. 415.505, F.S.; changing terminology to conform with changes in definition and usage in current law; amending s. 415.51, F.S.; providing the Division of Administrative Hearings access to records; providing for search of records; providing for classification of records; specifying the information to be released to certain parties; amending s. 447.208, F.S.; providing for delay of appeal hearing under certain circumstances; amending s. 447.401, F.S.; providing for delay of grievance decision under certain circumstances; amending s. 959.001, F.S.; adding a definition of "screening"; amending s. 959.06, F.S.; requiring screening for contract providers for any juvenile delinquency program; requiring that providers meet criteria; providing for certain exemptions from disqualification; providing exemption procedures; providing an effective date.

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

By Senator Kiser—

**SB 1290**—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 pay the cost of drugs to treat AIDS and AIDS-related conditions in specified circumstances; providing an effective date.

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

**SR 1291** was introduced and adopted April 30.

By Senator Deratany—

**SB 1292**—A bill to be entitled An act relating to Brevard County; prohibiting the taking or attempting to take, except by specified nets or hook and line, of fish in certain manmade residential saltwater canals, lakes, and lagoons; providing penalties; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Dudley—

**SB 1293**—A bill to be entitled An act relating to Lee County; amending chapter 63-1552, Laws of Florida, as amended by chapter 69-1235 and chapter 72-600, Laws of Florida; authorizing the Hospital Board of Directors of Lee County to establish additional hospitals and healthcare facilities; providing for the creation and regulation of medical staffs for said hospitals and facilities; providing for services to be furnished without charge under certain circumstances; authorizing the hospital board to establish charges for services; providing methods by which the hospital board may pay out and invest its funds; providing for a chief executive officer for the hospitals and facilities; authorizing the hospital board to sell and lease real and personal property and enter into arrangements with other organizations to further the purposes of the board; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Grizzle—

**SB 1294**—A bill to be entitled An act relating to public schools; amending s. 232.246, F.S.; revising requirements for receipt of a certificate of completion and eligibility for an additional year of instruction; specifying students who may attend and participate in graduation ceremonies; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Girardeau—

**SB 1295**—A bill to be entitled An act relating to Nassau County; amending s. 3 of chapter 21418, Laws of Florida, 1941, as amended; increasing the maximum salary of members of the Board of Port Commissioners of the Ocean Highway and Port Authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator D. Childers—

**SB 1296**—A bill to be entitled An act relating to Acme Improvement District, formerly Acme Drainage District, in Palm Beach County, Florida; amending section 3 of chapter 28557, Laws of Florida, 1953, as amended; authorizing the board of supervisors of the district to distribute water for consumption from its water plants and to provide sewer collection and disposal of waste within and without the district boundaries; providing for obligations of the district to pay interest at a rate not exceeding the maximum allowable by law; providing for review and approval by the board of county commissioners of activities without the district and prohibiting activities which are inconsistent with certain plans; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Frank—

**SB 1297**—A bill to be entitled An act relating to human reproduction and agreements pertaining thereto; creating the Surrogate Parenthood Act; providing definitions; prohibiting contracting, procuring, inducing, or agreeing to a surrogate parenthood arrangement, except as specified; requiring a written contract and specifying contract provisions, including provisions for establishing parental rights and responsibility for child support; restricting certain intestate inheritance; declaring certain contracts void; specifying violations; providing criminal penalties; prohibiting certain implantations of a human egg; providing criminal penalties; providing an effective date.

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

By Senator Grant—

**SB 1298**—A bill to be entitled An act relating to Pasco County; establishing a solid waste disposal and resource recovery system within the territorial boundaries of Pasco County; providing for the collection and disposal of all solid waste generated or brought within the area affected by the act; authorizing the county to finance, refinance, acquire, construct,

and operate or provide for the construction and operation or enter into a franchise agreement for the financing, refinancing, acquisition improvement, construction, operation, maintenance, or ownership of solid waste disposal and resource recovery facilities; providing for the levy and collection of special assessments; providing for liens on real property to enforce the collection of special assessments; providing definitions; providing a declaration of state policy; vesting exclusive powers in the county to control the collection, supply, and disposal of solid waste within the area affected by this act; providing for the sale of resources recovered and energy generated by the facilities; authorizing the use of rights-of-way, easements, and other similar property rights of the state and its local agencies; providing an exemption from the provision of the Florida Antitrust Act of 1980; prescribing standards with which any solid waste disposal and resource recovery system covered by this act must conform; providing for severability; prohibiting impairment of contractual obligations; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Dudley—

**SB 1299**—A bill to be entitled An act relating to the Estero Fire Protection and Rescue Service District, Lee County; changing the boundaries of the district to include additional lands in Lee County; providing a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

**SR 1300** was introduced and adopted April 28.

By Senator Dudley—

**SB 1301**—A bill to be entitled An act relating to Lee County; creating the Lee County Aviation Authority to operate, construct, and control aviation projects within the county; providing definitions; providing for the composition of the governing board of the authority and for the qualifications, terms, and manner of selecting and removing its members and the method of filling vacancies; providing for its officers and their compensation and duties; providing for its meetings and procedures; providing for veto of certain of its actions by the board of county commissioners; authorizing it to acquire and dispose of property and construct and improve projects and facilities; authorizing it to grant franchises and set rates, charges, fees, and tolls for services; authorizing it to issue revenue bonds; authorizing it to employ persons and fix their compensation and benefits and provide for their retirement; authorizing it to enter into contracts and agreements; authorizing it to adopt and enforce rules and regulations for the orderly, safe, efficient, and sanitary operation of its projects and facilities; authorizing it to employ guards and security personnel who have the power of arrest and to provide fire protection and crash and rescue services; authorizing it to acquire existing aviation projects; authorizing it to exercise power with respect to the operation, acquisition, construction, and financing of airports and airport projects and with respect to the regulation and control of aviation; providing for the transfer of existing projects owned or controlled by the county; providing for trust agreements; providing for remedies of bondholders; providing for a code of ethics for officers, employees, and agents of the authority; providing for proposed changes to the Lee County Comprehensive Plan; providing for effect of county and municipal ordinances; authorizing other governmental entities to aid and cooperate with the authority and to donate property to the authority; providing for interlocal agreements; providing for assumption of assets and liabilities of the authority by the county under specified conditions; providing for the construction and severability of provisions of the act; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

**SR 1302** was introduced and adopted April 28.

By Senators Plummer and Lehtinen—

**SR 1303**—A resolution commending the University of Miami on its sixtieth anniversary of excellence.

—was referred to the Committee on Rules and Calendar.

#### FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Judiciary-Criminal and Senators Jenne, Weinstein, Crawford, Johnson, Beard, Brown, Grant and Lehtinen—

**CS for SB's 35, 437, 894 and 923**—A bill to be entitled An act relating to sentencing; providing for legislative adoption and implementation of revisions to sentencing guidelines promulgated by the Florida Supreme Court in accordance with s. 921.001, F.S.; amending ss. 775.084, 921.001, F.S.; providing that persons sentenced as habitual felony offenders are not subject to the statewide sentencing guidelines; requiring judges to consider psychological injury to the victim in sentencing certain persons; reducing the level of proof necessary to establish the facts supporting a departure; providing that one clear and convincing reason is sufficient to support a departure sentence on appeal; providing for departures from sentencing guidelines in cases of excessive trauma to the victim or where the defendant's record demonstrates an escalating pattern of criminal conduct involving violence; amending ss. 924.06, 924.07, 958.04, F.S.; providing for appeals of sentences imposed outside the range recommended or permitted by the guidelines under certain circumstances; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Myers—

**CS for SB 148**—A bill to be entitled An act relating to users of radiation-emitting equipment; amending s. 468.301, F.S.; redefining the term "direct supervision" for purposes of the Radiologic Technologist Certification Act; amending s. 468.302, F.S.; providing a professional title for persons certified as photon absorptiometer operators; deleting an obsolete reference; requiring such operators to use bone mineral analyzers with a sealed source of radioactive material; amending s. 468.304, F.S.; providing for increase in fees; providing requirements for certification of such operators; providing for continuation of valid computed tomography certificates; amending s. 468.306, F.S.; specifying subjects to be included in certain radiologic technology certification examinations; amending s. 468.307, F.S.; providing for temporary certification of photon absorptiometer operators; repealing s. 468.3035, F.S., relating to contracts with the Department of Professional Regulation; repealing s. 468.308, F.S., relating to transitory certification provisions; providing for certification without examination for certain operators; providing an effective date.

By the Committee on Commerce and Senator Langley—

**CS for SB 167**—A bill to be entitled An act relating to workers' compensation; amending s. 440.13, F.S., relating to the provisions of medical services and supplies; providing a penalty for certain deauthorization of a health care provider authorized by an employer; requiring a study; requiring reports; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Vogt—

**CS for SB 182**—A bill to be entitled An act relating to the practice of geology; providing definitions; creating the Board of Professional Geologists within the Department of Professional Regulation; providing for membership and terms; authorizing the board to make rules; providing for licensure of professional geologists; providing requirements; providing for examination; providing for fees; providing for provisional licenses; providing for use of seals; providing for licensure by endorsement; providing requirements; providing for a fee; providing for biennial license renewal; providing for inactive status; providing for the practice of professional geology by firms, corporations, and partnerships; providing for certificates of authorization; providing for liability; providing prohibitions and penalties; providing disciplinary proceedings; providing for replacement of lost, destroyed, stolen, or mutilated licenses; providing for a roster of professional geologists; providing exemptions; providing for construction of the act; providing for review and repeal; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Hollingsworth—

**CS for SB 216**—A bill to be entitled An act relating to the practice of chiropractic; amending ss. 460.403, 460.413, F.S.; providing that chiropractic physicians certified in accordance with the statute may administer injectable vitamins; providing a definition of chiropractic formulary; providing for a formulary of authorized injectable vitamins and providing for a committee for the submission thereof; revising a requirement that certain chiropractic physicians must be certified to use certain procedures; providing an effective date.

By the Committees on Commerce and Judiciary-Civil and Senator Jennings—

**CS for SB 338**—A bill to be entitled An act relating to fictitious name registrations; amending s. 865.09, F.S.; providing definitions; prohibiting certain business activities without such registration; requiring the registration of such names with the Department of State; providing an effective period for the registrations; providing for amended registrations; prescribing fees; exempting certain licensed professions from registration; limiting the effect of registration; providing penalties; providing for validity of existing registrations for a specified period; providing for rules; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Meek—

**CS for SB 365**—A bill to be entitled An act relating to corporate income tax; creating s. 220.185, F.S.; allowing an annual credit against net income tax for a housing contribution, as defined; providing for carryover of credit from a previous year; providing for eligibility requirements; providing for application requirements; providing for administration; providing for rulemaking; placing a cap on the aggregate tax credits; creating s. 220.70, F.S.; allowing a bank or savings association an annual credit against the franchise tax for a housing contribution; providing for carryover of credit from a previous year; placing a cap on the annual tax credit for a bank or savings association; amending s. 220.02, F.S.; specifying the order in which credits are applied; providing an effective date.

By the Committee on Commerce and Senators Vogt, Frank and Thurman—

**CS for SB 370**—A bill to be entitled An act relating to contractors; amending s. 489.127, F.S.; prohibiting any person from advertising himself as available to engage in the business or act in the capacity of a contractor without being duly registered or certified; providing penalties; creating s. 489.5331, F.S.; providing for award of treble damages, costs, and attorney's fees against certain contractors for certain injuries; creating s. 624.447, F.S.; requiring insurers, upon request, to verify a certificate of insurance on any contractor; amending s. 713.01, F.S.; redefining the terms "contractor," "subcontractor," and "sub-subcontractor" for purposes of the mechanics' lien law; providing for review and repeal; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Deratany, Jennings, Barron, Lehtinen, Langley, Kirkpatrick, Beard, Brown, Kiser, Peterson, Johnson, Ros-Lehtinen, Malchon, Myers, Dudley, Grant, W. D. Childers, Hill, McPherson, Crawford and Margolis—

**CS for SB 378**—A bill to be entitled An act relating to medical practice; amending s. 768.13, F.S.; providing immunity from civil liability to physicians rendering medical care or treatment in response to an emergency presented through an emergency room or trauma center; providing an effective date.

By the Committee on Commerce and Senator Jennings—

**CS for SB 407**—A bill to be entitled An act relating to unclaimed property; creating ss. 717.001-717.1401, F.S.; creating the "Florida Disposition of Unclaimed Property Act"; providing definitions; providing the general rule with respect to property presumed abandoned; providing general rules for taking custody of intangible unclaimed property; creating provisions relating to unclaimed or abandoned traveler's checks and money orders, unclaimed or abandoned checks, drafts, and similar instruments issued or certified by banking and financial organizations, bank deposits and funds in financial organizations, funds owing under life insurance policies, deposits held by utilities, refunds held by business associations, stock and other intangible interests held in business associations, property of business associations held in the course of dissolution, property held by agents and fiduciaries, property held by courts and public agencies, gift certificates and credit memos, unpaid wages, and the contents of safe deposit boxes or other safe keeping repositories; providing for report of abandoned property; providing for notice and publication of lists of abandoned property; providing for the payment or delivery of abandoned property; providing for custody by the state, relief from liability, reimbursement, defense, and charges; providing for the crediting of dividends, interest, or increments to the owner's account; providing for public sale of abandoned property; providing for deposit of funds; providing for filing of claims with Department of Banking and Finance; providing procedures for the claim of another state to recover property; provid-

ing for administrative hearing and for burden of proof; providing for election to make payment or deliver; providing for the destruction or disposition of property having insubstantial commercial value; providing immunity from liability; providing for periods of limitation; providing for investigations, examinations, and subpoenas; providing for retention of records; providing for enforcement, cease and desist orders and administrative fines; providing for interstate agreements and cooperation and joint and reciprocal actions with other states; providing penalties; providing interest; providing for agreements to locate reported property; excluding foreign transactions; providing for the effect of new provisions and for a clarification of application; providing for rulemaking authority; providing for uniformity of application and construction; providing for the supplemental effect of the chapter; repealing existing ch. 717, F.S., the present Florida Disposition of Unclaimed Property Act; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator D. Childers—

**CS for SB 454**—A bill to be entitled An act relating to the Florida Litter Law; amending s. 403.413, F.S.; requiring the placement and maintenance of litter receptacles in public places; prohibiting certain acts with respect to litter receptacles; requiring certain signs to be posted along roads; authorizing the payment of rewards; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Johnson—

**CS for SB 494**—A bill to be entitled An act relating to human graves and burials; creating s. 872.05, F.S.; authorizing the Division of Historical Resources of the Department of State to assume responsibility for and jurisdiction over certain unmarked human burials; requiring notification of certain authorities when a burial is discovered or disturbed; requiring that certain authorities be notified when a burial is discovered during an archaeological excavation; providing duties and responsibilities for the State Archaeologist regarding a newly discovered unmarked human burial; requiring certain reports; providing for the loan of burial artifacts for educational purposes; requiring the division to adopt rules regarding the public display of human remains; providing that excavation of a burial is not required except under certain circumstances; providing penalties; amending s. 872.02, F.S.; including burial mounds and certain monuments in provisions prohibiting the disturbing of graves or tombs, for which there are penalties; exempting cemeteries operating under ch. 497, F.S.; providing an effective date.

By the Committee on Governmental Operations and Senator Johnson—

**CS for SB 628**—A bill to be entitled An act relating to alcoholic beverages; amending s. 565.02, F.S.; authorizing the Board of Trustees of the John and Mable Ringling Museum of Art to obtain a license; providing an effective date.

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

**CS for SB 670**—A bill to be entitled An act relating to pharmaceutical assistance to the elderly; directing the Department of Health and Rehabilitative Services to establish a program for payments to pharmacies for costs of certain prescription drugs for eligible elderly persons; providing definitions; requiring an annual report by the department; providing eligibility standards; requiring certain copayments; providing for payment to a pharmacy under the program; creating an advisory council; specifying violations and providing penalties; providing for rules; providing for review and repeal; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senators Vogt, Frank, Thurman and Johnson—

**CS for SB 720**—A bill to be entitled An act relating to the misuse of funds paid for contracting services; creating s. 713.345, F.S.; providing first-degree misdemeanor penalties for misuse of funds received on account of improving real property; amending s. 713.34, F.S.; deleting provisions which make misapplication of such funds embezzlement; amending s. 489.129, F.S.; listing circumstances which constitute financial mismanagement or misconduct by a contractor; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Brown—

**CS for SB 754**—A bill to be entitled An act relating to traffic control; providing a declaration of public purpose; amending s. 316.003, F.S., modifying the definitions of “private road or driveway” and “street or highway” to provide for applicability of traffic laws to certain private roads and other limited access roads; amending s. 316.006, F.S., authorizing municipalities and counties to control traffic on certain private roads and other limited access roads by written agreement with the owning or controlling party or parties; providing for terms, including reimbursement for costs incurred; providing for consultation with the sheriff; providing a limitation as to the effective date of county agreements; providing for waiver of such limitation; providing for construction; amending s. 316.640, F.S., providing for enforcement; providing an effective date.

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

**CS for SB 787**—A bill to be entitled An act relating to home health agencies; amending s. 400.462, F.S.; deleting homemaker services from the definition of “home health service”; creating s. 400.465, F.S.; providing exemptions; providing for registration of sitter services, companion services, or homemaker services with the Department of Health and Rehabilitative Services; providing a fee; providing penalties; providing for injunctive proceedings; providing for inspections; providing rulemaking authority; providing an effective date.

By the Committee on Governmental Operations and Senator Deratany—

**CS for SB 793**—A bill to be entitled An act relating to solicitation of funds; amending s. 496.02, F.S.; revising definitions under the Solicitation of Charitable Contributions Act; amending s. 496.03, F.S.; revising requirements relating to registration of charitable organizations; amending s. 496.04, F.S., relating to exemption from registration; amending s. 496.045, F.S.; revising requirements relating to registration of professional solicitors and their employees; authorizing acceptance of a surety other than bond; amending s. 496.046, F.S.; revising registration and renewal fees for charitable organizations and professional solicitor employees; providing additional administrative fees; amending s. 496.051, F.S.; revising requirements relating to disclosure statements by charitable organizations; creating s. 496.052, F.S.; requiring certain identification of charitable organizations, solicitors, and employees; amending s. 496.06, F.S.; providing limitations on activities of charitable organizations and professional solicitors; creating s. 496.071, F.S.; providing requirements for charitable sales promotions by a commercial coventurer; amending s. 496.09, F.S., relating to records of charitable organizations and professional solicitors; amending s. 496.11, F.S.; revising prohibitions and requirements relating to the solicitation of charitable contributions; providing penalties; amending s. 496.13, F.S.; expanding enforcement authority of the Department of State; modifying the time period for certain notification to a complainant; amending s. 496.1315, F.S., relating to unlawfully solicited contributions; amending s. 496.21, F.S.; revising definitions under the Law Enforcement and Emergency Service Solicitation of Contributions Act; amending s. 496.23, F.S.; revising requirements relating to registration of sponsors; amending s. 496.236, F.S., relating to exemption from registration; amending s. 496.24, F.S.; revising requirements relating to professional solicitors and their employees; authorizing acceptance of a surety other than bond; amending s. 496.251, F.S.; revising registration and renewal fees for sponsors, professional solicitors, and professional solicitor employees; providing additional administrative fees; amending s. 496.265, F.S.; revising requirements relating to disclosure statements by sponsors; creating s. 496.266, F.S.; requiring certain identification of sponsors, solicitors, and employees; creating s. 496.267, F.S.; providing limitations on activities of sponsor and professional solicitors; amending s. 496.29, F.S.; providing for confidentiality of records of sponsors and professional solicitors; creating s. 496.295, F.S.; providing requirements for sponsor sales promotions by a commercial coventurer; amending s. 496.31, F.S.; revising prohibitions and requirements relating to solicitations; providing penalties; amending s. 496.33, F.S.; expanding enforcement authority of the Department of State; modifying the time period for certain notification to a complainant; amending s. 496.335, F.S., relating to unlawfully solicited contributions; providing for review and repeal; providing an effective date.

By the Committee on Commerce and Senator Hair—

**CS for SB 819**—A bill to be entitled An act relating to insurance; creating s. 627.941, F.S.; providing a purpose; creating s. 627.942, F.S.; providing definitions; creating s. 627.943, F.S.; providing for incorporation of domestic risk retention groups; requiring such groups to submit a plan of operation or feasibility study; requiring the department to file a notice; creating s. 627.944, F.S.; establishing requirements for out-of-state risk retention groups; providing notice requirements; providing financial condition requirements; providing taxation standards; providing unfair trade practices; providing for financial examinations; providing for notice to purchasers; defining prohibited acts regarding solicitation or sale; providing for prohibition ownership by an insurance company; defining prohibited coverage; providing for the use of an agent in transacting business; providing existing risk retention groups 30 days to conform to the requirements of the part; providing fines and penalties; creating s. 627.945, F.S.; providing for compulsory association of certain entities; creating s. 627.946, F.S.; specifying that countersignatures are not required; creating s. 627.947, F.S.; exempting certain purchasing groups from group insurer requirements; creating s. 627.948, F.S.; providing notice and registration requirements of purchasing groups; creating s. 627.949, F.S.; providing restrictions on insurance purchased by purchasing groups; creating s. 627.950, F.S.; providing the department with certain authority over risk retention and purchasing groups; creating s. 627.951, F.S.; providing fines and penalties; providing for cease and desist orders; creating s. 627.952, F.S.; specifying the requirements for and duties of risk retention and purchasing group agents; creating s. 627.953, F.S.; providing for the binding effect of orders issued by federal courts; creating s. 627.954, F.S.; providing rulemaking authority; amending s. 626.041, F.S.; expanding the definition of “general lines agent”; providing severability; providing for review and repeal; providing an effective date.

By the Committee on Commerce and Senator Jennings—

**CS for SB 821**—A bill to be entitled An act relating to workers' compensation; amending s. 440.02, F.S.; expanding the definition of the term “wages”; amending s. 440.13, F.S.; limiting the definition of the term “health care provider”; clarifying that an injured worker is not liable for the payment for his medical treatment; clarifying the type of organization the Division of Workers' Compensation is to contract with for peer review services; clarifying when the Division of Workers' Compensation may institute a proceeding to require a health care provider to repay improper charges; amending s. 440.15, F.S.; clarifying that supplemental permanent total disability compensation benefits are reduced when an injured employee receives a lump-sum advance; limiting the type of injuries for which catastrophic temporary total disability compensation is payable; providing a uniform method for calculating the discount factor in wage-loss cases; providing date for report to the Legislature; amending s. 440.185, F.S.; providing notice to an injured worker of his rights on the report of injury form; eliminating the mailing of an informational brochure to the injured worker; authorizing a rule to establish an alternative electronic reporting system; amending s. 440.20, F.S.; changing the minimum time period in which certain lump-sum settlements may be made; amending s. 440.38, F.S.; authorizing a rule to make certain bonds, reinsurance policies, and securities payable to the Florida Self-Insurers Guaranty Association; amending s. 440.385, F.S.; authorizing the Florida Self-Insurers Guaranty Association to be reimbursed from or use the proceeds from the bond, security, or reinsurance policy to make payment to an injured worker whose self-insured employer is insolvent; amending s. 440.49, F.S.; changing the statute of limitations for filing claims against the Special Disability Trust Fund; ratifying certain acts; providing an effective date.

By the Committee on Commerce and Senator Jennings—

**CS for SB 824**—A bill to be entitled An act relating to reports of currency transactions by financial institutions; amending s. 655.50, F.S.; requiring the Department of Banking and Finance to provide copies of reports of currency transactions that exceed \$10,000, under specified circumstances; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Margolis—

**CS for SB 834**—A bill to be entitled An act relating to regulation of professions and occupations; amending s. 455.213, F.S.; revising the amount of the initial licensing fee that may be charged by the Department of Professional Regulation; providing for the period of an initial license; amending s. 455.217, F.S.; prohibiting a person from retaking a

license examination that he has passed, except for specified purposes; amending s. 455.218, F.S.; modifying eligibility requirements for examination for licensure of foreign-trained professionals; deleting provisions relating to a special license for podiatric technicians; amending s. 455.219, F.S.; requiring licensing boards within the Department of Professional Regulation to charge license application fees and examination fees; providing for refunding of examination fees; authorizing such licensing boards to charge a fee to verify the license and disciplinary status of a person who applies for a license in another jurisdiction; amending s. 455.232, F.S.; providing penalties for unlawful acts; amending s. 455.24, F.S.; requiring licensed acupuncturists to publish a prescribed statement respecting patients' rights in certain advertisements; amending s. 455.241, F.S.; providing for reports of psychiatric examination and treatment; providing for exception to confidentiality of patient-psychiatrist communications in order to warn of patient threats; repealing s. 455.2182, F.S., relating to construction of chapter 86-290, Laws of Florida; providing an effective date.

By the Committee on Commerce—

**CS for SB 837**—A bill to be entitled An act relating to pari-mutuel wagering; creating s. 550.012, F.S.; authorizing the Florida Pari-mutuel Commission to grant additional operating days to permitholders; providing guidelines; providing for an application fee; providing the Division of Pari-mutuel Wagering with certain rulemaking authority; amending ss. 550.08, 550.082, 550.0831, F.S.; authorizing additional operating days for certain dogracing permitholders; deleting a rule of construction; amending s. 550.37, F.S.; permitting certain harness tracks to obtain additional racing days; prescribing hours that racing may be conducted on the additional days; amending s. 551.031, F.S.; creating s. 551.115, F.S.; authorizing additional operating days for certain jai alai permitholders; providing an effective date.

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

**CS for SB 868**—A bill to be entitled An act relating to the Hospital Cost Containment Board; amending s. 395.503, F.S.; increasing the size of the board and specifying certain membership; providing for initial lengths of terms; providing an effective date.

By the Committee on Commerce and Senator Hair—

**CS for SB 906**—A bill to be entitled An act relating to insurance; amending s. 631.011, F.S.; defining the term "affiliate"; amending s. 631.263, F.S.; providing conforming cross-reference; amending s. 631.361, F.S.; deleting a time limit on the duration of certain ex parte orders in delinquency proceedings against insurers; amending s. 631.52, F.S.; providing exceptions to the scope of part II of ch. 631, F.S.; amending s. 631.57, F.S.; increasing assessments levied against any insurer; creating s. 631.71, F.S.; providing for certain premium or income tax credits for assessments paid by member insurers; amending s. 631.713; providing when coverage will apply to certain insurance policies; amending s. 651.071, F.S.; conforming cross-reference; repealing s. 631.575, F.S., relating to assessments against domestic insurers and income tax credits for assessments; providing for review and repeal; providing an effective date.

By the Committee on Commerce and Senator Hair—

**CS for SB 908**—A bill to be entitled An act relating to insurance fraud; amending s. 626.989, F.S., defining the term "fraudulent insurance act"; providing that persons who furnish certain information to the Division of Insurance Fraud are protected from civil liability; providing the Commissioner of Insurance and employees of the Department of Insurance with protection from civil liability for certain official activities; providing for information or reports to the division of suspected fraudulent insurance acts; providing an effective date.

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

**CS for SB 1036**—A bill to be entitled An act relating to negligence; amending s. 768.28, F.S., relating to applicability of grant of sovereign immunity in tort; including officers, employees, and agents of state agencies, and of teaching hospitals and private university medical schools under agency contract with the state; providing that persons contracting with the state to provide health care services to certain persons shall be considered agents of the state for purposes of tort claims, thereby making the limitations of that section applicable to such claims; providing that such persons shall not be considered state employees for purposes of workers' compensation provisions; providing for application of the act; providing an effective date.

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

**CS for SB's 1096, 963 and 654**—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.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Johnson, by two-thirds vote SB 824 was withdrawn from the Committee on Judiciary-Criminal.

On motion by Senator Grant, by two-thirds vote SB 263 was removed from the local calendar and indefinitely postponed.

On motion by Senator Hill, by two-thirds vote SB 1090 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Scott, by two-thirds vote SB 594 and CS for SB 152 were withdrawn from the Committee on Appropriations.

On motions by Senator Meek, by two-thirds vote SB 364 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Lehtinen, by two-thirds vote SB 766 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Jennings, by two-thirds vote SB 852 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Jennings, by two-thirds vote SB 178 was withdrawn from the Committee on Commerce.

On motion by Senator Margolis, by two-thirds vote SB 658 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motions by Senator Plummer, by two-thirds vote SB 860 was withdrawn from the committees of reference and indefinitely postponed.

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

##### Appointments Subject to Confirmation by the Senate:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Accountancy, Member Schine, Jerome A., Tampa	12/26/90
State Athletic Commission, Member Scitirro, Joseph J., Ft. Pierce	09/30/88
Board of Chiropractic, Member Hebert, John T., Clearwater	08/01/90
Florida Citrus Commission, Members Barwick, Irvin, Clermont Egan, Bernard A., Ft. Pierce Smoak, Edward L., Lake Placid	05/31/90 05/31/90 05/31/90

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Escambia County Civil Service Board, Members Adams, II, John L., Pensacola Baroco, Jr., J. H., Pensacola	02/13/89 02/15/91	Board of Trustees of the John and Mable Ringling Museum of Art, Member Meyer, Judith S., Bradenton	11/05/90
Board of Correctional Education, Members Helms, Beverly, Bonifay Thompson, Paul D., Ormond Beach	07/01/90 07/01/90	Florida High Technology Innovation Research and Development Board, Member Grimm, William A., Orlando	03/01/88
Board of Dentistry, Member Baines, Edward F., Indian Harbour Beach	02/07/91	Governing Board of the South Florida Water Management District, Member York, James Doyne, Palm City	07/01/90
Board of Funeral Directors and Embalmers, Member Brown, Charles Millard, Bradenton	08/01/90	Governing Board of the Southwest Florida Water Management District, Member Wilcox, W. H., Port Charlotte	07/01/90
Florida High Speed Rail Transportation Commission, Member Dockery, C. C., Lakeland	06/30/90	<b>Referred to the Committee on Executive Business.</b>	
Hospital Cost Containment Board, Members del Portal, Carlos A., West Palm Beach Uebel, Steven E., St. Petersburg	01/01/90 01/01/89	Secretary of Administration Vila, Adis Maria, Tallahassee	Pleasure of Governor
Board of Trustees of South Lake County Hospital District, Member Green, Beverly D., Clermont	07/05/87	<b>Referred to the Committees on Personnel, Retirement and Collective Bargaining and Executive Business.</b>	
Board of Professional Land Surveyors, Member Sliger, Gus A., Port Orange	05/17/90	<b>MESSAGES FROM THE HOUSE OF REPRESENTATIVES</b>	
Governor's Mansion Commission, Member White, Beverly F., Palm Beach	09/30/90	<b>First Reading</b>	
Marine Fisheries Commission, Members Fox, Jr., William W., Miami Newberger, Mitchell A., Lutz	08/01/90 08/01/90	<i>The Honorable John W. Vogt, President</i>	
Board of Massage, Member Kousaleos, George Peter, Tallahassee	01/01/90	I am directed to inform the Senate that the House of Representatives has passed House Bills 94, 99, CS for HB 109, CS for HB 123, CS for HB 142, House Bills 183, 191, 227, 369, 486, 493, 497; has passed as amended HB 95, CS for HB 124, House Bills 166, 251, CS for HB 253, House Bills 292, 494, 589; has adopted HCR 552, HM 1242 and requests the concurrence of the Senate.	
Board of Medicine, Members Ashkar, Fuad S., Miami Moya, Frank, Miami Beach Slade, George F., Tallahassee	08/01/90 08/01/90 08/01/90	<i>John B. Phelps, Clerk</i>	
Florida Pari-mutuel Commission, Member White, Armer E., Boynton Beach	06/30/89	By the Committee on Governmental Operations and Representative Hodges—	
Board of Pharmacy, Members Lowe, Talmadge Ray, Jacksonville Outten, Linda Ware, Pass-A-Grille Beach	08/01/89 08/01/90	HB 94—A bill to be entitled An act relating to public records; amending s. 119.14, F.S.; expanding the criteria which justify an exemption to the provisions of the Open Government Sunset Review Act; providing an effective date.	
Jacksonville Port Authority, Member Ringhaver, Randal L., Jacksonville	09/30/90	—was referred to the Committee on Governmental Operations.	
Historic Tampa-Hillsborough County Preservation Board of Trustees, Member Dunn, Hampton, Tampa	11/01/90	By the Committee on Agriculture and Representative Mitchell—	
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc., Members Kynes, James W., Tampa Miller, Daniel J., Tallahassee Whyte, James L., Jacksonville	09/30/90 09/30/90 09/30/88	HB 99—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 570.07, F.S., authorizing the department to acquire, preserve, and exhibit artifacts, relics, and historic items reflective of the state's agricultural history; providing an effective date.	
East Central Florida Regional Planning Council, Region 6, Members Cummins, Jr., Walter M., Altamonte Springs Futch, Howard E., Melbourne Beach Kramer, Stuart, Orlando Livingston, Jr., George D., Orlando	10/01/89 10/01/88 10/01/89 10/01/89	—was referred to the Committees on Agriculture, Governmental Operations and Appropriations.	
Southwest Florida Regional Planning Council, Region 9, Members Henderson, B. R., Naples James, Douglas, Sarasota	10/01/89 10/01/89	By the Committee on Regulated Industries & Licensing and Representative Liberti and others—	
Treasure Coast Regional Planning Council, Region 10, Members Foley, Kevin J., Palm Beach Gardens Gonzalez, Ed, West Palm Beach	10/01/89 10/01/89	CS for HB 109—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.262, F.S., authorizing the use of certain funds for the general promotion of owning and breeding certain horses; providing powers of the Florida Standardbred Breeders and Owners Association; providing for the payment of a sum equal to the breaks plus a certain percent of all pari-mutuel pools conducted for the general promotion of owning and breeding racing quarter horses; authorizing the Florida Quarter Horse Breeders and Owners Association, Inc., to receive payments and make awards; providing for use of funds; providing for awards; providing for required records; providing procedures with respect to the failure of the association to comply with the provisions of the act; providing for the establishment of an annual plan for supplementing purses and prizes and general promotion approved by the Florida Pari-mutuel Commission; providing for the transfer of certain funds on the effective date of the act; amending s. 550.263, F.S., providing for the payment of certain funds to the association and for the use of the funds by the respective associations; amending s. 550.265, F.S., deleting certain powers and	

duties of the Department of Agriculture and Consumer Services with respect to quarter horse racing; deleting certain provisions with respect to fraudulent acts and misrepresentations; eliminating registration fees; providing an effective date.

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

By the Committee on Transportation and Representative Burnsed and others—

**CS for HB 123**—A bill to be entitled An act relating to transportation contracts; creating s. 337.015, F.S., providing direction with respect to the administration of public transportation contracts; requiring the department to report annually on the administration of public transportation contracts; amending s. 337.11, F.S., expanding requirements with respect to contracts let by the department; amending s. 337.14, F.S., authorizing the department to limit the dollar amount or the total dollar volume of contracts which a person is allowed to have under contract at one time; creating s. 337.145, F.S., providing for offsetting payments by the department; amending s. 337.16, F.S., directing payment of penalty and retainage upon delinquency; providing for denial or suspensions of certificates of qualification by the department with respect to certain contracts; creating s. 337.175, F.S., establishing retainage provisions; amending s. 337.18, F.S., increasing the daily liquidated damages charge for certain contract defaults; establishing penalty provisions; amending s. 337.185, F.S., authorizing binding private arbitration; creating s. 337.221, F.S., requiring the department to prepare quarterly reports on disputed contractual claims; providing for applicability of certain sections of the act to specified contracts; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By the Committee on Natural Resources and Representative Carpenter and others—

**CS for HB 142**—A bill to be entitled An act relating to required clothing for hunting; amending s. 372.988, F.S., providing an exemption for bow hunters from the requirement of wearing daylight fluorescent orange material while deer hunting; providing an effective date.

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

By Representative Messersmith and others—

**HB 183**—A bill to be entitled An act relating to holidays; providing that "I Am An American Day" be declared and observed in the state; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By the Committee on Governmental Operations and Representative Hodges—

**HB 191**—A bill to be entitled An act relating to adoption; amending ss. 63.022 and 63.162, F.S.; reviving and readopting exemptions from public records requirements for adoption records; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Governmental Operations and Representative Hodges—

**HB 227**—A bill to be entitled An act relating to the Administrative Procedure Act; reenacting and amending chapter 86-108, Laws of Florida, to clarify legislative intent and correct the inadvertent omission of provisions which relate to the record in a case governed by s. 120.57(1), F.S., presentation of testimony, findings of fact, recommended orders, final orders and attorney's fees on appeal, alternate hearing officers, participation of agency head hearing officer in final order, hearing officer reports on applications pursuant to title XXXVIII, and referral of applications for consumptive use permits and to reenact provisions which relate to expedited review of certain permits issued pursuant to chapter 373, F.S., and to applicability of the act; providing an effective date and for retroactive operation.

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

By Representative Metcalf—

**HB 369**—A bill to be entitled An act relating to bakery containers; amending ss. 506.501, 506.502, 506.503, 506.508, 506.509, 506.511, 506.515, 506.517, 506.518, 506.519, F.S.; reenacting s. 506.518, F.S.; creating s. 506.507, F.S.; expanding the scope of the "Carts, Cases, Baskets, and Boxes Act" to include bakery containers and retitling that act accordingly; providing for the use of identification marks on bakery containers; providing for the registration of such identification marks; prohibiting the use of a bakery container that is identified with a name or mark registered to another except under certain circumstances; providing a presumption of theft in certain situations; prohibiting the receipt or transportation or removal of bakery containers in certain situations; providing penalties; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Regulatory Reform and Representative Gordon—

**HB 486**—A bill to be entitled An act relating to state officers' compensation; repealing s. 112.192, F.S., which created the State Officers' Compensation Commission; providing an effective date.

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

By the Committee on Agriculture and Representatives Mitchell and Starks—

**HB 493**—A bill to be entitled An act relating to milk and milk products; amending s. 502.222, F.S.; providing for the confidentiality of information relating to trade secrets; providing duties of the Department of Agriculture and Consumer Services; providing an effective date.

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

By the Committee on Agriculture and Representatives Mitchell and Harris—

**HB 497**—A bill to be entitled An act relating to honeybees; amending s. 570.32, F.S., providing authority for eradication and control of honeybee pests and unwanted races of honeybees; amending s. 586.10, F.S., revising cooperative arrangements pertaining to pest control or eradication; amending s. 586.13, F.S., providing an option to destruction of infested or infected regulated articles; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Governmental Operations and Representative Hodges—

**HB 95**—A bill to be entitled An act relating to public officers and employees, and law enforcement and correctional officers; amending s. 112.317, F.S., deleting a prohibition against disclosing intention to file a complaint against a public officer or employee; amending s. 112.533, F.S., which exempts complaints filed against law enforcement or correctional officers from public records requirements during the interim an internal investigation of the complaint is active; saving such exemption from repeal; providing for future review and repeal; deleting a prohibition against disclosing intention to file a complaint against a law enforcement or correctional officer; prohibiting any person within an agency or public office from disclosing certain information; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Appropriations and Representative Burnsed and others—

**CS for HB 124**—A bill to be entitled An act relating to transportation; amending s. 337.11, F.S.; providing additional required provisions with respect to contracts let by the Department of Transportation; creating s. 337.125, F.S.; providing notice requirements for socially and economically disadvantaged business enterprises; creating s. 337.135, F.S.; providing penalties for fraudulent representations with respect to socially and economically disadvantaged business enterprises; creating s. 337.137, F.S.; providing for decertification with respect to subcontracting by socially and economically disadvantaged business enterprises; amending s. 337.16, F.S.; providing for denial or suspension of certificates of qualification by the department with respect to certain contracts; amending s.

339.0805, F.S.; revising definition of socially and economically disadvantaged individuals; providing an effective date.

—was referred to the Committees on Transportation and Commerce.

By Representatives Drage and Reddick—

**HB 166**—A bill to be entitled An act relating to education; amending s. 246.121, F.S.; providing circumstances under which certain corporate inservice training programs may use the name or designation “college” or “university”; requiring application to the State Board of Independent Colleges and Universities; specifying powers of the board; providing an effective date.

—was referred to the Committees on Education and Commerce.

By Representative R. C. Johnson and others—

**HB 251**—A bill to be entitled An act relating to firearms and ammunition; creating the Joe Carlucci Uniform Firearms Act; creating s. 790.33, F.S.; declaring preemption by the Legislature of the field of legislation concerning the purchase, sale, transfer, taxation, manufacture, ownership, possession, and transportation of firearms and ammunition; providing county option on cooling off periods up to 48 hours under certain circumstances; providing definitions; providing for records inspections by law enforcement; providing exemptions; providing a declaration of policy and intent; providing an effective date.

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

By the Committee on Appropriations and Representative R. C. Johnson and others—

**CS for HB 253**—A bill to be entitled An act relating to weapons and firearms; creating the Jack Hagler Self Defense Act; amending s. 790.06, F.S.; authorizing the Department of State rather than the counties to issue licenses for the carrying of concealed weapons or firearms; providing criteria for the issuance of a license; providing for a standard application form; providing procedures for the issuance of a license; providing for license revocation in certain circumstances; providing for limitation of the license in certain circumstances; providing grandfather provisions; providing for disposition of fees collected; providing a declaration of policy and intent; providing for reports; repealing s. 790.05, F.S., which provides penalties for carrying certain weapons without a license; providing an effective date.

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

By the Committee on Regulatory Reform and Representative Kelly—

**HB 292**—A bill to be entitled An act relating to early childhood and family development programs; repealing ss. 23.13-23.137, F.S., the “Early Childhood and Family Development Act of 1972”; providing an effective date.

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

By the Committee on Agriculture and Representatives Mitchell and Harris—

**HB 494**—A bill to be entitled An act relating to plant industry; amending s. 581.011, F.S.; clarifying the definition of “plants and plant products”; amending s. 581.031, F.S.; providing for cooperative arrangements for inspection and control and eradication purposes; amending s. 581.182, F.S.; clarifying provisions relating to movement of citrus plants and plant products; amending s. 581.185, F.S.; requiring possession of a permit when transporting for the purpose of sale, selling, or offering for sale certain plants harvested from one’s own property; providing an effective date.

—was referred to the Committee on Agriculture.

By Representative Crotty—

**HB 589**—A bill to be entitled An act relating to cremation; amending s. 470.0255, F.S., providing that the authorized procedures for the disposition of cremated remains apply retrospectively to remains cremated prior to October 1, 1986; providing an effective date.

—was referred to the Committee on Commerce.

By Representative Saunders—

**HCR 552**—A concurrent resolution urging the Secretary of the United States Department of the Interior to establish a coastal buffer around the state.

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

By the Committee on Veterans, Military Affairs & Emergency Preparedness and Representative Locke—

**HM 1242**—A memorial to the President and Congress of the United States and to the Administrator of the Veterans Administration urging the Veterans Administration to allocate its “discretionary” public health care resources on an equitable basis.

—was referred to the Committee on Rules and Calendar.

*The Honorable John W. Vogt, President*

I am directed to inform the Senate that the House of Representatives has passed SB 565 and has adopted SCR 1284.

*John B. Phelps, Clerk*

The bills contained in the foregoing message were ordered enrolled.

**MATTERS ON RECONSIDERATION**

The motion by Senator Kiser on April 28, that the Senate reconsider the vote by which—

**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.

—failed to pass on April 28, was taken up and adopted. The Senate reconsidered the vote and HB 1172 passed and was certified to the House. The vote on passage was:

Yeas—29

Mr. President	Grant	Kiser	Ros-Lehtinen
Brown	Grizzle	Lehtinen	Scott
Crawford	Hair	Malchon	Thurman
Crenshaw	Hill	Margolis	Weinstein
Deratany	Jenne	McPherson	Woodson
Dudley	Jennings	Meek	
Girardeau	Johnson	Myers	
Gordon	Kirkpatrick	Plummer	

Nays—11

Barron	Childers, W. D.	Langley	Thomas
Beard	Frank	Peterson	Weinstock
Childers, D.	Hollingsworth	Stuart	

SB 927 was laid on the table.

On motion by Senator Scott, the rules were waived and HB 1172 was ordered immediately certified to the House.

**LOCAL CALENDAR**

**SB 442**—A bill to be entitled An act relating to the City of Sebastian, Indian River County; providing for the deannexation of the river’s edge subdivision from the corporate limits; providing an effective date.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote SB 442 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

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

Nays—None

**SB 478**—A bill to be entitled An act relating to Lee County; amending s. 5 of ch. 76-414, Laws of Florida; increasing the maximum rate of ad valorem taxes that may be levied to provide funds for the Bayshore Fire Protection and Rescue Service District; providing for a referendum; providing an effective date.

—was read the second time by title.

Senator Dudley moved the following amendment which was adopted:

**Amendment 1**—On page 1, line 21, strike "\$1.50 \$1" and insert: \$2.50 \$1.50

On motion by Senator Dudley, by two-thirds vote SB 478 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 488**—A bill to be entitled An act relating to the City of Punta Gorda; amending chapter 79-558, Laws of Florida; adding subsection (7) to section 7; creating a proprietary right and certain police powers in any canal or waterway together with any adjacent private, public or semi-public seawall, bulkhead, retaining wall, or other appurtenance within any section or sections or subdivision, where the developer has dedicated and the City of Punta Gorda has accepted a public dedication of a waterway or canal; providing for a right of entry upon private land; the power to establish the respective maintenance obligations of the private owners of land and the district; to define the function of the district to disassociate the special taxing district from the business of insurance; to empower the district to recover for the negligence of others for loss, to demand reconstruction, and effectuate reconstruction after the opportunity for notice and hearing, place a lien, foreclose upon a lien and have certain jurisdiction for use of certain process for action against others, who may by proximate cause, injure or damage a bulkhead, seawall or other thing the district maintains; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote SB 488 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 551**—A bill to be entitled An act relating to Pinellas County; amending s. 2, ch. 84-514, Laws of Florida; expanding the size of the Pinellas County Sheriff's Personnel Board from three members to five members; changing the composition of the board; establishing the number of members constituting a quorum; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote SB 551 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 577**—A bill to be entitled An act relating to Pinellas County; establishing a speed limit of 5 miles per hour with no wake on the Allen's Creek Estuary; providing a noncriminal violation and civil penalty; providing for erection of waterway speed limit signs; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote SB 577 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 591**—A bill to be entitled An act relating to Hillsborough County; amending s. 19 of ch. 84-447, Laws of Florida, relating to the Tampa Port Authority's adoption of rates and regulations; repealing s. 7(u) of said chapter, which requires the calculation of operating costs for purposes of fixing rates or charges to include an amount equal to ad valorem taxes on projects owned, controlled, or operated by the port directly in competition with privately owned projects in the port district; providing an effective date.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote SB 591 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 623**—A bill to be entitled An act relating to Madison County; allowing the expenditure for courtroom improvements of a specified sum from the Madison County Special Law Enforcement Trust Fund, which contains proceeds from the sale of certain contraband; providing an effective date.

—was read the second time by title. On motion by Senator Hollingsworth, by two-thirds vote SB 623 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 708**—A bill to be entitled An act relating to Brevard County; providing for the designation of code enforcement officers to enforce provisions of the Brevard County Code which are under the jurisdiction of the Brevard County Code Enforcement Board; providing for the issuance of citations for violations; providing for civil penalties; authorizing the enactment of an ordinance establishing procedures to implement this act; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 708 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 709**—A bill to be entitled An act relating to Brevard County; amending s. 3 of ch. 65-1285, Laws of Florida, as amended; revising the membership of the Brevard Economic Development Council; providing for members' terms of office; providing an effective date.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote SB 709 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 798**—A bill to be entitled An act relating to the city of Daytona Beach; amending section 6 of chapter 65-1443, Laws of Florida, providing for an increase in pensions for present retirants and beneficiaries of the Police and Fire Department Pension Fund; providing an effective date.

—was read the second time by title. On motion by Senator Brown, by two-thirds vote SB 798 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Deratany	Hill	Lehtinen	Ros-Lehtinen
Dudley	Hollingsworth	Malchon	Scott
Frank	Jenne	Margolis	Stuart
Girardeau	Jennings	McPherson	Thomas
Gordon	Johnson	Meek	Thurman
Grant	Kirkpatrick	Myers	Weinstein
Grizzle	Kiser	Peterson	Weinstock
Hair	Langley	Plummer	Woodson

Nays—None

**SB 818**—A bill to be entitled An act relating to the Canaveral Port District, Brevard County; amending section 7, article V, chapter 28922, Laws of Florida, 1953, as amended, increasing the salary of each port commissioner; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 818 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 885**—A bill to be entitled An act relating to Lehigh Acres Fire Control and Rescue District, Lee County; amending section 6 of chapter 63-1546, Laws of Florida, as amended; increasing the maximum millage that may be levied by the Lehigh Acres Fire Control and Rescue District; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Dudley, by two-thirds vote SB 885 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 887**—A bill to be entitled An act to abolish the Crystal Water Management District created by judicial decision of the Circuit Court in and for St. Johns County; providing for the abolishment of the district and for the assumption of its assets and liabilities by St. Johns County; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 887 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

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

Nays—None

Consideration of SB 888 was deferred.

**SB 889**—A bill to be entitled An act relating to the North Brevard County Hospital District; adding section 17 to chapter 28924, Laws of Florida, 1953, as amended, to provide for the leasing of the property and facilities owned by the North Brevard County Hospital District to third parties in furtherance of the district's purposes; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 889 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**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.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote SB 1154 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SPECIAL ORDER**

**SB 213**—A bill to be entitled An act relating to the State and County Officers and Employees' Retirement System; amending s. 122.07, F.S., revising criteria for the claiming of credit under the system as a seasonal state employee; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 213 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Brown	Crenshaw	Frank
Barron	Childers, D.	Deratany	Girardeau
Beard	Childers, W. D.	Dudley	Gordon

Grant	Johnson	McPherson	Thomas
Grizzle	Kirkpatrick	Meek	Thurman
Hair	Kiser	Peterson	Weinstein
Hill	Langley	Plummer	Weinstock
Hollingsworth	Lehtinen	Ros-Lehtinen	Woodson
Jenne	Malchon	Scott	
Jennings	Margolis	Stuart	

Nays—None

**SB 298**—A bill to be entitled An act relating to professional regulation; amending s. 455.213, F.S.; allowing a professional regulatory board to defer compliance with continuing education requirements; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs recommended the following amendment which was moved by Senator Dudley and adopted:

**Amendment 1**—On page 1, line 18, strike the period (.) and insert: *until the licensee or group of licensees is capable of fulfilling the continuing education requirements.*

On motion by Senator Dudley, by two-thirds vote SB 298 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 474**—A bill to be entitled An act relating to public officers and employees; amending s. 112.061, F.S., providing, with respect to direct payment of expenses by an agency, that the agency head may authorize an increase in an amount paid for a specific meal under certain circumstances; providing an effective date.

—was read the second time by title.

Senator W. D. Childers moved the following amendments which were adopted:

**Amendment 1**—On page 1, strike all of lines 12-15 and insert:

Section 1. Paragraph (g) is added to subsection (3) of section 112.061, Florida Statutes, and subsections (8) and (13) of said section are amended to read:

112.061 Per diem and traveling expenses of public officers, employees, and authorized persons.—

(3) **AUTHORITY TO INCUR TRAVELING EXPENSES.**—

(g) *A traveler who becomes sick or injured while away from his official headquarters and is therefore unable to perform the official business of the agency may continue to receive subsistence as provided in subsection (6) during this period of illness or injury until such time as he is able to perform the official business of the agency or returns to his official headquarters, whichever is earlier. Such subsistence may be paid when approved by the agency head.*

(8) **OTHER EXPENSES.**—

(a) The following incidental traveling expenses of the traveler may be reimbursed:

- 1.(a) Taxi fare.
- 2.(b) Ferry fares; and bridge, road, and tunnel tolls.
- 3.(c) Storage or parking fees.

4.(d) Communication expense.

5.(e) Convention registration fee while attending a convention or conference which will serve a direct public purpose with relation to the public agency served by the person attending such meetings. A traveler may be reimbursed the actual and necessary fees for attending events which are not included in a basic registration fee that directly enhance the public purpose of the participation of the agency in the conference. Such expenses may include, but not be limited to, banquets and other meal functions. It shall be the responsibility of the traveler to substantiate that the charges were proper and necessary. However, any meals or lodging included in the registration fee will be deducted in accordance with the allowances provided in subsection (6).

(b) Other expenses which are not specifically authorized by this section may be approved by the Department of Banking and Finance pursuant to rules adopted by it. Expenses approved pursuant to this paragraph shall be reported by the Department of Banking and Finance to the Auditor General annually.

**Amendment 2**—In title, on page 1, between lines 3 and 4, insert: providing for a traveler to receive a subsistence allowance during certain periods of illness or injury, as specified; allowing the payment of certain other expenses approved by the Department of Banking and Finance; requiring a report of such expenses;

On motion by Senator W. D. Childers, by two-thirds vote SB 474 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Barron

On motion by Senator Peterson, by two-thirds vote HB 494 was withdrawn from the Committee on Agriculture.

On motions by Senator Peterson—

**HB 494**—A bill to be entitled An act relating to plant industry; amending s. 581.011, F.S.; clarifying the definition of “plants and plant products”; amending s. 581.031, F.S.; providing for cooperative arrangements for inspection and control and eradication purposes; amending s. 581.182, F.S.; clarifying provisions relating to movement of citrus plants and plant products; amending s. 581.185, F.S.; requiring possession of a permit when transporting for the purpose of sale, selling, or offering for sale certain plants harvested from one’s own property; providing an effective date.

—a companion measure, was substituted for CS for SB 212 and by two-thirds vote read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 494 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Lehtinen	Myers	Stuart	Weinstock
Malchon	Peterson	Thomas	Woodson
McPherson	Ros-Lehtinen	Thurman	
Meek	Scott	Weinstein	

Nays—None

CS for SB 212 was laid on the table.

**CS for SB 115**—A bill to be entitled An act relating to education; creating s. 232.2463, F.S.; providing for a standardized grading system in public high schools; providing an effective date.

—was read the second time by title.

Senator Meek moved the following amendment which was adopted:

**Amendment 1**—On page 1, strike all of lines 23-26 and insert:

(4) Grade “D” equals 65 percent through 76 percent, has a grade-point average value of 1, and is defined as “lowest acceptable progress.”

(5) Grade “F” equals zero percent through 64 percent,

The vote was:

Yeas—26

Mr. President	Grizzle	Malchon	Thomas
Brown	Hair	Margolis	Thurman
Childers, W. D.	Hill	McPherson	Weinstein
Crenshaw	Jenne	Meek	Weinstock
Frank	Johnson	Plummer	Woodson
Girardeau	Kirkpatrick	Ros-Lehtinen	
Gordon	Lehtinen	Stuart	

Nays—11

Beard	Dudley	Jennings	Myers
Childers, D.	Grant	Kiser	Peterson
Crawford	Hollingsworth	Langley	

On motion by Senator Thurman, by two-thirds vote CS for SB 115 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**CS for SB 374**—A bill to be entitled An act relating to sports programs conducted by nonprofit associations; prescribing the standard of care owed to participants and spectators of such programs, and others, by a nonprofit association, its officers, employees, and certain volunteers; providing exceptions; providing an effective date.

—was read the second time by title.

Senator Langley moved the following amendments which were adopted:

**Amendment 1**—On page 3, strike all of lines 2-17 and insert: any civil damages as a result of any act or omission in sponsoring or conducting such program if such act or omission occurs during the course of a game or other athletic event or organized practice thereof. This subsection does not apply to any act or omission intentionally designed to cause harm or to any grossly negligent act or omission which causes harm to any person.

**Amendment 2**—On page 2, strike all of lines 18-25 and insert: as a result of any act or omission in rendering such services if such act or omission occurs during the course of a game or other athletic event or organized practice therefor. This subsection does not apply

Senator Stuart moved the following amendment which was adopted:

**Amendment 3**—On page 2, lines 2 and 3, strike “the Amateur Athletic Union,”

Senator Langley moved the following amendment which was adopted:

**Amendment 4**—In title, on page 1, strike all of lines 3-7 and insert: nonprofit associations; exempting volunteers and nonprofit associations, their officers and employees, from certain civil liability; providing exceptions;

On motion by Senator Crenshaw, by two-thirds vote CS for SB 374 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	Johnson	Peterson
Barron	Girardeau	Kirkpatrick	Ros-Lehtinen
Beard	Gordon	Kiser	Scott
Brown	Grant	Langley	Stuart
Childers, D.	Grizzle	Lehtinen	Thurman
Childers, W. D.	Hair	Malchon	Weinstein
Crawford	Hill	Margolis	Weinstock
Crenshaw	Hollingsworth	McPherson	Woodson
Deratany	Jenne	Meek	
Dudley	Jennings	Myers	

Nays—None

Vote after roll call:

Yea—Thomas

On motion by Senator Myers, by two-thirds vote HB 292 was withdrawn from the Committee on Health and Rehabilitative Services.

On motions by Senator Myers—

**HB 292**—A bill to be entitled An act relating to early childhood and family development programs; repealing ss. 23.13-23.137, F.S., the “Early Childhood and Family Development Act of 1972”; providing an effective date.

—a companion measure, was substituted for SB 300 and by two-thirds vote read the second time by title. On motion by Senator Myers, by two-thirds vote HB 292 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 300 was laid on the table.

**CS for SB 219**—A bill to be entitled An act relating to public schools; amending ss. 229.565, 229.57, F.S.; providing for the establishment of minimum performance standards in the area of history, government, and economics; providing an effective date.

—was read the second time by title.

Senator Ros-Lehtinen moved the following amendments which were adopted:

**Amendment 1**—On page 1, line 18, and on page 2, line 5, following “government,” insert: *geography*,

**Amendment 2**—In title, on page 1, line 5, following “government,” insert: *geography*,

On motion by Senator Ros-Lehtinen, by two-thirds vote CS for SB 219 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—1

Frank

**CS for SB 496**—A bill to be entitled An act relating to certification of school teachers; amending s. 231.17, F.S.; revising certain requirements for certification; revising requirements for the issuance of a temporary certificate; revising provisions relating to issuance of temporary certificates; providing an effective date.

—was read the second time by title.

Senator Gordon moved the following amendment which was adopted:

**Amendment 1**—On page 2, line 5, insert: no more than nine of which can be earned in a college of education

On motion by Senator Johnson, by two-thirds vote CS for SB 496 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 719**—A bill to be entitled An act relating to education; amending s. 228.074, F.S.; correcting obsolete references; amending s. 228.075, F.S.; requiring certain boards to report to regional coordinating councils for vocational education, adult general education, and community instructional services; amending s. 228.076, F.S.; describing conditions under which certain courses may be offered without prior review by the regional coordinating council; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 719 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**CS for SB 121**—A bill to be entitled An act relating to public schools; requiring interscholastic public high school softball games to be played by certain rules; repealing s. 232.426, F.S., relating to certain high school athletic rules; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote CS for SB 121 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 204—A bill to be entitled An act relating to sewage disposal; amending s. 403.086, F.S.; requiring advanced waste treatment for certain wastes discharged into specified bodies of water; redefining "advanced waste treatment" to specify the maximum levels of certain pollutants that may remain after treatment and the level of disinfection required; allowing the discharge of water that meets specified standards unless the Department of Environmental Regulation or an affected party demonstrates certain factors; providing for the Environmental Regulation Commission to impose certain remedies; amending s. 3 of ch. 86-173, Laws of Florida; providing for the scope of certain demonstration projects to be conducted by the Department of Environmental Regulation; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation recommended the following amendments which were moved by Senator Grizzle and adopted:

Amendment 1—On page 3, line 3, strike everything after "(c)" and insert:

(c) Notwithstanding any other provisions of this chapter or chapter 373, facilities for sanitary sewage disposal may not dispose of any wastes into Old Tampa Bay, Tampa Bay, Hillsborough Bay, Boca Ciega Bay, St. Joseph Sound, Clearwater Bay, Sarasota Bay, Little Sarasota Bay, Roberts Bay, Lemon Bay, or Charlotte Harbor Bay, or into any river, stream, channel, canal, bay, bayou, or sound, or other water tributary thereto, without providing advanced waste treatment, as defined in subsection (4), approved by the Department of Environmental Regulation.

(2) Any facilities for sanitary sewage disposal existing on July 1, 1971, shall provide for secondary waste treatment by January 1, 1973, and, in addition thereto, advanced waste treatment as deemed necessary and ordered by the former Department of Pollution Control or its successor, the Department of Environmental Regulation. Failure to conform by said date shall be punishable by a civil penalty of \$500 for each 24-hour day or fraction thereof that such failure is allowed to continue thereafter.

(3) This section shall not be construed to prohibit or regulate septic tanks or other means of individual waste disposal which are otherwise subject to state regulation.

(4) For purposes of this section, the term "advanced waste treatment" means that treatment which will provide a recovered water product that:

(a) Contains not more, on a permitted annual average monthly basis, an effluent containing not more than the following concentrations:

- 1. (a) Biochemical Oxygen Demand (CBOD5) (BOD5) . . . . . 5mg/l  
8mg/l
- 2. (b) Suspended Solids . . . . . 5mg/l 10mg/l
- 3. Total Nitrogen, expressed as N . . . . . 3mg/l
- 4. (c) Total Phosphorous, expressed as P . . . . . 1mg/l 2mg/l
- (d) Total Nitrogen, expressed as N . . . . . 5mg/l

(b) Has received high level disinfection, as defined by rule of the Department of Environmental Regulation.

In those waters where the concentrations of phosphorous have been shown not to be a limiting nutrient or a contaminant, the department may waive or alter the compliance levels for phosphorous until there is a demonstration that phosphorus is a limiting nutrient or a contami-

nant. High level disinfection shall be provided in accordance with s. 17-6.060(1)(c), Florida Administrative Code.

(5) (a) Notwithstanding any other provisions of this chapter or chapter 373, when a recovered water product has been established to be in compliance with the standards set forth in subsection (4), that water shall be presumed to be allowable, and its discharge shall be permitted in the waters described in paragraph (c) of subsection (1) at a reasonably accessible point where such discharge results in minimal negative impact. This presumption may be overcome only by a demonstration that one or more of the following would occur:

1. That the discharge of recovered water that meets the standards set forth in subsection (4) will be, by itself, a cause of considerable degradation to an Outstanding Florida Water or to other waters and is not clearly in the public interest.

2. That the recovered water discharge will have a substantial negative impact on an approved shellfish harvesting area or a water used as a public domestic water supply.

3. That the increased volume of fresh water contributed by the recovered water product will seriously alter the natural fresh-salt water balance of the receiving water after reasonable opportunity for mixing.

(b) If one or more of the conditions described in subparagraphs 1.-3. of paragraph (a) has been demonstrated, remedies may include, but are not limited to, the following:

- 1. Require more stringent effluent limitations;
- 2. Order the point or method of discharge changed;
- 3. Limit the duration or volume of the discharge; or
- 4. Prohibit the discharge only if no other alternative is in the public interest.

(6) As of the effective date of this act, any facility covered in paragraph (c) of subsection (1) shall be permitted to discharge if it meets the standards set forth in subsections (4) and (5). Facilities that do not meet the standards in subsections (4) and (5) as of the effective date of this act may be permitted to discharge under existing law until October 1, 1990. On and after October 1, 1990, all of the facilities covered in paragraph (c) of subsection (1) shall be required to meet the standards set forth in subsections (4) and (5).

(5) The Department of Environmental Regulation shall establish appropriate waste load allocation effluent limitations for affected permittees. The requirements of subsection (4) of s. 403.086 shall apply to existing permittees beginning October 1, 1980, and shall apply until the department establishes such allocations.

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

Amendment 2—In title, on page 1, strike all of lines 10-18 and insert: meet specific standards unless certain factors are demonstrated; providing for certain remedies; providing an effective date.

On motion by Senator Grizzle, by two-thirds vote SB 204 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 393**—A bill to be entitled An act relating to the Florida Institute of Phosphate Research; amending s. 378.101, F.S.; revising the composition of the board of directors of the institute; providing an effective date.

—was read the second time by title.

Senator Gordon moved the following amendment which failed:

**Amendment 1**—On page 1, line 28, after “of” insert: environmental degradation by

Senator Gordon moved the following amendment:

**Amendment 2**—On page 1, line 20, strike “one member from a major conservation group” and insert: two members from major conservation groups

Further consideration of SB 393 was deferred.

#### ENROLLING REPORTS

Senate Bills 93 and 193 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 29, 1987.

*Joe Brown, Secretary*

Senate Bills 36, 37, 38 and 94 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 30, 1987.

*Joe Brown, Secretary*

SCR 1284 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on April 30, 1987.

*Joe Brown, Secretary*

#### CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 28 was corrected and approved.

#### CO-INTRODUCERS

Senators Beard, Brown, Grant and Lehtinen—CS for SB's 35, 437, 894 and 923; Senator Hill—SB 234; Senators Myers and Langley—SJR 297; Senator Gordon—SB 539; Senator Dudley—SM 1009; Senator Myers—CS for SB's 1096, 963 and 654; Senator Grant—SB 1226

#### VOTES RECORDED

Senator Hair was recorded as voting yea on the following which were considered April 28: Senate Bills 3, 18, 36, 37, 38, 94, CS for SB 100, Senate Bills 101, 131, CS for SB 168, Senate Bills 261, 266, 318, CS for SB 327, CS for SB 363, Senate Bills 389, 435, 475, 504, 529, 560, CS for SB 608, Senate Bills 621, 792, House Bills 100 and 291.

#### RECESS

Senator Barron moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Wednesday, May 6 at 9:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Barron, the Senate recessed at 12:00 noon to reconvene at 9:00 a.m. Wednesday, May 6.