



Journal of the Senate

Number 8

Thursday, April 28, 1988

CALL TO ORDER

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

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

Excused: Senator Kirkpatrick

PRAYER

The following prayer was offered by the Rev. Dr. Donald C. Kerr, Pastor Emeritus, First Presbyterian Church, Sarasota:

Lord God, the keeper of our life's destiny and our state's heritage, we give thanks for that watchful vigilance that has nurtured us with blessings and benefits. In obedience to that divine spirit that guides our thoughts and inspires our decisions, we pray that the Lord's blessing may be within this legislative body so as to awaken the citizens of our land to a vision of promise and adventure.

Deliver us, we pray, from the sins of fear and suspicion so that, in thankful loyalty, we may put our trust in the future and have the courage to be led by the wisdom of the prophets and the example of the gospel. Amen.

Consideration of Resolutions

On motion by Senator Hollingsworth, by two-thirds vote SR 1291 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Hollingsworth—

SR 1291—A resolution commending the Leon Lions Soccer Team for its perfect 1987-1988 soccer season.

WHEREAS, the Leon High Lions Varsity Soccer Team, under the direction of Head Coach Paul Armor and his excellent staff, defeated all of its opponents during the 1987-1988 season, and

WHEREAS, the Leon Lions Soccer Team is the 1987-1988 Boys Class AAA Florida State Soccer Champions, and

WHEREAS, the 1987-1988 Leon Lions Soccer Team is the first team to have a perfect season in the 11 years that soccer has been a varsity sport in Florida high schools, and

WHEREAS, the Leon Lions Soccer Team, under the able leadership of Coach Armor, has compiled an outstanding 101-15-3 record over the last 5 years, and

WHEREAS, by such achievements, the Leon Lions Soccer Team has brought statewide recognition and honor to Leon High School and the City of Tallahassee, NOW, THEREFORE,

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

That the 1987-1988 Leon Lions Soccer Team, Head Coach Paul Armor, and the coaching staff are commended for their outstanding accomplishments and excellence in high school varsity soccer.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the Leon Lions Soccer Team

members Torry Armor, John Beck, George Clark, Dean Fishback, Eric Hovda, Andy Jenks, John Jusko, Ryan Kiessig, Andy Kraft, Will McCarthy, Doug McDaniel, John Minnick, Mike Mitman, Jackson Murphy, John O'Sullivan, Mike O'Sullivan, Tony Vaughn, Sean Walker, Justin Witkin, and Ken Yon; manager, Jon Horsman; Head Coach Paul Armor; and to Assistant Coaches David Blodgett, Fred Williams, and John DeGrummond as a tangible token of the sentiments of the Florida Senate.

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

Senator Hollingsworth introduced Paul Armor, head coach of the Leon High School varsity soccer team; Jim Sauls, athletic director; Will McCarthy, team captain; David Blodgett and Fred Williams, assistant coaches; and team members.

At the request of the President, Senator Hollingsworth escorted Coach Armor, Coach Sauls and Mr. McCarthy to the rostrum where they were presented a copy of SR 1291.

On motion by Senator Thomas, by two-thirds vote SR 627 was withdrawn from the Committee on Rules and Calendar.

On motion 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.

WHEREAS, each year a state championship is held to determine the best football team in the State of Florida, and

WHEREAS, the Godby High Cougars won 14 games this year with no losses, are District II Champions in Class AAAA Football, are Region I and Section I Champions, and are ranked 11th in the United States, and

WHEREAS, the Godby High School football team is only the second high school team in the history of Florida to move up in classification and repeat the winning of a state championship, and

WHEREAS, this accomplishment could not have been achieved without the enthusiastic support of the school administration, the coaching staff, and the community, and

WHEREAS, it is appropriate that the Senate commend the Godby High Cougars for their accomplishments, NOW, THEREFORE,

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

That the Senate hereby commends the Godby High Cougars and Coach Art Witters for their accomplishments in winning the Class AAAA State Football Championship.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Coach Art Witters and each member of the Godby High School football team as a tangible token of the sentiments expressed herein.

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

Senator Thomas introduced Art Witters, head coach of the Godby High School football team; Brian Wood and Roderick Dorsey, team captains; Tim Cromartie, Florida Super-Senior; and Aaron Tesnow, starter for the past two years.

At the request of the President, Senator Thomas escorted Coach Witters, Mr. Wood and Mr. Dorsey to the rostrum where they were presented a copy of SR 627.

On motion by Senator Deratany, by two-thirds vote SR 1347 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Deratany—

SR 1347—A resolution designating May 1, 1988 as Sun Day.

WHEREAS, the energy demands of the state are growing at a fast pace, and

WHEREAS, the energy sources that currently supply the state are becoming increasingly scarce and more costly, and

WHEREAS, access to those sources may be disrupted by national events, and

WHEREAS, the use of solar energy offers an opportunity to the state to decrease its dependence upon dwindling fossil fuel supplies, and

WHEREAS, the use of solar energy in the state must be stimulated by increased public awareness, now and in the future, and

WHEREAS, the Legislature established the Florida Solar Energy Center in 1974 in an effort to develop the state's solar resource and to authorize research of solar energy technologies appropriate for the state, and to disseminate the results of that research to all Floridians, and

WHEREAS, the Florida Solar Energy Center has joined the nation for the past 10 years in observing a day in the first week in May as Sun Day, a day to celebrate the importance of the sun as an energy resource in the state and nation, NOW, THEREFORE,

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

That this legislative body hereby joins the Florida Solar Energy Center and the nation in recognizing May 1, 1988, as Sun Day and urges all citizens of the state to explore the use of solar energy as a vital energy resource for the state and the nation.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the Florida Solar Energy Center as a tangible token of the commitment of the Florida Senate to the use of solar energy as a resource for meeting state energy needs.

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

On motion by Senator Langley, by unanimous consent—

By Senator Langley—

SR 1387—A resolution declaring the week of May 1-7, 1988, as "Law Week" and May 1, 1988, as "Law Day."

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

WHEREAS, Florida, through the Governor's Proclamation, recognizes May 1 through May 7 as Law Week, with "We the People" as a national theme, and

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

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

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

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

That the Senate of the State of Florida hereby recognizes the week of May 1 through May 7, 1988, as Law Week and May 1 as Law Day and encourages all citizens of the State of Florida to reflect on their legal heritage, the role of law in a free society, and the rights they enjoy under the United States Constitution; and further urges all citizens to actively participate in Law Week activities in their counties.

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

—was introduced out of order and read the first time by title.

On motion by Senator Langley, SR 1387 was read the second time in full and unanimously adopted.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, April 28, 1988: CS for SB 421, SB 129, CS for SB 472, SB 378, CS for SB 505, SB 214, SB 210, CS for SB 135, CS for SB 393, SB 437, SB 330, CS for SB 395, SB 194, CS for SB 418, SB 908, CS for SB 185, SB 358, SB 433, SB 962, SB 871, SB 374, CS for SB 375, CS for SB's 33, 197 and 241, CS for CS for SB 368, SB 282, CS for SB 483, SB 601, CS for SB 659, SB 562, CS for SB 990, SB 599, CS for SB 309, SB 170, SB 112, CS for SB 3, SB 7, CS for SB's 69 and 734, CS for SB 344, SB 710, CS for SB 854, CS for SB 568, SB 201, SB 39, CS for SB 686

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Corrections, Probation and Parole recommends the following pass: SB 1173 with 1 amendment

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 544

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB 127, SJR 360, SB 435, CS for SB 462 with 1 amendment

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1058

The Committee on Transportation recommends the following pass: SB 807 with 1 amendment

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

The Committee on Transportation recommends the following pass: SB 929 with 2 amendments

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 184 with 1 amendment, SB 561

The Committee on Transportation recommends the following pass: SB 607 with 1 amendment, SB 660 with 1 amendment, SB 902

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

The Committee on Judiciary-Criminal recommends the following pass: SB 579 with 2 amendments

The Committee on Transportation recommends the following pass: SB 661 with 2 amendments

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

The Committee on Judiciary-Criminal recommends the following pass: CS for SB 269, SB 578

The bills were referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Corrections, Probation and Parole recommends the following pass: SB 718

The Committee on Transportation recommends the following pass: SB 683

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 591, SB 1031

The Committee on Finance, Taxation and Claims recommends the following pass: SB 396, SB 677, SB 746

The Committee on Health and Rehabilitative Services recommends the following pass: SB 501 with 2 amendments

The Committee on Judiciary-Criminal recommends the following pass: SB 731

The Committee on Transportation recommends the following pass: CS for SB 447

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: Senate Bills 509 and 272

The Committee on Judiciary-Criminal recommends a committee substitute for the following: CS for SB 130

The Committee on Transportation recommends a committee substitute for the following: SB 521

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

The Committee on Judiciary-Criminal recommends a committee substitute for the following: Senate Bills 277 and 816

The bills with committee substitute attached were referred to the Committee on Corrections, Probation and Parole under the original reference.

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 954

The Committee on Transportation recommends a committee substitute for the following: SB 837

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 Corrections, Probation and Parole recommends a committee substitute for the following: SB 971

The Committee on Judiciary-Criminal recommends a committee substitute for the following: Senate Bills 427 and 744

The Committee on Transportation recommends committee substitutes for the following: SB 95, SB 1056

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 685

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 634

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 897

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

The Committee on Transportation recommends a committee substitute for the following: SB 688

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

The Committee on Corrections, Probation and Parole recommends committee substitutes for the following: SB 539, SB 840, SB 1043

The Committee on Judiciary-Civil recommends committee substitutes for the following: CS for SB 4, SB 460, SB 549

The Committee on Transportation recommends committee substitutes for the following: SB 530, SB 865

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 Kirkpatrick—

SB 1361—A bill to be entitled An act relating to water and sewer utilities; amending s. 403.092, F.S., which directs the Department of Environmental Regulation to implement an inspection program for package sewage treatment facilities; providing definitions; creating s. 403.093, F.S.; directing the department to establish an enforcement program; providing penalties; providing for enforcement duties to be delegated to local governments; amending s. 403.101, F.S.; directing the department to adopt minimum standards for certain wastewater treatment plant operators; amending s. 367.165, F.S., relating to abandonment of water or sewer utilities; revising notice requirements; specifying that a package sewage treatment facility shall be considered constructively abandoned when so declared by the department after certain violations; specifying commission jurisdiction over constructively abandoned utilities; revising procedures for appointment of a receiver and duties thereof; providing for purchase of an abandoned utility by a local government under certain conditions; providing for use of funds resulting from disposition of a utility; creating a trust fund; providing for use of trust fund moneys by receivers; requiring repayment under certain conditions; providing for liens; providing for certain fees and annual assessments to be imposed on water and sewer utilities to fund the trust fund; providing a penalty; creating s. 367.166, F.S.; authorizing counties and municipalities to require additional deposits from package sewage treatment facilities; providing for review and repeal; providing an effective date.

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

By Senator Jenne—

SB 1362—A bill to be entitled An act relating to citrus canker litigation; providing an appropriation to pay expenses of state agencies for citrus canker litigation; providing an effective date.

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

By Senator Stuart—

SB 1363—A bill to be entitled An act relating to professional licensing; amending s. 490.005, F.S.; creating s. 490.013, F.S.; revising provisions relating to the licensure of psychologists; amending s. 491.005, F.S.; creating s. 491.013, F.S.; revising provisions relating to the licensure of clinical social workers, marriage and family therapists, and mental health counselors; providing an effective date.

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

By Senator Dudley—

SB 1364—A bill to be entitled An act relating to transportation; amending s. 334.03, F.S.; providing definitions with respect to the Florida Transportation Code; amending s. 334.044, F.S.; revising the powers and duties of the Department of Transportation; amending s. 335.18, F.S.; creating the "State Highway System Access Management Act"; creating s. 335.181, F.S.; providing legislative findings, policy, and purpose with respect to regulation of access to the State Highway System; creating s. 335.182, F.S.; providing for the regulation of connections to roads on the State Highway System; providing definitions; creating s. 335.1825, F.S.; requiring access permits; providing authority to close unpermitted connections; creating s. 335.183, F.S.; providing for a permit application fee; creating s. 335.184, F.S.; providing for access permit review process by the department; creating s. 335.185, F.S.; providing for permit conditions and expiration; creating s. 335.187, F.S.; providing for existing access permits,

nonconforming permits, and modification and revocation of permits; creating s. 335.188, F.S.; providing for access management standards; providing for an access control classification system; providing criteria; creating s. 335.189, F.S.; providing for regulation of access to the State Highway System by specified governmental entities other than the department; providing for permitting process; providing for interlocal agreements; providing an effective date.

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

By Senator Thurman—

SB 1365—A bill to be entitled An act relating to horseracing; amending s. 550.2616, F.S.; providing that breeder's and stallion awards be given at a rate determined by the Florida Thoroughbred Breeders' Association; authorizing breeder's and stallion awards for thoroughbred horses that finish second, third, or fourth in a race, at the option of the association; amending s. 550.262, F.S.; authorizing the association to establish a uniform rate and procedure for the payment of awards for horses that finish second, third, or fourth in a race; deleting a requirement specifying the minimum amount of awards; providing an effective date.

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

SR 1366 was introduced out of order and adopted April 26.

By Senators Thomas and Hollingsworth—

SR 1367—A resolution honoring Loiselle Bailey for her distinguished service to the Legislature and her contributions to state government.

—was referred to the Committee on Rules and Calendar.

SR 1368 was introduced out of order and adopted April 26.

By Senator Hollingsworth—

SB 1369—A bill to be entitled An act relating to developments of regional impact; amending s. 380.06, F.S.; specifying period of application of agency rules in effect at the time of application for development approval; providing for expiration of preliminary development agreements; providing relationship of development orders to requirements applicable to land development regulations implementing comprehensive plans; specifying conditions under which vested rights remain valid; providing an effective date.

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

By Senator Malchon—

SB 1370—A bill to be entitled An act relating to health care responsibility for indigents; amending s. 154.301, F.S., renaming "The Florida Health Care Responsibility Act" as "The Florida Health Care Responsibility Act of 1988"; amending s. 154.302, F.S., revising legislative intent; amending s. 154.304, F.S., revising definitions; amending s. 154.306, F.S., specifying financial responsibilities of hospitals and counties for certified indigent patients; specifying county obligation per calendar year; providing duties of the Hospital Cost Containment Board and the department; amending s. 154.308, F.S., requiring hospitals to notify the department of indigent patient admissions within a specified time period; requiring the department to reimburse for patient care if the department fails to make a determination with respect to indigency within a specified time period; specifying responsibilities of the patient and the department in making a determination of the patient's county of residency; amending s. 154.31, F.S., specifying obligation of participating hospitals to admit patients; providing penalties; amending s. 154.312, F.S., providing procedure for settlement of disputes; amending s. 154.314, F.S., to conform to the act; amending s. 154.316, F.S., providing conditions for eligibility for reimbursement for treatment of patients under the act; providing duties of medical directors of county public health units and county primary care programs; repealing s. 212.055(2), F.S., relating to an indigent care surtax in Hillsborough County; providing an effective date.

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

SR 1371 was introduced out of order and adopted April 26.

By Senator Woodson—

SB 1372—A bill to be entitled An act relating to developmental disabilities; amending s. 393.061, F.S.; changing the title of the "Retardation Prevention and Community Services Act"; creating ss. 385.207, 385.208, 385.209, F.S.; providing for legislative intent, recognizing epilepsy as a developmental disability and a handicapping condition, providing for the establishment of a comprehensive program of services for persons with epilepsy; providing for the establishment of programs related to epilepsy prevention and education; providing for the establishment of an Epilepsy Services Trust Fund; providing for the establishment of a surcharge on certain citations; amending ss. 381.702, 381.715, 393.062, 393.0675, 393.0678, 393.16, 393.21, 402.22, 948.031, F.S.; modifying language with respect to retardation and developmental disabilities; amending s. 393.063, F.S.; modifying definitions and providing new definitions; amending s. 393.064, F.S.; providing for planning and implementation of programs for prevention, amelioration, correction, or cure of developmental disabilities; requiring certain prevention services; establishing a developmental services institution; creating s. 393.0641, F.S.; establishing a program for the prevention and treatment of severe self-injurious behavior; amending s. 393.065, F.S.; creating s. 393.0651, F.S.; modifying procedures with respect to application for services and habilitation plans; providing for emergency services; providing for case management and client advocates; revising placement preferences; amending s. 393.066, F.S.; requiring consistent availability and eligibility for community-based services; revising content of such services; deleting language relating to certain Department of Health and Rehabilitative Services responsibility for services; amending s. 393.067, F.S.; providing for standards, inspection, and review of licensed residential facilities; providing for licensure of day facilities; amending s. 393.068, F.S.; establishing a family care program; providing program contents; deleting provisions relating to a demonstration project; creating s. 393.075, F.S.; requiring the Division of Risk Management of the Department of Insurance to provide liability insurance to owners and operators of certain foster care or group home facilities; amending s. 393.11, F.S.; modifying the procedures for involuntary admission to residential services; amending s. 393.115, F.S.; modifying procedures with respect to continuing residential services beyond age 18; amending s. 393.12, F.S.; providing for appointment of a guardian advocate or guardian under certain circumstances; providing for fees; amending s. 393.122, F.S.; deleting obsolete language; deleting language relating to certain department responsibility for services; creating s. 393.125, F.S.; providing appeal from department and provider decisions; amending s. 393.13, F.S.; providing rights of persons with developmental disabilities; modifying client rights; providing liability for violations; requiring quarterly district reports; amending s. 393.14, F.S.; providing for biennial reports to the Legislature regarding the department's multiyear implementation plan; modifying plan contents; amending s. 393.15, F.S.; providing for community-based foster home, group home, and developmental training facilities; changing name of the "Group-Living Home Trust Fund"; authorizing inclusion of certain staff training in costs of development; authorizing certain department grants for firesafety renovation; providing for rules for certain allocation of funds; creating s. 393.17, F.S.; providing for certification of behavioral programs for developmentally disabled persons; providing for fees; creating s. 393.22, F.S.; restricting certain transfer of appropriations; providing for a process for determining priority for receipt of services; amending and renumbering s. 413.50, F.S.; providing for an extended employment program; creating s. 393.501, F.S.; providing for rules; repealing ss. 393.20, 413.501, 413.502, 413.503, and 413.504, F.S., relating to a developmental services institution and rehabilitation workshop facilities for developmentally disabled persons; providing severability; providing effective dates.

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

By Senator Hollingsworth—

SB 1373—A bill to be entitled An act relating to rural hospitals; specifying a definition of the term "rural hospital"; amending s. 154.011, F.S.; requiring each primary care program established for Medicaid recipients and low-income persons to use services provided by rural hospitals, as defined; amending s. 381.706, F.S.; exempting certain rural hospital programs from review by the Department of Health and Rehabilitative Services and from certificate-of-need requirements; amending s. 409.266, F.S.; providing for Medicaid funding of certain patients in rural hospitals; providing for state funding of supplements to Medicaid reimbursements of rural hospitals; amending s. 410.016, F.S.; requiring the Department of Health and Rehabilitative Services to use rural hospitals in providing ser-

VICES for the aged; requiring the department to conduct a study of licensing and certification requirements of rural hospital personnel; providing for the establishment of a rural health planning office within the department; providing an appropriation from the General Revenue Fund to the department to provide tuition reimbursements to certain rural health care providers; providing an effective date.

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

By Senator Kiser—

SB 1374—A bill to be entitled An act relating to gifts to minors; amending s. 710.114, F.S.; providing that a provision of the Florida Uniform Transfers to Minors Act which allows a custodian to use custodial property to invest in or pay premiums on certain life insurance or endowment policies naming the minor, the minor's estate, or the custodian in the capacity of custodian as beneficiary may not be interpreted as precluding a transfer of a policy to the custodian which names any other person as beneficiary if the premium for the policy has been paid for out of funds that are not custodial property; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senators Thurman and Stuart—

SB 1375—A bill to be entitled An act relating to preneed funeral merchandise or service contracts; amending s. 639.07, F.S.; revising the definition of the term "preneed contract" as the term is used in chapter 639, F.S., relating to preneed funeral merchandise or service contracts; amending s. 639.105, F.S.; providing that a certificateholder is not required to disclose certain information in the preneed contract form; creating s. 639.109, F.S.; declaring that funds paid to a certificateholder pursuant to a preneed contract are the sole property of the certificateholder; declaring that the legal relationship between the purchaser of a preneed contract and a certificateholder is a debtor-creditor relationship; amending s. 639.11, F.S.; revising provisions relating to the disposition of proceeds received by a certificateholder under a preneed funeral contract; amending s. 639.13, F.S.; revising provisions relating to the refund of moneys paid on a preneed funeral contract upon cancellation or default; amending s. 639.14, F.S.; revising a provision relating to the disbursement of funds paid on a preneed contract upon the death of the beneficiary named in the contract; creating s. 639.145, F.S.; authorizing each certificateholder to post a surety bond or deposit cash with the Department of Insurance in lieu of depositing contract proceeds into a trust; requiring such a certificateholder to file financial records with the department and to maintain a specified assets-to-liabilities ratio; specifying a procedure to post the bond or deposit; authorizing the Department of Insurance to deny, suspend, revoke, or refuse to renew a certificateholder's registration for noncompliance with ch. 639, F.S.; authorizing the department to adopt certain rules; amending s. 639.16, F.S.; conforming a provision relating to the denial, suspension, or revocation of a certificateholder's certificate of authority to this act; creating s. 639.34, F.S.; providing a rule of interpretation with respect to ch. 639, F.S.; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Grizzle—

SB 1376—A bill to be entitled An act relating to geophysical activities; amending s. 377.22, F.S.; requiring the Department of Natural Resources to adopt rules pertaining to the bond or other security required with respect to plugging wells and restoring areas in which geophysical exploration, drilling, or production is conducted; creating s. 377.2415, F.S.; providing prerequisites to receiving a permit to drill; providing for paying owners of unleased acreage; restricting overhead charges and administrative fees; providing for a public hearing to be held in specified circumstances to determine if a permit to drill should be issued; requiring notice of such hearing; amending s. 377.2424, F.S.; modifying conditions for granting permits for geophysical operations with respect to bond or other security; creating s. 377.2425, F.S.; prescribing requirements for providing security for certain operations related to exploring for, drilling for, producing, or transporting oil or gas; prescribing the types of security that may be provided; providing for departmental authority with respect to security; creating s. 377.243, F.S.; creating the Petroleum Exploration Trust Fund; providing that the Department of Natural Resources administer the fund; prescribing the uses of the trust fund; authorizing the assessment of a fee for each well drilled and for each in-field gathering line; providing for the deposit of such fees into the trust fund; requiring a certain minimum and maximum balance to be

maintained; allowing the department to expend moneys from the trust fund for certain corrective measures and requiring the department to seek restitution therefor; providing an effective date.

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

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committees on Judiciary-Civil and Transportation and Senator D. Childers—

CS for CS for SB 4—A bill to be entitled An act relating to vehicles; creating s. 316.1936, F.S.; prohibiting the possession of open containers of alcoholic beverages in vehicles being operated in the state; providing exceptions; providing penalties; authorizing counties and municipalities to impose more stringent restrictions on the possession of alcoholic beverages in vehicles; providing an effective date.

By the Committee on Transportation and Senator Ros-Lehtinen—

CS for SB 95—A bill to be entitled An act relating to motor vehicle towing; providing definitions; requiring tow truck operators to obtain certificates of authority from the Department of Highway Safety and Motor Vehicles; providing for application for such certificates; specifying minimum liability insurance requirements; prescribing application and renewal fees; providing for denial, suspension, and revocation of certificates; requiring recordkeeping; providing inspection authority; providing injunctive relief; providing for the award of attorney's fees and court costs; providing civil and criminal penalties; providing for future repeal and review; providing an effective date.

By the Committee on Judiciary-Civil and Senator Dudley—

CS for SB 460—A bill to be entitled An act relating to medical malpractice actions against the state; amending s. 768.28, F.S.; providing that failure of agency to act within specified time is deemed final denial of a claim; prescribing the statute of limitations for such actions; amending s. 768.57, F.S.; limiting the period for agency review of a claim of medical malpractice against the state or its agencies; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Gordon and Grizzle—

CS for SB's 509 and 272—A bill to be entitled An act relating to handicap prevention; amending s. 411.103, F.S.; providing a definition; creating s. 411.1072, F.S.; requiring the establishment of community resource parent pilot programs by the Department of Health and Rehabilitative Services; providing for location of pilot programs; providing for contracts; providing criteria; authorizing the department to require other criteria; requiring the department to create a community resource parent advisory committee; requiring the committee to establish certain program guidelines in conjunction with the department; establishing a time limit for guideline development; providing for per diem and travel expenses; providing for terms and membership of committee; requiring preservice and ongoing training; providing for assignment of caseloads; providing for supervision; providing for evaluation; providing for a report; providing an appropriation; providing an effective date.

By the Committee on Transportation and Senator Hollingsworth—

CS for SB 521—A bill to be entitled An act relating to traffic control; amending s. 316.003, F.S.; defining the term "work zone area" for purposes of traffic control laws; amending s. 316.0745, F.S.; providing for the inclusion of provisions relating to the use of regulatory signs in work zone areas in the Manual of Uniform Traffic Control Devices; exempting the installation of such signs from notice requirements of s. 335.10, F.S.; amending s. 316.183, F.S.; requiring compliance with posted speed limit; amending s. 337.11, F.S.; providing additional requirements for certain maintenance or construction contracts let by the Department of Transportation; repealing s. 316.1927, F.S., relating to prima facie evidence of careless driving; providing an effective date.

By the Committee on Transportation and Senator Girardeau—

CS for SB 530—A bill to be entitled An act relating to drivers' licenses; amending s. 322.271, F.S.; providing requirements for obtaining and retaining an employment purposes driver's license; allowing a person whose license is revoked permanently to obtain an employment purposes license; providing an effective date.

By the Committee on Corrections, Probation and Parole and Senators Hair, McPherson, Girardeau, Brown, Johnson, Woodson and Kirkpatrick—

CS for SB 539—A bill to be entitled An act relating to capital punishment; amending s. 922.10, F.S.; providing that a death sentence may be executed by injection of a lethal substance at the option of the convicted person; providing that the administration of a lethal substance does not constitute the practice of medicine; authorizing pharmacists to dispense drugs without prescription; providing an effective date.

By the Committee on Judiciary-Civil and Senators Jennings and Langley—

CS for 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; amending s. 77.055, F.S.; providing for notice to defendant in garnishment action; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Grant, Kiser, Myers, Woodson, Scott and Weinstein—

CS for SB 685—A bill to be entitled An act relating to abuse, neglect, abandonment, and exploitation of aged persons, disabled adults, and children; amending s. 20.19, F.S.; conforming duties of program offices and service districts of the Department of Health and Rehabilitative Services to reflect changes in protective investigations and current responsibilities; amending s. 39.01, F.S.; providing definitions; amending s. 39.401, F.S.; conforming terminology and procedures to definitions and current practice; providing that priority consideration be given to relative placements over nonrelative placements; amending s. 39.402, F.S.; conforming terminology; amending s. 39.403, F.S.; providing for protective investigation by the department; amending s. 39.404, F.S.; conforming terminology; amending s. 110.1127, F.S., to change a cross-reference; amending s. 415.103, F.S.; renaming the central abuse registry and requiring any report of abuse, neglect, or exploitation to be handled by the central abuse registry and tracking system; delineating functions of the central abuse registry and tracking system; providing for notification of district staff; providing for indexing of certain information; providing confidentiality of reports in administrative hearing process; amending s. 415.104, F.S.; providing standards and procedures for reports and for protective services investigations; amending s. 415.107, F.S.; conforming terminology and procedures; amending s. 415.111, F.S.; providing penalties for making false reports; amending s. 415.503, F.S.; providing definitions; amending s. 415.504, F.S.; conforming terminology; requiring child abuse and neglect reports to go to the central abuse registry and tracking system; delineating functions of the central abuse registry and tracking system; providing procedures and time frames for notification of district staff; providing for indexing of certain information; providing confidentiality of reports in the administrative hearing process; amending s. 415.505, F.S.; providing standards and procedures for reports and for protective services investigations; amending ss. 415.5055, 415.509, 415.51, F.S.; conforming terminology; amending s. 415.511, F.S.; providing immunity from liability and prohibiting reprisal against person reporting; amending s. 415.513, F.S.; providing penalties for making a false report; amending s. 959.06, F.S., to change a cross-reference; providing an effective date.

By the Committee on Transportation and Senator Woodson—

CS for SB 688—A bill to be entitled An act relating to drivers' licenses; providing for a pilot study of ignition interlock devices; providing an effective date.

By the Committee on Transportation and Senator Meek—

CS for SB 837—A bill to be entitled An act relating to public rail systems; creating s. 341.3025, F.S.; providing authority to adopt rules and regulations and to regulate fares, fees, and charges; specifying unlawful acts; providing for citations and fines, records of citations and filing with the court; providing for appearance in court; providing penalties; providing authority to hire employees or contractors; providing for distribution of fines; specifying revenue; providing an effective date.

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

CS for SB 840—A bill to be entitled An act relating to corrections; amending ss. 947.177, 944.605, F.S.; requiring notification of the release of an inmate from the Department of Corrections 6 months prior to the anticipated release; providing for notification to the victim or victim's family; providing an effective date.

By the Committee on Transportation and Senator Beard—

CS for SB 865—A bill to be entitled An act relating to traffic control; authorizing the operation of golf carts within any self-contained retirement community; authorizing the Department of Transportation, a county, or a municipality to prohibit such operation in certain circumstances; providing an effective date.

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

CS for SB 897—A bill to be entitled An act relating to health care facilities; amending s. 400.434, F.S.; providing for right of entry into and inspection of adult congregate living facilities; amending s. 400.417, F.S.; prohibiting license renewal for adult congregate living facilities with outstanding fines; providing an effective date.

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

CS for SB 954—A bill to be entitled An act relating to hazardous materials; creating part II of chapter 252, F.S., the Florida Hazardous Materials Emergency Response and Community Right-to-Know Act; providing definitions; providing powers and duties of the Department of Community Affairs; providing for department support for the State Hazardous Materials Emergency Response Commission and the local emergency planning committees, as established pursuant to federal law; creating the Hazardous Materials Administration Trust Fund; providing for fees for certain registration, filing, and notification by owners or operators of facilities where hazardous materials are produced, used, or stored; providing an exemption; providing civil and criminal penalties; providing for causes of action, penalties, and liabilities; providing reporting requirements; providing for submission of trade secrets; providing exemptions from public records law; providing certain confidentiality; providing for review and repeal; authorizing copying charges; limiting tort liability; providing an effective date.

By the Committee on Corrections, Probation and Parole—

CS for SB 971—A bill to be entitled An act relating to the acquisition of correctional facilities; creating the "Florida Correctional Facilities Act"; providing definitions; providing for the issuance of bonds for the construction of state correctional facilities; creating a Florida Correctional Facilities Pool; providing for the assessment of rents and the determination of rental rates; providing for an annual report; providing powers of the Division of Bond Finance and the Office of Management and Budget in the Department of Corrections; providing for the issuance of obligations and security for payment of obligations; providing for validation of obligations; providing a penalty; providing for variable rate obligations; providing for approval by the State Board of Administration; providing for withholding of revenues for failure to make rental payments; providing a limitation on financial liability; providing an exemption from taxation; authorizing obligations issued to constitute legal investments; providing criteria for correctional facility construction and financing; amending s. 944.10, F.S.; defining, for purposes of acquiring correctional facilities to house state inmates, the term "lease-purchase agreement"; requiring the Division of Bond Finance of the Department of General Services to approve lease-purchase agreements for the acquisition of correctional facilities by the state; providing that such agreements may be made automatically renewable for a limited period subject to certain restrictions; prescribing terms and conditions of such agreements; providing an effective date.

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

CS for SB 1043—A bill to be entitled An act relating to the files of the Department of Corrections; amending s. 945.10, F.S.; authorizing the department to grant an inmate access to the files pertaining to him upon court order or upon the inmate's request, under certain circumstances; providing an effective date.

By the Committee on Transportation and Senators Kiser, Margolis, Gordon, McPherson, Dudley, Myers, Johnson, Hill, Kirkpatrick, Woodson, Frank, Grant, Stuart, Plummer, Malchon, Meek, Hair and Weinstein—

CS for SB 1056—A bill to be entitled An act relating to motor vehicle inspections; creating the Clean Outdoor Air Law; providing definitions; providing requirements for a motor vehicle emissions inspection program to be administered by the Department of Highway Safety and Motor Vehicles; specifying motor vehicles that are subject to inspection requirements; specifying areas of program jurisdiction; requiring such inspection prior to vehicle registration; providing for counties to join the program; providing exemptions; providing for inspection reports; providing repair procedures with respect to defective vehicles; requiring the Department of Environmental Regulation to adopt rules establishing emissions standards and test procedures and equipment; requiring the department to enforce and administer such rules; authorizing the department to waive inspection requirements under certain circumstances; requiring the department to establish requirements for inspection stations; authorizing the department to enter into contracts to implement the emissions inspection program; providing contract requirements; providing procedures for protesting contract awards and requests for proposals; providing for licensure as a self-inspector; providing penalties; creating the Motor Vehicle Inspection Trust Fund; providing for the use of the fund; providing a maximum inspection fee; providing for the distribution of such fee; requiring the department to submit an emissions inspection program budget to the Governor; providing that inspection does not constitute a warranty of mechanical condition; prohibiting certain forgery, alteration, reproduction, and possession of inspection certificates; providing penalties; requiring cost-benefit analyses and evaluations and reports with respect thereto; requiring a public education program prior to implementation of the emissions inspection program; creating s. 316.2935, F.S.; prohibiting tampering with air pollution control equipment; providing penalties; amending s. 320.02, F.S.; providing for local motor vehicle registration under certain circumstances; amending s. 20.24, F.S.; providing for a Division of Motor Vehicle Inspection; providing effective dates.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Myers, by two-thirds vote SB 642 was withdrawn from the Committee on Health and Rehabilitative Services and referred first to the Committee on Corrections, Probation and Parole, and then to the Committees on Health and Rehabilitative Services and Appropriations.

On motion by Senator Deratany, by two-thirds vote SB 543 was removed from the calendar and referred to the Committee on Finance, Taxation and Claims.

On motion by Senator Barron, by two-thirds vote SB 562 was placed first on the special order calendar.

On motion by Senator Scott, by two-thirds vote SB 346 was removed from the calendar and referred to the Committee on Appropriations.

On motions by Senator Scott, by two-thirds vote Senate Bills 179, 439, 576, 626, 892, CS for SB 87 and CS for SB 341 were withdrawn from the Committee on Appropriations.

On motion by Senator Deratany, by two-thirds vote SB 45 was withdrawn from the Committee on Finance, Taxation and Claims.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

Appointments Subject to Confirmation by the Senate:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Black Business Investment Board Appointee: Lawrence, Clarence W., Ft. Lauderdale	09/30/91
Board of Building Codes and Standards Appointees: Fenwick, William K., Jacksonville Moses, Thomas M., Lake Buena Vista	01/31/91 01/15/91
Board of Trustees of Palm Beach Junior College	

Office and Appointment

Appointee: Reed, Jr., Donald H., Boca Raton 05/31/90

Education Practices Commission

Appointee: Wallace, Brenda, Miami 09/30/91

Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.

Appointee: Staggers, Sterling G., Zephyrhills 09/30/89

Referred to the Committee on Executive Business.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

First Reading

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed House Bills 56, 83, 84, CS for HB 156, House Bills 166, 169, 242, CS for HB 282, House Bills 331, 366, CS for HB 451, CS for HB 487, House Bills 542, 592, 594, CS for HB 991; has passed as amended CS for HB 7, House Bills 102, 168, 288, 484, 627, 636, 1020 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Diaz-Balart—

HB 56—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Sarah Deza, authorizing and directing said county to compensate her for certain damages suffered in a motor vehicle collision; providing for payment by the county; providing an effective date.

Proof of publication of the required notice was attached.

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

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

HB 83—A bill to be entitled An act relating to veterans; creating s. 295.019, F.S.; providing educational opportunity at state expense for the dependent children of certain servicemen killed in Persian Gulf incident; providing an effective date.

—was referred to the Committees on Education and Appropriations.

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

HB 84—A bill to be entitled An act relating to veterans; directing the Secretary of Administration to apply to the Veterans Administration for federal funds for a state nursing home for veterans; providing an effective date.

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

By the Committee on Governmental Operations and Representative Sansom—

CS for HB 156—A bill to be entitled An act relating to public printing; amending ss. 283.31 and 283.315, F.S., raising the threshold level of state agency printing costs which triggers internal oversight and requires a statement of cost and purpose; amending s. 283.53, F.S., providing an exception to bid letting on specified university publications; amending s. 6 of chapter 83-252, Laws of Florida, extending repeal; providing procedures for review; providing for review and repeal of s. 283.422, F.S.; providing an effective date.

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

By Representative Carlton—

HB 166—A bill to be entitled An act relating to the executive aircraft pool; amending s. 287.161, F.S.; removing the limitation on the number and engine classification of the aircraft permitted in the pool; providing an effective date.

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

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

HB 169—A bill to be entitled An act relating to the military code; amending s. 250.35, F.S., providing certain requirements with respect to general and special courts-martial; providing that the dismissal of a general or special court-martial may be appealed to the District Court of Appeal under certain circumstances; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Representative Deutsch—

HB 242—A bill to be entitled An act relating to public officers and employees; amending s. 112.3145, F.S.; providing that certain gifts representing an expression of sympathy need not be listed in the required statement of financial interests; providing an effective date.

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

By the Select Committee on Claims and Representative Silver—

CS for HB 282—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Harriet Semmes to compensate her for injuries sustained while a passenger in an automobile which was struck by a Metropolitan Dade County transit bus; providing for payment by Metropolitan Dade County; providing an effective date.

Proof of publication of the required notice was attached.

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

By the Committee on Agriculture and Representatives Mitchell and Mackey—

HB 331—A bill to be entitled An act relating to nonprofit cooperative associations; amending ss. 619.01, 619.07, and 619.08, F.S., providing clarifying language with respect to the definition of agricultural products and nonprofit cooperative associations; providing an effective date.

—was referred to the Committee on Agriculture.

By Representative Carlton—

HB 366—A bill to be entitled An act relating to state uniform traffic control; amending s. 316.072, F.S.; providing that it is unlawful to willfully fail or refuse to comply with any lawful order or direction of any law enforcement officer or certain traffic accident investigation officers or traffic infraction enforcement officers; providing a penalty; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By the Committee on Natural Resources and Representatives Hill and Lombard—

CS for HB 451—A bill to be entitled An act relating to state parks and preserves; amending s. 258.42, F.S., revising restrictions relating to the erection of private docks in aquatic preserves; providing an effective date.

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

By the Committee on Judiciary and Representative Glickman and others—

CS for HB 487—A bill to be entitled An act relating to durable family power of attorney; amending s. 709.08, F.S.; adding to the list of those who may be designated as an attorney-in-fact any person who is related to the principal by lineal consanguinity; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committee on Ethics & Elections and Representative Crady—

HB 542—A bill to be entitled An act relating to elections; amending s. 106.04, F.S.; providing that a committee of continuous existence need not file a copy of its charter or bylaws with its annual report under certain conditions; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committee on Natural Resources and Representative Martin—

HB 592—A bill to be entitled An act relating to the Southeast Interstate Low-Level Radioactive Waste Management Compact; amending s. 404.30, F.S.; providing that no state shall be required to operate a regional facility for more than 20 years or after 32 million cubic feet of low-level radioactive waste has been disposed; requiring any state which wishes to withdraw from the compact after the second host state has been operating a disposal facility for 30 days to obtain the unanimous approval of the compact commission and the consent of the Congress; providing an effective date.

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

By Representative Holland and others—

HB 594—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 Sergeant John C. Baxter, Jr., and Trooper Jeffrey Dale Young Highway Patrol Station; providing an effective date.

—was referred to the Committee on Transportation.

By the Select Committee on Claims and Representative Starks—

CS for HB 991—A bill to be entitled An act relating to Dade County; providing for the relief of Steven Colon, a minor, by and through Hazel Alexander and Pamela Colon, guardians ad litem, to compensate Steven Colon for injuries and suffering sustained by him as a result of negligence on the part of the Public Health Trust of Dade County; providing an effective date.

Proof of publication of the required notice was attached.

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

By the Committee on Criminal Justice and Representatives Gordon and Troxler—

CS for HB 7—A bill to be entitled An act relating to criminal history records; amending s. 943.058, 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.

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

By Representative Renke—

HB 102—A bill to be entitled An act relating to criminal history records; amending s. 943.058, F.S.; providing that a court may deny a request for sealing or expunging certain criminal history records; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

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

HB 168—A bill to be entitled An act relating to powers of attorney; creating s. 709.11, F.S., providing that a 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 Representative Metcalf—

HB 288—A bill to be entitled An act relating to incompetent or mentally ill persons; amending ss. 86.041, 90.602, 620.715, 660.41, 849.04, 941.38, and 945.12, F.S., changing statutory usages relating to mental incompetency, mental illness and guardianship; repealing s. 1.01(5), F.S., eliminating the general definition of the terms “lunatic,” “insane persons,” and like terms within the statutes; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

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

HB 484—A bill to be entitled An act relating to military code; amending s. 250.482, F.S., providing for clarification of the employment and reemployment rights of Florida National Guardsmen called into state active duty; providing an effective date.

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

By the Committee on Agriculture and Representative Mitchell and others—

HB 627—A bill to be entitled An act relating to seed; amending s. 578.09, F.S., relating to label requirements; amending s. 578.20, F.S., relating to short title; amending ss. 578.26 and 578.27, F.S., changing the name of the seed arbitration council; increasing membership, providing terms of members, and modifying procedures; providing for informal hearing of complaints; providing for review and repeal; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Ethics & Elections and Representative Crady—

HB 636—A bill to be entitled An act relating to public officers; amending s. 111.011, F.S.; revising the limit on the value of contributions which must be reported in the annual statement of contributions received required of elected public officers; exempting certain gifts; providing an effective date.

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

By the Committee on Ethics & Elections and Representative Crady—

HB 1020—A bill to be entitled An act relating to public officers and employees; amending s. 112.3144, F.S.; directing the Commission on Ethics to prepare forms for compliance and a list of persons required to file full and public disclosure of financial interests; providing for notice to such persons by the Secretary of State and notice to the commission of persons who fail to file; providing certain exemptions; providing an effective date.

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

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed with amendments CS for SB 82 and requests the concurrence of the Senate.

John B. Phelps, Clerk

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 salesmen and 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; requiring a study to be conducted through the Education and Research Foundation relating to appraising; 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.

Amendment 1—On page 19, line 31, and on page 20, lines 1-2, strike all of said lines and insert: license, satisfactorily completed at least 14 classroom hours of 50 minutes each of a continuing education course during each biennium, as prescribed by the

Amendment 2—On page 27, line 13, insert after “jail”: *post-adjudication*

Amendment 3—On page 35, line 22, strike *Florida*

Amendment 4—On page 45, lines 10-15, strike all of said lines and insert:

3. Recommend to the commission standards for the approval of appraisal courses and instructors.

4. Give expert testimony in hearings pursuant to chapter 120 or before the commission.

Amendment 5—On page 41, line 11, insert after “opinion,”: *review,*

Amendment 6—On page 47, line 18, and on page 48, line 1, insert after “nationally”: *or state*

Amendment 7—On page 43, between lines 8-9, insert:

(d) This chapter shall not prevent any state court or hearing officer from certifying as an expert witness in any legal or administrative proceeding an appraiser who is not certified; nor shall it prevent any appraiser from testifying, with respect to the results of an appraisal, whether or not the appraisal report is certified.

Amendment 11—On page 43, line 23, strike “one” and insert: *two*

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

CS for SB 82 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Jennings

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 751 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Transportation and Representative B. L. Johnson—

CS for HB 751—A bill to be entitled An act relating to road designation; designating bridge number 110077 over the St. John's River which is to be known as the Astor-Herlong-Dillard Bridge; directing the Department of Transportation to erect appropriate marker; designating a portion of Highway 231 in Jackson County as the "Buddy Williams Memorial Highway"; directing the Department of Transportation to erect suitable markers; designating a described portion of Highway 98 as the "Navarre Parkway"; designating a described portion of State Road 674 as "Sun City Center Boulevard"; directing the Department of Transportation to erect appropriate markers; providing an effective date.

—was referred to the Committee on Transportation.

On motion by Senator Thomas, by two-thirds vote CS for HB 751 was withdrawn from the Committee on Transportation.

On motions by Senator Thomas, by unanimous consent CS for HB 751 was taken up out of order and by two-thirds vote was read the second time by title.

Senator Thomas moved the following amendment which was adopted:

Amendment 1—On page 1, line 2, after the semicolon (;) insert: Designating a portion of Highway 231 in Jackson County as the "Buddy Williams Memorial Highway" directing the Department of Transportation to erect suitable markers;

On motion by Senator Thomas, by two-thirds vote CS for HB 751 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Crawford, Jennings, Kiser

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed SB 908.

John B. Phelps, Clerk

The bill contained in the foregoing message was ordered enrolled.

SPECIAL ORDER

Consideration of **SB 562** was deferred.

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.

—was read the second time by title. On motion by Senator Gordon, by two-thirds vote CS for SB 421 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—2

Childers, D. Langley

Vote after roll call:

Yea—Jennings

SB 129—A bill to be entitled An act relating to pollution control; amending s. 376.319, F.S.; revising the dates for future repeal and legislative review of provisions for indemnification of response action contractors; providing an effective date.

—was read the second time by title. On motion by Senator Crawford, by two-thirds vote SB 129 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Jennings

CS for SB 472—A bill to be entitled An act relating to building construction standards; amending s. 553.06, F.S.; revising and updating provisions with respect to the State Plumbing Code; prohibiting the use of solder or flux containing a certain percentage of lead and lead pipes or pipe fixtures containing a certain percentage of lead; providing for the application of the prohibition; providing an exception; repealing ss. 553.12, 553.13, F.S.; removing exemptions for certain counties; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote CS for SB 472 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Jennings, Woodson

SB 378—A bill to be entitled An act relating to the Game and Fresh Water Fish Commission; providing for the establishment of citizen-support organizations to raise funds and assist the commission; specifying qualifications for such organizations; authorizing the commission to permit such organizations to use commission property, facilities, and personnel, subject to certain conditions; requiring each citizen-support organization to provide for an annual audit of its financial records and accounts; prohibiting the disclosure, in the auditor's reports, of the identity of anonymous donors to such an organization; providing an effective date.

—was read the second time by title.

Senator Lehtinen moved the following amendment:

Amendment 1—On page 3, lines 9-15, strike all of said lines after "auditor." and insert: 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. These exemptions are subject to the Open Government Sunset Review Act in accordance with s. 119.14. All other records shall be considered public records for the purposes of Chapter 119.

Further consideration of **SB 378** with pending Amendment 1 was deferred.

CS for SB 505—A bill to be entitled An act relating to durable family power of attorney; amending s. 709.08, F.S.; adding to the list of those who may be designated as an attorney-in-fact; providing an effective date.

—was read the second time by title.

One amendment was adopted to CS for SB 505 to conform the bill to CS for HB 487.

Pending further consideration of CS for SB 505 as amended, on motion by Senator Johnson, by two-thirds vote CS for HB 487 was withdrawn from the Committee on Judiciary-Civil.

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

CS for HB 487—A bill to be entitled An act relating to durable family power of attorney; amending s. 709.08, F.S.; adding to the list of those who may be designated as an attorney-in-fact any person who is related to the principal by lineal consanguinity; providing an effective date.

—a companion measure, was substituted for CS for SB 505 and by two-thirds vote read the second time by title. On motion by Senator Johnson, by two-thirds vote CS for HB 487 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

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

Nays—None

CS for SB 505 was laid on the table.

Consideration of Resolution

On motion by Senator Frank, by two-thirds vote SCR 1254 was withdrawn from the Committee on Rules and Calendar.

SCR 1254—A resolution calling for continued legislative interest in organ and tissue donation and support for work and publicity related to that purpose.

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

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

WHEREAS, the advances of medical science are making organ and tissue transplantation an ever more practical and successful procedure, and

WHEREAS, the Florida Legislature has shown a strong interest in facilitating organ donation through the enactment of the "Anatomical Gifts Act," and more recently through enabling legislation has made possible the implementation of a program encouraging and allowing individuals to make anatomical gifts as a part of the process of issuing and renewing drivers' licenses, and

WHEREAS, the Legislature has established and provided for the funding of a project to educate and inform medical professionals, law enforcement agencies, and the general public regarding the needs for anatomical gifts, and

WHEREAS, the project has now been implemented through the formation of a Statewide Organ and Tissue Donor Consortium made up of the Department of Highway Safety and Motor Vehicles, the Department of Health and Rehabilitative Services, voluntary health agencies, civic organizations, and medical groups, and

WHEREAS, this statewide consortium is now actively engaged in educational and other efforts to increase the supply of anatomical gifts to the end that every Floridian who needs an organ or tissue for transplant will be able to get one, NOW, THEREFORE,

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

That the Legislature continue its interest in organ and tissue donation, offer its full support to the work of the Statewide Organ and Tissue Donor Consortium, and cooperate in the Organ and Tissue Donation Awareness Week so designated by the Governor as April 24-30, 1988, and the special Legislative Organ and Tissue Donor Registration on April 28, 1988, in the Capitol.

—was read the second time in full. On motion by Senator Frank, SCR 1254 was unanimously adopted and certified to the House.

Senator Frank introduced the following organ or tissue transplant recipients who were seated in the gallery:

Johnny Steffen, Althea Butts, Jack Dalesandro, Tom Thrasher, Lee Woods, Frank Spurlin, Emily Ortiz, Arthur Lee Paige, Geraldine Green, Jerry Harris, Doyle George, Daryl George, Bill Rossman, Calvin Morris, Matthew Dennis, Stephen Stewart; and donor mothers, Linda McBeath and Sandra McKnight.

Senator Frank recalled that when these special guests were being honored by the Senate last session, DiAnn Posey, sister of Norma McKee, the secretary of our Secretary of the Senate, was suffering from liver disease. Mrs. Posey was contacted by some of those recipients and their encouragement gave her the inspiration to proceed with a liver transplant. She is presently doing very well.

On motion by Senator Frank, the rules were waived and SCR 1254 was ordered immediately certified to the House.

SPECIAL ORDER, continued

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 read the second time by title.

The Committee on Governmental Operations recommended the following amendments which were moved by Senator Frank and adopted:

Amendment 1—On page 3, strike all of lines 1-3 and insert:

(d) A semiannual financial report which shall specifically identify

Amendment 2—On page 3, line 13, strike “by persons” and insert: or accepted by persons required to be

Amendment 3—On page 3, line 15, before the period (.) insert: , except that if the amount of funds received exceeds the amount needed for the benefit of the named individual, such excess may be used for the benefit of other individuals who are in the same or similar circumstances

On motion by Senator Frank, by two-thirds vote SB 562 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 214—A bill to be entitled An act relating to property; replacing the existing statutory rule against perpetuities with the “Florida Uniform Statutory Rule Against Perpetuities”; prescribing a method of determining the validity of nonvested property interests and powers of appointment; providing for when such interests or powers are created; providing for reformation of a disposition under certain circumstances; providing exclusions from the rule; providing for application; providing for a rule of construction; providing for uniformity of application and construction; repealing s. 689.22, F.S., relating to the rule against perpetuities; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 214 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Crenshaw

SB 210—A bill to be entitled An act relating to incompetent or mentally ill persons; amending ss. 86.041, 90.602, 620.715, 660.41, 849.04, 941.38, and 945.12, F.S., changing statutory usages relating to mental incompetency and mental illness; repealing s. 1.01(5), F.S., eliminating the general definition of the terms “lunatic,” “insane persons,” and like terms within the statutes; providing an effective date.

—was read the second time by title.

Three amendments were adopted to SB 210 to conform the bill to HB 288.

Pending further consideration of SB 210 as amended, on motion by Senator Woodson, by two-thirds vote HB 288 was withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Woodson, by two-thirds vote—

HB 288—A bill to be entitled An act relating to incompetent or mentally ill persons; amending ss. 86.041, 90.602, 620.715, 660.41, 849.04, 941.38, and 945.12, F.S., changing statutory usages relating to mental incompetency, mental illness and guardianship; repealing s. 1.01(5), F.S., eliminating the general definition of the terms “lunatic,” “insane persons,” and like terms within the statutes; providing an effective date.

—a companion measure, was substituted for SB 210 and by two-thirds vote read the second time by title. On motion by Senator Woodson, by two-thirds vote HB 288 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 210 was laid on the table.

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.

—was read the second time by title. On motion by Senator Woodson, by two-thirds vote CS for SB 135 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Crawford

Senator Crawford presiding

CS for SB 393—A bill to be entitled An act relating to removal of disabilities of minors; repealing s. 743.06, F.S.; allowing a minor who has reached the age of 17 years to donate blood with prior notice to his parent or legal guardian; providing an effective date.

—was read the second time by title.

Senator W. D. Childers moved the following amendment which was adopted:

Amendment 1—In title, on page 1, line 3, strike “repealing” and insert: amending

On motion by Senator W. D. Childers, by two-thirds vote CS for SB 393 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

Beard	Girardeau	Johnson	Plummer
Brown	Gordon	Kiser	Ros-Lehtinen
Childers, D.	Grant	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

Vote after roll call:

Yea—Crawford, Peterson

SB 437—A bill to be entitled An act relating to public printing; amending ss. 283.31 and 283.315, F.S., raising the threshold level of state agency printing costs which triggers internal oversight and requires a statement of cost and purpose; providing an effective date.

—was read the second time by title.

Six amendments were adopted to SB 437 to conform the bill to CS for HB 156.

Pending further consideration of SB 437, as amended, on motions by Senator Crenshaw, by two-thirds vote CS for HB 156 was withdrawn from the Committees on Governmental Operations and Rules and Calendar.

On motion by Senator Crenshaw, by two-thirds vote—

CS for HB 156—A bill to be entitled An act relating to public printing; amending ss. 283.31 and 283.315, F.S., raising the threshold level of state agency printing costs which triggers internal oversight and requires a statement of cost and purpose; amending s. 283.53, F.S., providing an exception to bid letting on specified university publications; amending s. 6 of chapter 83-252, Laws of Florida, extending repeal; providing procedures for review; providing for review and repeal of s. 283.422, F.S.; providing an effective date.

—a companion measure, was substituted for SB 437 and by two-thirds vote read the second time by title. On motion by Senator Crenshaw, by two-thirds vote CS for HB 156 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

SB 437 was laid on the table.

SB 330—A bill to be entitled An act relating to taxation of unlawful transactions involving certain drugs, cannabis, or controlled substances; amending s. 212.0505, F.S.; reviving and reenacting the public records law exemption, notwithstanding the Open Government Sunset Review Act, for state attorney requests to settle or compromise taxes imposed under s. 212.0505, F.S.; providing for future expiration and review of such exemption; providing an effective date.

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

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Crenshaw

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.

—was read the second time by title. On motion by Senator Hollingsworth, by two-thirds vote CS for SB 395 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 194—A bill to be entitled An act relating to gambling devices; amending s. 849.235, F.S.; revising the definition of antique slot machines which may be legally possessed; providing an effective date.

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

Yeas—38

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

Nays—None

On motion by Senator Johnson, by two-thirds vote HB 594 was withdrawn from the Committee on Transportation.

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

HB 594—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 Sergeant John C. Baxter, Jr., and Trooper Jeffrey Dale Young Highway Patrol Station; providing an effective date.

—a companion measure, was substituted for CS for SB 418 and by two-thirds vote read the second time by title. On motion by Senator Johnson, by two-thirds vote HB 594 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Malchon

CS for SB 418 was laid on the table.

SB 908—A bill to be entitled An act relating to relations between beer distributors and manufacturers; amending s. 563.022, F.S.; redefining the terms “designated member,” “manufacturer,” and “reasonable qualifications”; defining the term “good faith”; providing that persons who violate the section shall not be subject to specified criminal penalties; revising language with respect to unfair and prohibited acts; redefining the term “good cause”; revising language with respect to termination, cancellation, failure to renew, or discontinuance of an agreement; requiring reasonable effort to the sales and distribution of the manufacturer’s products; revising language with respect to prohibited interests of the manufacturer; defining the terms “ancillary business” and “controlling stockholder” or “controlling partner”; revising language with respect to remedies; revising language with respect to repurchase of inventory upon termination; requiring written notice with respect to indemnification; repealing section 5 of chapter 87-63, Laws of Florida, relating to written contracts in existence on May 29, 1987, to prove that such contracts shall be governed by certain provisions of the chapter law; providing an effective date.

—was read the second time by title.

Senator Kiser moved the following amendment which was adopted:

Amendment 1—On page 11, line 24, before the period (.) insert: , nor shall such entity sell directly to any vendor in this state other than to vendors who are licensed pursuant to s. 561.221(2)

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

Amendment 2—In title, on page 1, line 27, strike “proved” and insert: provide

Senator Kiser moved the following amendment which was adopted:

Amendment 3—In title, on page 1, strike line 16 and insert: of the manufacturer’s products; restricting the vendors to which manufacturers can sell directly; revising

On motion by Senator Deratany, by two-thirds vote SB 908 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	Crenshaw	Grizzle	Johnson
Barron	Deratany	Hair	Kiser
Beard	Frank	Hill	Langley
Brown	Girardeau	Hollingsworth	Malchon
Childers, W. D.	Gordon	Jenne	Margolis
Crawford	Grant	Jennings	McPherson

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

Nays—None

Vote after roll call:

Yea—Dudley

On motion by Senator Kiser, the rules were waived and SB 908 was ordered immediately certified to the House.

Consideration of CS for SB 185 was deferred.

On motions by Senator Margolis, by two-thirds vote HB 349 was withdrawn from the Committees on Economic, Community and Consumer Affairs; and Finance, Taxation and Claims.

On motion by Senator Margolis—

HB 349—A bill to be entitled An act relating to municipal tax on telecommunications services; amending s. 166.231, F.S., which provides an exemption from public records requirements for information received by a municipality in connection with an audit of the records of a provider of such services; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

—a companion measure, was substituted for SB 358 and read the second time by title. On motion by Senator Margolis, by two-thirds vote HB 349 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 358 was laid on the table.

SB 433—A bill to be entitled An act relating to the program for state purchase, from nonprofit agencies, of commodities and services provided by blind and other severely handicapped persons; amending s. 413.034, F.S.; revising the composition of the commission that administers the program; reviving and readopting ss. 413.032, 413.033, 413.034, 413.035, 413.036, 413.037, F.S., as amended, which provide for such program and its administration, notwithstanding repeal scheduled pursuant to the Sundown Act; providing for future review and repeal of said sections; providing an effective date.

—was read the second time by title.

Two amendments were adopted to SB 433 to conform the bill to HB 776.

Pending further consideration of SB 433, as amended, on motion by Senator Kiser—

HB 776—A bill to be entitled An act relating to the Commission for Purchase from the Blind or Other Severely Handicapped; amending s. 413.034, F.S.; revising membership of the commission; amending s. 413.036, F.S.; providing that the act shall have precedence over laws requiring procurement of products or services from other nonprofit corporations; saving ss. 413.032-413.037, F.S., from Sundown repeal; providing for future review and repeal; providing an effective date.

—a companion measure, was substituted for SB 433 and read the second time by title. On motion by Senator Kiser, by two-thirds vote HB 776 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 433 was laid on the table.

SB 962—A bill to be entitled An act relating to plant industry; amending s. 581.011, F.S., providing definitions; amending s. 581.031, F.S., expanding powers and duties of the Department of Agriculture and Consumer Services; providing for quarantines in reference to genetically engineered plant or plant pest organisms; providing for compliance agreements; reenacting s. 581.211, F.S., relating to penalties, to incorporate said amendment in a reference; amending s. 581.083, F.S., expanding activities which require a special permit; amending s. 581.101, F.S., to conform provisions relating to quarantines; creating s. 581.199, F.S., protecting confidential business information; providing an effective date.

—was read the second time by title.

The Committee on Agriculture recommended the following amendments which were moved by Senator Peterson and adopted:

Amendment 1—On page 4, strike all of lines 13-22 and insert:

Section 5. Section 581.211, Florida Statutes, is amended to read:

581.211 Penalties for violations.—Any person who violates any provision or requirement of this chapter, of any rule made pursuant to quarantine as authorized in s. 581.031, or of any notice given pursuant hereto; who forges, counterfeits, removes, destroys, disguises, or wrongfully or improperly uses any tag, certificate, permit, compliance agreement, or other written

Amendment 2—In title, on page 1, strike all of lines 9-11 and insert: agreements; amending s. 581.211, F.S.; providing penalties for specified acts relating to compliance agreements or other agreements entered into under ch. 581, F.S.; amending s. 581.083,

On motion by Senator Peterson, by two-thirds vote SB 962 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	Kiser	Ros-Lehtinen
Beard	Gordon	Langley	Scott
Brown	Grant	Lehtinen	Stuart
Childers, D.	Grizzle	Malchon	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Hill	McPherson	Weinstein
Crenshaw	Hollingsworth	Meek	Weinstock
Deratany	Jenne	Myers	Woodson
Dudley	Jennings	Peterson	

Nays—None

On motion by Senator Peterson, the rules were waived and SB 962 was ordered immediately certified to the House.

On motion by Senator W. D. Childers, by two-thirds vote HB 331 was withdrawn from the Committee on Agriculture.

On motions by Senator W. D. Childers, by two-thirds vote—

HB 331—A bill to be entitled An act relating to nonprofit cooperative associations; amending ss. 619.01, 619.07, and 619.08, F.S., providing clarifying language with respect to the definition of agricultural products and nonprofit cooperative associations; providing an effective date.

—a companion measure, was substituted for SB 871 and by two-thirds vote read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 331 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 871 was laid on the table.

SB 374—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.032, F.S.; revising provisions for determining situs of property for assessment purposes; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendments which were moved by Senator Deratany and adopted:

Amendment 1—On page 1, line 30, after the period (.) insert: *However, tangible personal property physically present in the state on or after January 1 for temporary purposes only, which property is in the state for 30 days or less, shall not be subject to assessment.*

Amendment 2—On page 4, between lines 22 and 23, insert:

(7) *Notwithstanding any other provision of this section, tangible personal property used in traveling shows such as carnivals, ice shows, or circuses shall be deemed to be physically present or habitually located or typically present only to the extent the value of such property is multiplied by a fraction, the numerator of which is the number of days such property is present in Florida during the taxable year and the denominator of which is the number of days in the taxable year. However, railroad property of such traveling shows shall be taxable under s. 193.085(4)(b) and not under this section.*

On motion by Senator Deratany, by two-thirds vote SB 374 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Johnson

CS for SB 375—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.012, F.S.; revising and providing applicable definitions; conforming a cross-reference; requiring ownership of property by an exempt entity for grant of an exemption; amending s. 196.192, F.S.; specifying criteria to be used in granting exemptions for certain purposes; amending s. 196.196, F.S.; including religious organizations in a list of exempt entities; providing an effective date.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote CS for SB 375 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

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

Nays—None

Vote after roll call:

Yea—Thurman

CS for SB's 33, 197 and 241—A bill to be entitled An act relating to ad valorem taxation; amending s. 196.011, F.S.; authorizing counties to waive the annual application requirement for specified tax exemptions; specifying circumstances when reapplication is required; requiring owners of property exempt as a result of such waiver to notify the property appraiser of changes affecting the exempt status of property; providing for imposition of taxes and interest if the owner fails to provide such notice; requiring the property appraiser to provide notice under certain circumstances; extending certain deadlines; limiting the effect of existing waivers under s. 196.131(3), F.S.; repealing s. 196.131(3), F.S., which provides for waiver of annual application requirement for homestead tax exemptions; providing applicability of act; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote CS for SB's 33, 197 and 241 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Kiser, Weinstock, Woodson

CS for CS for SB 368—A bill to be entitled An act relating to insurance; amending s. 624.34, F.S.; providing for the authority of the Department of Law Enforcement to accept fingerprints of any entity which is examined or investigated under the Florida Insurance Code; amending s. 624.404, F.S.; relating to the general eligibility of insurers for a certificate of authority; providing criteria; amending s. 624.501, F.S.; providing fees for registration certificates with respect to certain military installations; amending s. 626.221, F.S.; increasing the time period for an exemption from examination for certain applicants; amending s. 626.231, F.S.; providing for eligibility to take an examination for license; amending s. 626.251, F.S.; deleting a time period with respect to notice of examination date; amending s. 626.281, F.S.; providing for reexaminations; amending s. 626.511, F.S.; eliminating an exemption to a requirement that described persons file a statement with the Department of Insurance describing the reason for the termination of an agent's appointment and license; amending s. 626.521, F.S.; providing for required character and credit reports; creating s. 626.552, F.S.; providing for reporting by insurers and supervising or managing general agents; amending ss. 626.611, 626.621, 634.181, 634.191, 634.320, 634.321, 634.422, 634.423, 642.041, and 642.043, F.S.; providing uniform language with respect to discipline or license refusal, suspension, or revocation for persons having been found guilty of, or having pleaded guilty or nolo contendere to, a felony or a crime punishable by imprisonment of 1 year or more; amending s. 626.731, F.S.; revising criteria for qualifications for a general lines agent's license; amending s. 626.732, F.S.; revising language with respect to required knowledge, experience, or instruction for license as a general lines agent; amending s. 626.735, F.S.; revising language with respect to qualifications for a solicitor's license; amending s. 626.739, F.S.; revising language with respect to a temporary license; amending s. 626.740, F.S.; revising language with respect to temporary limited licenses for industrial fire agents; amending s. 626.785, F.S.; relating to license qualifications; amending s. 626.790, F.S.; revising language with respect to temporary

licenses; amending s. 626.792, F.S.; prohibiting the Department of Insurance from issuing a life insurance agent's license to certain nonresidents; amending s. 626.831, F.S.; revising language with respect to license qualifications; amending s. 626.835, F.S.; prohibiting the department from issuing a health insurance agent's license to certain nonresidents; amending s. 626.854, F.S.; redefining the term "public adjuster"; amending s. 626.869, F.S.; revising criteria for the issuance of a limited license as an independent or public adjuster; amending s. 626.88, F.S.; revising the definition of the terms "administrator" and "insurer"; amending s. 626.8805, F.S.; providing criteria for certificates of authority; creating s. 626.8809, F.S.; providing for a fidelity bond; amending s. 626.891, F.S.; relating to grounds for suspension or revocation of certificate of authority; amending s. 626.943, F.S.; relating to powers and duties of the department; amending s. 626.944, F.S.; relating to qualifications for health care risk managers; creating s. 627.4085, F.S.; requiring the name of the insurer on certain applications; amending s. 627.679, F.S.; providing for required disclosure with respect to credit life insurance; repealing s. 627.9175(2), F.S., relating to the publication of health insurance loss ratios; amending s. 628.071, F.S.; relating to the grant or denial of a permit, to include certain criteria; amending s. 631.031, F.S.; providing for discretionary commencement of delinquency proceedings; allowing the department to also commence a delinquency proceeding by application to the court by petition for a consent order; amending s. 631.041, F.S.; providing for an automatic stay; prohibiting certain actions upon commencement of a delinquency proceeding; allowing relief from the stay under certain circumstances; providing authority to issue injunctions or orders without notice; amending s. 631.271, F.S.; revising priority with respect to distribution of claims from the insurer's estate; amending s. 631.281, F.S.; providing that a claim of offset must be fully mature as of the filing of liquidation orders; creating s. 631.392, F.S.; providing for immunity for the department and its agents and employees, including the Insurance Commissioner, in carrying out responsibilities and duties under ch. 631, F.S.; amending s. 632.629, F.S.; relating to annual licenses for certain societies authorized to transact business; amending s. 632.638, F.S.; relating to the applicability of the Insurance Code; amending s. 637.415, F.S.; relating to the regulation of employees or representatives of dental service plan corporations; creating s. 648.315, F.S.; providing for the number of applications required for licensure as bail bondsmen; amending s. 648.34, F.S.; revising criteria for qualifications of bail bondsmen; amending s. 648.37, F.S.; revising criteria for qualifications of runners; amending s. 648.38, F.S.; revising language with respect to examination as a bail bondsman; amending s. 648.39, F.S.; relating to notice of appointment of agents; repealing s. 626.881, F.S., relating to the deposit of securities and surety bonds; repealing s. 626.8811, F.S., relating to a prohibition upon a levy upon deposit of certain assets or securities; providing for review and repeal; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote CS for CS for SB 368 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 282—A bill to be entitled An act relating to the Department of Commerce; amending s. 288.03, F.S.; removing the requirement for a report by the Division of Economic Development of the Department of Commerce; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote SB 282 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Consideration of **CS for SB 483** and **SB 601** was deferred.

CS for 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 a subject of a report of child abuse or neglect pending the outcome of an investigation; providing for judicial review; providing for continued restrictive access with judicial consent; requiring the department to provide personnel to act in a receivership manner to prevent the closure of a facility; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote CS for SB 659 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

CS for SB 990—A bill to be entitled An act relating to municipal annexation; amending s. 171.062, F.S.; providing that contracts in effect prior to annexation are not affected by annexation; providing an effective date.

—was read the second time by title.

Senator Weinstein moved the following amendment:

Amendment 1—In title, on page 1, lines 3-5, strike “providing that contracts in effect prior to annexation are not affected by annexation;” and insert: providing that solid waste franchisees may continue providing services in annexed territory under existing franchise agreements under certain circumstances;

Further consideration of **CS for SB 990** with pending Amendment 1 was deferred.

ENROLLING REPORTS

Senate Bills 56, 84, 171, 229, 252, 258, 383 and 1345 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 27, 1988.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 26 was corrected and approved.

CO-INTRODUCERS

Senator Dudley—CS for SB 93, SB 770; Senators Thomas and Myers—SB 178; Senators Frank and Stuart—SB 238; Senator Weinstein—SB 238, SB 312; Senators D. Childers and Myers—CS for SB 269; Senator Johnson—SB 706, SB 1093; Senator Woodson—SB 706, SB 1093; Senator Jennings—SCR 928; Senators Plummer, Hill, Myers and Stuart—SB 1021; Senators Girardeau and Kirkpatrick—SJR 1060; Senator Hollingsworth and Jenne—SB 1093; Senator Gordon—SB 1109; Senator Grant—SB 1372

RECESS

Senator Barron moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Tuesday, May 3, at 9:30 a.m. The motion was adopted.

Pursuant to the motion by Senator Barron, the Senate recessed at 12:02 p.m. to reconvene at 9:30 a.m., Tuesday, May 3.