



Journal of the Senate

Number 8

Tuesday, April 25, 1989

CALL TO ORDER

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

Mr. President	Dudley	Kiser	Scott
Bankhead	Forman	Langley	Souto
Beard	Gardner	Malchon	Stuart
Brown	Girardeau	Margolis	Thomas
Bruner	Gordon	McPherson	Thurman
Casas	Grant	Meek	Walker
Childers, D.	Grizzle	Myers	Weinstein
Childers, W. D.	Jennings	Peterson	Weinstock
Davis	Johnson	Plummer	Woodson-Howard
Deratany	Kirkpatrick	Ros-Lehtinen	

PRAYER

The following prayer was offered by the Rev. Rick Lawrence, Pastor, First Baptist Church, Trenton:

Our Father, we stand before your throne as men and women, but we bow before you as children.

Lord, we realize that our people ask from us more than we can give, but we also realize that your resources are without limit. So grant us, dear God, the wisdom of Solomon as we decide, the patience of Job as we wait, the boldness of Elijah as we act, and the compassion of Jesus as we minister to those about us.

And Lord, we especially today, ask you to comfort the families of those who lost young men on the USS Iowa. Their sacrifice allows us the guarantee of freedom to meet in this room today.

For it is in thy name, we pray. Amen.

PLEDGE

Senator Deratany led the Senate in the pledge of allegiance to the flag of the United States of America.

Committee Appointment

The President announced the appointment of Senator Meek to the Committee on Health Care.

Consideration of Resolutions

On motion by Senator Dudley—

By Senators Dudley, Beard, Grant, Woodson-Howard and Scott—

SR 1497—A resolution honoring the valiant men who died in an explosion on the Battleship USS Iowa and recognizing the bravery of that ship's crew.

WHEREAS, it is tragic when men die in the service of their country, and

WHEREAS, the tragedy is especially profound when heroic men unexpectedly die in peacetime, and

WHEREAS, on Wednesday, April 19, 1989, a catastrophic explosion flashed through the No. 2 gun turret of the Battleship USS Iowa and claimed 47 lives, and

WHEREAS, of those valiant dead, four were residents of this state, and

WHEREAS, the crew of the USS Iowa, including men who had escaped from the turret, bravely and selflessly fought to contain the fire and save their mates, and

WHEREAS, it is fitting that we, whose lives and property are made secure by the devotion, dedication, and sacrifice of all these brave sailors, pause to honor them and to express our condolences, NOW, THEREFORE,

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

That the Florida Senate honors the sailors who died on the USS Iowa on April 19, 1989, commends their brave companions, and expresses its condolences to all who grieve, and, in particular, to the families of Ramon Jerel Bradshaw, 19 years old, seaman recruit, of Tampa; Scott Alan Holt, 20 years old, seaman apprentice, of Ft. Myers; Robert Kenneth Morrison, 36 years old, legalman 1st class, of Ft. Lauderdale; and Harold Earl Romine, Jr., 19 years old, gunner's mate 3rd class, of Bradenton.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be forwarded to the families of the four Floridians who died and to the commander of the USS Iowa, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Dudley, SR 1497 was read the second time in full and adopted. The vote on adoption was:

Yeas—37

Mr. President	Forman	Malchon	Stuart
Bankhead	Girardeau	Margolis	Thomas
Beard	Gordon	McPherson	Thurman
Brown	Grant	Meek	Walker
Bruner	Grizzle	Myers	Weinstein
Casas	Jennings	Peterson	Weinstock
Childers, D.	Johnson	Plummer	Woodson-Howard
Childers, W. D.	Kirkpatrick	Ros-Lehtinen	
Deratany	Kiser	Scott	
Dudley	Langley	Souto	

Nays—None

On motion by Senator Grant, the following remarks were printed in the Journal:

Senator Dudley: Thank you, Mr. President and fellow Senators. As you know, on Wednesday of last week 47 young Americans were killed in the service of our country while serving aboard the USS Iowa.

The 46-year-old training ship was on a mission 330 miles northeast of Puerto Rico when this tragedy occurred. Too many times in recent years we have all been reminded of the terrible sacrifices that brave men and women in our armed forces are asked to make so that we as a nation can remain free. They made this sacrifice willingly because they were patriots. But at times of loss the pact of their patriotism which we share with their families today can only tinge our sorrow with a profound sense of pride.

The 47 sailors who died at sea last week, four of whom were Floridians and one, Scott Alan Holt, was from the Senate district I am privileged to represent, are worthy of all the honor this nation can bestow upon them. This morning I'm asking that our State also honor them with this resolution. I hope and pray that we as a people do not forget them. I have faith that as long as we cherish freedom, and we understand the cost that it brings, we will not forget.

Senator Scott: Mr. President, Senators. One of these young men was from Broward County and the other Senators, I know, join me in commemorating them. It reminds me of the ancient inscription on one of the graveyards in Europe after the war which went something like, "Here dead lie we because we did not choose to live and shame the land from which we came; to be sure life is nothing very much to lose, but young

men think it is, and we were young." This young man from Ft. Lauderdale, Robert Kenneth Morrison, his father is quoted as saying, "That Ken was at his battle station where he wanted to be, doing what he wanted to do." Ken loved the Navy. He was a career man going for twenty years, gung ho all the way, and he wanted to be part of the action. And I know that all of you join me in this resolution in commending that kind of service to our country.

On motion by Senator Kirkpatrick—

By Senator Kirkpatrick—

SR 1489—A resolution recognizing, commending, and expressing appreciation to secretaries on the occasion of National Secretaries' Week and National Secretaries' Day.

WHEREAS, an efficient, loyal, and congenial secretary is of immeasurable worth to the success of every employer, and

WHEREAS, the outstanding accomplishments of secretaries, who routinely work under demanding and hectic conditions, all too often go unrecognized, and

WHEREAS, April 24 through April 28, 1989, has been designated National Secretaries' Week, and April 26, 1989, has been set aside as National Secretaries' Day, and

WHEREAS, the members of the Senate desire to recognize and commend the professional services of secretaries and express their appreciation for those services, NOW, THEREFORE,

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

That the Senate hereby recognizes and praises secretaries throughout the state for their outstanding accomplishments and professionalism and hereby expresses its appreciation to them for their dedicated service to the success of their employers.

BE IT FURTHER RESOLVED that special thanks be given to those secretaries, who, with unwavering loyalty and optimistic attitude, inexhaustibly serve the members and staff of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Kirkpatrick, SR 1489 was read the second time in full and adopted.

Special Performance

"The Senate Singers," under the direction of Minnie Bush and accompanied at the piano by Joan Macmillan, sang several selections. Lyrics were by Susan Miller.

Special Guest

The President introduced the Honorable Bob Graham, United States Senator from Florida, who served in the Florida House of Representatives and Senate, was elected Governor in 1978 and re-elected in 1982. Senator Graham addressed the Senate.

On motion by Senator W. D. Childers, by two-thirds vote SR 61 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator W. D. Childers—

SR 61—A resolution commending Jim C. Bailey for his outstanding service to education as a member of the Escambia County School Board.

WHEREAS, due to his concern for the quality of education in Escambia County, Jim C. Bailey has served as a member of the Escambia County School Board for the past 12 years in which time he has consistently voted for improved school sites, enhanced special education programs, and increased funding for dropout prevention, and

WHEREAS, over the years, Jim C. Bailey has had to grapple with controversial issues confronting the board and has done so with an open mind and willingness to listen to the advice of the citizens of Escambia County and its teachers and administrators before voting on the issues, and

WHEREAS, the Florida School Boards Association recognized Jim Bailey's outstanding service by selecting him as one of the seven school board members from the state to serve on the 1988 All Florida School Board, which was established by the association several years ago to honor outstanding service and dedication by school board members, and

WHEREAS, through his diligent efforts on the school board, Jim C. Bailey has improved the quality of education for the young people of Escambia County, NOW, THEREFORE,

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

That Jim C. Bailey is commended for his outstanding service as a member of the Escambia County School Board.

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

—was read the second time in full and adopted.

At the request of the President, Senator W. D. Childers escorted Mr. and Mrs. Bailey to the rostrum where they were presented a copy of the resolution.

On motion by Senator Deratany—

By Senators Deratany and Gardner—

SR 1494—A resolution commending the Florida Institute of Technology for its entry into the Methanol Marathon, a national effort to reduce the pollutants emitted by motor vehicles.

WHEREAS, the continued pollution of the earth's atmosphere poses a serious threat to the survival of all living creatures, and

WHEREAS, it has been determined that an appropriate mix of gasoline and methanol will reduce pollutants emitted by motor vehicles to an acceptable level, as well as relieve our fuel dependency upon foreign petroleum, and

WHEREAS, the State of Florida through the Energy Office of the Governor, the Department of Transportation, the Department of Environmental Regulation, and the Florida Solar Energy Center has been encouraging and supporting research to achieve the desired automotive and fuel conversions, and

WHEREAS, to accelerate this research a Methanol Marathon will start in Detroit, Michigan, on April 28, 1989, and proceed through Canada and finish in Washington, D.C., on May 4, 1989, and

WHEREAS, the Methanol Marathon team from the Florida Institute of Technology is the only participant from Florida and from the entire Southeast to be selected to take part in the Methanol Marathon, and

WHEREAS, this team composed of researcher and advisor, Dr. John Thomas, and student members Doug Hunter, Doug Hahn, Erik Gordon, John Broughton, Jeff Grillo, Carlo O'Keefe, Frank Foster, Jerry McAlwee, Tracy Post, and Vince Warbington, have accomplished the conversion of fuel used in the Chevrolet Corsica from pure gasoline to a prescribed mixture of 15 percent gasoline and 85 percent methanol, and

WHEREAS, this team from the Florida Institute of Technology is now on its way to the start of the Methanol Marathon representing its university, Brevard County, and the State of Florida, NOW, THEREFORE,

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

That the Florida Senate commends the team from the Florida Institute of Technology for its efforts and wishes the team every success for a winning finish in the Methanol Marathon as it represents the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dr. Lynn E. Weaver, President of Florida Institute of Technology, and to Dr. John Thomas, advisor of the marathon team, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Deratany, SR 1494 was read the second time in full and adopted.

At the request of the President, Senators Deratany and Gardner escorted to the rostrum the following: team researcher and advisor, Dr. John Thomas; and team members Doug Hunter, Doug Hahn, Erik Gordon, John Broughton, Jeff Grillo, Carlo O'Keefe, Frank Foster, Jerry McAlwee, Tracy Post and Vince Warbington.

On motion by Senator Souto—

By Senators Souto, Casas and Ros-Lehtinen—

SR 1472—A resolution recognizing April 17th as the day of the Brigada de Asalto 2506 (2506 Light Assault Brigade of the Bay of Pigs Invasion).

WHEREAS, April 17th marks the anniversary of the Bay of Pigs Invasion, and

WHEREAS, more than 2,000 men participated in the operation, and

WHEREAS, more than 200 members of the Brigada died during the Bay of Pigs Invasion, including four American pilots assigned to the Brigada's Air Force, and

WHEREAS, there is a monument at S.W. 8th Street and 13th Avenue in Miami which stands as a tribute to the members of the Brigada de Asalto 2506 (2506 Light Assault Brigade) who died in combat and to freedom fighters the world over, and

WHEREAS, the people of the State of Florida have great sympathy and respect for the patriots of the Brigada de Asalto 2506 (2506 Light Assault Brigade) who participated in the Bay of Pigs Invasion, and

WHEREAS, it is appropriate that the Senate take time out to honor the many brave men of the Brigada de Asalto 2506 (2506 Light Assault Brigade), NOW, THEREFORE,

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

That April 17th is hereby recognized as the day of the Brigada de Asalto 2506 (2506 Light Assault Brigade).

—was introduced out of order and read by title. On motion by Senator Souto, SR 1472 was read the second time in full and adopted.

Special Guests

The President introduced former Senators Tom Adams and Ed Dunn.

On motion by Senator Gardner—

By Senators Gardner, Kirkpatrick and McPherson—

SR 1481—A resolution recognizing April 25, 1989, as Florida Youth Conservation Corps Day.

WHEREAS, the State of Florida is experiencing a population influx and growth exceeding other states of the United States, and

WHEREAS, the State of Florida is experiencing an associated impact on natural and human resources, and

WHEREAS, the State of Florida is experiencing an acute number of its youth who leave school prior to the completion of their secondary level studies and are therefore either unemployed or underemployed, and

WHEREAS, the welfare of the environment is inseparable from the welfare of all living things, and because the impact of our growing population on Florida is now in the hands of our citizens, and

WHEREAS, individuals, communities, and nations have the ability to preserve the natural world by the strength of their thinking, their labor, and their commitment, and

WHEREAS, the Florida Youth Conservation Corps believes that the conservation of youth and natural resources are the vital means of preserving the viability and integrity of Florida, and

WHEREAS, that through Florida's two greatest assets - its youth and its natural resources - conservation efforts create social, economic, and environmental health, NOW, THEREFORE,

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

That the Florida Senate hereby recognizes April 25, 1989, as Florida Youth Conservation Corps Day.

—was introduced out of order and read by title. On motion by Senator Gardner, SR 1481 was read the second time in full and adopted.

On motion by Senator Kirkpatrick—

By Senator Kirkpatrick—

SR 1487—A resolution commending the Florida Association of Realtors and James M. Parrish.

WHEREAS, the rapidly expanding population of this state relies heavily upon the services of the 80,000 members of the Florida Association of Realtors, and

WHEREAS, James M. Parrish, President of Coldwell-Banker/M. M. Parrish and Associates Realtors, is a fourth-generation Florida Realtor and member of the Gainesville Board of Realtors, where he served as president and has served on and chaired several committees, and was recognized in 1980 as Realtor of the Year, and

WHEREAS, James M. Parrish has served the Florida Association of Realtors as District Vice President, Chairman of the Education Committee and on several major committees, and is currently serving as president, and

WHEREAS, James M. Parrish has actively served on several committees of the National Association of Realtors, and

WHEREAS, James M. Parrish is a contributing member of the Gainesville Chamber of Commerce, a past officer of Historic Gainesville, and a member of the University of Florida Real Estate Advisory Board, and

WHEREAS, James M. Parrish is a Past President of the Florida chapter of Certified Commercial Investment Members, the largest chapter in the United States, and

WHEREAS, James M. Parrish has demonstrated the leadership qualities and professional ability that have made the association valuable to this state, NOW, THEREFORE,

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

That the Florida Senate hereby commends the Florida Association of Realtors and James M. Parrish for the services they performed for this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to James M. Parrish as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Kirkpatrick, SR 1487 was read the second time in full and adopted.

At the request of the President, Senator Kirkpatrick escorted Mr. and Mrs. Parrish to the rostrum where Mr. Parrish was presented a copy of the resolution.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, April 25, 1989: SB 694, CS for SB 266, CS for SB 267, CS for SB 612, CS for SB 116, SB 108, SB 242, SB 391, SB 303, SB 152, CS for SB 62, SB 214, SB 447, SB 98, SB 370, CS for SB 422, SB 258, SB 368, SB 211, CS for SB 35, SB 405, SB 428, SB 385, SB 142

Respectfully submitted,
James A. Scott, Chairman

The Committee on Corrections, Probation and Parole recommends the following pass: SB 49, SB 307 with 2 amendments

The Committee on Economic, Professional and Utility Regulation recommends the following pass: SB 922

The Committee on Insurance recommends the following pass: SB 791 with 3 amendments

The Committee on Judiciary-Civil recommends the following pass: SB 273, SB 756 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 440 with 1 amendment

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 528

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

The Committee on Community Affairs recommends the following pass: SB 771

The Committee on Judiciary-Civil recommends the following pass: SB 643

The Committee on Natural Resources and Conservation recommends the following pass: SB 594 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 647 with 1 amendment, SB 706, SB 929, SB 1050

The Committee on Transportation recommends the following pass: SB 406, SB 715

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

The Committee on Insurance recommends the following pass: SB 739

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

The Committee on Insurance recommends the following pass: SB 743 with 1 amendment

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

The Committee on Insurance recommends the following pass: SB 1005

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

The Committee on Community Affairs recommends the following pass: SM 987

The Committee on Health Care recommends the following pass: SM 735

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

The Committee on Economic, Professional and Utility Regulation recommends the following pass: SB 625, SB 1222

The Committee on Insurance recommends the following pass: SB 738 with 2 amendments, SB 741, SB 815, SB 936

The Committee on Judiciary-Civil recommends the following pass: SB 556 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: SB 474, SB 521 with 1 amendment, SB 523, SB 527 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 67, SB 763, SB 854

The Committee on Transportation recommends the following pass: SB 124, SB 457, SB 503 with 2 amendments, SB 605 with 2 amendments

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 693

The Committee on Health Care recommends committee substitutes for the following: SB 780, SB 1062

The Committee on Higher Education recommends committee substitutes for the following: SB 126, SB 207

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

The Committee on Judiciary-Civil recommends committee substitutes for the following: SB 282, SB 346, SB 544

The Committee on Transportation recommends a committee substitute for the following: SB 1036

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 Care recommends a committee substitute for the following: SB 1215

The bill with committee substitute attached was referred to the Committee on Economic, Professional and Utility Regulation under the original reference.

The Committee on Insurance recommends a committee substitute for the following: SB 844

The Committee on Regulated Industries recommends committee substitutes for the following: SB 228, SB 695, SB 1279

The Committee on Transportation recommends committee substitutes for the following: SB 94, SB 515

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 Corrections, Probation and Parole recommends a committee substitute for the following: SB 1209

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 1298

The Committee on Higher Education recommends a committee substitute for the following: SB 129

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 208

The Committee on Governmental Operations recommends a committee substitute for the following: SB 458

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 227

The Committee on Health Care recommends committee substitutes for the following: SB 850, SB 900

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 439

The Committee on Governmental Operations recommends a committee substitute for the following: SB 742

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1342

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 160

The Committee on Health Care recommends a committee substitute for the following: SB 166

The Committee on Higher Education recommends a committee substitute for the following: SB 797

The Committee on Insurance recommends committee substitutes for the following: SB 514, SB 934

The Committee on Judiciary-Civil recommends committee substitutes for the following: SB 470, SB 496

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 162

The Committee on Transportation recommends committee substitutes for the following: SB 450, SB 463

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

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Transportation and Senators Crenshaw, Stuart, Grant, Davis, Gardner, Forman and Thurman—

CS for SB 94—A bill to be entitled An act relating to highway safety; creating s. 322.095, F.S.; providing additional requirements for issuance of a first-time driver's license; directing the Department of Highway Safety and Motor Vehicles to establish a traffic law and substance abuse education course; providing for fees; requiring certified local DUI schools to offer the course; amending s. 322.08, F.S.; prohibiting the department from issuing a driver's license to certain persons who do not complete the course; providing an assessment to fund the administration of the course; providing an effective date.

By the Committee on Higher Education and Senator Peterson—

CS for SB 126—A bill to be entitled An act relating to postsecondary education; amending s. 240.147, F.S.; providing for the establishment of instructional centers approved by the Board of Regents or the State Board of Community Colleges to be reviewed by the Postsecondary Education Planning Commission; specifying conditions under which the Postsecondary Education Planning Commission may contract with independent institutions; providing for the commission's review of certain instructional centers; amending s. 240.209, F.S.; requiring the Board of Regents to submit to the State Board of Education, for approval, all new campuses and instructional centers approved by the Board of Regents; providing an effective date.

By the Committee on Higher Education and Senators Girardeau and Forman—

CS for SB 129—A bill to be entitled An act relating to postsecondary education; amending s. 240.1201, F.S.; providing that personnel employed by the Kings Bay Submarine Base in Georgia and students who participate in the Southern Regional Education Board's Academic Common Market be classified as Florida residents for tuition purposes; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senator Forman—

CS for SB 160—A bill to be entitled An act relating to the state and district nursing home and long-term care facility ombudsman councils; amending s. 395.017, F.S.; specifying that the councils may have access to hospital patient records under certain circumstances; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senator Grizzle—

CS for SB 162—A bill to be entitled An act relating to aquatic preserves; amending s. 258.43, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to delegate certain administrative and enforcement authority to local governments; providing requirements of local government programs; providing for prior notice of agreements to delegate; providing duties of the Division of State Lands of the Department of Natural Resources; providing for evaluation of local government decisions and review of delegation of authority; providing an effective date.

By the Committee on Health Care and Senator Kirkpatrick—

CS for SB 166—A bill to be entitled An act relating to hospitals; prohibiting hospitals from charging for services or supplies not actually delivered; providing penalties; providing an effective date.

By the Committee on Higher Education and Senator Meek—

CS for SB 207—A bill to be entitled An act relating to postsecondary education; amending s. 240.1201, F.S.; providing that an undocumented alien, or a dependent child living with a parent or other adult relative who is an undocumented alien, may qualify for resident status for tuition purposes under specified conditions; providing an effective date.

By the Committee on Community Affairs and Senator Meek—

CS for SB 208—A bill to be entitled An act relating to the Fair Housing Act; amending s. 760.22, F.S.; providing definitions; amending ss. 760.23, 760.24, F.S.; prohibiting discrimination in the sale or rental of housing because of a person's familial status; prohibiting such discrimination because of the handicap of a person residing with or associated with a buyer or renter; requiring that certain modifications to dwellings be permitted; requiring certain dwellings to be constructed to allow additional accessibility for handicapped persons; amending s. 760.25, F.S.; prohibiting discrimination in certain transactions relating to residential real estate; amending s. 760.29, F.S.; exempting housing for older persons from certain provisions of the act; providing for application of the act; amending s. 760.31, F.S.; authorizing the commission to adopt rules; amending ss. 760.34, 760.35, F.S.; revising time limitations relating to the filing and investigation of complaints under the act; requiring the Attorney General to enforce compliance with the act under certain circumstances; authorizing the Florida Commission on Human Relations to file civil actions to enforce the act; authorizing certain local agencies to file civil actions to enforce local fair housing laws; providing penalties; authorizing enforcement of the act under ch. 120, F.S.; amending s. 553.48, F.S.; clarifying that covered multifamily dwellings must meet requirements of chapter 760, F.S.; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senator Woodson-Howard—

CS for SB 227—A bill to be entitled An act relating to long-term care facility ombudsman councils; amending s. 400.301, F.S.; providing legislative intent; amending s. 400.304, F.S.; requiring the State Unit on Aging of the Department of Health and Rehabilitative Services to contract with the Commission on Aging to operate an Office of the State Long-Term Care Ombudsman; providing duties and responsibilities of the department and the state council with respect to the program; requiring council members to be chosen from recommendations made as specified; changing the time period after which the council itself shall fill a vacancy; providing for staggering the terms of office of council members; deleting direction to the Department of Health and Rehabilitative Services and providing direction to the Commission on Aging to submit a separate budget request for the state and district councils; amending s. 400.307, F.S.; providing for district ombudsman councils to function under the direction of the state ombudsman council; limiting the number of terms and changing the length of terms of district council members; deleting direction to the department to submit a separate budget request for the district councils; amending s. 400.314, F.S.; providing for access to records; providing an effective date.

By the Committee on Regulated Industries and Senators Deratany and Gardner—

CS for SB 228—A bill to be entitled An act relating to pari-mutuel wagering; creating s. 550.076, F.S.; permitting certain jai alai permitholders to apply for and receive permits to conduct dog race meetings in lieu of jai alai; providing an effective date.

By the Committee on Judiciary-Civil—

CS for SB 282—A bill to be entitled An act relating to expert witness fees; amending s. 92.231, F.S.; providing limitations on expert witness fees; providing an effective date.

By the Committee on Judiciary-Civil and Senator Casas—

CS for SB 346—A bill to be entitled An act relating to the Florida Equal Access to Justice Act; amending s. 57.111, F.S.; providing requirements for the award of attorney's fees and costs against state agencies in certain actions; providing an effective date.

By the Committee on Community Affairs and Senator Gardner—

CS for SB 439—A bill to be entitled An act relating to educational expenses of local government employees; authorizing county constitutional officers and county commissions to reimburse employees for educational expenses under specified conditions; providing an effective date.

By the Committee on Transportation and Senator Dudley—

CS for SB 450—A bill to be entitled An act relating to mobile home and recreational vehicle dealers; amending s. 320.77, F.S.; increasing the bond required of such dealers; providing an effective date.

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

CS for SB 458—A bill to be entitled An act relating to public contracting; creating s. 287.132, F.S.; providing legislative intent with respect to the integrity of the public contracting and purchasing process; creating s. 287.133, F.S.; providing definitions; describing public entity crimes; providing for a convicted vendor list; prohibiting public entities from accepting bids from, awarding contracts to, or transacting business with any person or affiliate on the convicted vendor list; providing for sworn statements; providing procedures; providing for removal from the convicted vendor list under certain circumstances; providing for application; providing an effective date.

By the Committee on Transportation and Senator Forman—

CS for SB 463—A bill to be entitled An act relating to unlawful speed; amending s. 318.14, F.S.; providing that persons who are cited for certain speeding violations may not elect to attend a driver improvement course in lieu of a civil penalty or court appearance; providing an effective date.

By the Committee on Judiciary-Civil and Senators Weinstein, Kiser, Langley and Forman—

CS for SB 470—A bill to be entitled An act relating to mobile home tenancies; amending s. 723.061, F.S.; requiring that a violation of law or ordinance must be judicially determined to be detrimental to health, welfare, or safety before it may be used as grounds for eviction of a mobile home or mobile home owner; authorizing the court to order the immediate removal of a mobile home owner or occupant in certain circumstances; prescribing the time at which a notice or demand given by a mobile home park owner begins and requiring notice to be given to a mobile home owner at his mobile home's park address in addition to his last known address; amending s. 723.062, F.S.; authorizing the sheriff to remove the mobile home by any appropriate means; providing a lien; providing an effective date.

By the Committee on Judiciary-Civil and Senator Stuart—

CS for SB 496—A bill to be entitled An act relating to immunity from liability; amending s. 768.136, F.S., relating to donation of food to charitable or nonprofit organizations; providing a definition; clarifying applicability; providing an additional limitation on immunity; providing an effective date.

By the Committee on Insurance and Senator Kirkpatrick—

CS for SB 514—A bill to be entitled An act relating to insurance rates and contracts; amending s. 627.0625, F.S.; excluding flood insurance from the definition of commercial property insurance; providing a definition for "commercial umbrella liability insurance"; amending s. 627.215, F.S.; requiring commercial umbrella liability insurance to meet reporting requirements and prohibitions of excessive profits; providing an election for commercial umbrella insurers to consolidate data with commercial casualty data; providing requirements for data filing; providing an effective date.

By the Committee on Transportation and Senator Kiser—

CS for SB 515—A bill to be entitled An act relating to drivers' licenses; amending s. 321.09, F.S.; creating the Florida Highway Patrol Salary Enhancement Trust Fund; providing for the disposition of the proceeds of such fund; amending s. 322.18, F.S.; deleting an exception to the payment of certain delinquent fees; amending s. 322.21, F.S.; increasing the delinquent fee for driver's license renewal; deleting an exception to the delinquent fee; providing for the disposition of delinquent fees; providing an effective date.

By the Committee on Judiciary-Civil and Senator Grant—

CS for SB 544—A bill to be entitled An act relating to retired justices and judges assigned to temporary judicial duty; amending s. 25.073, F.S.; changing the rate of compensation of such justices and judges; providing an effective date.

By the Committee on Health and Rehabilitative Services—

CS for SB 693—A bill to be entitled An act relating to advocacy; creating the Statewide Human Rights Advocacy Committee within the Department of Health and Rehabilitative Services; providing for membership and staffing of the committee; providing the duties and responsibilities of the committee; creating district human rights advocacy committees in service districts of the Department of Health and Rehabilitative Services; providing for membership and duties and responsibilities of the committees; providing the duties of the Department of Health and Rehabilitative Services relating to the Statewide Human Rights Advocacy Committee and the district human rights advocacy committees; repealing s. 20.19(9), (10), (11), F.S., relating to such committees; providing for Sundown review; providing an effective date.

By the Committee on Regulated Industries and Senator Thomas—

CS for SB 695—A bill to be entitled An act relating to the Beverage Law; amending ss. 561.15, 561.17, 561.29, F.S.; providing that persons convicted of violations of controlled substance laws may not be issued an alcoholic beverage license for a specified period of time; requiring applicants for an alcoholic beverage license to provide certification that the place of business meets state life safety requirements; authorizing the Division of Hotels and Restaurants of the Department of Business Regulation to provide such certification; authorizing the Division of Alcoholic Beverages and Tobacco of the department to revoke or suspend a beverage license for violations of certain safety requirements; providing an effective date.

By the Committee on Governmental Operations and Senator Kiser—

CS for SB 742—A bill to be entitled An act relating to the Government Employees Deferred Compensation Plan Act; amending s. 112.215, F.S.; exempting certain deferred compensation plan providers from the requirements of the Florida Security for Public Deposits Act under certain circumstances; providing an effective date.

By the Committee on Health Care and Senator Kiser—

CS for SB 780—A bill to be entitled An act relating to pest control; amending s. 482.021, F.S.; providing definitions; amending s. 482.051, F.S.; requiring the Department of Health and Rehabilitative Services to hold public meetings for proposed statutory or rule changes; requiring the adoption of specified rules relating to vehicles, trailers, and contracts; amending s. 482.032, F.S.; updating terminology; amending s. 482.061, F.S.; providing for inspectors; amending s. 482.071, F.S.; requiring the display of a current license; amending s. 482.091, F.S.; revising provisions relating to and requirements for identification cards for persons performing inspections; amending s. 482.111, F.S.; providing for the issuance of certificates; providing for the use of revenues from fines; establishing an advisory committee; revising provisions relating to emergency pest control certificates; increasing fees therefor; revising provisions relating to continuing education requirements; amending s. 482.121, F.S., relating to false use of certificate; providing for automatic revocation of licenses and certificates under certain circumstances; amending s. 482.132, F.S.; revising qualifications for examination for certification; allowing an applicant to take an examination without meeting certain qualifications for a specified period of time; amending s. 482.141, F.S.; increasing examination fees; amending s. 482.151, F.S.; providing continuing education requirements for renewal of a special identification card; amending s. 482.152, F.S.; establishing licensing requirements for and duties of certified pest control operators in charge of pest control activities; eliminating an exemption; amending s. 482.161, F.S.; providing for written warnings; prohibiting the issuance of a license to certain persons; providing for a reprimand or probation in certain situations; providing for fines and the deposit thereof; creating s. 482.165, F.S.; providing for the unlawful practice of pest control; providing for cease and desist orders and civil actions for damages against persons who violate laws and rules; providing for award of court costs and attorney's fees; amending s. 482.211, F.S.; eliminating pest control exemptions; authorizing the department to prescribe exemptions by rule; amending s. 482.226, F.S.; imposing additional requirements for inspection reports; requiring that persons who perform periodic reinspections or retreatments must have certain identification cards; creating s. 482.2265, F.S.; requiring pest control businesses or operators to provide certain information to customers upon request; requiring such persons to post a notice of certain applications of a pesticide; providing for determination of chemically sensitive persons; requiring certain notice to such persons prior to applying a pesticide; providing duties of the Department of Health and Rehabilitative Services; providing for review and repeal; providing an effective date.

By the Committee on Higher Education and Senator Meek—

CS for SB 797—A bill to be entitled An act relating to education; amending s. 229.551, F.S.; requiring the Department of Education to submit to the State Board of Education for approval measurement standards of certain tests; requiring the Department of Education to maintain certain classroom performance achievement information; providing an effective date.

By the Committee on Insurance and Senators Jennings and W. D. Childers—

CS for SB 844—A bill to be entitled An act relating to insurance; amending s. 607.234, F.S.; correcting a reference; creating s. 624.126, F.S.; providing an exemption from certain Insurance Code provisions for certain mutual-aid associations; amending s. 626.211, F.S.; requiring that an applicant request a refund of license taxes after application disapproval in order to obtain the refund; amending s. 626.291, F.S.; requiring that an applicant request a refund of license taxes after license denial in order to obtain the refund; amending s. 626.9541; increasing the value of permissible gifts from \$10 to \$25; amending s. 627.975, F.S.; revising provisions relating to credit for reinsurance for financial guaranty insurers; amending s. 639.108, F.S.; requiring reporting each calendar quarter by certificateholders under ch. 639, F.S.; amending s. 639.11, F.S.; clarifying the tax status of certain funds received by certificateholders under ch. 639, F.S.; amending s. 639.17, F.S.; revising the criminal penalty provisions for violations of chapter 639, F.S., relating to preneed funeral contracts; providing for review and repeal; providing effective dates.

By the Committee on Insurance and Senator Kirkpatrick—

CS for SB 845—A bill to be entitled An act relating to Medicare supplement insurance; amending s. 627.6735, F.S.; requiring Medicare supplement policy insurers to file advertisements for such insurance with the Department of Insurance; amending s. 627.674, F.S.; requiring such policies to meet specified standards; providing for notification of certain provisions; amending s. 627.6745, F.S.; establishing loss ratio standards relating to returns to policyholders where service is provided by a health maintenance organization; creating s. 627.6746, F.S.; requiring Medicare supplement policy providers to comply with certain provisions of the Omnibus Budget Reconciliation Act of 1987; providing an effective date.

By the Committee on Health Care and Senator Weinstein—

CS for SB 850—A bill to be entitled An act relating to health care facilities; reenacting s. 395.017, F.S., as amended; reinstating provisions inadvertently repealed by omission by s. 1, ch. 88-208, Laws of Florida; providing conforming language; amending s. 395.041, F.S., relating to internal risk management programs; increasing the time period for filing reports of certain incidents; providing an effective date.

By the Committee on Health Care and Senator Malchon—

CS for SB 900—A bill to be entitled An act relating to health care; providing for the designation of a health care surrogate; providing for the presumption and determination of capacity to consent; providing for the responsibility, authority, and liability of the health care surrogate; providing for the responsibility and liability of the health care providers; providing for revocation of the health care surrogate; providing for rules adoption; providing an effective date.

By the Committee on Insurance and Senator Grant—

CS for SB 934—A bill to be entitled An act relating to insurance; creating s. 627.4143, F.S., to require an insurer to provide an outline of coverage upon delivery of a private passenger automobile or homeowner's policy; requiring disclosure in the outline of the principal benefits of the coverage, exclusions, limitations, reductions, renewal and cancellation provisions, and specific information relating to the cost of coverage; providing that the outline does not alter or modify the contract, does not create a cause of action, and is not admissible in any civil action; providing an effective date.

By the Committee on Transportation and Senators Beard and Forman—

CS for SB 1036—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; assigning the Florida Transportation Commission of the department to the Office of the Secretary for specific purposes only; providing for the commission to employ sufficient staff; requiring the secretary to provide assistance and informa-

tion to the commission or its staff, upon request; providing for the commission to develop and submit a budget; revising certain current functions, and providing additional functions of the commission; reorganizing the department; specifying the qualifications, titles, and duties of certain employees of the department; specifying the reporting responsibilities of certain employees of the department; exempting the secretary and assistant secretaries from part III of ch. 110, F.S., relating to the Senior Management Service System and providing that their salaries would be in accordance with specified considerations; providing that the commission and secretary would determine the reports to be submitted by the district secretaries; deleting obsolete language; providing an effective date.

By the Committee on Health Care and Senator Forman—

CS for SB 1062—A bill to be entitled An act relating to maternal and child health; amending s. 383.011, F.S.; requiring the Department of Health and Rehabilitative Services to provide certain nutrition services to pregnant teenagers; providing a priority in the provision of comprehensive prenatal care; authorizing application for waiver; providing an effective date.

By the Committee on Corrections, Probation and Parole; and Senator Stuart—

CS for SB 1209—A bill to be entitled An act relating to the acquisition of correctional facilities; creating the "Florida Correctional Facilities Act"; providing definitions; providing for the issuance of bonds for the construction of state correctional facilities; creating a Florida Correctional Facilities Pool; providing for the assessment of rents and the determination of rental rates; providing for an annual report; providing powers of the Division of Bond Finance and the Office of Management and Budget in the Department of Corrections; providing for the issuance of obligations and security for payment of obligations; providing for validation of obligations; providing a penalty; providing for variable rate obligations; providing for approval by the State Board of Administration; providing for withholding of revenues for failure to make rental payments; providing a limitation on financial liability; providing an exemption from taxation; authorizing obligations issued to constitute legal investments; providing criteria for correctional facility construction and financing; amending s. 944.10, F.S.; defining, for purposes of acquiring correctional facilities to house state inmates, the term "lease-purchase agreement"; requiring the Division of Bond Finance of the Department of General Services to approve lease-purchase agreements for the acquisition of correctional facilities by the state; providing that such agreements may be made automatically renewable for a limited period subject to certain restrictions; prescribing terms and conditions of such agreements; providing an effective date.

By the Committee on Health Care and Senator Gardner—

CS for SB 1215—A bill to be entitled An act relating to asbestos; amending ss. 255.551, 455.301, F.S.; excluding certain roofing products from the definition of "asbestos"; exempting such products from certain asbestos abatement projects; amending s. 455.302, F.S.; authorizing a certified roofing contractor to remove asbestos-containing bituminous resinous roofing materials or systems under certain circumstances; providing an effective date.

By the Committee on Regulated Industries and Senator Deratany—

CS for SB 1279—A bill to be entitled An act relating to taxes on tobacco and alcoholic beverages; amending s. 210.06, F.S.; prohibiting the imposition of an additional charge on cigarette stamps for printing costs; amending s. 210.15, F.S.; prohibiting the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation from furnishing cigarette stamps to persons other than qualified wholesale dealers; amending s. 210.40, F.S.; increasing the fee for application for a tobacco products distributor's license; amending s. 561.025, F.S.; correcting a cross-reference to comply to the act; amending s. 561.19, F.S.; exempting drawing results for certain alcoholic beverage licenses from s. 119.07(1), F.S.; providing that this exemption is subject to the Open Government Sunset Review Act; increasing fees to participate in such a drawing; providing procedures for transferring the notice of selection; amending s. 561.32, F.S.; providing for an alcoholic beverage license transfer fee for the transfer of certain licenses; providing an effective date.

By the Committee on Health and Rehabilitative Services—

CS for SB 1298—A bill to be entitled An act relating to aging; creating the Florida Commission on Aging; providing for the appointment of

commission members; providing for the commission to appoint an executive director; authorizing reimbursement for per diem and travel expenses for members of the commission; requiring the commission to prepare a master plan for policies and programs related to aging; requiring the commission to make certain recommendations to the Governor, Cabinet members, the Department of Health and Rehabilitative Services, and the Legislature regarding programs related to aging; requiring the commission to review certain budget requests; requiring the commission to make certain reports; requiring the commission to administratively house the State Nursing Home and Long-Term Care Facility Ombudsman Council; requiring the commission to administratively house the Committee on Housing for the Elderly; requiring the commission to hold public meetings; authorizing the commission to seek assistance from appropriate agencies; requiring agencies to cooperate in providing such assistance; providing an effective date.

By the Committee on Governmental Operations and Senator Gordon—

CS for SB 1342—A bill to be entitled An act relating to securities and bonds; amending s. 215.684, F.S.; providing procedures for a securities broker or bond underwriter that has been convicted or pleaded nolo contendere to fraud to be requalified to do business with the state; providing an effective date.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Margolis, by two-thirds vote Senate Bills 197, 270, 278, 299 and 585 were withdrawn from the Committee on Appropriations.

On motion by Senator Margolis, by two-thirds vote SJR 1381 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator McPherson, the rules were waived and the Committee on Natural Resources and Conservation was granted permission to consider HB 1413 this day.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

First Reading

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed HB 142 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Silver—

HB 142—A bill to be entitled An act relating to the Department of Law Enforcement; amending ss. 943.03, 943.04, F.S.; transferring the duty to investigate certain misconduct by public officials from the Division of Criminal Investigation to the department generally; empowering the Division of Criminal Investigation to conduct other investigations; creating s. 943.041, F.S., and amending s. 943.26, F.S.; transferring the Crimes Against Children Criminal Profiling Trust Fund from the Division of Local Law Enforcement Assistance to the department generally; prescribing duties of the Division of Local Law Enforcement Assistance, including duties related to provision of forensic services; amending s. 20.201, F.S.; renaming the Division of Crime Laboratories and Staff Services as the Division of Staff Services; amending ss. 943.29, 316.193, 382.025, F.S., to conform; renumbering s. 943.29, F.S., as s. 943.381, F.S.; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 104 and 19.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1668 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Martinez—

HCR 1668—A concurrent resolution designating April 26, 1989, as Al Lopez Day in Florida.

On motions by Senator Grant, HCR 1668 was taken up out of order and by two-thirds vote was read the second time in full, adopted and certified to the House.

Reconsideration

On motion by Senator Kirkpatrick, the rules were waived and the Senate reconsidered the vote by which SB 1065 as amended passed April 18.

On motion by Senator Kirkpatrick, by two-thirds vote the Senate reconsidered the vote by which SB 1065 was read the third time.

On motion by Senator Kirkpatrick, the Senate reconsidered the vote by which Amendment 3 was adopted. By permission, Amendment 3 was withdrawn.

On motion by Senator Kirkpatrick, by two-thirds vote CS for HB 1521 was withdrawn from the Committee on Economic, Professional and Utility Regulation.

On motion by Senator Kirkpatrick—

CS for HB 1521—A bill to be entitled An act relating to the Construction Industry Licensing Board; amending ss. 489.109, 489.115, F.S.; revising requirements for renewal of registrations and certificates; authorizing the Department of Professional Regulation to issue certain licenses; providing an effective date.

—a companion measure, was substituted for SB 1065 and read the second time by title.

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 1—On page 1, line 21, strike "\$150" and insert: \$200

On motion by Senator Kirkpatrick, by two-thirds vote CS for HB 1521 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dudley	Kiser	Souto
Beard	Forman	Langley	Stuart
Brown	Gardner	Malchon	Thomas
Bruner	Girardeau	Margolis	Thurman
Casas	Gordon	McPherson	Walker
Childers, D.	Grant	Myers	Weinstein
Childers, W. D.	Grizzle	Peterson	Weinstock
Crenshaw	Jennings	Plummer	Woodson-Howard
Davis	Johnson	Ros-Lehtinen	
Deratany	Kirkpatrick	Scott	

Nays—None

Vote after roll call:

Yea—Bankhead

SPECIAL ORDER

SB 694—A bill to be entitled An act relating to taxes on cigarettes; amending s. 210.18, F.S.; providing for collection of unpaid cigarette taxes by restitution in certain situations; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Thomas and adopted:

Amendment 1—On page 1, strike all of lines 24 and 25 and insert: *taxpayer is convicted, found guilty, or pleads nolo contendere or guilty to any crime under this chapter. This paragraph is applicable even if adjudication is withheld otherwise.*

On motion by Senator Thomas, by two-thirds vote SB 694 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dudley	Kiser	Scott
Beard	Forman	Langley	Souto
Brown	Gardner	Malchon	Stuart
Bruner	Girardeau	Margolis	Thomas
Casas	Grant	Meek	Thurman
Childers, D.	Grizzle	Myers	Walker
Childers, W. D.	Jennings	Peterson	Weinstein
Davis	Johnson	Plummer	Weinstock
Deratany	Kirkpatrick	Ros-Lehtinen	Woodson-Howard

Nays—None

Vote after roll call:

Yea—Bankhead, Gordon

CS for SB 266—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending ss. 125.0104, 212.0305, F.S.; requiring certain counties to locally audit tourist development taxes or convention development taxes or to contract with the Department of Revenue to conduct the audits; providing for retroactive operation of certain powers; creating s. 212.0506, F.S.; imposing the sales tax on service warranties; providing a definition; providing for payment, collection, and administration of the tax; providing an exclusion; providing penalties; amending s. 212.06, F.S.; defining “dealer” for purposes of service warranties; amending s. 212.08, F.S.; excluding sales of service warranties from the exemption for personal, professional, and insurance services; amending ss. 634.131, 634.415, F.S.; providing a cross-reference; amending s. 212.054, F.S.; clarifying provisions which identify a county in which a local option sales tax transaction takes place; amending ss. 212.0505, 212.235, 212.18, 212.20, 212.69, 218.61, 215.32, 288.1162, F.S.; consolidating certain sales tax distribution provisions; repealing s. 212.237, F.S., relating to the Solid Waste Management Trust Fund; retitling the Local Government Infrastructure Tax Trust Fund, creating the Mail Order Sales Tax Clearing Trust Fund, and continuing the Solid Waste Management Trust Fund; amending s. 212.08, F.S.; exempting from such taxes certain transactions between members of affiliated groups of corporations; providing an effective date; providing for contingent retroactive application.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote CS for SB 266 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Deratany	Kirkpatrick	Souto
Bankhead	Dudley	Kiser	Stuart
Beard	Forman	Langley	Thomas
Brown	Gardner	Malchon	Thurman
Bruner	Girardeau	McPherson	Walker
Casas	Gordon	Meek	Weinstein
Childers, D.	Grant	Myers	Woodson-Howard
Childers, W. D.	Grizzle	Peterson	
Crenshaw	Jennings	Ros-Lehtinen	
Davis	Johnson	Scott	

Nays—None

Consideration of **CS for SB 267** was deferred.

CS for SB 612—A bill to be entitled An act relating to insurance companies; amending s. 625.305, F.S.; providing certain exemptions from limitations on insurer investments; deleting provisions which permit certain investments without consent of the Department of Insurance; amending s. 625.331, F.S.; providing authority for insurers investing in investments not specifically authorized under certain circumstances without department approval; providing an effective date.

—was read the second time by title.

Senator Thomas offered the following amendments which were moved by Senator W. D. Childers and adopted:

Amendment 1—On page 2, line 3, strike “5” and insert: 2

Amendment 2—On page 4, strike all of lines 1-6 and insert:

5. *The insurer exceeds otherwise applicable capital and surplus requirements by not less than an amount equal to 2 percent of the*

amount in which its investments in lower grade or unrated obligations exceeds 20 percent of its total admitted assets. maximum limits of subsection (4) being exceeded.

On motion by Senator W. D. Childers, by two-thirds vote CS for SB 612 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Deratany	Kirkpatrick	Ros-Lehtinen
Bankhead	Dudley	Kiser	Scott
Beard	Forman	Langley	Souto
Brown	Gardner	Malchon	Stuart
Bruner	Girardeau	Margolis	Thomas
Casas	Gordon	McPherson	Thurman
Childers, D.	Grant	Meek	Walker
Childers, W. D.	Grizzle	Myers	Weinstein
Crenshaw	Jennings	Peterson	Weinstock
Davis	Johnson	Plummer	Woodson-Howard

Nays—None

CS for SB 116—A bill to be entitled An act relating to motor vehicle accident reports; amending ss. 316.065, 316.066, 324.051, F.S.; revising the circumstances under which a driver involved in an accident must report the accident to the appropriate law enforcement agency and to the Department of Highway Safety and Motor Vehicles; revising the circumstances under which a law enforcement officer who investigates an accident must report the accident to the department; eliminating the requirement that the short-form report of the accident provided by the law enforcement officer to each party involved in the accident must be provided within a specified time; revising requirements as to when and to whom proof of insurance must be provided; providing penalties; providing that certain accident reports filed by owners or operators of motor vehicles be kept confidential; providing exceptions from such requirements; providing for the admissibility of accident reports into evidence in certain cases; providing an effective date.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote CS for SB 116 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Deratany	Kirkpatrick	Scott
Bankhead	Dudley	Kiser	Souto
Beard	Forman	Langley	Stuart
Brown	Gardner	Malchon	Thomas
Bruner	Girardeau	Margolis	Thurman
Casas	Gordon	McPherson	Walker
Childers, D.	Grant	Meek	Weinstein
Childers, W. D.	Grizzle	Myers	Weinstock
Crenshaw	Jennings	Peterson	Woodson-Howard
Davis	Johnson	Ros-Lehtinen	

Nays—None

SB 108—A bill to be entitled An act relating to the Department of Law Enforcement; amending ss. 943.03, 943.04, F.S.; transferring the duty to investigate certain misconduct by public officials from the Division of Criminal Investigation to the department generally; empowering the Division of Criminal Investigation to conduct other investigations; creating s. 943.041, F.S., and amending s. 943.26, F.S.; transferring the Crimes Against Children Criminal Profiling Trust Fund from the Division of Local Law Enforcement Assistance to the department generally; prescribing duties of the Division of Local Law Enforcement Assistance, including duties related to provision of forensic services; amending s. 20.201, F.S.; renaming the Division of Crime Laboratories and Staff Services as the Division of Staff Services; amending ss. 943.29, 316.193, 382.025, F.S., to conform; renumbering s. 943.29, F.S., as s. 943.381, F.S.; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 108 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Deratany	Kirkpatrick	Ros-Lehtinen
Bankhead	Dudley	Kiser	Scott
Beard	Forman	Langley	Souto
Brown	Gardner	Malchon	Stuart
Bruner	Girardeau	Margolis	Thomas
Casas	Gordon	McPherson	Thurman
Childers, D.	Grant	Meek	Walker
Childers, W. D.	Grizzle	Myers	Weinstein
Crenshaw	Jennings	Peterson	Weinstock
Davis	Johnson	Plummer	Woodson-Howard

Nays—None

On motions by Senator Thurman, by two-thirds vote HB 1416 was withdrawn from the Committees on Agriculture and Appropriations.

On motion by Senator Thurman—

HB 1416—A bill to be entitled An act relating to antifreeze; amending s. 501.911, F.S.; assigning the administration of the Antifreeze Act of 1978 to the Division of Standards of the Department of Agriculture and Consumer Services; amending s. 570.46, F.S.; providing for enforcement of certain provisions of said sections by the division; amending s. 570.544, F.S.; deleting authority of the Division of Consumer Services of said department to prosecute violations of said act; saving ss. 501.91-501.923, F.S., from Sunset repeal; providing for future review and repeal of ss. 501.91-501.923 and 570.46(3), F.S.; providing an effective date.

—a companion measure, was substituted for SB 242 and read the second time by title. On motion by Senator Thurman, by two-thirds vote HB 1416 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Deratany	Kirkpatrick	Ros-Lehtinen
Bankhead	Dudley	Kiser	Scott
Beard	Forman	Langley	Souto
Brown	Gardner	Malchon	Stuart
Bruner	Girardeau	Margolis	Thomas
Casas	Gordon	McPherson	Thurman
Childers, D.	Grant	Meek	Walker
Childers, W. D.	Grizzle	Myers	Weinstein
Crenshaw	Jennings	Peterson	Weinstock
Davis	Johnson	Plummer	Woodson-Howard

Nays—None

SB 391—A bill to be entitled An act relating to state minimum electrical standards; amending s. 553.19, F.S.; deleting certain exclusions from the minimum electrical standards; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote SB 391 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Deratany	Kirkpatrick	Ros-Lehtinen
Bankhead	Dudley	Kiser	Scott
Beard	Forman	Langley	Souto
Brown	Gardner	Malchon	Stuart
Bruner	Girardeau	Margolis	Thomas
Casas	Gordon	McPherson	Thurman
Childers, D.	Grant	Meek	Walker
Childers, W. D.	Grizzle	Myers	Weinstein
Crenshaw	Jennings	Peterson	Weinstock
Davis	Johnson	Plummer	Woodson-Howard

Nays—None

SB 303—A bill to be entitled An act relating to property leased or lease-purchased by a county for public purposes; amending s. 125.031, F.S.; extending the term for which a county may lease or lease-purchase properties using funds arising from ad valorem taxation to pay the rent; providing an effective date.

—was read the second time by title. On motion by Senator Davis, by two-thirds vote SB 303 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Deratany	Kirkpatrick	Souto
Bankhead	Dudley	Kiser	Stuart
Beard	Forman	Langley	Thomas
Brown	Gardner	Malchon	Thurman
Bruner	Girardeau	Margolis	Walker
Casas	Gordon	Meek	Weinstein
Childers, D.	Grant	Myers	Weinstock
Childers, W. D.	Grizzle	Plummer	Woodson-Howard
Crenshaw	Jennings	Ros-Lehtinen	
Davis	Johnson	Scott	

Nays—None

Vote after roll call:

Yea—Peterson

SB 152—A bill to be entitled An act relating to higher education; amending s. 240.2097, F.S.; requiring information on policies concerning controlled substances and alcoholic beverages to be included in student handbooks; providing an effective date.

—was read the second time by title.

Senator Meek moved the following amendment which was adopted:

Amendment 1—On page 2, between lines 7 and 8, insert:

Section 2. This act applies to the compilation and updating of student handbooks for academic years beginning with the 1990-1991 academic year.

(Renumber subsequent section.)

On motion by Senator Souto, by two-thirds vote SB 152 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dudley	Langley	Souto
Bankhead	Forman	Malchon	Stuart
Beard	Gardner	Margolis	Thomas
Brown	Gordon	McPherson	Thurman
Bruner	Grant	Meek	Walker
Casas	Grizzle	Myers	Weinstein
Childers, D.	Jennings	Peterson	Weinstock
Childers, W. D.	Johnson	Plummer	Woodson-Howard
Davis	Kirkpatrick	Ros-Lehtinen	
Deratany	Kiser	Scott	

Nays—None

Reconsideration

On motion by Senator Grant, the rules were waived and the Senate reconsidered the vote by which SB 108 passed this day.

On motion by Senator Grant, by two-thirds vote HB 142 was withdrawn from the Committee on Judiciary-Criminal.

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

HB 142—A bill to be entitled An act relating to the Department of Law Enforcement; amending ss. 943.03, 943.04, F.S.; transferring the duty to investigate certain misconduct by public officials from the Division of Criminal Investigation to the department generally; empowering the Division of Criminal Investigation to conduct other investigations; creating s. 943.041, F.S., and amending s. 943.26, F.S.; transferring the Crimes Against Children Criminal Profiling Trust Fund from the Division of Local Law Enforcement Assistance to the department generally; prescribing duties of the Division of Local Law Enforcement Assistance, including duties related to provision of forensic services; amending s. 20.201, F.S.; renaming the Division of Crime Laboratories and Staff Services as the Division of Staff Services; amending ss. 943.29, 316.193, 382.025, F.S., to conform; renumbering s. 943.29, F.S., as s. 943.381, F.S.; providing an effective date.

—a companion measure, was substituted for SB 108 and by two-thirds vote read the second time by title. On motion by Senator Grant, by two-thirds vote HB 142 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Deratany	Kirkpatrick	Souto
Bankhead	Dudley	Kiser	Stuart
Beard	Forman	Langley	Thomas
Brown	Gardner	Malchon	Thurman
Bruner	Girardeau	Margolis	Walker
Casas	Gordon	Meek	Weinstein
Childers, D.	Grant	Myers	Weinstock
Childers, W. D.	Grizzle	Peterson	Woodson-Howard
Crenshaw	Jennings	Plummer	
Davis	Johnson	Ros-Lehtinen	

Nays—None

SPECIAL ORDER, continued

Consideration of **CS for SB 62** was deferred.

SB 214—A bill to be entitled An act relating to engineering; amending s. 471.003, F.S.; deleting a threshold exemption; amending s. 471.007, F.S.; providing for terms of members of the Board of Professional Engineers and deleting obsolete provisions relating thereto; amending s. 471.008, F.S.; providing for the adoption of rules; amending s. 471.011, F.S.; prescribing fees; amending s. 471.013, F.S.; deleting certain provisions which allow an applicant to sit for the licensure examination based upon experience in lieu of education; amending s. 471.019, F.S.; providing for reactivation of inactive licenses; amending s. 471.023, F.S.; deleting certain requirements for prior departmental approval for incorporating; amending s. 471.025, F.S.; requiring the use of a license number in certain advertising by a licensee; amending s. 471.033, F.S.; specifying grounds for disciplinary actions; repealing s. 471.039, F.S., relating to the registration of certain engineers; providing that provisions of ch. 471, F.S., are not repealed, notwithstanding repeals scheduled pursuant to the Regulatory Sunset Act; providing for future review and repeal; providing an effective date.

—was read the second time by title.

The Committee on Economic, Professional and Utility Regulation recommended the following amendments which were moved by Senator Jennings and adopted:

Amendment 1—On page 9, lines 10-31 and on page 10, lines 1-15, strike all of said lines and renumber subsequent sections.

Amendment 2—In title, on page 1, strike all of lines 17-19 and insert: approval for incorporating;

On motion by Senator Jennings, by two-thirds vote SB 214 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Deratany	Kiser	Souto
Bankhead	Dudley	Langley	Stuart
Beard	Forman	Malchon	Thomas
Brown	Gardner	McPherson	Thurman
Bruner	Gordon	Meek	Walker
Casas	Grant	Myers	Weinstein
Childers, D.	Grizzle	Peterson	Weinstock
Childers, W. D.	Jennings	Plummer	Woodson-Howard
Crenshaw	Johnson	Ros-Lehtinen	
Davis	Kirkpatrick	Scott	

Nays—None

SB 447—A bill to be entitled An act relating to education; amending s. 229.575, F.S.; requiring school districts to annually report information on the use of student performance information received from postsecondary institutions; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 447 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Deratany	Kiser	Souto
Bankhead	Dudley	Malchon	Stuart
Beard	Forman	Margolis	Thomas
Brown	Gardner	McPherson	Thurman
Bruner	Gordon	Meek	Weinstein
Casas	Grant	Myers	Weinstock
Childers, D.	Grizzle	Peterson	Woodson-Howard
Childers, W. D.	Jennings	Plummer	
Crenshaw	Johnson	Ros-Lehtinen	
Davis	Kirkpatrick	Scott	

Nays—1

Langley

SB 98—A bill to be entitled An act relating to security of data and information technology resources; amending s. 282.318, F.S.; continuing the exemption of risk-analysis information and internal audits and evaluations from the public records requirements of ch. 119, F.S.; continuing, with modifications, such exemption for written internal policies and procedures; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title. On motion by Senator Kiser, by two-thirds vote SB 98 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dudley	Malchon	Stuart
Bankhead	Forman	Margolis	Thomas
Beard	Gardner	McPherson	Thurman
Brown	Gordon	Meek	Walker
Bruner	Grizzle	Myers	Weinstein
Casas	Jennings	Peterson	Weinstock
Childers, D.	Johnson	Plummer	Woodson-Howard
Childers, W. D.	Kirkpatrick	Ros-Lehtinen	
Crenshaw	Kiser	Scott	
Deratany	Langley	Souto	

Nays—None

SB 370—A bill to be entitled An act relating to property appraisers and tax collectors; amending ss. 145.10, 145.11, F.S.; revising the time within which property appraisers and tax collectors must qualify to receive a special qualification salary; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote SB 370 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Deratany	Kirkpatrick	Ros-Lehtinen
Bankhead	Dudley	Kiser	Scott
Beard	Forman	Langley	Souto
Brown	Gardner	Malchon	Stuart
Bruner	Girardeau	Margolis	Thomas
Casas	Gordon	McPherson	Thurman
Childers, D.	Grant	Meek	Walker
Childers, W. D.	Grizzle	Myers	Weinstein
Crenshaw	Jennings	Peterson	Weinstock
Davis	Johnson	Plummer	Woodson-Howard

Nays—None

CS for SB 422—A bill to be entitled An act relating to family foster homes; amending s. 409.175, F.S.; providing for a fee to be paid to certain persons who recruit emergency shelter or foster families; providing an effective date.

—was read the second time by title. On motion by Senator Ros-Lehtinen, by two-thirds vote CS for SB 422 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Deratany	Kiser	Ros-Lehtinen
Bankhead	Dudley	Langley	Scott
Beard	Forman	Malchon	Souto
Brown	Gardner	Margolis	Stuart
Bruner	Gordon	McPherson	Thomas
Casas	Grizzle	Meek	Thurman
Childers, D.	Jennings	Myers	Walker
Childers, W. D.	Johnson	Peterson	Weinstein
Crenshaw	Kirkpatrick	Plummer	Woodson-Howard

Nays—None

Vote after roll call:

Yea—Girardeau

SB 258—A bill to be entitled An act relating to diving; amending s. 327.02, F.S.; providing definitions; creating s. 327.39, F.S.; providing requirements for vessels used by divers or in the vicinity of diving; providing an exception for certain vessels; amending s. 861.065, F.S.; revising the definition of the term “divers-down flag”; providing additional requirements for the display of such flag; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 8, lines 17-20, strike the comma (,) and everything thereafter and insert: a period (.)

Senator McPherson moved the following amendments which were adopted:

Amendment 2—On page 7, strike all of lines 16-18 and insert:

(2) A vessel may not be operated while in the immediate vicinity of a divers-down flag. However, vessels being operated on the open waters of the state while engaged in fishing, diving, or law enforcement activities may be operated at the minimum speed necessary to maintain steerage-way and headway while in the immediate vicinity of a divers-down flag.

Amendment 3—On page 7, strike all of lines 30 and 31 and insert:

(5) This section does not apply to divers, vessels, and patrol or rescue craft responding to an emergency, however, said vessels shall make reasonable efforts not to operate within the immediate vicinity of a divers-down flag.

Senator Kiser moved the following amendment which was adopted:

Amendment 4—On page 8, strike all of lines 26 and 27 and insert: *divers-down flag must be at least 36 inches above the highest part of the vessel, excluding the antennae and outriggers, that would obstruct the visibility of the*

On motion by Senator McPherson, by two-thirds vote SB 258 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Deratany	Kiser	Scott
Bankhead	Dudley	Langley	Souto
Beard	Forman	Malchon	Stuart
Brown	Gardner	Margolis	Thurman
Bruner	Gordon	McPherson	Walker
Casas	Grant	Meek	Weinstein
Childers, D.	Grizzle	Myers	Weinstock
Childers, W. D.	Jennings	Peterson	Woodson-Howard
Crenshaw	Johnson	Plummer	
Davis	Kirkpatrick	Ros-Lehtinen	

Nays—None

Vote after roll call:

Yea—Girardeau

SB 368—A bill to be entitled An act relating to health insurance; amending ss. 627.626 and 627.6645, F.S.; requiring individual and group health insurance policies to provide a minimum notice of cancellation, nonrenewal, and change in premium; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 17; on page 2, lines 12, 14 and 23; and on page 3, lines 15 and 17, strike “60” and insert: 45

Amendment 2—On page 2, lines 27-29, strike “at least 10 days’ written notice accompanied by the reason therefore shall be given” and insert: *the requirements of this section shall not apply*

Amendment 3—On page 3, line 11, after “directly” insert: *at his home address*

On motion by Senator Ros-Lehtinen, by two-thirds vote SB 368 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Deratany	Kirkpatrick	Ros-Lehtinen
Bankhead	Dudley	Kiser	Scott
Beard	Forman	Langley	Souto
Brown	Gardner	Malchon	Stuart
Bruner	Girardeau	Margolis	Thomas
Casas	Gordon	McPherson	Thurman
Childers, D.	Grant	Meek	Walker
Childers, W. D.	Grizzle	Myers	Weinstein
Crenshaw	Jennings	Peterson	Weinstock
Davis	Johnson	Plummer	Woodson-Howard

Nays—None

On motion by Senator Scott, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Scott, by two-thirds vote CS for SB 376 was withdrawn from the Committee on Personnel, Retirement and Collective Bargaining; SB 587 was withdrawn from the Committee on Insurance; and SB 682 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Scott, by two-thirds vote SB 772 was withdrawn from the Committee on Community Affairs and referred to the Committee on Regulated Industries.

On motion by Senator Deratany, by two-thirds vote SB 229 was withdrawn from the Committee on Finance, Taxation and Claims.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 19 and 18 were corrected and approved.

CO-INTRODUCERS

Senator Langley—SJR 15, Senate Bills 281, 567, 624, 752 and 834; Senator Peterson—CS for SB 30; Senator Malchon—Senate Bills 281, 567 and 1233; Senator Scott—SB 434; Senator Forman—Senate Bills 567 and 1233; Senator Walker—SB 642; Senator Woodson-Howard—SB 654; Senator Davis—SB 711; Senator Souto—SB 809; Senator McPherson—Senate Bills 924, 1233 and 1388; Senator Weinstein —SB 1051; Senator Brown—SB 1055; Senators Meek, Plummer and Ros-Lehtinen—SB 1087; Senators D. Childers, Dudley, Grant and Kirkpatrick—SB 1233

RECESS

Senator Scott moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Thursday, April 27, at 10:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Scott, the Senate recessed at 12:04 p.m. to reconvene at 10:00 a.m., Thursday, April 27.

SENATE PAGES

April 24-28

Daniel Ackerstein, Sarasota; Jason Michael Brocato, Zephyrhills; Lori Marie Brown, Jupiter; Brenda Diane Causseaux, Tallahassee; John Chacho, Jr., Ocala; Austin Collins, Longwood; Anna B. Edlund, Tallahassee; Cheryl Lynn Hutchcraft, Seffner; Gregory Morgan, Inverness; Leslie Michelle Nikolai, Dade City; Suzanne Perry, Inverness; Jason Scott Siegal, Miami; Heather M. Stipanovich, Tallahassee; Suzanne Marie Torjak, West Palm Beach; Angela R. Wiggins, Gulf Breeze; Neena Witt, Longwood; Graham Thomas Woodruff, Jacksonville