



Journal of the Senate

Number 2

Tuesday, April 12, 1988

CALL TO ORDER

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

PRAYER

The following prayer was offered by Dr. Jerry Windsor, Pastor, First Baptist Church, Graceville:

O God, our help in ages past and our hope for years to come, thank you for the dawning of a new day and the hope it brings.

May wisdom from above be imparted to these leaders that their thoughts, intentions and actions may be pleasing in thy sight.

O Lord, may each of us be ever sensitive to those who are less fortunate. May the grace of God make us hard-headed and soft-hearted and not soft-headed and hard-hearted.

This we pray in the spirit of Him who gave us law and justice but always tempered with mercy. Amen.

PLEDGE

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

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, April 12, 1988: SB 240, SB 10, SB 230, SB 56, SB 26, SB 32, SB 114, SB 115, SB 116, SB 117, SB 118, SB 119, SB 120, SB 121, SB 148, SB 149, SB 163, SB 229, SB 243, CS for SB 249, SB 252, SB 253, CS for SB 254, SB 101, SB 144, SB 147, SB 165, SB 171

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Commerce recommends the following pass: SB 160 with 2 amendments, SB 293, SB 489 with 2 amendments

The Committee on Corrections, Probation and Parole recommends the following pass: SB 124

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 535

The Committee on Education recommends the following pass: SB 268 with 1 amendment

The Committee on Finance, Taxation and Claims recommends the following pass: SB 357

The Committee on Governmental Operations recommends the following pass: SJR 216, SB 217 with 2 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 503

The Committee on Judiciary-Civil recommends the following pass: SB 168

The Committee on Judiciary-Criminal recommends the following pass: SB 343, SB 382 with 2 amendments

The Committee on Natural Resources and Conservation recommends the following pass: SB 91 with 5 amendments, SB 146 with 1 amendment

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

The Committee on Governmental Operations recommends the following pass: SB 276, SB 322

The bills were referred to the Committee on Commerce under the original reference.

The Committee on Commerce recommends the following pass: SB 467

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 33, SB 241 with 2 amendments, SB 358, SB 396

The Committee on Judiciary-Criminal recommends the following pass: SB 330, SB 179

The Committee on Transportation recommends the following pass: SB 429

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 282

The Committee on Natural Resources and Conservation recommends the following pass: SB 378

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 88 with 2 amendments

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

The Committee on Health and Rehabilitative Services recommends the following pass: SB 9

The Committee on Judiciary-Criminal recommends the following pass: SB 291

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 341 with 2 amendments

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

The Committee on Commerce recommends the following pass: SB 335, SB 491, SB 492

The Committee on Governmental Operations recommends the following pass: SB 59 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 Economic, Community and Consumer Affairs recommends the following pass: SB 344

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

The Committee on Agriculture recommends the following pass: SB 338, SB 339, SB 340

The Committee on Commerce recommends the following pass: SB 372, SB 71, SB 328, SB 329

The Committee on Economic, Community and Consumer Affairs recommends the following pass: CS for SB 70, SB 373

The Committee on Education recommends the following pass: SB 261, SB 265, SB 267

The Committee on Governmental Operations recommends the following pass: SB 433 with 2 amendments

The Committee on Judiciary-Civil recommends the following pass: SB 152 with 2 amendments, SB 182, SB 214

The Committee on Judiciary-Criminal recommends the following pass: SB 110 with 3 amendments, SB 331, SB 332, SB 194

The Committee on Natural Resources and Conservation recommends the following pass: SB 128

The Committee on Transportation recommends the following pass: SB 173, SB 258 with 1 amendment, SB 264 with 1 amendment, SB 289, SB 290, SB 383

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

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 395

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 82

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: CS for SB 16, Senate Joint Resolutions 318 and 356

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 135

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 Transportation recommends a committee substitute for the following: SB 292

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 309

The Committee on Judiciary-Civil recommends a committee substitute for the following: Senate Bills 362 and 364

The Committee on Transportation recommends a committee substitute for the following: SB 295

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 136

The bill with committee substitute attached was referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Judiciary-Criminal recommends a committee substitute for the following: Senate Bills 174 and 51

The bills with committee substitute attached were referred to the Committee on Governmental Operations under the original reference.

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: Senate Bills 42 and 49

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

The Committee on Commerce recommends a committee substitute for the following: SB 421

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 54

The Committee on Governmental Operations recommends a committee substitute for the following: SB 412

The Committee on Transportation recommends a committee substitute for the following: SB 418

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

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Myers—

SB 542—A bill to be entitled An act relating to child support; amending ss. 88.151 and 409.2567, F.S.; eliminating the cost recovery from custodial parents in cases certified under Title IV-D of the Social Security Act; providing an effective date.

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

By Senators Peterson and Thurman—

SB 543—A bill to be entitled An act relating to water resources; amending s. 373.223, F.S., providing additional restrictions upon the issuance of permits for the consumptive use of water; providing for waiver under certain circumstances; reenacting s. 373.244(2) and (4), F.S., relating to temporary permits, to incorporate said amendment in references; providing an effective date.

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

By Senator Beard—

SB 544—A bill to be entitled An act relating to transportation finance; amending s. 288.063, F.S.; providing that certain transportation projects to facilitate the economic growth and development of the state shall be approved only as a consideration to attract new employment opportunities to the state or to expand employment in existing companies; amending s. 339.08, F.S.; authorizing the use of State Transportation Trust Fund moneys for economic development transportation projects; providing an effective date.

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

By Senator Langley—

SB 545—A bill to be entitled An act relating to state parks and preserves; creating s. 258.398, F.S., establishing the Lake Weir Aquatic Preserve; providing an effective date.

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

By Senator Ros-Lehtinen—

SB 546—A bill to be entitled An act relating to application for social security numbers for newborn babies; directing the Department of Health and Rehabilitative Services, through the State Registrar, to provide for the participation by this state in the voluntary enumeration-at-birth program of the United States Social Security Administration, under which program a parent may apply for a social security number for his newborn baby when he submits the information needed for completion of the baby's birth certificate; authorizing and directing the State Registrar to take any actions necessary to administer the program in this state; providing an effective date.

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

By Senator Jennings—

SB 547—A bill to be entitled An act relating to airport zoning; amending s. 333.01, F.S.; redefining the term "airport hazard" and defining the terms "airport layout plan" and "obstruction"; amending s. 333.02, F.S.; providing clarifying language with respect to airport hazards; amending s. 333.025, F.S.; revising language with respect to airports affected under law requiring permits for structures exceeding federal obstruction standards; providing additional criteria for permit issuance; amending s. 333.03, F.S.; requiring airport regulations to require obstruction marking and lighting for certain structures; amending s. 333.07, F.S.; providing time frames with respect to actions taken for airport variances; providing for appeal by the Department of Transportation; providing for obstruction marking and lighting; amending s. 333.08, F.S.; providing clarifying language with respect to appeals to refer to the Department of Transportation; amending s. 333.11, F.S.; revising language with respect to judicial review; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Jennings—

SB 548—A bill to be entitled An act relating to historical and archaeological resources; amending s. 267.061, F.S.; authorizing the Division of Historical Resources of the Department of State to acquire and maintain objects which have an historical or archaeological value and relate to the history, government, or culture of the state; providing for the inventory of such objects; providing for the loan, exchange, or sale of such objects; exempting the division from surplus property requirements in any such loan, exchange, or sale; providing for the deposit of moneys received from the sale of such objects; requiring the division to adopt rules relating to the disposal of such objects; providing penalties; providing an effective date.

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

By Senators Jennings and Langley—

SB 549—A bill to be entitled An act relating to garnishment; creating s. 77.0305, F.S.; requiring the court under certain circumstances to subject a portion of the salary or wages of a judgment debtor to a continuing writ of garnishment; authorizing deductions from the salary or wages to pay administrative costs incurred by the employer in complying with the continuing writ of garnishment; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Kiser—

SB 550—A bill to be entitled An act relating to administrative procedure; amending s. 120.52, F.S.; providing an exception to the definition of "rule" for agency action altering annual hunting or fishing quotas when adequate notice of such action is provided for the affected area; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Kiser—

SB 551—A bill to be entitled An act relating to the Columbus Hemispheric Trade Commission; amending ss. 1, 2, 3, ch. 84-232, Laws of Florida; providing that failure of a member to attend commission meetings constitutes resignation; repealing a prohibition against the expenditure of state funds; providing for a direct-support organization to assist the com-

mission; providing for adoption of rules by the Department of Commerce; exempting certain records from the Public Records Law; repealing ss. 4, 5, 6, ch. 84-294, Laws of Florida, relating to the commission; providing for the future repeal of ch. 84-232, Laws of Florida, as amended, relating to the commission; providing an effective date.

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

By Senator Malchon—

SB 552—A bill to be entitled An act relating to state-administered retirement programs; amending ss. 112.05, 121.091, 122.16, 238.181, 321.203, F.S.; revising limitations on receipt of both salary and retirement benefits after reemployment; providing an effective date.

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

By Senator McPherson—

SB 553—A bill to be entitled An act relating to pari-mutuel wagering; amending ss. 550.51, 550.04, 550.081, 550.083, 550.0831, 550.291, 550.34, 550.43, 550.45, and 551.11, F.S.; authorizing horseracing, harness racing, greyhound dogracing, and jai alai permitholders to operate on Sundays subject to certain limitations; providing an effective date.

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

By Senator Plummer—

SB 554—A bill to be entitled An act relating to health testing services; amending s. 381.606, F.S.; requiring that specified facilities which conduct testing for HIV antibodies shall offer psychological counseling and suicide prevention services to individuals receiving positive results from such tests; requiring the Department of Health and Rehabilitative Services to prescribe procedures for such services; amending ss. 384.25, 483.181, 483.314, and 796.08, F.S.; requiring that testing facilities which provide testing for HIV antibodies shall report the results thereof to the individual receiving the test and shall offer psychological counseling and suicide prevention services to individuals receiving positive results; amending ss. 483.051 and 483.291, F.S.; providing that the department shall prescribe procedures for such services; amending ss. 483.201 and 483.317, F.S.; providing that failure of such testing facility to offer such services to persons who have positive test results for HIV antibodies shall be grounds for disciplinary action; providing penalties; providing an effective date.

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

By Senator Plummer—

SB 555—A bill to be entitled An act relating to the Florida Litter Law; amending s. 403.413, F.S., providing additional penalties; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Margolis—

SB 556—A bill to be entitled An act relating to motor vehicle sales warranties; amending s. 681.101, F.S.; providing clarifying language; amending s. 681.102, F.S.; providing definitions; amending s. 681.103, F.S.; requiring motor vehicle manufacturers to conform motor vehicles to the warranty; requiring such manufacturers to follow certain procedures relating to warranties; amending s. 681.104, F.S.; providing notification requirements for consumers with nonconforming motor vehicles; providing procedures for the handling of such vehicles; providing for refunds or replacement vehicles; providing for the refunding of sales tax paid on certain vehicles; amending s. 681.108, F.S.; providing informal dispute settlement procedures; creating s. 681.109, F.S.; providing an arbitration system for motor vehicle owners who do not resolve disputes through a certified informal dispute settlement procedure; creating s. 681.1095, F.S.; creating the Florida New Motor Vehicle Arbitration Board within the Department of Legal Affairs; providing for the appointment of board members; providing powers and duties of the board; providing procedures for arbitration; providing powers and duties of the Department of Legal Affairs relative to the board; providing for the appeal of board decisions; providing for attorney's fees, costs, and penalties for noncompliance with awards by manufacturers; requiring the department to maintain certain

records; requiring reports; amending s. 681.110, F.S.; providing the Department of Legal Affairs with subpoena power; amending s. 681.111, F.S.; defining certain acts as unfair trade practices; creating s. 681.112, F.S.; providing judicial consumer remedies for violations of ch. 681, F.S.; establishing limitations on such actions; creating s. 681.113, F.S.; providing limitations of liability for dealers; creating s. 681.114, F.S.; providing procedures for the resale of motor vehicles returned pursuant to ch. 681, F.S.; creating s. 681.115, F.S.; prohibiting certain limiting agreements; creating s. 681.116, F.S.; providing a preemption; requiring the adoption of rules; requiring a fee; providing appropriations; providing severability; providing for future repeal and legislative review; providing effective dates.

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

By Senator McPherson—

SB 557—A bill to be entitled An act relating to the regulation of yacht brokers and salesmen by the Department of Professional Regulation; providing definitions; providing for the administration of brokers' and salesmen's licenses; prescribing qualifications for issuance of a license; prohibiting unlicensed persons from acting as brokers or salesmen; providing exceptions; providing for license fees; providing for the denial, revocation, or suspension of licenses; requiring surety bonds; providing for the handling and disposition of funds received by licensees; providing for the adoption of rules; providing an effective date.

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

By Senator Gordon—

SB 558—A bill to be entitled An act relating to discriminatory practices; creating s. 760.07, F.S.; providing for a right of action for equitable remedies and actual and punitive damages for persons aggrieved by discriminatory practices in the areas of education, employment, housing, and public accommodations; providing for attorney's fees and court costs; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Gordon—

SB 559—A bill to be entitled An act relating to enforcement of contracts; providing that the parties to certain contracts may agree that the law of this state will govern their rights and duties under such contracts; providing that the parties to certain contracts may agree to subject themselves to the courts of this state in the event of disputes under such contracts; providing that the act does not affect the enforcement of choice-of-law or choice-of-forum provisions in other contracts; providing for applicability of the act; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senators Weinstein, W. D. Childers, Margolis and Hill—

SB 560—A bill to be entitled An act relating to regulation of sellers of travel; creating s. 559.927, F.S.; providing definitions; providing for registration of sellers of travel; providing registration fees; providing for submission of documents by sellers of travel and by promoters; providing for recordkeeping; providing for suspension or revocation of registration; prescribing acts or omissions which constitute violations; prescribing criminal and civil penalties; providing for bonds by registrants; providing exemptions; providing for disposition of moneys recovered; providing for state preemption of the subject matter; providing for future review and repeal; providing an effective date.

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

By Senator Gordon—

SB 561—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; creating the Tourist Development Trust Fund and providing for a distribution from the fund to certain counties in which a parimutuel establishment is located; providing an annual appropriation; amending s. 550.13, F.S.; increasing the distribution from the Parimutuel Tax Collection Trust Fund; providing an effective date.

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

By Senator Frank—

SB 562—A bill to be entitled An act relating to solicitation of charitable contributions; amending s. 496.04 and creating s. 496.042, F.S.; requiring persons who solicit contributions for a named individual above a specified limit to register with the Department of State; requiring certain reports; imposing duties on such persons; specifying use of such contributions; providing for penalties; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Langley—

SB 563—A bill to be entitled An act relating to general assignments for the benefit of creditors; amending s. 727.103, F.S.; amending the definition of the term "liquidation value" for purposes of the general assignment of assets of an insolvent estate; amending s. 727.104, F.S.; extending the deadline by which the assignee of such assets must file a bond; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Weinstein—

SB 564—A bill to be entitled An act relating to weapons and firearms; amending s. 790.06, F.S.; providing that a license to carry a concealed weapon shall not authorize any person to carry such weapon into a bank; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Johnson—

SB 565—A bill to be entitled An act relating to the Legal Affairs Revolving Trust Fund; amending s. 16.53, F.S.; deleting a provision requiring the transfer to the General Revenue Fund of any moneys remaining in the trust fund at the end of a fiscal year which exceed \$2 million; providing for the transfer to the General Revenue Fund of moneys remaining in the trust fund at the end of each fiscal year in any odd-numbered fiscal year which exceed the combined budgets of the anti-trust and racketeering sections of the Attorney General's office for the next biennium; providing an effective date and providing for retroactive operation.

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

By Senator McPherson—

SB 566—A bill to be entitled An act relating to family attendance at greyhound dogracing and jai alai; creating s. 550.051, F.S.; permitting minors to attend greyhound dograces under certain circumstances; prohibiting minors from placing wagers; creating s. 551.115, F.S., permitting minors to attend jai alai exhibitions under certain circumstances; prohibiting minors from placing wagers; amending s. 551.12, F.S., conforming language; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Malchon—

SB 567—A bill to be entitled An act relating to displaced homemakers; amending s. 410.30, F.S.; requiring the Department of Health and Rehabilitative Services to contract with and make grants to entities that provide programs for displaced homemakers; revising the definition of the term "displaced homemaker"; deleting certain duties of the department; providing for statewide availability of displaced homemaker service programs; providing criteria for contract and grant awards to entities providing displaced homemaker service programs; requiring an annual report by the department; establishing the Displaced Homemaker Trust Fund to be used by the department to fund displaced homemaker service programs; amending s. 28.101, F.S.; providing an additional fee upon filing a petition for dissolution of marriage; providing that such fee be deposited in the Displaced Homemaker Trust Fund; providing for the waiver of the fee under certain circumstances; amending s. 741.01, F.S.; providing an additional fee for issuance of a marriage license; providing that such fee be deposited in the Displaced Homemaker Trust Fund; providing an effective date.

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

By Senator Meek—

SB 568—A bill to be entitled An act relating to rental-purchase agreements; creating the "Rental-Purchase Agreement Act"; providing definitions; providing requirements of rental-purchase agreements; providing for prohibited rental-purchase agreement provisions; providing for reinstatement of the agreement; providing for receipts; providing for rental renewal charges, attorney's fees, and court costs; providing a penalty for willful violations; providing for damages; providing that lessees may not waive the provisions of the act; providing for a statute of limitations; providing an effective date.

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

By Senator Gordon—

SB 569—A bill to be entitled An act relating to workers' compensation; amending ss. 440.10, 440.11, F.S.; eliminating the exclusion of subcontractors from workers' compensation provisions in certain situations; eliminating third-party tortfeasor liability on construction projects in most situations; providing that liability under the Workers' Compensation Law is the exclusive liability among subcontractors and sub-subcontractors working under the same general contractor on a construction project; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Frank—

SB 570—A bill to be entitled An act relating to hospitals; amending s. 395.0143, F.S.; prohibiting certain hospitals from denying specified service to indigent persons; providing an effective date.

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

By Senator Weinstein—

SR 571—A resolution proclaiming May 28, 1987, as Jewish Federation Celebration "20."

—was referred to the Committee on Rules and Calendar.

By Senator W.D. Childers—

SB 572—A bill to be entitled An act relating to insurance fraud; amending s. 626.989, F.S.; authorizing insurance fraud investigators to bear arms; providing that such investigators are ineligible for membership in the Special Risk Class of the Florida Retirement System; providing an effective date.

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

By Senator W.D. Childers—

SB 573—A bill to be entitled An act relating to miscellaneous commissions; amending s. 13.10, F.S.; expanding membership of the Commissioners for the Promotion of Uniformity of Legislation in the United States; providing for reimbursement for traveling expenses for all commissioners; providing an effective date.

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

By Senator Langley—

SB 574—A bill to be entitled An act relating to aviation fuel; creating s. 206.9837, F.S.; requiring retail dealers to disclose the price of aviation fuel; providing an effective date.

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

By Senator Grizzle—

SB 575—A bill to be entitled An act relating to education; amending s. 230.2312, F.S.; deleting obsolete language relating to the Florida Primary Education Program; amending s. 230.2313, F.S.; requiring each school district to provide student services from current operating funds of the Florida Education Finance Program; amending s. 230.2319, F.S.; revising dates for the implementation of certain activities of the Florida Progress in Middle Childhood Education Program; deleting obsolete lan-

guage; revising the monetary penalty when a program plan is denied approval; providing for the folding of certain middle childhood funds into the Florida Education Finance Program; amending s. 233.057, F.S.; authorizing the provision of funds from current operating funds for services of reading resource specialists; amending s. 233.067, F.S.; authorizing the provision of funds from current operating funds for comprehensive health education and substance abuse prevention; amending s. 235.435, F.S.; deleting provisions relating to the use of allocations for capital outlay projects; revising the calculation for allocation of funds for capital outlay; amending s. 236.013, F.S.; defining full-time equivalent student membership in terms of hours per school year; restricting the full-time equivalent value of a student in kindergarten through grade 12 or prekindergarten exceptional to one; deleting the definition of "utilization factor"; amending s. 236.081, F.S., relating to the Florida Education Finance Program; including in the base student allocation amounts previously provided for certain categorical programs; providing that cost factors for programs shall be prescribed in the General Appropriations Act; changing part-time equivalent student membership to hours per school year; providing for inclusion in the basic cost factor of funds for specified categorical programs; revising programs; providing for certain separate reporting; revising procedures relating to the allocation of full-time equivalents and the annual allocation calculation; revising the full-time equivalent student assignment for the visually handicapped; revising provisions relating to the determination of a sparsity supplement; providing for calculation of an extended day supplement; correcting cross-references; conforming language; providing for additional weighted full-time equivalent student membership for specified programs; providing for adjustment of the district cost differential; deleting certain funding requirements relating to inservice educational personnel training expenditure; revising the calculation of a district's total required local effort fee amount; providing permanent and transitional categorical programs; deleting listed general and transitional categorical programs; including a caps adjustment supplement in the calculation of the annual state allocation to each district for current operation; deleting Department of Education authorization to increase the base student allocation under certain circumstances; revising the method for determining the guaranteed minimum state allocation to each district; providing a vocational equipment expenditure; providing for calculation of a caps adjustment supplement; providing for a discretionary tax power equalization supplement and calculation thereof; creating s. 236.0821, F.S.; providing for calculation of a measure of public school funding equity and review of results thereof; amending s. 236.088, F.S.; providing basic skills and functional literacy compensatory funds through the Florida Education Finance Program; amending s. 236.089, F.S.; providing for funding of student development services through current operating funds; amending s. 236.092, F.S., relating to mathematics, science, and computers; deleting categorical funding; providing that High-Cost Science Class Equipment categorical funds be folded into the Florida Education Finance Program; amending s. 236.1223, F.S.; providing for additional weighted full-time equivalent student membership to fund the teaching of writing skills; amending s. 236.25, F.S.; authorizing each school district to levy an additional non-voted current operating discretionary millage and providing for determination thereof; increasing the maximum capital outlay millage a district may levy; eliminating maintenance of effort requirements; amending s. 237.34, F.S.; conforming program categories relating to program expenditure requirements; amending ss. 200.001, 200.065, and 237.162, F.S.; correcting cross-references; providing effective dates.

—was referred to the Committees on Education and Appropriations.

By Senator Johnson—

SB 576—A bill to be entitled An act relating to state employment; amending s. 110.205, F.S.; reclassifying positions for which the employee must be a law school graduate; providing an effective date.

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

By Senator Johnson—

SB 577—A bill to be entitled An act relating to search warrants; amending s. 933.20, F.S.; providing that inspection warrants may issue for entry to determine the cause or origin of a fire; amending s. 933.21, F.S.; permitting inspection warrants to issue to inspect owner-occupied family residences in certain situations; amending s. 933.22, F.S.; providing that cause to issue an inspection warrant exists when there is cause to believe a fire has occurred; amending s. 933.26, F.S.; providing that certain notice need not be given prior to execution of a warrant to determine the cause

or origin of a fire; repealing s. 933.30, F.S., deleting provisions which prohibit a person who performs an inspection pursuant to an inspection warrant from giving information or testimony as a predicate to the issuance of a search warrant or for probable cause to search without a search warrant; providing an effective date.

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

By Senator Johnson—

SB 578—A bill to be entitled An act relating to immunity from self-incrimination; amending s. 895.06, F.S.; providing immunity from criminal prosecution, except in a prosecution for perjury, for an individual who complies with a court order directing that he comply with certain subpoenas; providing an effective date.

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

By Senator Johnson—

SB 579—A bill to be entitled An act relating to licenses to carry a concealed weapon or firearm; requiring a court to revoke such a license if the licensee is found guilty of any of certain crimes; requiring surrender of the license to the court; amending s. 790.06, F.S.; revising qualifications for issuance of such a license; requiring the Department of State to deny an application therefor if the applicant has been found guilty of any of certain crimes; requiring the department to suspend or revoke such a license if the licensee is found guilty of any of certain crimes; providing an effective date.

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

By Senator Johnson—

SB 580—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 943.06, F.S.; increasing the number of members on the Criminal Justice Information Systems Council; providing for a clerk of the circuit court to be a member of the council; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Dudley—

SB 581—A bill to be entitled An act relating to probate and administration of estates; amending s. 731.201, F.S.; redefining the term "beneficiary"; providing that the term does not include an owner of a beneficial interest in a trust; amending s. 732.513, F.S.; providing for the validation of a devise to an unfunded trust created during the lifetime of the testator; amending s. 733.212, F.S.; providing for service of notice of administration; specifying times within which claims and objections must be filed; amending s. 733.617, F.S.; providing that compensation for personal representatives and professionals may include compensation for the services of agents or employees of the person seeking compensation or expenses and setting forth additional criteria to be considered in arriving at the amount of compensation; amending s. 733.702, F.S.; providing that an untimely claim is barred and may not be sued upon unless the court in the estate administration proceeding extends the time on ground of fraud or estoppel; amending s. 733.705, F.S.; providing that an objection to a personal representative's proof of claim must specify the objectionable item and be served on the claimant or claimant's attorney; deleting the requirement for a claimant to file notice of an independent or declaratory action in the estate proceeding; providing that extensions of time under this section may only be entered in the estate administration proceeding; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Grizzle—

SB 582—A bill to be entitled An act relating to child abuse; amending s. 827.04, F.S.; providing that infliction of physical or mental injury to a child constitutes child abuse; providing penalties; providing an effective date.

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

By Senator Weinstock—

SB 583—A bill to be entitled An act relating to driving under the influence; amending ss. 316.193 and 316.1934, F.S.; lowering the blood alcohol level which establishes the offense of driving with an unlawful blood alcohol level; providing an effective date.

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

By Senator Johnson—

SJR 584—A joint resolution proposing an amendment to Section 15 of Article X of the State Constitution relating to state operated lotteries.

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

By Senator Johnson—

SB 585—A bill to be entitled An act relating to intercepted wire or oral communications; amending s. 934.08, F.S.; authorizing the disclosure of intercepted wire or oral communications to the Department of Legal Affairs for use in certain investigations and civil proceedings; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Johnson—

SB 586—A bill to be entitled An act relating to ad valorem tax assessment; amending s. 194.011, F.S.; providing for filing of petitions with the property appraisal adjustment board by mobile homeowners' associations; providing an effective date.

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

By Senator Crenshaw—

SB 587—A bill to be entitled An act relating to security for public deposits; amending s. 280.02, F.S.; revising definitions; amending s. 280.04, F.S.; revising collateral deposit requirements for public depositories; amending s. 280.05, F.S.; providing for additional powers and duties of the Treasurer; amending ss. 280.051, 280.055, F.S.; providing clarifying language; amending s. 280.08, F.S.; providing a specified time in which a sale of securities must be accomplished or an assessment must be made following the default or insolvency of a public depository; amending s. 280.09, F.S.; requiring certain penalties be deposited in a specified trust fund; amending s. 280.11, F.S.; providing notice requirements upon the withdrawal by a public depository from the public deposit security program; amending ss. 280.16, 280.17, F.S.; revising certain reporting requirements of public depositories; creating s. 280.21, F.S.; authorizing the Treasurer to access certain records of the Department of Banking and Finance; providing an exemption from public record disclosure requirements for such records when obtained by the Treasurer; providing an effective date.

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

By Senator Deratany—

SB 588—A bill to be entitled An act relating to solicitation of the purchase of advertising; prohibiting the use of certain terms and pictures relating to law enforcement, fire protection, police, or firefighters or the representation of benefit thereto in the solicitation of the purchase of advertising; providing penalties; providing an effective date.

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

By Senator Jenne—

SB 589—A bill to be entitled An act relating to military code; amending s. 250.36, F.S., providing that military judges, presidents of courts-martial, and summary court officers of the Florida National Guard may execute pretrial confinement warrants for 48-hour periods; providing that the Adjutant General may extend such pretrial confinement for a period not to exceed 15 days; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Grant—

SB 590—A bill to be entitled An act relating to search warrants; amending s. 933.18, F.S.; adding specified misdemeanor child abuse offense violations to the list of violations authorizing issuance of a warrant to search a private dwelling; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Dudley—

SB 591—A bill to be entitled An act relating to cruelty to animals; amending s. 828.27, F.S., relating to local animal control or cruelty ordinances; redefining "officer"; providing a required training course for animal control officers; specifying content; requiring certain curriculum approval; providing for issuance of a certificate; providing an exemption; authorizing imposition of a surcharge to pay the costs of the training course; providing an effective date.

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

By Senator Grizzle—

SB 592—A bill to be entitled An act relating to criminal penalties; amending s. 893.13, F.S.; authorizing courts to impose assessments, in addition to fines and other penalties authorized by law, against offenders who violate the criminal provisions of chapter 893, F.S., and providing standards therefor; creating s. 893.16, F.S.; providing that such additional assessments shall be remitted by the clerks of court for use in specified drug abuse programs; creating s. 893.165, F.S.; authorizing the establishment of county drug abuse trust funds to provide assistance grants to designated drug abuse treatment or education programs; providing for administration of such funds by the boards of county commissioners; providing for the remittance and disbursement of additional assessments for drug abuse program purposes; amending s. 921.187, F.S.; authorizing the imposition of such assessments in the disposition of such criminal cases; amending ss. 142.01 and 142.03, F.S.; providing an exception for such assessments from county fine and forfeiture funds; providing an effective date.

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

By Senator Grizzle—

SB 593—A bill to be entitled An act relating to the financing of public educational facilities; amending s. 24.121, F.S.; authorizing the allocation of lottery revenues to pay revenue bonds issued to finance fixed capital outlay projects for public education; creating s. 215.615, F.S., authorizing the issuance of revenue bonds for such fixed capital outlay projects; amending s. 215.82, F.S.; specifying a procedure to validate such bonds and certain bonds issued pursuant to the State Constitution; providing an effective date.

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

By Senator Barron—

SB 594—A bill to be entitled An act relating to the tax on admissions; amending s. 212.02, F.S.; exempting from such tax sums of money charged for entering or staying on a boat or vessel for the privilege of fishing; providing an effective date.

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

By Senator Barron—

SB 595—A bill to be entitled An act relating to liability insurance for sheriffs and their deputies and employees; creating s. 30.555, F.S.; authorizing sheriffs to secure and obtain such liability insurance; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Hollingsworth—

SB 596—A bill to be entitled An act designating the Florida Sports Hall of Fame in Lake City, Florida, as the official state Sports Hall of Fame; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Hollingsworth—

SB 597—A bill to be entitled An act relating to the district school system; creating s. 230.336, F.S.; providing that the Department of Health and Rehabilitative Services shall notify the appropriate superintendent of schools of the names and addresses of school students or employees who have been diagnosed as having certain communicable diseases; providing an effective date.

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

By Senator Myers—

SB 598—A bill to be entitled An act relating to trauma care; amending s. 395.031, F.S.; changing definition of "trauma center"; specifying standards for evaluating trauma medical services systems and approving local and regional plans; requiring implementation of plans; specifying rules from which the Department of Health and Rehabilitative Services may exempt trauma agencies; providing for the delegation of the pediatric referral center verification process to trauma agencies; prohibiting discrimination by certain hospitals against trauma victims on specified grounds; providing for written notices of intent to cease local plan implementation and local agency operation; specifying time for applications to renew verification; amending s. 395.032, F.S.; specifying where state trauma regions must be designated and their purpose; removing duplication provisions relating to trauma center verification standards, requests, expiration, and service provision; amending s. 395.035, F.S.; providing trauma registry proceedings and providing that certain proceedings, records, and reports are confidential; amending s. 320.0801, F.S.; specifying uses of revenues in the Emergency Medical Services Trust Fund; providing an effective date.

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

By Senator Kirkpatrick—

SB 599—A bill to be entitled An act relating to local government code enforcement boards; amending ss. 162.05, 162.07, F.S.; providing for the creation of five-member boards in certain municipalities and counties; providing for terms of office; prescribing the quorum for five-member boards; providing for reduction of the membership of seven-member boards; providing for a hearing to be called upon written notice signed by at least two members of a five-member board; providing that three members' votes are required on a five-member board for certain board actions to be official; providing an effective date.

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

By Senator Kirkpatrick—

SB 600—A bill to be entitled An act relating to the regulation of professions and occupations; amending s. 20.30, F.S.; revising the organizational structure of the Division of Professions of the Department of Professional Regulation to conform to present law; amending s. 455.203, F.S.; authorizing the department to establish a committee to reconcile differences between regulatory boards of the department; requiring such boards to adopt the rules recommended by such committee; amending s. 455.206, F.S.; providing a specified exception for certain members of the Board of Medicine; amending s. 455.207, F.S.; authorizing the Secretary of Professional Regulation to determine certain matters normally before a regulatory board of the department; amending s. 455.227, F.S.; providing an additional penalty; amending ss. 455.241, 455.242, F.S.; providing conforming language; providing an effective date.

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

By Senator Kirkpatrick—

SB 601—A bill to be entitled An act relating to the licensing of hearing aid specialists; amending s. 454.0447, F.S.; providing a refund of the fee an applicant has paid to take the hearing aid specialist licensure examination when, prior to the date of the examination, such applicant is found to be ineligible to take such examination; providing an effective date.

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

By Senator Kirkpatrick—

SB 602—A bill to be entitled An act relating to powers of attorney; creating s. 709.11, F.S., providing that the deployment-contingent power of attorney shall be afforded full force and effect by the courts of the state; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Kirkpatrick—

SB 603—A bill to be entitled An act relating to workers' compensation; amending s. 440.11, F.S.; extending the immunity from liability provided to an employer under the Workers' Compensation Law to each corporate officer of the employer when acting in a supervisory capacity; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Kirkpatrick—

SB 604—A bill to be entitled An act relating to fixed-base operators at airports; requiring each such operator to maintain hangarkeeper's liability insurance; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Kirkpatrick—

SB 605—A bill to be entitled An act relating to freshwater fishing; amending s. 372.57, F.S.; authorizing the Game and Fresh Water Fish Commission to designate days upon which unlicensed persons may engage in the taking of freshwater fish; providing an effective date.

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

By Senator Myers—

SB 606—A bill to be entitled An act relating to long-term care insurance; creating a new part XIX of chapter 627, F.S.; creating s. 627.9401, F.S.; creating the "Long-Term Care Insurance Act"; creating s. 627.9402, F.S.; providing purpose; creating s. 627.9403, F.S.; providing for the scope of the act; creating s. 627.9404, F.S.; providing definitions; creating s. 627.9405, F.S.; providing filing requirements for authorized groups; creating s. 627.9406, F.S.; providing for the use of out-of-state group long-term care insurance under certain circumstances; creating s. 627.9407, F.S.; providing for disclosure, advertising, and performance requirements for long-term care insurance; creating s. 627.9408, F.S.; providing for rules; providing for review and repeal; providing an effective date.

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

By Senator Beard—

SB 607—A bill to be entitled An act relating to transportation; amending s. 341.369, F.S.; providing a high-speed rail line franchise fee; providing an effective date.

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

By Senator Gordon—

SB 608—A bill to be entitled An act relating to education; amending s. 228.195, F.S.; requiring district school boards to establish school breakfast programs; providing requirements; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Gordon—

SB 609—A bill to be entitled An act relating to the "Life-Prolonging Procedure Act of Florida"; amending ss. 765.04, 765.05, and 765.07, F.S.; authorizing the parents or guardians of minor children to act on behalf of their minor children under the act; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Gordon—

SB 610—A bill to be entitled An act relating to state funding of public schools; amending s. 236.02, F.S.; requiring a school district that pays salary supplements to coaches to pay equal supplements to coaches of

male teams and coaches of female teams competing in comparable sports and activities, in order to be eligible to receive funding under the Florida Education Finance Program; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Gordon—

SB 611—A bill to be entitled An act relating to postsecondary education; amending s. 240.2095, F.S.; authorizing the Board of Regents to establish criteria for the approval of new programs and changes in existing programs at private colleges and universities that receive state program support funds from the General Revenue Fund; providing certain criteria for the board to use in approving such new programs and changes to existing programs; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Gordon—

SM 612—A memorial to the members of the Florida delegation to the United States Senate and United States House of Representatives, urging them to support and cosponsor the Act for Better Child Care Services.

—was referred to the Committee on Rules and Calendar.

By Senator Gordon—

SB 613—A bill to be entitled An act relating to weapons and firearms; creating s. 790.185, F.S.; prohibiting the sale of certain firearms; providing exceptions; providing a penalty; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Gordon—

SB 614—A bill to be entitled An act relating to unemployment compensation; amending s. 443.111, F.S., changing computation of average weekly wage for purposes of calculating an individual's weekly benefit amount; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Grant—

SB 615—A bill to be entitled An act relating to corporations; amending s. 607.109, F.S., which provides requirements with respect to control-share acquisitions; specifying that certain persons shall not be deemed to be part of a "group" or to be an "acquiring person" for purposes of such requirements; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Grant—

SB 616—A bill to be entitled An act relating to secondary education; amending s. 232.246, F.S.; revising the requirements for high school graduation with respect to certain secondary schools offering six periods of academic instruction each day; providing a method for calculating the number of academic credits which a student who is transferring between schools having different credit requirements will be given credit for in the school into which he is transferring; amending s. 232.2465, F.S.; revising criteria for qualifying as a Florida Academic Scholar to conform to the differing high school graduation requirements; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Grant—

SB 617—A bill to be entitled An act relating to search warrants; amending s. 933.18, F.S.; providing for the issuance of a search warrant to search a private dwelling when certain laws relating to children are being violated in the dwelling; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Hair—

SB 618—A bill to be entitled An act relating to securities; amending s. 517.051, F.S.; providing limitations and conditions for the sale of certain securities; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Hair—

SB 619—A bill to be entitled An act relating to insurance; amending s. 624.436, F.S.; correcting a reference in the title of the Florida Nonprofit Multiple Employer Welfare Arrangement Act; creating s. 624.4361, F.S.; providing definitions for the act; amending s. 624.437, F.S.; specifying that a certificate of authority is required to operate, maintain, or establish such arrangement; providing requirement for determining violation; amending s. 624.438, F.S.; revising general eligibility requirements; creating s. 624.4381, F.S.; requiring that arrangements be incorporated; amending s. 624.439, F.S.; revising requirements for application for certificate of authority; revising bond requirements; providing excess insurance requirements; creating s. 624.4391, F.S.; providing statutory assessment reserve requirements; creating s. 624.4392, F.S.; providing fund balance requirements; amending s. 624.44, F.S.; providing for examinations by the Department of Insurance; providing for notification of insolvency; authorizing the department to take certain action if the arrangement does not provide information regarding solvency; amending s. 624.441, F.S.; revising insolvency protection requirements; creating s. 624.4412, F.S.; requiring filing and approval of rates and forms; creating s. 624.4413, F.S.; specifying applicability of related laws; creating s. 624.4414, F.S.; specifying employer participants' liability for the obligations of the arrangement; creating s. 624.4415, F.S.; providing requirements relating to assessment of employers; amending s. 624.442, F.S.; revising requirements relating to annual reports; requiring annual actuarial certification; requiring quarterly reports; providing penalty for failure to file reports; creating s. 624.4431, F.S.; providing for administration and rules; amending s. 624.444, F.S.; revising grounds for denial, suspension, or revocation of certificate of authority; amending s. 624.445, F.S., to conform; providing for review and repeal; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Hair—

SB 620—A bill to be entitled An act relating to medical malpractice risk apportionment; amending s. 627.351, F.S.; increasing the amounts of per claim and annual aggregate protection required for health care providers other than hospitals with respect to medical malpractice risk apportionment plans operated by the Joint Underwriting Association; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Langley—

SB 621—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; providing that a term of imprisonment for driving under the influence may be served in a residential alcoholism or drug abuse treatment program; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Johnson—

SB 622—A bill to be entitled An act relating to public schools; amending s. 236.081, F.S.; providing for consideration of International Baccalaureate examination scores in calculating the annual allocation from the Florida Education Finance Program to each school district for operation of schools; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Crenshaw—

SB 623—A bill to be entitled An act relating to insurance coverage for university hospitals; authorizing the Board of Regents to provide comprehensive general liability insurance coverage to University Hospital of Jacksonville; providing such coverage through the trust funds established under s. 240.213, F.S.; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Crawford—

SR 624—A resolution commending the Avon Park High School baseball team and football team, their athletic director, and their respective coaches.

—was referred to the Committee on Rules and Calendar.

By Senator Beard—

SB 625—A bill to be entitled An act relating to constitutional officers; amending s. 768.28, F.S.; providing for such officers to obtain liability insurance or other protection; providing an effective date.

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

By Senator Jennings—

SB 626—A bill to be entitled An act relating to requirements for professional liability insurance; amending s. 337.106, F.S.; allowing certain providers of professional service to the Department of Transportation the alternative of self-insurance; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Thomas—

SR 627—A resolution commending Coach Art Witters and the Godby High School Cougars for winning the Class AAAA State Football Championship.

—was referred to the Committee on Rules and Calendar.

By Senators Thomas and Hollingsworth—

SB 628—A bill to be entitled An act relating to the acquisition of state lands; providing a short title; providing legislative intent; providing definitions; creating the Emergency Archaeological Acquisition Trust Fund within the Department of Natural Resources to be used to fund the purchase of archaeological properties of major statewide significance within the state; providing for the annual transfer of funds from the Conservation and Recreation Lands Trust Fund to the trust fund; providing requirements for expenditures from the trust fund; providing requirements for requests to purchase lands with moneys from the trust fund; authorizing the Board of Trustees of the Internal Improvement Trust Fund to approve such purchase upon an extraordinary vote; authorizing the board of trustees to waive certain requirements; providing for the resale of lands purchased with moneys from the trust fund; providing requirements for the use of such lands; providing for liberal construction; providing for severability; providing an effective date.

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

By Senator Johnson—

SB 629—A bill to be entitled An act relating to chemical tests for intoxication; amending s. 316.1932, F.S.; revising language relating to the breath, blood, and urine tests for alcohol, chemical substances, or controlled substances to provide for implied consent under certain circumstances; amending s. 316.1933, F.S.; providing that any person who accepts the privilege of operating a motor vehicle in the state shall be deemed to have given consent for the blood, breath, or urine test if such person was the driver of a motor vehicle involved in certain accidents; providing for the suspension of the driver's license under certain circumstances; providing for admissibility; amending s. 322.261, F.S.; providing a cross-reference to conform to the act; amending ss. 327.352 and 327.353, F.S.; to correct cross-references; providing an effective date.

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

By Senator Crawford—

SB 630—A bill to be entitled An act relating to Polk County; authorizing a personnel system for deputies, employees, and members of the Sheriff's Office of Polk County; authorizing a personnel board; providing for said board's powers and duties and qualifications and compensation of board members; authorizing expenditures of and for the board; providing for a Members Advisory Council; providing for a classified service and for the classification of members of the classified service; providing for the creation of new positions and the filling of vacancies; providing for probationary periods; providing for hearings; providing for appointments, rules, policies, pay plans, rights and benefits; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Crawford—

SB 631—A bill to be entitled An act relating to the City of Sebring, Highlands County; amending section 4 of chapter 23535, Laws of Florida, 1945, relating to the Sebring Utilities Commission; providing that one member of the commission may reside outside the city limits if he possesses specified qualifications; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Beard—

SB 632—A bill to be entitled An act relating to public transit projects; amending s. 341.031, F.S.; providing definitions; amending s. 341.041, F.S.; requiring the Department of Transportation to develop and administer state standards for the productivity of public transit systems; amending s. 341.051, F.S.; providing for state funding of certain transit projects; allowing funding of local transit systems under certain circumstances; limiting the amount of such funding; providing for expiration and legislative review of such limitation; prohibiting certain uses of state funds; creating s. 341.071, F.S.; providing for transit system operating standards; requiring an annual report; providing for incentive awards; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Myers—

SB 633—A bill to be entitled An act relating to local governments; amending s. 11.45, F.S., relating to legislative audits; redefining the term "local governmental entity" for purposes of said section; requiring each special district issuing bonds in excess of a specified amount to obtain annual financial audits; providing for hearings by the Legislative Auditing Committee on the failure of local governmental entities to comply with the reporting requirements under said section; providing for actions that may be taken against such entities; providing for forwarding of the findings of an audit of a special district to the Division of Bond Finance of the Department of General Services if problems related to debt policy or practice are found; requiring that division to prepare a report on the matter for the Legislative Auditing Committee; requiring the Auditor General annually to provide lists of special districts that are in compliance and that are not in compliance with said section to the Office of Special District Information of the Department of Community Affairs; amending s. 20.18, F.S.; requiring the Department of Community Affairs to work with other state agencies to improve enforcement of special district reporting requirements and communication among state agencies receiving reports from special districts; amending s. 75.05, F.S., relating to the procedure for bond validation; providing for service of a copy of the complaint on the Division of Bond Finance of the Department of General Services if the issuer is an independent special district, as redefined, to use for verifying district compliance with certain financial reporting requirements; amending s. 100.011, F.S.; requiring all elections conducted by special districts to be conducted in accordance with specified general laws; prescribing general requirements for the conduct of elections and referenda by special districts; prescribing duties of supervisors of elections with respect thereto; providing for the conversion of certain special districts having governing board members elected on the basis of one vote for each one acre of land owned to a different method of electing board members; providing for referenda on the matter in the various special districts; prescribing duties of the supervisors of elections with respect thereto; providing for composition of the governing boards, terms of members, filling of vacancies, landowners' meetings, qualification of candidates, and when elections will be held; providing for election of members of governing boards of certain independent special districts; amending s. 112.322, F.S.; requiring the Commission on Ethics to report the names of special district officers failing to comply with certain financial disclosure laws to the Office of Special District Information of the Department of Community Affairs; amending s. 112.665, F.S.; requiring the Division of Retirement of the Department of Administration to provide annual reports concerning special district participation in, and compliance with, local government and state-administered retirement system provisions; amending s. 121.021, F.S.; redefining the term "special district" for purposes of the Florida Retirement System Act; repealing s. 165.022(2), F.S., relating to the prohibition against special laws or general laws of local application pertaining to the creation of dependent or independent special districts under conditions, or subject to provisions,

which conflict with those provided in ch. 165, F.S.; amending s. 165.031, F.S.; redefining the terms "special district," "dependent special district," and "independent special district" as used in that chapter; amending s. 165.041, F.S.; revising formation procedures for creation of special districts; amending s. 189.003, F.S.; redefining the terms "special district" and "local governing authority" and deleting the definition of the term "independent special district" for purposes of ch. 189, F.S., relating to special district planning and development; creating s. 189.0034, F.S.; providing a procedure for determining the status of a special district as dependent or independent; amending s. 189.006, F.S.; requiring an independent special district to submit a copy of the document creating the district, or of any amendment to such document to the Department of Community Affairs within specified time periods; authorizing that department to make a determination respecting the status of the district as independent or dependent; requiring an independent special district to file certain information about the district with the local general-purpose governing authority; amending s. 189.007, F.S.; providing for the effect of the failure of a special district to file its facilities or development plan with the general-purpose local government; creating s. 189.011, F.S.; establishing the Office of Special District Information of the Department of Community Affairs; prescribing its responsibilities with respect to the collection, maintenance, publication, dissemination, and distribution of certain information and reports pertaining to special districts; creating s. 189.021, F.S.; declaring state policy respecting coordination of planning between special districts and general-purpose local governments; requiring, after a specified date, a special district to have a facilities or development plan; providing exceptions; prescribing the contents and the terms of such a plan; requiring the plan to be submitted to each general-purpose local government in which the special district is located and requiring such governments to use the plan in the preparation or revision of their comprehensive plans; requiring revisions to the plan to be submitted to such local governments; requiring the plan to be consistent with the local government comprehensive plans; creating s. 189.051, F.S.; authorizing the Department of Community Affairs to adopt rules under ch. 189, F.S.; providing a procedure to enable special districts to amend their charters; amending s. 192.001, F.S.; making definitions applicable to imposition of ad valorem taxes also applicable to imposition of non-ad valorem assessments; redefining the term "levy" to include the imposition of a "non-ad valorem assessment, stated in terms of rate"; amending s. 197.102, F.S.; redefining the terms "tax certificate," "tax notice," "tax rolls," and "assessment rolls," and defining the terms "ad valorem tax roll" and "non-ad valorem assessment rolls," for purposes of ch. 197, F.S., relating to tax collections, sales, and liens; amending s. 197.322, F.S.; providing for delivery to tax payers of a combined notice of ad valorem taxes and non-ad valorem assessments; providing for payment of the postage therefor by the local governing boards; amending s. 197.363, F.S.; providing that the property appraiser may continue to place on the ad valorem roll any non-ad valorem assessments that were placed on that roll under that section before the effective date of the act; creating s. 197.3633, F.S.; prescribing a uniform method for the levy, collection, and enforcement of non-ad valorem assessments by counties, municipalities, and special districts, as those terms are defined; excepting certain counties; providing for reimbursement of the property appraisers and tax collectors of the administrative costs with respect thereto; providing for publication of notice and mailing of written notice of the public hearing at which the non-ad valorem assessment roll is to be adopted, under certain circumstances; providing certain criteria for such assessments; providing that counties not using the uniform method must use the method prescribed in s. 197.363, F.S.; creating s. 197.3635, F.S.; providing an alternative method for collecting non-ad valorem assessments including service charges; providing for compensation of tax collector for collecting such assessments; prohibiting tax certificates and tax deeds from being issued for nonpayment of such assessments; prohibiting such assessments from being included on the combined bill for ad valorem taxes and non-ad valorem assessments; creating s. 197.3637, F.S.; providing for the form of the combined notice of ad valorem taxes and non-ad valorem assessments; prescribing its contents; requiring its approval by the Department of Revenue; providing for payment of the cost of producing the form by the tax collector; amending s. 197.502, F.S.; providing for application for obtaining tax deed by the holder of a combined tax certificate; providing property appraisers and tax collectors a specified period of time to implement certain changes made by the act; amending s. 200.001, F.S.; redefining the terms "special district" and "dependent special district" and defining the term "independent special district"; limiting the millage an independent special district may levy without referendum; providing that certain independent special district millage need not be approved by referendum; amending s. 200.0684, F.S.; requiring the Division of Ad

Valorem Tax of the Department of Revenue to submit an annual report to the Department of Community Affairs concerning compliance of special districts levying ad valorem taxes with ch. 200, F.S.; amending s. 215.84, F.S.; requiring the State Board of Administration to notify the Division of Bond Finance when it authorizes a governmental unit issuing bonds to charge a rate of interest exceeding the maximum rate; requiring that division to use the notification to verify special district compliance with certain notice requirements relating to the issuance of bonds; amending s. 218.31, F.S.; redefining the terms "special district," "dependent special district," and "independent special district" for purposes of pt. I, ch. 218, F.S., relating to general financial provisions applicable to political subdivisions; amending s. 218.32, F.S.; providing for hearings by the Legislative Auditing Committee on the failure of units of local government to comply with specified financial reporting requirements; providing for actions that may be taken against such units of local government; requiring the annual financial report of a municipality or county to list dependent special districts within its jurisdiction; requiring the Department of Revenue to report certain information to the Governor, the Legislature, and the Office of Special District Information; amending s. 218.34, F.S.; deleting the authority of a local governing authority to approve the budget or tax levy of any special district located solely within its boundaries; requiring an independent special district to hold a public hearing on its proposed budget; providing for notice of such hearing; requiring state agencies administering funding programs to conduct certain oversight activities with respect to the use of such funds by special districts and to report certain information to the Office of Special District Information; amending s. 218.37, F.S.; requiring the Division of Bond Finance to report special districts that are not in compliance with certain bond issuance requirements to the Office of Special District Information; amending s. 218.38, F.S.; providing for hearings by the Legislative Auditing Committee on the failure of units of local government to comply with such bond issuance requirements; providing for actions that may be taken against such districts; amending s. 218.503, F.S.; providing that any unit of local government or state agency may notify the Governor and the Legislative Auditing Committee of conditions indicating that a local government is in a state of financial emergency; requiring the Division of Bond Finance to conduct a study on establishing a state-pooled insurance program for local government bond issues; providing an effective date.

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

By Senators Lehtinen and Weinstein—

SB 634—A bill to be entitled An act relating to victims of crime; creating the Victims' Rights Act of 1988; amending s. 775.089, F.S.; revising the standards under which a court may limit restitution to a victim of a crime; requiring a court to order certain types of restitution when a victim has suffered bodily injury; authorizing a victim to intervene as a plaintiff in a sentencing proceeding; providing that such intervention may not bar certain subsequent actions; requiring a court to consider additional factors in determining the amount of restitution; amending s. 921.001, F.S.; requiring the Sentencing Commission to consider additional factors in developing statewide sentencing guidelines; specifying facts which a court may consider in imposing a sentence that is outside such guidelines; amending s. 921.187, F.S.; providing conforming language; creating s. 943.172, F.S.; requiring the Criminal Justice Standards and Training Commission of the Department of Law Enforcement to establish standards and require a specified amount of instruction for law enforcement officers in victims assistance and rights; amending s. 944.512, F.S.; revising the specified distribution of the proceeds of the sale by a convicted felon of an account of his crime; amending s. 944.605, F.S.; revising notification requirements of an inmate's anticipated release from incarceration or a person's anticipated release from parole; amending s. 947.06, F.S.; authorizing victims of crime to make certain statements before the Parole and Probation Commission; requiring the commission to adopt rules governing such statements; amending s. 948.03, F.S.; providing conforming language; amending s. 945.091, F.S.; providing that the Department of Corrections may require restitution be made from an inmate's employment proceeds; amending s. 960.001, F.S.; providing implementing language conforming to the provisions of a proposed constitutional amendment; deleting provisions requiring that certain notification be given to a witness of a crime; requiring that notification of certain judicial proceedings be given to a victim and a relative of certain victims; authorizing the state attorney to consult a victim or a victim's guardian or family regarding the sentencing of a person accused

of the crime; providing that a victim be notified of certain additional rights; providing for a victim's rights information card or brochure; requiring the Governor to advise state agencies of certain statutory changes; deleting provisions requiring that an explanation be provided to the Governor if certain objectives are not achieved by an agency; requiring the Executive Office of the Governor to review guidelines for the fair treatment of victims adopted by specified agencies; providing for injunctive relief; creating s. 960.002, F.S.; authorizing the creation of a direct-support organization, with the approval of the Governor, to provide assistance to victims of crime; providing requirements for the operation, financial records, and accounts of such organization; authorizing the Governor to direct the deposit and distribution of certain funds used to assist victims of crime; providing a conditional effective date.

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

By Senator Weinstein—

SB 635—A bill to be entitled An act relating to sentencing; providing for legislative adoption and implementation of revisions to sentencing guidelines promulgated by the Florida Supreme Court in accordance with s. 921.001, F.S.; providing an effective date.

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

By Senator Hollingsworth—

SB 636—A bill to be entitled An act relating to hazardous wastes; amending s. 403.7265, F.S., postponing the date by which certain assessments and recommendations of the Department of Environmental Regulation for regional hazardous waste facility sites are required to be submitted to the Governor and Legislature; providing an effective date.

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

By Senator Malchon—

SB 637—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; including health care providers who deliver health care services in a prison setting within the Special Risk Class of the system; providing an effective date.

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

By Senator McPherson—

SB 638—A bill to be entitled An act relating to traffic control; amending s. 316.008, F.S.; prohibiting county and municipal authorities from posting or maintaining four-way stop signs at intersections in residential areas, except where the district engineer of the Department of Transportation has determined that such signs are necessary; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Frank—

SB 639—A bill to be entitled An act relating to discrimination in the treatment of persons; amending s. 760.02, F.S.; expanding the definition of employer to remove the minimum number of employees; amending s. 760.06, F.S.; providing that complaints alleging any discriminatory practice as defined for ss. 760.01-760.10, F.S., must be verified; providing an effective date.

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

By Senator Frank—

SB 640—A bill to be entitled An act relating to criminal history records; amending s. 943.058, F.S.; prohibiting the expunction of certain records; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Johnson—

SB 641—A bill to be entitled An act relating to negligence; amending s. 768.28, F.S., relating to applicability of grant of sovereign immunity in tort; including officers, employees, and agents of state agencies, and of

teaching hospitals and private university medical schools under agency contract with the state; providing an effective date.

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

By Senator Hollingsworth—

SB 642—A bill to be entitled An act relating to infectious disease control among inmates of county detention facilities; creating s. 951.27, F.S.; authorizing testing of inmates; providing for confidentiality of test results; providing an effective date.

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

By Senator Hollingsworth—

SB 643—A bill to be entitled An act relating to the marketing of agricultural products; amending s. 570.02, F.S.; defining the term "agricultural marketing facilities"; amending s. 570.07, F.S.; expanding the functions, powers, and duties of the Department of Agriculture and Consumer Services; amending s. 570.53, F.S.; clarifying the powers and duties of the Division of Marketing of the Department of Agriculture and Consumer Services; authorizing the division to enter into contracts with private persons; creating s. 570.531, F.S.; creating the Market Improvements Working Capital Trust Fund; providing legislative intent; providing an appropriation; providing for a study; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By Senator Hollingsworth—

SM 644—A memorial to the Congress of the United States urging Congress to take appropriate action to reform procedures for collateral review of criminal judgments.

—was referred to the Committee on Rules and Calendar.

By Senator Margolis—

SB 645—A bill to be entitled An act relating to employees of the State Board of Administration; amending s. 110.402, F.S.; authorizing the State Board of Administration to designate no more than 10 of its employee positions as eligible to receive certain benefits under the Senior Management Service; deleting an obsolete provision relating to legislative review of the Senior Management Service; amending s. 121.055, F.S.; providing for participation, in the Senior Management Service Class of membership of the Florida Retirement System, of those employees of the State Board of Administration who occupy such designated positions; providing for participation of such employees in the Senior Management Service Optional Annuity Program in lieu of participation in such class; providing for election to remain in an existing system or in another class of the Florida Retirement System; providing for employer contributions; providing an effective date.

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

By Senator Vogt—

SR 646—A resolution honoring Shanan Rene Stewart for her academic and leadership excellence and for being selected Miss Florida U.S. Teen.

—was referred to the Committee on Rules and Calendar.

By Senator Kirkpatrick—

SB 647—A bill to be entitled An act for the relief of Thomas W. Hicks; providing an appropriation to compensate him for personal injuries he sustained as a result of a collision between his vehicle and a vehicle owned by the Department of Transportation and operated by a department employee; providing an effective date.

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

By Senator Brown—

SB 648—A bill to be entitled An act relating to expert witness fees; amending s. 406.09, F.S.; requiring the person calling a medical examiner to testify to pay a reasonable fee for such testimony; providing an effective date.

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

By Senator Ros-Lehtinen—

SB 649—A bill to be entitled An act relating to public health; requiring the Department of Health and Rehabilitative Services to develop a comprehensive program to disseminate information regarding the health risks associated with, and the prevention, control, and treatment of, high blood cholesterol levels; providing for distribution of literature; providing contents; providing an effective date.

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

By Senator Ros-Lehtinen—

SB 650—A bill to be entitled An act relating to beverage packaging; providing a definition; requiring manufacturers or retailers selling any product using beverage packaging to use beverage packaging which is photodegradable; providing a penalty; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Grizzle, Malchon and Kiser—

SB 651—A bill to be entitled An act relating to the Greater Seminole Area Special Recreation District, Pinellas County; amending chapter 80-584, Laws of Florida; authorizing the district board of commissioners to construct a multipurpose community recreation center; prescribing authority to levy ad valorem taxes for the center and for other expenses and prescribing a time limit on the power to levy ad valorem taxes; deleting reference to specific parties with which the district is authorized to contract; prescribing powers with respect to acquisition and divestiture of real and personal property; expanding the authority of the district board of commissioners with respect to borrowing; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Grizzle, Malchon and Kiser—

SB 652—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; deleting requirement that commissioners be freeholders; 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 Deratany—

SB 653—A bill to be entitled An act relating to self-propelled knives; amending s. 790.225, F.S.; making it unlawful to manufacture, display, sell, offer or promote or advertise for sale, own, possess, or use a self-propelled knife; defining the term "self-propelled knife" to include certain unassembled parts of a self-propelled knife and certain kits that can be used to convert a knife into a self-propelled knife; defining the term "person" to include certain business and other entities; providing exceptions; providing for seizure and forfeiture of such items as contraband; providing penalties; providing an effective date.

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

By Senator Deratany—

SB 654—A bill to be entitled An act relating to public records; amending s. 119.011, F.S.; specifying that certain documents given to a person arrested are not excluded from the meaning of "criminal intelligence information" or "criminal investigative information" for purposes of confidentiality; amending s. 119.07, F.S.; providing for confidentiality of medical examiners' records; specifying that active criminal intelligence and criminal investigative information remains exempt from public records requirements after discovery is provided to the defendant or the state in a criminal prosecution; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Hollingsworth—

SB 655—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; removing authority of the Department of Administration to competitively bid for health maintenance organizations; removing a provision that specifies that all employees shall be subject to the same total premium; providing an effective date.

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

By Senator Langley—

SB 656—A bill to be entitled An act relating to freshwater fishing; creating s. 372.195, F.S.; requiring a permit for a freshwater fishing tournament or contest; providing for issuance by the Game and Fresh Water Fish Commission; providing fees; creating s. 372.196, F.S.; providing that it is unlawful to hold such a tournament or contest without a permit; providing penalties; providing an effective date.

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

By Senator Langley—

SB 657—A bill to be entitled An act relating to qualification and registration of electors; amending s. 97.063, F.S.; deleting the requirement of completion of a separate form by an elector registering absentee in order to cancel a previous registration; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Langley—

SB 658—A bill to be entitled An act relating to accessibility by handicapped persons; requiring that public pay telephones be made accessible to persons in wheelchairs; providing exemptions; providing for enforcement; providing an effective date.

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

By Senator Myers—

SB 659—A bill to be entitled An act relating to child protective investigations of reports of institutional child abuse or neglect; amending s. 415.505, F.S.; allowing the Department of Health and Rehabilitative Services to restrict the access to certain children by an alleged perpetrator of child abuse or neglect pending the outcome of an investigation; providing for judicial review; providing an effective date.

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

By Senator Myers—

SB 660—A bill to be entitled An act relating to the Department of Transportation; authorizing the department to covenant to complete a specified revenue-producing transportation project for the St. Lucie County Expressway System; providing conditions; providing priorities for the commitment of funds necessary to satisfy the debt service on certain bonds; providing an effective date.

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

By Senator Myers—

SB 661—A bill to be entitled An act relating to the St. Lucie County Expressway Authority; amending s. 348.944, F.S.; allowing bond sales to be negotiated; providing an effective date.

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

By Senator Myers—

SB 662—A bill to be entitled An act relating to group, blanket, and franchise health insurance policies; creating s. 627.6691, F.S.; requiring certain policies and plans to include coverage for alcoholism, chemical dependency, and drug addiction; establishing the limits of such coverage; providing exemptions; amending s. 627.6675, F.S., to correct a cross-reference; repealing s. 627.669, F.S., which requires such policies to offer similar coverage as an option; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Myers—

SB 663—A bill to be entitled An act relating to AIDS education; amending s. 232.246, F.S.; requiring AIDS education as part of a life management skills course; amending s. 233.067, F.S.; redefining the term "comprehensive health education" to include certain sexually transmissible diseases; providing for AIDS awareness training for teachers; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Myers—

SB 664—A bill to be entitled An act relating to building construction standards; amending s. 553.48, F.S., relating to accessibility features for handicapped persons; requiring listening systems for hearing-impaired persons in certain public buildings; providing an effective date.

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

By Senator Crenshaw—

SB 665—A bill to be entitled An act relating to highway safety; creating s. 322.065, F.S.; providing additional requirements for issuance of a first-time driver's license; directing the Traffic Court Review Committee to establish a traffic law and alcohol and drug abuse education program; providing for fees; requiring certified local DWI schools to offer the program; amending s. 322.08, F.S.; prohibiting the department from issuing a driver's license to certain persons who do not complete the program; amending s. 25.387, F.S.; providing an assessment to fund the establishment of standards for the program; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Weinstein—

SB 666—A bill to be entitled An act relating to education; amending s. 230.23, F.S.; requiring that parents or guardians be notified of their right to prohibit the use of corporal punishment; amending s. 232.26, F.S.; exempting students from corporal punishment under certain conditions; amending s. 232.27, F.S.; prohibiting school personnel from administering corporal punishment to any student whose parent or guardian has denied this authority to school personnel; providing for participation by the parent or guardian in certain discipline; providing an effective date.

—was referred to the Committee on Education.

By Senator Grizzle—

SB 667—A bill to be entitled An act relating to land surveying; amending s. 472.008, F.S.; deleting language with respect to the rulemaking authority of the Board of Professional Land Surveyors relating to financial responsibility; creating s. 472.0085, F.S.; creating the Land Surveyor Recovery Fund; providing additional fees to be deposited in the fund; providing eligibility requirements for recovery from the fund; providing for powers of the board with respect to the fund; providing limits on recovery; providing for investment of funds; providing an effective date.

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

By Senator Grizzle—

SB 668—A bill to be entitled An act relating to children; creating s. 683.17, F.S., designating a day of recognition for children; encouraging certain acknowledgment and reaffirmation by the public; providing an effective date.

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

SR 669 was introduced out of order and adopted April 12.

By Senator Vogt—

SB 670—A bill to be entitled An act relating to specified sovereignty lands in Brevard County; directing the Board of Trustees of the Internal Improvement Trust Fund to convey fee simple title to certain sovereignty lands in Brevard County to the Canaveral Port Authority for inclusion in the foreign trade zone established by the authority and to convey fee

simple title to certain sovereignty lands in Brevard County to the City of Cape Canaveral for the use and enjoyment of the public; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committees on Finance, Taxation and Claims; and Governmental Operations and Senators McPherson and Woodson—

CS for CS for SB 16—A bill to be entitled An act relating to law enforcement communications; creating a joint task force and a trust fund within the Department of General Services to acquire and implement a statewide radio communications system to serve law enforcement units of state agencies and local law enforcement agencies through a mutual aid channel; providing for a pilot project; authorizing use of trust fund moneys for certain communications systems; providing duties of the Division of Communications of the department; providing an appropriation and providing for repayment; creating s. 320.0802, F.S., and amending s. 327.25, F.S.; imposing a surcharge on motor vehicle license taxes and vessel registration fees to fund the trust fund; amending s. 327.73, F.S.; relating to noncriminal infractions, to correct a cross-reference; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Malchon and Girardeau—

CS for SB's 42 and 49—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 exemption from civil liability for licensed medical personnel who gratuitously and in good faith perform health screening services; providing an effective date.

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

CS for SB 54—A bill to be entitled An act relating to condominiums; amending s. 718.115, F.S.; providing for additional expense items to be treated as common expenses; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs—

CS for SB 82—A bill to be entitled An act relating to real estate brokers, salesmen, schools, and appraisers; amending s. 475.01, F.S.; providing definitions; amending s. 475.011, F.S.; providing exemptions from regulation under ch. 475, F.S.; amending s. 475.02, F.S.; revising qualifications for membership on the Florida Real Estate Commission; amending s. 475.04, F.S.; providing for duties of the commission; amending s. 475.045, F.S.; revising qualifications for membership on the Foundation Advisory Committee of the Florida Real Estate Commission Education and Research Foundation; revising powers and duties of the committee and the foundation; amending s. 475.125, F.S.; revising license and renewal fees; providing for fees for certification and recertification; amending s. 475.15, F.S.; requiring the registration or licensure of only the general partners in a limited partnership; amending s. 475.17, F.S.; revising qualifications for practice as a real estate broker or salesman; requiring post-licensure education for brokers; providing qualifications for nonresident applicants and licensees; amending s. 475.175, F.S.; providing for license examinations; amending s. 475.182, F.S.; providing for license renewal, including continuing education requirements; providing for inactive status; amending s. 475.183, F.S.; revising requirements to renew inactive licenses; amending s. 475.23, F.S.; requiring a licensee to notify the commission of a change of address; amending s. 475.25, F.S.; prescribing disciplinary actions and revising grounds for disciplinary action; including certification as an appraiser within the scope of disciplinary authority; amending s. 475.31, F.S.; deleting certain relicensing limitations; amending s. 475.37, F.S.; providing for reversal of certain disciplinary actions; amending s. 475.38, F.S.; deleting provisions allowing payment by the commission of certain fees and costs of a defendant; amending s. 475.42, F.S.; revising a prohibition and providing an additional prohibition; providing penalties; amending s. 475.451, F.S.; providing requirements for certain schools and instructors teaching courses in real estate practice; amending s. 475.452, F.S.; requiring advance fees to be deposited in a bank in this state; amending s. 475.482, F.S.; modifying requirements for disbursements from the Real Estate Recovery Fund; raising the fund levels at which the imposition of special fees for the fund must be discontinued and at which they may be reimposed thereafter;

amending s. 475.483, F.S.; revising conditions for recovery from the fund; amending s. 475.4835, F.S.; providing for certain actions to be taken by the commission on behalf of the state; amending s. 475.484, F.S.; prohibiting the recovery of treble damages, court costs, attorney's fees, and interest from the Real Estate Recovery Fund except under specified circumstances; creating s. 475.501, F.S.; providing definitions; providing for certification of real estate appraisers and residential appraisers; creating the Real Estate Appraisal Subcommittee of the Florida Real Estate Commission; providing for membership of the subcommittee; prescribing its duties; providing for certification of licensed brokers, broker-salesmen, and salesmen as appraisers; providing examination requirements; providing education and experience requirements; providing for term of certification; providing for recertification; limiting certification to individuals; requiring the display of certification numbers; providing continuing education requirements; providing for disciplinary actions and grounds therefor; providing standards for developing certified appraisal reports and communicating such reports; providing for interpreting such standards; requiring the retention of certain documents; amending s. 337.271, F.S.; requiring certain appraisals related to right-of-way acquisitions to be conducted by state-certified real estate appraisers; repealing s. 475.181(4), F.S.; deleting provisions relating to the applicant's request for a license; repealing s. 475.1825, F.S., relating to the inactive status of certain expired registrations; reviving and readopting ss. 475.001-475.486, F.S.; repealing ss. 475.001-475.501, F.S., and providing for review of said sections prior to their repeal; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Woodson, Grant, Ros-Lehtinen, W. D. Childers and Myers—

CS for SB 135—A bill to be entitled An act relating to maternal and infant health; creating s. 383.011, F.S.; providing for administration or provision of certain maternal and child health services by the Department of Health and Rehabilitative Services; repealing ss. 383.01, 383.02, and 383.03, F.S.; pertaining to the department's duties under a federal program for welfare and hygiene of maternity and infancy; providing an effective date.

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

CS for SB 136—A bill to be entitled An act relating to adult congregate living facilities; creating s. 400.4185, F.S.; providing for registration of certain facilities with three or fewer residents; requiring basic education; providing for access by the district nursing home and long-term care facility ombudsman councils; requiring a media campaign; requiring an annual report to the Legislature; amending s. 400.447, F.S.; providing a penalty; amending s. 400.453, F.S.; providing for consultation by the Department of Health and Rehabilitative Services; providing an appropriation; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Myers and Lehtinen—

CS for SB's 174 and 51—A bill to be entitled An act relating to criminal history records; amending s. 943.053, F.S.; providing that a court may deny a request for sealing or expunging certain criminal history records; authorizing the expunction of certain criminal history records without requiring a prior sealing; 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; providing penalties for furnishing false information on such sworn statement; prohibiting the expunction of certain records under certain circumstances; creating s. 943.0535, F.S.; requiring clerks of courts to furnish to appropriate federal immigration officers upon official request, without charge, certified copies of court records of aliens convicted of felonies; providing effective dates.

By the Committee on Transportation and Senator Grant—

CS for SB 292—A bill to be entitled An act relating to state uniform traffic control; creating s. 316.1951, F.S.; prohibiting persons from parking a motor vehicle in certain locations with the intent to sell, hire, or rent the vehicle, for the purpose of working on the vehicle, or to display advertising; providing a definition; providing for rules; providing penalties; providing an effective date.

By the Committee on Transportation and Senator Lehtinen—

CS for SB 295—A bill to be entitled An act relating to transportation; creating the Constitutional Charter County Expressway Authority Law; providing definitions; providing for the creation of an expressway authority by any county operating under a home rule charter; providing for the purposes and powers of the authority; providing for bonds; providing for a lease-purchase agreement between the authority and the Department of Transportation; providing that the department may be appointed by the Division of Bond Finance of the Department of General Services as the division's agent for certain purposes; providing for the acquisition of land and property; providing for cooperation by the authority with other units, boards, agencies, and individuals; providing for the covenant of the state; amending s. 339.175, F.S.; providing for three additional members of a constitutional charter county M.P.O.; providing an effective date.

By the Committee on Governmental Operations and Senator Plummer—

CS for SB 309—A bill to be entitled An act relating to historic preservation boards; creating ss. 266.118, 266.2095, 266.309, 266.411, and 266.508, F.S., authorizing the Historic Tallahassee Preservation Board of Trustees, the Historic Florida Keys Preservation Board of Trustees, the Historic Palm Beach County Preservation Board of Trustees, the Historic Tampa-Hillsborough County Preservation Board of Trustees, and the Historic Broward County and Historic Volusia County and Flagler County Preservation Boards of Trustees to contract with a direct-support organization; providing definitions; providing for certain terms of the contract; providing for the adoption of rules; providing for audits; providing that the names of donors be exempt from the public records law; providing for review and repeal; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senators Johnson, Jenne and Ros-Lehtinen—

CS for SJR's 318 and 356—A joint resolution proposing an amendment to Section 3, Article VII of the State Constitution, relating to ad valorem tax exemptions.

By the Committee on Judiciary-Civil and Senators Langley, Kiser, Dudley, Woodson, Brown, Peterson, Weinstein and Thurman—

CS for SB's 362 and 364—A bill to be entitled An act relating to mobile home parks tenancies; amending s. 723.002, F.S.; providing for application of ch. 723, F.S.; amending s. 723.003, F.S.; amending the definition of the term "mobile home"; amending s. 723.004, F.S.; providing legislative intent; specifying that ch. 723, F.S., does not prevent the enforcement of certain additional laws; amending s. 723.006, F.S.; requiring the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business Regulation to give certain notice with respect to disposition of complaints under the Florida Mobile Home Act; amending s. 723.007, F.S.; providing restrictions on paying the annual fee for each mobile home lot; amending s. 723.011, F.S.; providing a time limit for delivery of the mobile home park prospectus or circular to a prospective lessee; amending s. 723.012, F.S.; requiring certain information to be included in the prospectus; amending s. 723.014, F.S.; amending certain conditions in which a rental agreement is voidable by the lessee; amending s. 723.022, F.S.; requiring mobile home park owners to enforce the park rules and regulations; amending s. 723.031, F.S.; amending certain restrictions upon charging user fees; amending s. 723.033, F.S.; providing for a court to make specific determinations regarding mobile home lot rental agreements; prohibiting certain unreasonable agreements; providing remedies; requiring the amount of lot rental in dispute to be paid into the court registry under certain circumstances; amending s. 723.037, F.S.; requiring certain specified disputes involving lot rental agreements to be submitted to arbitration prior to either party filing a court action; specifying circumstances under which a party is not entitled to attorney's fees; amending s. 723.038, F.S.; requiring the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business Regulation to employ arbitrators and adopt rules for arbitration proceedings; providing that parties may agree to be bound by the final order of arbitration; providing an arbitration procedure; limiting the use of information obtained by subpoena; providing for a trial de novo within a specified time following a nonbinding arbitration proceeding; prescribing circumstances under which attorney's fees and costs may be awarded; amending s. 723.061, F.S.; entitling a mobile home owner to certain reimbursement upon his eviction; requiring certain notice to be written; amending s. 723.071, F.S.; providing con-

ditions to the sale of mobile home parks; amending s. 723.072, F.S., to conform; amending s. 723.075, F.S.; specifying who is represented by a mobile home homeowners' association; creating s. 723.084, F.S.; providing for the enforcement of rights and duties declared in ch. 723, F.S.; providing for arbitration and for civil action; allowing recovery of damages; providing for venue; providing for injunctive relief; providing an effective date.

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

CS for SB 395—A bill to be entitled An act relating to state correctional institutions; authorizing the superintendent of such an institution to pay a reward to each person who is responsible for the capture of an escaped inmate; specifying a maximum amount of the reward; specifying that certain employees of state, county, and municipal law enforcement or correctional agencies are ineligible to receive such rewards; providing an effective date.

By the Committee on Governmental Operations—

CS for SB 412—A bill to be entitled An act relating to the Commission on Ethics; amending s. 110.205, F.S.; exempting employees of the Commission on Ethics from the Career Service System; repealing s. 110.402(3), F.S., which provides that the Executive Director and Deputy Executive Director of the Commission on Ethics receive Senior Management Service benefits; amending s. 112.321, F.S.; providing that the Commission on Ethics shall employ an executive director and furnish assistants and secretaries as required in accordance with the policies established therefor by the Joint Legislative Management Committee pursuant to applicable provisions of s. 11.147, F.S.; providing an effective date.

By the Committee on Transportation and Senator Johnson—

CS for SB 418—A bill to be entitled An act relating to the Florida Highway Patrol; directing the Department of Highway Safety and Motor Vehicles to name the Highway Patrol Station on State Road 70 in Manatee County as the Calvin Baxter, Jr., and Jeffrey Dale Young Highway Patrol Station; providing an effective date.

By the Committee on Commerce and Senator Gordon—

CS for SB 421—A bill to be entitled An act relating to insurance; amending s. 627.647, F.S.; requiring uniform health insurance claim forms to include disclosure of other insurance policies; providing exceptions; providing for disclosure of other insurance policies for claims submitted by electronic means; providing an effective date.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Beard, by two-thirds vote SB 64 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Langley, by two-thirds vote SJR 237 was also referred to the Committee on Judiciary-Civil as the first committee of reference.

On motions by Senator Scott, by two-thirds vote Senate Bills 82, 135 and 138 were withdrawn from the Committee on Appropriations.

On motions by Senator Scott, by two-thirds vote Senate Bills 220 and 277 were also referred to the Committee on Appropriations.

On motion by Senator Thurman, by two-thirds vote SB 463 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Malchon, by two-thirds vote Senate Bills 158 and 297 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Meek, by two-thirds vote Senate Bills 27, 98 and 450 were withdrawn from the committees of reference and indefinitely postponed; and Senate Bills 719, 720 and 814 were withdrawn prior to introduction.

On motions by Senator Gordon, by two-thirds vote Senate Bills 508, 610 and 614 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Girardeau, by two-thirds vote SB 164 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Woodson, by two-thirds vote SB 232 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Hair, by two-thirds vote SB 172 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Margolis, SB 645 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Hollingsworth, by two-thirds vote SB 596 was withdrawn from the Committee on Governmental Operations, and by two-thirds vote placed on the special order calendar.

Motion

On motion by Senator Barron, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar was granted permission to meet this day at 1:30 p.m. in lieu of 5:00 p.m.

SPECIAL ORDER

On motion by Senator Woodson, by unanimous consent—

SB 32—A bill to be entitled An act relating to bridge designations; designating the bridge on State Road No. 93, Interstate Highway 75, that spans the Manatee River the "Trooper Jeffrey Dale Young Memorial Bridge"; providing an effective date.

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

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

Amendment 1—On page 3, line 10, strike "Jeffery" and insert: Jeffrey

On motion by Senator Woodson, by two-thirds vote SB 32 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Special Guests and Ceremony

Senator Woodson introduced the following members of Trooper Young's family: Karen, widow; Christina Green, daughter; Mr. and Mrs. Dale Young, parents; Wayne Young and David Smith, brothers; Linda Cullers, sister; Pat Smith, sister-in-law; and special guests: Leonard R. Mellon, executive director of the Florida Department of Highway Safety and Motor Vehicles; Col. Bobby R. Burkett, director of the Florida Highway Patrol; and Lt. Christopher Knight, representing Troop F.

At the request of the President, Senator Woodson escorted Mrs. Karen Young to the rostrum where she was presented a copy of SB 32.

Consideration of Resolutions

On motion by Senator Brown, by unanimous consent—

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

SR 981—A resolution designating the week of April 10 through April 17, 1988, as the Days of Remembrance of the Victims of the Holocaust.

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

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

WHEREAS, April 14, 1988, has been designated internationally, and pursuant to an Act of Congress, as a Day of Remembrance of the Victims of the Nazi Holocaust known as Yom Hashoah, and

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

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

That, in memory of the victims of the Holocaust and in the hope that we will strive always to overcome prejudice and inhumanity through education, vigilance, and resistance, the week of April 10 through April 17, 1988, is hereby designated as the Days of Remembrance of the Victims of the Holocaust.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Abraham Foxman and Benjamin Meed, Co-chairmen of the United States Holocaust Memorial Council Days of Remembrance Committee; to Sheldon Gusky, Tallahassee Liaison to the United States Holocaust Memorial Council; to Joe N. Unger, President of the Southeast Florida Holocaust Memorial Council; to Lois Chepenik, President of the Florida Association of Jewish Federations; to Rahamim Timor, Consul General of Israel in Florida; and to Dr. Michael Cohen, President of Jewish Federation of Volusia and Flagler County, Inc., as tangible tokens of the sentiments of the Florida Senate.

—was introduced out of order and read the first time by title. On motion by Senator Brown, SR 981 was read the second time in full and unanimously adopted.

On motion by Senator Grizzle, by unanimous consent—

By Senator Grizzle—

SR 669—A resolution recognizing April 11, 1988, as Children's Day.

WHEREAS, each child represents either a potential addition to the productive capacity and enlightened citizenship of the state or, if allowed to suffer from neglect, a potential addition to the destructive forces of the state, and

WHEREAS, there are now more than 2.5 million children living in the State of Florida, and by the year 2,000 there will be more than 3.3 million children, and

WHEREAS, Florida's children are the resource giving it the greatest hope of future excellence, and

WHEREAS, children naturally possess the best of all human qualities including insatiable curiosity, unbounded imagination, unlimited energy, unrelenting determination, and unconditional love for others, and

WHEREAS, it is in the best interest of our children and our state to encourage their productive capacity and enlightened citizenship by the further development of their qualities, strengths and potential, and

WHEREAS, by dedicating a day of recognition for the children of Florida the state acknowledges the importance of its children and its responsibility to the future, NOW, THEREFORE,

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

That April 11, 1988, is declared to be Children's Day.

BE IT FURTHER RESOLVED, that copies of this resolution be dispatched to all public schools to be displayed for viewing by Florida's children.

—was introduced out of order and read the first time by title. On motion by Senator Grizzle, SR 669 was read the second time in full and unanimously adopted.

SPECIAL ORDER, continued

SB 240—A bill to be entitled An act relating to the state lottery; amending s. 24.115, F.S.; removing authorization for a prize winner to assign a portion of a prize to certain financial institutions; providing an effective date.

—was read the second time by title.

Senator Crenshaw moved the following amendments which were adopted:

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

Section 2. Subsection (13) of section 24.112, Florida Statutes, is amended to read:

24.112 Retailers of lottery tickets.—

~~(13) Each retailer shall provide accessibility for disabled persons on habitable grade levels. This subsection does not apply to a retail location which has an entrance door threshold more than 12 inches above ground level.~~

Section 3. Effective October 1, 1988, subsection (13) is added to section 24.112, Florida Statutes, to read:

24.112 Retailers of lottery tickets.—

(13) Each retailer shall provide accessibility for disabled persons on habitable grade levels. This subsection does not apply to a retail location which has an entrance door threshold more than 12 inches above ground level.

Section 4. Except as otherwise provided herein, this act shall take effect upon becoming a law.

Amendment 2—In title, on page 1, line 5, after "institutions;" insert: amending s. 24.112, F.S.; deleting and reenacting at a later date provisions requiring retailers to provide accessibility for disabled persons;

On motion by Senator Crenshaw, by two-thirds vote SB 240 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—3

Lehtinen	Plummer	Ros-Lehtinen
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Vote after roll call:

Nay—Deratany

SB 10—A bill to be entitled An act relating to prosecutions for homicide; abrogating a common-law rule of evidence relating to the causal connection between the injury and death; providing that it is no longer necessary that the death must have resulted within a year and a day from the time of injury; providing for applicability to prosecutions for homicide caused by certain injuries inflicted before the effective date of the act; 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 Kirkpatrick and adopted:

Amendment 1—On page 1, strike all of lines 23-25 and insert: homicide caused by an injury inflicted on or after the effective date of this act.

Amendment 2—In title, on page 1, strike all of lines 8-11 and insert: of injury; providing for applicability to prosecutions for homicide caused by certain injuries inflicted on or after the effective date of the act; providing an effective date.

On motion by Senator Kirkpatrick, by two-thirds vote SB 10 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	McPherson	Weinstock
Deratany	Jenne	Meek	Woodson
Dudley	Jennings	Myers	

Nays—None

Vote after roll call:

Yea—Peterson

Motion

Senator Gordon moved that the Senate reconsider the vote by which SJR 237 was referred to the Committee on Judiciary-Civil this day. Consideration of the motion was deferred.

SB 230—A bill to be entitled An act relating to the Capitol Center Planning Commission; amending s. 272.12, F.S.; correcting the boundary description of the Capitol Center Planning District; deleting obsolete provisions regarding initial commission appointments; adding provisions for filling vacancies; authorizing the commission to obtain professional, expert, clerical, or other assistance; reviving and readopting subsections (2) and (3) of said section, notwithstanding their scheduled repeal pursuant to ch. 82-46, Laws of Florida; providing for expiration of specified provisions of the sections that relate to the commission and for review of those provisions prior to expiration; providing an effective date.

—was read the second time by title. On motion by Senator Kiser, by two-thirds vote SB 230 was read the third time by title, passed and 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, D.	Hill	Margolis	Thurman
Childers, W. D.	Hollingsworth	McPherson	Weinstein
Deratany	Jenne	Meek	Weinstock
Dudley	Jennings	Myers	Woodson
Frank	Johnson	Peterson	
Girardeau	Kirkpatrick	Plummer	

Nays—None

Vote after roll call:

Yea—Crenshaw

SB 56—A bill to be entitled An act relating to the Governor's Mansion Commission; amending s. 272.18, F.S.; deleting obsolete language regarding initial commission appointments; amending language relating to Governor's wife as an ex officio commission member; providing for the Florida Room as a state room of the mansion; removing part-time limitation on employing a curator; providing for commission authorization for corporations not for profit and for contracts between them; requiring the commission to adopt rules relating to loans; reviving and readopting said section, notwithstanding repeal scheduled pursuant to s. 11.611, F.S., the Sundown Act and providing for future repeal and review of said section; providing an effective date.

—was read the second time by title.

Senator Jenne moved the following amendment which was adopted:

Amendment 1—On page 4, line 15, before "~~part-time~~" insert: *full-time*

On motion by Senator Kiser, by two-thirds vote SB 56 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Crenshaw, Gordon

SB 26—A bill to be entitled An act relating to the State Minimum Building Codes; amending s. 553.77, F.S.; requiring the Board of Building Codes and Standards of the Department of Community Affairs to issue binding opinions relating to enforcement of specific model codes adopted by state agencies to regulate building construction and other matters related to such model codes; providing an effective date.

—was read the second time by title.

Senator Margolis moved the following amendment which was adopted:

Amendment 1—On page 1, line 22, after the period (.) insert: *The provisions of this paragraph shall not be construed to provide any powers to the board with respect to any decision of the State Board of Education made pursuant to the provisions of s. 235.26, Florida Statutes, to the State Fire Marshal made pursuant to the provisions of chapter 633, Florida Statutes, or to the Department of General Services made pursuant to the provisions of s. 255.25, Florida Statutes.*

On motion by Senator Margolis, by two-thirds vote SB 26 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Crenshaw

SB 114—A bill to be entitled An act relating to community college direct-support organizations; amending s. 240.331, F.S.; specifying which records of such organizations are not considered public records subject to ch. 119, F.S.; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendment which was moved by Senator D. Childers and adopted:

Amendment 1—On page 2, line 2, after “report” strike “and” and insert: *, management letter, and any*

On motion by Senator D. Childers, by two-thirds vote SB 114 as amended was read the third time by title.

Senator Lehtinen moved the following amendment which was adopted by two-thirds vote:

Amendment 2—On page 1, line 31, through page 2, line 5, strike all of said lines and insert: *119.14, the identity of donors and all information identifying donors and prospective donors are exempt from the pro-*

visions of chapter 119, and that anonymity shall be maintained in the auditor's report. These exemptions are subject to the open government all records of the organization, other than the information necessary for the annual report required by s. 240.311(3)(h)6, and the auditor's report and supplemental data requested by the board of trustees and the Auditor General, shall not be considered public records for the purposes of chapter 119.

SB 114 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 115—A bill to be entitled An act relating to community college student records; amending s. 240.323, F.S.; exempting such records from the public record requirements of ch. 119, F.S.; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 115 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	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	
Girardeau	Kirkpatrick	Plummer	

Nays—None

Senator W. D. Childers presiding

SB 116—A bill to be entitled An act relating to state university direct-support organizations; amending s. 240.299, F.S.; specifying which records of such organizations are not considered public records subject to ch. 119, F.S.; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title.

Senators Lehtinen and Weinstock offered the following amendment which was moved by Senator Lehtinen and adopted:

Amendment 1—On page 1, lines 29-31 and on page 2, lines 1 and 2, strike all of said lines and insert: *report. Notwithstanding s. 119.14, the identity of donors and all information identifying donors and prospective donors are exempt from the provisions of Chapter 119, and that anonymity shall be maintained in the auditor's report. all records of the organization other than the auditor's report and supplemental data requested by the Board of Regents and the Auditor General shall not be considered public records for the purposes of Chapter 119. This exemption is*

On motion by Senator D. Childers, by two-thirds vote SB 116 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 117—A bill to be entitled An act relating to state university employee records; amending s. 240.253, F.S.; specifying which employee records of a state university may be designated limited access records; providing that limited access employee records are exempt from the public record requirements of ch. 119, F.S.; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 117 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Hair

SB 118—A bill to be entitled An act relating to state university divisions of sponsored research; amending s. 240.241, F.S.; specifying which records of such divisions are exempt from the public record requirements of ch. 119, F.S.; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 118 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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	
Girardeau	Kirkpatrick	Plummer	

Nays—None

SB 119—A bill to be entitled An act relating to state university student records; amending s. 240.237, F.S.; exempting such records from the public record requirements of ch. 119, F.S.; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 119 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Hair

Consideration of **SB 120** was deferred.

SB 121—A bill to be entitled An act relating to industry services training programs created under contract with the Department of Education; amending s. 230.66, F.S.; specifying which records relating to such programs are exempt from the public record requirements of ch. 119, F.S.; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

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

Yeas—38

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	
Girardeau	Kirkpatrick	Plummer	

Nays—None

SB 148—A bill to be entitled An act relating to Department of Education direct-support organization; amending s. 229.8021, F.S.; continuing the exemptions of specified records of such organization from the public records requirements of ch. 119, F.S.; providing for future legislative review of these exemptions; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 148 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Peterson

SB 149—A bill to be entitled An act relating to district school board direct-support organizations; amending s. 237.40, F.S.; continuing the exemption of specified records of such organizations from the public records requirements of ch. 119, F.S.; providing for future legislative review of these exemptions; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 149 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 163—A bill to be entitled An act relating to the purchase of real property by educational boards; amending s. 235.054, F.S.; continuing the temporary exemption from public disclosure of certain records relating to the negotiations for purchase of real property by an educational board; subjecting such exemption to future review under the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 163 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Lehtinen

SB 229—A bill to be entitled An act relating to student achievement tests of college-level communication and computation skills; amending s. 229.551, F.S.; continuing the exemption of such tests and related documents from the public records requirements of s. 119.07, F.S.; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 229 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Weinstein

SB 243—A bill to be entitled An act relating to community college employee records; amending s. 240.337, F.S.; providing that community college personnel records that have been designated as limited access records are exempt from the public records requirements of ch. 119, F.S.; providing for future legislative review of the exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 243 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

CS for SB 249—A bill to be entitled An act relating to public school personnel; amending s. 231.262, F.S.; providing that complaints and investigative information related to complaints against teachers and administrators are exempt from the public records requirements of ch. 119, F.S., under certain circumstances; providing for future legislative review of the exemptions pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote CS for SB 249 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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	
Girardeau	Kirkpatrick	Plummer	

Nays—None

SB 252—A bill to be entitled An act relating to public school student examination and assessment instruments; amending s. 232.248, F.S.; continuing the exemption of certain instruments and related materials from the public records requirements of s. 119.07, F.S.; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 252 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Barron	Gordon	Kiser	Scott
Beard	Grant	Langley	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	Plummer	
Girardeau	Kirkpatrick	Ros-Lehtinen	

Nays—None

SB 253—A bill to be entitled An act relating to private postsecondary vocational, technical, trade, and business schools; amending s. 246.226, F.S.; continuing the exemptions of specified records and meetings of the state regulatory board from the public records and public meetings requirements of ss. 119.07 and 286.011, F.S.; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 253 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 254—A bill to be entitled An act relating to public school personnel files; amending s. 231.291, F.S.; specifying which items in such files are exempt from the public records requirements of ch. 119, F.S.; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote CS for SB 254 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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	
Girardeau	Kirkpatrick	Plummer	

Nays—None

Consideration of Motion

The Senate resumed consideration of the motion by Senator Gordon to reconsider the vote by which SJR 237 was referred to the Committee on Judiciary-Civil. The motion failed. The vote was:

Yeas—13

Brown	Jenne	Plummer	Weinstock
Frank	Malchon	Stuart	
Girardeau	Margolis	Thurman	
Gordon	Meek	Weinstein	

Nays—20

Barron	Deratany	Jennings	Lehtinen
Beard	Dudley	Johnson	Myers
Childers, W. D.	Grant	Kirkpatrick	Ros-Lehtinen
Crawford	Grizzle	Kiser	Scott
Crenshaw	Hollingsworth	Langley	Woodson

Vote after roll call:

Nay—Hair

SB 101—A bill to be entitled An act relating to operating motor vehicles or vessels under the influence; amending ss. 316.1932, 316.1934, 327.352, and 327.354, F.S.; authorizing the use of physical tests including infrared light measuring devices approved by the Department of Health and Rehabilitative Services for breath testing to determine blood alcohol levels; providing an effective date.

—was read the second time by title.

Senator Grant moved the following amendment which was adopted:

Amendment 1—On page 1, line 13, through page 10, line 3, strike all of said lines and insert:

Section 1. Section 316.1932, Florida Statutes, as amended by section 3 of chapter 88-5, Laws of Florida, is amended to read:

316.1932 Breath, blood, and urine tests for alcohol, chemical substances, or controlled substances; implied consent; right to refuse.—

(1)(a) Any person who accepts the privilege extended by the laws of this state of operating a motor vehicle within this state shall, by so operating such vehicle, be deemed to have given his consent to submit to an approved chemical test or *physical test including but not limited to an infrared light test of his breath for the purpose of determining the alcoholic content of his blood, and to a urine test for the purpose of detecting the presence of chemical substances as set forth in s. 877.111 or controlled substances, if he is lawfully arrested for any offense allegedly committed while the person was driving or was in actual physical control of a motor vehicle while under the influence of alcoholic beverages, chemical substances, or controlled substances. The chemical or physical infrared light breath test shall be incidental to a lawful arrest and administered at the request of a law enforcement officer who has reasonable cause to believe such person was driving or was in actual physical control of the motor vehicle within this state while under the influence of alcoholic beverages. The urine test shall be incidental to a lawful arrest and administered at a detention facility or any other facility, mobile or otherwise, which is equipped to administer such tests at the request of a law enforcement officer who has reasonable cause to believe such person was driving or was in actual physical control of a motor vehicle within this state while under the influence of controlled substances. The urine test shall be administered at a detention facility or any other facility, mobile or otherwise, which is equipped to administer such tests in a reasonable manner that will ensure the accuracy of the specimen and maintain the privacy of the individual involved. The administration of one type of test shall not preclude the administration of another type of test. Such person shall be told that his failure to submit to any lawful test of his breath or urine, or both, will result in the suspension of his privilege to operate a motor vehicle for a period of 1 year for a first refusal, or for a period of 18 months if the driving privilege of such person has been previously suspended as a result of a refusal to submit to such a test or tests. The refusal to submit to a chemical or physical infrared light breath test or to a urine test upon the request of a law enforcement officer as provided in this section shall be admissible into evidence in any criminal proceeding.*

(b) *An analysis of a person's breath, in order to be considered valid under this section, must have been performed substantially according to methods approved by the Department of Health and Rehabilitative Services. For this purpose, the department is authorized to approve satisfactory techniques or methods. Any insubstantial differences between approved techniques and actual testing procedures in any individual case shall not render the test or test results invalid.*

(c)(b) Any person whose consent is implied as provided in this section shall be deemed to have consented to an approved blood test for the purpose of determining the alcoholic content of the blood or a blood test for the purpose of determining the presence of chemical substances or controlled substances as provided herein if such person appears for treatment at a hospital, clinic, or other medical facility as a result of his involvement as a driver in a motor vehicle accident and the administration of a breath or urine test is impractical or impossible. The blood test shall be performed in a reasonable manner. Any person who is incapable of refusal by reason of unconsciousness or other mental or physical condition shall be deemed not to have withdrawn his consent to such test. A blood test may be administered whether or not such person is told that his failure to submit to such a blood test will result in the suspension of his privilege to operate a motor vehicle upon the public highways of this state. Any person who is capable of refusal shall be told that his failure to submit to such a blood test will result in the suspension of his privilege to operate a motor vehicle for a period of 1 year for a first refusal, or for a period of 18 months if the driving privilege of such person has been suspended previously as a result of a refusal to submit to such a test or tests. The refusal to submit to a blood test upon the request of a law enforcement officer shall be admissible in evidence in any criminal proceeding.

(d)(e) If the arresting officer does not request a chemical or *physical infrared light breath test of the person arrested for any offense allegedly committed while the person was driving or was in actual physical control of a motor vehicle while under the influence of alcoholic beverages or controlled substances, such person may request the arresting officer to have a chemical or physical infrared light test made of the arrested person's breath, or a test of the urine, or blood for the purpose of determining the alcoholic content of the person's blood or the presence of chemical substances or controlled substances; and, if so requested, the arresting officer shall have the test performed.*

(e)1.(d)1. By applying for a driver's license and by accepting and using a driver's license, the person holding the driver's license is deemed to have expressed his consent to the provisions of this section.

2. A nonresident or any other person driving in a status exempt from the requirements of the driver's license law, by his act of driving in such exempt status, is deemed to have expressed his consent to the provisions of this section.

3. A warning of the consent provision of this section shall be printed above the signature line on each new or renewed driver's license issued after the effective date of this act.

(f)1.(e)1. The tests determining the weight of alcohol in the defendant's blood shall be administered at the direction of the arresting officer substantially in accordance with rules and regulations which shall have been adopted by the Department of Health and Rehabilitative Services. Such rules and regulations shall be adopted after public hearing, shall specify precisely the test or tests which are approved by the Department of Health and Rehabilitative Services for reliability of result and facility of administration, and shall provide an approved method of administration which shall be followed in all such tests given under this section. However, the failure of a law enforcement officer to request the withdrawal of blood shall not affect the admissibility of a test of blood withdrawn for medical purposes.

2. Only a physician, certified paramedic, registered nurse, licensed practical nurse, or duly licensed clinical laboratory technologist or clinical laboratory technician, acting at the request of a law enforcement officer, may withdraw blood for the purpose of determining the alcoholic content thereof or the presence of chemical substances or controlled substances therein. However, the failure of a law enforcement officer to request the withdrawal of blood shall not affect the admissibility of a test of blood withdrawn for medical purposes.

3. The person tested may, at his own expense, have a physician, registered nurse, duly licensed clinical laboratory technologist or clinical laboratory technician, or other person of his own choosing administer a test in addition to the test administered at the direction of the law enforcement officer for the purpose of determining the amount of alcohol in his blood or the presence of chemical substances or controlled substances at the time alleged, as shown by chemical analysis of his blood or urine, or by chemical or *physical test infrared-light analysis* of his breath. The failure or inability to obtain an additional test by a person shall not preclude the admissibility in evidence of the test taken at the direction of the law enforcement officer.

4. Upon the request of the person tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or his attorney.

5. No hospital, clinical laboratory, medical clinic, or similar medical institution or physician, certified paramedic, registered nurse, licensed practical nurse, duly licensed clinical laboratory technologist or clinical laboratory technician, or other person assisting a law enforcement officer shall incur any civil or criminal liability as a result of the withdrawal or analysis of a blood or urine specimen, or the chemical or *physical infrared-light test* of a person's breath pursuant to accepted medical standards when requested by a law enforcement officer, regardless of whether or not the subject resisted administration of the test.

(2) The results of any test administered pursuant to this section for the purpose of detecting the presence of any controlled substance shall not be admissible as evidence in a criminal prosecution for the possession of a controlled substance.

(3) Notwithstanding any provision of law pertaining to the confidentiality of hospital records or other medical records, information relating to the alcoholic content of the blood or the presence of chemical substances or controlled substances in the blood obtained pursuant to this section shall be released to a court, prosecuting attorney, defense attorney, or law enforcement officer in connection with an alleged violation of s. 316.193 upon request for such information.

Section 2. Section 316.1934, Florida Statutes, as amended by section 5 of chapter 88-5, Laws of Florida, is amended to read:

316.1934 Presumption of impairment; testing methods.—

(1) It is unlawful and punishable as provided in chapter 322 and in s. 316.193 for any person who is under the influence of alcoholic beverages

or controlled substances, when affected to the extent that his normal faculties are impaired, to drive or be in actual physical control of any motor vehicle within this state.

(2) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving, or in actual physical control of, a vehicle while under the influence of alcoholic beverages or controlled substances, when affected to the extent that his normal faculties were impaired or to the extent that he was deprived of full possession of his normal faculties, the results of any test administered in accordance with s. 316.1932 or s. 316.1933 and this section shall be admissible into evidence when otherwise admissible, and the amount of alcohol in the person's blood at the time alleged, as shown by chemical analysis of the person's blood, or by chemical or *physical test infrared-light analysis* of the person's breath, shall give rise to the following presumptions:

(a) If there was at that time 0.05 percent or less by weight of alcohol in the person's blood, it shall be presumed that the person was not under the influence of alcoholic beverages to the extent that his normal faculties were impaired.

(b) If there was at that time in excess of 0.05 percent but less than 0.10 percent by weight of alcohol in the person's blood, such fact shall not give rise to any presumption that the person was or was not under the influence of alcoholic beverages to the extent that his normal faculties were impaired, but such fact may be considered with other competent evidence in determining whether the person was under the influence of alcoholic beverages to the extent that his normal faculties were impaired.

(c) If there was at that time 0.10 percent or more by weight of alcohol in the person's blood, that fact shall be prima facie evidence that the person was under the influence of alcoholic beverages to the extent that his normal faculties were impaired. Moreover, such person who has a blood alcohol level of 0.10 percent or above is guilty of driving, or being in actual physical control of, a motor vehicle, with an unlawful blood alcohol level.

The percent by weight of alcohol in the blood shall be based upon grams of alcohol per 100 milliliters of blood. The foregoing provisions of this subsection shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of alcoholic beverages to the extent that his normal faculties were impaired.

(3) A chemical analysis of a person's blood to determine alcoholic content or a chemical or *physical test infrared-light analysis* of a person's breath, in order to be considered valid under the provisions of this section, must have been performed substantially in accordance with methods approved by the Department of Health and Rehabilitative Services and by an individual possessing a valid permit issued by the department for this purpose. Any insubstantial differences between approved techniques and actual testing procedures in any individual case shall not render the test or test results invalid. The Department of Health and Rehabilitative Services may approve satisfactory techniques or methods, ascertain the qualifications and competence of individuals to conduct such analyses, and issue permits which shall be subject to termination or revocation in accordance with rules adopted by the department.

(4) Any person charged with a violation of s. 316.193, whether in a municipality or not, is entitled to trial by jury according to the Florida Rules of Criminal Procedure.

Senator Langley offered the following amendment which was moved by Senator Grant and adopted:

Amendment 2—On page 13, strike line 15 and insert:

Section 6. Paragraph (d) is added to subsection (6) of section 316.193, Florida Statutes, as amended by section 2 of chapter 88-5, Laws of Florida, to read:

316.193 Driving under the influence; penalties.—

(6) With respect to any person convicted of a violation of subsection (1), regardless of any penalty imposed pursuant to subsection (2), subsection (3), or subsection (4):

(d) A defendant, in the court's discretion, may be required to serve all or any portion of a term of imprisonment to which he has been sentenced pursuant to this section in a residential alcoholism treatment

program or a residential drug abuse treatment program. Any time spent in such a program shall be credited by the court toward the term of imprisonment.

For the purposes of this section, a previous conviction for the violation of former s. 316.1931, former s. 860.01, or former s. 316.028, or a previous conviction outside this state for any substantially similar alcohol-related or drug-related traffic offense, shall also be considered a previous conviction for violation of this section. Notwithstanding any other provision of this section, \$25 shall be added to any fine imposed pursuant to this section, which \$25 shall be deposited in the Emergency Medical Services Trust Fund created in s. 401.34(4). However, in satisfaction of the fine imposed pursuant to this section, the court may, upon a finding that the defendant is financially unable to pay either all or part of the fine, order that the defendant participate for a specified additional period of time in public service or a community work project in lieu of payment of that portion of the fine which the court determines the defendant is unable to pay. In determining such additional sentence, the court shall consider the amount of the unpaid portion of the fine and the reasonable value of the services to be ordered; however, the court shall not compute the reasonable value of services at a rate less than the federal minimum wage at the time of sentencing.

Section 7. This act shall take effect October 1, 1988, with the exception of Section 6, which shall take effect upon becoming a law.

Senator Grant moved the following amendment which was adopted:

Amendment 3—In title, on page 1, strike all of lines 5-9 and insert: authorizing the use of physical tests, including infrared light measuring devices, for testing to determine blood alcohol levels; providing for approval of test methods by the Department of Health and Rehabilitative Services; providing an effective date.

Senator Langley offered the following amendment which was moved by Senator Grant and adopted:

Amendment 4—In title, on page 1, line 9, insert: amending s. 316.193, F.S.; providing that a term of imprisonment for driving under the influence may be served in a residential alcoholism or drug abuse treatment program; providing an effective date.

On motion by Senator Grant, by two-thirds vote SB 101 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Kiser

SB 144—A bill to be entitled An act relating to the Tourism Advisory Council; amending s. 288.347, F.S.; providing for the term of office for council members; providing for meetings; providing for a chairman; requiring minutes of meetings; reviving and readopting said section, notwithstanding repeal scheduled pursuant to the Sundown Act; providing for future review and repeal of said section; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote SB 144 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Grizzle	Kirkpatrick	Margolis	Thomas
Hair	Kiser	Meek	Thurman
Jenne	Langley	Myers	Weinstein
Jennings	Lehtinen	Plummer	Weinstock
Johnson	Malchon	Ros-Lehtinen	Woodson

Nays—None

Vote after roll call:

Yea—Hollingsworth, Peterson, Scott

Consideration of **SB 147** was deferred.

SB 165—A bill to be entitled An act relating to the Economic Development Advisory Council; amending s. 20.17, F.S.; providing for appointment of members by the Secretary of Commerce; providing for meetings; establishing what constitutes a quorum; prescribing what comprises official action; requiring minutes of meetings; providing for the election of a chairman; providing for reimbursement for per diem and travel; reviving and readopting s. 20.17(4), relating to the council, notwithstanding repeal scheduled under the Sundown Act; providing for future review and repeal of said subsection; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote SB 165 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Peterson

SB 171—A bill to be entitled An act relating to the Motion Picture, Television, and Recording Industry Advisory Council; amending s. 20.17, F.S.; providing for appointment of members by the Secretary of Commerce; providing for meetings; requiring minutes of meetings; providing for a chairman; providing for reimbursement for per diem and travel; reviving and readopting s. 20.17(3), F.S., notwithstanding repeal scheduled under the Sundown Act; providing for future review and repeal of said subsection; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote SB 171 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

The President presiding

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

SB 596—A bill to be entitled An act designating the Florida Sports Hall of Fame in Lake City, Florida, as the official state Sports Hall of Fame; providing an effective date.

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

Yeas—37

Mr. President	Frank	Kirkpatrick	Ros-Lehtinen
Barron	Girardeau	Langley	Scott
Beard	Gordon	Lehtinen	Thomas
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

Motion

On motion by Senator Barron, the rules were waived and all bills passed this day were ordered immediately certified to the House.

ENROLLING REPORTS

Senate Bills 32 and 240 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 12, 1988.

Joe Brown, Secretary

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 passed Senate Bills 32 and 240.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State Senate Bills 32 and 240, which he approved on April 12, 1988.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 5 was corrected and approved as follows:

Page 14, column 1, from bottom, at end of line 15, add: providing for termination of the program and for legislative review; providing an effective date.

Page 24, column 1, from bottom, at end of line 22, add: selected from the same juror pool as countywide jurors; providing an effective date.

CO-INTRODUCERS

Senator Dudley—SB 71; Senator Hill—SB 74; Senator Johnson—SB 156; Senators D. Childers, Margolis, Scott, Weinstock, Myers and Weinstein—SB 259; Senator Peterson—SB 269; Senator Grant—SB 285; Senator Stuart—SB 286; Senators Brown, Gordon, Grizzle, Jenne, Grant, McPherson and Weinstock—SM 302; Senators Peterson and Beard—SB 325; Senators Peterson and Weinstein—SB 362; Senator Kirkpatrick—SB 380; Senators Frank and Stuart—SJR 498; Senators Johnson, Woodson and Kirkpatrick—SB 539

RECESS

Senator Barron moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Tuesday, April 19 at 10:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Barron, the Senate recessed at 11:29 a.m. to reconvene at 10:00 a.m. Tuesday, April 19.

SENATE PAGES

April 11-15

Scott Anderson, Lakeland; Kerry Anne Fennelly, Stuart; Leslie Ellen Gerry, Winter Park; Aaron Grau, St. Petersburg; Nancy Elizabeth Hughes, Orlando; Kim Kammer, Cocoa; Kerri Kuehn, Davie; Dawn Marie Langford, Moore Haven; Daryle E. Lademan, DeLeon Springs; Mary Grace McCall, Tallahassee; Kenneth M. Nelson, St. Petersburg; Margaret Samuels, Tampa; Shannon Sickmon, Ocala; Jeffrey Spence, Atlantic Beach; Anna Talakkottur, Altamonte Springs; Mary Elizabeth Veal, Middleburg; Daina Beth Wellen, Hallandale