



Journal of the Senate

Number 16

Thursday, May 19, 1988

CALL TO ORDER

The Senate was called to order by the President at 9:00 a.m. A quorum present—35:

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

Excused: Senators D. Childers and Hill

PRAYER

The following prayer was offered by Calvin Goodlett, Senate Reading Clerk:

O Holy Father, whose great and gentle hands uphold these people, renew in us, with your Holy Spirit, a simple life that takes not more than its need; a humble being that demeans not those who stand at loss; and a will to do that which is your purpose and hope for us all. In your holy name we pray. Amen.

REPORTS OF COMMITTEES

The Committee on Commerce recommends a committee substitute for the following: SB 904

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: CS for SB 1192

The Committee on Governmental Operations recommends a committee substitute for the following: SB 628

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 914, SB 1068, SB 1305

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 810

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 a committee substitute for the following: SB 1292

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 967

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: Senate Bills 1158 and 1006

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 1350

The bill with committee substitute attached was 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 1372

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 579

The bill with committee substitute attached was placed on the calendar.

REQUESTS FOR EXTENSION OF TIME

May 19, 1988

The Committee on Appropriations requests an extension of 15 days for consideration of the following: Senate Bills 5, 12, 13, 16, 17, 19, 23, 34, 37, 45, 46, 48, 63, 91, 93, 95, 97, 99, 108, 109, 113, 122, 123, 124, 127, 130, 131, 133, 136, 137, 140, 145, 150, 154, 157, 184, 193, 204, 205, 208, 209, 213, 221, 225, 238, 251, 255, 268, 269, 277, 284, 285, 293, 304, 307, 320, 323, 333, 342, 346, 348, 360, 363, 366, 376, 377, 382, 389, 391, 398, 403, 404, 407, 408, 423, 431, 435, 446, 456, 462, 464, 470, 471, 478, 479, 503, 504, 507, 509, 520, 523, 526, 527, 534, 537, 544, 545, 547, 557, 560, 565, 567, 582, 587, 592, 594, 607, 608, 622, 634, 642, 643, 649, 660, 661, 663, 664, 678, 685, 690, 698, 703, 706, 727, 728, 740, 757, 762, 766, 768, 789, 790, 792, 796, 803, 809, 823, 824, 827, 828, 832, 840, 841, 844, 857, 860, 861, 863, 869, 891, 904, 915, 917, 919, 920, 921, 923, 926, 929, 931, 933, 968, 973, 974, 975, 976, 978, 994, 998, 999, 1000, 1007, 1009, 1039, 1045, 1052, 1054, 1058, 1074, 1101, 1104, 1107, 1128, 1130, 1136, 1137, 1144, 1147, 1164, 1178, 1183, 1190, 1191, 1203, 1205, 1221, 1246, 1257, 1275, 1282, 1288, 1306, 1309, 1314, 1317, 1324, 1327, 1329, 1342, 1343, 1355; House Bills 166, 642

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Governmental Operations and Senator Johnson—

CS for SB 579—A bill to be entitled An act relating to licenses to carry a concealed weapon or firearm; requiring the Department of State to review licensees' files for purposes of revocation; amending s. 790.001, F.S.; redefining the term "machine gun" and defining the term "sterile area" with respect to prohibiting the carrying of concealed weapons or firearms in certain areas; amending s. 790.052, F.S.; redefining the term "officer" for purposes of carrying firearms off-duty; amending s. 790.06, F.S.; providing that machine guns are not concealed weapons or firearms for purposes of licensure; changing eligibility criteria for licensing and revocation purposes; requiring the department to deny a license if the applicant has been found guilty of certain crimes; authorizing the department to revoke or suspend a license if the licensee is found guilty of certain crimes; requiring the department to suspend a license or processing of an application under certain circumstances; providing that a disqualification from licensure on account of certain offenses will expire after a term of years in specified circumstances; providing that a license does not authorize the licensee to carry a concealed weapon or firearm into certain premises; providing penalties; amending s. 790.33, F.S.; revising standards for adoption of waiting period ordinances by counties; providing for severability; providing an effective date.

By the Committee on Governmental Operations and Senators Thomas and Hollingsworth—

CS for SB 628—A bill to be entitled An act relating to state lands; creating s. 253.027, F.S.; creating the Emergency Archaeological Property Acquisition Act of 1988; providing legislative intent; providing a defini-

tion; establishing procedures for emergency archaeological acquisition; providing for segregation of moneys within the Conservation and Recreation Lands Trust Fund; authorizing certain expenditures; providing restrictions; providing procedure for initiation of purchase; providing that property acquired shall be held by the Board of Trustees of the Internal Improvement Trust Fund; authorizing the board to waive or limit appraisals or surveys; authorizing the board to accept a lesser interest in property; authorizing the board to resell lands; providing for disposition of proceeds; providing restrictions; providing duties of the director of the Division of Historical Resources of the Department of State and the Division of State Lands of the Department of Natural Resources; providing severability; providing for liberal construction; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senator D. Childers—

CS for SB 810—A bill to be entitled An act relating to health care for the elderly; establishing the Florida Task Force on Elderly Access to Health Care; providing for policy recommendations; providing for resource groups for the task force; providing for membership; providing for per diem and travel expenses; providing for appropriations; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senator Ros-Lehtinen—

CS for SB 914—A bill to be entitled An act relating to psychiatric hospitals; amending s. 395.101, F.S.; defining the term "psychiatric specialty hospital" for certain purposes; exempting such hospitals from the assessment for public medical assistance, under certain circumstances; providing an effective date.

By the Committee on Governmental Operations and Senator Girardeau—

CS for SB 967—A bill to be entitled An act relating to financial matters; amending s. 18.10, F.S.; authorizing the investment of state funds in commercial paper backed by certain bank letters of credit and in bankers' acceptances issued by certain foreign banks; providing an effective date.

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

CS for SB 1068—A bill to be entitled An act relating to epilepsy; creating ss. 385.207, 385.208, F.S.; providing legislative intent; recognizing epilepsy as a developmental disability and a handicapping condition; providing for a comprehensive program of services for persons with epilepsy; establishing the Epilepsy Services Task Force and providing duties; amending s. 393.063, F.S.; removing epilepsy from the definition of developmental disability and providing a definition of "epilepsy"; providing an appropriation; providing an effective date.

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

CS for SB's 1158 and 1006—A bill to be entitled An act relating to radiation; amending s. 404.056, F.S.; revising provisions relating to land radiation emission standards to provide for environmental radiation standards and programs; providing for coordination of activities related to detection, control, and abatement of radon conducted by state universities by the Board of Regents; requiring the Board of Regents to develop and submit a report and recommendations on radon construction measures and mitigation techniques; establishing the Florida Coordinating Council on Radon Protection; providing council membership, organization, and responsibilities; providing for reimbursement of traveling expenses; creating the Radon Trust Fund to be administered by the Department of Health and Rehabilitative Services; providing for collection of a surcharge on local building permits to fund the trust fund; providing for review and repeal; requiring department certification of certain persons who perform measurements or mitigation of buildings for radon gas or radon progeny; providing fees; requiring reports; providing an exemption from public records law; providing for review and repeal; authorizing inspection of records; providing for denial, suspension, or revocation of certification; providing an administrative fine; directing the department to initiate a public information program; requiring testing of school buildings and certain 24-hour care facilities and day care centers for radon; requiring specified notice on real estate documents; providing rulemaking authority; creating s. 553.98, F.S.; providing for development of building codes for radon-resistant buildings; providing powers and

duties of the Department of Community Affairs; authorizing use of funds from the Radon Trust Fund; precluding certain local ordinances; requiring the Department of Community Affairs to prepare a report and recommendations on implementation of the radon program and the need to preclude certain local ordinances; providing for future repeal of s. 404.056(2), (3), F.S., relating to radon research and the Florida Coordinating Council on Radon Protection; providing for review and repeal; providing appropriations; providing an effective date.

By the Committees on Finance, Taxation and Claims; and Natural Resources and Conservation and Senators Kirkpatrick, Hollingsworth, Weinstock, McPherson and Lehtinen—

CS for CS for SB 1192—A bill to be entitled An act relating to waste management; amending s. 403.701, F.S.; providing a short title; amending s. 403.702, F.S.; providing legislative findings; amending s. 403.703, F.S.; providing definitions; amending s. 403.704, F.S.; revising powers and duties of the Department of Environmental Regulation; amending s. 403.7045, F.S.; providing conforming language; repealing s. 403.705, F.S., relating to the state resource recovery and management program; creating s. 403.7051, F.S., relating to compost standards and applications; amending s. 403.706, F.S.; requiring counties to operate solid waste disposal facilities; prohibiting municipalities from operating such facilities after a specified date unless approved by an interlocal agreement or special act; providing an exception; prohibiting special assessments for the purpose of funding solid waste management services except under certain circumstances; providing for user fees; providing requirements for county recycling programs; providing that local governments not in compliance with the act are ineligible for certain revenue sharing moneys; allowing local governments to impose certain conditions on an occupational license; amending s. 403.7065, F.S.; revising procurement requirements for state agencies; creating s. 403.7066, F.S., relating to the use of compost by state agencies; amending s. 403.707, F.S.; revising permitting requirements for solid waste management facilities; prohibiting local governments from discriminating against privately owned solid waste management facilities; amending s. 403.7075, F.S.; providing conforming language; amending s. 403.708, F.S.; providing prohibitions relating to the disposal of solid waste; providing prohibitions relating to the sale of certain beverage and food containers; providing a penalty; providing for retail trade-ins of lead-acid batteries; creating s. 403.7085, F.S., relating to the disposal of animal parts, fats, byproducts, waste products, and vegetable oils disposal; creating the Solid Waste Management Trust Fund within the department; providing for the use of the fund; amending s. 403.709, F.S.; providing for grant programs to be developed by the department; providing requirements for the selection of grant recipients; providing for the funding of grants; amending s. 403.712, F.S.; providing for the use of revenues from certain bonds; amending s. 403.713, F.S.; revising certain prohibitions relating to the transport of solid waste; amending s. 403.714, F.S.; providing for recycling programs within certain state agencies; providing for demonstration projects at the Department of Agriculture and Consumer Services and the Department of Environmental Regulation; requiring the legislative and executive offices to institute a recycling program; amending ss. 403.715, 403.721, 403.722, 403.723, 403.724, 403.725, 403.727, 403.73, F.S.; providing conforming language; amending s. 403.7221, F.S.; providing for research, development, and demonstration permits for solid waste management facilities; amending s. 403.7265, F.S.; specifying date by which the decision regarding the assessment and location of a multipurpose hazardous waste facility site must be completed; providing for regional hazardous waste collection centers; amending s. 403.75, F.S.; providing definitions relating to public used oil recycling; amending s. 403.751, F.S.; providing additional prohibitions; amending s. 403.753, F.S.; authorizing state agencies and local governments to procure certain recycled oil products; amending s. 403.754, F.S.; revising registration requirements for used oil collection facilities; amending ss. 403.756, 403.758, 403.759, F.S.; providing conforming language; amending s. 403.757, F.S.; providing additional duties for certain state agencies in promoting the use of recycled oil; creating s. 403.760, F.S.; providing requirements for public used oil collection facilities; providing for immunity from liability for the owner or operator of a used oil collection center under certain circumstances; creating ss. 403.7601, 403.7602, F.S.; providing for the department to establish an incentive program and administer a grant program to encourage the collection, reuse, and disposal of used oil; requiring a report; creating ss. 403.761, 403.762, 403.763, F.S.; providing requirements for persons who transport or recycle used oil; repealing s. 403.8055(4), F.S., relating to the repeal of department rules; requiring the department to require training programs for operators of solid waste landfills, coordinators of recycling programs, and other solid waste management facilities; requiring owners

and operators of landfills to maintain an escrow account to provide funds for the closure of such landfills; providing definitions; providing account requirements; providing for a fee or surcharge or other funding mechanism to ensure the financial resources to close a landfill; authorizing an owner or operator to establish proof of financial responsibility in lieu of escrow account requirements; requiring a permit to collect or process waste tires; providing for waste tire grants; providing a prohibition; requiring persons selling new motor vehicle tires to pay a fee to the Department of Revenue; providing for the deposit of such fee; authorizing the Department of Transportation to contract for certain supplemental litter removal; creating a nonprofit corporation to be funded by voluntary annual assessment of the businesses who are members; providing that both membership in the corporation and the annual assessment shall be based upon the results of a survey of litter from state highways; providing for a board of directors of the corporation; providing board membership; providing powers and duties of the board; amending s. 187.201, F.S.; revising certain policies and goals of the State Comprehensive Plan; amending s. 196.199, F.S.; requiring payment of ad valorem taxes under certain circumstances; amending s. 403.1834, F.S.; providing that certain leasehold interests in property used for multi-purpose hazardous waste treatment facilities are not exempt from ad valorem taxation; creating s. 287.074, F.S.; authorizing the Division of Purchasing of the Department of General Services to review and modify certain specifications to facilitate the purchase of recycled paper and paper products by state agencies; creating s. 336.044, F.S.; requiring the Department of Transportation to review and modify certain specifications to facilitate the use of certain recycled materials; requiring the department to undertake certain demonstration projects and report to the Legislature; requiring the department to establish an anti-litter program; authorizing certain local governments to form regional solid waste management authorities; providing requirements for local government participation; providing for a governing body of the authorities; providing for financing the operations of the authorities; providing the authorities with power of eminent domain; providing for joint liability and obligations of the participating local governments; providing for issuance of revenue bonds; creating s. 381.80, F.S.; authorizing the Department of Health and Rehabilitative Services to regulate the packaging, storage, treatment, and certain disposal of biohazardous waste; providing definitions; providing for rules, enforcement, and penalties; amending s. 395.002, F.S.; redefining the term "solid waste" for the purposes of laws regulating hospitals to include biohazardous waste; amending s. 212.08, F.S.; exempting certain machinery and equipment, related to recycling, from sales tax; amending s. 159.445, F.S.; revising duties of the Florida High Technology Innovation Research and Development Board; amending s. 240.539, F.S.; revising duties of the Florida High Technology and Industry Council; requiring the Board of Regents to coordinate solid and hazardous waste research, training, and service activities; specifying research activities; imposing a fee for the sale of newsprint in the state; requiring such fee to be reported and paid to the Department of Revenue; providing a fee credit for newsprint accepted for recycling purposes; amending s. 377.709, F.S.; revising the advanced funding program for solid waste facilities administered by the Public Service Commission; authorizing the commission to establish rules to exempt solid waste facilities operated by, or on behalf of, a local government from certain risk considerations used in setting rates; providing an advance disposal fee program; providing for repeal and future review of such program; providing for deposits on containers; providing definitions; prescribing procedures for payment and refund of deposits; providing for notification of refundability; providing for establishment of redemption centers; providing for rules; requiring the distribution of certain information; prescribing penalties; limiting the effect on local governmental authority; providing for appointment of a Solid Waste Management Advisory Council; amending s. 212.12, F.S.; altering certain allowances for the collection of taxes; amending s. 212.18, F.S.; requiring an annual registration fee; creating s. 212.237, F.S.; providing for the deposit of certain tax collections in the Solid Waste Management Trust Fund; amending s. 403.413, F.S., the Florida Litter Law of 1971; providing definitions; prohibiting specified acts; providing penalties; amending s. 322.27, F.S.; providing for driver's license points to be assessed for violation of specified provisions of the Florida Litter Law; providing appropriations; creating the Applications Demonstration Center for Resource Recovery from Solid Organic Materials, and prescribing its duties; creating an advisory council for the center; amending s. 197.102, F.S.; amending and providing definitions; amending s. 197.322, F.S.; specifying requirements for ad valorem and non-ad valorem tax rolls; amending s. 197.363, F.S.; providing for collection of special assessments; creating s. 197.3631, F.S.; providing for non-ad valorem assessments; creating s. 197.3632, F.S.; providing definitions; specifying a method for levy, collection, and enforcement of

special assessments; creating s. 197.3635, F.S.; providing for a combined notice of ad valorem taxes and non-ad valorem assessments; transferring s. 203.10, F.S., to s. 403.7215, F.S.; providing appropriations; providing an effective date.

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

CS for SB 1292—A bill to be entitled An act relating to teenage pregnancy; creating s. 154.0105, F.S.; providing for case management for pregnant and parenting teenagers; providing for contents and implementation of a plan for services; authorizing contracts through county public health units; providing duties of the county public health unit or contracting entity; providing duties of the Department of Health and Rehabilitative Services; amending s. 230.2316, F.S.; redefining "teenage parent programs"; providing additional program criteria; providing for funding and interagency cooperation and recommendations for child care services for teenage parents; amending s. 232.01, F.S.; modifying an exception to compulsory school attendance requirements; providing for attendance at alternative or adult education programs; amending s. 232.06, F.S.; modifying the child care exemption from compulsory school attendance requirements; amending s. 409.029, F.S.; providing for case management for certain pregnant and parenting teenagers under the Florida Employment Opportunity Act; providing for program monitoring and reports; providing for a media campaign; providing severability; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senator Ros-Lehtinen—

CS for SB 1305—A bill to be entitled An act relating to Medicaid; amending s. 409.266, F.S.; providing that nursing home care provided pursuant to state medical assistance statutes shall include payment for personal laundry services; providing a limitation; requiring the Department of Health and Rehabilitative Services to reimburse nursing homes for the cost of certain charges; providing an effective date.

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

CS for SB 1350—A bill to be entitled An act relating to marriage and the family unit; creating the Task Force on the Future of the Florida Family to study current laws relating thereto; providing for membership, duties, and operations of the task force; providing for appointment of advisory persons and groups; providing for utilization of staff and resources of the Governor's Office and other executive agencies and for cooperation and consultation with legislative staff; providing for repeal; providing an appropriation; providing an effective date.

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

CS for SB 1372—A bill to be entitled An act relating to developmental disabilities; amending s. 27.51, F.S., relating to duties of public defenders with respect to involuntary placement of persons with developmental disabilities; amending ss. 381.702, 381.715, 393.062, 393.0675, 393.0678, 393.21, 402.22, 948.031, F.S.; modifying language with respect to retardation and developmental disabilities; creating ss. 385.207, 385.208, F.S.; recognizing epilepsy as a developmental disability and a handicapping condition; providing for a comprehensive program of services for persons with epilepsy; establishing the Epilepsy Services Task Force and providing duties; amending s. 393.001, F.S.; providing for independence and administrative operation of the Florida Developmental Disabilities Council; modifying membership; amending s. 393.061, F.S.; changing title of the "Retardation Prevention and Community Services Act"; amending s. 393.063, F.S.; modifying definitions and providing new definitions; amending ss. 393.064, 393.20, F.S.; providing for planning and implementation of programs for prevention, amelioration, correction, or cure of developmental disabilities; requiring certain prevention services; creating s. 393.0641, F.S.; establishing a program for the prevention and treatment of severe self-injurious behavior; amending s. 393.065, F.S., and creating s. 393.0651, F.S., modifying procedures with respect to application for services and habilitation plans; providing for emergency services; providing for case management and client advocates; revising placement preferences; amending s. 393.066, F.S.; requiring consistent availability and eligibility for community-based services; revising content of such services; deleting language relating to certain Department of Health and Rehabilitative Services responsibility for services; amending s. 393.067, F.S.; providing for standards, inspection, and review of licensed residential facilities; prohibiting unlicensed facilities from

receiving state funds; excluding certain nonpublic educational facilities from mandatory licensure; requiring registration of such facilities; providing conditions for enforcement of violations; providing penalties; amending s. 393.068, F.S.; establishing a family care program; providing program contents; deleting provisions relating to a demonstration project; creating s. 393.075, F.S.; requiring the Division of Risk Management of the Department of Insurance to provide liability insurance to owners and operators of certain foster care or group home facilities; amending s. 393.11, F.S.; revising procedures for involuntary admission to residential services; amending s. 393.115, F.S.; modifying procedures with respect to continuing residential services beyond age 18; amending s. 393.12, F.S.; revising provisions relating to competency and procedures for appointment of a guardian advocate or guardian; prohibiting charges against the department; amending s. 393.122, F.S.; deleting obsolete language; deleting language relating to certain department responsibility for services; creating s. 393.125, F.S.; providing rights to appeal certain decisions; amending s. 393.13, F.S.; providing rights of persons with developmental disabilities; modifying client rights; providing for a system for the oversight of behavioral programs; providing liability for violations; requiring quarterly district reports; amending s. 393.14, F.S.; providing for biennial reports to the Legislature regarding the department's multiyear implementation plan; modifying plan contents; amending s. 393.15, F.S.; providing for community-based foster home, group home, and developmental training facilities; changing name of the "Group-Living Home Trust Fund"; authorizing inclusion of certain staff training in costs of development; authorizing certain department grants for firesafety renovation; providing for rules for certain allocation of funds; amending s. 393.16, F.S.; modifying capacity of residential intermediate care facilities; creating s. 393.17, F.S.; providing for certification with respect to oversight of behavioral programs for developmentally disabled persons; providing for fees; creating s. 393.22, F.S.; restricting certain transfer of appropriations; providing for elimination of certain barriers to services; requiring a report to the Legislature; providing for the ongoing financial commitment to certain programs; amending and renumbering s. 413.50, F.S.; providing for an extended employment program; creating s. 393.501, F.S.; providing for rules; amending s. 916.13, F.S.; correcting a cross-reference; repealing ss. 413.501, 413.502, 413.503, 413.504, F.S., relating to rehabilitation workshop facilities for developmentally disabled persons; providing effective dates.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Scott, by two-thirds vote Senate Bills 499 and 1195, CS for SB 90, CS for SB 143 and CS for SB 239 were withdrawn from the Committee on Appropriations.

On motion by Senator Stuart, the rules were waived and the Select Subcommittee on Claims Bills was granted permission to meet this day from 1:00 p.m. until 1:30 p.m. to consider SB 189.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State Senate Bills 10, 214, 328, 384 and CS for SB 309, which he approved on May 18, 1988.

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 CS for HB 1015; has passed as amended HB 654, CS for HB 925, House Bills 1701, 1702; has adopted HCR 1398; has passed as amended by the required Constitutional three-fifths vote of the membership of the House HJR 1610 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Regulatory Reform and Representative Harris—

CS for HB 1015—A bill to be entitled An act relating to physician assistants; amending s. 154.04, F.S., relating to duties of certain personnel of public health units; adding duties of certified physician assistants and certified osteopathic physician assistants; amending s. 395.011, F.S.; providing for clinical privileges for physician assistants and osteopathic physician assistants; amending ss. 458.347 and 459.022, F.S.; providing technical changes; authorizing reimbursement by third-party payers; authorizing grant of hospital privileges; providing certain certification

requirements; providing for notification of board; providing for specified delegation of physician authority to assistant; amending s. 458.348, F.S.; providing for certain formal supervisory relationships; providing an effective date.

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

By Representative Rush—

HB 654—A bill to be entitled An act relating to corporations; amending s. 607.109, F.S., which provides requirements with respect to control-share acquisitions; specifying that certain persons shall not be deemed to be part of a "group" or to be an "acquiring person" for purposes of such requirements; amending s. 660.41, F.S., relating to certain prohibited fiduciary functions of corporations; revising language relating to corporations as transfer agents; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Education, K-12 and Representative Reaves—

CS for HB 925—A bill to be entitled An act relating to the district school system; creating s. 232.2452, F.S.; encouraging school districts to establish report card pick-up days; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Appropriations and Representative Bell—

HB 1701—A bill to be entitled An act relating to implementing the fiscal year 1988-1989 General Appropriations Act; providing legislative intent; authorizing the Administration Commission to approve certain transfers related to reorganization; providing restrictions concerning advances for programs start-up or contracted services; prescribing powers of the Guardian Ad Litem Program; requiring state attorneys and public defenders to submit a report of certain expenditures; directing the Capital Collateral Representative to seek reimbursement when representing indigent persons; abolishing the trust funds of certain agencies and providing for transfer of moneys therein; reviving certain trust funds scheduled for repeal; authorizing the Board of Regents to construct certain facilities from non-PECO sources; authorizing the Board of Regents to construct a facility at the University of West Florida from grant overhead funds; providing for funding of operation; authorizing the Board of Regents to expend certain settlement funds to construct a facility for the Solar Energy Center; authorizing the Board of Regents to construct a single student apartment facility at the University of Florida; providing for funding; authorizing certain utilization of funds by the Union County School Board; authorizing certain utilization of funds by the Hendry County School Board; providing a retroactive effective date and an expiration date.

—was referred to the Committee on Appropriations.

By the Committee on Appropriations and Representative Bell—

HB 1702—A bill to be entitled An act relating to conforming statutes to the fiscal year 1988-1989 General Appropriations Act; providing legislative intent; providing for the advance of funds in any specific appropriation under certain conditions; authorizing the Department of Transportation to advance funds for certain airports; authorizing district deputy assistant secretaries in the Department of Transportation to transfer resources between budget entities; authorizing payment of salaries and benefits in the Division of Motor Vehicles from the Motor Vehicle License Plate Replacement Trust Fund; providing duties with respect to the 5-Year Transportation Plan for certain counties; authorizing funding for renovation of the Monroe Center Recreational Center without project sponsor matching funds; extending the transfer of certain funds within the Department of State; requiring budget entities to meet certain approved annual salary rate restrictions; providing procedures for state agencies with respect to solicitation for contractual training needs; providing for transfer to the General Revenue Fund of certain first proceeds deposited into the State Infrastructure Fund; modifying procedures for determining annual allocations to school districts; providing for the establishment of enrollment ceilings by program groups; providing procedures to be used in determining annual allocations through the Florida Education Finance Program; authorizing a transfer of funds to purchase telecommunications devices for the hearing impaired; authorizing the Florida Public Service Commission to temporarily utilize funds from the Florida Energy Trust Fund for certain purposes; providing for repayment; appropriating certain unencumbered funds to the Florida Council

on Asian Affairs; extending expiration date of provisions authorizing the Board of Regents to make certain improvements or renovations at Florida State University; revising and reallocating certain project appropriations for the University of South Florida; providing that certain unexpended funds carried forward from university budgets shall be used primarily for correction of fire code violations; authorizing use of certain funds for certain conversion of the Trade Center Building at Florida International University; authorizing universities to match funds in the Trust Fund for Major Gifts; increasing application fees for notaries public; providing a retroactive effective date and an expiration date.

—was referred to the Committee on Appropriations.

By Representatives Metcalf and Wallace—

HCR 1398—A concurrent resolution designating “Mental Illness Awareness Week.”

—was referred to the Committee on Rules and Calendar.

By the Committee on Judiciary and Representative Upchurch—

HJR 1610—A joint resolution proposing amendments to Sections 10 and 11 of Article V of the State Constitution relating to terms of office for trial court judges.

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

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1700 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Appropriations and Representative Bell—

HB 1700—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1988, and ending June 30, 1989, to pay salaries, other expenses, capital outlay—buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was referred to the Committee on Appropriations.

On motion by Senator Scott, by two-thirds vote HB 1700 was withdrawn from the Committee on Appropriations.

On motions by Senator Scott, by unanimous consent HB 1700 was taken up out of order and by two-thirds vote read the second time by title.

On motion by Senator Scott, Amendment 1 striking everything after the enacting clause was adopted.

Pursuant to Rule 7.6 the amendment constituted an entirely new bill and was not published in the journal.

Senator Scott moved the following amendment which was adopted:

Amendment 2—In title, on page 1, strike everything before the enacting clause and insert: A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1988, and ending June 30, 1989, to pay salaries, other expenses, capital outlay—buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

On motion by Senator Scott, by two-thirds vote HB 1700 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Childers, W. D.	Grant	Jenne
Barron	Crenshaw	Grizzle	Jennings
Beard	Dudley	Hair	Johnson
Brown	Frank	Hollingsworth	Kirkpatrick

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

Nays—None

Vote after roll call:

Yea—Girardeau, Plummer

On motion by Senator Scott, the rules were waived and **HB 1700** was ordered immediately certified to the House.

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB's 14 and 53, CS for SB 500, CS for SB 573 and SB 1077.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

RECESS

On motion by Senator Barron, the Senate recessed at 9:18 a.m. to reconvene at 1:30 p.m.

CALL TO ORDER

The Senate was called to order by the President at 1:30 p.m. A quorum present—34:

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

Consideration of Resolutions

On motion by Senator Hollingsworth, by two-thirds vote SR 1392 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Hollingsworth—

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

WHEREAS, the Suwannee High School “Bulldogs” football team, under the direction of Head Coach Mike Pittman and his coaching staff, won 11 games and lost only 2 games during the 1987 season, and

WHEREAS, the Suwannee High School “Bulldogs” football team won its district, regional, and sectional championships, and

WHEREAS, the Suwannee High School “Bulldogs” football team won the 1987 class 3A state championship by defeating the Lely High School “Trojans” by the score of 35-7, and

WHEREAS, the 1987 “Bulldogs” football team is the first football team from Suwannee High School to win a state championship, and

WHEREAS, by such achievements, the team has brought honor and recognition to Suwannee High School and to Suwannee County, NOW, THEREFORE,

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

That the Suwannee High School football team, Head Coach Mike Pittman, and the coaching staff be commended for their outstanding accomplishments during the 1987 football season.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the Suwannee High School football team as a tangible token of the appreciation of the Florida Senate.

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

Senator Hollingsworth introduced the following special guests who were seated in the chamber: Mike Pittman, Suwannee High School head coach; Robby Bosserman, Tracy Brown and Jay Jernigan, team captains; and members of the team who were seated in the gallery.

At the request of the President, Senator Hollingsworth escorted the guests to the rostrum where they were presented a copy of the resolution.

On motion by Senator Johnson, by two-thirds vote SR 1390 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Johnson—

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

WHEREAS, Claribel Jett for more than 40 years has artistically portrayed major historical events of this state and many state personalities, and

WHEREAS, former Secretary of State Bruce Smathers commissioned Claribel Jett to paint the portraits of 22 Governors of the state which now hang in The Old Capitol, and

WHEREAS, Claribel Jett has painted the portraits of four State Supreme Court Justices which are a part of the court's permanent collection, and

WHEREAS, Claribel Jett has painted many "Man of the Year" portraits for the Annual Florida Easter Seal Campaign Fund, and

WHEREAS, Claribel Jett has donated on permanent loan to the state many of her paintings of historic buildings, events, and persons and many of these paintings hang in public buildings in Tallahassee, and

WHEREAS, Claribel Jett has been untiring in her efforts to save historic buildings from demolition and has independently furthered the aims and objectives of the state's historic preservation boards, and

WHEREAS, in addition to being an exemplary role model in her artistic and professional life, Claribel Jett was for 50 years the loving wife of the late Robert Septimus Jett, and is the devoted mother of Robert Septimus Jett, II, William Lloyd Jett, and Elizabeth Jett Wyrick, and is the attentive grandmother of seven grandchildren and five great grandchildren, NOW, THEREFORE,

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

That this legislative body recognizes and commends Claribel Brandon Jett for her many years of devotion to the artistic and historic heritage of the state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Claribel Brandon Jett as a tangible token of the esteem of the Florida Senate for her contributions to the State of Florida.

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

Senator Johnson introduced to the Senate Claribel Jett; her son and daughter-in-law, Bob and Charlotte Jett; grandchildren, Robert Jett, III and Debbie Potter; guests, Betts Overstreet and Erna Xan, National League of American Pen Women; President Ann Core and six members of the Tallahassee Woman's Club.

At the request of the President, Senators Johnson, Thomas and Hollingsworth escorted Mrs. Jett to the rostrum where she was presented a copy of the resolution.

Motion

On motion by Senator Barron, Rule 2.6 requiring publication of notice of committee meetings and agenda in the calendar for the legislative day preceding the day of such committee meetings was waived and the Committee on Appropriations was granted permission to meet May 24 at 2:00 p.m.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Brown, by two-thirds vote Senate Bills 681 and 443 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Langley, by two-thirds vote CS for SB 1372 was withdrawn from the Committee on Judiciary-Civil.

On motions by Senator Kirkpatrick, by two-thirds vote Senate Bills 65, 103 and 1044 were withdrawn from the committees of reference and indefinitely postponed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John W. Vogt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 to HB 1700 and requests the Senate to recede, and in the event the Senate refuses to recede, requests a Conference Committee. The Speaker of the House of Representatives has appointed the following Conference Committee:

Subcommittee I: Representatives Gordon, Lippman, Hawkins; Alternates: Tobin, Upchurch.

Subcommittee II: Representatives Carlton, Burnsed, Crotty, Gardner, Silver; Alternates: D. L. Jones, R. C. Johnson, Patchett.

Subcommittee III: Representatives Wetherell, Gustafson, Liberti, Messersmith, Burke; Alternates: B. L. Johnson, Martin and Friedman.

Chairman: Representative Bell.

John B. Phelps, Clerk

On motions by Senator Scott, the Senate refused to recede from Senate amendments to HB 1700 and acceded to the request for a conference committee.

Conferees on HB 1700 Appointed

The President appointed Senators Scott, Beard, Barron, W. D. Childers, Grizzle, Hollingsworth, Kirkpatrick, Margolis, Myers, Peterson, Thomas; and alternates: Senators Grant, Hair, Jennings, Lehtinen and Gordon. The action of the Senate was certified to the House.

ENROLLING REPORTS

CS for SB 606 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 19, 1988.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 18 was corrected and approved as follows:

Page 320, column 2, from bottom, line 25, strike "1868, \$27,000,000" and insert: 277A, \$22,000,000

CO-INTRODUCERS

Senator Brown—SB 315; Senator Malchon—CS for SB 1221

RECESS

Senator Barron moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Wednesday, May 25, at 10:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Barron, the Senate recessed at 1:58 p.m. to reconvene at 10:00 a.m., Wednesday, May 25.