



Journal of the Senate

Number 10

Thursday, May 5, 1988

CALL TO ORDER

The Senate was called to order by the President at 10:00 a.m. A quorum present—37:

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

Excused: Senators Johnson and Thomas

PRAYER

The following prayer was offered by Senator Woodson:

Our Father, God, we come before you in great humility to celebrate the 150th anniversary of this most esteemed Senate body. We come with thanksgiving for those who stood before us and struggled, as we still struggle to serve the people of Florida with fairness and integrity.

God, we pray that we might have the wisdom to lose a battle but to win the war.

May we work together to write a history for this state which will cause our successors to point to our work with pride.

We look to our children, our grandchildren and our great grandchildren to carry forth the torch of this Senate of 1988 so that in the year 2038—a celebration of the 200th birthday of this Senate—this year will be remembered as the time we came together, prayed together and worked together.

Humbly we beg the Lord to bless us, our families, our staff and our work. Amen.

Special Guest

The President introduced to the Senate the Honorable Bob Graham, United States Senator from Florida. At the request of the President, Senator Barron escorted Senator Graham to the rostrum where he addressed the Senate.

Consideration of Resolutions

On motion by Senator Langley, by two-thirds vote SR 984 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Langley—

SR 984—A resolution recognizing John D. MacDonald for his many accomplishments.

WHEREAS, the late John D. MacDonald, a resident of this state for nearly 40 years, is known throughout the world for his writing which comprises 77 published books and hundreds of short stories, many of them set in Florida, and

WHEREAS, John D. MacDonald stimulates, through his character Travis McGee, vivid descriptions of the unique and fascinating environmental and social climates in Florida, a profound awareness of this state in his readers, and

WHEREAS, John D. MacDonald's novel, *Condominium*, received international attention and raised the level of understanding concerning the problems of retired persons and condominium dwellers and the potential destructiveness of hurricanes, and

WHEREAS, John D. MacDonald is the author of numerous magazine and newspaper articles as well as letters to the editor and letters to city, county, state, and federal officials informing and advising them concerning environmental, social, artistic, civic, and political issues, and

WHEREAS, John D. MacDonald selflessly devoted himself to the affairs of his community by participating in nonprofit organizations and by serving on their committees in a continuing effort to protect and conserve Florida's unique and delicate environment and to promote and enhance the development of the arts, and

WHEREAS, John D. MacDonald's article in *Life* magazine, entitled "Last Chance to Save the Everglades," and published on September 5, 1969, was a substantial factor in preventing the despoliation of the Everglades by a proposed international airport, and

WHEREAS, John D. MacDonald labored extensively in founding and funding New College at Sarasota, serving on its Board of Trustees, lecturing and teaching classes, and assisting in establishing New College as an extension of the University of South Florida, and

WHEREAS, the University of South Florida, in awarding John D. MacDonald its Honorary Degree of Humane Letters, described him as "one of our nation's greatest living writers of fiction in an indigenously American mode and as a generous human being," and

WHEREAS, John D. MacDonald served faithfully and effectively as Chairman of the Board of Trustees of the Ringling School of the Arts in Sarasota, and

WHEREAS, John D. MacDonald, for over 30 years, deposited his manuscripts, books, letters, and memorabilia at the University of Florida Libraries in Gainesville, giving one of the finest and most complete collections of an American author's writing to future scholars, and

WHEREAS, John D. MacDonald earned the admiration and respect of his professional peers by his consistently excellent writing and his devotion to his chosen craft, and

WHEREAS, John D. MacDonald spoke and wrote in many forums concerning the need to promote literacy, NOW, THEREFORE,

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

That the Florida Senate hereby recognizes the lifelong work and accomplishments of John D. MacDonald and requests that the Governor and Cabinet arrange for an appropriate exhibit of his work to be shown in the State Capitol.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Dorothy P. MacDonald 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 Langley introduced Mrs. Dorothy P. MacDonald, widow of John MacDonald, and family friends Bill Gaylor of Sarasota; and Hal and Karen Turville and son Clay of Clermont. At the request of the President, Senator Langley escorted Mrs. MacDonald, Mr. Gaylor and Mrs. Turville to the rostrum where Mrs. MacDonald was presented a copy of the resolution.

On motion by Senator Dudley, by two-thirds vote SR 1022 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Dudley—

SR 1022—A resolution declaring the month of April, 1988, as "Barber Shop Harmony Month in Florida."

WHEREAS, the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc., was founded on April 11, 1938, and

WHEREAS, the society now numbers over 38,000 members in the United States and Canada with over 1,700 members in Florida, and

WHEREAS, it is especially appropriate to recognize the society on its 50th anniversary as it continues to encourage and support a time-honored tradition in music, and

WHEREAS, the gentlemen who make up the membership of the society give of their time and energy in performing before civic and charitable organizations, NOW, THEREFORE,

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

That, in recognition of the Golden Anniversary of the founding of the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc., the Florida Senate hereby declares the month of April, 1988, as Barber Shop Harmony Month in Florida, and encourages all citizens of the state to lend their support to this organization and show their appreciation of barber shop quartet singing in this state.

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

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, May 5, 1988: CS for SB 344, 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, SB 378, SB 215, CS for SB 259, SB 294, SB 316, SB 343, SB 396, SB 436, SB 535, CS for SB 549, SB 580, SB 774, SB 168

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Commerce recommends the following pass: SB 1104

The Committee on Education recommends the following pass: SB 208, SB 608, SB 762, SB 869, SB 1000, SB 1144

The Committee on Finance, Taxation and Claims recommends the following pass: SB 77, CS for SB 95, SB 323, CS for SB 557 with 3 amendments, SB 673, SB 824, SB 931, SB 933

The Committee on Governmental Operations recommends the following pass: SB 461, SB 664, SB 766

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1009, SB 1137

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: CS for SB 90 with 2 amendments, SB 1343

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

The Committee on Education recommends the following pass: SB 177

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

The Committee on Commerce recommends the following pass: CS for HB 74 with 2 amendments, SB 1102

The Committee on Health and Rehabilitative Services recommends the following pass: SB 700

The Committee on Transportation recommends the following pass: SB 1282

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

The Committee on Governmental Operations recommends the following pass: SB 821 with 3 amendments

The Committee on Transportation recommends the following pass: SB 1109 with 2 amendments

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 628 with 2 amendments

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

The Committee on Commerce recommends the following pass: SB 1153 with 1 amendment

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

The Committee on Transportation recommends the following pass: SB 866 with 2 amendments

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

The Committee on Agriculture recommends the following pass: SB 1300

The Committee on Education recommends the following pass: SB 1165

The bills contained in the foregoing reports were referred to the Committee on Natural Resources and Conservation under the original reference.

The Committee on Commerce recommends the following pass: SB 1088 with 2 amendments

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

The Committee on Education recommends the following pass: SB 531

The Committee on Finance, Taxation and Claims recommends the following pass: SJR 30

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

The Committee on Agriculture recommends the following pass: HB 627 with 1 amendment, HB 657

The Committee on Appropriations recommends the following pass: CS for CS for SB 392 with 2 amendments

The Committee on Commerce recommends the following pass: SB 1077 with 1 amendment, SB 1338

The Committee on Education recommends the following pass: SB 907

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB 419, SB 574

The Committee on Governmental Operations recommends the following pass: SB 769, SB 880, SB 1002, SB 1114 with 2 amendments, SB 1225 with 2 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 811, SB 937

The Committee on Judiciary-Civil recommends the following pass: SB 589 with 1 amendment

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 950, SB 1028

The Committee on Transportation recommends the following pass: HB 212 with 2 amendments, SB 836, SB 951 with 1 amendment, SB 1289 with 1 amendment

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

The Committee on Education recommends the following not pass: SB 785

The bill was laid on the table.

The Committee on Commerce recommends committee substitutes for the following: SB 1101, SB 1324

The Committee on Corrections, Probation and Parole recommends committee substitutes for the following: SB 366, SB 1052

The Committee on Education recommends committee substitutes for the following: SB 407, SB 915, SB 917, Senate Bills 1191 and 1188

The Committee on Governmental Operations recommends committee substitutes for the following: SB 1183, SB 1317

The Committee on Judiciary-Criminal recommends a committee substitute for the following: Senate Bills 209 and 1250

The Committee on Personnel, Retirement and Collective Bargaining recommends committee substitutes for the following: SB 968, SB 1257

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 Agriculture recommends a committee substitute for the following: SB 1348

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

The Committee on Agriculture recommends a committee substitute for the following: SB 312

The Committee on Commerce recommends a committee substitute for the following: SB 361

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 Commerce recommends committee substitutes for the following: SB 1098, SB 1140, SB 1218

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB 526

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

The Committee on Commerce recommends a committee substitute for the following: SB 1007

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: Senate Bills 1092 and 1152

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

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 642

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

The Committee on Commerce recommends a committee substitute for the following: SB 770

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

The Committee on Commerce recommends a committee substitute for the following: Senate Bills 1107, 776, 798 and 1180

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1251

The Committee on Commerce recommends committee substitutes for the following: SB 615, SB 1040, SB 1119

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 941

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1186

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 831

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

REQUESTS FOR EXTENSION OF TIME

May 4, 1988

The Committee on Appropriations requests an extension of 15 days for consideration of the following: Senate Bills 5, 12, 13, 16, 17, 19, 23, 37, 40, 45, 48, 61, 63, 80, 91, 93, 99, 108, 109, 113, 122, 123, 124, 127, 130, 131, 137, 140, 143, 150, 178, 193, 204, 205, 213, 221, 225, 238, 239, 251, 255, 268, 284, 285, 293, 304, 307, 320, 333, 342, 346, 348, 359, 360, 370, 382, 389, 392, 398, 399, 403, 408, 409, 425, 428, 431, 435, 456, 462, 470, 471, 475, 478, 479, 481, 489, 499, 503, 504, 507, 509, 511, 520, 523, 527, 528, 534, 537, 544, 545, 546, 547, 548, 551, 556, 565, 567, 587, 606, 619, 622, 643, 706, 724, 728, 740, 757, 764, 767, 778, 789, 790, 792, 796, 802, 803, 807, 809, 823, 827, 840, 841, 857, 860, 861, 863, 890, 891, 919, 920, 921, 959, 975, 999, 1016, 1058, 1074, 1128, 1136, 1147, 1195; House Bill 166

INTRODUCTION AND REFERENCE OF BILLS

First Reading

SR 1396 was introduced out of order and adopted May 3.

By Senator Vogt—

SR 1397—A RESOLUTION IN MEMORIAM JOHN E. MATHEWS, JR.

—was referred to the Committee on Rules and Calendar.

By Senator Myers—

SR 1398—A resolution supporting the Governor's proclamation calling for observance of "Just Say No" to Drugs Week" and "Red Ribbon Day."

—was referred to the Committee on Rules and Calendar.

By Senator W. D. Childers—

SR 1399—A resolution commending the Pensacola-Escambia Clean Community Commission and the Pensacola Board of Realtors on their efforts to maintain the natural beauty of the City of Pensacola.

—was referred to the Committee on Rules and Calendar.

Numbers **1400** and **1401** have been reserved for appropriations bills.

By Senator W. D. Childers—

SR 1402—A resolution honoring Miss Jeanie Bell Parker, pioneer principal of the Allie Yniestra Elementary School.

—was referred to the Committee on Rules and Calendar.

FIRST READING OF COMMITTEE SUBSTITUTES

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

CS for SB's 209 and 1250—A bill to be entitled An act relating to controlled substances; amending s. 893.135, F.S.; reducing the amount of cocaine specified in provisions defining "trafficking in cocaine"; eliminating eligibility for basic gain-time; providing penalties; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Myers—

CS for SB 218—A bill to be entitled An act relating to drug abuse prevention and control; amending s. 893.03, F.S.; adding additional substances to the lists of controlled substances in Schedules I-V; providing an effective date.

By the Committee on Agriculture and Senators Weinstock and Weinstein—

CS for SB 312—A bill to be entitled An act relating to dangerous dogs; providing definitions; authorizing animal control authorities to classify dogs dangerous under certain conditions; requiring registration of dogs classified as dangerous; providing for fees; imposing certain duties on the owners of such dogs; specifying application of the act; providing a penalty; specifying criminal penalties applicable to the owner of a dangerous dog that attacks or bites a person or another domestic animal, and to the owner of any dog that causes severe injury to or death of a person; providing for confiscation and disposal of such dogs; providing a grandfather clause; providing an interpretation clause; providing an effective date.

By the Committee on Commerce and Senator Dudley—

CS for SB 361—A bill to be entitled An act relating to construction bonds and liens; amending s. 95.11, F.S.; prescribing a statute of limitations for an action to enforce a claim against a payment bond on which the principal is a subcontractor or a sub-subcontractor; amending s. 255.05, F.S.; providing additional requirements with respect to the payment and performance bond of a contractor constructing public buildings; amending s. 713.02, F.S.; deleting requirement, under the mechanics' liens law, that the owner post a copy of the payment bond at the construction site; amending s. 713.13, F.S.; requiring a copy of the bond to be attached to the notice of commencement; amending s. 713.20, F.S.; prohibiting the waiver of a lien in advance; providing a form for partial release of a lien; amending s. 713.23, F.S.; revising provisions relating to payment bonds; requiring written notice of nonpayment to be given to the surety in order for certain persons to recover on payment bonds; deleting requirement that a copy of a recorded payment bond be posted at the construction site; amending s. 713.345, F.S.; revising provisions relating to misuse of moneys received for real property improvements; providing penalties; providing legal and equitable remedies for failure of a person to properly apply payments received for improvements to real property; providing procedures; providing for payment of costs and attorney's fees to prevailing party; repealing s. 8, ch. 87-74, Laws of Florida, appearing as s. 713.347, F.S., relating to funds received by a contractor, subcontractor, or sub-subcontractor which are required to be held in trust; providing an effective date.

By the Committee on Corrections, Probation and Parole—

CS for SB 366—A bill to be entitled An act relating to criminal justice; amending s. 20.32, F.S.; renaming the Parole and Probation Commission as the Parole Commission; providing that the commission retains specified powers, duties, and functions; amending s. 921.001, F.S.; allowing certain incarcerated persons to be released from prison only in specified circumstances; amending s. 944.291, F.S.; specifying which prisoners may be placed on conditional release; requiring the Department of Corrections to provide specified information to the Parole Commission; amending s. 944.28, F.S.; authorizing the forfeiture of gain-time in specified circumstances; amending s. 947.005, F.S.; defining the term "tentative release date"; amending s. 947.01, F.S.; changing the name of the Parole and Probation Commission to Parole Commission; increasing the number of commissioners, effective at a specified future date; deleting an obsolete provision; amending ss. 947.02, F.S.; conforming said section to the change of name of the commission; amending s. 947.071, F.S.; specifying certain rulemaking procedures; repealing s. 947.13(3), F.S.; eliminating the commission's responsibility to perform specific research functions; creating ss. 947.14, 947.141, F.S.; creating the "Conditional Release Program Act"; establishing procedures for granting and revoking conditional release; creating s. 947.1655, F.S.; specifying which inmates are and are not eligible for parole; amending s. 947.174, F.S.; prescribing the content of certain parole-related guidelines that the commission must make available to inmates; amending s. 947.1745, F.S.; authorizing the delay of a parole date in certain circumstances; amending ss. 947.175, 947.177, 947.181, 947.185, F.S.; conforming said sections to the change in name of the commission; amending s. 947.24, F.S.; requiring the commission to periodically review the progress of parolees; amending ss. 20.315, 39.12, 112.011, 186.003, 186.005, 215.3205, 255.502, 282.502, 322.16, 397.12, 775.089, 784.07, 843.01, 843.02, 843.08, 921.16, 921.20, 921.21, 921.22, 940.05, 940.06, 941.23, 943.06, 944.012, 944.02, 944.598, 944.605, 945.091, 945.10, 945.25, 945.30, 945.47, 948.10, 949.05, 960.001, 960.17, F.S.; conforming said sections to the change of name of the commission; amending ss. 947.10, 947.26, F.S.; deleting references to the Board of Clemency Review; repealing ss. 947.005(6), 947.082, 947.25, F.S., relating to the Board of Clemency Review; repealing s. 947.095, F.S., relating to hearing

examiners who make recommendations with respect to certain parole release dates; repealing s. 34 of ch. 83-131, Laws of Florida, as amended; abrogating the repeal of ch. 947, F.S.; repealing s. 35 of ch. 83-131, Laws of Florida, relating to legislative review of the commission; providing an effective date.

By the Committee on Education and Senator Meek—

CS for SB 407—A bill to be entitled An act relating to educational scholarships; creating the Ronald E. McNair Memorial Scholarship Program; providing eligibility criteria for receiving awards under the program; providing for candidates for the awards to be nominated from each school district; providing eligibility criteria for nomination; providing for a panel to select ten recipients for the awards; providing for the maximum number of awards for each recipient, and the amount of each award; providing eligibility requirements for continuing receipt of the awards; creating the Ronald E. McNair Memorial Scholarship Trust Fund; providing an initial appropriation from the General Revenue Fund to the trust fund; providing for administration of trust fund moneys; amending s. 240.412, F.S.; creating the Jose Marti Scholarship Foundation; authorizing the foundation to advise the Department of Education and the State Board of Education on certain matters relating to the Jose Marti Scholarship Challenge Grant Fund; prescribing other duties of the foundation in relation to the grant fund; providing for appointment of members of the foundation; authorizing the foundation to accept gifts and grants; providing for private funds to be kept separate from moneys appropriated by the Legislature until such private moneys have been deposited into the scholarship trust fund; providing for the keeping of records and accounts of the foundation; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Johnson—

CS for SB 417—A bill to be entitled An act relating to assault and battery; amending s. 784.07, F.S.; revising the definition of law enforcement officer with respect to the penalty for either of such offenses when the victim is a law enforcement officer engaged in the performance of his duties; providing an effective date.

By the Committees on Governmental Operations; and Transportation and Senator Dudley—

CS for CS for SB 526—A bill to be entitled An act relating to transportation corporations; creating the Florida Transportation Corporation Act; providing definitions; providing legislative findings and purpose; providing for applicability of other laws; providing for authorization of transportation corporations by the Department of Transportation; prescribing the form of a corporation; providing for articles of incorporation; providing for a board of directors; providing for advisory directors; providing for bylaws; providing for notice of meetings and for open meetings; providing for amendment of articles of incorporation; prescribing powers of a corporation; providing for audit of the corporations; exempting property of corporations from taxation; providing for dissolution of a corporation; providing for disposition of assets upon dissolution; providing for liberal construction; providing an effective date.

By the Committee on Commerce and Senator Grant—

CS for SB 615—A bill to be entitled An act relating to corporations; amending s. 607.109, F.S., which provides requirements with respect to control-share acquisitions; specifying that certain persons shall not be deemed to be part of a "group" or to be an "acquiring person" for purposes of such requirements; amending s. 660.41, F.S., relating to certain fiduciary functions of corporations; revising language relating to corporations as transfer agents; providing an effective date.

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

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

By the Committee on Commerce and Senators Langley and Dudley—

CS for SB 770—A bill to be entitled An act relating to the sale or rental of videotapes; amending s. 847.013, F.S.; revising definition of "knowingly"; prohibiting certain sales or rentals of videotapes harmful to minors; prohibiting certain false representations concerning such sales or rentals; providing penalties; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Johnson—

CS for SB 794—A bill to be entitled An act relating to arrest; amending s. 901.15, F.S.; providing statewide jurisdictional warrantless arrest powers to state law enforcement officers under certain circumstances; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Weinstein—

CS for SB 831—A bill to be entitled An act relating to felons; amending s. 944.292, F.S.; preserving the civil right of access to the courts; providing an effective date.

By the Committee on Education and Senators Frank, Myers, Brown, Hollingsworth, Thurman, Johnson, Meek and Weinstein—

CS for SB 915—A bill to be entitled An act relating to education; creating s. 228.0727, F.S., relating to adult education for handicapped students; providing for participation in specified programs; amending s. 236.081, F.S., relating to the Florida Education Finance Program; providing additional funding for adult handicapped students enrolled in certain programs; providing an effective date.

By the Committee on Education and Senator Peterson—

CS for SB 917—A bill to be entitled An act relating to community education; amending s. 228.071, F.S., the Florida Community Education Act; authorizing each community college to provide community education as defined; defining the term "community instructional services"; authorizing educational boards to charge student fees for a recreational and leisure-time program; providing that the fees be used for such program and that any surplus fees be used for community instructional services; prohibiting each educational board from providing community education outside its designated service area; amending s. 228.072, F.S., the Florida General Education Act; deleting community instructional services from provisions relating to adult general education; revising a cross-reference; amending ss. 228.074, 228.075, F.S.; deleting community instructional services from the responsibilities prescribed for each regional coordinating council for vocational and adult education; amending s. 228.076, F.S.; deleting a requirement that a community college board of trustees or a school board apply to a regional coordinating council to receive state funding for community instructional services; amending s. 240.301, F.S.; authorizing each community college to charge student fees for recreational and leisure-time education programs; revising terminology; deleting a procedural requirement relating to state funding of community education or community instructional service programs provided by each community college; amending ss. 230.645, 240.35, F.S.; providing fee exemptions for students 62 years of age or older and students enrolled in certain employment and training programs; providing an effective date.

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

CS for SB 941—A bill to be entitled An act relating to the Department of Corrections; creating s. 945.35, F.S.; requiring the department to establish an education counseling and testing program for inmates on immunodeficiency disorders; requiring such mandatory education program for all staff annually; providing for testing of inmates and access to records; requiring an annual report to the Legislature; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senator Jenne—

CS for SB 968—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the terms "member" and "normal retirement date" with respect to creation of the Career Assistant State Attorneys' Class; creating s. 121.057, F.S.; creating a Career Assistant State Attorneys' Class within the Florida Retirement System; providing for eligibility and participation; providing for employer contributions; providing for minimum creditable service for retirement; prescribing retirement credit rates; providing for administration; providing an effective date.

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

CS for SB 1007—A bill to be entitled An act relating to foster care facilities and group home facilities; creating s. 393.075, F.S.; requiring the Division of Risk Management of the Department of Insurance to provide liability insurance to certain persons who own or operate foster care facilities or group home facilities; providing an appropriation; providing an effective date.

By the Committee on Commerce and Senator Hair (by request)—

CS for SB 1040—A bill to be entitled An act relating to financial institutions; creating s. 655.51, F.S.; providing that a person may furnish information to financial institutions and certain other persons about employees, which information has been reported to state or federal authorities; providing for limitation of civil liability under certain circumstances; providing an effective date.

By the Committee on Corrections, Probation and Parole and Senators Peterson and Crawford—

CS for SB 1052—A bill to be entitled An act relating to executive clemency; providing Legislative intent; creating the Commission on Conditional Release to recommend to the Executive Clemency Board those inmates who may be granted clemency, early conditional release, and the terms and conditions of such release; providing for membership of the commission and terms of office; providing powers and duties of the commission; providing criteria under which the commission may recommend an inmate for release; providing exceptions; providing for notice of possible release to the sentencing court and for its objection; creating the office of public advocate within the Department of Legal Affairs to review the commission's recommendations; providing for release conditions to be recommended by the commission; providing for the early conditional release of an inmate upon failure by the Executive Clemency Board to deny a recommendation by the commission; providing for reconsideration for release by the Executive Clemency Board; requiring an inmate to accept the terms of release prior to being granted such release; providing for the arrest of release violators; providing for a revocation hearing for any person charged with a violation of early conditional release; providing for the waiver of such hearing; providing for a determination if a charge of violation of release has been sustained at such hearing; requiring cooperation with the commission by certain custodians of prisoners; providing for application; amending ss. 20.315, 39.12, 322.16, 921.001, 921.16, 940.05, 940.06, 941.22, 941.23, 944.09, 944.096, 944.28, 944.602, 944.605, 944.611, 944.612, 945.091, 945.10, 945.25, 945.30, 945.47, 945.48, 947.01, 947.04, 947.10, 947.25, 947.26, 948.10, 960.17, F.S.; providing powers and duties of the commission commensurate with the powers and duties of the Parole and Probation Commission relating to access to confidential records, powers to impose conditions on released inmates, and to request the return of released inmates; providing conforming language relating to the Department of Corrections and its powers and duties to supervise, provide services, and maintain certain records relating to offenders granted early conditional release which are commensurate with the powers and duties of the department relating to parolees and parole violators; requiring the payment of certain costs of supervision and rehabilitation; providing for certain orders of restitution to be made a condition of release; providing for membership on the Parole and Probation Commission; providing for appointment of the chairman of the Parole and Probation Commission; deleting reference to the Board of Clemency Review; repealing ss. 947.005(6), 947.082, F.S., relating to the Board of Clemency Review; amending ss. 33 and 34 of ch. 83-131, Laws of Florida, as amended, delaying the legislative review and repeal of ch. 947, F.S.; providing for severability; providing an effective date.

By the Committee on Corrections, Probation and Parole and Senators Woodson, Myers and Dudley—

CS for SB's 1092 and 1152—A bill to be entitled An act relating to correctional industries; amending s. 946.515, F.S.; providing for items manufactured or serviced by the corporation operating the prison industry program to meet specifications of the purchasing authority or agency; providing for a nonbinding arbitration process for settling disputes; providing that certain competitive bidding provisions do not apply to purchases from the corporation; amending s. 946.516, F.S.; providing publication of sales not produced by the corporation; requiring a supplement to the annual report; amending s. 287.042, F.S.; providing for issuance of commodity numbers and state term contracts to certified corporation products; exempting purchases of correctional industry products from competitive bid requirements; providing that correctional industry products shall meet comparable requirements of purchasing agencies; amending s. 570.50, F.S.; providing for testing of samples submitted by the corporation operating the prison industry program; creating s. 236.0836, F.S.; providing authority for renovating and rehabilitating school buses; amending s. 946.009, F.S.; providing for priority of assignment of inmates to correctional work programs; amending s. 946.512, F.S.; providing for reimbursement to the Department of Corrections for expenses of incarcerating inmates; providing for funding items not in the operating budget at certain institutions; providing an effective date.

By the Committee on Commerce and Senators Woodson, Girardeau and Stuart—

CS for SB 1098—A bill to be entitled An act relating to high technology development; amending s. 159.445, F.S.; renaming the Florida High Technology Innovation Research and Development Fund as the Florida Seed Capital Fund; renaming and transferring the Florida High Technology Innovation Research and Development Board as the Florida Seed Capital Board and providing its powers and duties; providing for annual election of a chairperson; prohibiting certain investments; providing an appropriation; providing for a feasibility study; providing for suspension of expenditures from the Florida Seed Capital Fund pending specified action by the Legislature; providing an effective date.

By the Committee on Commerce and Senators Gordon, Girardeau and Stuart—

CS for SB 1101—A bill to be entitled An act relating to films; creating s. 288.033, F.S.; establishing the Florida Film Industry Development Program; authorizing the Department of Commerce to participate in film industry promotion events and to expend state funds; providing criteria for the expenditure of such funds; establishing the Florida Film Industry Development Trust Fund; requiring an annual report; creating the Florida Institute for Film Education; establishing goals and objectives for the institute; providing for a board and membership thereof; establishing procedure for appointment to the institute; designating terms of members; requiring a report to the Legislature; providing for staffing of the institute; providing for review and repeal; providing appropriations; providing an effective date.

By the Committee on Commerce and Senators Jenne, Myers, D. Childers, Weinstein, Stuart, Margolis, W. D. Childers, Gordon, Crawford, Frank, Thomas, McPherson, Malchon, Dudley, Meek, Hill, Scott, Kiser, Brown, Langley, Beard, Johnson, Grant and Deratany—

CS for SB's 1107, 776, 798 and 1180—A bill to be entitled An act relating to motor vehicle liability insurance; amending s. 316.066, F.S.; requiring law enforcement officers to file accident reports in certain circumstances; providing that a written report includes a report generated through information technology resources; amending s. 316.646, F.S.; prescribing conditions for suspension of a person's driver's license and registration; amending s. 320.02, F.S.; providing for proof and affidavit of required insurance when registering a motor vehicle; providing for audit of affidavits to determine if any are false; amending s. 324.021, F.S.; increasing the amount of property damage insurance which must be maintained; clarifying applicability of insurance requirements to owner/lessors; creating s. 324.022, F.S.; providing for financial responsibility for property damage; amending s. 324.151, F.S.; revising provisions relating to a deductible for property damage coverage; amending s. 324.201, F.S.; providing for the seizure of motor vehicle license plates under certain circumstances; providing that certain information available to the Department of Highway Safety and Motor Vehicles shall also be available to local law enforcement agencies; amending s. 324.221, F.S.; providing a criminal penalty for operating a vehicle with a license plate not registered under the name of the owner of the vehicle and whose driver's license or registration is under suspension; amending s. 626.9541, F.S.; redefining the acts which constitute the unlawful imposition of additional premiums; amending s. 627.4132, F.S.; clarifying when stacking of coverages does not apply to uninsured motorist coverage; amending s. 627.727, F.S.; prescribing criteria for determination of maximum coverage for uninsured motorist coverage; creating s. 627.7275, F.S.; requiring motor vehicle insurance policies to contain certain property damage coverage; amending s. 627.733, F.S.; providing for reinstatement of a driver's license or registration which has been suspended for failure to maintain required security; providing for distribution of funds to certain local government entities and state agencies; amending s. 627.736, F.S.; prohibiting insurers from requiring certain purchases of property damage liability insurance; providing for the location of mental or physical examinations of injured persons; authorizing issuance of short-term policies to attain common expiration dates; requiring insurers to report renewals, non-renewals, and cancellations of policies providing personal injury protection; amending s. 817.234, F.S.; prohibiting certain solicitations by attorneys; providing appropriations; providing applicability; providing an effective date.

By the Committee on Commerce and Senator Thurman—

CS for SB 1119—A bill to be entitled An act relating to public lodging establishments; amending s. 509.215, F.S.; prescribing firesafety

standards for such establishments; requiring such establishments to change from battery-operated to electrically operated smoke detectors by a date certain; providing an effective date.

By the Committee on Commerce and Senator Crenshaw—

CS for SB 1140—A bill to be entitled An act relating to insurance; creating s. 627.971, F.S.; providing definitions; creating s. 627.972, F.S.; providing organizational and financial requirements for financial guaranty insurance corporations; creating s. 627.973, F.S.; providing limitations under which financial guaranty insurance corporations and certain property and casualty insurers may operate; creating s. 627.974, F.S.; requiring the filing of certain policy forms with the Department of Insurance; prohibiting excessive rates by financial guaranty insurance corporations; providing criteria for determining the adequacy of such rates; providing that such filings shall be available for public inspection; creating s. 627.975, F.S.; providing that certain financial guaranty insurance corporations shall receive credit for certain reinsurance; creating s. 624.6081, F.S.; defining "residual value insurance"; amending s. 624.606, F.S.; redefining "surety insurance"; creating s. 624.6065, F.S.; defining "fidelity insurance"; amending s. 624.605, F.S.; limiting the definition of casualty insurance as it relates to certain credit insurance; providing for legislative review and repeal; providing an effective date.

By the Committee on Governmental Operations and Senator Johnson—

CS for SB 1183—A bill to be entitled An act relating to the Ringling Museum of Art; amending s. 265.26, F.S.; providing that certain funds be held in a separate trust fund by the direct-support organization; providing that the fund may be used for supplemental salaries and personnel; authorizing the board of trustees to permit use of property, facilities, and personal services; requiring audits of the direct-support organization; exempting certain records from ch. 119, F.S.; providing for review under the Open Government Sunset Review Act; deleting certain provisions regarding a contract between the museum and a direct-support organization; repealing s. 265.261(2), (3), F.S., which relate to the use of property, facilities, and services of the museum and to the audit of direct-support organizations; providing an effective date.

By the Committee on Governmental Operations and Senator Johnson—

CS for SB 1186—A bill to be entitled An act relating to the Florida Arts Council; amending s. 265.285, F.S.; revising the limitation on reappointment of members; deleting an obsolete provision relating to the initial appointments to the council; providing an effective date.

By the Committee on Education and Senators Peterson, Crawford, McPherson, Margolis, Plummer, Thurman, Brown, Ros-Lehtinen, Grant, Crenshaw, Jenne, Myers, Hill, Stuart, Malchon, Grizzle, Meek, Kiser, Weinstein and Hair—

CS for SB's 1191 and 1188—A bill to be entitled An act relating to student financial aid; amending ss. 240.404, 231.621, 295.01, 295.015-295.018, 240.401-240.403, 240.4062, 240.4064, 240.4066, 240.4068, 240.408, 240.409, 240.412, 240.413, 240.421, 240.60, 240.601, 240.604, F.S.; redesignating s. 240.401, F.S., as s. 240.605, F.S.; creating s. 240.410, F.S.; specifying the qualifications for participation in student financial aid programs; prescribing procedures and requirements for such programs; providing penalties for making certain false statements to receive financial aid; renaming the Student Loan Forgiveness Program as the Critical Teacher Shortage Student Loan Forgiveness Program; specifying purposes of the program and persons who may participate in the program; requiring all financial aid programs to include specified student eligibility criteria; establishing the Regents Scholarship Program; increasing the number of scholarships in the Chappie James Most Promising Teacher Scholarship Program; allowing advanced funding on a term-by-term basis; changing the name of the Challenger Astronauts Memorial Scholarship Program to that of the Challenger Astronauts Memorial Undergraduate Scholarship Program; allowing universities and community colleges to use a specified portion of their College Career Work Experience and Public School Work Experience Programs' Funds for administrative purposes; amending s. 240.147, F.S.; requiring review by the Postsecondary Education Planning Commission of certain programs, grants, and contracts with independent institutions; amending s. 240.409, F.S.; revising conditions for eligibility for student assistance grants; revising amount of grants; creating s. 240.609, F.S.; establishing the Florida Postsecondary Endowment Grants Trust Fund; providing eligibility for matching endowment grants; specifying matching provisions and provid-

ing restrictions; providing for rules; allowing the Commissioner of Education or his designee to meet with the Florida Council of Student Financial Aid Officers at specified intervals; providing an effective date.

By the Committee on Commerce and Senator Gordon—

CS for SB 1218—A bill to be entitled An act relating to beer and malt beverages; amending s. 563.06, F.S.; revising labeling requirements for taxable malt beverages that are packaged in bottles or cans for resale in the state; providing an additional method of applying the required stamp; providing that the stamp may be applied to the bottom of a can; revising the size requirement of the stamp; authorizing the use of an abbreviation; providing an effective date.

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

CS for SB 1221—A bill to be entitled An act relating to housing; amending s. 420.502, F.S.; providing additional legislative findings under the Florida Housing Finance Agency Act; amending s. 420.503, F.S.; providing definitions; amending s. 420.504, F.S.; revising membership of the Florida Housing Finance Agency; amending s. 420.507, F.S.; providing additional powers of the Florida Housing Finance Agency; creating s. 420.5087, F.S.; creating the State Apartment Incentive Loan Program; providing requirements and procedures for loans; creating the State Apartment Incentive Trust Fund; providing for foreclosure upon default; providing for acquisition and sale of property; creating s. 420.5088, F.S.; creating the Florida Homeownership Assistance Program; providing requirements for loans; creating the Florida Homeownership Assistance Trust Fund; amending s. 420.511, F.S.; providing additional requirements for the annual report of the agency; amending s. 420.604, F.S.; deleting a provision that the Florida Affordable Housing Demonstration Program be a 2-year pilot program; providing an additional criterion for inclusion of demonstration areas in the demonstration project; amending s. 420.605, F.S.; providing for loans to community development corporations and community-based organizations; creating ss. 420.303-420.31, F.S., the Housing Predevelopment Assistance Act; providing legislative findings and purpose; providing definitions; establishing the Housing Predevelopment Trust Fund; authorizing loans and specifying eligible activities; providing for repayment of loans; providing for security; providing application procedure; providing for rules and annual reports; providing for foreclosure or other action upon default; providing for acquisition and sale of property; providing for disposition of undeveloped land; providing for applicability; amending s. 420.609, F.S.; revising membership of the Affordable Housing Study Commission; extending the commission and revising its duties; amending s. 420.608, F.S.; expanding the inventory of publicly owned lands and buildings established for the purpose of identifying lands and buildings suitable for housing; providing appropriations; providing for the future review and repeal of s. 420.609, F.S., relating to the Affordable Housing Study Commission; amending s. 36 of ch. 86-192, Laws of Florida, to change the date of the future review and repeal of s. 31 of such act, relating to an advisory group on housing for the elderly; repealing ss. 420.40-420.417, the "Farmworker Housing Assistance Act"; repealing s. 420.607, F.S., relating to a community-based organization loan program; repealing ss. 420.701-420.713, F.S., the "Florida Mobile Home Relocation Site Acquisition and Development Act of 1986"; providing effective dates.

By the Committee on Agriculture and Senator Meek—

CS for SB 1251—A bill to be entitled An act relating to cruelty to animals; creating s. 828.063, F.S.; restricting the euthanasia of certain animals offered for sale by a pet shop; providing a definition; providing a penalty; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senator Thurman—

CS for SB 1257—A bill to be entitled An act relating to state employment; creating s. 110.161, F.S., the State Employees Pretax Benefits Program Act; creating a Pretax Benefits Council and providing for its membership and duties; providing for review and repeal; authorizing the Department of Administration to establish a pretax benefits program for employees; providing for implementation; creating a trust fund and directing that certain moneys saved as a result of the program be deposited therein; providing an effective date.

By the Committee on Governmental Operations and Senator Kiser—

CS for SB 1317—A bill to be entitled An act relating to disbursement of state moneys; amending s. 216.331, F.S.; providing that State Treasury moneys may be payable to lawful assigns of ultimate beneficiaries; amending ss. 717.124, 732.107, 733.816, F.S.; providing for the Department of Banking and Finance to distribute funds to an attorney or private investigative agency which has been assigned funds in accordance with a written agreement; providing that funds assigned to an attorney or private investigative agency must be deposited into a trust or escrow account of such attorney or private investigative agency; providing that such funds must be distributed to the claimant within 10 days; providing an effective date.

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

CS for SB 1324—A bill to be entitled An act relating to fire prevention and control; amending s. 633.021, F.S.; defining the term "special state firesafety inspector"; amending s. 633.081, F.S.; providing training requirements for special state firesafety inspectors; providing for certification; providing an appropriation; providing an effective date.

By the Committee on Agriculture and Senator Thurman—

CS for SB 1348—A bill to be entitled An act relating to viticulture; creating s. 599.012, F.S.; establishing, for a limited period, the Viticulture Trust Fund within the Department of Agriculture and Consumer Services; specifying the uses of the moneys in the trust fund; providing a continuing appropriation of the moneys in the trust fund to the department for the specified uses; amending ss. 561.12, 564.06, F.S.; providing for deposit, into the Viticulture Trust Fund during a limited period, of a specified percentage of the revenues collected from the excise taxes imposed under s. 564.06, F.S., on wines produced by Florida manufacturers; providing an effective date.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Margolis, the rules were waived and the Committee on Economic, Community and Consumer Affairs was granted permission to consider Senate Bills 1351 and 1190 this day.

On motions by Senator Langley, by two-thirds vote CS for SB 897 and CS for SB 269 were withdrawn from the Committee on Judiciary-Civil.

Senator Deratany moved that SB 543 be withdrawn from the Committee on Finance, Taxation and Claims. The motion failed.

On motions by Senator Kirkpatrick, by two-thirds vote Senate Bills 482, 1020 and 1358 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Thurman, by two-thirds vote SB 1145 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Brown, by two-thirds vote SB 289 was removed from the special order calendar and indefinitely postponed.

On motions by Senator Scott, by two-thirds vote Senate Bills 80, 178, 409, CS for SB 40, CS for SB 61 and CS for SB 606 were withdrawn from the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The following Executive Order was filed with the Secretary:

EXECUTIVE ORDER NUMBER 88-96

(Executive Order of Reinstatement)

WHEREAS, JOHN M. SHORT was suspended from his office as Sheriff of Pasco County, Florida, pursuant to Executive Order of the Governor, Number 84-153, dated August 24, 1984, and

WHEREAS, the Governor has been advised by the Honorable James Russell, State Attorney for the Sixth Judicial Circuit, that all charges previously pending against JOHN M. SHORT on which his suspension was based have been resolved.

NOW, THEREFORE, I, BOB MARTINEZ, Governor of Florida, pursuant to the Constitution and laws of the State of Florida, do hereby promulgate the following Executive Order, effective immediately:

Executive Order of the Governor, Number 84-153, is hereby revoked, and the suspension of JOHN M. SHORT is terminated, pursuant to Article IV, Section 7 of the Florida Constitution.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 2nd day of May, 1988.

Bob Martinez
GOVERNOR

ATTEST:
Jim Smith
SECRETARY OF STATE

Referred to the Committee on Executive Business.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

First Reading

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 52, CS for HB 165 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Davis—

HB 52—A bill to be entitled An act relating to talent agencies; amending s. 468.401, F.S., providing an exemption for organizations that procure engagements for certain artists or arts organizations; providing an effective date.

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

By the Committee on Criminal Justice and Representative Carlton and others—

CS for HB 165—A bill to be entitled An act relating to vehicles; creating s. 316.1936, F.S.; prohibiting the possession of open containers of alcoholic beverages in vehicles being operated in the state; providing exceptions; providing penalties; authorizing counties and municipalities to impose more stringent restrictions on the possession of alcoholic beverages in vehicles; providing an effective date.

—was referred to the Committee on Commerce.

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed HB 204 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Long—

HB 204—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 referred to the Committee on Judiciary-Civil.

On motions by Senator Grant, by two-thirds vote HB 204 was withdrawn from the Committee on Judiciary-Civil.

On motions by Senator Grant, by unanimous consent HB 204 was taken up out of order and by two-thirds vote read the second time by title, and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Hair	Langley	Meek	Stuart
Hill	Lehtinen	Peterson	Thurman
Hollingsworth	Malchon	Plummer	Weinstock
Jenne	Margolis	Ros-Lehtinen	Woodson
Kirkpatrick	McPherson	Scott	

Nays—None

Vote after roll call:

Yea—Mr. President, Barron, Crawford, Jennings

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 261, 962, 330 and CS for SB 421.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

SPECIAL ORDER

EXECUTIVE BUSINESS

The Honorable John W. Vogt
President, The Florida Senate

April 28, 1988

Dear Mr. President:

The following executive appointments were referred to the Senate Committee on Executive Business for action pursuant to Rule 12.7(a) of the Rules of the Florida Senate:

Office and Appointment	For Term Ending
Board of Accountancy Appointees: Aboud, Richard J. Dennison, Dean F. Edenfield, Jr., Fred H. Millsaps, Joseph R.	12/26/91 12/26/91 09/29/91 12/26/90
Board of Acupuncture Appointee: Bole, David N.	09/30/91
Florida Board of Auctioneers Appointees: Boyleston, Louis Cooper, Jr., Gladstone A.	09/30/91 09/30/88
Greater Orlando Aviation Authority Appointees: Handy, Gail S. Heller, Harvey R.	04/16/90 04/16/88
Barbers' Board Appointees: Holladay, Jr., Clyde Rhea, Rex R.	06/30/91 08/10/90
Florida Black Business Investment Board Appointees: Broome, Jr., Maxie Collins, Jr., Leroy A. Fields, Randolph H.	09/30/90 09/30/88 09/30/89
Board of Chiropractic Appointees: Durling, T. F. Hoffman, Ronald J.	08/01/91 08/01/91
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling Appointees: Bardill, Donald R. Byrne, William Jean Francis, Kay	09/30/91 09/30/89 09/30/90
State Board of Community Colleges Appointees: Sabetto, Nicholas A. Vickers, Linda Diane	09/30/91 09/30/88
Board of Trustees of Broward Community College Appointees: Curran, Michael B. Duke, Jr., Davis W.	05/31/91 05/31/91
Board of Trustees of Central Florida Community College Appointees: Kirk, Jr., James E. McKoy, Sandra C. Staton, Van E.	05/31/91 05/31/90 05/31/90

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Vitter, Patricia B.	05/31/91	Gregory, Thomas H.	05/31/91
Board of Trustees of Daytona Beach Community College Appointees: Burt, David A. Lichtigman, Charles S.	05/31/91 05/31/91	Board of Trustees of Santa Fe Community College Appointees: Brown, Terence M. Cunningham, Richard W. Pooley, Carolyn T.	05/31/91 05/31/91 05/31/91
Board of Trustees of Edison Community College Appointees: Lynch, Robert C. Salley, Holland T.	05/31/90 05/31/90	Board of Trustees of Seminole Community College Appointees: Dale, Larry A. Streetman, Mary Bell	05/31/91 05/31/91
Board of Trustees of Florida Community College at Jacksonville Appointees: Collier, Jr., H. Davis Corbitt, Ruth H. Jones, Joy M.	05/31/91 05/31/91 05/31/91	Board of Trustees of South Florida Community College Appointees: Harris, R. Ken Pelham, Stanley L. Sachsenmaier, R. W.	05/31/91 05/31/91 05/31/91
Board of Trustees of Florida Keys Community College Appointees: Monsalvatge, Stephanie T. Spottwood, Jr., John M. Toppino, Frank P.	05/31/90 05/31/90 05/31/91	Board of Trustees of Tallahassee Community College Appointee: Haenni, Carol Hurst	05/31/91
Board of Trustees of Gulf Coast Community College Appointees: Cramer, Jr., William Cato Lopez, Raymond W. Tapper, Amelia G.	05/31/91 05/31/91 05/31/90	Board of Trustees of Valencia Community College Appointees: Smith, Kenneth Y. Tompkins, Marcia K. Vickery, Robert M.	05/31/88 05/31/90 05/31/90
Board of Trustees of Hillsborough Community College Appointee: Salario, Saverio A.	05/31/91	Construction Industry Licensing Board Appointees: Hagerstrom, Carl E. Lawson, Keith O. Weber, David P.	02/18/91 02/18/91 02/18/91
Board of Trustees of Indian River Community College Appointees: Bruyn, Eunice P. Hobson, Joyce A.	05/31/91 05/31/91	State of Florida Correctional Medical Authority Appointee: Howell, James T.	07/01/91
Board of Trustees of Lake City Community College Appointee: Streicher, William	05/31/91	Board of Trustees for the Florida School for the Deaf and the Blind Appointee: Hannon, Michael H.	02/07/91
Board of Trustees of Lake-Sumter Community College Appointees: Fogle, Albert E. Heinrich, Martha A. Holstein, Robert B. Jackson, Terry W. Skidmore, Thomas Dee Spears, Harvey L. Winchester, Linda J.	05/31/89 05/31/91 05/31/91 05/31/90 05/31/91 05/31/90 05/31/90	Board of Dentistry Appointee: Kraemer, Thomas C.	02/07/91
Board of Trustees of Manatee Community College Appointees: Gallen, Linda Graser, Merle L.	05/31/91 05/31/91	Education Practices Commission Appointee: Bowen, George A.	09/30/91
Board of Trustees of Miami-Dade Community College Appointee: Fernandez, Ofelia Tabares	05/31/91	Education Standards Commission Appointees: Bedford, Robert L. Guettler, Lynn	09/30/90 09/30/90
Board of Trustees of North Florida Junior College Appointee: Schnitker, Claymore	05/31/91	Electrical Contractors' Licensing Board Appointees: Clifton, Madison L. Lenhart, James C. Lewis, Jerry	12/17/91 12/17/90 12/17/90
Board of Trustees of Okaloosa-Walton Junior College Appointees: Arpke, Eileen H. Biggs, Elise Delano McInnis, C. Jeffrey Wilkinson, Jean H.	05/31/90 05/31/90 05/31/91 05/31/91	Commission on Ethics Appointees: Hall, Jr., J. P. Matteson, Karen S. Prio, Maria Elena Williams, Scott G.	06/30/89 06/30/89 06/30/89 06/30/89
Board of Trustees of Palm Beach Junior College Appointee: Kimmel, Bernard	05/31/91	Tampa-Hillsborough County Expressway Authority Appointee: Blain, Laura C.	07/01/90
Board of Trustees of Pasco-Hernando Community College Appointee: Bowman, Marc W.	05/31/91	Florida State Fair Authority, Congressional District 4 Appointee: Dance, Nancy H.	06/30/91
Board of Trustees of Pensacola Junior College Appointees: Crone, Jr., Robert F. Griffith, William H. Tait, Thomas D.	05/31/91 05/31/91 05/31/91	Florida State Fair Authority, Congressional District 5 Appointee: Duda, Elizabeth A.	06/30/91
Board of Trustees of Polk Community College Appointees: Laurent, John F. Strang, Sheryll W.	05/31/91 05/31/91	Florida State Fair Authority, Congressional District 7 Appointee: Urbanski, James F.	06/30/90
Board of Trustees of St. Johns River Community College Appointee: Gardner, III, Howard L.	05/31/91	Florida State Fair Authority, Congressional District 8 Appointee: Hines, Jr., Andrew H.	06/30/91
Board of Trustees of St. Petersburg Junior College Appointees: Chadwick, Laurel J.	05/31/91	Florida State Fair Authority, Congressional District 14 Appointee: Burkhardt, Vincent L.	06/30/91
		Florida State Fair Authority, Congressional District 16 Appointee: Stengel, John H.	06/30/91
		Board of Funeral Directors and Embalmers Appointees: Ballas, Pete Farris, Norman E.	08/01/91 08/01/91

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Hiers, John M.	08/01/91	McGehee, Thomas R.	02/04/90
Game and Fresh Water Fish Commission Appointee: Hiers, Sr., Thomas L.	01/06/93	Historic Florida Keys Preservation Board of Trustees Appointee: Mancini, Vincent	10/31/90
Board of Hearing Aid Specialists Appointees: Davie, Wilbur Hahn, Theodore W.	07/30/90 07/30/90	Historic Pensacola Preservation Board of Trustees Appointees: Bowden, Jesse Earle Heath, Jr., Robert N. Lindstrom, Marcia P. Rantz, Lucile H. Tanck, James R.	09/13/91 09/19/90 09/19/91 09/13/91 01/22/91
Citrus County Hospital Board Appointee: Jenkins, Randall	07/08/90	Historic Tampa-Hillsborough County Preservation Board of Trustees Appointee: Smith, Sylvia Vega	11/01/90
Florida Housing Finance Agency Appointee: Stevens, Thomas A.	11/13/90	Commissioners for the Promotion of Uniformity of Legisla- tion in the United States Appointees: Cutler, Edward I. Kittleson, Henry M. Morse, III, Joshua M.	06/05/91 06/05/91 06/05/91
Florida Commission on Human Relations Appointee: Bermello, Willy A.	09/30/90	Commission for Purchase from the Blind or Other Severely Handicapped Appointee: Thompson, William S.	10/01/91
State Board of Independent Colleges and Universities Appointees: DeMino, Steven L. Gayles, Anne Richardson Gilliam, Thomas J. Renick, Eliot J. Ross, Donald E. Turner, Bernard L.	09/30/89 09/30/90 09/30/90 09/30/89 09/30/90 09/30/89	Florida Real Estate Commission Appointees: Kowalski, Frank Roberts, Carolyn King	11/16/89 11/16/91
State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools Appointees: Izquierdo, Maria R. Pace, Joseph S. Peoples, David L.	07/01/89 07/01/89 07/01/89	Oklawaha Basin Recreation and Water Conservation and Control Authority in Lake County Appointee: Gregg, James R.	07/13/91
Investment Advisory Council Appointees: Blue, Jr., F. Lloyd Butler, S. Clark Darby, Michael Seneff, Jr., James M.	12/12/89 12/12/90 12/12/89 12/12/87	West Florida Regional Planning Council, Region 1 Appointees: Blanton, Michael A. Collins, Jr., Charles A. Ezell, Lydia Middlebrooks Littleton, John W. Rittenhouse, Diane	Pleasure of Governor Pleasure of Governor Pleasure of Governor Pleasure of Governor Pleasure of Governor
Board of Landscape Architecture Appointees: Bellamy, Gregory D. Mumford, Thomas G.	03/04/91 03/04/91	Apalachee Regional Planning Council, Region 2 Appointee: Sheffield, James David	10/01/89
Board of Medicine Appointee: Hantman, Perla	08/01/91	North Central Florida Regional Planning Council, Region 3 Appointees: Burch, Jr., E. W. "Buddy" Copeland, Martha P. Fletcher, Richard W. Gutekunst, Richard R. Howard, William W. Painter, James F. Petry, Donald R. Sowell, Sarah B. Tefertiller, K. R.	10/01/89 10/01/89 10/01/89 10/01/88 10/01/89 10/01/88 10/01/89 10/01/89 10/01/89
Board of Nursing Appointees: Baker, Patricia M. Cruz, Natalia Nadal Dinkins, Ginny Johnson, Patricia A. Singerling, James B. Taylor, Betty Ann	08/01/91 08/01/91 08/01/87 08/01/91 08/01/90 08/01/90 08/01/91	Northeast Florida Regional Planning Council, Region 4 Appointees: Duncan, Hugh Odum, Jr., W. Guy Soforenko, Meyer O.	10/01/89 10/01/89 10/01/89
Board of Nursing Home Administrators Appointee: Held, Thomas S.	12/13/90	Withlacoochee Regional Planning Council, Region 5 Appointees: Curtis, Charles E. Fore, Jr., Merritt C. Gonzales, Robert J.	10/01/88 10/01/89 10/01/88
Board of Opticianry Appointee: Card, Carol A.	12/26/91	East Central Florida Regional Planning Council, Region 6 Appointees: Bines, Burton A. Boire, Martin Charles Sheriff, Fletcher A.	10/01/90 10/01/90 10/01/88
Board of Osteopathic Medical Examiners Appointee: Eaton, Jr., Sinclair	01/29/90	Central Florida Regional Planning Council, Region 7 Appointees: Fazzini, John P. Gough, John Roy	10/01/89 10/01/89
Florida Pari-mutuel Commission Appointees: Braun, L. Erich McGrath, James A.	06/30/91 06/30/91	Tampa Bay Regional Planning Council, Region 8 Appointees: Fischer, Jr., Henry A. Fletcher, Richard R. Hutchinson, Lance R.	10/01/89 10/01/89 10/01/89
Board of Pharmacy Appointees: Barad, Arnold Espy, Steven P.	08/01/91 08/01/91		
Board of Pilot Commissioners Appointees: Auchter, Barbara H. Jackson, Robert I. Parker, William R. Schiffmacher, John G.	06/30/90 06/30/91 06/30/90 06/30/91		
Jacksonville Port Authority Appointee: Stein, Robert L.	09/30/91		
Postsecondary Education Planning Commission Appointees: Brantley, Timothy C. Fickett, Alan G. Hogges, Ralph	08/31/88 02/04/89 02/04/91		

<i>Office and Appointment</i>	<i>For Term Ending</i>
Parker, M. L. "Mel"	10/01/88
Treasure Coast Regional Planning Council, Region 10 Appointee: Davis, Jr., Charles E.	10/01/89
South Florida Regional Planning Council, Region 11 Appointees: Salman, Gerardo Weber, William A.	10/01/89 10/01/89
State Retirement Commission Appointee: Goldenberg, Stanley F.	12/31/90
Board of Trustees of the John and Mable Ringling Museum of Art Appointees: Burson, William R. Holmes, Jacqueline B.	11/05/89 11/05/90
Jacksonville Transportation Authority Appointees: Brodsky, Ernest N. Sawyer, J. Charles Skinner, Charles W.	05/31/90 05/31/91 05/31/91
Unemployment Appeals Commission Appointee: Hammond, James A.	06/30/91
Florida Commission on Veterans' Affairs Appointee: Saylor, Henry B.	11/16/90
Board of Veterinary Medicine Appointees: Donofro, Melanie C. Jones, II, J. D.	08/01/91 08/01/91
Governing Board of the Northwest Florida Water Management District Appointees: Barnhart, Clifford W. Creel, Jr., John M. Dyar, Andre C. Hoffman, Kenneth F. McMullian, Jr., L. E. Weeks, Lloyd E.	07/01/91 07/01/91 07/01/89 07/01/91 07/01/91 07/01/91
Governing Board of the St. Johns River Water Management District Appointees: Durrance, Thomas L. Hill, Joe E. Minton, John L. Swann, Jim Weinberg, Alice J.	07/01/91 07/01/91 07/01/91 07/01/91 07/01/91
Oklawaha River Basin Board of the St. Johns River Water Management District Appointees: Hamann, Richard Line, Thomas P.	06/30/89 06/30/89
Big Cypress Basin Board of the South Florida Water Management District Appointees: Campoamor, Jose M. Rautio, Joyceanna "JA" Wise, K. C.	06/30/90 06/30/90 06/30/89
Coastal Rivers Basin Board of the Southwest Florida Water Management District Appointee: Buckner, Robert A.	06/30/90
Governing Board of the Suwannee River Water Management District Appointees: Campbell, Kevin Griffis, J. D. Griner, Lynetta Usher Morris, Robert J. Thompson, Samuel L.	07/01/91 07/01/91 07/01/91 07/01/91 07/01/89

As required by Rule 12.7(a), the committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the committee, by a separate vote as to each appointee, respectfully advises and recommends:

- (1) That the executive appointments of the above-named appointees, to the office and for the term indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to the adjournment of the 1988 Regular Session.
- (3) That there is no necessity known to the committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,

<i>Mary R. Grizzle, Chairman</i>	<i>William G. Myers</i>
<i>Fred R. Dudley, Vice Chairman</i>	<i>Lawrence H. Plummer</i>
<i>Curt Kiser</i>	<i>Eleanor Weinstock</i>

On motion by Senator Grizzle, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated, in accordance with the recommendations of the committee. The vote was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Barron, Crawford

Consideration of the Report of the Committee on Executive Business regarding the suspension of Thomas E. Lyons, Jr., County Commissioner, Hernando County, Florida, was deferred.

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 third time by title, having been considered May 3.

Senator Dudley moved the following amendments which were adopted by two-thirds vote:

Amendment 1—On page 1, line 9, insert:

Section 1. Subsection (7) is added to section 316.271, Florida Statutes, to read:

316.271 Horns and warning devices.—

(7) *Notwithstanding the other provisions of this section, a trolley may be equipped with a bell, and the bell is not required to be used only as a warning device. As used in this subsection, the term "trolley" includes any bus which resembles a streetcar, which is powered by overhead electric wires or is self-propelled, and which is used primarily as a public conveyance.*

(Renumber subsequent sections.)

Amendment 2—In title, on page 1, strike line 2 and insert: An act relating to traffic control; amending s. 316.271, F.S.; providing for the equipping and use of bells by trolleys and similar vehicles; amending s.

On motion by Senator Deratany, CS for SB 344 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Barron, W. D. Childers, Crawford, Jennings

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

—was read the second time by title. On motion by Senator Meek, by two-thirds vote CS for SB 568 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Barron, Crawford, Jennings

SB 201—A bill to be entitled An act relating to title certification; amending s. 177.041, F.S., providing that the title opinion or certification must show all mortgages not satisfied or released of record or otherwise terminated by law; providing an effective date.

—was read the second time by title.

Senator McPherson moved the following amendments which were adopted:

Amendment 1—On page 1, line 22, strike "apparent" and insert: **apparent**

Amendment 2—On page 1, line 24, strike "or" and insert: *nor*

On motion by Senator McPherson, by two-thirds vote SB 201 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Barron, Crawford, Hair, Jennings

SB 39—A bill to be entitled An act relating to the investment of financial assets; amending s. 744.444, F.S.; providing that a guardian may invest estate assets in securities guaranteed by the full faith and credit of the Federal Government; providing an effective date.

—was read the second time by title. On motion by Senator Plummer, by two-thirds vote SB 39 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Barron, W. D. Childers, Crawford, Stuart

On motion by Senator Margolis, by two-thirds vote HB 52 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

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

HB 52—A bill to be entitled An act relating to talent agencies; amending s. 468.401, F.S., providing an exemption for organizations that procure engagements for certain artists or arts organizations; providing an effective date.

—a companion measure, was substituted for CS for SB 686 and by two-thirds vote read the second time by title. On motion by Senator Margolis, by two-thirds vote HB 52 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Barron, Crawford, Hair

CS for SB 686 was laid on the table.

CS for SB 447—A bill to be entitled An act relating to historic preservation; designating Historic Cauley Square in Goulds as an historic district; directing the Department of Transportation to erect an appropriate sign; providing an effective date.

—was read the second time by title.

Senator Lehtinen moved the following amendments which were adopted:

Amendment 1—On page 2, line 3, strike "an historic district" and insert: a historic place

Amendment 2—On page 2, line 7, strike "an historic district" and insert: a historic place

Amendment 3—On page 2, line 9, strike "district" and insert: place

Amendment 4—In title, on page 1, line 4, strike "an historic district" and insert: a historic place

On motion by Senator Lehtinen, by two-thirds vote CS for SB 447 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Barron, Crawford

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

—was read the second time by title. On motion by Senator Beard, by two-thirds vote CS for SB 865 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Barron, Crawford

SB 677—A bill to be entitled An act relating to intangible personal property taxes; amending s. 199.103, F.S.; revising the method by which certain securities are valued for purposes of taxation; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 677 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Barron, Crawford

SB 308—A bill to be entitled An act relating to unemployment compensation benefits; amending s. 443.091, F.S.; revising benefit eligibility conditions for services performed for educational institutions; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, lines 26-30 and on page 3, lines 1-6, strike all of said lines and insert:

(d) Benefits shall not be payable on the basis of services in any such capacities as specified in paragraphs (a), (b), and (c) to any individual who performed such services in an educational institution while in the employ of a governmental agency or governmental entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(e) Benefits shall not be payable on the basis of services in any such capacities as specified in paragraphs (a), (b), (c) and (d) to any individual who provided such services to or on behalf of an educational institution, or an institution of higher education.

On motion by Senator Malchon, by two-thirds vote SB 308 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Barron, Crawford

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

—was read the second time by title. On motion by Senator Langley, by two-thirds vote SB 563 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Barron, Crawford, Girardeau, Meek

SB 480—A bill to be entitled An act relating to county officers; amending s. 218.36, F.S.; increasing the time period after the close of a fiscal year during which a county officer must make an annual financial report to the board of county commissioners; changing the date on which the board of county commissioners must notify the Governor of the county officer's failure to make such report; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 480 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Barron, Crawford

SB 488—A bill to be entitled An act relating to crimes and penalties; amending s. 381.411, F.S.; providing penalties for violations of specified provisions relating to public health; providing enhanced penalties for assault or battery upon any employee of the Department of Health and Rehabilitative Services engaged in the lawful performance of regulatory or health services; providing an effective date.

—was read the second time by title.

Senator W. D. Childers offered the following amendment which was moved by Senator Hollingsworth:

Amendment 1—On page 1, lines 20 and 21, strike “, chapter 386, chapter 513, or chapter 514,”

Further consideration of **SB 488** was deferred.Consideration of **CS for CS for SB 4** was deferred.**SB 289** was indefinitely postponed this day.Consideration of **CS for CS for SB 292** and **SB 102** was deferred.

SB 263—A bill to be entitled An act relating to jurors; amending s. 40.013, F.S.; providing that persons who would be required to travel more than a certain distance may be excused from jury service; providing an effective date.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote **SB 263** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Grant	Lehtinen	Ros-Lehtinen
Brown	Grizzle	Malchon	Stuart
Crenshaw	Hollingsworth	Margolis	Thurman
Deratany	Jenne	McPherson	Weinstein
Dudley	Jennings	Meek	Weinstock
Frank	Kirkpatrick	Myers	Woodson
Gordon	Kiser	Peterson	

Nays—1

Langley

Vote after roll call:

Yea—Barron, Crawford, W. D. Childers, Girardeau, Hair

CS for SB 314—A bill to be entitled An act relating to pest control; amending s. 482.021, F.S.; providing definitions; amending s. 482.051, F.S.; requiring the Department of Health and Rehabilitative Services to hold public meetings for proposed statutory or rule changes; requiring the adoption of specified rules relating to vehicles, trailers, and contracts; amending s. 482.061, F.S.; requiring inspections of licensed business locations; amending s. 482.071, F.S.; requiring the display of a current license; amending s. 482.091, F.S.; revising provisions relating to and requirements for identification cards for persons performing inspections; amending s. 482.111, F.S.; providing for the issuance of certificates; providing for the use of revenues from fines; establishing an advisory committee; revising provisions relating to emergency pest control certificates; increasing fees therefor; revising provisions relating to continuing education requirements; amending s. 482.121, F.S.; establishing employment requirements for certified pest control operators; providing for automatic

revocation of licenses under certain circumstances; allowing an applicant to take an examination without meeting certain qualifications for a specified period of time; amending s. 482.132, F.S.; providing licensing requirements for pest control operators; amending s. 482.141, F.S.; increasing examination fees; amending s. 482.152, F.S.; establishing licensing requirements for and duties of certified pest control operators in charge of pest control activities; amending s. 482.161, F.S.; providing for written warnings; prohibiting the issuance of a license to certain persons; providing for a reprimand or probation in certain situations; providing for fines and the deposit thereof; creating s. 482.165, F.S.; providing for cease and desist orders and civil actions for damages against persons who violate laws and rules; providing for award of court costs and attorney's fees; amending s. 482.211, F.S.; revising pest control exemptions; amending s. 482.226, F.S.; imposing additional requirements for inspection reports; requiring that persons who perform periodic reinspections or retreatments must have certain identification cards; providing an effective date.

—was read the second time by title.

Senator Kiser moved the following amendment which was adopted:

Amendment 1—On page 12, strike line 1 and insert:

(c) *Each person who holds a two-year degree in horticultural technology or the equivalent from a college or university, with advanced training of 20 or more semester hours or 30 or more quarter hours of credit in horticulture, is qualified for the examination in lawn and ornamental pest control.*

(d) *For the purpose of qualifying to take the*

On motion by Senator Kiser, by two-thirds vote **CS for SB 314** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—W. D. Childers, Crawford, Hair

Consideration of **SB 995** was deferred.

SB 679—A bill to be entitled An act relating to state employment; amending s. 110.1245, F.S.; authorizing department heads to incur expenditures in a described amount for tokens of recognition of certain appointed members of state boards or commissions; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, between lines 20 and 21, insert a new Section 2:

Section 2. Subsection (4) is added to section 240.2111, Florida Statutes, to read:

240.2111 Meritorious service awards program.—

(4) *The Board of Regents and each state university are authorized to incur expenditures not to exceed \$50 each for suitable framed certificates, plaques, or other tokens of recognition to any appointed member of a state board or commission whose service to the State University System has been satisfactory, in appreciation and recognition of such service upon the expiration of such board or commission member's final term in such position.*

(Renumber subsequent section.)

Amendment 2—In title, on page 1, between lines 6 and 7, insert: amending s. 240.2111, F.S.; authorizing the Board of Regents and each state university to incur expenditures in a described amount for tokens of recognition of certain appointed members of state boards or commissions;

On motion by Senator Langley, by two-thirds vote SB 679 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Barron, Hair, Peterson

SB 9—A bill to be entitled An act relating to children; amending s. 63.032, F.S.; providing a definition of the term “mother” for purposes of the Florida Adoption Act; amending s. 63.212, F.S.; prohibiting contracts for the transfer of parental rights for any child, whether conceived or not, for consideration; providing penalties; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Civil recommended the following amendments which were moved by Senator Ros-Lehtinen and adopted:

Amendment 1—On page 1, strike lines 13-15 and insert:

Section 1. Section 63.032, Florida Statutes, is amended to read:

Amendment 2—On page 3, strike all of lines 4-6 and insert:

Section 2. Section 63.212, Florida Statutes, is amended to read:

Senator Weinstock moved the following amendment which was adopted:

Amendment 3—On page 4, lines 30 and 31, strike “, in return for any valuable consideration”

Senator Gordon moved the following amendment which was adopted:

Amendment 4—On page 5, line 8, after the period (.) insert: *Nothing in this paragraph shall abrogate any rights of a natural father.*

Senator Weinstock moved the following amendment which was adopted:

Amendment 5—In title, on page 1, line 8, strike “, for consideration”

Senator Gordon moved the following amendment which was adopted:

Amendment 6—In title, on page 1, line 8, after the semicolon (;) insert: providing that such prohibition does not abrogate rights of a natural father;

On motion by Senator Ros-Lehtinen, by two-thirds vote SB 9 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—29

Mr. President	Childers, W. D.	Girardeau	Jennings
Barron	Crenshaw	Grant	Kirkpatrick
Beard	Deratany	Grizzle	Kiser
Brown	Dudley	Hair	Langley
Childers, D.	Frank	Hollingsworth	Lehtinen

Malchon	Myers	Thomas
McPherson	Ros-Lehtinen	Thurman
Meek	Scott	Weinstock

Nays—3

Gordon	Margolis	Weinstein
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Vote after roll call:

Yea—Crawford, Peterson

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

—was read the second time by title.

One amendment was adopted to CS for CS for SB 4 to conform the bill to CS for HB 165.

Pending further consideration of CS for CS for SB 4 as amended, on motion by Senator D. Childers, by two-thirds vote CS for HB 165 was withdrawn from the Committee on Commerce.

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

CS for HB 165—A bill to be entitled An act relating to vehicles; creating s. 316.1936, F.S.; prohibiting the possession of open containers of alcoholic beverages in vehicles being operated in the state; providing exceptions; providing penalties; authorizing counties and municipalities to impose more stringent restrictions on the possession of alcoholic beverages in vehicles; providing an effective date.

—a companion measure, was substituted for CS for CS for SB 4 and by two-thirds vote read the second time by title. On motion by Senator D. Childers, by two-thirds vote CS for HB 165 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—5

Girardeau	Grizzle	Meek
Gordon	McPherson	

Vote after roll call:

Yea—Crawford, Malchon, Stuart

Nay to Yea—Gordon

CS for CS for SB 4 was laid on the table.

ENROLLING REPORTS

CS for SB 412 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 4, 1988. Senate Bills 117, 243, CS for SB 249 and CS for SB 254 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 5, 1988.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 3 was corrected and approved.

CO-INTRODUCERS

Senator Kirkpatrick—CS for SB 93; Senator Woodson—SJR 216, CS for SB 217, CS for SB 567; Senator W. D. Childers—CS for SB 359; Senator D. Childers—CS for CS for SB 556, CS for SB 998; Senator Frank—SB 1021; Senator Deratany—CS for SB 1107; Senators Jenne, Girardeau, Langley, Myers, Thomas, Barron, Margolis, Stuart and Woodson—SJR 1172; Senator Meek—SB 1333

Motions

On motion by Senator Barron, by two-thirds vote the special order calendar for Tuesday, May 10, was set to include the bills remaining on today's special order and the following additional bills: HB 115, Senate Bills 1057 and 1064, CS for SB 539.

On motion by Senator Barron, events of the "Sesquicentennial Celebration" (150th Anniversary of the Florida Senate) this day were published in the journal.

RECESS

Senator Barron moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Tuesday, May 10, at 9:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Barron, the Senate recessed at 11:35 a.m. to reconvene at 9:00 a.m., Tuesday, May 10.

SESQUICENTENNIAL CELEBRATION
150th Anniversary of the Florida Senate

At the direction of the President, the chamber doors were opened and Sergeant at Arms Wayne Todd entered the chamber pushing a white wrought iron cart which held a four-tiered cake topped with a replica of the dome from the Old Capitol and a flag of the State of Florida.

The President presented the "One Shot Deal" barber shop quartet who sang "Happy Birthday" to the Florida Senate. Members of the quartet included: Roger Ross, Sean Milligan, Tony DeRosa and Tim Brozovich.

The President requested Senator Barron "the only Senator who has been in the Senate 150 years" to blow out the candles.

The "One Shot Deal" quartet sang several songs reminiscent of days gone by while gifts and hats styled after those worn in the 1830's were presented to the Senators.

A local children's violin/fiddle group then performed for the Senate. Members of the group included: Zack Murphree, Amber Morgan, John Stone, James Taylor, Sally Bay Strauss, Theo Strauss, Rodney Felix and Adrienne Holmes. The group was accompanied by their teacher Susan Poskey.

Remarks by Dr. Allen Morris

The President presented Dr. Allen Morris, Historian of the House of Representatives, who gave an historical account of the Florida Senate, 1938-1988:

Mr. President, Members of the Senate, Ladies and Gentlemen:

One hundred and fifty years ago the Congress of the United States heeded a request that came from Florida's Unicameral Legislative Council and created a companion body to be called the Senate of Florida.

And so, as Historian of the Florida House, it therefore gives me pleasure to bring greetings and congratulations to this august body on the occasion of your sesquicentenary year.

Although it is customary to refer to the Senate as the "upper body" in American Legislative Parlance, it is appropriate to remember that in the rare case of Florida, a territorial Legislative Council was first created as a unicameral body, and that it operated as such for 15 years, making the House Florida's senior body in age.

Just why the territorial forebearers of the House felt constrained to request the Congress to add a Senate may be something of a puzzle to some present-day members of the House. And yet, we find from the records that as early as 1832 the Legislative Council was telling Congress—"The Legislative Council are well satisfied that their legislation would be more perfect and more conducive to the welfare of the people of Florida if they had another legislative body."

As an aside, I wonder if we would be doing those council members a disservice if we sensed a desire on their part to spread the heat by having another legislative body to share the burdens of lawmaking.

The next year, the Legislative Council specifically requested Congress "to add a Senate to the legislative body." And the Tallahassee newspaper editorialized as follows: "The proposal to add a Senate to our Legislature, we believe, will receive an undivided support. The want of a Senate has

been one of the principal causes of the hasty and ill-digested legislation, which has been a subject of so much complaint in this territory. A greater degree of circumspection, a greater attention to the practicability and policy, as well as phraseology and construction of laws, will be the consequence of the establishment of such a body."

On June 5, 1838, Congressman Isaac H. Bronson of New York reported Bill 828 out of committee to reorganize the Florida Legislative Council. The House approved the measure and sent it on to the Senate. It passed there and was signed into law by President Martin Van Buren on July 7, just one month and two days after the committee report. Bronson moved first to St. Augustine and then Palatka. He served in a succession of Florida judgeships.

1838—150 years ago—was an historic year. Not only was a bicameral Legislature created, and elections held for twenty-nine House seats and eleven Senate seats, but a constitutional delegation of fifty-six members was elected, and actually convened to write a constitution for statehood—which would not come, I might add, until seven years later in 1845.

Statehood was a relatively long time coming for Florida; we were a territory for almost a quarter of a century, which was highly unusual. As historian Kathryn Abbey Hanna noted 40 years ago in her still-insightful history of Florida, "Many of the inhabitants were Spaniards having little knowledge of and no experience with American institutions, and the Americans living in Florida were themselves by no means universally desirable. The United States already knew full-well their capacity for lawlessness and doubtless wished to permit the growth of a more stable settlement before relinquishing control of affairs."

But by the time of statehood, the Senate and House were already established bodies, already evolving the forerunners of traditions that may still exist today.

For example, the Senate showed on its first day the streak of sentimentality and of nostalgia that continues today in the annual Old Timers' Day (Senate Reunion).

The Journal for Tuesday, January 8, 1839, records as the Senate's first action the election of William Pope Duval, the first Territorial Governor, as President of the Senate. Duval, then a Senator, was escorted to the Chair, where he expressed gratitude for the honor, then resigned and nominated his successor.

Let us leave 1839 for a moment to take up the immediate past.

There have been giants in the Senate through the years. Seven Senators this century have gone on to be Governor, evidencing the ability of the Senate to provide a forum for a statewide reputation. Among the Senators, no longer members, whose names occur to me as having performed extraordinary public service include LeRoy Collins, Verle A. Pope, Ed H. Price, Bill Shands, Wallace Sturgis, Amos Lewis, Bunn Gautier, Henry S. Baynard and D. Stuart Gillis.

And yet new forms of what we may loosely call "Legislative power sharing" are constantly being tried between the two bodies. In the late '70s we saw an unprecedented rash of bills being held hostage between the two houses—a practice which has moderated in the '80s.

And a few years ago we saw the Senate pass an appropriations bill and adjourn sine die, giving the House no option but to accept the Senate version or go home without funding the state budget.

The House fumed about what was termed "this lordly action" for several years and then responded in kind, not only adjourning sine die, but...if memory serves...not delivering the appropriations bill to the Senate until the next morning. And having restored tit for tat, presumably this interlude too has passed.

The Senate continues to be an eternally fascinating body. It has had its "Babes in the Woods" and "Pork Chop Gang" and other groupings from time to time.

More than half the members of the present Senate received their first legislative experience in the House; yet I believe they would agree that service in the Senate is in some ways a period of starting over again.

With fewer members to cope with the same number of bills as the House, the Senate provides more of an opportunity to be influential in committee.

And so in closing I would like to read you a summary quotation from that final resolution that eventually stirred the Congress to create the very Senate of Florida in which you now serve: "The impolicy of confiding to a single House of Representatives the power of framing laws for large communities of varied interests is no longer a matter of theory or speculation. Its evils are so fully demonstrated by the unerring test of experience as to be universally admitted."

And with those words, the parent body of the Florida House of Representatives requested the creation of the territorial parent of the Senate of Florida.

And may I say on this occasion of the 150th anniversary of the Senate, let us give thought to the granting by Congress of that request.

Conclusion of Celebration

"The Rug Cutters," a Tallahassee country western dance group, then entered the chamber and performed for the Senate. The group included: R. D. White, Pat White, Huey Young, Barb Young, Jim Wells, Lisa Boddye, Scott Boyd and Sue Boyd.

The President thanked the Senate staff, and especially Mazey Strauss and Mary Pons, for their efforts in coordinating the anniversary ceremonies and announced that the celebration would continue in the rotunda. He invited staff and guests to join him in the rotunda for the remainder of the celebration.