



Journal of the Senate

Number 9

Tuesday, May 3, 1988

CALL TO ORDER

The Senate was called to order by the President at 9:30 a.m. A quorum present—39:

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

PRAYER

The following prayer was offered by Dr. Robert M. McMillan, Pastor Emeritus, First Baptist Church, Tallahassee:

Almighty God, Creator and Father, we pause in childlike but not childish reverence to recognize your supremacy over human affairs. We confess the weakness of our faith and ask that you help our unbelief.

We thank you that you have called these servants of yours to the Senate of our beloved state. Especially today do we offer thanks for the patriotic dedication of our Senate President, John Vogt. We thank you for his many years of service to our state and in particular these years of leadership as Senate President.

Continue to grant him the wisdom and the skills needed for his task.

For all these who serve so well we, as citizens, thank you. Bless their families who sacrifice so much of their presence and fellowship during these busy days of the session. May we all recognize that in spite of partisanship our common desire is to create the best conditions within our state for a happy and healthy lifestyle for all of our citizens. To this end grant them wisdom, courage and determination.

So, our God, be pleased to direct their paths, both in relation to you and our society. Amen.

PLEDGE

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

Special Guest

The Secretary introduced to the Senate Pitoon Pumhiran of Bangkok, Thailand, Director of the Parliamentary Proceedings Division, Thai National Assembly, having the responsibility as Clerk of the House of Representatives and Secretary of the Senate.

Consideration of Resolutions

On motion by Senator Hill, by two-thirds vote SR 895 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Hill—

SR 895—A resolution honoring the mothers of this state and nation.

WHEREAS, mothers, through their wisdom, selflessness, and love, have shaped the lives of each and every one of us, and

WHEREAS, with creative intuition, mothers always seem to know when to help and come to the aid of their children, and

WHEREAS, throughout the years, mothers have proven their indispensability, and

WHEREAS, May 8, 1988, has been designated as Mother's Day, NOW, THEREFORE,

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

That we, the members of the Florida Senate, hereby recognize the love and devotion that mothers have given to the sons and daughters of this state and nation, and

BE IT FURTHER RESOLVED that we, individually, make known the tremendous admiration we hold for all mothers, and especially for our own.

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

On motion by Senator Hill, all Senators were recorded as co-introducers of SR 895.

On motion by Senator Hill, by two-thirds vote SR 1394 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Hill—

SR 1394—A resolution commending Dr. Yillian Castro Coppolechia for her outstanding accomplishments in promoting the nation's literary values and culture.

WHEREAS, Dr. Yillian Castro Coppolechia received a Bachelor of Arts degree in French language and literature and German language and literature from the University of Miami in 1971, a Master of Arts degree in French language and literature from the University of Miami in 1973, and a Doctor of Education degree from the University of Miami in 1984, and

WHEREAS, Dr. Coppolechia has worked diligently in the field of education since 1972 at the University of Miami and Miami-Dade Community College, and

WHEREAS, Dr. Coppolechia has given of her time unsparingly to various civic organizations, including having served as a member of the Board of Directors of the Latin Business and Professional Women's Club, as a member of the Board of Directors of the Coalition of Hispanic American Women, as a member of the Board of Directors of the Ballet Concerto, as chairperson of the Hialeah United Group, as a volunteer for United Way of Dade County, as a member of the Hialeah Community Leaders Colloquia, and as a member of the Dropout Prevention Advisory Council of the Dade County Public Schools, and

WHEREAS, Dr. Coppolechia was selected Woman of the Year by the Latin Business and Professional Women's Club in 1987, was recognized for her dedication and service to the Wolfson Campus of the Miami-Dade Community College in 1985, was chosen one of the top 10 Women of the Year by the Cuban Women's Club in 1978, and has received numerous other awards and commendations, and

WHEREAS, in her current position as Executive Director of Miami Book Fair International, Dr. Coppolechia organized the 1987 Miami Book Fair International, an extraordinary event which brought many celebrated authors to Miami for lectures and personal appearances and which attracted exhibitors from many countries throughout the world, and

WHEREAS, it is appropriate that the Senate recognize a person who has served her community and the state so admirably, NOW, THEREFORE,

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

That Dr. Yillian Castro Coppolechia be commended for her leadership, talents, and commitment to promoting the nation's literary values and culture and for her outstanding accomplishments on behalf of her community and state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Dr. Coppolechia as a tangible token of the respect and admiration of the Senate.

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

Senator Hill introduced the following special guests: Dr. Yillian Castro Coppolechia, who was seated in the chamber, and representatives of Miami-Dade Community College, who were in the gallery.

At the request of the President, Senator Hill escorted Dr. Coppolechia to the rostrum where she received a copy of the resolution.

On motion by Senator W. D. Childers, by two-thirds vote SR 397 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator W. D. Childers—

SR 397—A resolution commending Dr. Ann Agnew for being selected as the Florida State Professor of the Year for 1987 and a gold medalist in the Professor of the Year program, and for her years of distinguished service as an educator.

WHEREAS, Dr. Ann Agnew is an associate professor of elementary and secondary education at the University of West Florida, and

WHEREAS, in a judging from among 414 nominations from 19 states, Dr. Ann Agnew was awarded, by the Council for Advancement and Support for Education, the Florida State Professor of the Year Award for 1987 and was also selected as one of nine gold medalists in the Professor of the Year program, and

WHEREAS, Dr. Ann Agnew has been a member of the University of West Florida's College of Education faculty since 1968 where she has demonstrated outstanding ability as a teacher, distinguished herself in teaching and scholarship, and devoted herself to service to her institution and profession, and

WHEREAS, Dr. Ann Agnew has been a four-time recipient of the University of West Florida College of Education Distinguished Teaching Award, and

WHEREAS, it is fitting and appropriate that the Florida Senate commend Dr. Ann Agnew for her numerous accomplishments, NOW, THEREFORE,

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

That the Florida Senate hereby joins the faculty, staff, and students of the University of West Florida in commending Dr. Ann Agnew for her many professional accomplishments and for being selected by the Council for Advancement and Support for Education as the Florida State Professor of the Year for 1987 and a gold medalist in the Professor of the Year program.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate and with the seal of the Senate affixed, be presented to Dr. Ann Agnew 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 W. D. Childers introduced the following special guests: Dr. Ann Agnew, her sister Mary Mahorner, and Dr. Doug Friedrich, Vice-President for Academic Affairs, University of West Florida.

At the request of the President, Senator W. D. Childers escorted Dr. Agnew to the rostrum where she was presented a copy of the resolution.

On motion by Senator Stuart, by unanimous consent—

By Senator Stuart—

SR 1396—A resolution commending the University of Central Florida upon its 25th anniversary.

WHEREAS, the University of Central Florida was chartered to serve the east central part of Florida on June 10, 1963, and

WHEREAS, the University of Central Florida has grown into a major regional urban research university serving central Florida, the state, and nation with diverse programs of quality and excellence, and

WHEREAS, the University of Central Florida offers more than 80 undergraduate degree programs and 58 advanced degree programs through five colleges and has an enrollment which exceeds 17,000 on four campuses, and

WHEREAS, the faculty and staff of the University of Central Florida are continuously recognized for outstanding teaching, research, and public service, and

WHEREAS, more than 40,000 alumni, most of whom still reside in central Florida, serve their community and state through personal, professional, and civic endeavors, and

WHEREAS, the University of Central Florida is Orlando's and central Florida's "Hometown University," NOW, THEREFORE,

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

That this legislative body, on the eve of the 25th anniversary of the founding of the University of Central Florida, hereby commends the past and present students, faculty, and staff of the University of Central Florida for reaching for the stars in making the university an outstanding institution of higher learning.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the president of the university of Central Florida, the president of the board of directors of the alumni association, the chairman of the faculty senate, the president of the student government association, the chairman of the USPS Staff Council, and the President of the University of Central Florida Foundation, Inc., as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read the first time by title. On motion by Senator Stuart, SR 1396 was read the second time in full and unanimously adopted.

Senator Stuart introduced the following special guests: Trevor Colbourn, President of U.C.F.; Jerry McGratty, President of U.C.F. Foundation; and Ken Bryant, President of U.C.F. Alumni Association, who were escorted by Senators Stuart and Jennings to the rostrum where they were presented a copy of the resolution.

On motion by Senator Jennings, by two-thirds vote SR 1386 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Jennings—

SR 1386—A resolution designating May 4, 1988, Local Chamber Day.

WHEREAS, the business community in this state serves the public and private sectors, and

WHEREAS, local chambers of commerce are independent, nonprofit, volunteer organizations dedicated to improving their communities, and

WHEREAS, local chambers of commerce assist in the improvement of the economy in this state by working to promote a favorable business climate, and

WHEREAS, local chambers of commerce help create an atmosphere of community awareness and economic development which makes this state a better place in which to live and work, and

WHEREAS, the Governor has proclaimed the week of May 1-7, 1988, to be Local Chamber Week, NOW, THEREFORE,

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

That, in recognition of the contributions made to this state by local chambers of commerce, May 4, 1988, is hereby designated Local Chamber Day.

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

On motion by Senator Grant, by two-thirds vote SR 1344 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Grant—

SR 1344—A resolution in memory of Ralph A. Marsicano.

WHEREAS, Ralph A. Marsicano was a native son of the City of Tampa, born of Italian immigrant parents, on December 19, 1901, and

WHEREAS, Ralph A. Marsicano, was graduated from the University of Florida Law School in 1923 and achieved early recognition as a member of Phi Kappa Phi, the Scholastic Honor Society, and

WHEREAS, Ralph A. Marsicano, was a scholarly and successful legal advocate for local governments, serving as assistant city attorney and city attorney for the City of Tampa, from 1931 to 1970, and as general counsel for the Florida League of Cities, Inc., from 1949 to 1979, and

WHEREAS, Ralph A. Marsicano, during his legal career of more than 50 years, served as counselor to the many city attorneys in the state, and was long considered the "Dean of Florida City Attorneys", and

WHEREAS, Ralph A. Marsicano was the guiding legal force in all cases from 1949 to 1979 in which the Florida League of Cities participated in appellate court proceedings, and his legal knowledge and skills have been noted by compliments and praise in Supreme Court opinions, and

WHEREAS, in 1976, The Florida Bar recognized his distinguished public service by establishing the "Ralph A. Marsicano Award," which is awarded annually to a member of The Florida Bar for outstanding contributions to local government and which was presented to Mr. Marsicano in 1976, and

WHEREAS, Ralph A. Marsicano served with honor and distinction as a valued member of the Constitutional Revision Commission from 1966 to 1968, and was the principal author of the municipal home rule and equitable taxation provisions of the State Constitution of 1968, and

WHEREAS, Ralph A. Marsicano represented his local government clients with dignity and dedication before several governors, senators, and representatives, as an active participant in the legislative processes from 1931 to 1979, and

WHEREAS, Ralph A. Marsicano was called to his eternal reward by his gracious and merciful Savior on November 14, 1987, and will be sorely missed by all who were privileged to know him, NOW, THEREFORE,

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

That the Florida Senate, with heartfelt appreciation for the exemplary public service selflessly given by Ralph A. Marsicano, does pause in its deliberations to pay its respects to his family.

BE IT FURTHER RESOLVED, that a copy of this resolution, with the seal of the Senate affixed, be presented to the family of Ralph A. Marsicano as a tangible token of the sentiments expressed herein and as a lasting memorial in recognition of his great public service.

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

Senator Grant introduced the following members of Mr. Marsicano's family: Mrs. Marie Marsicano, wife; Mrs. Adele Clarke, daughter; Mrs. Raphael O'Kelley, grandchild, and her husband Charles; and Richard Clarke, grandchild, and his son Ricky. At the request of the President, Senator Grant escorted the family to the rostrum where they were presented a copy of the resolution.

On motion by Senator Malchon, by two-thirds vote SR 1388 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Malchon—

SR 1388—A resolution marking the beginning of the 50th year of service of the League of Women Voters of Florida.

WHEREAS, the League of Women Voters believes in representative government and the individual liberties established by the Constitution, and

WHEREAS, the League believes that democracy depends on the informed and active participation of its citizens, and

WHEREAS, the League has diligently worked for efficient and economical government, responsive at all levels to the will of the people, and

WHEREAS, the League seeks to share in the solution of social and economic problems that affect the general welfare of the people in Florida, and

WHEREAS, the League in 1988 marked 49 years of service to the citizens of this state and is embarking on its 50th year, NOW, THEREFORE,

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

That the Senate wishes the League of Women Voters of Florida continued success as it moves into its 50th year of service.

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

Senator Malchon introduced members of the League of Women Voters who were seated in the gallery, and Ms. Robin Seaborn, State President. At the request of the President, Senators Malchon and Weinstock escorted Ms. Seaborn to the rostrum where she was presented a copy of the resolution.

Motions

On motions by Senator Deratany, the rules were waived and SB 374 and CS for SB 375 were ordered immediately certified to the House.

On motion by Senator Barron, by two-thirds vote SB 378 was placed last on the special order calendar.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Deratany, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to consider CS for SB 557 on May 4.

On motion by Senator Langley, the rules were waived and the Committee on Judiciary-Civil was granted permission to consider SB 1346 on May 4.

On motions by Senator Scott, by two-thirds vote Senate Bills 59, 88, 198, 1173, CS for SB 521 and CS for SB 573 were withdrawn from the Committee on Appropriations.

On motion by Senator Barron, by two-thirds vote SB 431 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Scott, by two-thirds vote CS for SB 840 was removed from the calendar and referred to the Committee on Appropriations.

On motion by Senator Kiser, by two-thirds vote SB 972 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Kiser, by two-thirds vote House Bills 484 and 166 were withdrawn from the Committee on Governmental Operations.

On motions by Senator Girardeau, by two-thirds vote Senate Bills 945, 949, 947, 964, 935, 958 and 1323 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Kirkpatrick, by two-thirds vote SB 104 was withdrawn from the committees of reference and indefinitely postponed.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, May 3, 1988: CS for SB 185, CS for SB 483, SB 601, 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, CS for SB 447, CS for SB 865, SB 677, SB 308, SB 563, SB 480, SB 488, CS for CS for SB 4, SB 289, CS for CS for SB 292, SB 102, SB 263, CS for SB 314, SB 995, SB 679, SB 9, CS for SB 901

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Commerce recommends the following pass: SB 346

The bill was referred to the Committee on Appropriations pursuant to a motion by Senator Scott on April 28.

The Committee on Education recommends the following pass: SB 706, SB 860, SB 890 with 1 amendment, SB 919 with 2 amendments, SB 920 with 3 amendments, SB 1074, SB 1136

The Committee on Governmental Operations recommends the following pass: CS for SB 239 with 1 amendment, SB 548

The Committee on Judiciary-Civil recommends the following pass: SB 475, SJR 728

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 724, SB 802, SB 861 with 1 amendment, SB 891, SB 999, SB 1128, SB 1195

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

The Committee on Governmental Operations recommends the following pass: SB 760 with 1 amendment

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

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 909

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

The Committee on Judiciary-Civil recommends the following pass: SB 707

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

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 461

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

The Committee on Commerce recommends the following pass: SB 1028

The Committee on Judiciary-Criminal recommends the following pass: SB 953 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.

The Committee on Agriculture recommends the following pass: HB 633

The Committee on Commerce recommends the following pass: SB 283, SB 682 with 2 amendments, SB 1025

The Committee on Governmental Operations recommends the following pass: HB 776, SB 316, SB 416 with 1 amendment, SB 654 with 4 amendments, SB 1057, SB 1064

The Committee on Judiciary-Civil recommends the following pass: SB 183, SB 465, SB 714

The Committee on Judiciary-Criminal recommends the following pass: SB 279 with 1 amendment, SB 442, SB 684, SB 699, SB 896, SB 986 with 3 amendments, SB 1301

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: CS for SB 500

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

The Committee on Corrections, Probation and Parole recommends the following not pass: SB 932

The bill was laid on the table.

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 504

The Committee on Education recommends committee substitutes for the following: SB 63, SB 479, SB 622, SB 841, SB 863

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 285, SB 370, CS for SB 399, SB 796

The Committee on Governmental Operations recommends committee substitutes for the following: SB 221, SB 551, CS for SB 587, SB 792

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 857, SB 1147

The Committee on Judiciary-Civil recommends a committee substitute for the following: SB 565

The Committee on Personnel, Retirement and Collective Bargaining recommends a committee substitute for the following: SB 359

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 Health and Rehabilitative Services recommends a committee substitute for the following: SB 913

The Committee on Judiciary-Civil recommends a committee substitute for the following: SB 1232

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 Agriculture recommends a committee substitute for the following: SB 1100

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 830

The Committee on Governmental Operations recommends a committee substitute for the following: SB 956

The Committee on Judiciary-Civil recommends committee substitutes for the following: SB 157, SB 306, SB 832

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 Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 1221

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

The Committee on Agriculture recommends a committee substitute for the following: SB 845

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 90

The bill with committee substitute attached was referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.

The Committee on Agriculture recommends committee substitutes for the following: SB 759, SB 1084, SB 1091

The Committee on Commerce recommends committee substitutes for the following: SB 222, SB 497, SB 848, SB 872, SB 875, SB 924, SB 1236

The Committee on Economic, Community and Consumer Affairs recommends committee substitutes for the following: SB 702, SB 1108, SB 1176

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 1050

The Committee on Governmental Operations recommends committee substitutes for the following: CS for SB 354, SB 772

The Committee on Judiciary-Civil recommends a committee substitute for the following: SB 874

The Committee on Judiciary-Criminal recommends committee substitutes for the following: SB 218, SB 417, SB 794

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

REQUESTS FOR EXTENSION OF TIME

April 29, 1988

The Committee on Agriculture requests an extension of 15 days for consideration of the following: Senate Bills 162, 312, 756, 1162, 1251, 1300, 1348, 1362; House Bills 50, 627, 657

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 11, 20, 44, 46, 55, 81, 142, 166, 188, 190, 231, 242, 244, 322, 361, 363, 365, 369, 423, 426, 519, 553, 566, 569, 584, 593, 603, 615, 620, 639, 650, 662, 687, 704, 705, 723, 730, 745, 748, 752, 763, 770, 776, 779, 786, 798, 820, 835, 838, 853, 858, 862, 864, 868, 876, 879, 889, 904, 910, 916, 936, 946, 957, 969, 983, 996, 1007, 1010, 1011, 1033, 1035, 1040, 1046, 1047, 1054, 1077, 1080, 1081, 1086, 1088, 1098, 1099, 1101, 1102, 1104, 1105, 1106, 1107, 1119, 1123, 1138, 1140, 1153, 1163, 1167, 1179, 1180, 1196, 1209, 1218, 1246, 1252, 1258, 1264, 1266, 1270, 1279, 1280, 1284, 1297, 1298, 1304, 1312, 1318, 1324, 1326, 1338, 1356, 1365, 1375; House Bill 74

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: Senate Bills 92, 277, 366, 642, 761, 903, 932, 941, 970, 973, 974, 976, 1045, 1052, 1092, 1130, 1152, 1159, 1329

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following: Senate Bills 47, 73, 86, 191, 200, 202, 227, 236, 250, 295, 300, 362, 379, 405, 432, 444, 449, 451, 452, 467, 469, 476, 482, 496, 502, 540, 586, 588, 600, 633, 658, 667, 668, 691, 694, 726, 727, 733, 742, 755, 760, 815, 828, 829, 837, 842, 844, 846, 849, 852, 884, 929, 934, 939, 940, 954, 982, 1020, 1023, 1060, 1069, 1103, 1111, 1115, 1124, 1145, 1150, 1161, 1168, 1190, 1210, 1216, 1259, 1267, 1273, 1278, 1287, 1302, 1306, 1313, 1316, 1319, 1323, 1331, 1335, 1336, 1340, 1351, 1358, 1359, 1363; House Bills 14, 34, 84, 183, 881

The Committee on Education requests an extension of 15 days for consideration of the following: Senate Bills 66, 67, 75, 94, 96, 100, 139, 154, 177, 186, 192, 199, 208, 256, 260, 273, 319, 321, 347, 350, 355, 407, 410, 413, 468, 516, 531, 575, 608, 611, 616, 623, 663, 666, 692, 697, 701, 722, 754, 762, 783, 784, 785, 788, 822, 843, 859, 869, 885, 886, 887, 888, 898, 907, 909, 915, 917, 918, 922, 926, 948, 963, 998, 1000, 1013, 1014, 1048, 1049, 1062, 1085, 1112, 1113, 1118, 1122, 1144, 1146, 1165, 1178, 1184, 1185, 1188, 1191, 1198, 1213, 1234, 1243, 1260, 1275, 1283, 1285, 1294, 1295, 1314, 1321, 1333, 1339, 1342; House Bills 83, 173, 174, 177, 178, 179, 180, 181, 351, 352, 452, 597, 1427

The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: Senate Bills 24, 30, 38, 77, 95, 136, 145, 184, 247, 248, 286, 323, 385, 391, 419, 427, 429, 446, 485, 543, 557, 560, 561, 574, 594, 607, 660, 673, 690, 711, 737, 768, 782, 801, 824, 902, 931, 933, 943, 955, 964, 971, 987, 1056, 1065, 1170, 1171, 1203, 1261, 1286, 1288, 1309, 1315, 1327, 1330; House Bill 350

May 2, 1988

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: Senate Bills 1, 133, 203, 220, 434, 461, 512, 526, 579, 634, 661, 664, 685, 695, 703, 743, 766, 769, 821, 834, 873, 880, 893, 923, 958, 960, 967, 972, 994, 1002, 1037, 1039, 1063, 1095, 1096, 1097, 1114, 1126, 1127, 1133, 1134, 1155, 1157, 1183, 1186, 1225, 1253, 1256, 1272, 1311, 1317, 1360; House Bills 166, 242, 254, 270, 484, 1020

April 29, 1988

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: Senate Bills 97, 106, 159, 245, 246, 303, 411, 430, 440, 441, 464, 477, 518, 536, 554, 570, 597, 649, 689, 700, 732, 738, 741, 758, 771, 775, 780, 797, 800, 804, 810, 811, 813, 825, 826, 851, 856, 911, 914, 937, 952, 961, 979, 997, 1006, 1009, 1012, 1019, 1030, 1041, 1053, 1068, 1073, 1076, 1079, 1083, 1090, 1093, 1125, 1137, 1141, 1158, 1160, 1172, 1212, 1215, 1223, 1226, 1233, 1255, 1262, 1274, 1276, 1292, 1296, 1305, 1307, 1350, 1352, 1354, 1355, 1370, 1372, 1373

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: Senate Bills 8, 29, 34, 42, 79, 83, 104, 111, 151, 167, 169, 176, 195, 196, 206, 219, 228, 233, 237, 257, 269, 274, 296, 313, 317, 345, 376, 377, 381, 404, 454, 459, 486, 487, 525, 542, 558, 559, 577, 578, 581, 589, 602, 609, 641, 648, 657, 674, 675, 708, 709, 716, 717, 721, 729, 747, 750, 751, 765, 808, 818, 819, 839, 847, 897, 899, 900, 906, 930, 935, 965, 978,

988, 991, 993, 1001, 1017, 1029, 1036, 1066, 1067, 1094, 1142, 1143, 1174, 1182, 1194, 1197, 1222, 1224, 1227, 1245, 1247, 1248, 1265, 1277, 1303, 1320, 1334, 1346, 1374; House Bills 168, 169, 542, 636

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: Senate Bills 22, 31, 35, 175, 209, 218, 278, 279, 287, 288, 305, 310, 325, 401, 406, 417, 442, 448, 457, 474, 498, 564, 572, 582, 583, 585, 590, 592, 613, 621, 629, 635, 640, 653, 676, 678, 680, 683, 684, 688, 696, 698, 699, 718, 725, 739, 791, 793, 794, 795, 806, 817, 831, 833, 870, 896, 927, 938, 953, 966, 986, 1070, 1082, 1110, 1135, 1154, 1187, 1200, 1201, 1208, 1235, 1239, 1242, 1244, 1249, 1250, 1263, 1281, 1299, 1301, 1328; House Bills 7, 102, 366, 635

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 6, 50, 62, 65, 76, 103, 126, 156, 234, 271, 281, 311, 315, 326, 337, 443, 445, 453, 466, 510, 522, 524, 533, 605, 628, 636, 656, 681, 712, 713, 735, 749, 753, 777, 781, 799, 855, 942, 989, 1008, 1015, 1032, 1034, 1042, 1044, 1059, 1061, 1075, 1116, 1117, 1149, 1169, 1175, 1181, 1192, 1202, 1228, 1240, 1241, 1271, 1308, 1322, 1325, 1349, 1353, 1361, 1369, 1376, 1378; House Bills 104, 451, 592, 702, 1399, 1423

May 2, 1988

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for consideration of the following: Senate Bills 2, 15, 41, 90, 187, 351, 352, 422, 438, 473, 552, 637, 655, 693, 950, 968, 1028, 1055, 1089, 1129, 1166, 1211, 1257, 1337, 1343, 1357

April 29, 1988

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: Senate Bills 21, 216, 217, 223, 270, 275, 291, 302, 318, 324, 335, 357, 388, 397, 414, 420, 431, 571, 612, 624, 644, 812, 894, 895, 928, 977, 984, 992, 1022, 1132, 1151, 1217, 1341, 1344, 1367

The Special Master on Claims requests an extension of 15 days for consideration of the following: Senate Bills 68, 105, 107, 180, 181, 189, 280, 336, 386, 387, 424, 490, 494, 495, 506, 515, 647, 1027, 1199, 1207; House Bills 56, 62, 159, 282, 991

The Committee on Transportation requests an extension of 15 days for consideration of the following: Senate Bills 43, 85, 125, 235, 301, 353, 538, 632, 638, 665, 715, 736, 805, 836, 866, 881, 882, 925, 945, 947, 949, 951, 980, 985, 1003, 1004, 1018, 1021, 1024, 1038, 1051, 1078, 1109, 1120, 1121, 1139, 1156, 1164, 1193, 1204, 1205, 1214, 1229, 1237, 1238, 1282, 1289, 1293, 1332, 1364; House Bills 187, 212

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Hair—

SB 1377—A bill to be entitled An act relating to trusts; providing that the interest of a spouse in a revocable trust executed by the other spouse terminates upon the dissolution of their marriage or upon their divorce; requiring administration of the trust after entry of such judgment as if the settlor's spouse had died; providing exceptions; amending s. 737.402, F.S.; providing that any type of trustee may terminate a trust having a market value of less than \$50,000 under certain circumstances; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Stuart—

SB 1378—A bill to be entitled An act relating to beaches and coastal conservation; creating ss. 380.301, 380.302, 380.303, 380.304, 380.305, 380.306, 380.307, 380.308, 380.309, 380.310, 380.311, 380.312, 380.313, 380.314, 380.315, 380.316, 380.317, 380.318, F.S.; creating the Florida Coastal Conservancy; providing findings and intent; providing definitions; providing powers of the conservancy; providing for a governing board, executive director, and employees; providing for approval of projects; providing for grants and loans; creating a trust fund; providing for issuance of bonds; providing for an annual report; providing policy with respect to conflicts of interest; providing tax exemptions; providing for corporate existence; providing for applicability and construction of laws; creating s. 380.320, F.S.; providing for issuance of full faith and credit bonds if approved by the electors; creating s. 320.0804, F.S.; providing for issuance of environmental license plates; providing public policy with

respect to beach access; creating ss. 253.041, 253.042, 253.043, 253.044, 253.045, 253.046, 253.047, 253.048, F.S.; providing definitions; prohibiting certain local ordinances relating to beach access; prohibiting obstructions to beach access; authorizing suits to remove obstructions; providing for beach access inventories; providing for notice to the state when certain property is to be disposed of by a local government; providing for interpretation of the act and scope of public easements; providing that title is not prima facie evidence of certain rights; providing for declaratory judgments; requiring certain disclosures to buyers of property; providing for notice of beach access points; amending s. 125.0104, F.S.; authorizing use of tourist development tax revenues for certain beach-related purposes; amending s. 212.235, F.S.; authorizing use of State Infrastructure Fund moneys for beach access; providing public policy with respect to beach access for handicapped persons; amending s. 161.161, F.S.; including access for the handicapped and parking as elements of the state comprehensive plan for beach restoration; amending s. 161.101, F.S.; authorizing use of Beach Management Trust Fund moneys for beach access for the handicapped and parking; amending s. 163.3177, F.S.; including beach access for the handicapped among the elements of local comprehensive plans; amending s. 375.021, F.S.; including beach access in the state outdoor recreation and conservation plan; amending s. 161.58, F.S.; limiting local authority to permit vehicular traffic on beaches and limiting fees which may be charged; amending s. 259.035, F.S.; providing for inclusion of certain beach projects among projects for consideration by the conservation and recreation lands selection committee; amending s. 375.251, F.S.; redefining the term "outdoor recreational purposes" to include beach-related parking; amending s. 193.501, F.S.; providing for assessment of lands when beach access easements have been conveyed; amending s. 375.075, F.S.; including beach access for the handicapped among criteria to be considered for recreation development assistance grants; amending s. 253.03, F.S.; redefining the term "local sponsor" with respect to duties of the Board of Trustees of the Internal Improvement Trust Fund; amending s. 161.142, F.S.; restating public policy with respect to improved navigation inlets; amending ss. 403.813, 403.816, F.S.; prescribing when a fee may be charged for dredging materials; providing an effective date.

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

By Senator Hill—

SB 1379—A bill to be entitled An act relating to tax on sales, use and other transactions; amending s. 212.06, F.S.; revising requirements for determining the manufacturer's use tax; providing an effective date.

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

By Senator Thurman—

SB 1380—A bill to be entitled An act relating to conditional zoning in Marion County; amending s. 3 of ch. 85-464, Laws of Florida; deleting the requirement that conditions be proffered before the public hearing at which the request for zoning is approved; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Grizzle—

SB 1381—A bill to be entitled An act relating to Pinellas County; amending s. 2.01, Art. II, Home Rule Charter for Pinellas County, as created by s. 1, ch. 80-590, Laws of Florida; granting to the Pinellas County Board of County Commissioners countywide land use planning authority; providing for a county ordinance adopted pursuant to such authority to prevail over a municipal ordinance in the event of a conflict; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

SR 1382 was introduced out of order and adopted April 26.

By Senator Brown—

SB 1383—A bill to be entitled An act relating to the West Volusia Hospital Authority, a special tax district in Volusia County; amending ch. 57-2085, Laws of Florida, as amended; specifically enumerating permissible categories of expenditures which may be authorized by the West

Volusia Hospital Authority in the operation of the hospital district; allowing the Authority to set the intervals at which physical inventories must be performed; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Thurman—

SB 1384—A bill to be entitled An act relating to Marion County; amending s. 3 of ch. 85-466, Laws of Florida; expanding the classifications of the real property against which a special assessment for road improvements may be levied; deleting the requirement that a petition be signed by a specified percentage of landowners before a special assessment may be levied to make road improvements in the county; providing for the county to adopt procedures providing for public notice and hearing regarding such road improvement; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SB 1385—A bill to be entitled An act relating to the Sarasota County Public Hospital Board, Sarasota County; amending s. 8(b), ch. 26468, Laws of Florida, 1949, as amended; authorizing the hospital board to construct hospitals, health facilities, buildings and accessories without regard to municipal and county zoning regulations; adding s. 8(r), ch. 26468, Laws of Florida, 1949, as amended; providing powers of the hospital board with respect to investment of funds in its possession or control; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Jennings—

SR 1386—A resolution designating May 4, 1988, Local Chamber Day.

—was referred to the Committee on Rules and Calendar.

SR 1387 was introduced out of order and adopted April 28.

By Senator Malchon—

SR 1388—A resolution marking the beginning of the 50th year of service of the League of Women Voters of Florida.

—was referred to the Committee on Rules and Calendar.

By Senator Plummer—

SR 1389—A resolution commending the University of Miami and Florida State University football teams.

—was referred to the Committee on Rules and Calendar.

By Senators Johnson, Thomas and Hollingsworth—

SR 1390—A resolution honoring Claribel Brandon Jett, the state's Artist Laureate, for her distinguished artistic contributions and her commitment to recording and preserving Florida's heritage.

—was referred to the Committee on Rules and Calendar.

By Senator Weinstock—

SB 1391—A bill to be entitled An act relating to Palm Beach County; amending sections 3, 4, 6, 9, and 12 of chapter 87-450, Laws of Florida; relating to the Palm Beach County Health Care Act; providing for the prohibition of hospital construction by the district; providing for the adoption of criteria for the provision of health care; providing for the membership of the district board; providing for limitations on the assessment and levying of ad valorem taxes for the district; providing for the membership of subdistrict boards of the Palm Beach County Health Care District; providing for the submission of an annual report and budget to the Palm Beach County Board of County Commissioners by the district board; providing for the submission of an annual report and budget to the Palm Beach County Legislative Delegation; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Hollingsworth—

SR 1392—A resolution commending the Suwannee High School football team for its 1987 football season.

—was referred to the Committee on Rules and Calendar.

By Senator Hair—

SB 1393—A bill to be entitled An act for the relief of Donald D. Moulden; requiring an appropriation by the City of Jacksonville to compensate him for severe personal injuries sustained as a result of the negligence of the city; providing for payment by the city; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Hill—

SR 1394—A resolution commending Dr. Yillian Castro Coppolechia for her outstanding accomplishments in promoting the nation's literary values and culture.

—was referred to the Committee on Rules and Calendar.

By Senator Plummer—

SB 1395—A bill to be entitled An act relating to the Monroe County Mosquito Control District; amending section 2 of chapter 67-1726, Laws of Florida, as amended; providing for amendment of the description of the division of the districts of the Monroe County Mosquito Control District; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Education and Senators Myers and W. D. Childers—

CS for SB 63—A bill to be entitled An act relating to education; creating s. 232.435, F.S.; providing legislative intent; encouraging school districts to establish and implement an athletic injuries prevention and treatment program; providing program standards; recommending an employment scheme; establishing Department of Education responsibilities; providing an effective date.

By the Committee on Governmental Operations and Senator Malchon—

CS for SB 90—A bill to be entitled An act relating to child care; amending s. 110.151, F.S.; authorizing coordination of child care services; providing for the selection of service providers; setting standards for providers; requiring a statewide feasibility study of child care needs of state employees; authorizing the department to adopt rules; providing an appropriation; providing for retroactive application; providing an effective date.

By the Committees on Judiciary-Criminal; and Health and Rehabilitative Services and Senator Ros-Lehtinen—

CS for CS for SB 130—A bill to be entitled An act relating to juvenile delinquency proceedings; providing legislative intent; amending s. 39.032, F.S.; changing detention procedures to authorize nonsecure detention in certain situations; changing the provisions for detention at a detention hearing; providing arraignment requirements; creating s. 39.0321, F.S.; providing for the prohibited use of detention; providing an effective date.

By the Committee on Judiciary-Civil and Senator Kirkpatrick—

CS for SB 157—A bill to be entitled An act relating to remedies against business organizations for failure to comply with registered agent and registered office requirements and related subpoena provisions; amending ss. 607.325, 620.192, F.S.; authorizing the state to bid, at any judicial sale to enforce its judgment lien against real property owned by a domestic or foreign corporation, alien business organization, or domestic or foreign limited partnership for failure to maintain a registered office and a registered agent or for failure to comply with a subpoena

issued by the Department of Legal Affairs to produce certain testimony and records, an amount up to the amount of the judgment lien on the property; providing for the disposition and distribution of moneys recovered from the enforcement of these provisions; amending s. 253.03, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to manage and sell all real property acquired by the state at such judicial sales; providing for the disposition and distribution of the proceeds from such sales; providing for application of act to certain pending proceedings; providing for reimbursement of certain expenditures from the Internal Improvement Trust Fund with respect to real property acquired under s. 607.325 or s. 620.192, F.S., prior to the effective date of the act; providing for reimbursement of interest earnings lost to that fund by virtue of such expenditures; providing an effective date.

By the Committee on Governmental Operations and Senators W. D. Childers, Woodson and Beard—

CS for SB 221—A bill to be entitled An act relating to the insurance risk management trust fund; amending s. 284.31, F.S.; providing for coverage under the fund for coordinated community transportation providers; providing an effective date.

By the Committee on Commerce and Senator Hill—

CS for SB 222—A bill to be entitled An act relating to motor vehicle insurers; providing that an insurer is liable, under a policy which provides for repair or replacement of a motor vehicle by the insurer, for certain towing or storage charges incurred for that motor vehicle; providing for review and repeal; providing an effective date.

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

CS for SB's 277 and 816—A bill to be entitled An act relating to criminal penalties; amending s. 775.084, F.S.; modifying the definition of "habitual felony offender" and deleting all references to "habitual misdemeanants"; providing sentencing procedure; exempting habitual felony sentences from the sentencing guidelines; providing a limitation on gain-time for habitual felons; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senators Thurman, W. D. Childers, Crawford, Hollingsworth, Thomas, Beard, Brown, Langley, Woodson, Jennings and Grant—

CS for SB 285—A bill to be entitled An act relating to environmental regulation; amending s. 376.303, F.S.; extending the deadline for filing information with the Department of Environmental Regulation in order to participate in the Early Detection Incentive Program; amending s. 376.3071, F.S.; providing that moneys in the Inland Protection Trust Fund may be used to pay claims under the Florida Petroleum Liability Insurance Program; extending the period of operation of the Early Detection Incentive Program; creating s. 376.3072, F.S.; creating the Florida Petroleum Liability Insurance Program to be administered by the Department of Environmental Regulation; specifying the scope and type of insurance coverage under the program; providing eligibility for participation; providing for charging of premiums; specifying participant's liability under a certain type of coverage; authorizing department assessments of participants under certain circumstances; providing for self-insurance; specifying criteria for self-insurance; providing for disposition of the premiums collected; providing for the purchase of insurance management or underwriting services and certain management services and tank registration compliance verification services by the department; providing for the reporting of third-party liability claims; authorizing the department to adopt rules and to establish criteria for certain storage tanks; transferring, renumbering, and amending s. 526.3055, F.S.; requiring the department to enforce certain provisions relating to the deposit of motor fuels into certain tanks; amending s. 376.317, F.S.; revising criteria regarding the authorization of county governments to adopt ordinances regulating underground storage tanks; amending s. 376.319, F.S.; extending the time period for the statutory indemnification of certain response action contractors; directing the Department of Professional Regulation to adopt rules for the certification of response action contractors; providing an exemption from certification; providing appropriations to the Department of Environmental Regulation for contracting with counties for verification and enforcement of compliance with certain rules and for contracting with businesses for certain services; directing the Department of Insurance to compile a report on the availability and cost of pollution liability insurance issued by private insurers; providing an effective date.

By the Committee on Judiciary-Civil and Senator Hair—

CS for SB 306—A bill to be entitled An act relating to judicial review of property assessments for ad valorem tax purposes; amending s. 194.192, F.S.; providing that attorney's fees be awarded to certain prevailing parties in suits involving the assessment of property; providing an effective date.

By the Committees on Governmental Operations and Education and Senator Ros-Lehtinen—

CS for CS for SB 354—A bill to be entitled An act relating to juvenile proceedings; amending s. 39.12, F.S.; authorizing the release of information to school superintendents and their designees; amending s. 415.51, F.S.; providing certain school principals with access to records concerning reports of child abuse or neglect; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senators Weinstein and W. D. Childers—

CS for SB 359—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 110.123, F.S.; providing for the payment of certain premiums for state group health insurance with respect to the surviving spouse of a law enforcement or correctional officer killed in the line of duty; providing for the payment of premiums with respect to certain children; amending s. 112.1904, F.S.; providing an additional death benefit with respect to certain law enforcement officers killed in the line of duty; amending s. 112.193, F.S.; providing definitions; providing that employers may provide law enforcement officers with certain benefits upon retirement; providing an effective date.

By the Committee on Finance, Taxation and Claims—

CS for SB 370—A bill to be entitled An act relating to fuel taxes; creating ss. 206.101, 206.102, F.S.; consolidating state taxes on motor fuel and local option taxes on motor fuel; providing for collection, enforcement, and administration of such taxes; providing collection allowances; renumbering and amending ss. 206.23, 206.02, 206.021, 206.404, 206.055, 206.026, 206.027, 206.028, 206.03, 206.04, 206.05, 206.065, 206.43, 206.09, 206.10, 206.48, 206.485, 206.62, 206.42, 206.41, 206.425, 212.67, 206.11, 206.44, 206.426, 206.56, 206.14, 206.18, 206.06, 206.07, 206.075, 206.19, 206.21, 206.215, 206.24, 206.27, 206.59, 206.406, 206.45, 206.47, 206.60, 206.605, 212.69, 206.89, 206.90, 206.91, 206.87, 206.877, 206.875, 206.879, 206.97, F.S.; creating ss. 206.703, F.S.; amending ss. 206.01, 206.9915, 206.9825, 206.9845, 206.9931, 206.9441, 206.9442, 207.003, 207.026, 212.05, 212.08, 336.021, 336.025, 336.026, F.S.; consolidating and reorganizing provisions of chapters 206, 212, 336, F.S., relating to the taxation of motor fuel; providing for the return of certain taxes paid by a school district to such school district; revising certain tax exemptions relating to special fuels; revising certain cross-references; revising certain definitions; creating s. 206.178, F.S.; authorizing certain importers and jobbers to self-accrue and remit taxes under certain circumstances; providing an exemption from paying certain taxes; renumbering ss. 206.022, 206.025, 206.095, 206.12, 206.15, 206.16, 206.17, 206.175, 206.20, 206.204, 206.205, 206.22, 206.28, 206.405, 206.445, 206.46, 206.61, 206.85, 206.86, 206.88, 206.92, 206.96, F.S.; amending ss. 7.52, 163.3184, 207.023, 207.026, 212.235, 215.22, 218.21, 336.024, 376.301, 849.092, F.S.; correcting cross-references; repealing ss. 206.08, 206.25, 206.41, 206.49, 206.625, 206.63, 206.64, 206.93, 206.94, 206.945, 212.60, 212.61, 212.62, 212.6201, 212.63, 212.635, 212.64, 212.65, 212.66, F.S., relating to the motor fuel tax and the sales tax on motor fuel and special fuel; providing an effective date.

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

CS for CS for SB 399—A bill to be entitled An act relating to salt-water fishing; directing the Department of Natural Resources to establish a licensing program for the harvesting of tarpon; providing fees; providing for disposition of fees; prohibiting the taking of tarpon without a tag; providing penalties; providing for tag removal; providing exemptions; amending s. 120.52, F.S.; providing that harvest limits arrived at by the marine fisheries commission through a mechanism established by rule is also a rule for purposes of the Administrative Procedure Act; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Ros-Lehtinen, Johnson and Lehtinen—

CS for SB's 427 and 744—A bill to be entitled An act relating to corrections; amending s. 944.512, F.S.; revising the formula for distribution of proceeds from accounts of crimes; providing for attachment of a lien on such proceeds; extending the lien to accounts of crimes by persons; providing an effective date.

By the Committee on Education and Senator Kirkpatrick—

CS for SB 479—A bill to be entitled An act relating to state universities; amending s. 240.209, F.S.; increasing the Capitol Improvement Trust Fund fee and the building fee assessed students for each credit hour taken; creating s. 240.2601, F.S.; establishing the State University System Facility Enhancement Challenge Grant Program; establishing a trust fund; providing for allocation and administration of the trust fund; establishing eligibility criteria; providing a procedure for naming a facility; providing an effective date.

By the Committee on Commerce and Senator W. D. Childers—

CS for SB 497—A bill to be entitled An act relating to financial institutions; amending s. 655.061, F.S.; deleting restrictions against the authorization for state banks to establish branches under the competitive equality provisions of law; providing a conditional effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Ros-Lehtinen—

CS for SB 504—A bill to be entitled An act relating to accessibility by handicapped persons; amending s. 553.49, F.S.; providing for promulgation of criteria for granting modifications of or exceptions from accessibility requirements by the Department of Community Affairs; providing for an accessibility review committee to review and grant modifications and waivers; providing for legislative recommendations; amending s. 11.611, F.S.; providing for review and repeal of the committee; providing an effective date.

By the Committee on Governmental Operations and Senator Kiser—

CS for SB 551—A bill to be entitled An act relating to the Columbus Hemispheric Trade Commission; amending ss. 1, 2, 3, ch. 84-232, Laws of Florida; renaming the commission; providing that failure of a member to attend commission meetings constitutes resignation; repealing a prohibition against the expenditure of state funds; providing for a direct-support organization to assist the commission; providing for adoption of rules by the Department of Commerce; exempting certain records from the Public Records Law; encouraging all state and local government entities to assist the commission; repealing ss. 4, 5, 6, ch. 84-294, Laws of Florida, relating to the commission; providing for the future repeal of ch. 84-232, Laws of Florida, as amended, relating to the commission; providing an effective date.

By the Committee on Judiciary-Civil and Senator Johnson—

CS for SB 565—A bill to be entitled An act relating to the Legal Affairs Revolving Trust Fund; amending s. 16.53, F.S.; deleting a provision requiring the transfer to the General Revenue Fund of any moneys remaining in the trust fund at the end of a fiscal year which exceed \$2 million; revising provisions relating to disposition of excess funds; providing an effective date and providing for retroactive operation.

By the Committees on Governmental Operations and Commerce and Senator Crenshaw—

CS for CS for SB 587—A bill to be entitled An act relating to security for public deposits; amending s. 280.02, F.S.; revising definitions; amending ss. 175.301, 185.30, F.S.; correcting cross-references to definition of public depository; amending s. 280.04, F.S.; revising collateral deposit requirements for public depositories; amending s. 280.05, F.S.; providing for additional powers and duties of the Treasurer; amending ss. 280.051, 280.055, F.S.; providing clarifying language; amending s. 280.08, F.S.; providing a specified time in which a sale of securities must be accomplished or an assessment must be made following the default or insolvency of a public depository; amending s. 280.09, F.S.; requiring certain penalties be deposited in a specified trust fund; amending s. 280.11, F.S.; providing notice requirements upon the withdrawal by a public depository from the public deposit security program; amending ss. 280.16, 280.17, F.S.; revising certain reporting requirements of public depositories; amending s. 655.057, F.S.; authorizing the Treasurer to access certain records of the Department of Banking and Finance; providing an exemption from public record disclosure requirements for such records when obtained by the Treasurer; providing for future review and repeal of said provisions; providing an effective date.

By the Committee on Education and Senator Johnson—

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

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

CS for SB 634—A bill to be entitled An act relating to victims of crime; creating the Victims' Rights Act of 1988; amending s. 775.089, F.S.; revising the standards under which a court may limit restitution to a victim of a crime; requiring a court to order certain types of restitution when a victim has suffered bodily injury; requiring a court to consider additional factors in determining the amount of restitution; amending s. 914.21, F.S.; providing a definition; amending s. 914.22, F.S.; prohibiting tampering with a witness, victim, or informant in an official investigation; providing penalties; amending s. 921.001, F.S.; requiring the Sentencing Commission to consider additional factors in developing statewide sentencing guidelines; specifying facts which a court may consider in imposing a sentence that is outside such guidelines; amending s. 921.187, F.S.; providing conforming language; creating s. 943.172, F.S.; requiring the Criminal Justice Standards and Training Commission of the Department of Law Enforcement to establish standards and require a specified amount of instruction for law enforcement officers in victims assistance and rights; amending s. 944.512, F.S.; revising the specified distribution of the proceeds of the sale by a convicted felon of an account of his crime; providing for attachment of a lien on such proceeds; extending the lien to accounts of crimes by persons; amending s. 944.605, F.S.; revising notification requirements of an inmate's anticipated release from incarceration or a person's anticipated release from parole; amending s. 947.06, F.S.; authorizing victims of crime to make certain statements before the Parole and Probation Commission; requiring the commission to adopt rules governing such statements; amending s. 948.03, F.S.; providing conforming language; amending s. 945.091, F.S.; providing that the Department of Corrections may require restitution be made from an inmate's employment proceeds; amending s. 960.001, F.S.; providing implementing language conforming to the provisions of a proposed constitutional amendment; deleting provisions requiring that certain notification be given to a witness of a crime; requiring that notification of certain judicial proceedings be given to a victim and a relative of certain victims; authorizing the state attorney to consult a victim or a victim's guardian or family regarding the sentencing of a person accused of the crime; providing that a victim be notified of certain additional rights; providing for a victim's rights information card or brochure; requiring the Governor to advise state agencies of certain statutory changes; deleting provisions requiring that an explanation be provided to the Governor if certain objectives are not achieved by an agency; requiring the Executive Office of the Governor to review guidelines for the fair treatment of victims adopted by specified agencies; providing for injunctive relief; providing that victims and witnesses are not required to attend certain discovery depositions; creating s. 960.002, F.S.; authorizing the creation of a direct-support organization, with the approval of the Governor, to provide assistance to victims of crime; providing requirements for the operation, financial records, and accounts of such organization; requiring the Governor to direct the deposit and distribution of certain funds used to assist victims of crime; providing a conditional effective date.

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

CS for SB 702—A bill to be entitled An act relating to municipal public works; amending s. 180.191, F.S., relating to the limitation on water and sewer rates charged consumers outside city limits; revising provisions which exempt certain home rule counties from the operation of the section to allow certain municipalities in said counties to operate under the rate limitations and restrictions of general law, rather than under county regulation; providing conditions; providing for construction; providing an effective date.

By the Committee on Agriculture and Senator Thurman—

CS for SB 759—A bill to be entitled An act relating to seed; amending s. 578.09, F.S.; specifying label requirements; amending s. 578.20, F.S.; providing a short title; amending ss. 578.26, 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.

By the Committee on Governmental Operations and Senator Kiser—

CS for SB 772—A bill to be entitled An act relating to information technology resource procurement; amending s. 287.073, F.S.; authorizing continuation of certain bid or proposal solicitation or contract award processes, notwithstanding a pending protest action; requiring bond for certain protests; requiring forfeiture of bond for frivolous protest; prohibiting persons who file frivolous protests from responding to solicitations or from contracting for information technology resources; providing an effective date.

By the Committee on Governmental Operations and Senators Johnson and Kiser—

CS for SB 792—A bill to be entitled An act relating to state grants for facilities for the arts and for historic preservation; amending s. 265.285, F.S.; specifying additional duties of the Florida Arts Council in connection with the award of grants for the acquisition, renovation, or construction of facilities for the arts; creating s. 265.701, F.S.; providing for annual lump-sum appropriations to fund grants to counties, municipalities, and certain nonprofit corporations for the acquisition, renovation, or construction of facilities for the arts; providing for administration of such grants by the Division of Cultural Affairs; authorizing the council to review applications for such grants and to recommend to the Secretary of State a priority for allocating the grants; providing for allocation of the grants by the division that are approved; authorizing the division to prescribe the criteria for the council to follow in recommending applications for the award of grants; amending s. 267.0617, F.S.; providing for annual lump-sum appropriations to fund historic preservation grants-in-aid; providing for review of the grants by the Division of Historical Resources; authorizing the Historic Preservation Advisory Council to review applications for such grants and to recommend to the Secretary of State a priority for allocating the grants; providing for allocation of grants by the division according to the approved list; authorizing the division to prescribe the criteria for the council to follow in recommending applications for the award of grants; revising a cross-reference; creating s. 265.2861, F.S.; establishing a trust fund; providing for quarterly transfers of funds to the trust fund; creating a State Major Cultural Institution Program; designating major cultural institutions; providing for institutions to be added or deleted; authorizing the Department of State to provide funding through contract and to administer certain funds; providing for appropriation of funds; requiring the adoption of rules; providing for audits; amending s. 607.361, F.S.; increasing filing fee for annual reports by corporations to fund the State Major Cultural Institution Trust Fund; exempting certain fees from transfer to the Corporation Tax Administration Trust Fund; providing an effective date.

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

CS for SB 796—A bill to be entitled An act relating to taxation; amending s. 212.0505, F.S.; increasing the tax on unlawful transactions involving medicinal drugs, cannabis, or controlled substances; authorizing the statewide prosecutor or Attorney General to settle or compromise such taxes; providing for waiver of bond and costs in proceedings to enforce collection of the tax; creating certain trust funds; providing for deposit of certain revenues into the trust funds; providing an appropriation to, and authorizing positions for, the Department of Revenue; providing an effective date.

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

CS for SB 830—A bill to be entitled An act relating to municipal tax on purchase of telecommunication services; amending s. 166.231, F.S.; revising the municipality's duties to provide certain information to the telecommunications service provider; specifying the service provider's responsibilities; specifying the service provider's liabilities with respect to audits; providing for confidentiality of audit information received by a municipality's agent; providing an effective date.

By the Committee on Judiciary-Civil and Senator Weinstein—

CS for SB 832—A bill to be entitled An act relating to forfeitures; creating a State Attorney's Forfeiture and Investigative Support Trust Fund within the office of state attorney in each judicial circuit; amending

s. 932.704, F.S.; providing for the deposit of certain funds obtained through forfeiture proceedings into such trust funds; providing for the division of certain forfeited funds; providing an effective date.

By the Committee on Education and Senator Ros-Lehtinen—

CS for SB 841—A bill to be entitled An act relating to the Florida Prepaid Postsecondary Education Expense Program; creating s. 222.22, F.S.; exempting moneys paid into or out of the Prepaid Postsecondary Education Expense Trust Fund under certain conditions from the claims of all creditors of the purchaser or beneficiary of an advance payment contract; amending s. 240.551, F.S.; providing that the trust fund is created within the State Treasury; providing that the program is an agency of the state; providing that moneys paid into the Florida Prepaid Postsecondary Education Expense Program by a purchaser of an advanced payment contract are exempt from ch. 717, F.S., the Florida Disposition of Unclaimed Property Act, when such contract is terminated because benefits under the contract have not been exercised; providing that any expenditures from the fund must be authorized by the Legislature and comply with this act; providing an effective date.

By the Committee on Agriculture and Senator Dudley—

CS for SB 845—A bill to be entitled An act relating to dogs; amending s. 767.01, F.S.; providing the circumstances under which an owner or keeper of a dog is liable for damages caused by the dog; repealing s. 767.04, F.S., relating to liability of dog owners; amending s. 767.02, F.S.; providing the circumstances under which a dog may be lawfully killed; amending s. 767.03, F.S.; providing that proof of such circumstances constitutes a good defense in a civil or criminal proceeding; amending s. 767.07, F.S.; providing for statutory interpretation; providing an effective date.

By the Committee on Commerce and Senator Dudley—

CS for SB 848—A bill to be entitled An act relating to the Sale of Business Opportunities Act; amending s. 559.801, F.S.; redefining the term “business opportunity” for the purposes of such act; amending s. 559.805, F.S.; requiring the person receiving advertising relating to business opportunities to record the advertisement identification number; providing an effective date.

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

CS for SB 857—A bill to be entitled An act relating to the Florida RICO Act; amending s. 895.09, F.S.; providing that certain funds obtained under RICO forfeiture proceedings shall be transferred to the Department of Health and Rehabilitative Services to fund specified alcohol and drug abuse treatment services; repealing s. 895.055, F.S., relating to disposition of residual RICO funds; providing an effective date.

By the Committee on Education and Senator D. Childers—

CS for SB 863—A bill to be entitled An act relating to education; amending s. 229.59, F.S.; extending the subject areas that an educational improvement project may address; removing the limit on the amount that the Commissioner of Education can authorize for an educational improvement project grant; providing for the dissemination of the results of such projects; providing that such projects that are deemed to be exceptional by the Department of Education may be used as models for other such projects; providing for project assessment; repealing s. 244.07, F.S.; abolishing the Florida Education Council; providing an effective date.

By the Committee on Commerce—

CS for SB 872—A bill to be entitled An act relating to workers' compensation; amending s. 440.11, F.S.; extending employer's immunity from liability for injury or death to apply to certain persons; providing an effective date.

By the Committee on Judiciary-Civil and Senator Kiser—

CS for SB 874—A bill to be entitled An act relating to the judicial review of certain decisions of state agencies; amending s. 120.68, F.S.; deleting a provision that the court must grant, as a matter of right, a stay of enforcement of a state agency decision to revoke or suspend a license pending judicial review; providing an effective date.

By the Committee on Commerce and Senator Grant—

CS for SB 875—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.736, F.S.; providing for death benefits as part of the required personal injury protection benefits; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Deratany, W. D. Childers, D. Childers, Thomas, Peterson, Stuart, Dudley, Johnson, Plummer, Hollingsworth, Malchon, Kirkpatrick, Brown, Meek and Hill—

CS for SB 913—A bill to be entitled An act relating to electrolysis; creating the “Electrolysis Practice Act”; providing legislative intent; providing definitions; creating the Electrolysis Council under the Board of Medicine in the Department of Professional Regulation; providing membership and terms; providing powers and duties of the board and council; requiring licensure of electrologists and providing a civil penalty; providing for application and examination for licensure; providing for temporary permits and temporary licenses; providing for license renewal; providing for reactivation, renewal, and expiration of an inactive license; providing for establishment and use of fees; authorizing disciplinary actions against licensees; providing exemptions; providing for continuing education; providing for the approval of schools of electrology; providing for curriculum; providing for licensure of instructors; providing for infection control; providing for maintenance of the physical environment of electrology offices; providing for a code of ethics and advertisements; providing for application of the act; providing for review and repeal; providing an effective date.

By the Committee on Commerce and Senator Margolis—

CS for SB 924—A bill to be entitled An act relating to motor vehicle insurance; amending s. 626.321, F.S.; providing for the issuance, to a business office of a business, of a limited license for the sale of baggage and motor vehicle excess liability insurance; authorizing the sale of coverage for a lessee's liability to the lessor for damage to a rented or leased motor vehicle; providing an effective date.

By the Committee on Governmental Operations and Senator Gordon—

CS for SB 956—A bill to be entitled An act relating to the acceptance of credit cards by state agencies and units of local government; amending s. 215.322, F.S.; authorizing state agencies and units of local government to collect service fees for financial institutions after receiving payment by credit card; authorizing rules for public disclosure; authorizing the Treasurer to establish contracts with financial institutions for processing credit card collections; creating an exemption from ch. 119, F.S., for certain records; providing an effective date.

By the Committee on Finance, Taxation and Claims—

CS for SB 1050—A bill to be entitled An act relating to the public record exemption; amending ss. 192.105, 193.074, 195.027, 195.084, 196.101, 199.222, 201.022, 206.27, 211.125, 211.33, 212.0305, 213.053, 213.21, 213.22, 213.27, 220.242, F.S.; continuing the exemptions from public record disclosure requirements provided for state and federal tax information, returns, and records, records of the amount paid for real property, information concerning audits and investigations by the Department of Revenue or the Florida Department of Law Enforcement, books and records relating to the tax on the production of oil, gas, and solid minerals, records relating to local government resort taxes, records of settlements and compromises made by the Department of Revenue relating to a taxpayer's liability for taxes, interest, or penalties, technical assistance advisements issued by the department, information shared with debt collection or auditing agencies, and certain declarations of estimated taxes; requiring future legislative review of such exemptions pursuant to the Open Government Sunset Review Act; authorizing the department to provide information to property appraisers and tax collectors or their authorized agents; authorizing the department to provide information relative to the commencement of business activities of a taxpayer to a state agency; authorizing the department to provide information to a municipality which is in compliance with certain provisions of s. 212.18(3), F.S.; amending s. 201.05(1), F.S.; providing for clarification of language relating to mutual funds; providing an effective date.

By the Committee on Agriculture—

CS for SB 1084—A bill to be entitled An act relating to pesticides; amending s. 487.021, F.S.; providing for the definition of the term “special review”; amending s. 487.041, F.S.; providing duties of the Department of

Agriculture and Consumer Services relating to the registration of pesticides; providing for the communication by the department of data relative to application for registration of pesticides to the Pesticide Review Council; providing for interagency coordination in pesticide registration; specifying the authority of the department and Commissioner of Agriculture in pesticide registration; amending s. 487.042, F.S.; providing for classification of pesticide as restricted-use; amending s. 487.0615, F.S.; clarifying the purpose of the Pesticide Review Council; revising the composition of the council; providing for the appointment and terms of council members; providing for the conduct of council meetings and the transaction of business by the council; providing for recordkeeping; providing powers and responsibilities of the council; requiring the council to submit an annual report to specified officials; repealing s. 487.043, F.S., relating to the testing of restricted-use pesticides; reviving and readopting s. 487.0615, F.S., relating to the council, notwithstanding the provisions of s. 11, ch. 83-310, Laws of Florida; repealing s. 11, ch. 83-310, Laws of Florida, which provides for repeal of provisions relating to the council; providing for the future repeal and review of s. 487.0615, F.S.; providing an effective date.

By the Committee on Agriculture and Senator Thurman—

CS for SB 1091—A bill to be entitled An act relating to commercial feed and feedstuffs; amending s. 580.081, F.S., relating to misbranding; providing administrative penalties for certain ingredient violations; amending s. 580.121, F.S.; providing penalties for a pattern of noncompliance with the Florida Commercial Feed Law; providing for deposit of penalty payments; repealing s. 580.131(6), F.S., relating to recovery of penalties by consumers; providing an effective date.

By the Committee on Agriculture and Senators Woodson, Myers, Dudley and Hollingsworth—

CS for SB 1100—A bill to be entitled An act relating to taxes on special fuels; creating s. 212.637, F.S.; exempting from the tax on special fuels sales of special fuel for specified agricultural, aquacultural, or commercial fishing purposes; amending s. 212.67, F.S.; deleting provision for refund of special fuel taxes paid on such sales; providing an effective date.

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

CS for SB 1108—A bill to be entitled An act relating to the practice of auctioneering; amending ss. 468.381, 468.383, F.S.; providing additional exemptions from provisions regulating the practice of auctioneering; providing an effective date.

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

CS for SB 1147—A bill to be entitled An act relating to community alcohol, drug abuse, and mental health services; amending s. 20.19, F.S.; providing for the reassignment of children's mental health programs and services within the Department of Health and Rehabilitative Services; amending s. 394.75, F.S.; requiring the district alcohol, drug abuse, and mental health planning council to include a summary budget request in the biennial plan it files with the district administrator; requiring the district administrator to report to the planning council regarding funding for the plan; amending s. 394.76, F.S.; authorizing the Department of Health and Rehabilitative Services to develop alternative financing systems for district alcohol, drug abuse, and mental health services; amending s. 394.79, F.S.; requiring the alcohol, drug abuse, and mental health program office within the department to submit biennially the state alcohol, drug abuse, and mental health plan and a summary budget request and summary statement of priorities from each service district to the Legislature; creating ss. 394.907, 396.180, 397.0961, F.S.; requiring quality assurance programs in licensed alcohol, drug abuse, and mental health facilities; providing for a written plan which establishes minimum guidelines; providing access to records by the department; exempting records from civil or administrative action; providing rulemaking authority; amending s. 768.40, F.S.; including quality assurance programs in certain alcohol, drug abuse, and mental health treatment facilities in the definition of a medical review committee; providing an effective date.

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

CS for SB 1176—A bill to be entitled An act relating to medical faculty certificates; amending s. 458.3145, F.S.; specifying the conditions under which a holder of such a certificate may practice medicine; providing an effective date.

By the Committee on Judiciary-Civil and Senator Grant—

CS for SB 1232—A bill to be entitled An act relating to the lease of real property; amending s. 48.183, F.S.; providing for service of process in actions for possession of residential rental property; amending s. 83.20, F.S.; revising a provision relating to the service of notice for payment of rent or possession of nonresidential rental property; amending s. 83.49, F.S.; authorizing a tenant to provide notice to his landlord of his intention to vacate or abandon residential rental property; providing for the effect of the failure to give such notice; amending s. 83.595, F.S.; specifying conditions under which a landlord may select one of specified remedies after the tenant breaches a lease of residential rental property; amending s. 83.62, F.S.; providing for removal of tenant's personal property from the premises upon execution of a writ of possession for residential rental property; amending s. 83.625, F.S.; requiring courts to enter money judgments for past due rent pursuant to rules of civil procedure; amending s. 83.67, F.S.; specifying exceptions to provisions that prohibit a landlord from removing certain materials or the tenant's personal property from residential rental property; amending s. 713.691, F.S.; clarifying that the landlord's right to possession of the premises is not dependent upon whether the tenant's property has been removed by the sheriff; providing an effective date.

By the Committee on Commerce and Senator Hollingsworth—

CS for SB 1236—A bill to be entitled An act relating to workers' compensation; amending s. 440.13, F.S.; providing criteria for valuation of certain medical services when provided by a family member; providing an effective date.

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 50, 62, CS for HB 159, House Bills 223, 254, 270, 321, 635, 855, 1399, 1427; has passed as amended House Bills 34, 104, 154, CS for HB 187, HB 452, CS for HB 819, HB 1423; has adopted HCR 280, HM 475 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Crady and others—

HB 50—A bill to be entitled An act relating to the designation of a state soil; creating s. 15.047, F.S.; designating the Myakka fine sand as the official state soil; providing an effective date.

—was referred to the Committee on Agriculture.

By Representative Tobiassen—

HB 62—A bill to be entitled An act for the relief of Dr. Dorvan T. Rust; providing an appropriation to compensate him for two salary warrants inadvertently misplaced; providing an effective date.

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

By the Select Committee on Claims and Representative Bronson and others—

CS for HB 159—A bill to be entitled An act relating to the relief of Earnest Conley Campbell; providing an appropriation to compensate him for personal injuries; providing an effective date.

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

By Representative Hawkins—

HB 223—A bill to be entitled An act relating to elections; amending ss. 101.141 and 101.252, F.S.; providing technical changes to conform the date of the election of state and county executive committee members; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Representative Ostrau and others—

HB 254—A bill to be entitled An act relating to designation of a state pie; creating s. 15.0325, F.S.; designating the Key lime pie as the official state pie; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Representative Gardner—

HB 270—A bill to be entitled An act relating to the Consultants' Competitive Negotiation Act; amending s. 287.055, F.S., modifying the definition of "continuing contract"; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Representative Goode and others—

HB 321—A bill to be entitled An act relating to insurance rates and contracts; creating s. 627.0665, F.S.; requiring insurers who have an automatic bank withdrawal agreement with an insured party to notify the insured party of any premium increase prior to any automatic bank withdrawal of an increased premium; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Criminal Justice and Representative Gustafson—

HB 635—A bill to be entitled An act relating to the Criminal Justice Information Systems Council; amending s. 943.06, F.S.; increasing the number of members on the council; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Representative Bell—

HB 855—A bill to be entitled An act relating to nursing homes; amending s. 400.051, F.S.; providing an exemption from provisions regulating nursing homes for facilities operated by and for persons who rely upon treatment by spiritual means through prayer; amending s. 468.1645, F.S.; exempting administrators of such facilities from nursing home administrator licensure requirements; providing an effective date.

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

By the Committee on Natural Resources and Representative Martin—

HB 1399—A bill to be entitled An act relating to pollutant discharge prevention and removal; amending s. 376.319, F.S., relating to indemnification of response action contractors; saving said section from scheduled repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 1427—A bill to be entitled An act relating to exceptional student hearings; amending s. 230.23, F.S., which provides an exemption from public meetings requirements for hearings on identification, evaluation, and placement of students; saving such exemption from repeal; providing an exemption from public records requirements for records created as a result of such hearings; providing for future review and repeal; providing for actions in the circuit court; providing an effective date.

—was referred to the Committee on Education.

By Representative Ostrau—

HB 34—A bill to be entitled An act relating to consumer protection; amending s. 501.1375, F.S., revising penalties with respect to escrow accounts for buyers of residential dwelling units; providing for prima facie evidence of a violation; providing an effective date.

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

By Representative Gardner and others—

HB 104—A bill to be entitled An act relating to disabled persons; amending s. 372.561, F.S., providing for the issuance of a permanent hunting and fishing license to certain residents certified by the United States Social Security Administration to be totally and permanently disabled; amending s. 372.57, F.S., exempting such persons from stamp requirements with respect to the taking of game, freshwater fish, or fur-bearing animals in the state; providing an effective date.

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

By Representative Glickman—

HB 154—A bill to be entitled An act relating to support; amending ss. 409.2554 and 743.07, F.S., providing that state law defining the rights and obligations of persons 18 years or older shall not prohibit any court from requiring support for certain dependent persons beyond 18 years of age; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committee on Transportation and Representative Mackenzie—

CS for HB 187—A bill to be entitled An act relating to county and municipal speed zones; amending ss. 316.183, 316.189, F.S.; authorizing counties and municipalities to set certain maximum speed limits in residence districts; providing an effective date.

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

By Representatives Cosgrove and Bloom—

HB 452—A bill to be entitled An act relating to juvenile proceedings; amending s. 39.12, F.S.; authorizing the release of information to school superintendents and their designees; amending s. 415.51, F.S.; providing certain school principals with access to records concerning reports of child abuse or neglect; providing an effective date.

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

By the Committees on Appropriations, Regulatory Reform and Judiciary and Representatives Upchurch and Simon—

CS for CS for HB 819—A bill to be entitled An act relating to medical incidents; reenacting and amending chapter 88-1, Laws of Florida; providing legislative findings and intent regarding regulatory reform; amending s. 20.30, F.S.; creating the Division of Medical Quality Assurance within the Department of Professional Regulation; providing duties of the division; placing the licensing boards for various health care professions within the division; amending s. 395.0115, F.S.; providing antitrust immunity through establishment of a state-mandated peer review process; requiring licensed facilities to provide for peer review of physicians who provide health care services at such facilities and providing procedures therefor; requiring report of final disciplinary actions to the Division of Medical Quality Assurance for further investigation; providing for peer review panel immunity and for confidentiality of records; creating s. 395.0146, F.S.; requiring a certificate of need from the Department of Health and Rehabilitative Services for termination or reduction of emergency or trauma services; amending s. 395.017, F.S.; providing maximum charge for copying records; providing access to confidential patient records for certain proceedings of the Department of Professional Regulation; limiting public access thereto; amending s. 395.041, F.S.; expanding internal risk management education and training requirements; requiring report of certain incidents to the Department of Professional Regulation; limiting public access; requiring certain incident reports relating to surgical procedures; providing for department review and investigation of incidents which may involve conduct subject to discipline; providing administrative fines for violation of reporting requirements; providing for annual review of risk management programs; protecting risk managers from liability for implementation of risk management programs; requiring a report to the Legislature; amending s. 395.504, F.S., to correct a cross-reference; amending s. 455.225, F.S.; providing for proceedings for restriction of a license; providing civil immunity and prohibition from discharge to persons reporting with respect to incompetence, impairment, or unprofessional conduct of specified health care providers; providing penalties; amending s. 455.241, F.S.; providing for reports in lieu of certain psychiatric patient records; providing for transfer of records; providing for assertion of psychiatrist-patient privilege; limiting public access to records; providing maximum copying charges; creating s. 455.2415, F.S.; providing for disclosure of patient communications under certain circumstances; amending s. 455.242, F.S.; providing for disposition of records of physicians who terminate practice or relocate; amending s. 455.245, F.S.; providing conditions for considering emergency suspension or restriction of a license; creating s. 455.247, F.S.; requiring physicians, osteopathic physicians, podiatrists, and dentists to report professional liability claims and actions to the department; specifying contents; creating s. 455.28, F.S.; requiring reporting of certain physicians for violation of grounds for disciplinary action; providing a penalty; requiring investigation of probable disciplinary violations; amending s. 458.303, F.S.; revising exemption

of certain commissioned medical officers from specified medical practice provisions; amending s. 458.307, F.S.; modifying membership of the Board of Medicine; specifying composition of probable cause panels; providing for a training program; providing for completion of a panel's work; amending s. 458.311, F.S., relating to requirements for licensure of physicians by examination; providing for an investigative process; providing for restricted licenses; amending s. 458.313, F.S.; providing for an investigative process for licensure by endorsement; requiring certain active practice; providing for supervised practice; providing for restricted licenses; amending s. 458.315, F.S.; prohibiting issuance of temporary certificates for practice in areas of critical need to certain persons by endorsement; amending s. 458.3165, F.S.; providing for biennial renewal of public psychiatry certificates; amending s. 458.319, F.S.; increasing the maximum fee for renewal of a license to practice medicine; requiring evidence of active practice for license renewal; providing for supervised practice; amending ss. 458.320 and 459.0085, F.S.; authorizing physicians and osteopathic physicians to use risk retention groups to meet financial responsibility requirements; amending s. 458.327, F.S.; providing a penalty for leading the public to believe that one is licensed as a medical doctor, or is engaged in the licensed practice of medicine, without a license; creating ss. 458.3295 and 459.0145, F.S.; prohibiting a concerted effort by physicians or osteopathic physicians to refuse emergency room treatment to patients; authorizing a circuit court to enjoin such conduct; providing penalties; amending ss. 458.331 and 459.015, F.S.; providing additional grounds for disciplinary action against physicians and osteopathic physicians; providing penalties and providing priorities for application thereof; establishing the burden of proof for administrative actions against such physicians; providing for injunctive relief; providing for department review and investigation of claims; amending ss. 458.3315 and 459.0155, F.S.; providing that a physician or osteopathic physician who is believed to be impaired must execute a release of his medical records to a consultant retained by the Department of Professional Regulation and limiting the use which the consultant may make of such records; amending s. 458.337, F.S.; specifying requirements for reports by medical organizations and hospitals when the physician has resigned; amending s. 458.345, F.S.; establishing requirements for registration of resident physicians and interns; providing a fee; restricting renewal or extension; prohibiting registration of certain persons; increasing a penalty; amending ss. 458.347 and 459.022, F.S.; allowing extended temporary certification of physician assistants and osteopathic physician assistants; amending s. 459.0055, F.S.; providing for an investigative process for licensure of osteopathic physicians; amending s. 459.008, F.S.; requiring evidence of active practice for license renewal; providing for supervised practice; amending s. 459.0092, F.S.; increasing the maximum fee for renewal of a license to practice osteopathic medicine; amending ss. 460.413, 461.013, 464.018, 465.016, and 466.028, F.S.; providing additional grounds for disciplinary action against chiropractic physicians, podiatrists, nurses, pharmacists, and dentists; providing for certain department review and investigation; amending s. 627.912, F.S.; requiring insurers to report certain claims against dentists; providing for department review and investigation; providing for an annual report; amending s. 641.55, F.S.; providing internal risk management program components and providing for program review; providing for department review and investigation of certain incidents reported by health maintenance organization internal risk management programs; providing specified access to records and limiting public access; providing for administrative fines; requiring report of certain incidents relating to surgical procedures; providing legislative findings and intent as to emergency medical care; amending s. 768.13, F.S.; providing immunity from civil liability to physicians, hospitals, crisis stabilization units, and certain hospital employees rendering medical or mental health care or treatment in response to an emergency within a hospital, trauma center, or crisis stabilization unit; providing exceptions to such immunity; requiring acceptance of emergency and transfer emergency patients; amending s. 768.78, F.S.; providing additional methods of payment of damage awards; providing legislative findings and intent as to presuit investigation and voluntary binding arbitration; providing definitions; providing applicability of and procedure for mandatory presuit investigation and medical expert corroboration of medical negligence claims and defenses by prospective parties; requiring availability of medical records for presuit investigation of claims and defenses and providing penalties; providing for presuit discovery of medical negligence claims and defenses and providing immunity with respect thereto; providing for presuit investigation of medical negligence claims and defenses by the court, and providing penalties for lack of reasonable investigation in filing or in corroborating medical negligence claims or defenses; providing for voluntary binding arbitration of claims for medical negligence; providing for selection of arbitration panels; providing arbitration proce-

dures; providing procedures for hearings; providing for binding arbitration to allocate responsibility among multiple defendants to medical negligence claims; providing disincentives to a party failing to offer or accept voluntary binding arbitration, including prejudgment interest, payment of attorney's fees, and caps on noneconomic damages; providing misarbitration procedure; providing for payment of arbitration award and interest; providing for appeal of award; creating the Florida Birth-Related Neurological Injury Compensation Plan; providing legislative findings and intent; providing definitions; providing exclusiveness of remedy; providing for the hearing of claims by deputy commissioners of the Division of Workers' Compensation of the Department of Labor and Employment Security; providing procedure for the filing of claims and responses; providing for medical disciplinary review; providing for tolling of the statute of limitations; providing for hearings, parties, and discovery; providing for review by a medical advisory panel; providing for determination of claims; providing a presumption as to injury; providing for binding nature of findings; providing for awards for birth-related neurological injuries, and for notice of such awards; providing for conclusiveness of determination or award; providing for appeal; providing for enforcement of awards; providing a limitation on the bringing of claims; providing for administration of the birth-related neurological injury compensation plan by the Florida Birth-Related Neurological Injury Compensation Association pursuant to a plan of operation approved by the Department of Insurance; providing for assessments for participation in the plan; providing an appropriation; providing for actuarial valuation of the plan by the department; providing for membership and a board of directors for the association; providing powers and duties of the association; providing for notice to obstetrical patients of participation in the plan; providing for certain appropriations; providing for assessment by certain boards; amending s. 768.45, F.S.; prescribing matters to be considered by the trier of fact in a claim of negligence for services provided in a hospital emergency room; limiting who may give expert medical testimony; amending s. 768.81, F.S.; providing for damages attributed to a medical teaching hospital; providing for damages attributed to the Board of Regents; requiring medical malpractice insurers to reflect certain savings in rate filings and schedules; providing severability; requesting the Supreme Court to adopt a standard jury instruction; repealing s. 768.66, F.S., relating to a medical malpractice study; providing for legislative review if premiums savings are not realized; providing applicability; providing for certain members of the Board of Medicine to serve the remainders of their terms; amending s. 95.11, F.S., relating to the statute of limitations; creating s. 395.0116, F.S.; providing that it is unlawful for certain persons to threaten, coerce, intimidate, or discipline any licensed physician or nurse under certain circumstances; providing a penalty; providing for civil actions; amending s. 395.509, F.S., relating to review of hospital budgets, to provide for approval of assessments to fund the birth-related neurological injury compensation plan; amending s. 768.40, F.S.; providing for professional society review of certain physicians; providing for advisory reports to the department; providing confidentiality; providing for review and repeal; providing specified immunity; prohibiting causes of action against health care providers for furnishing certain information; amending s. 768.57, F.S.; requiring notice to the department prior to filing certain malpractice claims; specifying contents; protecting claimants' legal rights; providing for department review and investigation; providing for informal discovery; creating s. 768.67, F.S.; prohibiting settlement agreements from denying parties thereto the right to discuss with or report to the Division of Medical Quality Assurance the events giving rise to the claim; providing effective dates.

—was referred to the Committees on Commerce and Appropriations.

By the Committee on Natural Resources and Representative Martin—

HB 1423—A bill to be entitled An act relating to wildlife; amending s. 372.988, F.S., providing required clothing for persons hunting resident game mammals on public lands; providing an exception; providing an effective date.

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

By Representative Tobiassen—

HCR 280—A concurrent resolution declaring the week of July 4th, 1988, as "Buy American Week."

—was referred to the Committee on Rules and Calendar.

By Representative Canady—

HM 475—A memorial to the Congress of the United States urging Congress to take appropriate action to reform procedures for collateral review of criminal judgments.

—was referred to the Committee on Rules and Calendar.

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 117, 243, CS for SB 249, CS for SB 254 and CS for SB 412.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

Reconsideration

On motion by Senator Thomas, the rules were waived and the Senate reconsidered the vote by which—

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.

—as amended passed April 28.

On motion by Senator Thomas, by two-thirds vote the Senate reconsidered the vote by which CS for HB 751 was read the third time.

On motion by Senator Thomas, the Senate reconsidered the vote by which Amendment 1 was adopted. By permission, Amendment 1 was withdrawn.

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

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Crawford, Kiser, Ros-Lehtinen

SPECIAL ORDER

CS for SB 185—A bill to be entitled An act relating to aquaculture; amending s. 258.42, F.S.; providing that aquaculture is presumed to be in the public interest; amending s. 597.003, F.S.; providing duties of the Department of Agriculture and Consumer Services with respect to the development of aquaculture activities; amending s. 597.005, F.S.; modifying membership, terms, and procedures of the Aquaculture Review Council; amending s. 597.006, F.S.; changing the name of the Aquaculture Interagency Coordinating Board; modifying membership; providing procedures and responsibilities; saving ss. 597.005 and 597.006, F.S., from Sundown repeal; providing for future review and repeal; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote CS for SB 185 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 | Kirkpatrick | Scott |
| Beard | Gordon | Kiser | 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 | Peterson | |
| Dudley | Jennings | Plummer | |

Nays—None

On motion by Senator Kirkpatrick, the rules were waived and CS for SB 185 was ordered immediately certified to the House.

CS for SB 483—A bill to be entitled An act relating to nursing; amending s. 464.003, F.S.; providing conforming language; authorizing the department to require the filing of certain protocols with the Department of Professional Regulation; amending s. 464.018, F.S.; providing for the restriction of certain nurses' practices; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote CS for SB 483 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Crawford, Gordon

Reconsideration

On motion by Senator Langley, the rules were waived and by unanimous consent the Senate reconsidered the vote by which—

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.

—passed this day.

On motion by Senator Langley, by two-thirds vote the Senate reconsidered the vote by which CS for HB 751 was read the third time.

Senator Langley moved the following amendments which were adopted:

Amendment 1—On page 1, strike all of lines 21-26 and renumber subsequent sections.

Amendment 2—In title, strike all of lines 3, 4, 5 and 6 and through "marker" on line 7

On motion by Senator Langley, 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—36

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

Nays—None

Vote after roll call:

Yea—Crawford

SPECIAL ORDER, continued

SB 601—A bill to be entitled An act relating to the licensing of hearing aid specialists; amending s. 484.0447, F.S.; providing a refund of the fee an applicant has paid to take the hearing aid specialist licensure examination when, prior to the date of the examination, such applicant is found to be ineligible to take such examination; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 601 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

—having been considered April 28 was taken up with pending Amendment I which was adopted.

On motion by Senator Weinstein, by two-thirds vote CS for SB 990 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Crawford

Yea to Nay—Dudley

On motion by Senator Weinstein, the rules were waived and CS for SB 990 was ordered immediately certified to the House.

SB 599—A bill to be entitled An act relating to local government code enforcement boards; amending ss. 162.05, 162.07, F.S.; providing for the creation of five-member boards in certain municipalities and counties;

providing for terms of office; prescribing the quorum for five-member boards; providing for reduction of the membership of seven-member boards; providing for a hearing to be called upon written notice signed by at least two members of a five-member board; providing that three members' votes are required on a five-member board for certain board actions to be official; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 599 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Crawford

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

—was read the second time by title. On motion by Senator Plummer, by two-thirds vote CS for SB 309 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 170—A bill to be entitled An act relating to voter registration records; amending ss. 98.081, 98.101, 98.412, 98.461, F.S.; providing that certain voter registration records may be microfilmed and substituted for the original records by a supervisor of elections; requiring such records to be retained in accordance with a specified schedule; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote SB 170 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

| | | | |
|---------------|-----------------|----------|-----------|
| Mr. President | Brown | Crawford | Dudley |
| Barron | Childers, D. | Crenshaw | Frank |
| Beard | Childers, W. D. | Deratany | Girardeau |

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

Nays—None

SB 112—A bill to be entitled An act relating to voter registration records as evidence; creating s. 92.295, F.S.; providing that certain electronically generated reproductions of voter registration records are admissible as evidence; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 112 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 | Lehtinen | Thomas |
| Brown | Grant | Malchon | Thurman |
| Childers, D. | Grizzle | Margolis | Weinstein |
| Childers, W. D. | Hair | McPherson | Weinstock |
| Crawford | Hill | Meek | Woodson |
| Crenshaw | Hollingsworth | Myers | |
| Deratany | Johnson | Peterson | |
| Dudley | Kirkpatrick | Ros-Lehtinen | |

Nays—None

Vote after roll call:

Yea—Jenne

CS for SB 3—A bill to be entitled An act relating to education; amending s. 230.2312, F.S.; providing a reporting requirement for class size in the primary grades; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote CS for SB 3 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Peterson

SB 7—A bill to be entitled An act relating to building construction standards; amending s. 553.73, F.S.; prescribing additional conditions upon adoption of local standards which are more stringent than those in the State Minimum Building Codes; amending s. 553.79, F.S.; requiring building permit applications to be acted on within a specified time; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 11, strike "45" and insert: *30 working*

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

Amendment 2—On page 2, between lines 5 and 6, insert:

(c) Paragraphs (a) and (b) apply to the enforcing agency's adoption of more stringent requirements than those specified in the State Minimum Building Codes and to the adoption of building construction-related codes that have the effect of amending building construction standards contained in the State Minimum Building Codes. Upon request, the enforcing agency shall provide a person making application for a building permit a listing of all such requirements and codes.

On motion by Senator D. Childers, by two-thirds vote SB 7 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

CS for SB's 69 and 734—A bill to be entitled An act relating to state uniform traffic control; amending s. 316.545, F.S.; providing that a vehicle owner assessed penalties for exceeding maximum weight limitations may recover 50 percent of said penalties from the person who caused the vehicle to be loaded in excess of its maximum allowable weight; providing exceptions; providing an effective date.

—was read the second time by title.

Senator Brown moved the following amendments which were adopted:

Amendment 1—On page 3, between lines 2 and 3, insert:

Section 2. Subsections (1) and (4) of section 316.655, Florida Statutes, are amended to read:

316.655 Penalties.—

(1) A violation of any of the provisions of this chapter, except criminal offenses enumerated in subsection (4) and except for offenses for which a criminal penalty is otherwise expressly provided, shall be deemed an infraction, as defined in s. 318.13(3).

(4) Any person convicted of a violation of s. 316.027, s. 316.061, s. 316.067, s. 316.072, s. 316.192, s. 316.193, s. 316.1935, s. 316.2045(2), or s. 316.545(1) or any provision of this chapter for which a criminal penalty is otherwise expressly provided shall be punished as specifically provided in that section. If the court finds that a minor committed any violation of any of the provisions of this chapter, the court may also impose one or more of the following sanctions:

(a) The court may reprimand or counsel the minor and his parents or guardian.

(b) The court may require the minor to attend, for a reasonable period, a traffic school conducted by a public authority.

(c) The court may order the minor to remit to the general fund of the local governmental body a sum not exceeding the maximum fine applicable to an adult for a like offense.

(d) The court may order the minor to participate in public service or a community work project for a minimum number of hours. A minor who participates in such a work program shall be considered an employee of the state for the purposes of chapter 440.

(e) The court may impose a curfew or other restriction on the liberty of the minor for a period not to exceed 6 months.

However, except for a conviction of a violation of s. 316.027, a minor shall not be imprisoned in an adult detention facility. If a minor is imprisoned for a violation of s. 316.027, under no circumstances shall a minor be placed in the same cell as an adult. The receiving facility shall have adequate staff to supervise and monitor the minor's activities at all times. Nothing in this paragraph prohibits the placing of two or more minors in the same cell.

(Renumber subsequent section.)

Amendment 2—In title, on page 1, line 9, after the semicolon (;) insert: amending s. 316.655, F.S.; providing clarifying language to specify that offenses under the Florida Uniform Traffic Control Law for which criminal penalties are otherwise expressly provided are criminal offenses;

On motion by Senator McPherson, by two-thirds vote CS for SB's 69 and 734 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Peterson

CS for SB 344—A bill to be entitled An act relating to parking; amending s. 316.1945, F.S.; authorizing the Department of Transportation to regulate parking on the roadway or shoulder of a limited access facility; providing an effective date.

—was read the second time by title.

Further consideration of **CS for SB 344** was deferred.

SB 710—A bill to be entitled An act relating to obstructing channels; amending s. 861.021, F.S.; providing additional areas where it is unlawful to obstruct a channel; providing a penalty; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation recommended the following amendment which was moved by Senator Woodson:

Amendment 1—On page 1, strike all of lines 19-22 and insert: States, or in channels of the waters of the state within 500 yards of U.S. Coast Guard authorized markers.

Senator Woodson moved the following amendment to Amendment 1 which was adopted:

Amendment 1A—On page 1, strike all of lines 12 and 13 and insert: States or any entity that the U.S. Coast Guard authorizes to place and maintain such markers.

Amendment 1 as amended was adopted.

On motion by Senator Woodson, by two-thirds vote SB 710 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Girardeau, Hair, Peterson

CS for SB 854—A bill to be entitled An act relating to sales tax; amending s. 212.08, F.S.; exempting certain foods or drinks sold by non-profit or charitable organizations; providing an effective date.

—was read the second time by title.

Senator Crenshaw moved the following amendment which was adopted:

Amendment 1—On page 3, strike all of lines 10 and 11 and insert: *qualified as nonprofit pursuant to s. 501(c)(3) or s. 501(c)(4) of the U.S. Internal Revenue Code of 1986, as amended.*

On motion by Senator Crenshaw, by two-thirds vote CS for SB 854 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

Motion

On motion by Senator Barron, by two-thirds vote the special order calendar for Thursday, May 5, was set to include the report of the Committee on Executive Business; the bills remaining on today's special order and the following additional bills: SB 215, CS for SB 259, Senate Bills 294, 316, 343, 396, 436, 535, CS for SB 549, Senate Bills 580, 774 and 168.

Senator Peterson presiding

Recognition of President and President Pro Tempore

Senator Peterson introduced the following guests: Lisa and Vicki Vogt, daughters of President and Mrs. Vogt; and Harold Davis, the artist who painted the President's portrait.

Senator Peterson requested the President and Mrs. Vogt to join him at the rostrum.

Senator Crawford was invited to the rostrum where he presented gifts from the members of the Senate to President and Mrs. Vogt.

Senator Peterson introduced the following guests of the President Pro Tempore and Mrs. Hill: John and Sandy Hill, son and daughter-in-law; Allen Hill, son; Kathy Hill Dunn, daughter; and grandchildren, Ethan, Danny, Jack and Corty.

Senator Peterson requested the President Pro Tempore and Mrs. Hill to join him at the rostrum.

Senator Barron presented gifts from the members of the Senate to Senator and Mrs. Hill.

The official portrait of Senator Vogt was unveiled and presented to the Senate.

ENROLLING REPORTS

CS for SB 82 and SB 908 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 29, 1988.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 28 was corrected and approved.

CO-INTRODUCERS

Senators Gordon, McPherson and Weinstein—SB 178; Senator Malchon—SJR 360; Senator Kiser—SB 1021; Senator Barron—SJR 1060

RECESS

Senator Barron moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Thursday, May 5, at 10:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Barron, the Senate recessed at 11:49 a.m. to reconvene at 10:00 a.m., Thursday, May 5.

SENATE PAGES

May 2-6

Matthew J. Baumeister, Homosassa; Lynn Blair, Ferndale; W. Reid Colson, West Palm Beach; Joseph R. Gillespie, Davie; John Reid Hardman, Lake Wales; Vince Horton, Orlando; Katherine C. Howden, Palm Beach Gardens; Kristen Howatt, Seminole; Scott Jones, Dade City; Wade McDaniel, Tallahassee; Elizabeth McDowell, Captiva Island; Mary Claire Meyer, Bartow; Emily Carter Roth, Gainesville; William G. Stagina, New Smyrna Beach; Carol Talley, Tampa; Shawn M. Williams, Fort Myers; William Hales Wilson, Homosassa