



Journal of the Senate

Number 11

Tuesday, May 10, 1988

CALL TO ORDER

The Senate was called to order by the President at 9:00 a.m. A quorum present—38:

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

Excused: Senators Lehtinen and Ros-Lehtinen

PRAYER

The following prayer was offered by Senator William D. "Wig" Barrow:

Good morning, Lord. What a great and beautiful morning! What a great and beautiful day in this your most magnificent universe; and on our earth each of us constantly and all join the Psalmist David and ask you, "What are we who are so insignificant that in your great love you are even mindful of us?"

We thank you for the privilege of walking with you each morning on our way to this Capitol Hill, and in the dim-lit dawning with your world so peaceful, hushed and still, while gazing at the dew-covered yet unawaked meadows and fields of month-old corn, we pause to measure life and to measure its death shadows, and we are compelled to thank you, Lord, in this life to which we are born. And as the sun shadows the dim horizons, splashing each cloud with the bright golden hue, we realize that health is the most important thing in life and we owe that gift of health only to you.

We acknowledge you as our Creator, the maker of all things, with the gift of eternal life to give. But, Lord, it's more than enough, and we give you thanks on this good earth, and help us our lives to live. And, Lord, we thank you for each person present, past and future, who unstintingly and willingly takes of your precious gift their time and their lives and at a sacrifice of self and family spend a portion of their lives here in this place in the unselfish service of their fellowman. Grant each of them the wisdom, courage, knowledge, patience, understanding and that sense of fair play that will cause them to heed your gentle but firm direction to come here and reason together. As they reason together, bless their in-work products that those products may not be a burden or a restraint upon us, your people, but will be that which is best for us and for this great State of Florida and serve as an example for all peoples everywhere to see.

Let none of us ever turn our eyes, hearts or prayers from you, Lord, your direction and guidance, and never let us fail daily to thank you that in each of us the brittle tiny thread of continued life and health has been lengthened and strengthened. Please heal those who are sick. Please comfort those who mourn and who have lost loved ones. To the one whom we honor this day and every day, we humbly pray in the name of your only Son, our Savior Jesus Christ. Amen.

PLEDGE

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

Motion

On motion by Senator D. Childers, the rules were waived and **HB 165** was ordered immediately certified to the House.

Consideration of Resolutions

On motion by Senator Thomas, by two-thirds vote SR 1367 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Thomas—

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

WHEREAS, Loiselle Bailey began her career with the Florida Legislature in 1943 as a legislative attache in the office of Representative J. Min Ayers from Gilchrist County and has devoted more than 44 years to serving state and local government, including 19 years with the Legislature, and

WHEREAS, in 1945, she was employed with the Florida Industrial Commission as a secretary, and eventually as Payroll Supervisor within that agency, and

WHEREAS, in 1969, Loiselle became Payroll Administrator for the Joint Legislative Management Committee, a capacity in which she has diligently served up to the present time and in which she was instrumental in implementing many efficient payroll processing procedures, and

WHEREAS, her commitment to accuracy, promptness, excellence, helpfulness, and competence has inspired those employees whom she has directed or supervised, and

WHEREAS, Loiselle has never missed a payroll in spite of the fact that all payroll procedures were manually prepared for the entire Legislature when she began her career with the Joint Legislative Management Committee, and

WHEREAS, her dedication to efficiency and accuracy enabled her to make the transition from total manual preparation of the payroll to fully automated payroll procedures, and

WHEREAS, in addition to providing an exemplary role model by her diligent efforts related to her work, she has been a benefactor to her "extended" family of nieces and nephews, the devoted mother of two fine sons, Michael and Charles, and the dotting grandmother of four beloved grandchildren, NOW, THEREFORE,

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

That Loiselle Bailey is commended for her 44 years of dedicated service to the State of Florida and is honored in particular for her 19 years as Payroll Administrator for the Joint Legislative Management Committee.

BE IT FURTHER RESOLVED, that a copy of this resolution, with the seal of the Senate affixed, be presented to Loiselle Bailey as a tangible token of the sentiments of the Senate.

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

Senator Thomas introduced to the Senate Loiselle Bailey; her brother and his wife, Lewis and Mary Jo Thomas of Perry; and her nephew and his wife, Cal and Janet Thomas of Perry.

At the request of the President, Senator Thomas escorted Mrs. Bailey to the rostrum where she was presented a copy of the resolution.

On motion by Senator Thomas, by two-thirds vote SR 812 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Thomas—

SR 812—A resolution commending Hubert E. Helton upon his retirement.

WHEREAS, Hubert E. Helton has given more than 45 years of public service, first serving as a captain with the 8th Air Force in the European Theatre from 1942 through 1945, and

WHEREAS, he has served this state in numerous capacities since 1947, first as a teaching assistant while studying accounting at the University of Florida, where he was graduated with a bachelor's degree in 1947 and a master's degree in 1948, after which he worked as an accountant with Price Waterhouse in New York City, and

WHEREAS, after 1 year he returned to the Sunshine State and has served the state continuously until his retirement on February 1, 1988, working in the Florida State Auditing Department, the Florida State Budget Commission, and the Florida State Road Department before joining the staff of the Florida Senate Ways and Means Committee in October, 1969, and

WHEREAS, Mr. Helton loyally served the Florida Senate as a legislative analyst, deputy staff director, and staff director of the Appropriations Committee until he resigned on October 30, 1981, to join the Office of the Auditor General, and

WHEREAS, Hubert E. Helton served as Assistant Auditor General in charge of program audits from November 1, 1981, until his retirement on February 1, 1988, during which time he led the program audits program from a small office to become a vital part of the auditing activity of this state, with more than 90 employees, and

WHEREAS, Hubert E. Helton has faithfully, efficiently, and effectively served Florida for more than 42 years and has made significant contributions to this state, NOW, THEREFORE,

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

That Hubert E. Helton is commended and sincerely thanked for his faithful service and many contributions to Florida during his 42 years of employment with the state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Hubert E. Helton 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 Thomas introduced to the Senate Hubert Helton; his wife Mary; daughter Kelsey Ann Helton and son David Helton.

At the request of the President, Senator Thomas escorted Mr. Helton to the rostrum where he was presented a copy of the resolution.

On motion by Senator Girardeau, by unanimous consent—

By Senator Girardeau—

SR 1405—A resolution expressing regret at the death of Dr. Andrew A. Robinson.

WHEREAS, Dr. Andrew Adolphus Robinson, Jr., the son of the late Andrew A. and Gladys A. Robinson, was born in Jacksonville, Florida, on May 21, 1930 and died on February 27, 1988, and

WHEREAS, Dr. Robinson was educated in the public schools of Duval County, was graduated from Florida Agricultural and Mechanical University, and received a master's and doctor of education degree from Teachers College, Columbia University, and

WHEREAS, his career spanned four decades, including service as a science teacher at James Weldon Johnson Junior High School in Jacksonville, as the first principal of William M. Raines High School as assistant dean of faculties and associate professor of education of the University of North Florida, as assistant dean of the College of Education and Human Services of the University, as Interim President of the University, and as Director of the Florida Institute of Education, and

WHEREAS, under his energetic and capable leadership and administration, the Florida Institute of Education achieved state and national recognition for initiatives such as the Gadsden County Model Schools Demonstration Project, the Andrew W. Mellon Foundation Project for

School-College Collaboration, the Frederick H. Schultz Distinguished Lecture Series, the Precollegiate Program, the College Reach-Out Articulation Program, and statewide colloquia on "The Future of Teacher Education in Florida" and "Assessment as a Tool for Excellence in Teacher Education", and

WHEREAS, Dr. Robinson was widely recognized as a man of sterling character, a great humanitarian with a profound sense of compassion for the human condition, a man who dedicated his life to improving opportunities for others, a man who believed in the power of education as a means to a better life, an affable, gentle man with an outward quiet and unassuming dignity overlying a towering inner strength, a man who toiled exhaustively, who gave unstintingly of his wisdom, who led with a clear sense of direction and determination, a man who inspired, and a man who cared, and

WHEREAS, the first fully-funded, \$1 million Eminent Scholar Chair in Educational Policy and Economic Development at the University of North Florida was created in his honor by the Honorable Frederick H. Schultz and the University of North Florida Student Life Center was renamed the Andrew A. Robinson, Jr., Student Life Center in 1987, and

WHEREAS, Andrew A. Robinson, Jr.'s legacy of dynamic leadership and devotion to educational excellence has enriched and will perpetuate the light of learning for all Floridians, NOW, THEREFORE,

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

That this legislative body does pause in its deliberations to pay its respects to Andrew A. Robinson, Jr., and that the Florida Senate in session assembled does hereby record this testimonial of esteem and bereavement;

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Florida Senate affixed, be transmitted to Mrs. Mildred Robinson, widow of Andrew A. Robinson, Jr., as a tangible token of the sentiments expressed herein and a lasting symbol of the respect of the members of the Florida Senate.

—was introduced out of order and read the first time by title. On motion by Senator Girardeau, SR 1405 was read the second time in full and unanimously adopted.

Senator Girardeau introduced to the Senate Mildred Robinson, widow of Dr. Robinson; and Conchita Robinson, their daughter.

At the request of the President, Senator Girardeau escorted Mrs. Robinson and Conchita Robinson to the rostrum where they were presented a copy of the resolution.

On motion by Senator W. D. Childers, by two-thirds vote HCR 280 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator W. D. Childers—

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

—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 Tuesday, May 10, 1988: SB 488, CS for CS for SB 292, SB 102, SB 995, 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, HB 115, SB 1057, SB 1064, CS for SB 539

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Education recommends the following pass: SB 154, SB 663 with 1 amendment, SB 1178, SB 1314, SB 1342

The Committee on Judiciary-Civil recommends the following pass: SB 404

The Committee on Judiciary-Criminal recommends the following pass: SB 927 with 4 amendments

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

The Committee on Commerce recommends the following pass: SB 593, SB 1035, SB 1246, SB 1365

The Committee on Education recommends the following pass: SB 1234

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

The Committee on Commerce recommends the following pass: SB 231 with 1 amendment

The Committee on Education recommends the following pass: SB 922, SB 1275, SB 1321

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

The Committee on Judiciary-Civil recommends the following pass: SJR 819

The bill was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Judiciary-Criminal recommends the following pass: SB 1154 with 2 amendments

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

The Committee on Commerce recommends the following pass: SB 188, SB 687 with 1 amendment, SB 1356 with 1 amendment

The Committee on Economic, Community and Consumer Affairs recommends the following pass: HB 183 with 2 amendments, HB 881

The Committee on Education recommends the following pass: SB 843, SB 898

The Committee on Judiciary-Civil recommends the following pass: SB 765, SB 818, SB 991, SB 1222, SB 1320

The Committee on Judiciary-Criminal recommends the following pass: SB 457 with 1 amendment, SB 590, SB 683, CS for SB 688, SB 870 with 1 amendment

The Committee on Rules and Calendar recommends the following pass: CS for SJR's 318 and 356, SB 357, SB 414

The Committee on Transportation recommends the following pass: SB 1078

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

The Committee on Education recommends the following not pass: SB 1113, SB 1260

The bills were laid on the table.

The Committee on Education recommends a committee substitute for the following: SB 998

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 286, CS for SB 446, CS for SB 560, SB 594

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 464, SB 1215, SB 1355

The Committee on Judiciary-Civil recommends a committee substitute for the following: SB 377

The Committee on Judiciary-Criminal recommends a committee substitute for the following: Senate Bills 582 and 680

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 Economic, Community and Consumer Affairs recommends committee substitutes for the following: SB 73, SB 1124

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 1354

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

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 1083, SB 1093

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

The Committee on Commerce recommends committee substitutes for the following: Senate Bills 868, 242, 369 and 910, SB 916, SB 983, SB 1054, SB 1326

The Committee on Economic, Community and Consumer Affairs recommends committee substitutes for the following: CS for SB 295, SB 726, Senate Bills 849 and 1351, SB 1190

The Committee on Natural Resources and Conservation recommends committee substitutes for the following: SB 453, Senate Bills 1149 and 156

The Committee on Transportation recommends committee substitutes for the following: SB 1121, SB 1204, SB 1205

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 Transportation recommends committee substitutes for the following: SB 1156, SB 1164, SB 1229

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 303

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

The Committee on Education recommends a committee substitute for the following: SB 859

The Committee on Transportation recommends committee substitutes for the following: SB 538, SB 1021

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

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 1335

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

The Committee on Appropriations recommends a committee substitute for the following: CS for SB 556

The Committee on Commerce recommends a committee substitute for the following: SB 244

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 782, SB 1171

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: CS for SB 245, SB 1212

The Committee on Judiciary-Civil recommends committee substitutes for the following: SB 111, SB 459, SB 602, SB 747, SB 1001, SB 1174

The Committee on Rules and Calendar recommends a committee substitute for the following: SM 302

The Committee on Transportation recommends committee substitutes for the following: SB 925, SB 1038

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

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Dudley—

SR 1403—A resolution declaring the month of April of each year as “Barber Shop Harmony Month in Florida.”

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SB 1404—A bill to be entitled An act relating to the South Venice Special Tax Road District, Sarasota County; amending sections 3 and 4 of chapter 57-1839, Laws of Florida, as amended, deleting the tax cap; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

SR 1405 was introduced out of order and adopted this day.

On motion by Senator Jennings, the rules were waived by unanimous consent and the following bill was introduced out of order:

By Senators Jennings and Stuart—

SB 1406—A bill to be entitled An act relating to adoption of a county charter; amending s. 125.82, F.S.; providing that the time limitations for holding a special election with respect to a charter proposed by the charter commission method do not apply to a charter proposed by the alternative ordinance method; providing for manner of conducting the special election, and for giving notice of the special election, under the ordinance method of proposing a charter; ratifying certain existing county charters; providing an effective date.

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

FIRST READING OF COMMITTEE SUBSTITUTES

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

CS for SB 73—A bill to be entitled An act relating to student athletics; providing legislative purpose and intent; providing definitions including definitions of the terms “agent contract,” “athlete agent,” and “student athlete”; requiring biennial registration of athlete agents with the Department of Professional Regulation; providing criminal penalties for failing to register as required; requiring athlete agents and student athletes to notify higher education institutions if certain contracts are entered into; requiring agent contracts to contain a statement disclosing certain information to student athletes; providing that a contract is unenforceable if the required notification is not made; providing criminal penalties for failure to provide the required notification; creating a cause of action for failure to provide the required notification; providing for rescission of an agent contract by a student athlete; prohibiting post-dated contracts; prohibiting certain actions; providing an effective date.

By the Committee on Judiciary-Civil and Senator Woodson—

CS for SB 111—A bill to be entitled An act relating to elections; amending s. 97.063, F.S.; modifying attesting witness requirements for registration of absent qualified electors overseas; amending s. 101.62, F.S.; providing for a single mailing of first primary, second primary, and general elections ballots to absent qualified electors overseas; providing procedure for voting such ballots; providing a definition; providing an effective date.

By the Committee on Commerce and Senator Hill—

CS for SB 244—A bill to be entitled An act relating to insurance; amending s. 627.4615, F.S.; prescribing the interest rate payable upon life insurance death benefits; providing an effective date.

By the Committees on Health and Rehabilitative Services; and Judiciary-Civil and Senators Lehtinen, Woodson, Ros-Lehtinen, Langley, Grant and D. Childers—

CS for CS for SB 245—A bill to be entitled An act relating to wrongful death; amending s. 768.18, F.S.; defining loss of pregnancy for purposes of the Florida Wrongful Death Act; amending s. 768.19, F.S.; providing a right of action for the wrongful death or loss of pregnancy; precluding certain wrongful death actions relating to termination of pregnancies; amending s. 768.21, F.S.; providing for recovery for mental pain and suffering by a woman for the loss of a pregnancy; providing for applicability of the act; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senators Weinstein, Grizzle, Frank, Stuart and Woodson—

CS for SB 286—A bill to be entitled An act relating to child care; creating the Child Care Partnership Act; providing legislative intent; authorizing a grant program for private employers that contribute to the cost of child care for their employees’ dependents; limiting the grant that may be received; requiring maintenance of records; providing that certain support services are part of the cost of care for purposes of the grant; providing that salaries and wages used to compute grants may not be used in computing certain other tax credits; providing for rules; providing for a report to the Office of the Governor and the Legislature; amending s. 402.3195, F.S.; extending the time period for the loan program under the Child Care Facility Trust Fund; providing an effective date.

By the Committees on Economic, Community and Consumer Affairs; and Transportation and Senator Lehtinen—

CS for CS for SB 295—A bill to be entitled An act relating to transportation; amending s. 339.175, F.S.; providing for two additional voting members, appointed by the Governor, to an M.P.O. which is contained within any constitutional charter county as defined in s. 125.011, F.S.; providing for the termination of public official members of an M.P.O. under certain circumstances; providing an effective date.

By the Committee on Rules and Calendar and Senators Woodson, Peterson, Weinstein, Brown, Gordon, Grizzle, Jenne, Grant, McPherson, Weinstock, Dudley, Langley, Myers, Stuart, Thomas, Crenshaw, W. D. Childers, Frank, Meek, Hollingsworth and Margolis—

CS for SM 302—A memorial to the Congress of the United States, urging Congress to adopt a joint resolution providing for an amendment to the Constitution of the United States that requires the federal budget to be in balance except under specified emergency conditions and withdrawing previous memorials to Congress on this subject.

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

CS for SB 303—A bill to be entitled An act relating to marriage licenses; creating s. 741.063, F.S., requiring premarital test for syphilis and human immunodeficiency virus (HIV); conditioning issuance of marriage license upon absence of said disease; providing procedures; providing for issuance of marriage license to certain infected persons; providing confidentiality; providing for destruction of records; limiting time license is valid; authorizing specified use of information; providing penalties; providing an effective date.

By the Committee on Judiciary-Civil and Senator Langley—

CS for SB 377—A bill to be entitled An act relating to costs of criminal proceedings; amending s. 27.34, F.S.; providing for payment by a county of certain costs relating to the operation of the state attorney; amending s. 27.3455, F.S.; providing for the collection, disposition, and use of the additional court costs imposed in cases in which defendants plead guilty or nolo contendere; providing that the payment of such additional costs must be made a part of any plea agreement; requiring an annual statement of revenues to be submitted to the Comptroller and the Auditor General; providing powers and duties of the Comptroller with respect thereto; providing for the removal of community service sentence and reporting; providing for expiration of the section; amending s. 27.54, F.S.; providing for payment by a county of certain costs relating to the operation of the public defender; repealing s. 3, ch. 85-213, Laws of Florida, relating to the expiration of s. 27.3455, F.S.; providing an effective date.

By the Committees on Finance, Taxation and Claims; and Economic, Community and Consumer Affairs and Senator Margolis—

CS for CS for SB 446—A bill to be entitled An act relating to pharmacy; amending s. 465.003, F.S.; defining nuclear pharmacist; creating s. 465.0126, F.S., relating to nuclear pharmacists; providing for application and licensure; providing a fee; requiring certain activities; providing for qualifications; providing for rules; amending s. 465.018, F.S., relating to community pharmacies; requiring certain notification by prescription department managers; amending s. 465.0193, F.S.; deleting language on nuclear pharmacists; amending s. 499.0054, F.S.; providing that certain advertisements are violations; providing an appropriation; amending s. 465.022, F.S.; modifying pharmacy licensure fees; providing an effective date.

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

CS for SB 453—A bill to be entitled An act relating to “ecostructure”; amending s. 212.235, F.S.; providing a definition; providing for transfer of moneys from the State Infrastructure Fund to the Surface Water Improvement and Management Trust Fund and the Conservation and Recreation Lands Trust Fund for ecostructure expenditures; providing that title to lands purchased pursuant to the act shall be held by the Board of Trustees of the Internal Improvement Trust Fund; amending s. 215.32, F.S.; authorizing certain expenditures; providing an effective date.

By the Committee on Judiciary-Civil and Senator Dudley—

CS for SB 459—A bill to be entitled An act relating to emergency management; amending s. 252.51, F.S.; providing that donees or lenders of services are agents of governmental agencies or entities for the purposes of s. 768.28, F.S.; providing an effective date.

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

CS for SB 464—A bill to be entitled An act relating to pharmaceutical assistance to the elderly; requiring the Department of Health and Rehabilitative Services to establish pilot projects; providing definitions and powers and duties of the department; providing for eligibility; providing project criteria; providing reporting requirements; providing for a study; providing penalties; providing for recovery of certain benefits or payments; providing an effective date.

By the Committee on Transportation and Senator Brown—

CS for SB 538—A bill to be entitled An act relating to drivers' licenses; amending s. 322.261, F.S.; providing a separate procedure for a juvenile or child with respect to the suspension of a driver's license for refusal to submit to breath, urine, or blood test for impairment; providing for a hearing; providing notice of the decision; providing an effective date.

By the Committees on Appropriations; and Economic, Community and Consumer Affairs and Senators Margolis and D. Childers—

CS for CS for SB 556—A bill to be entitled An act relating to motor vehicle sales warranties; amending s. 681.101, F.S.; providing clarifying language; amending s. 681.102, F.S.; providing definitions; amending s. 681.103, F.S.; requiring motor vehicle manufacturers to conform motor vehicles to the warranty; requiring such manufacturers to follow certain procedures relating to warranties; amending s. 681.104, F.S.; providing notification requirements for consumers with nonconforming motor vehicles; providing procedures for the handling of such vehicles; providing for refunds or replacement vehicles; providing for the refunding of sales tax paid on certain vehicles; amending s. 681.108, F.S.; providing informal dispute settlement procedures; creating s. 681.109, F.S.; providing an arbitration system for motor vehicle owners who do not resolve disputes through a certified informal dispute settlement procedure; creating s. 681.1095, F.S.; creating the Florida New Motor Vehicle Arbitration Board within the Department of Legal Affairs; providing for the appointment of board members; providing powers and duties of the board; providing procedures for arbitration; providing powers and duties of the Department of Legal Affairs relative to the board; providing for the appeal of board decisions; providing for attorney's fees, costs, and penalties for noncompliance with awards by manufacturers; requiring the department to maintain certain records; requiring reports; amending s. 681.110, F.S.; providing the Department of Legal Affairs with subpoena power; amending s. 681.111, F.S.; defining certain acts as unfair trade practices; creating s. 681.112, F.S.; providing judicial consumer remedies for violations of

ch. 681, F.S.; establishing limitations on such actions; creating s. 681.113, F.S.; providing limitations of liability for dealers; creating s. 681.114, F.S.; providing procedures for the resale of motor vehicles returned pursuant to ch. 681, F.S.; creating s. 681.115, F.S.; prohibiting certain limiting agreements; creating s. 681.116, F.S.; providing a preemption; requiring the adoption of rules; requiring a fee to be collected by motor vehicle dealers and persons engaged in the business of leasing motor vehicles; providing appropriations; providing severability; providing for future repeal and legislative review; providing effective dates.

By the Committees on Finance, Taxation and Claims; and Commerce and Senators Weinstein, W. D. Childers, Margolis, Hill, Woodson and Meek—

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

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

CS for SB's 582 and 680—A bill to be entitled An act relating to offenses involving children; amending s. 787.04, F.S.; prohibiting the removal of a minor from the state or concealment of the location of a minor under specified circumstances; providing a penalty; amending s. 827.04, F.S.; providing that infliction of physical or mental injury to a child constitutes child abuse; providing penalties; providing an effective date.

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

CS for SB 594—A bill to be entitled An act relating to the sales tax; amending s. 212.08, F.S.; exempting charges for chartering a boat or vessel for fishing; providing an exception; providing an effective date.

By the Committee on Judiciary-Civil and Senator Kirkpatrick—

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

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

CS for SB 726—A bill to be entitled An act relating to ad valorem taxation; creating s. 196.1973, F.S.; providing an exemption from such taxation for certain real property used as housing for low-income persons; specifying criteria for qualification for the exemption; providing an effective date.

By the Committee on Judiciary-Civil and Senator Thurman—

CS for SB 747—A bill to be entitled An act relating to liens; reenacting s. 713.50, F.S.; providing liens upon personal property; creating s. 713.655, F.S.; providing liens to veterinarians for unpaid fees for professional services rendered; providing an effective date.

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

CS for SB 782—A bill to be entitled An act relating to intangible personal property taxes; amending s. 199.023, F.S.; defining the term “real property” for specified purposes under the Intangible Personal Property Tax Act; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senators Deratany and Dudley—

CS for SB's 849 and 1351—A bill to be entitled An act relating to local occupational license taxes; amending s. 205.033, F.S.; extending to all counties the authority to levy an additional occupational license tax for implementation of a comprehensive economic development strategy; providing an effective date.

By the Committee on Education and Senator D. Childers—

CS for SB 859—A bill to be entitled An act relating to education; amending s. 232.26, F.S.; requiring the suspension and expulsion of any public school student found in unauthorized possession of a firearm or weapon while on certain public school property or in attendance at a school function; authorizing alternative educational programs for such students; amending s. 240.133, F.S.; requiring the expulsion of any state university or community college student found in unauthorized possession of a firearm or weapon while on certain state university or community college property; providing an effective date.

By the Committee on Commerce and Senators W. D. Childers, Grant and Thurman—

CS for SB's 868, 242, 369 and 910—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.09, F.S.; increasing the tax-exempt handle for dogracing; deleting the tax on breaks; amending s. 550.095, F.S.; deleting a certain surtax on additional takeout; amending s. 550.162, F.S.; increasing greyhound purse payments; amending s. 551.06, F.S.; increasing the tax-exempt handle for jai alai; creating s. 550.1653, F.S.; creating the Florida Greyhound Owners' Awards Trust Fund; requiring the Division of Pari-mutuel Wagering to develop and submit an awards payment plan; authorizing the Division of Pari-mutuel Wagering to administer the plan; providing an effective date.

By the Committee on Commerce—

CS for SB 916—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 20.16, F.S.; providing for appointment of the Florida Pari-mutuel Commission members; providing for powers and duties of the commission; providing for commission meetings; requiring minutes of commission meetings; providing for per diem and travel expenses for commission members; amending s. 550.011, F.S.; deleting certain mileage restrictions; amending s. 550.04, F.S.; deleting the restrictions on horseracing seasons; eliminating the restrictions on summer and winter dogracing seasons for certain counties; removing the restriction on the aggregate number of racing days; amending s. 550.08, F.S.; removing operating days restriction for certain permitholders; amending s. 550.082, F.S.; removing the prohibition on additional operating days for certain permitholders; amending s. 550.083, F.S.; removing certain restrictions on operating day for certain permitholders; amending s. 550.09, F.S.; providing for the tax on handle for thoroughbred permitholders during the period January 1 through March 6; amending s. 550.29, F.S.; deleting the restriction on the number of operating days for certain permitholders; amending s. 550.33; specifying that no thoroughbred races may be substituted on a quarter-horse permit during a specified period for a certain specified permitholder; amending s. 550.51, F.S.; providing that certain permitholders are exempted from certain provisions which limit racing to 6 days a week; creating s. 550.52, F.S.; deregulating thoroughbred horseracing regarding number of days and operating periods; amending s. 551.52, F.S.; deleting the prohibition against additional operating days for certain permitholders; providing that certain racing days previously allocated by the Florida Pari-mutuel Commission are not affected by this act; allowing certain pari-mutuel permitholders to operate certain additional days; reviving and readopting s. 550.083, F.S., s. 550.082, F.S., notwithstanding repeal scheduled pursuant to ch. 87-38, Laws of Florida; reviving and readopting provisions relating to the commission, notwithstanding repeal scheduled pursuant to the Sundown Act, and providing for future review and repeal of said provisions; providing an effective date.

By the Committee on Transportation and Senator Hollingsworth—

CS for SB 925—A bill to be entitled An act relating to outdoor advertising; amending s. 479.16, F.S.; exempting certain signs used for the sole purpose of providing direction to a residence or farm operation from the requirement of having a permit; providing an effective date.

By the Committee on Commerce and Senator McPherson—

CS for SB 983—A bill to be entitled An act relating to alcoholic beverages; creating ss. 562.52-562.526, F.S.; providing a short title, the "Florida Responsible Vendor Act"; providing intent; providing a definition; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation to establish a responsible vendors program; providing for certification of participating vendors; providing qualifications; providing for suspension and revocation of certification; providing exemptions from license suspension and revocation for such vendors; providing mitigation for Beverage Law violations; imposing a surcharge on alcoholic beverage license fees; providing for disposition and use of surcharge funds; providing an appropriation; providing an effective date.

By the Committee on Education and Senators Peterson and D. Childers—

CS for SB 998—A bill to be entitled An act relating to education; amending s. 228.061, F.S.; transferring, renumbering, and amending s. 228.0615, F.S.; providing that district school boards may administer pre-kindergarten early intervention programs; specifying requirements for district plans for such prekindergarten programs; providing for contracting with existing programs and provisions for before-school and after-school child care; providing for approval of plans; providing for funding; providing for annual reports by school districts; renaming the State Advisory Council on Early Childhood Education as the State Advisory Council on Prekindergarten Early Intervention Program; revising the composition of the council and its duties; requiring the council to conduct an ongoing evaluation of the program; revising the composition and duties of the district interagency coordinating councils; amending s. 228.0617, F.S.; requiring proposals for school-age child care programs to include staff training plans, coordination with other community-based programs and social services, and a description of employment of students from work experience and vocational programs and otherwise revising the specifications for proposals; revising the funding priority given to proposals; deleting obsolete provisions; permitting an increase in membership on the school-age child care advisory council; amending s. 232.01, F.S.; requiring admission of 3-year-old handicapped children to public special education programs and permitting attendance by handicapped children below age 3; amending s. 232.03, F.S.; requiring evidence of a child's age before admission to prekindergarten; amending s. 232.045, F.S.; conforming a cross-reference; amending s. 234.01, F.S.; requiring school boards to provide transportation for prekindergarten students; amending s. 236.013, F.S.; redefining the term "full-time equivalent student" in order to include students in prekindergarten early intervention programs; amending s. 236.083, F.S.; providing a method for allocating school district transportation funds for prekindergarten students; providing an effective date.

By the Committee on Judiciary-Civil and Senator Meek—

CS for SB 1001—A bill to be entitled An act relating to registration of electors; amending s. 97.041, F.S., relating to qualifications to register or vote; creating s. 97.0625, F.S.; providing an alternative procedure for the registration of electors which shall be a system for the registration of electors by mail; providing for the prescription and approval of mail registration forms by the Department of State; providing for local variance; providing contents, including applicable penalty; providing for completeness; providing for timely presentation; providing for correction of deficiencies; providing for mailing of registration identification cards and for matters relative thereto; providing for the availability of forms; providing for rules; amending ss. 97.071, 98.111, 101.692, F.S., to conform; amending s. 104.012, F.S.; providing penalties for attempting to influence, deceive, or deter any person in registering or for interfering with the free exercise of any person's right to register at any time; repealing s. 97.063, F.S., relating to absentee registration; providing an effective date.

By the Committee on Transportation and Senators Lehtinen, Ros-Lehtinen, Malchon, Jenne, Weinstein, Plummer, Hill, Myers, Stuart, Kiser, Frank and Kirkpatrick—

CS for SB 1021—A bill to be entitled An act relating to motor vehicle operation; amending s. 322.34, F.S.; providing that it is a felony to operate a motor vehicle without a valid license under specified circumstances; providing for the forfeiture of the vehicles of persons convicted of traffic offenses under certain circumstances; providing an effective date.

By the Committee on Transportation and Senator Kirkpatrick—

CS for SB 1038—A bill to be entitled An act relating to drivers' licenses; amending s. 322.125, F.S.; requiring the Medical Advisory Board to the Department of Highway Safety and Motor Vehicles to assist the department in developing coded restrictions for licensees whose medical condition warrants a requirement that they wear medical identification bracelets; amending s. 322.126, F.S.; requiring the department to provide coded medical identification bracelet restrictions and requiring disability reporting; amending s. 322.16, F.S.; authorizing the department to impose medical identification bracelet restrictions upon the use of licenses; providing an exemption from penalties; providing an effective date.

By the Committee on Commerce and Senators Deratany, Crawford, Hair, W. D. Childers, Hollingsworth, Jennings, Girardeau, Crenshaw and Grant—

CS for SB 1054—A bill to be entitled An act relating to taxation; amending s. 624.509, F.S.; reducing the percentage rate of the insurance premium tax; providing for a credit for intangible taxes; increasing the salary credit allowed against the premium tax; increasing the maximum total for corporate income tax and salary credits; providing for consolidated premium tax returns for groups of insurers in an insurance holding company system; amending section 35 of chapter 87-99, Laws of Florida; changing the retaliatory credit against the insurance premium tax for domestic insurers; creating s. 624.4425, F.S.; providing that multiple-employer welfare arrangements are subject to the insurance premium tax; specifying the rate; creating s. 624.475, F.S.; providing that commercial self-insurance funds are subject to the insurance premium tax; specifying the rate; amending s. 627.356, F.S.; providing that professional liability risk management trust funds are subject to the insurance premium tax; specifying the rate; amending s. 627.357, F.S.; providing that medical malpractice self-insurance funds are subject to the insurance premium tax; specifying the rate; creating s. 629.5011, F.S.; providing that premiums and assessments received by reciprocal insurers are subject to the insurance premium tax; amending s. 631.705, F.S.; changing the offset schedule for assessments of the Florida Insurance Guaranty Association against the premium tax; amending s. 631.719, F.S.; changing such offset schedule with respect to assessments of the Florida Life and Health Guaranty Association; amending s. 632.6265, F.S.; providing that fraternal benefit societies are subject to the insurance premium tax; amending s. 634.131, F.S.; providing that premiums and assessments of motor vehicle service agreement companies are subject to the sales tax rather than a premium tax; amending s. 634.415, F.S.; providing that premiums and assessments of service warranty association's are subject to the sales tax rather than a premium tax; creating s. 637.406, F.S.; providing that dental service plans are subject to the insurance premium tax; creating s. 651.027, F.S.; providing that fees of continuing care contracts are subject to the insurance premium tax; amending s. 175.101, F.S.; reducing the municipal excise tax on property insurance premiums; amending s. 185.08, F.S.; reducing the municipal excise tax on casualty insurance premiums; amending s. 440.51, F.S.; authorizing workers' compensation administration expense assessment deductions against the premium tax of group self-insurer's funds and commercial self-insurance funds; amending s. 440.57, F.S.; providing that workers' compensation group self-insurer's funds are subject to the insurance premium tax; specifying the rate; amending ss. 634.023, 634.3025, 634.4025, F.S.; clarifying legislative intent; providing for retroactive application; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Myers and Woodson—

CS for SB 1083—A bill to be entitled An act relating to Acquired Immune Deficiency Syndrome; creating s. 381.607, F.S.; providing legislative findings and intent; creating s. 381.608, F.S.; requiring the Department of Health and Rehabilitative Services to establish an AIDS education program; amending s. 232.246, F.S.; including AIDS and other sexually transmitted disease education in the life management skills high school course; amending s. 233.067, F.S.; including certain sexually transmissible diseases in the term "comprehensive health education"; adding required elements to be included in inservice education programs; amending s. 240.2097, F.S.; requiring certain materials related to AIDS to be included in university student handbooks; creating s. 240.3191, F.S.; requiring that community colleges compile and annually update student handbooks; providing for information relating to controlled substances and alcoholic beverages and AIDS education to be included in student handbooks; requiring retail establishments selling or renting adult merchandise to post certain information about Acquired Immune Deficiency Syndrome upon the premises; requiring a written warning of the danger of developing acquired immune deficiency syndrome as a result of certain procedures; creating s. 381.609, F.S.; prescribing guidelines for testing for Human Immunodeficiency Virus; creating s. 230.336, F.S.; providing that the Department of Health and Rehabilitative Services shall notify the appropriate superintendent of schools of the names and addresses of school students or employees who have tested positive for, or been diagnosed as having, certain communicable diseases; creating s. 381.6105, F.S.; providing safeguards for organ, blood, and other tissue transfers and transplants; creating s. 945.701, F.S., requiring the Department of Corrections to test inmates for exposure to the human immunodeficiency virus; providing certain access to test results; requiring certain segregation of

inmates; creating s. 951.27, F.S.; requiring testing of inmates; providing for confidentiality of test results; creating s. 381.614, F.S.; providing for research by the Department of Health and Rehabilitative Services; amending s. 499.005, F.S.; prohibiting the sale or delivery of self test kits for AIDS or HIV; amending s. 499.0054, F.S.; prohibiting the advertising of any drug or device represented to affect AIDS or HIV or a related disease; amending s. 384.23, F.S.; redefining the term "sexually transmissible disease"; amending s. 384.24, F.S.; conforming the prohibition against certain sexual intercourse to the redefinition of the term "sexually transmissible disease"; amending s. 384.25, F.S.; removing a limitation on reporting of AIDS cases; amending s. 384.27, F.S.; prescribing procedures for requiring persons to undergo AIDS examination and treatment; amending s. 384.28, F.S.; providing for hospitalization and isolation of persons; creating s. 384.281, F.S.; providing procedures for emergency hold of persons suspected of having sexually transmissible diseases; creating s. 384.282, F.S.; requiring the use of pseudonyms in judicial proceedings; creating s. 384.283, F.S.; providing for service of notice and process; creating s. 384.284, F.S.; providing for forms; creating s. 384.285, F.S.; providing for appeals; creating s. 384.286, F.S.; providing for temporary leave for hospitalized or isolated persons; creating s. 455.2416, F.S.; providing immunity from civil and criminal liability for certain practitioners for disclosure of confidential information; creating s. 384.287, F.S.; providing for adherence to required treatment; creating s. 384.288, F.S.; prescribing fees to be paid for certain services; amending s. 384.34, F.S.; increasing the penalty for engaging in sexual intercourse when infected with a sexually transmissible disease; creating s. 381.612, F.S.; providing for patient care for persons with HIV; amending s. 381.703, F.S.; providing for local health council and statewide health council involvement in AIDS health care planning; amending s. 409.266, F.S.; providing for certain drugs and care for Medicaid recipients; amending s. 796.08, F.S.; increasing the penalty for engaging in prostitution when infected with a sexually transmissible disease; prohibiting discrimination based on AIDS, AIDS-Related Complex, or HIV; creating s. 627.429, F.S.; prohibiting certain discriminatory practices with respect to AIDS and HIV in life and health insurance; amending s. 627.411, F.S.; providing for disapproval of certain insurance forms which exclude AIDS or HIV coverage; creating ss. 627.6265, 627.6646, F.S.; prohibiting cancellation of health or group health insurance due to diagnosis of AIDS or HIV; creating s. 641.3109, F.S.; prohibiting certain discriminatory practices with respect to AIDS and HIV in health maintenance organizations; creating s. 641.31, F.S.; providing for disapproval of certain health maintenance organization forms which exclude AIDS or HIV coverage; providing severability; providing an appropriation; repealing s. 381.606, F.S., relating to testing for infectious disease; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Grant, Margolis, Plummer, Lehtinen, Ros-Lehtinen, Hill, Meek, Girardeau, Crenshaw, Stuart, Gordon, Thurman, Beard, Jennings, Kiser, Brown, Hair, Weinstein, Johnson, Woodson, Hollingsworth and Jenne—

CS for SB 1093—A bill to be entitled An act relating to health care; creating the Medical Education and Tertiary Care Trust Fund within the Board of Regents; providing for an appropriation to the fund from the General Revenue Fund; providing for the distribution of funds from the Medical Education and Tertiary Care Trust Fund to teaching hospitals in the state; providing an effective date.

By the Committee on Transportation and Senator Thurman—

CS for SB 1121—A bill to be entitled An act relating to motor vehicles; amending ss. 316.1955, 316.1956, 316.1964, 320.0842, 320.0843, 320.0848, F.S.; providing that persons whose motor vehicles display a license plate bearing the international symbol of accessibility may park such vehicles in parking spaces specially designated for disabled persons and shall not be required to apply for, display, or pay any fee for exemption entitlement parking permits; providing for biennial renewal of the exemption entitlement parking permit for handicapped persons; providing for identification cards; providing enforcement officers authority to request identification cards; continuing certain existing permits; reducing certain fees; amending s. 316.1958, F.S., to clarify that special parking permits issued to out-of-state handicapped persons shall be usable upon vehicles in this state; amending s. 320.58, F.S.; providing license inspectors enforcement authority; providing a penalty; providing an effective date.

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

CS for SB 1124—A bill to be entitled An act relating to handicapped persons; providing handicapped accessibility requirements for structures and parking areas used by the public; amending s. 316.1956, F.S.; providing handicapped parking space requirements for certain entities; amending s. 318.18, F.S.; increasing penalties for parking illegally in spaces designated for disabled persons; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Brown, Kirkpatrick, Hollingsworth, Beard and Johnson—

CS for SB's 1149 and 156—A bill to be entitled An act relating to pollution control; amending s. 206.9925, F.S.; revising the definitions of "petroleum product" and "pollutants" for purposes of excise taxes on fuel and other pollutants and requirements related thereto; amending s. 206.9935, F.S.; revising the rates of the tax for water quality and the conditions under which said tax is imposed; authorizing a credit for certain taxes paid; repealing s. 206.9941(4), F.S., which exempts pesticides, ammonia, chlorine, and derivatives thereof from the tax for coastal protection and the tax for water quality under certain conditions; amending s. 376.307, F.S.; providing limitations on the expenditure of funds from the Water Quality Assurance Trust Fund for water supply systems or filters for contaminated potable water wells; amending s. 373.309, F.S., relating to the authority of the Department of Environmental Regulation to adopt rules regulating water wells; revising provisions authorizing delegation of its authority to other agencies or political subdivisions; providing duties with respect to prevention of potable water well contamination and remediation of contamination; providing for delineation of areas of groundwater contamination; providing for testing and standards; providing for permitting and for establishment of fees therefor; creating s. 403.7223, F.S.; providing for the establishment of a waste reduction and elimination assistance program; amending s. 403.7264, F.S.; providing a schedule for amnesty days for purging small quantities of hazardous wastes; providing a limitation on amounts to be accepted at no cost; providing duties of local governments and regional planning councils; amending s. 403.7265, F.S., relating to the local hazardous waste collection program; revising requirements for a plan to be formulated by the department for collecting small quantities of hazardous waste; directing the department to develop a statewide local hazardous waste management plan; requiring establishment of a grant program for local governments; revising grant amounts and requirements with respect thereto; providing appropriations; redesignating s. 203.10, F.S., as s. 403.7215, F.S.; providing an effective date.

By the Committee on Transportation and Senator Beard—

CS for SB 1156—A bill to be entitled An act relating to acquisition of real property by governmental entities; prohibiting a person from soliciting representation of, or other services to, the owner of real property the acquisition of which is being sought by a governmental entity, under certain circumstances; providing penalties; providing an effective date.

By the Committee on Transportation and Senator Beard—

CS for SB 1164—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.04, F.S.; exempting the department from adhering to the standard terms for its internal structure; amending s. 20.23, F.S.; reorganizing the department; specifying the titles and duties of certain employees of the department; amending s. 110.205, F.S.; specifying classifications for certain employees exempted from the Career Service System; amending s. 334.14, F.S.; requiring that certain employees of the department be professional engineers; providing conforming language; amending s. 288.15, F.S.; providing conforming language; amending s. 316.515, F.S.; providing conforming language; amending s. 332.001, F.S.; providing conforming language; amending s. 348.52, F.S.; specifying composition of the governing board of the Tampa-Hillsborough County Expressway Authority; amending s. 348.753, F.S.; specifying composition of the governing board of the Orlando-Orange County Expressway Authority; amending s. 348.967, F.S.; specifying composition of the governing board of the Santa Rosa Bay Bridge Authority; amending s. 349.03, F.S.; specifying composition of the governing board of the Jacksonville Transportation Authority; repealing ss. 334.18 and 334.19, F.S., relating to the employment of legal counsel and a comptroller by the Department of Transportation; providing an effective date.

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

CS for SB 1171—A bill to be entitled An act relating to ad valorem taxes; amending s. 193.023, F.S.; specifying methods for assessing cooperative parcels; amending s. 197.322, F.S.; specifying information which must be contained in tax notices; amending s. 197.342, F.S.; providing a title for a certain statement of tax information; amending s. 193.075, F.S.; correcting a cross-reference; amending s. 197.122, F.S.; providing for application of personal property tax liens; amending s. 197.202, F.S.; providing for destroying certain tax receipts; amending s. 200.065, F.S.; providing for notifying taxpayer's of millage rate adjustments; requiring certain ordinance or resolutions to be provided to certain persons within a certain time; amending s. 286.0105, F.S.; providing an exception to certain notice requirements; providing an effective date.

By the Committee on Judiciary-Civil and Senator Hair—

CS for SB 1174—A bill to be entitled An act relating to the Probate Code; amending s. 731.303, F.S.; providing for the binding effect of certain agreements, waivers, consents, approvals, accounts, or other statements upon persons who may take by virtue of the exercise or nonexercise of a power of appointment; amending s. 737.307, F.S.; providing for receipt of certain accounts or statements by certain persons for purposes of limitations on proceedings against trustees; providing an effective date.

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

CS for SB 1190—A bill to be entitled An act relating to bond financing and investment; changing references to "industrial development," "industrial revenue," "industrial development revenue," and "revenue" bonds in the Florida Statutes; updating obsolete references to the Internal Revenue Code in ss. 218.31 and 290.014, F.S.; amending s. 125.01, F.S., relating to the powers and duties of county governments; amending s. 159.34, F.S., relating to the issuance of bonds by local agencies; amending s. 159.47, F.S., relating to the powers of industrial development authorities; amending s. 159.705, F.S., relating to the powers of research and development authorities; amending s. 218.31, F.S., containing definitions for use in the "Uniform Local Government Financing Management and Reporting Act"; deleting a definition for "industrial development" bond and creating a definition for "private activity" bond; amending s. 218.32, F.S., relating to local government financial reporting; amending s. 288.075, F.S., relating to confidentiality of records; amending s. 290.0065, F.S., relating to state approval of areas authorized to be enterprise zones; amending s. 290.007, F.S., relating to enterprise zone incentives; amending s. 290.014, F.S., relating to enterprise zone annual reports; amending s. 658.67, F.S., relating to investment powers and limitations of banks and trust companies; providing an effective date.

By the Committee on Transportation and Senator Beard—

CS for SB 1204—A bill to be entitled An act relating to transportation; amending s. 207.004, F.S.; prescribing fees for commercial motor vehicle identifying devices and emergency and trip permits; changing the issuance period for identifying devices; prescribing who is responsible for permits and identifying devices; repealing a provision relating to taxes on out-of-state motor carriers; amending s. 316.515, F.S.; substituting the term "vehicle" for the term "motor vehicle" in certain cases; providing an exemption from length limitations for certain vehicles; amending s. 316.560, F.S.; clarifying language; amending s. 319.23, F.S.; deleting an exemption from certificate-of-title provisions for vehicles registered under the International Registration Plan; amending s. 320.0715, F.S.; prescribing conditions on issuing temporary operating permits for commercial motor vehicles required to register under the International Registration Plan; amending ss. 320.0805, 320.0808, 320.0809, F.S.; prohibiting the issuance of personalized prestige license plates, Challenger license plates, and collegiate license plates for certain vehicles; providing an effective date.

By the Committee on Transportation and Senator Beard—

CS for SB 1205—A bill to be entitled An act relating to turnpikes; amending s. 338.165, F.S.; authorizing the Department of Transportation to continue to collect tolls on certain projects; amending s. 338.221, F.S.; providing definitions; amending ss. 338.222, 338.225, 338.229, 338.237, 338.239, 338.244, F.S., changing the term "turnpike project" to "turnpike system"; amending s. 338.223, F.S.; revising language with respect to proposed turnpike projects which are a part of the turnpike system; amending s. 338.227, F.S.; revising language with respect to turnpike revenue

bonds; amending s. 338.228, F.S.; revising language with respect to bonds not being debts or pledges of credit of the state; amending s. 338.231, F.S.; providing that the Department of Transportation shall at all times equitably fix, adjust, charge, and collect tolls for the use of the turnpike system; amending s. 338.232, F.S.; revising language with respect to continuation of tolls upon provision for payment of bondholders and assumption of maintenance by department; providing reference to the turnpike system; amending s. 338.234, F.S.; authorizing certain concessions on the turnpike system; amending 338.235, F.S.; revising language with respect to contracts with the department for provision of services on the turnpike system; repealing s. 338.241, F.S.; relating to the cash reserve requirement for the Turnpike Project Improvement Fund; providing an effective date.

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

CS for SB 1212—A bill to be entitled An act relating to health care; amending s. 400.461, F.S.; providing that the provisions of part III of chapter 400, F.S., do not supersede applicable federal laws or regulations; amending s. 400.462, F.S.; providing definitions; amending s. 400.478, F.S.; requiring registrant's to maintain employment histories of specified personnel; requiring notice of the right to report abusive, neglectful, or exploitative practices to patients and families; requiring screening; amending s. 400.487, F.S.; requiring the evaluation of services by health professionals; creating s. 400.495, F.S.; requiring notice of the right to report abusive, neglectful, or exploitative practices to patients and families; amending s. 400.497, F.S.; requiring agencies to maintain employment histories of specified personnel; requiring screening; amending s. 415.107, F.S.; requiring the department to search the abuse registry records for screening purposes; amending s. 415.51, F.S.; requiring the department to search the abuse registry records for screening purposes; providing for review and repeal; amending s. 464.008, F.S.; requiring applicants for licensure to provide information for certain background checks; amending s. 464.013, F.S.; requiring as a condition of licensure renewal the signing of an affidavit attesting to specific information; amending s. 464.014, F.S.; requiring inactive licensees to provide information for certain background checks; amending s. 464.018, F.S.; establishing grounds for disciplinary actions; amending s. 455.241, F.S.; correcting a cross-reference; providing for review and repeal; providing an effective date.

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

CS for SB 1215—A bill to be entitled An act relating to child care; amending s. 402.30, F.S.; revising membership of the advisory council on child care; deleting obsolete language; amending s. 402.302, F.S.; providing definitions; creating s. 402.3025, F.S.; providing for standards applicable to certain programs in public and nonpublic schools; providing duties of the State Board of Education, Department of Education, Department of Health and Rehabilitative Services, and local licensing agencies; providing for enforcement; providing penalties; providing for an inspection fee; creating s. 402.3198, F.S.; providing for establishment of intergenerational child care programs through the Department of Health and Rehabilitative Services; providing definitions; establishing duties of the department; providing criteria for funding; providing for annual reports; providing for repeal; providing effective dates.

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

CS for SB 1229—A bill to be entitled An act relating to transportation contracts; amending s. 337.141, F.S.; reducing the time within which the Department of Transportation must pay construction or maintenance contracts; requiring the department to notify a contractor within a certain time if contract documents are incomplete and to list the documents that have not been submitted; amending s. 337.18, F.S.; providing for recovery from the contractor for amounts paid for damages suffered by third parties; providing an effective date.

By the Committee on Commerce and Senator Jennings—

CS for SB 1326—A bill to be entitled An act relating to the Beverage Law; amending s. 561.19, F.S.; providing additional criteria with respect to license issuance; amending s. 561.29, F.S.; providing additional grounds for revocation or suspension of license; amending s. 561.50; clarifying the definition of the word "sold"; amending s. 561.57, F.S.; revising language with respect to deliveries by licensees; amending s. 561.07, F.S.; providing exceptions to the prohibition in the transportation of alcoholic beverages; amending s. 563.06, F.S.; describing an additional method by

which the stamp may be placed on the crown, can bottom, or can lid of malt beverages; amending the contents of the stamp thereon; providing an effective date.

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

CS for SB 1335—A bill to be entitled An act relating to the City of Ormond Beach, Volusia County; authorizing the extension and enlargement of the corporate limits of the city to include unincorporated real property in Flagler County, subject to approval of the county commission and interlocal agreements with Flagler County and Volusia County; providing conditions; providing an effective date.

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

CS for SB 1354—A bill to be entitled An act relating to radiologic technologists; amending s. 468.301, F.S.; defining "basic X-ray machine operator-podiatry"; modifying related definitions; amending s. 468.302, F.S.; limiting use of title "basic X-ray machine operator-podiatry"; deleting obsolete language; limiting the practice of a basic X-ray machine operator-podiatry; amending s. 468.303, F.S.; providing for establishment of fees by department rule; amending s. 468.304, F.S.; increasing the maximum fee for examination for certification; providing qualifications for examination of an applicant for basic X-ray machine operator-podiatry; saving provisions relating to certification of computed tomography technologists; amending s. 468.305, F.S.; providing fees for educational programs; amending s. 468.306, F.S.; increasing the maximum fee for subsequent examinations; amending s. 468.307, F.S.; providing for temporary certification of a basic X-ray machine operator-podiatry; amending s. 468.309, F.S.; increasing the maximum fee for certificate renewal; amending s. 468.3101, F.S.; expanding a ground for disciplinary action; repealing s. 468.3035, F.S.; relating to legislative intent that Department of Health and Rehabilitative Services contract with the Department of Professional Regulation; repealing s. 468.308, F.S.; relating to certification based on prior experience or training; providing an effective date.

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

CS for SB 1355—A bill to be entitled An act relating to foster care; amending s. 39.41, F.S.; providing for court approval of independent living arrangements for certain foster children; requiring the disposition order to provide reasons for nonrelative placements and a determination that certain efforts were made by the Department of Health and Rehabilitative Services; providing conditions; amending s. 39.442, F.S.; correcting cross-references; amending s. 39.452, F.S.; clarifying time for preparation and submission of permanent placement plans; delineating persons to receive a copy of the permanent placement plan; specifying possible outcome of plans; requiring a court review within 45 days of submission; specifying elements of review; requiring appointment of guardian ad litem under certain circumstances; providing for amendment to the plan; providing for parental request for court review; amending s. 39.466, F.S.; clarifying when advisory hearings are held; providing time for adjudicatory hearing; providing for notice; amending s. 39.469, F.S.; providing clarification of term used; amending ss. 230.645, 240.235, 240.35, F.S.; providing for fee exemptions under certain circumstances; amending s. 240.36, F.S.; correcting a cross-reference; amending s. 409.145, F.S.; expanding the categories of persons who may continue to receive services in the children's foster care program; amending s. 409.165, F.S.; providing for a continuum of independent living services and providing for Department of Health and Rehabilitative Services placement of a child in an independent living situation under certain conditions; authorizing use of state foster care funds for establishment of an independent living program for certain minors; providing procedures; amending s. 409.175, F.S.; requiring training of foster parents and emergency shelter parents as a condition of licensure; providing an appropriation; providing effective dates.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Margolis, by two-thirds vote SB 760, CS for SB 312 and CS for SB 954 were withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Kiser, by two-thirds vote CS for SB 685 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Myers, by two-thirds vote SB 1076 was withdrawn from the Committee on Health and Rehabilitative Services.

On motion by Senator Beard, by two-thirds vote CS for SB's 1107, 776, 798 and 1180 was withdrawn from the Committee on Transportation.

On motion by Senator Deratany, by two-thirds vote CS for SB 1140, CS for SB 1205 and SB 660 were withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Barron, by two-thirds vote SM 894 was withdrawn from the Committee on Rules and Calendar.

Select Subcommittee Appointed

Senator Deratany announced the appointment of the following members to the Claims Select Subcommittee of the Committee on Finance, Taxation and Claims: Senators Stuart, Crenshaw, Dudley and Woodson.

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 HB 93, CS for CS for HB 113, CS for HB 158, HB 211, CS for HB 227, HB 230, CS for HB 313, CS for HB 323, House Bills 411, 486, 488, 489, 490, 491, CS for HB 512, HB 541, CS for HB 565, CS for HB 600, House Bills 658, 730, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 901, 1060, 1159, 1445; has passed as amended CS for HB 36, House Bills 86, 186, 241, 274, 423, 459, 492, CS for HB 911, House Bills 919, 1189, 1444 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Trammell—

HB 93—A bill to be entitled An act relating to theft; amending s. 812.014, F.S.; providing that failure to comply with a lease does not constitute theft under certain circumstances; providing exceptions; providing penalties; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committees on Appropriations and Health & Rehabilitative Services and Representative Bell and others—

CS for CS for HB 113—A bill to be entitled An act relating to public assistance; creating s. 409.264, F.S., providing for establishment of the state Medicaid income eligibility standard for the institutional care program at the maximum allowed by federal regulation; providing an effective date.

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

By the Committee on Judiciary and Representative Peoples—

CS for HB 158—A bill to be entitled An act relating to state warrants and other abandoned property; amending s. 17.26, F.S.; making funds represented by a stale state warrant abandoned property; providing an exception where such treatment would result in loss of federal funds; providing limited retroactive application; permitting recovery of funds by payee of such stale warrants; amending s. 717.118, F.S.; deleting requirement of second publication of notice and mailing of notice to last known owner of abandoned property prior to placement of abandoned property in the custody of the Department of Banking and Finance; providing an effective date.

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

By the Committee on Regulatory Reform and Representatives Ostrau and Rehm—

HB 211—A bill to be entitled An act relating to the Division of Bond Finance of the Department of General Services; repealing s. 218.37(3), F.S., relating to the Advisory Council to the Division of Bond Finance of the Department of General Services; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Judiciary and Representatives Upchurch and Hanson—

CS for HB 227—A bill to be entitled An act relating to remedies against business organizations for failure to comply with registered agent and registered office requirements and related subpoena provisions; amending ss. 607.325, 620.192, F.S.; authorizing the state to bid, at any judicial sale to enforce its judgment lien against real property owned by a domestic or foreign corporation, alien business organization, or domestic or foreign limited partnership for failure to maintain a registered office and a registered agent or for failure to comply with a subpoena issued by the Department of Legal Affairs to produce certain testimony and records, an amount up to the amount of the judgment lien on the property; providing for the disposition and distribution of moneys recovered from the enforcement of these provisions; amending s. 253.03, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to manage and sell all real property acquired by the state at such judicial sales; providing for the disposition and distribution of the proceeds from such sales; providing for application of act to certain pending proceedings; providing for reimbursement of certain expenditures from the Internal Improvement Trust Fund with respect to real property acquired under s. 607.325 or s. 620.192, F.S., prior to the effective date of the act; providing for reimbursement of interest earnings lost to that fund by virtue of such expenditures; providing an effective date.

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

By Representative Martin and others—

HB 230—A bill to be entitled An act relating to road designation; designating U.S. Highway 441 in Alachua County as the "Martin Luther King, Jr., Highway"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Retirement, Personnel & Collective Bargaining and Representative Burke and others—

CS for HB 313—A bill to be entitled An act relating to paid holidays; amending s. 110.117, F.S., providing that the birthday of Martin Luther King, Jr., shall be a paid state holiday; eliminating the discretionary paid holiday for employees of the career service system; providing an effective date.

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

By the Committee on Criminal Justice and Representative Clements—

CS for HB 323—A bill to be entitled An act relating to criminal justice standards and training; amending s. 943.12, F.S.; providing that the Criminal Justice Standards and Training Commission shall promulgate rules providing for certification and discipline of officers engaged in high-risk areas; amending s. 943.1395, F.S.; providing penalties for officers not maintaining good moral character; amending s. 943.22, F.S.; providing that salary incentive payments are not available for training completed pursuant to such penalties; amending s. 943.25, F.S., relating to local funding of criminal justice training; providing for local agency approval for expenditure of funds for such training; providing an effective date.

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

By Representative Deutsch and others—

HB 411—A bill to be entitled An act relating to elections; amending s. 97.041, F.S.; revising qualifications for the preregistration of persons under 18 years of age to vote; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Representatives Glickman and Lewis—

HB 486—A bill to be entitled An act relating to tangible personal property owned by local governments; amending s. 274.02, F.S.; raising the minimum value of such property with respect to which certain records and inventory are required; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 488—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.101, F.S., which provides an exemption from public records requirements for records produced by a taxpayer in connection with the exemption granted totally and permanently disabled persons; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 489—A bill to be entitled An act relating to tax records; amending s. 193.074, F.S., which provides an exemption from public records requirements for taxpayers' property returns and returns stating the consideration paid for an interest in real property; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 490—A bill to be entitled An act relating to property tax records; amending s. 195.027, F.S., which provides an exemption from public records requirements for financial records relating to nonhomestead property and for information forms which disclose certain fees, costs, and financing terms; saving such exemptions from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 491—A bill to be entitled An act relating to property tax records; amending s. 195.084, F.S., which specifies that the Auditor General and property appraisers are bound by the same confidentiality requirements as the Department of Revenue and provides requirements and penalties applicable thereto; including tax collectors within such provisions; saving such exemption from public records requirements from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Tourism & Cultural Affairs and Representative Thomas—

CS for HB 512—A bill to be entitled An act relating to export of archaeological remains; creating s. 267.131, F.S.; authorizing the Division of Historical Resources of the Department of State to regulate export of archaeological artifacts from Florida across the state boundaries; requiring a permit from the Division of Historical Resources to export artifacts from archaeological sites in Florida across the state boundaries; providing penalties; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Ethics & Elections and Representative Crady—

HB 541—A bill to be entitled An act relating to school board members; amending s. 230.04, F.S., requiring a school board member to maintain residency throughout his term of office; amending s. 230.10, F.S., requiring candidates for the office of school board member to be residents of the school board member residence area at the time of qualification; providing an effective date.

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

By the Committee on Commerce and Representative Messersmith—

CS for HB 565—A bill to be entitled An act relating to the "Sale of Business Opportunities Act"; amending s. 559.801, F.S., redefining the term "business opportunity"; amending s. 559.805(3), F.S., requiring the person receiving the advertising to record the advertisement identification number; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Rehabilitative Services and Representative Deutsch—

CS for HB 600—A bill to be entitled An act relating to the Adult Congregate Living Facilities Act; amending s. 400.407, F.S.; providing that it is unlawful for certain persons to knowingly refer a person for residency to an unlicensed facility; providing a fine; requiring the department to provide a list of licensed facilities to certain persons; providing an effective date.

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

By the Committee on Regulatory Reform and Representative Ostrau—

HB 658—A bill to be entitled An act relating to consumer finance; revising and restructuring chapter 516, F.S., the Florida Consumer Finance Act; amending s. 516.01, F.S.; providing definitions; amending s. 516.02, F.S.; specifying that licensees are not liable when acting in reliance upon an order, declaratory statement or rule of the Department of Banking and Finance; amending s. 516.03, F.S.; providing that amendments do not affect preexisting contracts; amending s. 516.031, F.S.; providing for public records; amending s. 516.035, F.S.; providing penalties; amending s. 516.05, F.S.; specifying that a license is required to engage in the business of making consumer finance loans; providing a maximum interest rate; providing for lines of credit; amending s. 516.07, F.S.; providing for license application; providing for license fees and investigation fees; amending s. 516.08, F.S.; providing for biennial licensing; providing for inactive status and reactivation fees; providing requirements with respect to a licensee's place of business; amending s. 516.09, F.S.; providing grounds for denial of license or disciplinary action; specifying disciplinary actions; providing for fines; providing licensees' responsibility for employees; amending s. 516.11, F.S.; providing for posting of license; amending s. 516.12, F.S.; providing for records; amending s. 516.13, F.S.; providing duties of licensees; amending s. 516.15, F.S.; providing monthly installment requirement; amending s. 516.16, F.S.; providing requirements for credit property and credit life and disability insurance; amending s. 516.17, F.S.; prohibiting certain actions by licensees; amending s. 516.18, F.S.; providing application of law to purchase or assignment of wages; amending s. 516.19, F.S.; providing consumer protection provisions; amending s. 516.20, F.S.; providing limitations and maximum interest rates and finance charges; specifying allowable charges; providing for refinancing; amending s. 516.21, F.S.; providing rate of interest upon default; amending s. 516.22, F.S.; providing restrictions on borrower's indebtedness; amending s. 516.221, F.S.; providing investigative powers of the department; providing for examination fees; providing for complaints; amending s. 516.23, F.S.; providing for rules and copies of documents; amending s. 516.26, F.S.; providing for injunctions and appointment of receivers; providing for civil enforcement of laws relating to budget planning and to credit service organizations; amending s. 516.27, F.S.; providing duties of department regarding consumer credit counseling; repealing s. 516.231, F.S., relating to appointment of managers for licensed locations, s. 516.29, F.S., relating to suspension or revocation of license for unreasonable collection tactics, s. 516.30, F.S., relating to a transition period, s. 516.31, F.S., relating to consumer protection provisions, s. 516.32, F.S., relating to consumer credit counseling, s. 516.33, F.S., relating to public disclosures, s. 516.34, F.S., relating to transfer of certain previous licenses, s. 516.35, F.S., relating to credit insurance, s. 516.36, F.S., relating to monthly installment requirement, and s. 516.37, F.S., relating to transactions governed by the act; saving chapter 516, F.S., from Sunset repeal; providing for future review and repeal; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By the Committee on Regulatory Reform and Representatives Brown and Harris—

HB 730—A bill to be entitled An act relating to quarter horse racing; creating s. 570.541, F.S.; creating the Racing Quarter Horse Advisory Council within the Department of Agriculture and Consumer Services; providing legislative findings; providing for membership of the council; providing for terms of members; providing for meetings of the council; providing for annual election of a chairman and vice chairman; providing for a council secretary; providing recordkeeping requirements; providing for reimbursement of council members for per diem and travel expenses; providing for duties of the council; providing for the adoption of rules by the Department of Agriculture and Consumer Services; providing for

future review and repeal; repealing s. 550.265, F.S., relating to the creation of the Quarter Horse Advisory Council; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By the Committee on Governmental Operations and Representative Hodges—

HB 759—A bill to be entitled An act relating to confidentiality of tax information; amending s. 213.053, F.S., which provides an exemption from public records requirements for specified tax information received or prepared by the Department of Revenue and which provides for application of confidentiality requirements to specified state officers and agencies; including property appraisers and tax collectors within provisions authorizing information sharing and providing for application of confidentiality requirements and penalties; saving such exemptions from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 760—A bill to be entitled An act relating to confidentiality of tax information; amending s. 199.222, F.S., which provides an exemption from public records requirements for annual personal property tax returns; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 761—A bill to be entitled An act relating to confidentiality of tax information; amending s. 206.27, F.S., which provides an exemption from public records requirements for audits in progress and pending investigations concerning taxation of fuels and other pollutants; saving such exemption from repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 762—A bill to be entitled An act relating to confidentiality of tax information; amending s. 211.33, F.S., which provides an exemption from public records requirements for returns and books, records, or documents of a producer filed with the Department of Revenue in connection with the tax on severance of solid minerals; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 763—A bill to be entitled An act relating to confidentiality of tax information; amending s. 211.125, F.S., which provides an exemption from public records requirements for returns and information filed with the Department of Revenue in connection with the tax on production of oil and gas; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 764—A bill to be entitled An act relating to confidentiality of tax information; amending s. 212.0305, F.S., which provides an exemption from public records requirements for records concerning convention development tax collections; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 765—A bill to be entitled An act relating to confidentiality of tax information; amending s. 212.0505, F.S., which provides an exemption

from public records requirements for records relating to taxation of unlawful sales, use, and other transactions involving medicinal drugs, cannabis, or controlled substances; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations Representative Hodges—

HB 766—A bill to be entitled An act relating to confidentiality of tax information; amending s. 213.21, F.S., which provides an exemption from public records requirements for records relating to compromises of taxes or interest due maintained by the Department of Revenue; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 767—A bill to be entitled An act relating to confidentiality of tax information; amending s. 213.22, F.S., which provides an exemption from public records requirements for technical assistance advisements issued by the Department of Revenue; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 768—A bill to be entitled An act relating to confidentiality of tax information; amending s. 213.27, F.S., which provides an exemption from public records requirements for confidential information shared by the Department of Revenue with debt collection or auditing agencies; clarifying language; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 769—A bill to be entitled An act relating to confidentiality of tax information; amending s. 220.242, F.S., which provides an exemption from public records requirements for declarations of estimated corporate income tax; saving such exemption from repeal; providing for future review and repeal; providing an effective date.

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

By Representative Metcalf—

HB 901—A bill to be entitled An act relating to funeral directing, embalming, and direct disposition; repealing s. 470.004, F.S., relating to the establishment of the location of headquarters of the Board of Funeral Directors and Embalmers; providing an effective date.

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

By Representative Friedman—

HB 1060—A bill to be entitled An act relating to retirement; amending ss. 121.091 and 238.181, F.S.; permitting district school retirees to be employed after retirement as hourly employees; providing an effective date.

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

By Representative Dantzer—

HB 1159—A bill to be entitled An act relating to the Administrative Procedure Act; amending s. 120.52, F.S.; redefining the term "rule"; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Governmental Operations and Representative Hodges—

HB 1445—A bill to be entitled An act relating to the Open Government Sunset Review Act; amending s. 119.14, F.S., which provides for review of exemptions to the open government and public records laws; providing procedures and a definition applicable to exemptions required by federal law; providing an effective date.

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

By the Committee on Transportation and Representative Metcalf and others—

CS for HB 36—A bill to be entitled An act relating to traffic infractions; amending s. 318.14, F.S.; revising statute references with respect to noncriminal traffic infractions to include penalties for driving with a drivers' license which has expired within a certain time period; amending ss. 318.18 and 322.03, F.S.; conforming to the act; creating s. 322.065, F.S.; providing penalties for any person whose drivers' license has expired within a certain time period; amending ss. 318.18, 322.27, F.S.; reducing certain penalties for violation of state bicycle regulations; providing an effective date.

—was referred to the Committee on Transportation.

By Representative Ostrau—

HB 86—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 referred to the Committee on Judiciary-Civil.

By Representative Liberti—

HB 186—A bill to be entitled An act relating to higher education; amending s. 240.209, F.S.; revising provisions relating to the appointment of presidents to state universities; providing an effective date.

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

By Representatives Deutsch and Ostrau—

HB 241—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.

—was referred to the Committee on Judiciary-Criminal.

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

HB 274—A bill to be entitled An act relating to bond validation; amending s. 215.82, F.S.; providing additional procedures for actions to validate certain state bonds; providing an effective date.

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

By Representative Glickman—

HB 423—A bill to be entitled An act relating to child abuse; amending s. 787.04, F.S.; prohibiting the removal of a minor from the state or concealment of the location of a minor under specified circumstances; providing an exception; providing a penalty; amending s. 827.04, F.S.; providing that infliction of physical or mental injury to a child constitutes child abuse; providing penalties; amending s. 415.503, F.S.; redefining the term "harm" to exclude injuries resulting from the application of reasonable force in certain circumstances; providing an effective date.

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

By Representative Clark and others—

HB 459—A bill to be entitled An act relating to minority business enterprises; amending s. 287.062, F.S.; specifying that the procedures for reserving certain contracts apply only to bids entered by a certified minority business enterprise, or to contractors who use such enterprises

as subcontractors or subvendors, rather than to any minority business enterprise; amending s. 287.094, F.S.; providing penalties for false representation as a certified minority business enterprise; requiring a person to be disqualified to bid on contracts or negotiate to render professional services for a specified period if that person is involved in, or knows about, a violation of this section; amending s. 287.0943, F.S.; allowing revocation of certification of a minority business enterprise; prohibiting an enterprise from applying for certification for a specified period after a revocation and for a specified period after a denial of certification because of ineligibility; providing an effective date.

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

By the Committee on Governmental Operations and Representative Hodges—

HB 492—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.022, F.S., relating to returns stating consideration paid for real property, to require such a return as a condition for recording a deed transferring an interest in real property and to provide an exemption from public records requirements for such returns; saving such exemption from repeal; providing for future review and repeal; amending s. 201.05, F.S., providing for clarification of language relating to mutual funds; providing an effective date.

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

By the Committee on Corrections, Probation & Parole and Representative Upchurch—

CS for HB 911—A bill to be entitled An act relating to capital punishment; amending s. 922.10, F.S.; providing that a death sentence may be executed by injection of a lethal substance at the option of the convicted person; providing that the administration of a lethal substance does not constitute the practice of medicine; authorizing pharmacists to dispense drugs without prescription; providing an effective date.

—was referred to the Committee on Corrections, Probation and Parole.

By Representative Bankhead—

HB 919—A bill to be entitled An act relating to juvenile offenders; amending s. 39.03, F.S.; requiring notification of the district school superintendent or his designee of arrest of juvenile who is a student under certain circumstances; requiring notification of principal and guidance counselor; providing for confidentiality; providing for removal of information; providing an effective date.

—was referred to the Committee on Education.

By Representatives Hawkins and Young—

HB 1189—A bill to be entitled An act relating to building designation; designating the Collier County Vocational Center in Naples as the James Lorenzo Walker Vocational-Technical Center; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Governmental Operations and Representative Hodges—

HB 1444—A bill to be entitled An act relating to postsecondary education; amending s. 246.226, F.S., which provides an exemption from public records requirements for complaints received by the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools and investigative information obtained by it or a private investigative firm, and an exemption from public meetings requirements for proceedings of a probable cause panel; providing an exemption for investigative information obtained by the Department of Education or the Department of Professional Regulation; saving such exemptions from repeal; providing for future review and repeal; amending s. 240.209, F.S., which provides an exemption from the public records and open meetings requirements for certain search committee activities relating to the selection of a Chancellor of the Board of Regents; saving such exemptions from repeal; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Education.

The Honorable John W. Vogt, President

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

John B. Phelps, Clerk

SPECIAL ORDER

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.

—having been considered May 5, was taken up with pending Amendment 1 which was adopted.

Senator W. D. Childers moved the following amendments which were adopted:

Amendment 2—On page 1, line 26, after “duties” insert: *pursuant to the provisions of this chapter, chapter 386, chapter 513, or chapter 514*

Amendment 3—On page 2, line 6, strike “(1)” and insert: (2)

Senator Hollingsworth moved the following amendment which was adopted:

Amendment 4—On page 2, between lines 12 and 13, insert:

Section 2. Section 784.07, Florida Statutes, is amended to read:

784.07 Assault or battery of law enforcement officers, firefighters, or intake officers; reclassification of offenses.—

(1)(a) As used in this section, the term “law enforcement officer” includes, but shall not be limited to, any sheriff; deputy sheriff; municipal police officer; highway patrol officer; beverage enforcement agent; county probation officer; state, county, or municipal correctional officer; employee or agent of the Department of Corrections who supervises or provides services to inmates; officer of the Parole and Probation Commission; parole and probation officer; and law enforcement personnel of the Game and Fresh Water Fish Commission and the Departments of Natural Resources and Law Enforcement.

(b) “Firefighter” as used in this section shall mean any person employed by any public employer of this state whose duty it is to extinguish fires, to protect life or property, or to enforce municipal, county, and state fire prevention codes, as well as any law pertaining to the prevention and control of fires.

(2) Whenever any person is charged with knowingly committing an assault or battery upon a law enforcement officer or firefighter, or an intake officer as defined in s. 39.01, while the officer, firefighter, or intake officer is engaged in the lawful performance of his duties, the offense for which the person is charged shall be reclassified as follows:

(a) In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree.

(b) In the case of battery, from a misdemeanor of the first degree to a felony of the third degree.

(Renumber subsequent section.)

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

Amendment 5—In title, on page 1, strike all of lines 4 and 5 and insert: for interfering with, hindering, or opposing any employee of the Department of Health and Rehabilitative Services in the discharge of certain of his duties; providing enhanced penalties

Senator Hollingsworth moved the following amendment which was adopted:

Amendment 6—In title, on page 1, line 9, after the semicolon (;) insert: amending s. 784.07, F.S.; redefining the term “law enforcement officer” to include certain employees or agents of the Department of Corrections; providing an enhanced penalty for assaulting or battering such persons;

On motion by Senator W. D. Childers, by two-thirds vote SB 488 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	Jenne	McPherson
Beard	Girardeau	Jennings	Meek
Brown	Gordon	Johnson	Myers
Childers, D.	Grant	Kirkpatrick	Plummer
Childers, W. D.	Grizzle	Kiser	Thurman
Crenshaw	Hair	Langley	Weinstein
Deratany	Hill	Malchon	Weinstock
Dudley	Hollingsworth	Margolis	Woodson

Nays—None

Vote after roll call:

Yea—Peterson, Stuart

On motion by Senator Hollingsworth, the rules were waived and **SB 488** was ordered immediately certified to the House.

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

—was read the second time by title.

Senator Grant moved the following amendments which were adopted:

Amendment 1—On page 1, lines 14-30, strike everything after the enacting clause and insert:

Section 1. Section 316.1951, Florida Statutes, is created to read:

316.1951 Parking for certain purposes prohibited.—

(1) It is unlawful for any person to park a motor vehicle, as defined in s. 320.01, for a continuous period in excess of 24 hours, after written notice, upon a public street or highway, upon a public parking lot, or other public property, or upon private property where the public has the right to travel by motor vehicle, for the principal purpose and intent of displaying the motor vehicle thereon for sale, hire, or rental unless the sale, hire, or rental of the motor vehicle is specifically authorized on such property by municipal or county regulation and the person is duly licensed as a motor vehicle dealer in accordance with s. 320.27, and the person is in compliance with all municipal or county licensing regulations.

(2) The provisions of subsection (1) do not prohibit a person from parking his own motor vehicle or his other personal property on any private real property which he owns or leases or on private real property which he does not own or lease, but for which he obtains the permission of the owner, or on the public street immediately adjacent thereto, for the principal purpose and intent of sale, hire, or rental.

(3) The Department of Highway Safety and Motor Vehicles shall adopt by rule a uniform written notice to be used to enforce this section. Each law enforcement agency in this state shall provide, at each agency’s expense, the notice forms necessary to enforce this section.

(4) A law enforcement officer may cause to be removed at the owner’s expense any motor vehicle found upon a public street, public parking lot, other public property, or private property, where the public has the right to travel by motor vehicle, which is in violation of subsection (1). Every written notice issued pursuant to this section shall be affixed in a conspicuous place upon a vehicle by a law enforcement officer.

(5) Any other provision of law to the contrary notwithstanding, a violation of subsection (1) shall subject the owner of such motor vehicle to towing fees reasonably necessitated by removal and storage of the motor vehicle.

(6) This section does not prohibit the governing body of a municipal or county, with respect to streets, highways, or other property under its jurisdiction, from regulating the parking of motor vehicles for any purpose.

Section 2. This act shall take effect October 1, 1988.

Amendment 2—In title, on page 1, lines 1-10, strike everything before the enacting clause and insert: A bill to be entitled An act relating to state uniform traffic control; creating s. 316.1951, F.S.; prohibiting persons from parking a motor vehicle in certain locations with the intent to sell, hire, or rent the vehicle under certain circumstances; providing for uniform written notice; providing an exception; providing an effective date.

On motion by Senator Grant, by two-thirds vote CS for CS for SB 292 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	Girardeau	Johnson	Myers
Beard	Gordon	Kirkpatrick	Plummer
Childers, D.	Grant	Kiser	Thomas
Childers, W. D.	Grizzle	Langley	Thurman
Crenshaw	Hair	Malchon	Weinstein
Deratany	Hill	Margolis	Weinstock
Dudley	Hollingsworth	McPherson	Woodson
Frank	Jenne	Meek	

Nays—None

Vote after roll call:

Yea—Peterson, Stuart

On motions by Senator Kirkpatrick, by two-thirds vote HB 230 was withdrawn from the Committee on Transportation.

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

HB 230—A bill to be entitled An act relating to road designation; designating U.S. Highway 441 in Alachua County as the "Martin Luther King, Jr., Highway"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—a companion measure, was substituted for SB 102 and by two-thirds vote read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote HB 230 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Peterson, Stuart

SB 995—A bill to be entitled An act relating to environmental control; amending s. 403.0625, F.S.; requiring certain water quality tests to be conducted by a laboratory certified by the Department of Health and Rehabilitative Services; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 995 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Malchon	Meek	Thurman
Margolis	Myers	Weinstock
McPherson	Thomas	Woodson

Nays—None

Vote after roll call:

Yea—Peterson, Stuart, Weinstein

On motion by Senator Kirkpatrick, the rules were waived and **SB 995** was ordered immediately certified to the House.

CS for SB 901—A bill to be entitled An act relating to massage therapy; amending s. 480.046, F.S.; making the practice of massage at other than specified locations grounds for disciplinary actions; amending s. 480.0465, F.S.; providing for the use of license numbers in advertisements of massage services; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote CS for SB 901 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Gordon, Stuart

Consideration of **SB 378** was deferred.

SB 215—A bill to be entitled An act relating to attorney's fees; amending s. 57.105, F.S., relating to attorney's fees in actions based on contract; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 215 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Peterson, Stuart

CS for SB 259—A bill to be entitled An act relating to postsecondary education; amending s. 240.137, F.S.; relating to linkage institutes between postsecondary institutes of Florida and foreign countries; redesignating the community colleges to jointly administer the Florida-Canada Institute; creating a Florida-Israel Institute; providing an effective date.

—was read the second time by title. On motion by Senator Jenne, by two-thirds vote CS for SB 259 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Peterson, Stuart

On motions by Senator Johnson, by two-thirds vote CS for HB 14 was withdrawn from the Committees on Economic, Community and Consumer Affairs; and Governmental Operations.

On motion by Senator Johnson—

CS for HB 14—A bill to be entitled An act relating to public meetings and records; amending s. 455.217, F.S.; creating an exemption from chapter 119 and s. 286.011, F.S., for certain records and meetings of personnel, boards, and commissions within the Department of Professional Regulation related to licensure examinations; providing an effective date.

—a companion measure, was substituted for SB 294 and read the second time by title. On motion by Senator Johnson, by two-thirds vote CS for HB 14 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Peterson, Stuart

On motions by Senator Kiser, by two-thirds vote HB 486 was withdrawn from the Committees on Economic, Community and Consumer Affairs; and Governmental Operations.

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

HB 486—A bill to be entitled An act relating to tangible personal property owned by local governments; amending s. 274.02, F.S.; raising the minimum value of such property with respect to which certain records and inventory are required; providing an effective date.

—a companion measure, was substituted for SB 316 and by two-thirds vote read the second time by title. On motion by Senator Kiser, by two-thirds vote HB 486 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Malchon	Meek	Scott	Weinstein
Margolis	Myers	Stuart	
McPherson	Plummer	Thomas	

Nays—None

Vote after roll call:

Yea—Peterson, Thurman, Woodson

SB 343—A bill to be entitled An act relating to criminal justice standards and training; amending s. 943.12, F.S.; providing that the Criminal Justice Standards and Training Commission shall promulgate rules providing for certification and discipline of officers engaged in high-risk areas; amending s. 943.1395, F.S.; providing penalties for officers not maintaining good moral character; amending s. 943.22, F.S.; providing that salary incentive payments are not available for training completed pursuant to such penalties; amending s. 943.25, F.S., relating to local funding of criminal justice training; providing for local agency approval for expenditure of funds for such training; providing an effective date.

—was read the second time by title.

One amendment was adopted to SB 343 to conform the bill to CS for HB 323.

Pending further consideration of SB 343 as amended, on motions by Senator Johnson, by two-thirds vote CS for HB 323 was withdrawn from the Committees on Judiciary-Criminal and Appropriations.

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

CS for HB 323—A bill to be entitled An act relating to criminal justice standards and training; amending s. 943.12, F.S.; providing that the Criminal Justice Standards and Training Commission shall promulgate rules providing for certification and discipline of officers engaged in high-risk areas; amending s. 943.1395, F.S.; providing penalties for officers not maintaining good moral character; amending s. 943.22, F.S.; providing that salary incentive payments are not available for training completed pursuant to such penalties; amending s. 943.25, F.S., relating to local funding of criminal justice training; providing for local agency approval for expenditure of funds for such training; providing an effective date.

—a companion measure, was substituted for SB 343 and by two-thirds vote read the second time by title. On motion by Senator Johnson, by two-thirds vote CS for HB 323 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 396—A bill to be entitled An act relating to emergency telephone service, repealing section 2 of chapter 85-317, Laws of Florida, which schedules a provision establishing a fee to fund emergency telephone service for repeal effective December 31, 1988; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote SB 396 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Hill	Kiser	Peterson	Weinstein
Hollingsworth	Langley	Plummer	Weinstock
Jenne	Malchon	Scott	Woodson
Jennings	Margolis	Stuart	
Johnson	Meek	Thomas	
Kirkpatrick	Myers	Thurman	

Nays—None

On motion by Senator Beard, by two-thirds vote CS for HB 36 was withdrawn from the Committee on Transportation.

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

CS for HB 36—A bill to be entitled An act relating to traffic infractions; amending s. 318.14, F.S.; revising statute references with respect to noncriminal traffic infractions to include penalties for driving with a drivers' license which has expired within a certain time period; amending ss. 318.18 and 322.03, F.S.; conforming to the act; creating s. 322.065, F.S.; providing penalties for any person whose drivers' license has expired within a certain time period; amending ss. 318.18, 322.27, F.S.; reducing certain penalties for violation of state bicycle regulations; providing an effective date.

—a companion measure, was substituted for SB 436 and by two-thirds vote read the second time by title. On motion by Senator Beard, by two-thirds vote CS for HB 36 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 535—A bill to be entitled An act relating to the Florida Industrial Development Financing Act; amending s. 159.27, F.S.; expanding the definition of "project" to include social service centers; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote SB 535 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 549—A bill to be entitled An act relating to garnishment; creating s. 77.0305, F.S.; requiring the court under certain circumstances to subject a portion of the salary or wages of a judgment debtor to a continuing writ of garnishment; authorizing deductions from the salary or wages to pay administrative costs incurred by the employer in complying with the continuing writ of garnishment; amending s. 77.055, F.S.; providing for notice to defendant in garnishment action; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote CS for SB 549 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Jenne

On motion by Senator Johnson, by two-thirds vote HB 635 was withdrawn from the Committee on Judiciary-Criminal.

On motion by Senator Johnson—

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

—a companion measure, was substituted for SB 580 and read the second time by title. On motion by Senator Johnson, by two-thirds vote HB 635 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Jenne, Plummer

SB 774—A bill to be entitled An act relating to antifouling paints; providing definitions; providing restrictions on the use of paints containing organotin compounds; specifying duties of the Department of Agriculture and Consumer Services with respect to such paints; providing exceptions; restricting sale or purchase of organotin compounds; establishing an education program; providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator Brown, by two-thirds vote SB 774 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Jenne

Consideration of **SB 168** was deferred.

HB 115—A bill to be entitled An act relating to motorcycle riders; amending s. 316.211, F.S.; exempting persons of a specified age from certain safety equipment requirements; amending s. 316.304, F.S.; providing for consideration of evidence of failure to wear protective headgear; removing certain requirements for persons wearing headsets while operating motorcycles; providing an effective date.

—having been considered April 26, was taken up with pending Amendment 2 which was adopted.

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

Amendment 3—In title, on page 1, line 9, following the semicolon (;) insert: requiring certain motorcycle riders to obtain personal injury protection insurance;

On motion by Senator Meek, by two-thirds vote HB 115 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—24

Mr. President	Deratany	Hill	Myers
Barron	Dudley	Hollingsworth	Peterson
Beard	Frank	Kiser	Plummer
Childers, D.	Girardeau	Langley	Scott
Childers, W. D.	Grant	McPherson	Thomas
Crenshaw	Hair	Meek	Thurman

Nays—12

Brown	Grizzle	Malchon	Weinstein
Crawford	Jenne	Margolis	Weinstock
Gordon	Johnson	Stuart	Woodson

Vote after roll call:

Yea—Jennings

Yea to Nay—D. Childers

SB 1057—A bill to be entitled An act relating to periodic legislative review programs; repealing s. 11.61, F.S., the Regulatory Sunset Act, which provides for legislative review of regulatory functions, effective October 1, 1992; repealing s. 11.611, F.S., the Sundown Act, which provides for legislative review of advisory bodies, commissions, and boards of trustees adjunct to executive agencies, effective October 1, 1992; providing for legislative review of said sections in advance of that date; prescribing criteria for such review; providing an effective date.

—was read the second time by title. On motion by Senator Kiser, by two-thirds vote SB 1057 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

SB 168—A bill to be entitled An act relating to membership campgrounds; creating the Florida Membership Campground Act; providing definitions; requiring a contract for the purchase of the right to use campgrounds and facilities pursuant to a membership camping plan; providing that a contract may be canceled within a specified time period; requiring that certain disclosures must appear on the contract; requiring certain deposits to be held in a trust account for a specified time period; providing penalties; providing restrictions on advertising materials; providing requirements for prize and gift promotional offers; providing for purchasers' remedies; providing criminal penalties; providing that a violation of the act is a deceptive and unfair trade practice; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote SB 168 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Motion

On motions by Senator Barron, the Special Order Calendar Subcommittee was granted permission to meet upon adjournment for the purpose of setting the special order calendar for Wednesday, May 11; and Rule 4.17, requiring publication of the special order calendar for two legislative days, was waived.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Deratany, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to consider SB 24 this day.

On motions by Senator D. Childers, by two-thirds vote House Bills 173, 174, 177, 178, 179, 180, 351 and 352 were withdrawn from the Committee on Education.

On motions by Senator Myers, by two-thirds vote SJR 1172 and CS for SB 1221 were withdrawn from the Committee on Health and Rehabilitative Services.

On motions by Senator Scott, by two-thirds vote CS for SB 359, CS for CS for SB 399, CS for SB 425, CS for SB 481, CS for SB 551, CS for SB 767, Senate Bills 778, 807, 890, 927 and CS for SB 1215 were withdrawn from the Committee on Appropriations.

Recess

On motion by Senator Barron, the Senate recessed at 10:33 a.m. awaiting the call of the President.

Call to Order

The Senate was called to order by the President at 10:43 a.m.

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

The President requested that former Senate Presidents Hodges, Horne and Lewis join him at the rostrum.

Senate Reunion

The following former members of the Senate in attendance for the 1988 Senate Reunion were welcomed by the President:

Tom Adams, Dick Anderson, Lynwood Arnold, William D. Barrow, C. W. (Bill) Beaufort, Ralph Blank, Jr., John R. Broxson, J. Emory Cross, C. Welborn Daniel, George C. Dayton, Edgar M. Dunn, Jr., George Firestone, Thomas M. Gallen, Jim Glisson, Edmond J. Gong, Bill Gorman, Ben Hill Griffin, Bill Gunter, Horry Hair, Warren S. Henderson, Cliff Herrell, Randolph Hodges, Mallory E. Horne, Beth Johnson, Thomas H. Johnson, Joe Johnston, David C. Lane, Philip Lewis, Hal Y. Maines, Franklin B. Mann, John M. McCarty, David H. McClain, Woodrow Melvin, Kenneth M. Myers, T. Truett Ott, Kenneth A. Plante, John S. Rawls, Gerald S. (Jerry) Rehm, Houston W. Roberts, J. Slater Smith, Paul B. Steinberg, Russell E. Sykes, Dave Thomas, Jon Thomas, John T. Ware.

The following special guests were also welcomed:

LeRoy Adkison, former Sergeant at Arms
 Tommy Burns and Leila Cofield, former Senate staff
 Mrs. Margie Johnson and Sandra Johnson, widow and daughter of Senator Dewey M. Johnson
 Mrs. A. G. McArthur, widow of Senator A. G. McArthur
 Mrs. Gwen Mathews, widow of Senator John E. Mathews, Jr.
 Allen Morris, Historian and former Clerk of the House of Representatives.

On motion by Senator Barron, the following remarks were published in the journal:

Mr. President: Senators, I don't really believe this is the last time we will ever hear from Warren Henderson, but anyway, he has permission to give his farewell address. Senator Henderson, you are recognized.

Senator Henderson: Mr. President, I would like to report that I became a paid lobbyist after I put in my two years in purgatory and my son and I were in business together. We did so well that he moved to New Hampshire and I retired. When I start needing money again, I am going to try it again—if Cliff Herrell will have me. Thanks to Cliff Herrell it was a very successful year.

You know, when a lot of us came into the Legislature, we were worried to death about gun laws, what was going to destroy the environment, and whether or not there was enough money to pay for the education of our kids. I see there hasn't been a darn thing changed since we got here or left.

I thank you, the members of the Senate who are seated now, for the privilege of being back here and I know that I speak for all of our brothers and sisters. I hope that you who are members of the Senate will come to the luncheon today. I look forward to it. Thank you very much.

Mr. President: Thank you, Senator. Those of us who are now sitting in the Senate know that Senator Barron celebrated his 150th birthday last week. We would ask him if he would like to make any remarks.

Senator Barron: With great reluctance, Mr. President, the only thing I know to say about that is what Wig Barrow used to tell us here about the Amish couple who were riding along one Sunday on one of those buggies they ride around in. They rode and didn't talk for a long time as they do, unlike Senators, and finally the man said to the lady, "Would you marry me, Olga?" And she said, "Yes, Ollie," and then they rode another thirty minutes and nobody said anything and she said, "Say something, Ollie," and he said, "I think I have said enough already."

Due to total fear of what is going to be said later and in light of the fact that I am the only Senator now serving who served with Jack Mathews, and must speak on that subject later, I think I have said enough and will wait to hear from Wig Barrow with great trepidation.

Mr. President: Thank you, Senator. We are all waiting with baited breath for Wig Barrow to tell us about his marital status, which we understand might be about to change, and Senator Barrow, you now have the opportunity to tell the world.

Senator Barrow: It ain't the world that I'm worried about; it is my fiancée, Nena Cheek. I know that perhaps you are wondering, Senators, why Nena is not here today. It may come as a surprise to you, and I will have to be very careful with my earthy choice of West Florida language as to how I handle this ticklish situation. But fools rush in as I have so many times in the past. Nena and I took three years in our relationship to establish to our satisfaction and the satisfaction of those around us that we would have a successful, what we call a "hallelujah chorus" marriage. That's forever and ever, like the eternity we prayed about in the prayer.

Our wedding will be held down at Seaside, on the beach. Mom asked if she should wear her 60-year-old total dress bathing suit or her more recent 1960 vintage bikini. I told her that since Nena and I are being married in the buff, whatever she wanted to wear was all right with me. With that understanding, ladies and gentlemen of Florida and my good friends, Senators, present, past and future, you are all invited to the wedding. Just don't worry about your state of dress. Thank you.

Mr. President: Senators, one of the Senate Presidents we have back with us today was Senate President when I was a freshman, and he was very good to me. He is back here today and we want to ask him to defend his absence and make any other remarks he might want to make—former Senate President Mallory Horne.

Senator Horne: Believe me, it is nice to be back. Mr. President, distinguished Senators and my former colleagues, it scared the devil out of me when the President asked Wig Barrow to tell the world anything. Wig came to our delegation, which consisted of Dempsey and me, as a legislative upstart. Dempsey and I at that time had about 12 or 13 years' legislative experience each. Wig promptly called a delegation meeting and invited some public officials from his county. Wig was gnashing his teeth and wringing his hands when we walked in about five or six minutes late.

He jumped up and said, "Time is life's most priceless commodity and I thank you, Senators, to be on time from now on," and walked out of the meeting. It was an exciting part of all of our lives that dealt with him.

I know you sitting Senators in the next few weeks will wonder a hundred times why you serve in the Senate and will wish that you were out of it, but I think as you pass time with us today, you will realize that some day you will look back on it as the happiest, most thrilling and fulfilling moments of your life. And that is why we come back—to see Ben Hill Griffin who walked up and down these halls and plowed a deep furrow; Ken Plante, a great parliamentarian; Welborn Daniel, who left me at the wrong time; and Warren Henderson who probably created this moment for all of us. We are also here to tell you that we are proud of you as sitting Senators. We paved the way to make it a little easier for you. When most of us started, we didn't even have printed bills.

We are also here to mourn one of the greatest of all of ours, and we appreciate your taking time to pay tribute to Jack Mathews. His service to us is a monument of what all of this is about. And I've missed being here a few years. I was in a little battle, as you know. It took me a little while to get over that, but to come back and pay tribute to Jack Mathews is worth the fear of the trek.

Mr. President, I am proud to have served this body as President, I'm proud to be with you, I'm proud of the Senate, and I treasure my old friends who walked this way with me. Thank you.

John E. Mathews, Jr., Memorial Resolution

On motion by Senator Barron, by two-thirds vote SR 1397 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Barron—

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

WHEREAS, Senator John E. "Jack" Mathews, Jr., former President of the Florida Senate, died January 7, 1988, and

WHEREAS, Senator Mathews achieved high personal goals and, simultaneously, helped promote fairness and professionalism in state government, and

WHEREAS, the list of Senator Mathews' achievements during a relatively short career in public life is exceeded only by the praise that has been bestowed on him for his uncompromising honesty, diligence, and generosity, NOW, THEREFORE,

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

That this resolution be inscribed upon the Journal of the Senate of the State of Florida—

IN MEMORIAM JOHN E. "JACK" MATHEWS, JR. FIFTY-SECOND PRESIDENT OF THE FLORIDA SENATE

—who was born on June 20, 1920, in Jacksonville, Florida. Early in life, he showed great promise of success, by winning the American Legion Medal as the outstanding boy student at John Gorrie Junior High School and by becoming valedictorian of his 1938 graduating class at Robert E. Lee High School in Jacksonville.

A graduate of Emory University and of Harvard Law School, from which he received his L.L.B. degree in 1948, he earned a Phi Beta Kappa key and was president of the student body, president of Sigma Chi fraternity and of Omicron Delta Kappa honorary fraternity, chairman of Honor Council, an outstanding intercollegiate debater, and a member of the Lincoln's Inn Society, Root Law Club, and Phi Alpha Delta.

During World War II, he also distinguished himself, by serving on the destroyer USS Kidd in eight major battles in the Pacific Theatre of Operations and by winning a Bronze Medal.

Senator Mathews started his law practice in 1948 and became a member of the House of Representatives in 1956. Subsequently, he followed in the footsteps of his father, John E. Mathews, Sr., by serving in both the House of Representatives and the Senate.

While he was a legislator, he accomplished many feats. One of his greatest achievements was helping to resolve the problems that followed the United States Supreme Court mandate of "one person, one vote." Senator Mathews also was chairman of the Constitutional Amendments

Committee in 1963 and 1965. In addition, he presided over the Senate in 1969 when it passed the first meaningful governmental reorganization act for this state, and he was instrumental in passing legislation to reform the bond-buying practices of the state.

Recognition for his performance in the Legislature came in the form of many awards. Those honors included, in part: "Most Promising Freshman," 1957; "Most Effective in Committee," 1959; "Most Effective in Debate," 1961, 1965, and 1967; the Good Government Award by the Jacksonville and Florida Chambers of Commerce; and "Most Outstanding Member of the Senate," the St. Petersburg Times Award for 1967.

Senator Mathews twice offered himself as a candidate for Governor. As his hometown newspaper, the Florida Times-Union, expressed it in an editorial dated January 10, 1988:

"No man ever wanted more to be governor of the state of Florida, yet he didn't want it enough to lie for it.

"I have never made a no-new-taxes pledge," he said in response to a question during his second gubernatorial try in 1969, "and I think to make one would be fooling the people. There's never been a governor who was able to keep it."

After Reubin Askew won the Democratic nomination for governor, Senator Mathews graciously helped him win the election, and, later, he gave Governor Askew advice or assistance on request.

In his personal life, Senator Mathews enjoyed good fortune and great misfortune. He was blessed with a fine wife, the former Gwendolyn Howard, and four children, Josiah Game, Kimball Irene, Barbara Alice, and John E., III. As well as leaving a fine legacy of improvements to the state, he contributed substantially to the City of Jacksonville, by helping to create the University of North Florida and Florida Community College at Jacksonville to bring about consolidated city-county government, to establish the Jacksonville Port Authority, to create a hospital authority, and to build University Hospital.

Senator Mathews' achievements and his character have left a lasting impression, worthy of respect and emulation.

BE IT FURTHER RESOLVED that copies of this resolution, with the seal of the Senate affixed, be presented to Gwendolyn Howard Mathews, Josiah Game Mathews, Kimball Irene Mathews, Barbara Alice Mathews Trescott, and John E. Mathews, III.

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

All Senators were recorded as co-introducers of SR 1397.

The President introduced the following members of Senator Mathews' family who were seated in the chamber:

Mrs. Gwen Mathews, his wife; Josiah, John III and Kimball, sons and daughter; Daniel and Barbara Mathews Trescott, son-in-law and daughter; and Josiah, John and Allison, his grandchildren.

The Secretary introduced the following friends of Senator and Mrs. Mathews who were seated in the chamber and gallery:

Justice and Mrs. Raymond Ehrlich, Buddy Jacobs, Curt McCray, Marsha Cantrell, Sam Griffis, Laura Allen, Mary Mathews, James C. Rinaman, John McNatt, Pam Simcoke, Rob Sommers, Mr. and Mrs. Bill Sweisgood, Mr. and Mrs. Hank Drane, Mr. and Mrs. Jim Cobb, DUBY AUSLEY, Bud Williamson, Henry Vinson, Dick Wilson, Jim Apthorp, Lou Ritter, Dick Burroughs and Ed Blackburn.

Senator Barron: Thank you, Mr. President, members of the Senate, Gwen and the children. When I see these Mathews children stand up, I begin to believe that really they were right in that 150-year-old anniversary celebration the other day. They used to run around here in the halls as toddlers, and look back at some of the people seated with the family—Duby Ausley was the staff director of the Rules Committee. Now he is head of the Board of Regents, and even he has aged some. There is no way that those of us who elect to make some remarks can tell you how great a man Jack Mathews was. He was clearly the most qualified person to ever serve in the Florida Legislature.

Welborn Daniel and I came to the House in 1956 with Jack Mathews. He was bright and brilliant then. Ben Hill Griffin was there. Ben Hill was the person who shortened the time of the Legislature by hundreds of hours, in that he passed all the citrus bills every year with one simple motion and without permitting debate.

Jack Mathews typified what a governor of Florida ought to be. And he should have been Governor of Florida.

It was Jack Mathews to whom we all turned for the ultimate knowledge about government, all stages of government. If you wanted to know the answer to any question about legislation and about the government, you didn't have to have it researched if you could find Jack and ask him the question because he had the knowledge. When all lights went out in the Capitol and there was only one light burning at night, you could rest assured that it was Jack Mathews getting us prepared for the next day and that he would be here with whatever we needed to know.

Jack was a happy man. He was always smiling. He had unbounded energy. It is almost as if he lived up all of his life until he was befallen with a terrible disease. I think it is appropriate that we be here today to remember Jack Mathews.

I can't remember when we had so many people come back for the reunion and I'm sure it is because either you knew or suspected, or had some kind of sense that we would gather today to honor Jack Mathews. And it is my great privilege to be here, to say a few words about his memory. And, Gwen, we are glad to have you and the children with us. Thank you.

Senator Hair: Mr. President, Senators and guests. Few, if any, Floridians have accomplished more in government than Jack Mathews. He truly set an example for many young aspiring politicians. I want to say "young like myself," but it is getting hard to say that now. He genuinely was a great man. He was one of those rare individuals in public office whom everyone respected and no one disliked. He was a statesman in the true sense of the word. With a father who served with distinction in the Legislature and on the Florida Supreme Court, he naturally gravitated to law and the Legislature. I might add that he was an excellent lawyer and he was an excellent legislator and lawyer, which is very rare for those who try to pursue both professions.

Although he was named the outstanding freshman House member when he served in the House, it was when he moved to the Senate that he really made his mark. He was a tireless worker, a recognized expert on the constitution and reapportionment. Every honor possible for his colleagues or the press to bestow upon him as a legislator came his way. Had his talents turned to making money, he would have been a millionaire. Instead, he explained, and I quote, "It is more important for me to have the proper framework of government and to insure the type of society my children are going to grow up in than it is for me to make a lot of money."

We cannot account for the tragedy that took his life, but we can give thanks that he passed our way and that he left a valuable indelible impression in legacy on each of us that will never be forgotten.

Senator Barrow: Mr. President, present and former Senators, Gwen and the family, and my family, I want to share Jack Mathews with you, not from the standpoint that these Senators who have spoken share him because I really wasn't that great a statesman. I was a young upstart when I came over here.

Jack Mathews and I, through our fathers, go back to the roots of this state. My father was privileged to serve with his father in the legislature and they were friends. When I came over here to the Florida Senate, I didn't even know who Verle Pope or Mallory Horne was, but I knew who Jack Mathews was because my daddy told me to come over here and find Jack and pay attention. And even though my career was sometimes rocky and tumultuous, as Dempsey has pointed out, if it hadn't been for Jack, I'd have been gone.

As a man, John E. Mathews was a giant of a man, like Verle Pope. I feel most blessed just to get to know those fellows, much less serve with them.

In my life of attempted service to the people, probably the most wonderful thing that ever happened to me was the privilege of service with these two men. I was at Verle's bedside when he wasn't going to be with us much longer. He called me "Wigs." I had to get close because he was so weak. I loved Verle like I loved Jack. He said, "Get with Jack Mathews because he will steer you right and he's the man you've got to listen to now."

Jack Mathews accepted me as a young upstart senator in this chamber without prior House service and knowing my tumultuous incidents and knowing my many shortcomings and recognizing my ignorance. He never erased the smile from his face of warmth and love he shared with me and never one time took me to task for any of that. But Jack Mathews, when

I did something right, was the first man to me, to put his arm around me and make me feel as big as he was because he accepted me, a young upstart, as his peer equal.

Because of my father and Verle's direction, Jack was a second daddy to me away from home.

We lost Jack early and we regret it, but don't you ever have a tear-dimmed eye here today for Jack Mathews. That's one of the greatest, most happy men I've ever known and we should be here in joy and celebration for Jack Mathews. If you share with me the faith in the Judeo-Christian ethic—Jack's here with us now—just like my daddy and the rest of them and if he ain't, there's a mistake somewhere.

You probably didn't know this, but Jack liked a little poetry once in awhile and he and I shared some poems on occasion and I'm going to close with a poem that was one of his favorites. But I want to share this with you in Jack's memory. This is why I'm here today. The poem goes like this:

My Father

"There's a man I'd like to share with you, through life I've called him dad; full forty now and through the years since I was just a lad, for all his life that I have been there, I've never seen him rest. Says idleness is the devil's lot that God in man's work is blessed; no kinder man was ever born; so fair, so sweet and mild; from loving us, all of us, no matter what to his faith just like a child's; but yet that day bad trouble came, when all the others turned to flee; my daddy stood and said, 'I fear no man for what he can do to me.'

"Ah, dad's the greatest outdoors man; he stays close to the earth; he hunted fish with no time plan from the moment of his birth and he never had an enemy."

And this is Jack—listen to this Gwen: He never had an enemy, just a great big wave, a smile and a grin; he knew no hate; he did no one ill and he loved his fellowman, but more than that, Jack believed in God and to serve him at any price and he taught his folks to walk that way, to believe in Jesus Christ. And that's why I'm going to share him now with you and tell you what I've known since just a lad.

The world would be a much better place if we were all more like Jack Mathews, my second daddy.

"L'Envoi" by Rudyard Kipling, another giant of a mountain man, was one of Jack's favorite poems, and I'd like to send him on his way home with these choice words: "When earth's last picture is painted, and the tubes are twisted and dried, When the oldest colors have faded, and the youngest critic has died, we shall rest,..." You and I shall rest. John Mathews will rest. And faith we'll need it. We are going to lie down for an aeon or two until the master of all good workmen puts you and me to work anew and those who were good will be happy. They are going to sit on a golden chair; they are going to splash paints on a ten-league canvas with brushes of comets' hair; and they'll find real saints to draw from—Verle, Jack, Ed Fraser and Paul—and they'll work for an age at a sitting. Listen to that, and like Jack, they'll never be tired at all. And only the Master will praise us and only the Master will blame and no one—listen to this now, it's important—"no one shall work for money and no one shall work for fame; but each for the joy of the working" will paint the things as he sees them, each in his separate star. Why? Because the things of God they are, and Jack Mathews knew that, and I love him. Amen. Thank you.

Senator McCarty: Mr. President, Senators and friends. It is such a great honor to speak to you today of a friend. I'm very hesitant to follow those three distinguished speakers, but so much has been untold about Jack Mathews, that anytime some of us get together we like to visit and think about those days. He was a great outdoorsman; but I think of him mostly as a family man. He was also one of the most brilliant minds and hard-working guys you'll ever run into.

I remember one time we were on a little trip to try to work out reapportionment and those of you who are sitting here now cannot believe the problems then because everything got so fouled up that there wasn't any way to work it out. But Jack was always hanging in there, and Jack was one of the lawyers that represented the Legislature in those days before the Federal Court, and we got it worked out. I've travelled with Jack; I've fished with him; I've argued with him but I've always admired and respected him. After the reapportionment problems and the Federal Court's decisions in 1966, a group of us got together to decide what we

were going to do in the next election because there were going to be some very difficult times ahead of us. I'm not going to call a lot of names, but Senator Pope, of course, was one of those involved. He was named as one that should run. Senator Price was another, and Jack Mathews was another. He was one who wanted to run. I'm not going to keep naming names, but there were six people down there at Sarasota for the legislative weekend. One of the others was a member of the House. To make a long story short, we never got it worked out, and the House member and Jack ran against each other along with some others.

Jack should have been Governor of Florida, but it turned out the two best men in the race ran fifth and sixth because they split all the support. And as a result of that, the next time, four years later, Jack was in the same bind. Another split vote and he didn't make it. Of all the people qualified to lead this great state, John E. "Jack" Mathews, Jr. was one of them.

On behalf of all of us who knew Jack and are here today to honor him, I would say to those of you who didn't know him, that you should make some of his history part of your history because I regret to tell you that with the condition of the world, with the condition of our federal government, and the problems of our state government, if they are not solved in a little bit better way here, we are going to be in a whale of a mess for the future. Jack would not have liked that one bit. Mr. President, I thank you for this chance to speak on behalf of Jack. He was a great friend, a great father, a great man, as everybody has already said, and all of us loved him and miss him very much.

Senator Barron moved that a committee be appointed to escort Mrs. Gwen Mathews to the rostrum. The motion was adopted and the President appointed Senator Barron and former Senators William D. Barrow and John M. McCarty. Mrs. Mathews was presented a copy of the resolution and addressed the Senate as follows:

Mrs. Gwen Mathews: Thank you, Senators. I have some prepared remarks here this morning and I would like to deliver them if I may. I do not have the ability that so many of you do. I just want you to know that Jack Mathews loved being a Senator. He thought that was about the best thing that could ever happen to a person because he wanted the legislation and the thoughts of the people to be delivered, contemplated, voted for the best for Florida. Jack loved Florida. He taught our family to love Florida. We are very, very proud of all of his endeavors, his thoughts. We are very proud of him because he was a wonderful person. He loved life more than anybody I know. I do thank you from the bottom of my heart and also for my children because we are as proud of him as we can possibly be. Thank you very, very much.

Senator Barron: Mr. President, I think this has been a wonderful ceremony, and I move that we spread the entire ceremony on the record so that copies can be sent to all of the members of the family and remain a part of our permanent record because I think it is a piece of history that the people of Florida will want to read about a long time from now.

ENROLLING REPORTS

Senate Bills 261, 330, 962 and CS for SB 421 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 6, 1988.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 5 was corrected and approved.

CO-INTRODUCERS

Senator Woodson—CS for SB 286; Senator Langley—CS for SB 377; Senator Kiser—SCR 928; Senator Kirkpatrick—CS for SB 1021, SJR 1172; Senator Hair—SB 1146; Senators Lehtinen and Hill—SJR 1172

Joe Brown, Secretary

RECESS

On motion by Senator Barron, the Senate recessed at 11:52 a.m. to reconvene at 10:00 a.m., Wednesday, May 11.

SENATE PAGES May 9-13

Corvick N. Bacon, Miami; Irene Andrena Barry, Miami; Shannon Bechtold, Jupiter; Michelle Leigh Campbell, DeFuniak Springs; Kenneth Clanton, Winter Haven; Robert Charles Eastridge, Palm Beach Gardens;

Donna Gievers, Miami; Paige Griffin, Chattahoochee; Robin Grace Kessel, Dade City; Gillian Lyth, Miami; Tashauna L. Mackey, Miami; Jennifer Leigh Miller, DeFuniak Springs; Jason Oliver Nixon, Tampa; Deborah J. Priede, Tampa; Christa Ray, Midway; Kerrie J. Scheff, Tallahassee; Mindy Spang, Orlando