



Journal of the Senate

Number 9

Wednesday, May 6, 1987

CALL TO ORDER

The Senate was called to order by the President at 9:00 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. David Jones, Pastor, Presbyterian Church of Palm Harbor, Palm Harbor:

Loving Father, creator of life, giver of all good gifts, we come before you today asking your special blessing and presence with the men and women, who assembled here, will seek to govern your people with understanding, compassion, and insight.

Grant to them discernment, that as they discuss complex issues, they will see through the confusion to the truth. Give them vision to see beyond today unto tomorrow, that their decisions will have lasting value and importance. Guide them in their deliberations, that they will discover the greatest needs of those who have entrusted them with this high office.

May they uphold all that is good and of value in human life. Assure them that in all things your gracious will is at work. We offer this prayer in confidence and trust, in the name of our Redeemer. Amen.

Katherine Linke, Senate page from Sarasota, sang the pledge of allegiance to the flag of the United States of America.

Consideration of Resolutions

On motion by Senator Hill, by unanimous consent—

By Senator Hill—

SR 1308—A resolution honoring the mothers of this state and this nation.

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

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

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

WHEREAS, May 10, 1987, has been designated as Mother's Day, NOW, THEREFORE,

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

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

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

—was introduced out of order and read the first time by title. On motion by Senator Hill, by two-thirds vote SR 1308 was read the second time in full and unanimously adopted.

On motion by Senator Hill, all Senators were recorded as co-introducers of SR 1308.

On motion by Senator Weinstein, by unanimous consent—

By Senator Weinstein—

SR 1318—A resolution recognizing May 7, 1987, as "National Barrier Awareness Day" in Florida; encouraging all citizens of Florida to observe this day by resolving to act positively toward those who must cope with the challenge of physical disabilities; and commending Mr. Arthur Chaykin for the honors he has received and for his accomplishments.

WHEREAS, approximately 36 million Americans suffer from some form of disability, and the National Barrier Awareness Foundation has proclaimed May 7, 1987, as National Barrier Awareness Day in order to call attention to the architectural, attitudinal, and communicative barriers encountered by these individuals in their homes, schools, workplaces, and communities, NOW, THEREFORE,

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

That May 7, 1987, is recognized as "National Barrier Awareness Day" in Florida and all citizens are urged to participate in programs and activities designed to improve the quality of life for all individuals with disabilities.

BE IT FURTHER RESOLVED that Mr. Arthur Chaykin, the National Multiple Sclerosis Society's "Father of the Year for 1986" is commended by the Florida Senate for his outstanding contributions to the community, and to local and state government. His community involvement in Coral Springs, Florida, includes serving as a board member of the Coral Springs Little League, board member of the J. P. Tararella High School Advisory Board, and chairperson of the Coral Springs Committee for the Disabled. The Florida Senate wishes to recognize Mr. Chaykin's courageous efforts to overcome a disability, raise a wonderful family with two children, and to be a vital part of the community in Coral Springs and Broward County.

BE IT FURTHER RESOLVED that the Florida Senate commends the hundreds of organizations across the state and nation working to heighten our awareness of barriers to the disabled, including the Amputees for Training, Education, Rehabilitation (AFTER, Inc.), a national nonprofit organization based in Deerfield Beach, Florida, and dedicated to enhancing the dignity and independence of amputees and meeting their special needs.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mr. Arthur Chaykin, to the Multiple Sclerosis Society, and to AFTER, Inc., 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 Weinstein, SR 1318 was read the second time in full and unanimously adopted.

The President requested Senator Weinstein to escort Mr. Chaykin to the rostrum where he was presented a copy of the resolution.

On motion by Senator Grant, by two-thirds vote SR 491 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Grant—

SR 491—A resolution recognizing the University of South Florida.

WHEREAS, the University of South Florida represents a unique advantage for the state and nation as a whole, and is one of Florida's most valuable assets in attracting new business and high technology, and

WHEREAS, the University of South Florida has demonstrated resolve, leadership, and creativity in public-private partnerships which enhance the state's investment of public resources, and

WHEREAS, the University has the nation's first degree granting program in gerontology, and has the first university visual arts program archived by the National Gallery of Art, and

WHEREAS, the University of South Florida has the seventh largest business school in the nation and has the eighth largest number of bachelor degree chemistry graduates, and

WHEREAS, today many friends, alumni, students, faculty and administrators are visiting Tallahassee to emphasize the University of South Florida's contribution to our quality of life, NOW, THEREFORE,

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

That the Senate of the State of Florida recognizes and congratulates the University of South Florida for contributions made to the State of Florida and to the nation during its 31 years of service.

BE IT FURTHER RESOLVED that the Senate of the State of Florida officially declares May 5, 1987, University of South Florida Recognition Day.

—was read the second time in full and unanimously adopted.

Special Guest

Senator Gordon introduced Dr. Arthur Fleming, former Secretary of the United States Department of Health, Education and Welfare, who served under former President Dwight D. Eisenhower.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, May 6, 1987: 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, SB 503, CS for SB 407, SB 268, SB 388, SB 175, SB 521, CS for SB 415, SB 361, SB 112, SB 302, SB 704, CS for SB 220, CS for SB 152, SB 163, SB 178, SB 180, SB 762

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Corrections, Probation and Parole recommends the following pass: SB 79

The Committee on Education recommends the following pass: SB 748, SB 803 with 2 amendments

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB 177 with 1 amendment, CS for SB 236 with 1 amendment, SB 258, SB 332

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1251

The Committee on Transportation recommends the following pass: SB 911, SB 912 with 1 amendment

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

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB's 385 and 122 with 1 amendment

The Committee on Health and Rehabilitative Services recommends the following pass: SB 734

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

The Committee on Judiciary-Civil recommends the following pass: SB 815 with 1 amendment

The Committee on Transportation recommends the following pass: SB 713 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Commerce recommends the following pass: SB 458 with 2 amendments

The Committee on Judiciary-Criminal recommends the following pass: CS for SB 413 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1243

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

The Committee on Commerce recommends the following pass: SB 62, SB 699, SB 808 with 1 amendment

The Committee on Transportation recommends the following pass: SB 592 with 2 amendments

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

The Committee on Appropriations recommends the following pass: CS for CS for SB 86

The Committee on Natural Resources and Conservation recommends the following pass: SCR 1010 with 2 amendments

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

The Committee on Appropriations recommends the following pass: CS for SB 160 with 1 amendment, SB 171, CS for SB 245, CS for SB 289, SB 440, SB 465, CS for SB 510, CS for SB 524, SB 666, CS for SB 744, SB 745

The Committee on Commerce recommends the following pass: SB 360, SB 741, SB 985

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 1063

The Committee on Education recommends the following pass: SB 243, SB 1078

The Committee on Finance, Taxation and Claims recommends the following pass: SB 295, SB 355, CS for SB's 282 and 703, SB 311 with 1 amendment, SB 439 with 3 amendments, SB 588

The Committee on Health and Rehabilitative Services recommends the following pass: SB 543

The Committee on Judiciary-Civil recommends the following pass: SB 41 with 1 amendment, SB 273, SB 656, SB 1029 with 1 amendment

The Committee on Judiciary-Criminal recommends the following pass: SB 462 with 2 amendments, SB 645 with 1 amendment, SB 651 with 3 amendments, SB 694 with 4 amendments, SB 794, SB 797

The Committee on Transportation recommends the following pass: SB 176, SB 348, SB 695, SB 789, SB 842 with 4 amendments, SB 846 with 2 amendments, SB 967 with 2 amendments, SB 979, SB 1073 with 1 amendment, SB 1093 with 2 amendments

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

The Committee on Education recommends committee substitutes for the following: SB 508, SB 783, Senate Bills 715, 664 and 850, Senate Bills 799 and 132

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: CS for SB 410, SB 463

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 353, SB 872

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 624

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 Commerce recommends a committee substitute for the following: SB 684

The Committee on Education recommends a committee substitute for the following: Senate Bills 890 and 895

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 235

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 committee substitutes for the following: SB 822, SB 823

The Committee on Corrections, Probation and Parole recommends committee substitutes for the following: SB 657, SB 859

The Committee on Education recommends a committee substitute for the following: SB 877

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 987

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

The Committee on Commerce recommends a committee substitute for the following: SB 341

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 306

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

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: Senate Bills 931 and 208

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

The Committee on Judiciary-Civil recommends committee substitutes for the following: CS for SB 293, SJR 431

The bills with committee substitutes attached were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 917

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 778

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

The Committee on Appropriations recommends committee substitutes for the following: SB 53, CS for SB 123, SB 126

The Committee on Commerce recommends committee substitutes for the following: SB 1080, SB 1130

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 234

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 795

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 438

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

REPORTS OF SUBCOMMITTEES

The select subcommittee on reviser's bills recommends SB 117 with 2 amendments, SB 118, SB 119, SB 479 with 4 amendments, SB 480 with 8 amendments, SB 481 with 9 amendments, SB 482, and SB 483 favorably to the Committee on Rules and Calendar.

REQUESTS FOR EXTENSION OF TIME

May 1, 1987

The Committee on Agriculture requests an extension of 15 days for consideration of the following: Senate Bills 44, 660, 897, 1046, 1107, 1124, 1137, 1145, 1168, 1182, 1192, 1193, 1228; House Bills 99, 493, 497

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: Senate Bills 28, 66, 116, 943, 996, 997, 998, 1018, 1019, 1047, 1056, 1088, 1089, 1115, 1125, 1152, 1161, 1185, 1253, 1270, 1272

The Committee on Education requests an extension of 15 days for consideration of the following: Senate Bills 20, 29, 47, 61, 73, 128, 132, 190, 202, 229, 241, 243, 250, 257, 275, 285, 288, 305, 316, 334, 336, 345, 366, 371, 383, 423, 432, 495, 501, 520, 542, 558, 579, 580, 581, 604, 626, 629, 641, 663, 664, 665, 700, 702, 715, 717, 732, 748, 763, 767, 769, 785, 786, 799, 803, 806, 850, 876, 877, 882, 884, 890, 893, 895, 896, 901, 913, 914, 944, 951, 970, 993, 1045, 1048, 1068, 1074, 1077, 1078, 1084, 1094, 1108, 1112, 1120, 1123, 1151, 1157, 1159, 1164, 1194, 1199, 1200, 1203, 1224, 1227, 1229, 1257, 1261, 1265, 1282, 1287, 1294; House Bill 166

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: Senate Bills 49, 63, 78, 84, 140, 179, 191, 239, 296, 307, 308, 310, 346, 377, 455, 561, 597, 601, 607, 652, 674, 693, 747, 761, 771, 775, 788, 791, 847, 855, 875, 898, 900, 915, 918, 920, 924, 926, 950, 960, 973, 974, 1008, 1011, 1013, 1014, 1032, 1057, 1059, 1067, 1081, 1086, 1097, 1098, 1099, 1131, 1132, 1148, 1149, 1181, 1183, 1208, 1213, 1247

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: Senate Bills 4, 5, 9, 35, 41, 75, 97, 109, 159, 222, 242, 251, 255, 267, 273, 278, 287, 309, 329, 339, 402, 417, 419, 424, 446, 460, 471, 485, 499, 528, 537, 540, 553, 554, 557, 559, 567, 572, 575, 590, 613, 618, 631, 633, 647, 655, 656, 671, 701, 721, 725, 726, 737, 753, 754, 781, 809, 815, 866, 880, 881, 910, 928, 934, 954, 962, 975, 976, 983, 984, 994, 1003, 1012, 1029, 1033, 1036, 1037, 1062, 1066, 1096, 1104, 1134, 1174, 1197, 1205, 1209, 1212, 1214, 1232, 1248, 1249, 1288, 1297

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 6, 16, 110, 246, 340, 350, 379, 409, 412, 448, 467, 486, 493, 536, 546, 562, 644, 649, 668, 672, 679, 690, 718, 756, 758, 759, 784, 812, 828, 857, 891, 899, 965, 977, 982, 988, 1010, 1016, 1017, 1039, 1117, 1165, 1175, 1178, 1187, 1188, 1190, 1201, 1204, 1235, 1283; House Bills 142, 552

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: Senate Bills 14, 21, 40, 117, 118, 119, 135, 162, 205, 265, 277, 321, 356, 427, 453, 459, 477, 479, 480, 481, 482, 483, 484, 489, 490, 491, 573, 576, 692, 800, 888, 902, 1009, 1079, 1100, 1177, 1215, 1254, 1263, 1277, 1278, 1292, 1293, 1295, 1296, 1299, 1301, 1303; House Bills 183, 1242

The Committee on Transportation requests an extension of 15 days for consideration of the following: Senate Bills 1, 19, 74, 88, 125, 176, 226, 228, 249, 348, 387, 391, 420, 470, 526, 527, 592, 630, 635, 636, 643, 685, 695, 705, 706, 713, 755, 789, 816, 825, 826, 842, 846, 854, 856, 869, 911, 912, 916, 922, 925, 929, 930, 952, 967, 968, 969, 979, 999, 1025, 1026, 1027, 1053, 1054, 1061, 1073, 1076, 1093, 1106, 1109, 1114, 1126, 1128, 1136, 1160, 1162, 1167, 1172, 1180, 1202, 1243, 1264, 1268, 1276, 1280; House Bills 123, 124

May 4, 1987

The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: Senate Bills 2, 10, 17, 34, 142, 143, 144, 145, 182, 230, 235, 262, 264, 272, 282, 292, 297, 311, 354, 359, 365, 392, 398, 413, 439, 444, 447, 451, 458, 466, 476, 512, 515, 522, 548, 552, 574, 588, 596, 598, 599, 606, 669, 677, 682, 684, 711, 728, 739, 749, 768, 770, 802, 819, 834, 861, 862, 863, 867, 919, 955, 959, 1001, 1004, 1023, 1024, 1042, 1043, 1049, 1052, 1055, 1060, 1101, 1118, 1166, 1220, 1244, 1252

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: Senate Bills 181, 271, 338, 344, 675, 738, 757, 853, 883, 1030, 1035, 1083, 1129, 1141, 1146, 1156, 1170, 1179, 1184, 1211, 1240, 1245, 1259, 1262; House Bills 94, 95, 191, 227

May 5, 1987

The Special Master on Claims requests an extension of 15 days for consideration of the following: Senate Bills 23, 85, 199, 337, 394, 395, 396, 397, 408, 632, 886, 1153, 1223

May 6, 1987

The Committee on Appropriations requests an extension of 15 days for consideration of the following: Senate Bills 27, 33, 46, 54, 56, 58, 69, 79, 87, 102, 124, 129, 130, 136, 139, 156, 157, 170, 174, 177, 206, 207, 215, 227, 231, 233, 236, 240, 258, 269, 274, 279, 286, 315, 332, 353, 358, 375, 382, 390, 399, 401, 410, 418, 422, 426, 452, 454, 461, 463, 507, 508, 517, 525, 534, 535, 538, 544, 563, 582, 587, 595, 603, 605, 611, 612, 616, 619, 624, 650, 653, 658, 659, 670, 680, 729, 733, 743, 746, 748, 752, 783, 799, 803, 811, 813, 821, 824, 836, 839, 848, 872, 905, 1021, 1031, 1251

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senators Hollingsworth, Crawford, Peterson, Thurman, Brown, Langley, Grizzle, Kirkpatrick, Malchon and Kiser—

SR 1304—A resolution commending the sheriffs and citizenry of the State of Florida and the Florida Sheriffs Youth Ranches, Inc., for the establishment in 1957 of the Florida Sheriffs Boys Ranch and for its continuous operation for 30 years.

—was referred to the Committee on Rules and Calendar.

SR 1305 was introduced and adopted April 30.

By Senator Kirkpatrick—

SB 1306—A bill to be entitled An act relating to Gilchrist County; amending sections 3 and 4 of chapter 30778, Laws of Florida, 1955, as amended; providing that certain members of the Gilchrist County Park Board shall be appointed jointly by the school board and the board of county commissioners; deleting language with respect to the authority of the Governor over appointments; authorizing compensation for board members; deleting language prohibiting compensation for the clerk of the circuit court of Gilchrist County serving ex officio as clerk of the park board; authorizing the park board to borrow money and issue certificates or notes pledging revenue in a certain amount; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

SR 1307 was introduced and adopted May 6.

SR 1308 was introduced and adopted May 6.

By Senator Plummer—

SB 1309—A bill to be entitled An act relating to Metropolitan Dade County ("DADE COUNTY" hereafter); providing for the relief of BEVERLY FAYE BOLLASH ("BOLLASH" hereafter), as personal representative of the Estate of MARY LOU STREHLAU, deceased ("STREHLAU" hereafter), on behalf of said estate and the lawful survivors of the deceased, to wit, KIMBERLY SUSAN STREHLAU and SHANNON LEE STREHLAU, a minor, to compensate said estate and survivors for damages for the death of said deceased in an intersectional collision between an automobile owned and being operated by STREHLAU and a vehicle owned and being operated by MARY FAIRFAX ("FAIRFAX" hereafter) which was allegedly caused by the negligence of DADE COUNTY in maintaining a malfunctioning traffic light at said intersection; providing for payment of said compensation by DADE COUNTY; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Hill—

SB 1310—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Harriet Semmes to compensate her for injuries sustained while a passenger in an automobile which was struck by a Metropolitan Dade County transit bus; providing for payment by Metropolitan Dade County; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Weinstock—

SR 1311—A resolution commending Patrick F. Ross, designee of the "Law Enforcement Officer of the Year" award from the Florida Citizens Against Crime, Inc.

—was referred to the Committee on Rules and Calendar.

By Senator Thomas—

SB 1312—A bill to be entitled An act relating to Walton County; authorizing the Board of County Commissioners of Walton County, the Board of Hospital Trustees of Walton County, and Walton County Hospital, Inc., to lease Walton County Hospital; authorizing the sale of the equipment and personal property of the hospital in connection with such lease and the repurchase of such equipment and personal property upon expiration of the lease; providing for the disposition of the proceeds of such lease; providing that Walton County and Walton County Hospital, Inc., are not responsible and have no power, for the administration and operation of the hospital during the period of the lease; 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 1313—A bill to be entitled An act relating to Indian Rocks Special Fire Control District, Pinellas County; amending s. 3, chapter 29438, Laws of Florida, 1953; providing that commissioners of the district be elected by a majority vote of the electors of the district; revising provisions relating to qualifying for such office; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Stuart—

SR 1314—A resolution commending the United Way.

—was referred to the Committee on Rules and Calendar.

By Senator W.D. Childers—

SB 1315—A bill to be entitled An act relating to Escambia County; prohibiting construction on Santa Rosa Island under specified circumstances; requiring governmental approval for such construction; specifying criteria for such approval; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SB 1316—A bill to be entitled An act relating to Holiday Park, Park and Recreation District, Sarasota County; amending chapter 81-441, Laws of Florida, providing for the regulation of the use of roads within Holiday Park, Park and Recreation District; providing that Holiday Park, Park and Recreation District may contract with the City of North Port, Florida, for the enforcement of regulations concerning the use of roads within Holiday Park, Park and Recreation District; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Myers—

SR 1317—A resolution commending Don Wallen, Florida's most victorious basketball coach, for his accomplishments.

—was referred to the Committee on Rules and Calendar.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Appropriations and Senator Meek—

CS for SB 53—A bill to be entitled An act relating to financial aid to public and private postsecondary vocational, technical, trade, and business schools; creating s. 240.4095; providing for a vocational assistance grant fund; providing for institutions and student eligibility; providing for grant awards and renewals; providing an effective date.

By the Committees on Appropriations and Transportation—

CS for CS for SB 123—A bill to be entitled An act relating to traffic control; amending ss. 316.003, 316.302, 316.545, 316.640, 316.655, 316.70, F.S.; creating ss. 316.3025, 316.3026, F.S.; defining “nonpublic-sector bus” for purposes of ch. 316, F.S.; providing safety rules and regulations for commercial motor vehicles, including rules and regulations relating to the transportation of hazardous materials; providing exceptions; providing limitations on the amount of time certain drivers may be on duty or drive; providing an exception; requiring motor carriers to furnish time cards to the Department of Transportation; prohibiting falsification of time card information; providing a penalty; providing that persons under a specified age may not operate commercial motor vehicles; providing exceptions; providing penalties; providing for rules authorizing cooperative agreements; providing for enforcement; providing fines; providing for the attachment of a lien and foreclosure proceedings against certain commercial motor vehicle owners; providing for deposit of penalties; providing for review of contested penalties; providing for injunctive relief; providing for a Commercial Motor Vehicle Review Board within the Department of Transportation and specifying the board’s jurisdiction, membership, and meetings; deleting an obsolete provision relating to enforcement of safety rules; giving the Department of Transportation the authority to enforce certain traffic laws; requiring that safety rules relating to nonpublic-sector buses be consistent with certain federal regulations; providing an effective date.

By the Committee on Appropriations and Senator Meek—

CS for SB 126—A bill to be entitled An act relating to scholarships; establishing the “Ronald E. McNair Memorial Scholarship Program”; providing for eligibility criteria; providing for administration by the Department of Education; providing for a trust fund; specifying a maximum amount for each annual award; requiring unused award moneys to be returned to the trust fund; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Vogt and Hill—

CS for SB 234—A bill to be entitled An act relating to public health; creating s. 381.6015, F.S.; entitling persons to donate their own blood or that of specific donors or family members for self-derived and directed-donor blood programs; providing parameters for the use of directed donor blood; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Hair, Brown, Kiser, Malchon, Meek, McPherson, Peterson, Deratany, Woodson, Myers, Hill, Stuart and Johnson—

CS for SB 235—A bill to be entitled An act relating to beach management; amending ss. 161.021, 161.041, 161.053, 161.054, 161.091, 161.101, 161.141, 161.161, 373.026, F.S.; providing definitions; prohibiting the Department of Natural Resources from issuing permits for certain construction or excavation except in specified circumstances; establishing criteria for local coastal construction zoning and building codes; providing for permits when liens are imposed on the property; establishing property rights of the state; renaming the Erosion Control Trust Fund; authorizing the department to use funds from the Beach Management Trust Fund to pay certain costs of specified beach management projects; providing procedures for approval of projects; providing for powers and duties of the Department of Environmental Regulation; providing an appropriation; providing an effective date.

By the Committee on Education and Senator Weinstock—

CS for SB 276—A bill to be entitled An act relating to public schools; amending s. 232.246, F.S.; specifying requirements for high school graduation; revising requirements for receipt of a certificate of completion; providing for the cessation of awarding certificates of completion after a specified date; providing an effective date.

By the Committees on Judiciary-Civil and Governmental Operations and Senator Grant—

CS for CS for SB 293—A bill to be entitled An act relating to public officers and employees; amending s. 112.312, F.S.; defining “breach of public trust,” “facts materially related to the complaint at issue,” “parties materially related to the complaint at issue,” and “relative”; amending s. 112.313, F.S.; revising an exemption from certain standards relating to doing business with one’s agency and conflicting employment or contractual relationships; amending and renumbering s. 116.111, F.S., relating to restrictions on employment of relatives; revising definitions applicable thereto; removing a penalty; amending s. 112.3144, F.S.; revising requirements relating to full and public disclosure of financial interests; amending s. 112.317, F.S.; expanding penalty provisions; amending s. 112.320, F.S.; specifying purposes of the commission; amending s. 112.322, F.S.; specifying powers and duties of the commission and providing for delegation of certain authority; requiring state attorneys to file complaints of ethics violations under certain circumstances; providing for actions to recover penalties; specifying rulemaking powers; creating s. 112.3231, F.S.; providing time limitations with respect to proceedings of the Commission on Ethics relating to violations within its jurisdiction; amending s. 112.324, F.S.; revising provisions relating to procedures on complaints of violations, including complaints against impeachable officers or members of the Legislature; designating the disciplinary body with respect to former officers and employees and candidates and former candidates; creating s. 112.325, F.S.; prohibiting certain coercion, intimidation, or interference with respect to rights and obligations under the code of ethics; providing for injunctive relief and remedies; amending s. 112.3241, F.S.; providing for judicial review of final agency action; repealing s. 112.3185(1)(b), F.S., which provides a definition of “agency”; repealing ss. 839.08, 839.09, 839.091, and 839.10, F.S., which prohibit the purchase of supplies for public use by public officers from themselves or by boards from board members, with certain exemptions, and which prohibit officers and board members from bidding for contracts for public works for which they are a party to the letting; providing an effective date.

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

CS for SB 306—A bill to be entitled An act relating to negligence; amending s. 768.13, F.S.; providing an exemption from civil liability for licensed medical personnel working gratuitously in nonprofit medical facilities; providing an effective date.

By the Committee on Commerce and Senator Stuart—

CS for SB 341—A bill to be entitled An act relating to fire safety; creating the Florida Fire Sprinkler Trust Fund and providing an appropriation thereto from the Insurance Commissioner’s Regulatory Trust Fund; authorizing the State Fire Marshal’s Office to draw upon such funds to provide loans to licensed adult congregate living facilities and developmental services group homes for purchase and installation of automatic sprinkler systems; providing for approval of such systems; providing for loan agreements; giving preference to certain facilities; providing an appropriation for employment of personnel to manage the Florida Fire Sprinkler Trust Fund; providing an effective date.

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

CS for SB 353—A bill to be entitled An act relating to children; providing intent; providing definitions; providing for establishment of a pilot program for a network of services of alternative treatment for specified children in District VII, Department of Health and Rehabilitative Services; requiring the department to contract for services; providing for evaluation and report; providing an appropriation; providing an effective date.

By the Committees on Finance, Taxation and Claims; and Natural Resources and Conservation and Senator Thurman—

CS for CS for SB 410—A bill to be entitled An act relating to pollutants; amending s. 206.9935, F.S.; providing an extension of the excise tax on certain pollutants until a date certain; providing for future legislative review of such tax; amending ss. 376.303, 376.3071, F.S.; extending the period of time during which certain owners or operators of petroleum storage systems may receive certain trust fund moneys and avoid certain liabilities; requiring the secretary of the Department of Environmental Regulation to establish certain site cleanup criteria; providing for receiving reimbursement for site cleanup; requiring notice of certain site

cleanup activities; amending ss. 489.105, 489.113, F.S.; providing that certain requirements relating to pollutant storage systems be applied to the removal of such systems; providing procedures for application for county administration of inspection programs; authorizing the Department of Professional Regulation to register precision tank testers; providing that persons registered with the department are exempt from local registration requirements; providing for certain rule review and comment by the Department of Environmental Regulation; providing an effective date.

By the Committee on Judiciary-Civil and Senator Kiser—

CS for SJR 431—A joint resolution proposing an amendment to Section 5, Article IV and the creation of Section 20, Article XII of the State Constitution; limiting the terms of cabinet members.

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

CS for SB 438—A bill to be entitled An act relating to vessels; amending s. 327.30, F.S.; requiring the operator of a vessel involved in an accident to report the accident to certain agencies as soon as practicable; providing penalties for operators of vessels involved in certain types of accidents who leave the scene without taking certain actions; amending s. 327.25, F.S.; providing for vessel classification, registration, fees, and disposition of fees; amending s. 327.351, F.S.; providing punishment for operation of vessels while intoxicated; amending s. 327.73, F.S.; providing for noncriminal infractions; creating s. 327.74, F.S.; providing for uniform boating citations; providing an effective date.

By the Committee on Governmental Operations and Senator Myers—

CS for SB 457—A bill to be entitled An act relating to criminal history records; amending s. 943.058, F.S.; authorizing access to certain sealed records by specified persons; providing penalties for disclosure of the existence of or information in sealed or expunged records under certain circumstances; requiring certain notification of petitions for the expunction or sealing of such records; adding a circumstance under which a person whose records have been sealed or expunged may not lawfully deny the events in the record; expanding the statement which the petitioner for a record sealing or expunction must complete; requiring the Department of Law Enforcement to notify the state attorney of certain unlawful orders of expunction or sealing and providing for corrective action; prohibiting the expunction of certain records under certain circumstances; providing an effective date.

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

CS for SB 463—A bill to be entitled An act relating to local governments; amending s. 218.21, F.S.; providing for recalculating certain local governments' guaranteed entitlement under municipal revenue sharing; amending s. 212.055, F.S.; authorizing counties to levy a local government infrastructure sales surtax; providing rates; providing for a referendum; specifying uses of revenues; providing for distribution of revenues; authorizing municipalities to create special benefit taxing units; specifying purposes thereof; providing for special assessments; providing for ad valorem taxes; providing for referendum; amending ss. 199.292, 210.20, F.S.; providing for disposition of intangible personal property taxes and cigarette taxes; amending s. 218.25, F.S.; providing for bonding of certain revenue sharing moneys; amending s. 206.605, F.S.; providing for uses of municipal motor fuel taxes; providing an effective date.

By the Committee on Education and Senators D. Childers, Thomas, Brown, Grizzle, Stuart, W. D. Childers, Woodson, Myers, Thurman and Dudley—

CS for SB 508—A bill to be entitled An act relating to education; amending s. 230.2312, F.S.; establishing class size maximums for primary grades; providing a penalty for noncompliance; providing for exceptions; providing a reporting requirement; providing for future repeal of s. 230.2312, F.S., relating to the Florida Primary Education Program; providing an effective date.

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

CS for SB 515—A bill to be entitled An act relating to public and medical assistance; amending s. 402.33, F.S.; eliminating statutory reference for Department of Banking and Finance approval for write-offs; amending s. 409.266, F.S.; requiring certain records and information to be provided to the Department of Health and Rehabilitative Services;

authorizing a cooperative agreement between the Department of Insurance and the Department of Health and Rehabilitative Services for requesting and furnishing information; amending s. 409.267, F.S.; requiring county contributions to the medical assistance programs; providing for rules; amending s. 409.335, F.S.; authorizing the department to make settlements; amending s. 624.424, F.S.; requiring insurers to furnish information to the Department of Health and Rehabilitative Services; creating s. 641.261, F.S.; authorizing health maintenance organizations to release information pursuant to cooperative agreements; creating s. 641.411, F.S.; authorizing prepaid health clinics to release information pursuant to cooperative agreements; providing an effective date.

By the Committee on Transportation and Senator Stuart—

CS for SB 572—A bill to be entitled An act relating to real property acquired through the exercise of eminent domain; amending s. 74.051, F.S.; providing for a period of time in which a deposit may be made on real property sought to be acquired through such process; creating s. 74.052, F.S.; providing legislative intent; requiring the owner of real property that is to be acquired through such process to remove hazardous substances, pollutants, or contaminants from such property; providing for withdrawal of deposit with the court; excluding payment of attorney fees and costs; amending s. 337.27, F.S.; authorizing the Department of Transportation to acquire certain property through eminent domain when necessary for securing applicable environmental permits; providing exemption from ch. 376 and ch. 403 liability; providing for interagency agreements; providing an effective date.

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

CS for SB 624—A bill to be entitled An act relating to interdistrict transfer and use of water; establishing a procedure for obtaining a permit for interdistrict transfers; providing for a commission to hear interdistrict transfers; prescribing the membership of the commission; establishing the criteria for approving interdistrict transfers; requiring the commission to act as the sole forum; establishing procedures for land use decisions; preempting to the state the regulation of interdistrict transfers; providing that this act shall prevail over conflicting statutes, rules, or ordinances governing interdistrict transfers; providing appellate procedures; providing that such permit is in lieu of certain other permits; providing an effective date.

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

CS for SB 657—A bill to be entitled An act relating to parole and clemency review; amending s. 947.04, F.S.; providing for clemency activities for the Parole and Probation Commission; amending s. 947.082, F.S.; providing for board membership; postponing the effective date; amending s. 947.01, F.S.; specifying the membership of the Parole and Probation Commission; providing an effective date.

By the Committee on Commerce and Senators Thurman and Kirkpatrick—

CS for SB 684—A bill to be entitled An act relating to thoroughbred horse racing; defining the term "simulcasting"; authorizing the Division of Pari-mutuel Wagering to issue a permit in certain counties for the receipt and display of live thoroughbred horse races by simulcast; providing criteria for simulcast facilities; providing eligibility; providing broadcast requirements; providing for the application of certain pari-mutuel statutes; providing for the season; providing for subsequent annual permits; providing for revocation; providing for contracts; providing for rules; providing an effective date.

By the Committee on Education and Senators Peterson, Thomas and Hollingsworth—

CS for SB's 715, 664 and 850—A bill to be entitled An act relating to community colleges; amending s. 240.35, F.S.; increasing the amount authorized for transfer to a scholarship fund from the general current fund; increasing the amount authorized for use in certain financial aid awards; expanding criteria for receipt of such awards; amending s. 240.359, F.S.; modifying the procedure for determining the apportionment to community colleges from the community college program fund; modifying the procedure for allocating funds to a community college for direct instructional cost; providing an effective date.

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

CS for SB 778—A bill to be entitled An act relating to recreational trails; amending s. 260.012, F.S.; providing legislative intent; amending s. 260.013, F.S.; providing a definition; creating s. 260.0141, F.S.; establishing the Florida Rails to Trails Program; amending s. 260.015, F.S.; prescribing powers of the Department of Natural Resources with respect to certain land acquisition; authorizing the Board of Trustees of the Internal Improvement Trust Fund to accept title to abandoned railroad rights-of-way, as specified; amending s. 260.016, F.S.; providing powers of the Division of Recreation and Parks; providing for appointment of the Florida Recreational Trails Council; providing for reimbursement; creating s. 260.0161, F.S.; providing for duties of the Department of Transportation and for coordination between that department and the Department of Natural Resources; requiring a memorandum of understanding; providing guidelines for leasing rights-of-way to a public agency or a private organization for use as a public recreational trail; amending s. 375.251, F.S.; providing for certain limitations on liability; providing for future repeal and review of the council; providing an appropriation; providing an effective date.

By the Committee on Education and Senator Johnson—

CS for SB 783—A bill to be entitled An act relating to education; amending s. 228.041, F.S.; revising the definition of "dropout"; amending s. 230.2313, F.S.; requiring each school district to implement a plan for providing student services; expanding guidance services and providing duties of counselors; providing for a district-level tracking system; amending s. 232.245, F.S., relating to the pupil progression program; requiring provisions for assisting students to achieve required grade point average; amending s. 232.246, F.S.; specifying high school graduation requirements; requiring school district policies designed to assist students in meeting the grade point requirement; providing for the award of a certificate of completion when grade point requirements are not met; providing for the cessation of awarding of certificates of completion after a specified date; creating s. 232.2463, F.S.; providing for a standardized grading system in public high schools; amending s. 232.301, F.S.; requiring the Department of Education to disseminate findings of model dropout prevention programs; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Jenne and Beard—

CS for SB 795—A bill to be entitled An act relating to vessels; amending s. 327.30, F.S.; requiring the operator of a vessel involved in an accident to report the accident to certain agencies as soon as practicable; providing penalties for operators of vessels involved in certain types of accidents who leave the scene without taking certain actions; amending s. 327.25, F.S.; providing for vessel classification, registration, fees, and disposition of fees; amending s. 327.351, F.S.; providing punishment for operation of vessels while intoxicated; amending s. 327.353, F.S.; requiring an operator of a vessel to submit, under specified circumstances, to certain tests for physical impairment; creating s. 327.36, F.S.; prohibiting trial courts from withholding adjudication of guilt, suspending sentence, or accepting pleas to lesser offenses for certain specified offenses; amending s. 327.73, F.S.; providing for noncriminal infractions; creating s. 327.74, F.S.; providing for uniform boating citations; amending s. 328.05, F.S.; providing that specified unlawful acts relating to certificates of title or other indicia of ownership shall constitute any vessel to which they relate as contraband subject to seizure and forfeiture proceedings; amending s. 843.18, F.S.; providing that any vessel used to flee or attempt to elude a law enforcement officer shall be contraband subject to seizure and forfeiture proceedings; providing penalties; providing an effective date.

By the Committee on Education and Senators Peterson and Kise—

CS for SB's 799 and 132—A bill to be entitled An act relating to education; amending ss. 228.041, 228.072, 229.132, 236.081, 240.359, F.S.; creating a lifelong learning program category within the Florida Education Finance Program to fund certain courses in adult education; defining lifelong learning student; providing for an annual determination of program cost factors in the General Appropriations Act; providing for allocation of full-time equivalents in the lifelong learning program category in school districts and community college districts; providing conforming language; providing an effective date.

By the Committee on Commerce and Senator Jennings—

CS for SB 822—A bill to be entitled An act relating to limited partnerships; amending s. 620.102, F.S.; redefining foreign limited partnership; amending s. 620.103, F.S., relating to limited partnerships name; amending s. 620.104, F.S., relating to name reservation; amending ss. 620.116, 620.172, F.S.; eliminating the requirement of filing duplicate original copies; repealing s. 620.168, F.S., which provides for name registration of foreign limited partnerships; amending s. 620.169, F.S., relating to the name a foreign limited partnership may register; providing for the adoption of a name in the case of conflict; eliminating the designation of the Secretary of State as registered agent for a foreign limited partnership; amending s. 620.177, F.S.; providing for evidence of timely filing of annual report; amending s. 620.178, F.S.; providing for the revocation of authority to transact business and for reinstatement; amending s. 620.182, F.S.; prescribing fees for certain actions; providing an effective date.

By the Committee on Commerce and Senator Jennings—

CS for SB 823—A bill to be entitled An act relating to business organizations; amending s. 607.024, F.S.; establishing a standard of distinguishability for corporate names; amending s. 607.027, F.S., relating to procedures for name reservation; amending s. 658.19, F.S.; deleting the requirement for name reservation on bank or trust company organization filings; amending s. 663.306, F.S.; deleting the requirement for name reservation for proposed international development banks; amending s. 607.031, F.S.; establishing a standard of distinguishability for corporate names of foreign corporations; amending s. 607.271, F.S.; providing additional grounds for involuntary dissolution; providing for notice; repealing s. 607.314, F.S., which provides procedures for change of name by a foreign corporation; amending s. 607.317, F.S.; requiring a certificate of corporate existence for certain foreign corporations; repealing ss. 607.331, 607.334, which provides procedures for filing amended articles of incorporation and merger; amending s. 607.337, F.S.; providing filing requirements for amendments to authority to transact business; amending s. 607.357, F.S.; requiring corporate annual reports to be signed by certain persons; amending s. 607.361, F.S.; providing a schedule of fees; repealing ss. 607.364, 607.367, F.S., which provides for certain taxes on corporations; amending s. 607.371, F.S.; providing for the Department of State to propound interrogatories; amending s. 607.311, F.S.; providing a standard of distinguishability for foreign corporations; providing for the limited use of a name when conflicts exist; creating s. 607.219, F.S.; providing for the conversion of a profit corporation to a professional service corporation; prohibiting certain fraudulent acts; providing penalties; providing an effective date.

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

CS for SB 859—A bill to be entitled An act relating to the acquisition of correctional facilities; amending s. 944.10, F.S.; defining, for purposes of acquiring correctional facilities to house state inmates, the term "lease-purchase agreement"; requiring the approval of the Division of Bond Finance of the Department of General Services before such agreements may be entered into by the Division of Facilities Management; providing that such agreements may be made automatically renewable for a limited period subject to certain restrictions; prescribing terms and conditions of such agreements; providing an effective date.

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

CS for SB 872—A bill to be entitled An act relating to juvenile offenders; amending s. 39.01, F.S.; defining "serious habitual offender"; creating s. 39.115, F.S.; providing a pilot program to rehabilitate serious habitual offenders; authorizing the Department of Health and Rehabilitative Services to conduct such program and to commit serious habitual offenders to the program; providing an appropriation; providing an effective date.

By the Committee on Education and Senator Weinstein—

CS for SB 877—A bill to be entitled An act relating to the leasing of educational facilities; amending s. 235.056, F.S.; authorizing the leasing of certain educational facilities under certain conditions; providing an effective date.

By the Committee on Education and Senators Peterson and Hollingsworth—

CS for SB's 890 and 895—A bill to be entitled An act relating to district school tax revenues; amending s. 236.25, F.S.; authorizing a district school board to fund certain purchases and loan repayments from revenues raised from millage levied for capital outlay purposes; deleting obsolete provisions; amending s. 200.065, F.S.; authorizing additional uses for certain capital outlay millage; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Weinstein, Johnson, Brown, Jenne, Grant, Lehtinen, Malchon, Dudley and Langley—

CS for SB 917—A bill to be entitled An act relating to traffic control; creating ss. 316.1936 and 316.1937, F.S.; authorizing, in addition to other penalties for driving under the influence, the requirement of ignition interlock devices as a condition of probation; providing unlawful acts with respect to such devices; providing for certification of such devices by the Department of Health and Rehabilitative Services; providing rule-making authority; providing an effective date.

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

CS for SB's 931 and 208—A bill to be entitled An act relating to the Criminal Justice Estimating Conference; amending ss. 216.136, 944.096, F.S.; removing staff of the Department of Corrections from the Criminal Justice Estimating Conference; providing membership for staff of the Supreme Court; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Gordon, Woodson and Malchon—

CS for SB 987—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending s. 20.19, F.S.; prohibiting certain relatives from serving on the Statewide Human Rights Advocacy Committee; providing for removal of members for not attending meetings; increasing membership of the Statewide Human Rights Advocacy Committee; increasing membership of the district human rights advocacy committees; prohibiting more than 25 percent of the membership of district human rights advocacy committees from providing contracted services to the department; prohibiting certain relatives from serving on the district committees; providing for recommendation of removal of members to the Governor; reenacting and amending s. 20.19(7)(f) and (8)(g), F.S.; continuing provisions authorizing access to certain records by the statewide and district human rights advocacy committees; providing an effective date.

By the Committee on Commerce and Senators Lehtinen and Hill—

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

By the Committee on Commerce and Senator Thomas—

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

requirements for underwriting members; providing capitalization requirements for new underwriting members; providing increased capitalization requirements and a transition schedule for existing underwriting members; deleting provisions for a pooled underwriting member; reducing the ratio of net premiums written to policyholder surplus; establishing a ratio of gross premiums written to policyholder surplus; allowing the use of projections in calculating the ratios of gross and net premiums written to policyholder surplus; eliminating the exclusions of certain lines of insurance from the calculation of the ratios; clarifying the loss reserve requirement for underwriting members; limiting the amount and method of distribution of profits; expanding the grounds for liquidation, rehabilitation, and restrictions; deleting redundant language; expanding the department's regulatory authority regarding tender and exchange offers; providing investment restrictions regarding underwriting members and brokers; providing a transition schedule; defining the term "underwriting manager"; providing a restriction on investment in an underwriting manager by a broker member or affiliated person; providing a restriction on investment in a broker member by an underwriting manager or affiliated person; prohibiting reinsurance between an underwriting member and affiliate or controlling company; amending s. 625.305, F.S.; limiting insurers' investment in certain bonds or other debt obligations; providing definitions; requiring certain recordkeeping by insurers; providing guidelines for insurers with noninvestment grade bonds or other debt obligations; providing an effective date.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Barron, by two-thirds vote CS for SB 265 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Myers, by two-thirds vote SB 341 was withdrawn from the Committee on Health and Rehabilitative Services.

On motions by Senator Margolis, by two-thirds vote Senate Bills 713 and 589 were withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Deratany, by two-thirds vote CS for SB 413 was withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Meek, by two-thirds vote Senate Bills 1138 and 1139 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Thurman, by two-thirds vote Senate Bills 470, 472, 1053 and 467 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Grant, by two-thirds vote Senate Bills 66 and 322 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Langley, the rules were waived and the Committee on Judiciary-Civil was granted permission to consider CS for SB 339, CS for SB 251, and CS for SB 1036 on May 7.

On motions by Senator Scott, by two-thirds vote Senate Bills 68, 189, 210 and 492 were withdrawn from the Committee on Appropriations and by two-thirds vote SB 1073 was removed from the calendar and referred to the Committee on Appropriations.

On motions by Senator Kirkpatrick, by two-thirds vote Senate Bills 44, 387, 714 and SJR 596 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Myers, by two-thirds vote Senate Bills 1131 and 1181 were withdrawn from the Committee on Health and Rehabilitative Services.

Motion

On motion by Senator Peterson, the rules were waived and SB 213 was ordered immediately certified to the House.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State Senate Bills 93 and 193 which he approved on May 5, 1987.

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>
Florida Citrus Commission, Member Youngblood, B. C., Winter Garden	05/31/90
Escambia County Civil Service Board, Member Banjanin, Lynn P., Pensacola	02/15/91
Board of Correctional Education, Members Froman, Ronald, Orlando Howell, Aquilina Casanas, Tallahassee	07/01/88 07/01/90
Commission on Ethics, Member Matteson, Karen S., Sarasota	06/30/87
Hospital Cost Containment Board, Members Ingram, Helen Q., Panama City Pajot, Richard J., Tampa	01/01/90 01/01/88
Marine Fisheries Commission, Member Safley, R. Z., Clearwater	08/01/87
Board of Massage, Members Fleisher, Dorothy D., Miami Williams, Susan M., St. Petersburg	01/01/90 01/01/89
Board of Medicine, Member Skinner, Margaret S., Miami	08/01/90
Florida Pari-mutuel Commission, Member Brown, Berton L., Pensacola	06/30/90
Apalachee Regional Planning Council, Region 2, Member Chandler, Herbert W., Tallahassee	10/01/89
East Central Florida Regional Planning Council, Region 6, Member Green, Thomas Patrick, Apopka	10/01/89
Southwest Florida Regional Planning Council, Region 9, Members Hole, Stanley W., Naples Holzinger, Richard, Cape Coral	10/01/89 10/01/89
Board of Veterinary Medicine, Member Burch, G. E., Miami Shores	08/01/89
Governing Board of the Southwest Florida Water Manage- ment District, Members Harkala, Walter H., Plant City Zagorac, Jr., Michael, Clearwater	07/01/90 07/01/90

Referred to the Committee on Executive Business.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

First Reading

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed House Bills 206, 343, 448; has passed as amended House Bills 627, 734, 1256 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representatives Sansom and Gardner—

HB 206—A bill to be entitled An act relating to covenants not to compete; amending s. 542.33, F.S.; providing that covenants not to compete entered into with independent contractors are not void; providing an effective date.

—was referred to the Committee on Commerce.

By Representative Upchurch—

HB 343—A bill to be entitled An act relating to punitive damages; amending s. 768.73, F.S.; providing that in civil actions based on miscon-

duct in commercial transactions, the amount of punitive damages awarded shall not exceed three times the amount of compensatory damages awarded; providing an effective date.

—was referred to the Committee on Commerce.

By Representative Arnold and others—

HB 448—A bill to be entitled An act relating to credit card transactions; prohibiting a seller or lessor from imposing a surcharge for the use of a credit card in certain transactions; providing definitions; specifying exceptions; providing a penalty; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on International Trade & Economic Development and Representative Bass—

HB 627—A bill to be entitled An act relating to historic preservation; amending s. 267.0612, F.S., relating to the Historic Preservation Advisory Council, increasing the number of members of such council; amending s. 267.061, F.S., relating to historic properties, exempting the Division of Historical Resources from competitive bid requirements for preservation of certain historical properties; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Representative Abrams and others—

HB 734—A bill to be entitled An act relating to condominium association self-insurance; amending ss. 624.462, 718.111, F.S.; authorizing self-insurance by a condominium association or groups of condominium associations; requiring such self-insurers to comply with certain regulations relating to commercial self-insurance funds; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Regulatory Reform and Representative Ostrau—

HB 1256—A bill to be entitled An act relating to hearing aid specialist trainees; amending s. 484.041, F.S., providing a definition; amending s. 484.0445, F.S., continuing trainees in trainee status until receipt of examination results; clarifying responsibility for the work of a trainee; providing an effective date.

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

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed with amendments SB 92 and requests the concurrence of the Senate.

John B. Phelps, Clerk

SB 92—A bill to be entitled An act relating to the Soil and Water Conservation Council, reviving and readopting ss. 582.01(3)(b), 582.06, Florida Statutes, notwithstanding repeals scheduled pursuant to the Sunset Act; providing for future repeal and review of said sections; providing an effective date.

Amendment 1—On page 1, line 10, strike everything after the enacting clause and insert:

Section 1. Subsection (8) is added to section 582.01, Florida Statutes, to read:

582.01 Definitions.—Wherever used or referred to in this chapter unless a different meaning clearly appears from the context:

(8) "Administrative officer" means the administrative officer of soil and water conservation created by s. 582.09.

Section 2. Section 582.06, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 582.06, F.S., for present text.)

582.06 Soil and Water Conservation Council; powers and duties.—

(1) **COMPOSITION.**—The Soil and Water Conservation Council is hereby created in the Department of Agriculture and Consumer Services and shall be composed of nine members who shall:

(a) Be persons who have been practicing soil conservation and who have been farming for at least 5 continuous years at the time of their appointment.

(b) Be appointed by the commissioner. No two members shall be appointed from the same congressional district.

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

(2) **POWERS AND DUTIES.**—The Soil and Water Conservation Council shall have the power and duty to:

(a) Consider and study the entire field of soil and water conservation.

(b) Advise and consult with the department and the administrative officer, at their request or upon its own initiative, regarding the promulgation, administration, and enforcement of all laws, rules, and regulations relating to soil and water conservation.

(c) Consider all matters submitted to it by the department or the administrative officer.

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

(e) Suggest policies and practices for the conduct of the business of the Bureau of Soil and Water Conservation to the commissioner or the administrative officer which they shall duly consider.

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

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

(b) The administrative officer shall serve as secretary of the council.

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

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

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

Section 3. Notwithstanding the provisions of the Sundown Act or of any other provision of law which provides for review and repeal in accordance with s. 11.611, Florida Statutes, paragraph (b) of subsection (3) of section 582.01 and section 582.06, Florida Statutes, shall not stand repealed on October 1, 1987, and shall continue in full force and effect as amended herein.

Section 4. Paragraph (b) of subsection (3) of section 582.01 and section 582.06, Florida Statutes, are repealed on October 1, 1997, and shall be reviewed by the Legislature pursuant to s. 11.611, Florida Statutes.

Section 5. This act shall take effect October 1, 1987.

Amendment 2—On page 1 in title, lines 2-8, strike all of said lines and insert: An act relating to soil and water conservation; amending s. 582.01, F.S.; adding a definition; amending s. 582.06, F.S., relating to the Soil and Water Conservation Council; providing for appointment and terms of members; providing for conduct of business; providing for travel expenses of members; redefining and clarifying the powers and duties of the council; saving ss. 582.01(3)(b) and 582.06, F.S., from Sundown repeal; providing for future review and repeal; providing an effective date.

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

SB 92 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed with amendment SB 318 and requests the concurrence of the Senate.

John B. Phelps, Clerk

SB 318—A bill to be entitled An act relating to adoption; amending s. 63.172, F.S.; providing that grandparental rights are not terminated by adoption under certain circumstances; amending s. 732.108, F.S.; providing that adoption by a close relative does not affect a child's relationship with the natural family, relative to intestate succession; providing an effective date.

Amendment 1—On page 1, line 22, after the word "and" insert: , unless the court orders otherwise,

On motion by Senator Margolis, the Senate concurred in the House amendment.

SB 318 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Plummer

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed with amendment SB 107 and requests the concurrence of the Senate.

John B. Phelps, Clerk

SB 107—A bill to be entitled An act relating to the proposed purchase of real property by a county; amending s. 125.355, F.S.; exempting from public inspection for a specified time appraisals, offers, and counteroffers for the purchase of real property by the county; reviving and reenacting the public records law exemption notwithstanding the Open Government Sunset Review Act; providing for future expiration and review of such exemptions; providing an effective date.

Amendment 1—On page 2, line 28, strike all of said line

On motion by Senator Kiser, the Senate refused to concur in the House amendment and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 31, 133 and CS for SB 203.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

SPECIAL ORDER

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.

—having been considered April 30, was taken up with pending Amendment 2 which failed.

On motion by Senator Crawford, by two-thirds vote SB 393 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 667—A bill to be entitled An act relating to Florida Seed Law; amending s. 578.011, F.S., modifying definitions; amending s. 578.08, F.S., clarifying application of registration requirements; modifying an exemption; amending s. 578.181, F.S., providing additional penalties; amending s. 578.23, F.S., requiring recordkeeping by certain persons; amending s. 578.26, F.S., increasing time for filing the answer to a complaint; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote SB 667 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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	

Nays—None

Vote after roll call:

Yea—Woodson

SB 26—A bill to be entitled An act relating to law enforcement; authorizing a law enforcement officer to order telephone lines to be cut, rerouted, or diverted in certain hostage and barricade situations; providing immunity to telephone companies for certain civil, criminal, or administrative actions which arise from such an incident; providing an effective date.

—was read the second time by title. On motion by Senator Kiser, by two-thirds vote SB 26 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	Kirkpatrick
Brown	Dudley	Hair	Kiser
Childers, D.	Frank	Hill	Langley
Childers, W. D.	Girardeau	Hollingsworth	Lehtinen

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

Nays—None

Vote after roll call:

Yea—Woodson

SB 284—A bill to be entitled An act relating to trafficking in controlled substances; amending s. 893.135, F.S.; authorizing a court, upon the motion of the state attorney, to reduce or suspend the sentence of certain persons who provide substantial assistance in the identification, arrest, or conviction of a person engaged in trafficking in controlled substances; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote SB 284 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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	

Nays—None

Vote after roll call:

Yea—Woodson

SB 570—A bill to be entitled An act relating to law enforcement; amending s. 624.34, F.S.; providing that the Department of Law Enforcement may accept fingerprints of certain persons subject to examination or investigation under the provisions of the Florida Insurance Code; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Criminal recommended the following amendments which were moved by Senator Thomas and adopted:

Amendment 1—On page 1, strike all of lines 27 and 28 and insert:

Section 2. Subsection (1) of section 628.071, Florida Statutes, is amended to read:

628.071 Granting, denial of permit.—

(1) The department shall expeditiously examine and investigate the application for a permit as referred to in s. 628.051. If the department finds that:

- (a) The application is complete;
- (b) The documents therewith filed are in compliance with law;
- (c) The proposed financial structure is adequate; and

(d) *All stockholders, organizers, incorporators, subscribers and other persons who directly or indirectly exercise or have the ability to exercise effective control of the proposed insurer or who will be involved in management of the proposed insurer possess appropriate character, reputation, financial standing, business experience and motives to form an insurer; ~~The proposed officers and directors have sufficient insurance experience, ability, and standing to assure reasonable promise of successful operation;~~*

it shall issue to the applicant a permit to form the proposed insurer.

Section 3. Subsection (3) of section 624.404, Florida Statutes, is amended to read:

624.404 General eligibility of insurers for certificate of authority.—To qualify for and hold authority to transact insurance in this state, an

insurer must be otherwise in compliance with this code and with its charter powers and must be an incorporated stock insurer, an incorporated mutual insurer, or a reciprocal insurer, of the same general type as may be formed as a domestic insurer under this code; except that:

(3)(a) The department shall not grant or continue authority to transact insurance in this state as to any insurer the management, officers or directors of which is found by it to be incompetent or untrustworthy, or so lacking in insurance company managerial experience as to make the proposed operation hazardous to the insurance-buying public, or so lacking in insurance experience, ability, and standing as to jeopardize the reasonable promise of successful operation, or which it has good reason to believe is affiliated directly or indirectly through ownership, control, reinsurance transactions, or other insurance or business relations, with any person or persons whose business operations are or have been marked, to the detriment of policyholders or stockholders or investors or creditors or of the public, by manipulation of assets, accounts, or reinsurance or by bad faith.

(b) The department shall not grant or continue authority to transact insurance in this state as to any insurer if any stockholder, subscriber, incorporator or other person exercising or having the ability to exercise effective control of the insurer does not possess appropriate character, reputation, financial standing, business experience and motives for the successful operation of the insurer.

Section 4. This act shall take effect upon becoming a law.

Amendment 2—In title, on page 1, strike all of lines 2-8 and insert: An act relating to insurance; amending s. 624.34, F.S.; providing that the Department of Law Enforcement may accept fingerprints of certain persons subject to examination or investigation under the provisions of the Florida Insurance Code; amending subsection (1) of s. 628.071, F.S., providing for the review and approval of certain proposed insurer officials by the Department of Insurance; amending subsection (3) of s. 624.404, F.S., revising the grounds under which the Department of Insurance may deny any insurer certificate of authority; providing an effective date.

On motion by Senator Thomas, by two-thirds vote SB 570 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
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
Frank	Johnson	Peterson	

Nays—None

On motion by Senator D. Childers, by two-thirds vote HB 448 was withdrawn from the Committee on Commerce.

On motions by Senator D. Childers—

HB 448—A bill to be entitled An act relating to credit card transactions; prohibiting a seller or lessor from imposing a surcharge for the use of a credit card in certain transactions; providing definitions; specifying exceptions; providing a penalty; providing an effective date.

—a companion measure, was substituted for SB 509 and by two-thirds vote read the second time by title. On motion by Senator D. Childers, by two-thirds vote HB 448 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

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

Nays—None

Vote after roll call:

Yea—Meek

SB 509 was laid on the table.

On motion by Senator Deratany, by two-thirds vote HB 206 was withdrawn from the Committee on Commerce.

On motions by Senator Deratany—

HB 206—A bill to be entitled An act relating to covenants not to compete; amending s. 542.33, F.S.; providing that covenants not to compete entered into with independent contractors are not void; providing an effective date.

—a companion measure, was substituted for SB 166 and by two-thirds vote read the second time by title.

Further consideration of HB 206 was deferred.

SB 585—A bill to be entitled An act relating to the military; creating s. 250.481, F.S., prohibiting discrimination in employment against reserve members of the Armed Forces; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 585 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Frank	Kirkpatrick	Plummer
Barron	Girardeau	Kiser	Ros-Lehtinen
Beard	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—None

SB 545—A bill to be entitled An act relating to historic preservation; amending s. 267.0612, F.S., relating to the Historic Preservation Advisory Council, increasing the number of members of such council; providing an effective date.

—was read the second time by title.

Two amendments were adopted to SB 545 to conform the bill to HB 627.

Pending further consideration of SB 545, as amended, on motion by Senator Crawford, by two-thirds vote HB 627 was withdrawn from the Committee on Governmental Operations.

On motions by Senator Crawford—

HB 627—A bill to be entitled An act relating to historic preservation; amending s. 267.0612, F.S., relating to the Historic Preservation Advisory Council, increasing the number of members of such council; amending s. 267.061, F.S., relating to historic properties, exempting the Division of Historical Resources from competitive bid requirements for preservation of certain historical properties; providing an effective date.

—a companion measure, was substituted for SB 545 and by two-thirds vote read the second time by title. On motion by Senator Crawford, by two-thirds vote HB 627 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Hill, Woodson

SB 545 was laid on the table.

SB 153—A bill to be entitled An act relating to husband and wife; amending s. 741.07, F.S.; authorizing retired judges to solemnize matrimony; 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, strike line 19 and insert: the clergy, or as otherwise provided by law, prior to July 1,

On motion by Senator Grant, by two-thirds vote SB 153 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 541—A bill to be entitled An act relating to guardianship; amending ss. 744.441, 744.457, F.S.; authorizing a guardian, with prior court approval, to execute, exercise, or release specified powers that the ward might have if competent, to create certain trusts of property of the ward's estate for purposes of tax or estate planning, to renounce or disclaim any interest by succession or inter vivos transfer, or to convey or release a contingent or expectant interest in property, including marital property rights or a right of survivorship; providing an effective date.

—was read the second time by title.

Senator Dudley moved the following amendments which were adopted:

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

(21) Perform any other acts which are authorized by law but which are not specifically authorized in this section; provided, however, that this subsection shall not apply to acts which a guardian of the property may perform without obtaining court approval pursuant to s. 744.444.

Amendment 2—On page 1, strike line 19 and insert: (20) and (21) are added to said section, to read:

Amendment 3—In title, on page 1, line 13, after the semicolon (;) insert: authorizing a guardian with prior court approval to perform other acts authorized by law but not specified in s. 744.441, F.S.; providing that such authorization does not apply to acts which may be performed without court approval pursuant to s. 747.444, F.S.;

On motion by Senator Kiser, by two-thirds vote SB 541 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

On motion by Senator Margolis, by two-thirds vote HB 1256 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motions by Senator Margolis—

HB 1256—A bill to be entitled An act relating to hearing aid specialist trainees; amending s. 484.041, F.S., providing a definition; amending s. 484.0445, F.S., continuing trainees in trainee status until receipt of examination results; clarifying responsibility for the work of a trainee; providing an effective date.

—a companion measure, was substituted for CS for SB 731 and by two-thirds vote read the second time by title. On motion by Senator Margolis, by two-thirds vote HB 1256 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Johnson	Peterson
Barron	Girardeau	Kirkpatrick	Ros-Lehtinen
Beard	Gordon	Kiser	Scott
Brown	Grant	Langley	Thomas
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

CS for SB 731 was laid on the table.

CS for SB 516—A bill to be entitled An act relating to the obstruction of public streets, highways, and roads; amending ss. 316.2045, 316.655, F.S.; prohibiting such obstruction in order to solicit under certain circumstances; providing exceptions; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Meek, by two-thirds vote CS for SB 516 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

The Senate resumed consideration of—

HB 206—A bill to be entitled An act relating to covenants not to compete; amending s. 542.33, F.S.; providing that covenants not to compete entered into with independent contractors are not void; providing an effective date.

On motion by Senator Deratany, by two-thirds vote HB 206 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 166 was laid on the table.

On motion by Senator Margolis, by two-thirds vote HB 734 was withdrawn from the Committee on Commerce.

On motions by Senator Margolis—

HB 734—A bill to be entitled An act relating to condominium association self-insurance; amending ss. 624.462, 718.111, F.S.; authorizing self-insurance by a condominium association or groups of condominium associations; requiring such self-insurers to comply with certain regulations relating to commercial self-insurance funds; providing an effective date.

—a companion measure, was substituted for SB 625 and by two-thirds vote read the second time by title. On motion by Senator Margolis, by two-thirds vote HB 734 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 625 was laid on the table.

SB 330—A bill to be entitled An act relating to highway designation; designating a portion of U.S. Highway 98 in Walton County as the “Emerald Coast Parkway”; providing for the erection of appropriate markers by the Department of Transportation; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 28, strike “designated” and insert: redesignated

On motion by Senator Barron, by two-thirds vote SB 330 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	Gordon	Kiser	Ros-Lehtinen
Barron	Grant	Langley	Scott
Beard	Grizzle	Lehtinen	Stuart
Brown	Hair	Malchon	Thomas
Childers, W. D.	Hill	Margolis	Thurman
Crawford	Hollingsworth	McPherson	Weinstein
Crenshaw	Jenne	Meek	Weinstock
Dudley	Jennings	Myers	Woodson
Frank	Johnson	Peterson	
Girardeau	Kirkpatrick	Plummer	

Nays—None

Vote after roll call:

Yea—D. Childers, Deratany

On motion by Senator Hair, by two-thirds vote HB 343 was withdrawn from the Committee on Commerce.

On motions by Senator Hair—

HB 343—A bill to be entitled An act relating to punitive damages; amending s. 768.73, F.S.; providing that in civil actions based on misconduct in commercial transactions, the amount of punitive damages awarded shall not exceed three times the amount of compensatory damages awarded; providing an effective date.

—a companion measure, was substituted for SB 503 and by two-thirds vote read the second time by title. On motion by Senator Hair, by two-thirds vote HB 343 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 503 was laid on the table.

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; providing 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.

—was read the second time by title.

Senator Jennings moved the following amendments which were adopted:

Amendment 1—On page 40, line 10, after “with” insert: guardianship proceedings or

Amendment 2—On page 41, line 27, strike “171.11” and insert: 717.11

On motion by Senator Jennings, by two-thirds vote CS for SB 407 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 268—A bill to be entitled An act relating to downtown development authorities; repealing section 2 of chapter 86-153, Laws of Florida, which provides for the repeal of provisions which specify that certain downtown development authorities shall be considered independent special districts for purposes of laws relating to determination of millage; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote SB 268 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	Langley	Scott
Beard	Grant	Lehtinen	Stuart
Brown	Grizzle	Malchon	Thomas
Childers, D.	Hair	Margolis	Thurman
Childers, W. D.	Hill	McPherson	Weinstein
Crenshaw	Hollingsworth	Meek	Weinstock
Deratany	Jenne	Myers	Woodson
Dudley	Jennings	Peterson	
Frank	Johnson	Piummer	

Nays—None

SB 388—A bill to be entitled An act relating to the State Comprehensive Plan; amending s. 187.201, F.S.; adopting the revitalization of downtown areas as a goal of the State Comprehensive Plan and establishing policies to further that goal; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote SB 388 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 175—A bill to be entitled An act relating to land acquisition; amending section 1 of chapter 83-80, Laws of Florida, as amended; extending the time within which the Department of Natural Resources may file a petition to acquire certain parcels by exercise of the power of eminent domain; deleting authority for the department to so acquire specified parcels; providing an effective date.

—was read the second time by title. On motion by Senator McPherson, by two-thirds vote SB 175 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

On motion by Senator McPherson, the rules were waived and SB 175 was ordered immediately certified to the House.

SB 521—A bill to be entitled An act relating to environmental control; amending s. 403.7234, F.S.; authorizing counties to collect and deposit in their general revenue funds certain fines collected from small quantity generators of hazardous wastes; 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 Grizzle and adopted:

Amendment 1—On page 1, lines 19 and 20, after “and”, strike “deposit them in its general revenue fund.” and insert: *shall deposit them in a separate account to be used for hazardous waste management programs.*

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Grizzle and adopted:

Amendment 2—In title, on page 1, lines 4 and 5, after “in” strike “their general revenue funds” and insert: *a separate account to be used for hazardous waste management*

On motion by Senator Grizzle, by two-thirds vote SB 521 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
Crenshaw	Hollingsworth	McPherson	Weinstein
Deratany	Jenne	Meek	Weinstock
Dudley	Jennings	Myers	Woodson
Frank	Johnson	Peterson	

Nays—None

CS for SB 415—A bill to be entitled An act relating to service of process on corporations; amending ss. 48.081, 48.151, 48.161, F.S.; designating the Secretary of State as the agent for service of process of corporations that have failed to designate an agent; creating s. 48.191, F.S.; providing procedures for substitute service of process on the Secretary of State; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote CS for SB 415 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

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

Nays—None

SB 361—A bill to be entitled An act relating to the Department of Commerce; providing for the department to promote sports and related industries within the state; amending s. 20.17, F.S.; creating the Sports Advisory Council within the department; providing for the membership and terms of the council; providing for functions and duties of the council; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 3, line 3, strike “3-year” and insert: 2-year

The Committee on Commerce recommended the following amendments which were moved by Senator Jennings and adopted:

Amendment 2—On page 3, between lines 18 and 19, insert:

Section 3. Subsection (5) of section 20.17, Florida Statutes, is repealed on October 1, 1997, and shall be reviewed by the Legislature prior to that date pursuant to section 11.611, Florida Statutes.

(Renumber subsequent sections.)

Amendment 3—In title, on page 1, line 9, after “council;” insert: providing for future repeal;

On motion by Senator Jennings, by two-thirds vote SB 361 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Recess

The Senate recessed at 10:30 a.m. awaiting the call of the President.

Call to Order

The Senate was called to order by the President at 10:45 a.m.

On motion by Senator Barron, Rule 10.2 was waived to permit certain guests in the chamber to participate in the annual Senate Reunion.

Senate Reunion

The following former members of the Senate in attendance for the 1987 Senate Reunion were welcomed by the President:

Lynwood Arnold, C. W. (Bill) Beaufort, Ralph Blank, Jr., Betty Castor, Mack Cleveland, C. Welborn Daniel, Richard J. Deeb, Fred O. Dickinson, Edgar M. Dunn, Vince Fechtel, Jr., George Firestone, Elmer Friday, Thomas M. Gallen, Joseph M. (Joe) Gersten, Edmond J. Gong, Bill Gorman, Tom Greene, Bill Gunter, Horry Hair, Warren S. Henderson, Randolph Hodges, Beth Johnson, Thomas H. Johnson, James A. Johnston, Joe Johnston, Paul Kickliter, David C. Lane, Gerald A. Lewis, Philip Lewis, Hal Y. Maines, Franklin B. Mann, Clark Maxwell, Jr., John M. McCarty, Kenneth A. Plante, Van B. Poole, Ralph R. Poston, John S. Rawls, Gerald S. (Jerry) Rehm, Richard (Dick) Renick, J. B. Rodgers, Jr., Charles A. Savage, Henry B. Saylor, Tom Slade, Bruce Smathers, J. Slater Smith, Guy Spicola, Paul B. Steinberg, Dave Thomas, John T. Ware, Charles Weber, Sherman Winn

The following special guests were also welcomed:

LeRoy Adkison, former Sergeant at Arms
Tommy Burns, Leila Cofield and Catharine Turnbull, former Senate staff

Dewey M. Johnson Memorial Resolution

On motion by Senator Thomas, by unanimous consent—

By Senators Thomas and Barron—

SR 1307—A resolution expressing regret at the death of former Senator Dewey M. Johnson.

WHEREAS, Dewey M. Johnson zealously served his state and his community as a member of the House of Representatives, a member of the Senate, a judge of the First District Court of Appeal, and as a lawyer, husband, father, and neighbor, and

WHEREAS, we would honor the memory of one who generously and tirelessly contributed his time, energy, and talents in the service of others, and express our condolence and bereavement, NOW, THEREFORE,

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

That this legislative body does pause in its deliberations to pay its respects to former Senator Dewey M. Johnson and that the Florida Senate in session assembled does hereby record this testimonial of esteem and bereavement:

IN MEMORIAM DEWEY MACON JOHNSON

Dewey M. Johnson was born in Gretna, Florida, on April 6, 1907, the son of Alexander Love Johnson and Annie Lou Bassett Johnson. He was educated in the public schools of Gadsden County. He was graduated from the University of Florida in 1930 with an L.L.B. degree. Senator Johnson was a member of Delta Sigma Phi and Alpha Kappa Psi fraternities.

Admitted to The Florida Bar in 1930, Dewey Johnson engaged in the general practice of law in Orlando until 1932. From 1932 until 1945, he practiced law in Brooksville and Clearwater and served as the Hernando County Prosecutor from 1938 to 1945. In 1945, he returned to Gadsden County to practice in Quincy, and in 1948 he established the law partnership of Reynolds and Johnson in that city.

In 1945, Dewey Johnson married Miss Margie Kimbrough of Brooksville, and, in 1948, a daughter, Sandra Ann, was born to them.

Senator Johnson is the only legislator in the history of Florida to represent two different counties in the House of Representatives and two different counties in the Senate. He began his legislative career in 1939 as a representative from Hernando County. He represented the Ninth Senatorial District, comprised of Hernando and Citrus Counties from 1941 to 1943. He returned to the House of Representatives in 1945 representing Hernando County. After returning to his native Gadsden County, he was elected as a representative in 1947 and 1949. In 1950, Senator Johnson was elected to the Senate to represent the Sixth Senatorial District. He held this office for 15 years, during which period he was elected President of the Senate and earned the sobriquet “The most powerful man in the Senate.”

Senator Johnson was one of the most powerful political personalities of his time. He continued to be a vigorous statesman in the Senate even after losing his larynx to cancer in 1960. However, he will also be remembered for his warmth, generosity, and compassion. While in the Senate, he supported the establishment of minimum foundation laws that guaranteed equal education for the poor. He worked vigorously in the establishment of community colleges in building farm-to-market roads, and in establishing constitutional caps on property taxes.

In 1965, Senator Johnson retired from the Senate, when he was appointed as a judge of the First District Court of Appeals. Eventually, he was elected by his colleagues on the bench as Chief Judge of that court. He retired from the bench in 1975 and returned to his county practice in Quincy.

Senator Johnson maintained strong ties to his home. He was a member of the Quincy Chamber of Commerce and an active member of the Gretna Baptist Church. In addition, he engaged in farming and raising cattle.

After a long illness caused by a fall, Dewey M. Johnson died at age 79 at Gadsden Memorial Hospital on December 12, 1986.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate, with the Seal of the Florida Senate affixed, be transmitted to Mrs. Margie K. Johnson, as a tangible token of the sentiments expressed herein and a lasting symbol of the respect of the members of the Florida Senate.

—was introduced out of order and read the first time by title. On motion by Senator Barron, SR 1307 was read the second time in full and unanimously adopted.

The President requested Senator Thomas to escort Sandra Johnson to the rostrum where she was presented a copy of the resolution.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1229 and requests the concurrence of the Senate.

John B. Phelps, Clerk

Consideration of Resolutions

By Representative Smith and others—

HCR 1229—A concurrent resolution honoring Bunny VanBrunt for her distinguished service to the Florida Legislature and her contributions to state government.

WHEREAS, Bunny VanBrunt began her career with the Florida Legislature in 1949 as a messenger to the Senate in the House Clerk's Office and has devoted more than 30 years to serving state government, including nine years in the House and Senate and five years in the Governor's Office during Governor LeRoy Collins' administration, and

WHEREAS, in 1964 Senate Secretary Ed Fraser assigned her the task of helping design and implement the original automated bill-status system for the Florida Legislature, and she developed a system that has come to be known as a model system for other legislatures throughout the nation, and

WHEREAS, Bunny VanBrunt was one of the first Division Directors appointed to the Joint Legislative Management Committee and the only remaining director of the original appointees, and

WHEREAS, the Legislative Information Division was established and organized due to the efforts of Bunny VanBrunt, and has been and still is a great source of pride for her in fulfilling her life's work, and

WHEREAS, Bunny VanBrunt has assembled and trained a very competent, able staff of knowledgeable individuals who have provided and continue to provide accurate, reliable information to legislators and staff, state agencies, and public and private sector businesses alike, and

WHEREAS, in addition to being an exemplary role model in her professional life, she is the loving wife of fourth-generation Tallahasseean J. B. "Sonny" VanBrunt, and the devoted mother of four fine children: Carol Long, Talbot, Allen, and Blake, and the doting grandmother of seven beloved grandchildren, NOW, THEREFORE,

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

That the State of Florida commends Bunny VanBrunt for her 30 years of service to the State of Florida, and in particular honors her for her 18 years as Division Director of the Legislative Information Division, Joint Legislative Management Committee.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Bunny VanBrunt as a tangible token of the sentiments of the Florida Legislature.

On motions by Senator Barron, by unanimous consent HCR 1229 was taken up out of order and by two-thirds vote read the second time in full, adopted 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

The President requested Senator Barron to escort Mrs. VanBrunt to the rostrum where she was presented a copy of the resolution.

On motion by Senator Kiser, by unanimous consent—

By Senators Vogt and Kiser—

SR 1319—A resolution honoring Betty Swindell, Staff Director of the Committee on Governmental Operations, for 22 years of outstanding service with the Florida Senate.

WHEREAS, Betty Swindell, who has diligently served the Florida Senate in various capacities since 1965 when she became secretary to Senator John A. McDonald, is retiring later this year, and

WHEREAS, Senator William D. "Wig" Barrow, having become aware of Betty's innate industriousness, efficiency, and affable nature, appointed her to serve as committee secretary of the Judiciary-A Committee when he became chairman of that committee in 1967, and

WHEREAS, she followed Senator Barrow through his succeeding chairmanships, becoming committee secretary for the Committee on Commerce & Licensed Businesses in 1968 and committee secretary for the Committee on Judiciary-Criminal in 1970, and

WHEREAS, Betty Swindell became committee secretary of the Committee on Governmental Operations in 1973 and then worked her way up the ladder through analyst and staff assistant positions with that committee until she became the committee's staff director on April 1, 1983, and

WHEREAS, Betty's standards of excellence and attention to detail have contributed to the efficient functioning of the Committee on Governmental Operations which she has served for almost 15 years, NOW, THEREFORE,

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

That the Florida Senate extends to Betty Swindell its appreciation and commendation for her tireless efforts on behalf of this legislative body.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate, with the seal of the Senate affixed, be presented to Betty Swindell 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 Kiser, SR 1319 was read the second time in full and unanimously adopted.

On motion by Senator Kiser, all Senators were recorded as co-introducers of SR 1319.

The President requested Senators Kiser and Peterson to escort Mrs. Swindell to the rostrum where she was presented a copy of the resolution.

ENROLLING REPORTS

Senate Bills 104, 214 and 565 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 4, 1987.

Senate Bill 31 and CS for SB 203 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 6, 1987.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 30 was corrected and approved.

The Journal of April 28 was further corrected and approved as follows:

Page 196, column 2, from bottom, line 6, after the semicolon insert: Personnel, Retirement and Collective Bargaining; and Appropriations.

CO-INTRODUCERS

Senator Dudley—SB 109; Senator Johnson—CS for SB 235; Senator Hair—CS for SB 253; Senator Malchon—SB 368; Senator Thurman—SB 375; Senator Dudley—CS for SB 834; Senators Dudley and Frank—SB 905; Senator McPherson—SB 958; Senators Margolis, Frank, Malchon and Weinstock—SB 991; Senator Hill—SB 1002; Senator Thurman—SB 1030; Senator W. D. Childers—SB 1053; Senator Malchon—SB 1268; Senators Margolis, Meek and Hill—SR 1303

Senator Hill withdrew as co-sponsor of SB 985.

Motions

On motion by Senator Barron, by two-thirds vote all bills remaining on the special order calendar this day were placed on the special order calendar for Tuesday, May 12.

RECESS

Senator Barron moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Tuesday, May 12 at 9:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Barron, the Senate recessed at 11:48 a.m. to reconvene at 9:00 a.m., Tuesday, May 12.

SENATE PAGES

May 4-8

Jessica Chrvia, Gainesville; Lenard Everett, Ft. Pierce; Sean William Firley, Miami; H. Scott Gettemy, Ft. Lauderdale; Nabil Hakimian, Miami; Leslie Lasseville, Miami; Katherine M. Linke, Sarasota; Robin Livingston, Pahokee; Wendy M. Marling, Gulf Breeze; Mary Elizabeth Murray, Tampa; Paula L. Pullum, Navarre; Ishmael S. Rentz, Alachua; Tamara L. Sheffield, Orlando; Catherine D. Smith, Winter Haven; Jeanne Lee Spivey, Plantation; Frank S. Starkey, Odessa; Emily Thames, Milton; Jeff Watkins, Pompano Beach