



Journal of the Senate

Number 10

Tuesday, May 2, 1989

CALL TO ORDER

The Senate was called to order by the President at 10:00 a.m. A quorum present—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	Myers	Weinstein
Childers, W. D.	Grizzle	Peterson	Weinstock
Crenshaw	Jennings	Plummer	Woodson-Howard
Davis	Johnson	Ros-Lehtinen	

Excused: Senator Meek

PRAYER

The following prayer was offered by the Rev. William C. Wynn, Pastor, Brandon Assembly of God, Brandon:

Heavenly Father, we approach your throne with the knowledge of our unworthiness and with the understanding that you accept us as we are, that you not only hear our petitions but are anxious to honor them.

We come not with high-sounding words to impress you nor with many words to overcome your reluctance, but we come in humility to express our faith and confidence in your desire and ability to guide the affairs of men.

Give this distinguished body of Senators the understanding of what your will is and how they may carry out your plan for their lives and the lives of those whom they represent.

Help all to understand, as mere mortals, our human limitations, and, at the same time, help us not to underestimate your infinite knowledge, your unlimited power, or your desire to become involved in our daily affairs.

Give wisdom to these men and women who have to face tough decisions that affect the lives of the citizens of the great state of Florida. Father, make this a day of accomplishment. . . . a day well-spent; and at the close of this day may we each humbly bow before you and express our appreciation for your guiding hand that has directed us. May we be able to stand before you with good conscience, knowing that we have given our best in the spirit of fairness and unselfishness.

These things we ask in your name. Amen.

PLEDGE

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

Consideration of Resolutions

On motion by Senator Weinstein—

SR 876—A resolution designating the week of April 30 through May 6, 1989, as the Days of Remembrance of the Victims of the Holocaust.

WHEREAS, in the entire history of humankind, there has been no greater violation of human rights than the Holocaust perpetrated by Nazi Germany during World War II, where six million Jews were murdered and millions of others suffered as victims of a systematic program of genocide, and

WHEREAS, the Holocaust has become a reminder to all men and women who cherish liberty and justice that they should never be complacent in that liberty or secure in that justice and that they must always honor the commitment to fight new forms of tyranny lest these lead to new Holocausts, and

WHEREAS, May 2, 1989, has been designated internationally, and pursuant to an Act of Congress, as a Day of Remembrance of the Victims of the Nazi Holocaust known as Yom Hashoah, and

WHEREAS, it is appropriate for the people of the State of Florida to join in the international commemoration to rededicate themselves to the principle of equal justice for all people and to recognize that bigotry provides a breeding ground for tyranny, NOW, THEREFORE,

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

That, in memory of the victims of the Holocaust and in the hope that we will strive always to overcome prejudice and inhumanity through education, vigilance, and resistance, the week of April 30 through May 6, 1989, is hereby designated as the Days of Remembrance of the Victims of the Holocaust.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Abraham Foxman and Benjamin Meed, Co-chairmen of the United States Holocaust Memorial Council Days of Remembrance Committee; to Sheldon Gusky, Tallahassee Liaison to the United States Holocaust Memorial Council; to Joe N. Unger, President of the Southeast Florida Holocaust Memorial Council; to Lois Chepenik, President of the Florida Association of Jewish Federations; to Rahamim Timor, Consul General of Israel in Florida; and to Dr. Michael Cohen, President of Jewish Federation of Volusia and Flagler County, Inc., as tangible tokens of the sentiments of the Florida Senate.

—was read the second time in full and adopted.

On motion by Senator Deratany, by two-thirds vote SR 358 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Deratany—

SR 358—A resolution commending Rufus L. Cloud for his distinguished service as a telecommunications officer with the Florida Highway Patrol.

WHEREAS, Rufus L. Cloud has served as a telecommunications officer for the Florida Highway Patrol for almost 30 years, and

WHEREAS, after 11 years of outstanding service, Rufus L. Cloud was promoted to Duty Officer Supervisor for the Melbourne District, and

WHEREAS, in 1976, because of his expertise, he was appointed to serve as instructor for the Florida Highway Patrol Training Academy and, in this capacity, trains duty officers throughout the state, and

WHEREAS, the dedication of Rufus L. Cloud to his job is evident in the long hours he spent on developing a Florida Highway Patrol Communications Manual which now serves as a guide for all division duty officers, and

WHEREAS, in 1989, Rufus L. Cloud was awarded the Civilian Employee of the Year Award by the Florida Highway Patrol for his years of prompt and courteous service to the public and the patrol, NOW, THEREFORE,

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

That Rufus L. Cloud is commended for his 30 years of dedicated and outstanding service to the public and the Florida Highway Patrol.

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

—was read the second time in full and adopted.

Senator Deratany introduced the following special guests: Rufus L. Cloud, Bobby R. Burkett, director, Florida Highway Patrol; Paul Taylor, deputy director, Florida Highway Patrol; Col. James McKinnon, Maj. Walter Sundberg and Maj. Mike Kirby. At the direction of the President, Senators Deratany and Gardner escorted the guests to the rostrum where Mr. Cloud was presented a copy of the resolution.

Special Guest

Senator Langley introduced to the Senate the Honorable Bill McCol-lum, United States Congressman from Florida.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, May 2, 1989: CS for SB 194, SB 506, SM 91, CS for SB 585, SB 758, CS for SB 299, SB 452, SB 523, SB 340, SB 744, SB 788, CS for SB 1006, SB 337, SB 244, SB 738, SB 741, CS for SB 467, CS for SB 162, SB 122, SB 243, CS for SB 510, SB 279, SB 280, SB 605, CS for SB 500, CS for SB 166, CS for SB 160, SB 665, SB 696

Respectfully submitted,
James A. Scott, Chairman

The Committee on Finance, Taxation and Claims recommends the following pass: SB 86, CS for SB 560

The Committee on Judiciary-Civil recommends the following pass: CS for SB 208, CS for SB 719

The Committee on Natural Resources and Conservation recommends the following pass: SB 1129 with 1 amendment

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

The Committee on Transportation recommends the following pass: SB 554 with 2 amendments

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 1049, SB 1057, SB 1147

The Committee on Transportation recommends the following pass: SB 336 with 1 amendment

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

The Committee on Ethics and Elections recommends the following pass: HB 108

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

The Committee on Health Care recommends the following pass: SB 1385 with 3 amendments

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 361 with 1 amendment

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

The Committee on Health Care recommends the following pass: SB 1387 with 1 amendment

The bill was referred to the Committee on Natural Resources and Conservation under the original reference.

The Committee on Health Care recommends the following pass: SB 837

The Committee on Natural Resources and Conservation recommends the following pass: SB 1103, SCR 1146

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 1035 with 1 amendment

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

The Committee on Finance, Taxation and Claims recommends the following pass: SB 369, CS for SB 515, SB 647, SB 820, SB 1050 with 2 amendments, CS for SB 1279 with 2 amendments

The Committee on Judiciary-Civil recommends the following pass: SB 444, CS for SB 458, SB 762, SB 1023, SB 1078

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 732

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 587

The Committee on Governmental Operations recommends a committee substitute for the following: SB 482

The Committee on Health Care recommends committee substitutes for the following: SB 220, SB 1214

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: Senate Bills 493 and 947

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 Governmental Operations recommends a committee substitute for the following: SB 809

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 649

The Committee on Regulated Industries recommends committee substitutes for the following: SB 415, SB 1109

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 Regulated Industries recommends a committee substitute for the following: SB 961

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

The Committee on Education recommends a committee substitute for the following: SB 749

The Committee on Personnel, Retirement and Collective Bargaining recommends a committee substitute for the following: SB 748

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

The Committee on Health Care recommends a committee substitute for the following: SB 224

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

The Committee on Ethics and Elections recommends a committee substitute for the following: SJR 547

The Committee on Personnel, Retirement and Collective Bargaining recommends a committee substitute for the following: CS for SB 139

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

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 736, SB 759, SB 1164

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1280

The Committee on Health Care recommends a committee substitute for the following: SB 1413

The Committee on Regulated Industries recommends committee substitutes for the following: SB 746, SB 1183

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

REQUESTS FOR EXTENSION OF TIME

April 28, 1989

The Committee on Agriculture requests an extension of 15 days for consideration of the following: Senate Bills 308, 834, 898, 912, 924, 985, 1003, 1081, 1127, 1447, 1449; House Bills 833, 834

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 3, 5, 14, 18, 79, 109, 148, 200, 203, 236, 254, 291, 296, 322, 342, 343, 379, 382, 387, 395, 410, 424, 436, 446, 468, 475, 603, 624, 628, 683, 774, 782, 783, 795, 821, 822, 830, 848, 851, 860, 862, 864, 891, 901, 906, 928, 965, 967, 979, 980, 984, 1019, 1051, 1086, 1110, 1114, 1115, 1130, 1200, 1265, 1285, 1299, 1397, 1398, 1409, 1414, 1424, 1439

The Committee on Community Affairs requests an extension of 15 days for consideration of the following: Senate Bills 22, 54, 57, 121, 138, 157, 192, 212, 249, 323, 354, 360, 426, 431, 476, 525, 528, 529, 533, 549, 552, 565, 579, 596, 617, 623, 630, 641, 663, 666, 686, 734, 760, 792, 805, 807, 870, 889, 903, 933, 966, 977, 978, 1025, 1037, 1038, 1061, 1073, 1076, 1085, 1112, 1113, 1140, 1143, 1144, 1163, 1176, 1180, 1189, 1194, 1206, 1231, 1235, 1244, 1276, 1303, 1308, 1322, 1337, 1339, 1347, 1348, 1357, 1382, 1390, 1391, 1394, 1412, 1422, 1423, 1429, 1436, 1438, 1441, 1444, 1445, 1460, 1470; House Bill 292

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: Senate Bills 201, 202, 287, 388, 427, 437, 728, 801, 882, 892, 940, 1029, 1098, 1101, 1134, 1191, 1204, 1205, 1219, 1220, 1228, 1266, 1327, 1392, 1395, 1421, 1454

The Committee on Economic, Professional and Utility Regulation requests an extension of 15 days for consideration of the following: Senate Bills 48, 80, 165, 172, 215, 216, 252, 306, 332, 419, 420, 462, 559, 573, 632, 644, 656, 750, 813, 826, 827, 858, 886, 909, 910, 921, 944, 990, 1000, 1010, 1070, 1077, 1102, 1120, 1121, 1135, 1137, 1165, 1212, 1213, 1215, 1218, 1224, 1225, 1253, 1288, 1291, 1296, 1352, 1355, 1363, 1402, 1426, 1456

The Committee on Education requests an extension of 15 days for consideration of the following: Senate Bills 102, 115, 145, 176, 209, 219, 294, 301, 320, 350, 363, 374, 401, 404, 409, 433, 435, 445, 455, 459, 490, 518, 538, 548, 571, 572, 610, 614, 650, 707, 725, 729, 794, 796, 849, 879, 880, 937, 942, 950, 957, 958, 968, 970, 971, 975, 983, 1001, 1066, 1074, 1075, 1092, 1118, 1123, 1128, 1132, 1136, 1138, 1139, 1240, 1284, 1297, 1350, 1359, 1361, 1364, 1366, 1396, 1410, 1416, 1417, 1450, 1475

The Committee on Ethics and Elections requests an extension of 15 days for consideration of the following: Senate Bills 83, 100, 103, 111, 118, 131, 132, 140, 150, 151, 154, 163, 183, 187, 231, 324, 339, 341, 351, 364, 381, 402, 432, 512, 513, 530, 531, 535, 563, 609, 629, 673, 717, 806, 810, 923, 998, 1064, 1168, 1172, 1256, 1344, 1345, 1446, 1473

The Committee on Executive Business requests an extension of 15 days for consideration of the following: Senate Bill 206

The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: Senate Bills 9, 25, 31, 47, 89, 90, 94, 128, 141, 159, 177, 188, 228, 235, 265, 270, 275, 288, 326, 327, 344, 373, 398, 403, 406, 414, 453, 504, 534, 569, 586, 594, 597, 639, 643, 658, 688, 691, 695, 697, 706, 715, 733, 754, 771, 793, 800, 839, 840, 844, 869, 871, 884, 885, 925, 929, 959, 960, 989, 1063, 1126, 1178, 1203, 1249, 1257, 1258, 1259, 1260, 1346, 1425, 1430; House Bills 817, 1413

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: Senate Bills 65, 66, 70, 75, 129, 137, 186, 338, 473, 483, 492, 508, 509, 580, 584, 621, 642, 667, 708, 785, 798, 811, 867, 905, 953, 969, 1011, 1041, 1052, 1068, 1080, 1166, 1209, 1238, 1239, 1283, 1298, 1333, 1334, 1335, 1336, 1341, 1435, 1437, 1448, 1463, 1469, 1490; House Bills 293, 818, 1531, 1594

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: Senate Bills 37, 171, 193, 226, 257, 300, 441, 551, 574, 608, 618, 655, 676, 721, 724, 752, 770, 789, 877, 1071, 1190, 1227, 1229, 1241, 1270, 1313, 1315, 1329, 1362, 1367, 1389, 1427, 1451, 1455, 1462, 1468

The Committee on Health Care requests an extension of 15 days for consideration of the following: Senate Bills 174, 220, 224, 255, 329, 417, 461, 546, 674, 675, 837, 974, 981, 1105, 1107, 1148, 1181, 1214, 1304, 1306, 1312, 1320, 1349, 1378, 1385, 1387, 1413, 1420, 1428; House Bills 814, 1415, 1418, 1419

The Committee on Higher Education requests an extension of 15 days for consideration of the following: Senate Bills 44, 93, 125, 251, 253, 264, 281, 355, 408, 421, 434, 497, 575, 576, 616, 671, 709, 718, 722, 727, 737, 812, 824, 832, 852, 868, 890, 893, 895, 916, 918, 952, 964, 982, 986, 1020, 1053, 1060, 1088, 1089, 1104, 1122, 1158, 1184, 1192, 1196, 1198, 1282, 1319, 1343, 1353, 1356, 1358, 1360, 1371, 1380, 1388, 1399, 1406, 1458, 1467

The Committee on Insurance requests an extension of 15 days for consideration of the following: Senate Bills 34, 96, 117, 136, 146, 161, 276, 311, 352, 367, 389, 526, 568, 638, 652, 678, 679, 720, 740, 817, 883, 894, 896, 897, 908, 930, 935, 943, 1008, 1024, 1027, 1044, 1056, 1072, 1091, 1097, 1108, 1131, 1177, 1197, 1230, 1242, 1246, 1251, 1252, 1290, 1292, 1294, 1295, 1300, 1317, 1321, 1324, 1328, 1374, 1376, 1386, 1400, 1440

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: Senate Bills 2, 30, 191, 208, 221, 227, 277, 283, 286, 316, 362, 366, 392, 444, 448, 458, 502, 520, 541, 542, 545, 583, 635, 645, 661, 664, 668, 677, 716, 719, 751, 762, 803, 828, 829, 850, 863, 875, 900, 911, 931, 951, 955, 963, 973, 976, 991, 994, 1021, 1022, 1023, 1026, 1040, 1042, 1045, 1047, 1078, 1106, 1125, 1170, 1171, 1182, 1216, 1217, 1243, 1273, 1277, 1305, 1318, 1332, 1419, 1432, 1443, 1457, 1465; House Bills 102, 106, 320

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: Senate Bills 43, 68, 78, 178, 238, 250, 356, 399, 400, 411, 413, 464, 466, 469, 480, 601, 613, 640, 657, 714, 730, 743, 747, 753, 767, 814, 831, 835, 836, 874, 881, 907, 915, 917, 920, 927, 939, 941, 945, 996, 999, 1005, 1012, 1016, 1018, 1028, 1031, 1032, 1043, 1059, 1094, 1111, 1119, 1201, 1210, 1211, 1221, 1268, 1272, 1325, 1326, 1377, 1401, 1407, 1415; House Bill 133

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 7, 72, 195, 205, 284, 302, 314, 361, 371, 384, 438, 449, 460, 481, 484, 493, 494, 501, 511, 516, 517, 522, 577, 589, 602, 611, 634, 689, 690, 699, 700, 745, 757, 768, 777, 781, 838, 853, 938, 947, 954, 1002, 1004, 1009, 1035, 1039, 1049, 1057, 1067, 1069, 1090, 1093, 1103, 1116, 1129, 1145, 1146, 1147, 1159, 1161, 1162, 1187, 1202, 1207, 1245, 1250, 1254, 1267, 1278, 1289, 1301, 1330, 1351, 1365, 1408, 1433, 1461; House Bills 294, 813, 815, 816, 1421, 1532

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for consideration of the following: Senate Bills 10, 85, 222, 319, 345, 390, 439, 567, 592, 593, 595, 598, 636, 653, 680, 742, 773, 779, 816, 823, 888, 913, 993, 995, 1058, 1099, 1255, 1263, 1264, 1269, 1287, 1316, 1354, 1411, 1452

The Committee on Regulated Industries requests an extension of 15 days for consideration of the following: Senate Bills 20, 50, 149, 189, 310, 331, 550, 620, 703, 772, 855, 902, 926, 949, 1013, 1046, 1048, 1054, 1167, 1179, 1185, 1274, 1309, 1314, 1338, 1372, 1418, 1442, 1453

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: Senate Bills 27, 53, 60, 64, 69, 133, 158, 167, 234, 261, 285, 289, 325, 328, 334, 358, 359, 375, 376, 380, 485, 555, 557, 564, 566, 591, 599, 600, 606, 685, 702, 704, 705, 735, 778, 818, 819, 825, 857, 899, 904, 919, 987, 1083, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1226, 1247, 1248, 1271, 1379, 1383, 1384, 1393, 1403, 1405, 1431, 1434, 1471, 1478, 1480, 1482, 1483, 1484, 1485, 1486, 1488, 1491, 1495, 1496, 1498, 1499; House Bill 1717

The Special Master on Claims requests an extension of 15 days for consideration of the following: Senate Bills 16, 180, 181, 1034, 1142, 1464, 1479

The Committee on Transportation requests an extension of 15 days for consideration of the following: Senate Bills 4, 52, 76, 173, 199, 239, 293, 309, 336, 386, 393, 486, 554, 622, 646, 660, 681, 682, 684, 701, 726, 755, 765, 766, 769, 776, 808, 846, 847, 873, 878, 946, 988, 997, 1007, 1014, 1030, 1055, 1096, 1100, 1117, 1124, 1173, 1174, 1175, 1193, 1195, 1208, 1232, 1233, 1237, 1262, 1275, 1302, 1307, 1311, 1323, 1331, 1368, 1369, 1370, 1373, 1459, 1474, 1477; House Bills 409, 1389, 1644

INTRODUCTION AND REFERENCE OF BILLS

First Reading

Numbers 1500 and 1501 have been reserved for appropriations bills.

By Senator D. Childers—

SB 1502—A bill to be entitled An act relating to Palm Beach, Hendry, and Glades counties; creating the Everglades Agricultural Area Environmental Protection District; providing boundaries; providing authority to conduct scientific research on environmental matters related to air and water and land management practices, implementation of financing, construction, and operation of works and facilities; providing definitions; providing for election of a board of supervisors; providing for duties of the board of supervisors; providing for budgets; providing general district powers; providing for dissolution of district; providing for special assessments and exemptions therefrom; providing for short-term borrowing; providing severability; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Thurman—

SR 1503—A resolution recognizing May 14-20 to be Teacher Appreciation Week and expressing appreciation for the teachers of this state.

—was referred to the Committee on Rules and Calendar.

By Senator Grizzle—

SB 1504—A bill to be entitled An act relating to Pinellas County; amending ss. 2, 3, ch. 80-585, Laws of Florida; authorizing the county Emergency Medical Services Authority to establish levels of service that must be met by emergency medical service providers; providing restrictions on that power; allowing the authority to impose fees and charges for emergency medical services; providing for determining the amount of the costs for which emergency medical service providers will be reimbursed; providing a formula for determining reimbursement if the reimbursable costs exceed revenues from the authorized maximum millage; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator McPherson—

SB 1505—A bill to be entitled An act relating to Broward County; authorizing the Governor to appoint a representative of the business community of Broward County to the Broward County Metropolitan Planning Organization under certain circumstances; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

SR 1506 was introduced out of order and adopted April 27.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committees on Personnel, Retirement and Collective Bargaining; Ethics and Elections; and Senator Brown—

CS for SB 139—A bill to be entitled An act relating to ethics in government; providing definitions; prohibiting state employees from serving as consultants for compensation to specified persons; providing a penalty; providing for nonapplicability to certain employees; providing an effective date.

By the Committee on Health Care and Senator Ros-Lehtinen—

CS for SB 220—A bill to be entitled An act relating to indigent mental health, providing legislative intent; providing definitions; exempting community mental health centers; providing funds for certain mental health services; establishing eligibility criteria; providing for a referral process; amending s. 409.2662, F.S.; reserving funds for specialty psychiatric hospitals; providing an effective date.

By the Committee on Health Care and Senator D. Childers—

CS for SB 224—A bill to be entitled An act relating to environmental control; creating s. 403.7084, F.S.; requiring tracking of biohazardous waste from the generator to the treatment facility; providing for a tracking system; providing for inspections; providing for monitoring and testing; providing penalties; amending s. 381.80, F.S.; providing for standards for the segregation, safe packaging, placement, and labeling of biohazardous waste; providing an effective date.

By the Committee on Regulated Industries and Senator Thurman—

CS for SB 415—A bill to be entitled An act relating to dogracing; amending s. 550.162, F.S.; providing that certain amounts that are withheld from pari-mutuel pools by permitholders conducting dograces may be used for purses and advertising; authorizing such permitholders to withhold additional amounts from pari-mutuel pools notwithstanding certain limitations; requiring that a specified percentage of such additional amounts be used for purses in addition to purse amounts provided by contract; requiring such contracts to be filed with the Division of Pari-mutuel Wagering of the Department of Business Regulation; providing an effective date.

By the Committee on Governmental Operations and Senator Crenshaw—

CS for SB 482—A bill to be entitled An act relating to governmental organization; amending s. 20.30, F.S.; establishing a Division of Administration within the Department of Professional Regulation; providing for a director; amending s. 20.16, F.S.; establishing a Division of Administration within the Department of Business Regulation; deleting the Division of General Regulation in the Department of Business Regulation; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senators McPherson, Johnson, Brown, Grizzle and Souto—

CS for SB's 493 and 947—A bill to be entitled An act relating to boating safety; amending s. 327.02, F.S.; including navigation and safety responsibilities in the operation of a vessel; creating s. 327.321, F.S.; prohibiting certain persons from operating certain power vessels without having successfully completed a boating safety course and without having the certificate or license available for inspection; providing definitions; authorizing the imposition of certain fees; authorizing the department to adopt rules for approval or registration of boating courses, training facilities, and instructors; providing exemptions for certain persons; amending s. 327.73, F.S.; clarifying a cross-reference; providing that violations relating to boating safety courses are noncriminal infractions; providing an effective date.

By the Committee on Ethics and Elections; and Senator Thurman—

CS for SJR 547—A joint resolution proposing an amendment to Section 3 and Section 5, Article XI of the State Constitution; authorizing the Legislature to provide the method of verifying initiative petitions; prescribing time for submitting initiative petitions to a vote of the people.

By the Committee on Finance, Taxation and Claims; and Senator Deratny—

CS for SB 587—A bill to be entitled An act relating to insurance premium taxation; amending s. 624.509, F.S.; deleting certain payment provisions; reducing the corporate tax credit; reducing the portion of salaries that may be taken as a credit; revising the definition of the term "group of insurers"; deleting certain administrative provisions; revising the criteria for insurers to qualify for exemption from tax on certain commercial motor vehicle insurance; deleting the repeal of the exemption from tax on certain commercial motor vehicle insurance; providing an exemption for certain flood insurance; revising and readopting provisions of said section scheduled to expire; creating s. 624.5091, F.S.; levying a 0.15 percent surtax on premiums subject to tax under s. 624.509(1)(a), F.S.; creating s. 624.5092, F.S.; providing for administration of certain insur-

ance premium taxes by the Department of Revenue; providing for installment payments; amending s. 213.05, F.S.; broadening the Department of Revenue's administrative authority to include certain insurance premium taxes; amending s. 631.719, F.S.; reducing the credit that can be taken for Florida Life and Health Insurance Guaranty Association assessments; amending s. 631.705, F.S.; reducing the credit that can be taken for Florida Insurance Guaranty Association assessments; amending s. 175.101, F.S.; providing for installment payments; amending s. 185.08, F.S.; providing for installment payments; amending s. 440.57, F.S.; conforming a cross-reference; amending s. 624.4425, F.S.; conforming a cross-reference; amending s. 624.475, F.S.; conforming a cross-reference; amending s. 627.356, F.S.; conforming a cross-reference; amending s. 627.357, F.S.; conforming a cross-reference; temporarily reducing the tax rate on medical malpractice self-insurance; amending s. 627.0625, F.S.; adding flood insurance to the exclusions from the definition of commercial property insurance; providing an effective date.

By the Committee on Governmental Operations and Senator McPherson—

CS for SB 649—A bill to be entitled An act relating to museums; creating the Science Museum Trust Fund; authorizing the Division of Cultural Affairs of the Department of State to provide grants from the trust fund to science museums; specifying criteria for receipt of grants; requiring an accounting of moneys granted from the trust fund; providing for an independent audit of such moneys; amending s. 265.286, F.S.; providing for an annual transfer of funds from the State Major Cultural Institution Trust Fund to the Vital Local Cultural Program; requiring periodic review; providing for addition or deletion of programs; providing a limitation on grants; amending s. 265.2861, F.S.; designating certain State Major Cultural Institutions; amending s. 267.021, F.S.; defining the term "Florida history museum"; amending s. 267.072, F.S.; authorizing the Division of Historical Resources of the Department of State to conduct a program to provide grants from the trust fund to state or local governmental agencies and public or private organizations to finance public exhibits on Florida historical resources and to provide grants to Florida history museums to help pay operating costs; specifying criteria for receipt of grants; providing for applications for grants; providing procedures for grant application evaluation and approval; providing for approval of grant applications by the Secretary of State; providing for the deposit of moneys appropriated or donated to the program; prohibiting grants to museums for the payment of the costs of specified activities; directing the Division of Corporations to annually transfer specified amounts of money from the Corporations Trust Fund to the Science Museum Trust Fund and the Museum of Florida History Trust Fund; amending ss. 15.091, 495.071, 620.182, F.S.; increasing fees paid to the department and deposited in the Corporations Trust Fund for filing, searching, and copying documents filed with the department pursuant to ch. 679, F.S., the Uniform Commercial Code-Secured Transactions, for filing certain documents with the department pursuant to ch. 620, F.S., the Florida Revised Uniform Limited Partnership Act, and obtaining certified copies thereof and for renewal of a registration mark; repealing s. 617.015, F.S., relating to filing fees for corporations not for profit, so that such fees will be charged, collected, and deposited into the Corporations Trust Fund under s. 607.361, F.S., as made applicable by s. 617.002, F.S.; providing an effective date.

By the Committee on Community Affairs—

CS for SB 732—A bill to be entitled An act relating to housing; amending s. 420.0004, F.S.; redefining the term "substantial rehabilitation"; amending s. 420.503, F.S.; defining the term "department"; amending s. 420.507, F.S.; prescribing the powers of the Florida Housing Finance Agency; amending s. 420.5087, F.S.; providing for types of loans and establishing qualifications for loans; providing for the award of loans; providing duties of the Department of Community Affairs; authorizing rental of units under certain conditions; providing for participation in federal mortgage insurance programs; providing for the availability of appropriated funds in subsequent fiscal years; amending s. 420.5088, F.S.; modifying the guidelines for certain Florida homeownership assistance loans; amending s. 420.509, F.S.; allowing bond resolutions to vest certain property and rights in a trustee for the life of the bonds; amending s. 420.606, F.S.; revising requirements for a training and technical assistance program; creating s. 420.6075, F.S.; requiring the Department of Community Affairs to conduct research related to affordable housing; amending s. 420.608, F.S.; requiring the updating of lists of certain sites which are available for development; requiring such lists be provided to certain persons; amending s. 420.609, F.S.; revising membership and

duties of the Affordable Housing Study Commission; providing for application of certain provisions; providing an appropriation; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senator Walker—

CS for SB 736—A bill to be entitled An act relating to ad valorem taxation; amending s. 197.222, F.S., which allows prepayment of estimated tax by the installment method; revising application and notice requirements and specifying that reapplication is not required under certain circumstances; providing an effective date.

By the Committee on Regulated Industries and Senator D. Childers—

CS for SB 746—A bill to be entitled An act relating to public lodging establishments; requiring public lodging establishments which impose a surcharge for telephone calls made by its guests to post notice thereof; providing for the suspension or revocation of licenses of, or imposition of fines against, establishments which fail to do so; providing an effective date.

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

CS for SB 748—A bill to be entitled An act relating to state employment benefits; creating s. 110.162, F.S.; requiring the Department of Administration to adopt rules for tuition-free courses at community colleges and area vocational-technical centers; providing eligibility criteria; amending s. 240.35, F.S., relating to community college student fees; providing for certain calculations; providing an effective date.

By the Committee on Education and Senator D. Childers—

CS for SB 749—A bill to be entitled An act relating to education; amending s. 232.26, F.S.; requiring the suspension and expulsion of any public school student found in unauthorized possession of a firearm, knife, or weapon while on certain public school property or in attendance at a school function; prescribing procedures for expulsion; prescribing the duration of the expulsion; authorizing alternative educational programs for such students; providing conditions for reentry; amending s. 240.133, F.S.; requiring the expulsion of any state university or community college student found in unauthorized possession of a firearm or weapon while on certain state university or community college property; prescribing the duration of the expulsion; providing an effective date.

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

CS for SB 759—A bill to be entitled An act relating to payment of taxes; creating s. 213.755, F.S.; authorizing the Department of Revenue to require the payment of certain taxes by electronic transfer of funds; creating ss. 210.021, 210.31, 550.096, 551.061, 561.111, F.S.; authorizing the secretary of the Department of Business Regulation to require a dealer selling cigarettes to remit taxes by electronic funds transfer under certain circumstances; authorizing the secretary of the department to require a distributor selling tobacco products to remit taxes by electronic funds transfer under certain circumstances; authorizing the secretary of the department to require permitholders conducting race meetings to remit taxes by electronic funds transfer under certain circumstances; authorizing the secretary of the department to require permitholders conducting jai alai exhibitions to remit taxes by electronic funds transfer under certain circumstances; authorizing the secretary of the department to require manufacturers and distributors of alcoholic beverages to remit taxes by electronic funds transfer under certain circumstances; providing an effective date.

By the Committee on Governmental Operations and Senators Kiser, Brown, Dudley, Stuart, Deratany, Peterson, Souto and Langley—

CS for SB 809—A bill to be entitled An act relating to state government; requiring persons who seek business with, or who seek to influence, state executive agencies to register with the Secretary of State; providing for an annual registration fee; requiring expenditure reports; providing penalties; providing an effective date.

By the Committee on Regulated Industries and Senator Dudley—

CS for SB 961—A bill to be entitled An act relating to community association management; amending s. 468.431, F.S.; providing definitions; amending ss. 468.432, 468.433, F.S.; providing for licensure and certification of community association managers; providing requirements for cer-

tification in a classification; amending s. 468.436, F.S.; providing for enforcement of part VIII of chapter 468, F.S., by the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business Regulation; providing for investigations; providing for enforcement proceedings; providing for a civil penalty; providing grounds for suspension or revocation of a license or certification; providing an effective date.

By the Committee on Regulated Industries and Senator Bankhead—

CS for SB 1109—A bill to be entitled An act relating to the sale of alcoholic beverages; amending s. 565.02, F.S.; repealing a prohibition on the sale of alcoholic beverages on steamships and buses while not in transit; repealing a requirement that an operator of a steamship, bus, or airplane file a specified tariff under certain circumstances and post a certified copy of his alcoholic beverage vendor license on the steamship, bus, or airplane to which such license applies; requiring an operator of a steamship, bus, or airline to file certain information with the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation upon applying for an alcoholic beverage vendor license and upon applying for license renewal; requiring such an operator to pay an additional license tax for each steamship, bus, or airplane to which such license applies; authorizing the division to grant a special liquor license to sell and serve alcoholic beverages on certain pleasure, excursion, sight-seeing, or charter boats while docked at a docking facility or marina, subject to certain conditions; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senator Thurman—

CS for SB 1164—A bill to be entitled An act relating to ad valorem tax exemption; amending s. 196.192, F.S.; providing for exemption of tangible personal property loaned or leased to an exempt entity under certain conditions; providing an effective date.

By the Committee on Regulated Industries and Senator Souto—

CS for SB 1183—A bill to be entitled An act relating to condominiums; amending s. 718.113, F.S.; providing that unit owners may display a United States flag regardless of declaration rules or requirements; providing an effective date.

By the Committee on Health Care and Senator Malchon—

CS for SB 1214—A bill to be entitled An act relating to child safety; providing legislative intent; requiring the Department of Health and Rehabilitative Services to conduct a study of accidental childhood death and injury; creating the Committee on Child Safety to assist the department in the study; providing for membership of the committee; providing for per diem and travel expenses of members of the committee; requiring the department to file a report of its findings and the committee's recommendations regarding childhood safety with the Legislature; authorizing the department to accept private funds, grants, and services for the study; providing an appropriation to finance the study; providing an effective date.

By the Committee on Governmental Operations and Senator Kiser—

CS for SB 1280—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing that records of medical review committees created by the Department of Corrections or the Corrections Medical Authority are exempt from public inspection; providing for future legislative review of the exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

By the Committee on Health Care and Senators Kirkpatrick, Dudley, Gardner, Stuart, Peterson, Souto, Casas, Davis, Forman and McPherson—

CS for SB 1413—A bill to be entitled An act relating to cholesterol screening; creating the "Cholesterol Screening Act"; providing definitions; providing for direct supervision of cholesterol screening services by a licensed clinical laboratory or licensed physician; requiring a person or business that performs screening services to be licensed by the Department of Health and Rehabilitative Services; providing fees; requiring periodic onsite inspections by the supervisor and by the department; requiring the department to adopt rules that set standards and providing guidelines for the standards; providing for complaints and investigations; providing for temporary restraining orders; providing administrative penalties; prohibiting the performing of cholesterol screening without a license; providing penalties; providing an effective date.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Margolis, by two-thirds vote CS for SB 739, CS for SB 784, Senate Bills 263, 292, 842, 922 and 956 were withdrawn from the Committee on Appropriations.

On motion by Senator Margolis, by two-thirds vote CS for SB 601 was also referred to the Committee on Appropriations.

On motion by Senator Walker, by two-thirds vote SB 661 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Malchon, by two-thirds vote SR 1431 was withdrawn from the committee of reference and indefinitely postponed.

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 CS for HB 599, CS for HB 600, House Bills 608, 931, 1078, 1122, 1686; has passed as amended HB 922 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committees on Rules and Calendar; and Community Affairs; and Representative C. F. Jones—

CS for HB 599—A bill to be entitled An act relating to special districts; creating s. 189.401, F.S.; creating the Uniform Special District Accountability Act of 1989; creating s. 189.402, F.S.; providing a statement of legislative purpose and intent; creating s. 189.403, F.S.; providing definitions; creating s. 189.4031, F.S.; providing statutory requirements for special districts; creating s. 189.4035, F.S.; providing for the preparation of the official list of special districts; creating s. 189.404, F.S.; providing for independent special district creation and implementation; creating s. 189.4041, F.S.; providing for dependent special district creation and implementation; creating s. 189.4042, F.S.; providing for special district merger; creating s. 189.4043, F.S.; providing dissolution procedures; creating s. 189.4044, F.S.; providing special dissolution procedures; creating s. 189.4045, F.S.; providing for financial allocations; creating s. 189.405, F.S.; providing for election requirements and procedures; creating s. 189.4051, F.S.; providing for special requirements and procedures for certain elections; creating s. 189.4065, F.S.; providing for the collection of non-ad valorem assessments; creating s. 189.408, F.S.; providing for special district bond referenda; creating s. 189.4085, F.S.; providing for bond issuance; creating s. 189.409, F.S.; providing for a determination of financial emergency; creating s. 189.412, F.S.; creating the Special District Information Program and providing duties and responsibilities thereof; creating s. 189.413, F.S.; providing for the oversight of state funds use by special districts; creating s. 189.415, F.S.; providing for a special district public facilities report; creating s. 189.4155, F.S.; providing for activities of special districts with respect to local government comprehensive planning; creating s. 189.4156, F.S.; providing for water management district technical assistance with respect to local government comprehensive planning; renumbering and amending s. 189.004, F.S.; modifying language; renumbering and amending s. 189.005, F.S.; modifying meeting notice requirements; renumbering and amending s. 189.006, F.S.; modifying report filing requirements; correcting cross references; renumbering and amending s. 189.007, F.S.; clarifying language; correcting cross references; renumbering and amending s. 189.008, F.S.; correcting cross references; renumbering and amending s. 189.009, F.S.; correcting cross references; renumbering and amending s. 189.30, F.S., relating to purchase or sale of water or sewer utility by special district; providing applicability; amending s. 11.45, F.S.; providing for annual financial audits of certain special districts; providing for a hearing; providing for the transfer of certain information to designated recipients; correcting cross references; amending s. 20.18, F.S.; providing for cooperation of the Department of Community Affairs and other state agencies with respect to special district reporting requirements; amending s. 75.05, F.S.; providing for a copy of certain served complaints with respect to independent special districts; amending s. 112.322, F.S.; providing for a report; amending s. 112.665, F.S.; directing the Division of Retirement of the Department of Administration to issue an annual report concerning compliance of special districts with certain retirement provisions; amending s. 165.011, F.S.; changing the title of the "Formation of Local Governments Act" to the "Formation of Municipalities Act"; amending ss. 165.021, 165.031, 165.041, 165.051, 165.052, 165.061, and 165.071, F.S.; deleting reference to

local government and special districts and providing reference to municipalities; amending s. 218.32, F.S., relating to financial reporting; requiring the Legislative Auditing Committee to notify specified departments of failure to report; providing for a hearing; providing that the annual financial report of each municipality and county shall include a list of dependent districts located therein; correcting cross references; deleting certain required reporting information; amending s. 218.37, F.S.; providing for a report to the Special District Information Program; expanding powers and duties of the Division of Bond Finance with respect to bond validation; amending s. 218.38, F.S., relating to notice of bond issues; requiring the Legislative Auditing Committee to notify specified departments of failure to comply; providing for a hearing; correcting cross references; amending s. 190.011, F.S.; providing that community development districts shall have the power to impose, collect, and enforce non-ad valorem assessments; amending s. 190.021, F.S.; providing for the funding of certain activities from non-ad valorem assessments; amending s. 190.046, F.S., relating to the termination, contraction, or expansion of districts; providing requirements with respect to a government formed by a merger involving a community development district; creating s. 200.0684, F.S.; requiring an annual compliance report for the Department of Community Affairs; amending s. 218.34, F.S.; deleting the authority of a local governing authority to approve the budget or tax levy of any special district; deleting a report to the Department of Banking and Finance; amending s. 100.011, F.S.; providing that independent and dependent special district elections shall be conducted in a certain manner; providing an exception; amending s. 218.503, F.S., relating to determination of financial emergency; creating s. 373.0391, F.S.; providing for technical assistance to local government by water management districts; amending s. 121.021, F.S.; redefining the term "special district" with respect to the Florida Retirement System; amending s. 200.001, F.S.; providing definitions; amending s. 218.31, F.S.; providing definitions; authorizing the Department of Community Affairs to make rules; repealing s. 189.001, F.S., relating to the short title of the "Special Districts Disclosure Act of 1979"; repealing s. 189.002, F.S., relating to legislative findings and intent; repealing s. 189.003, F.S., relating to definitions; abolishing a group of special districts which are no longer functional; directing the Department of Community Affairs to compile an inventory of fire control districts in the state; requiring a report to the Legislature; directing the Department of Community Affairs to establish a fee schedule with respect to the administration of the act; providing a limitation thereto; providing effective dates.

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

By the Committees on Rules and Calendar; and Community Affairs; and Representative C. F. Jones—

CS for HB 600—A bill to be entitled An act relating to municipalities and special districts; amending s. 165.022, F.S.; deleting reference to special districts in the preemption provisions of the "Formation of Local Governments Act"; creating s. 189.4032, F.S.; providing preemption with respect to special districts under chapter 189; providing an effective date.

—was referred to the Committees on Community Affairs; Finance, Taxation and Claims; and Rules and Calendar.

By Representative Davis and others—

HB 608—A bill to be entitled An act relating to the University of South Florida; naming the building which is designated to house the teacher education program for economic education at that university the "Gus A. Stavros Center for the Advancement of Free Enterprise and Economic Education"; directing the Board of Regents of the Division of Universities of the Department of Education to erect suitable markers designating the building; providing an effective date.

—was referred to the Committee on Higher Education.

By the Committee on Employee and Management Relations; and Representative Ascherl—

HB 931—A bill to be entitled An act relating to collective bargaining; amending s. 447.603, F.S.; authorizing the Public Employees Relations Commission to assume jurisdiction over local commissions under certain circumstances; providing for a hearing; providing an effective date.

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

By Representative Kelly—

HB 1078—A bill to be entitled An act relating to state employment; repealing s. 14, ch. 85-318, Laws of Florida, which provides for the expiration of ss. 110.401-110.407, F.S., relating to the Senior Management Service System, and ss. 110.601-110.607, F.S., relating to the Selected Exempt Service System, effective October 1, 1990; repealing said sections October 1, 1995, and providing for legislative review of said sections prior to that date; providing an effective date.

—was referred to the Committee on Personnel, Retirement and Collective Bargaining.

By Representative Flagg—

HB 1122—A bill to be entitled An act relating to the University of Florida; authorizing and directing the university to change the name of Floyd Hall to Griffin-Floyd Hall; authorizing the expenditure of funds to erect appropriate markers; providing an effective date.

—was referred to the Committee on Higher Education.

By the Committee on Rules and Calendar; and Representative Lippman—

HB 1686—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes; adopting the Florida Statutes 1989 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 1989 shall be effective immediately upon publication; providing that general laws enacted during the 1987 regular and special legislative sessions up to and including the special session of October 12 to October 14, 1987, and prior thereto and not included in the Florida Statutes 1989 are repealed; providing that general laws enacted during the December 1987 special session, the 1988 regular and special sessions, and the 1989 regular session are not repealed by this adoption act.

—was referred to the Committee on Rules and Calendar.

By the Committee on Agriculture and Representatives Trammell and Harris—

HB 922—A bill to be entitled An act relating to citrus; amending s. 601.28, F.S.; revising language to reflect the correct names of certain bureaus; authorizing the Department of Agriculture and Consumer Services to adopt rules for the imposition of special fees for inspections conducted during hours not contemplated by regular state work hours under certain circumstances; providing for the imposition of such fees by contract; providing a limit on fees; providing that s. 601.10(8), F.S., relating to the dissemination of information to the citrus industry, is not repealed October 1, 1990, notwithstanding s. 6, ch. 83-252, Laws of Florida, as amended, and reenacting said subsection; providing an effective date.

—was referred to the Committee on Agriculture.

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 13, 56, 156, 223, 333 and 405.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

SPECIAL ORDER

CS for SB 194—A bill to be entitled An act relating to adult congregate living facilities; creating s. 400.442, F.S.; providing for the consultant services of a pharmacist or dietitian under certain circumstances; providing for compliance with standards for pharmacy and dietary services; providing an effective date.

—was read the second time by title.

Senator Ros-Lehtinen moved the following amendments which were adopted:

Amendment 1—On page 1, line 12, strike everything after the enacting clause and insert:

Section 1. Section 400.442, Florida Statutes, is created to read:

400.442 Pharmacy and dietary services.—

(1) Notwithstanding, the provisions of s. 400.419, any adult congregate living facility in which the department has documented a Class I or Class II deficiency or uncorrected Class III deficiencies regarding medicinal drugs or over-the-counter preparations or dietary services, or both, during an annual survey or a monitoring visit or an investigation in response to a complaint, shall be required to employ the consultant services of a licensed pharmacist or a registered or licensed dietitian, or both, as applicable. The consultant shall provide onsite consultation and shall continue with, at a minimum, onsite quarterly consultation until the inspection team from the department determines that such consultation services are no longer required.

(2) The department shall employ at least two pharmacists licensed pursuant to chapter 465 among its personnel who annually inspect adult congregate living facilities licensed under this part, to participate in annual inspections or consult with the department regarding deficiencies relating to medicinal drugs or over-the-counter preparations, including but not limited to, their storage, use, delivery or administration.

Section 2. This act shall take effect October 1, 1989.

Amendment 2—In title, on page 1, strike all of lines 1-8 and insert: A bill to be entitled An act relating to adult congregate living facilities; creating s. 400.442, F.S.; requiring the consultant services of a pharmacist or dietitian under certain circumstances; providing for certain pharmacists within the Department of Health and Rehabilitative Services; providing an effective date.

On motion by Senator Casas, by two-thirds vote CS for SB 194 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Crenshaw, Kirkpatrick

Consideration of **SB 506** was deferred.

SM 91—A memorial to the Congress of the United States, urging Congress to revisit the provisions of section 1114 of Public Law 99-662, the Water Resources Development Act of 1986, which provides for the deauthorization of the Cross Florida Barge Canal Project, contingent upon specified action by the State of Florida and the Secretary of the Army of the United States, and provide instead for a simple deauthorization which will allow existing Florida law to govern the disposition of the lands held by the Canal Authority of the State of Florida.

WHEREAS, completion of the Cross Florida Barge Canal could result in incalculable harm to the Floridan Aquifer and thereby threaten much of Florida's drinking water resources, and

WHEREAS, the State of Florida has established a record supporting the deauthorization of the Cross Florida Barge Canal Project by the Congress of the United States, and

WHEREAS, the Florida Legislature has enacted chapter 79-167, Laws of Florida, as amended by chapter 84-287, Laws of Florida, which provides a plan for disposition of the lands held by the Canal Authority of the State of Florida upon deauthorization of the canal project by the Congress of the United States, and

WHEREAS, the Congress of the United States has enacted section 1114 of Public Law 99-662, the Water Resources Development Act of 1986, which provides for the deauthorization of the Cross Florida Barge Canal Project, contingent upon specified actions by the State of Florida and the Secretary of the Army of the United States, and

WHEREAS, deauthorization of the Cross Florida Barge Canal Project pursuant to section 1114 of Public Law 99-662 is contingent upon the transfer of more than 50,000 acres of valuable land, to be managed for conservation and recreational purposes, to the United States Department of the Army for far less than their current value and for which complete appropriations have not been provided, and

WHEREAS, deauthorization of the Cross Florida Barge Canal Project pursuant to section 1114 of Public Law 99-662 is further contingent upon the State of Florida enacting legislation, which could subject the State of Florida to great expense, assuring that the interests in much of the lands to be so transferred are sufficient to carry out the purposes of the federal act, and

WHEREAS, section 1114 of Public Law 99-662 directs the Secretary of the Army of the United States to develop, by November 17, 1987, a comprehensive management plan for the future management of much of the lands to be transferred, which plan has not been developed, and

WHEREAS, the Florida Legislature has determined that section 1114 of Public Law 99-662 provides an overly complex and drawn out process for deauthorization and is incompatible with previously enacted Florida law which provides a more appropriate means for disposing of lands within the project corridor in a manner that will be in the public interest and reflect sound intergovernmental public policy, NOW, THEREFORE,

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

That the Congress of the United States is urged to repeal section 1114 of Public Law 99-662, the Water Resources Development Act of 1986, and enact legislation providing for the deauthorization of the Cross Florida Barge Canal Project and allow the State of Florida to dispose of previously acquired lands in the manner provided by chapter 79-167, Laws of Florida, as amended by chapter 84-287, Laws of Florida. Such legislation should provide for continuing operating costs and maintenance by the Federal Government of completed portions of the Cross Florida Barge Canal.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—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 3, line 2, strike "repeal" and insert: amend

On motion by Senator McPherson, SM 91 as amended was read in full, adopted, ordered engrossed and then certified to the House. The vote on adoption was:

Yeas—35

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

Nays—None

On motion by Senator McPherson, the rules were waived and **SM 91** was ordered immediately certified to the House.

CS for SB 585—A bill to be entitled An act relating to marine fisheries; repealing s. 370.08(7), (9), (11), (12), F.S.; deleting provisions regulating the use of gill nets in counties where gill netting is not prohibited, provisions prohibiting the use of certain types of hooks to take snook, provisions regulating the use of gill nets to harvest king mackerel, and provisions restricting the mesh size of king mackerel nets; amending s. 370.11, F.S.; removing the minimum size limits for the taking of certain saltwater fish; repealing s. 370.11(5), (6), F.S.; deleting provisions regulating the sale, transportation, and possession of sailfish; repealing s.

370.1121(3), (4), F.S.; deleting provisions limiting the possession of bonefish; amending s. 370.13, F.S.; deleting certain provisions relating to the taking of stone crabs and the regulation of stone crab traps; amending s. 370.14, F.S.; deleting certain provisions relating to the taking of crawfish and to crawfish traps; amending s. 370.153, F.S.; deleting provision prescribing the maximum size of live bait shrimp trawls that may be used in specified counties; deleting an expired provision; amending s. 370.16, F.S.; deleting provisions relating to a closed season for oysters and special provisions for Franklin County; deleting provisions relating to the use of harvesting equipment in leased bedding grounds; deleting provisions relating to culling oysters, the possession of undersized oysters, and special provisions for Franklin County; deleting provisions relating to oyster rehabilitation commissions and commissioners; deleting provisions relating to oyster conservation districts and oyster conservation commissions; revising internal cross-references; amending s. 370.17, F.S.; deleting provision prohibiting the use of diving suits, helmets, or other deep sea diving apparatus in the taking of commercial sponges; deleting provisions limiting the ownership of sponges, the lease or sale of sponge beds, and prohibiting the use of deep sea diving equipment in the taking of sponges; deleting reference to oyster rehabilitation commissions; amending s. 370.172, F.S.; removing certain places from the list of places where spearfishing is prohibited; deleting provisions relating to bag limits and the sale of fish taken by spearfishing; repealing s. 370.111, F.S., relating to regulation of the taking, possession, and sale of snook; repealing s. 370.112, F.S., relating to regulation of the taking, possession, and sale of striped bass and to permits to import and culture striped bass; repealing s. 370.113, F.S., relating to regulation of the taking, possession, and sale of queen conchs; repealing s. 370.171, F.S., relating to areas where diving for sponges is prohibited; providing that language contained within ch. 370, F.S., which is subject to being replaced by rules adopted by the Marine Fisheries Commission remains in force until the Governor and Cabinet have adopted appropriate rules pursuant to s. 370.027, F.S.; providing that this act does not affect the scheduled repeal of certain provisions of the Florida Statutes; providing an effective date.

—was read the second time by title. On motion by Senator McPherson, by two-thirds vote CS for SB 585 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Deratany, Malchon

SB 758—A bill to be entitled An act relating to licensing standards for child care facilities; amending s. 402.305, F.S.; requiring the inclusion of standards for urban child care facilities, including substitutes for outdoor play space; providing an effective date.

—was read the second time by title. On motion by Senator Davis, by two-thirds vote SB 758 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Childers, W. D.	Girardeau	Kiser
Bankhead	Crenshaw	Gordon	Langley
Beard	Davis	Grant	Malchon
Brown	Deratany	Grizzle	Myers
Bruner	Dudley	Jennings	Peterson
Casas	Forman	Johnson	Plummer
Childers, D.	Gardner	Kirkpatrick	Ros-Lehtinen

Scott	Thomas	Weinstein
Souto	Thurman	Weinstock
Stuart	Walker	Woodson-Howard

Nays—None

On motion by Senator Thurman, by two-thirds vote HB 922 was withdrawn from the Committee on Agriculture.

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

HB 922—A bill to be entitled An act relating to citrus; amending s. 601.28, F.S.; revising language to reflect the correct names of certain bureaus; authorizing the Department of Agriculture and Consumer Services to adopt rules for the imposition of special fees for inspections conducted during hours not contemplated by regular state work hours under certain circumstances; providing for the imposition of such fees by contract; providing a limit on fees; providing that s. 601.10(8), F.S., relating to the dissemination of information to the citrus industry, is not repealed October 1, 1990, notwithstanding s. 6, ch. 83-252, Laws of Florida, as amended, and reenacting said subsection; providing an effective date.

—a companion measure, was substituted for CS for SB 299 and by two-thirds vote read the second time by title. On motion by Senator Thurman, by two-thirds vote HB 922 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	Myers	Weinstein
Childers, W. D.	Grizzle	Peterson	Weinstock
Crenshaw	Jennings	Plummer	Woodson-Howard
Davis	Johnson	Ros-Lehtinen	

Nays—None

SB 452—A bill to be entitled An act relating to the Uniform Commercial Code; amending s. 679.401, F.S.; providing for the perfection of a security interest in certain equipment used in farming operations by filing in the office of the Department of State; providing an effective date.

—was read the second time by title. On motion by Senator Dudley, by two-thirds vote SB 452 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	Myers	Weinstein
Childers, W. D.	Grizzle	Peterson	Weinstock
Crenshaw	Jennings	Plummer	Woodson-Howard
Davis	Johnson	Ros-Lehtinen	

Nays—None

SB 523—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.07, F.S.; revising language with respect to wholesale saltwater products dealers to provide that when dealers purchase products at a site other than a permanent address, notification must be given to the Division of Law Enforcement of the Department of Natural Resources; providing an effective date.

—was read the second time by title.

Senator McPherson moved the following amendment which was adopted:

Amendment 1—On page 1, strike all of lines 18-22 and insert:

(6) *PURCHASE OF SALTWATER PRODUCTS AT TEMPORARY LOCATION.*—Wholesale dealers purchasing saltwater products at any

site other than a site located in a county where the dealer has a permanent address must notify the Division of Law Enforcement of the location of the temporary site of business for each day business is to be conducted at such site.

On motion by Senator McPherson, by two-thirds vote SB 523 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	Margolis	Thurman
Bruner	Girardeau	McPherson	Walker
Casas	Gordon	Myers	Weinstein
Childers, D.	Grant	Peterson	Weinstock
Childers, W. D.	Grizzle	Plummer	Woodson-Howard
Crenshaw	Jennings	Ros-Lehtinen	
Davis	Johnson	Scott	

Nays—None

Vote after roll call:

Yea—Kirkpatrick

On motion by Senator Kiser, by two-thirds vote HB 608 was withdrawn from the Committee on Higher Education.

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

HB 608—A bill to be entitled An act relating to the University of South Florida; naming the building which is designated to house the teacher education program for economic education at that university the "Gus A. Stavros Center for the Advancement of Free Enterprise and Economic Education"; directing the Board of Regents of the Division of Universities of the Department of Education to erect suitable markers designating the building; providing an effective date.

—a companion measure, was substituted for SB 340 and by two-thirds vote read the second time by title. On motion by Senator Kiser, by two-thirds vote HB 608 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

SB 744—A bill to be entitled An act relating to postsecondary education; amending s. 240.107, F.S.; reducing the number of semester hours necessary to take the College-Level Communication and Computation Skills Examination; providing an effective date.

—was read the second time by title.

The Committee on Higher Education recommended the following amendment which was moved by Senator Gordon and adopted:

Amendment 1—In title, on page 1, line 3, strike "reducing" and insert: setting

On motion by Senator Gordon, by two-thirds vote SB 744 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	Margolis	Thurman
Bruner	Girardeau	McPherson	Walker
Casas	Gordon	Myers	Weinstein
Childers, D.	Grant	Peterson	Weinstock
Childers, W. D.	Grizzle	Plummer	Woodson-Howard
Crenshaw	Jennings	Ros-Lehtinen	
Davis	Johnson	Scott	

Nays—None

Vote after roll call:

Yea—Kirkpatrick

SB 788—A bill to be entitled An act relating to electrical contracting; amending s. 489.505, F.S.; redefining the term "specialty electrical contractor"; providing an effective date.

—was read the second time by title. On motion by Senator Kiser, by two-thirds vote SB 788 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Gordon, Kirkpatrick, McPherson

CS for SB 1006—A bill to be entitled An act relating to theft; amending s. 812.014, F.S.; authorizing inclusion of prior grand theft convictions in accumulating offenses for purposes of providing an enhanced penalty when a second or subsequent theft conviction is for petit theft; reenacting ss. 812.015(2), 634.319(2), 634.421(2), 642.038(2), and 705.102(4), F.S., relating to retail and farm theft; reporting and accounting for funds received by sales representatives in certain fiduciary transactions; and unlawful appropriation of lost or abandoned property, to incorporate said amendments; providing technical amendments; providing an effective date.

—was read the second time by title.

Senator Langley moved the following amendments which were adopted:

Amendment 1—On page 5, between lines 13 and 14, insert:

Section 3. Subsection (4) of Section 642.017, Florida Statutes, is amended to read:

642.017 Exemptions.—

(4) The furnishing of legal assistance to members, or their dependents, by a church, cooperative, educational institution, credit union, non-profit organization of professionals licensed and regulated by the Department of Professional Regulation, or organization of employees, in which the organization contracts directly with a lawyer or law firm for the provision of legal services and the administration and marketing of such legal services are conducted wholly by the organization.

(Renumber subsequent section.)

Amendment 2—In title, on page 1, line 15, after the semicolon (;) insert: amending s. 642.017, F.S.; providing an exception to certain insurance regulated by the Florida Insurance Code;

On motion by Senator Casas, by two-thirds vote CS for SB 1006 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick, Woodson-Howard

SB 337—A bill to be entitled An act relating to the state correctional system; amending s. 945.602, F.S.; increasing the number of members of the governing board of the State of Florida Correctional Medical Authority of the Department of Corrections; revising qualifications for such members; providing staggered terms for the members added; revising the quorum of the authority; deleting provisions that have had their effect; repealing s. 945.603(15), F.S., relating to a reporting requirement applicable to the authority which has expired; requiring the authority to report to the Governor its recommendation concerning the establishment of a nonprofit corporation to lease and manage medical services for inmates of the department; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 337 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—2

Girardeau Gordon

Vote after roll call:

Yea—Peterson, Stuart

On motion by Senator Ros-Lehtinen, by two-thirds vote HB 1078 was withdrawn from the Committee on Personnel, Retirement and Collective Bargaining.

On motions by Senator Ros-Lehtinen, by two-thirds vote—

HB 1078—A bill to be entitled An act relating to state employment; repealing s. 14, ch. 85-318, Laws of Florida, which provides for the expiration of ss. 110.401-110.407, F.S., relating to the Senior Management Service System, and ss. 110.601-110.607, F.S., relating to the Selected Exempt Service System, effective October 1, 1990; repealing said sections October 1, 1995, and providing for legislative review of said sections prior to that date; providing an effective date.

—a companion measure, was substituted for SB 244 and by two-thirds vote read the second time by title. On motion by Senator Ros-Lehtinen, by two-thirds vote HB 1078 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Casas	Deratany	Grant
Bankhead	Childers, D.	Dudley	Grizzle
Beard	Childers, W. D.	Forman	Jennings
Brown	Crenshaw	Gardner	Johnson
Bruner	Davis	Gordon	Kirkpatrick

Kiser	Peterson	Stuart	Weinstock
Langley	Plummer	Thomas	Woodson-Howard
Malchon	Ros-Lehtinen	Thurman	
McPherson	Scott	Walker	
Myers	Souto	Weinstein	

Nays—None

SB 738—A bill to be entitled An act relating to insurance; amending ss. 627.475, 627.476, F.S.; requiring insurers to pay cash surrender values within a specific time; providing an interest payment for late payment; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 8, strike everything after the enacting clause and insert:

Section 1. Section 627.482, Florida Statutes, is created to read:

627.482 Interest payable on cash surrender of policy.—

(1) If an insured requests payment of the cash surrender value of a policy from its insurer, such payment shall include interest at the rate of interest specified in s. 625.121(5)(e), unless such payment is made by the insurer within 30 days of receipt of the insurance policy and request for cash surrender.

(2) An insurer shall be exempt from the requirements of this section if, upon petition by the insurer to the department, it is determined by the department that payment of such interest threatens the solvency of the insurer.

Section 2. This act shall take effect October 1, 1989, and shall apply to policies or contracts issued and delivered in this state on or after such date.

Amendment 2—In title, on page 1, strike all of lines 2-6 and insert: An act relating to life insurance; creating s. 627.482, F.S.; requiring life insurers to pay interest on cash surrender of a policy; providing for an exemption under certain conditions; providing an effective date.

On motion by Senator Crenshaw, by two-thirds vote SB 738 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	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	Myers	Weinstein
Childers, W. D.	Grizzle	Peterson	Weinstock
Crenshaw	Jennings	Plummer	Woodson-Howard
Davis	Johnson	Ros-Lehtinen	

Nays—None

Motion

On motion by Senator Plummer, the rules were waived and the Committee on Corrections, Probation and Parole was granted permission to consider SB 940 this day.

SB 741—A bill to be entitled An act relating to Medicare supplement insurance; amending s. 627.674, F.S.; providing requirements for coverage of preexisting conditions in certain policies; providing for coverage for certain health conditions in replacement policies; providing an effective date.

—was read the second time by title. On motion by Senator Dudley, by two-thirds vote SB 741 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Deratany, Grizzle, Malchon

CS for SB 467—A bill to be entitled An act relating to construction contracting; amending s. 471.003, F.S.; providing an exemption to the engineering licensing law; amending s. 481.229, F.S.; providing an exemption to the architect licensing and certification law; amending s. 489.103, F.S.; providing an exemption to the contracting licensure law; amending s. 481.329, F.S.; providing an exemption to the landscape architecture licensure law; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote CS for SB 467 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	McPherson	Weinstein
Childers, D.	Grant	Myers	Weinstock
Childers, W. D.	Grizzle	Peterson	Woodson-Howard
Crenshaw	Jennings	Plummer	
Davis	Johnson	Ros-Lehtinen	

Nays—None

Consideration of **CS for SB 162** was deferred.

SB 122—A bill to be entitled An act relating to utility services; amending s. 180.135, F.S.; providing that a municipality may discontinue service to a tenant who is in arrears; providing an effective date.

—was read the second time by title.

Senator W. D. Childers presiding

Senator Malchon moved the following amendment:

Amendment 1—On page 1, line 22, before the period (.) insert: 30 days or more, or as required by bond covenant

Senators Girardeau and Thomas offered the following substitute amendment which was moved by Senator Girardeau and failed:

Amendment 2—On page 1, lines 20-22, strike all of said lines after the period (.) on line 20 and insert: The municipality may discontinue service after two consecutive monthly periods of nonpayment by the tenant.

Amendment 1 was adopted.

On motion by Senator Kiser, by two-thirds vote SB 122 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

Bankhead	Casas	Davis	Gardner
Beard	Childers, D.	Deratany	Girardeau
Brown	Childers, W. D.	Dudley	Gordon
Bruner	Crenshaw	Forman	Grant

Grizzle	Langley	Peterson	Thomas
Jennings	Malchon	Plummer	Thurman
Johnson	Margolis	Ros-Lehtinen	Walker
Kirkpatrick	McPherson	Scott	Weinstock
Kiser	Myers	Stuart	Woodson-Howard

Nays—None

Vote after roll call:

Yea—Souto, Weinstein

On motion by Senator Kiser, the rules were waived and **SB 122** was ordered immediately certified to the House.

SB 506—A bill to be entitled An act relating to landlord and tenant; amending s. 83.51, F.S.; prescribing the landlord's obligation to maintain and equip the premises of dwelling units; providing an effective date.

—was read the second time by title.

Senator Thomas moved the following amendment which was adopted:

Amendment 1—On page 1, lines 13-31 and on page 2, lines 1-6, strike all of said lines and insert:

(2)(a) Unless otherwise agreed in writing, in addition to the requirements of subsection (1), the landlord of a dwelling unit other than a single family home or duplex shall;

1. At all times during the tenancy, make reasonable provisions for:

a.1. The extermination of rats, mice, roaches, ants, wood-destroying organisms, and bedbugs. When vacation of the premises is required for such extermination, the landlord shall not be liable for damages but shall abate the rent. The tenant shall be required to vacate the premises on 7-days' written notice, if necessary, for extermination pursuant to this sub-paragraph.

b.2. Locks and keys.

c.3. The clean and safe condition of common areas.

d.4. Garbage removal and outside receptacles therefor.

e.5. Heat during winter, running water, and hot water.

2. At the commencement of the tenancy of a single family home or duplex make reasonable provisions for smoke detection devices. "Smoke detection device" means an electrical or battery-operated device which detects visible or invisible particles of combustion and which is listed by Underwriters Laboratory, Factory Mutual, or any other nationally recognized testing laboratory utilizing nationally accepted testing standards.

On motion by Senator Thomas, by two-thirds vote SB 506 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Deratany

SB 243—A bill to be entitled An act resolving the discrepancies between the amendments to s. 121.071, F.S., by chapters 88-238 and 88-382, Laws of Florida, with respect to the employer contribution rates, and the dates changes in such rates take effect, for members of the Special Risk Class of the Florida Retirement System and correcting errors in the amendment of s. 121.091, F.S., by ch. 88-238, Laws of Florida, with respect to the periods in which different benefit rates apply for different periods of service in that class; providing an effective date.

—was read the second time by title. On motion by Senator Ros-Lehtinen, by two-thirds vote SB 243 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Bankhead	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

CS for SB 510—A bill to be entitled An act relating to public accountability; amending s. 473.305, F.S.; providing for a delinquency fee; amending s. 473.308, F.S.; providing qualifications for licensure by endorsement; amending s. 473.309, F.S.; providing certain requirements for corporations engaged in the practice of public accounting; providing an effective date.

—was read the second time by title. On motion by Senator Bankhead, by two-thirds vote CS for SB 510 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Bankhead	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

SB 279—A bill to be entitled An act relating to the Fine Arts Endowment Trust Fund; amending s. 265.605, F.S.; continuing the exemption of certain records of the Fine Arts Endowment Trust Fund from the public records law; exempting such records from certain public records requirements; 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 279 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Bankhead	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

SB 280—A bill to be entitled An act relating to the State Theater Program; amending s. 265.289, F.S.; continuing, with modifications, the exemption of certain records of the contract organizations of the State Theater Program from public records requirements; exempting such records from certain public records requirements; providing for future legislative review of the 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 280 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 605—A bill to be entitled An act relating to motor vehicle license plates; amending s. 320.06, F.S.; eliminating the requirement that license plates include a county designation at the bottom of the plates; providing an effective date.

—was read the second time by title.

The Committee on Transportation recommended the following amendment which was moved by Senator Woodson-Howard:

Amendment 1—On page 1, strike line 28 and insert: also be imprinted with the word "Florida" at the top. *The department must provide to each county tax collector retroreflective adhesive tape designating the appropriate county name. The department must provide adequate quantities of such adhesive tape so that each license plate supplied to the tax collector may have such adhesive tape attached to the bottom of the plate by the tax collector.* ~~and the~~

Senators Langley and Girardeau offered the following amendment to Amendment 1 which was moved by Senator Langley and adopted:

Amendment 1A—On page 1, strike all of lines 17 and 18 and insert: The Tax Collector who shall have such adhesive tape attached to the bottom of the plate.

Amendment 1 as amended was adopted.

The Committee on Transportation recommended the following amendment which was moved by Senator Woodson-Howard and adopted:

Amendment 2—In title, on page 1, strike all of lines 3-5 and insert: plates; amending s. 320.06, F.S.; requiring the department to supply retroreflective adhesive tape with county name;

On motion by Senator Woodson-Howard, by two-thirds vote SB 605 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

Bankhead	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

CS for SB 500—A bill to be entitled An act relating to aquatic plant control; amending ss. 369.20, 369.22, F.S.; clarifying certain authority of the Department of Natural Resources under the Florida Aquatic Weed Control Act and the Florida Nonindigenous Aquatic Plant Control Act; providing rulemaking authority; requiring a permit for control or eradication of aquatic weeds or plants; providing for exemptions; providing criteria and standards for review of permit applications; providing an effective date.

—was read the second time by title.

Senator Kiser moved the following amendment which was adopted:

Amendment 1—On page 2, lines 11-14 and on page 3, lines 11-14, strike all of said lines and insert: *control activities; an evaluation of the*

benefits of such activities to the public; specific criteria recognizing the differences between natural and artificially created waters; and the different amount and quality of littoral vegetation on various waters. Applications for a permit to engage in aquatic plant

On motion by Senator Kiser, by two-thirds vote CS for SB 500 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

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

Nays—None

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.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote CS for SB 166 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Motion

On motion by Senator Scott, the rules were waived and time of recess was extended until completion of the special order calendar.

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.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote CS for SB 160 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

SB 665—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; exempting certain information within public records relating to personnel of the Department of Health and Rehabilitative Services from public access requirements; expanding an existing

exemption relating to law enforcement personnel to cover the same information; providing that these exemptions are subject to review and repeal pursuant to the Open Government Sunset Review Act in accordance with s. 119.14, F.S.; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote SB 665 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Girardeau, Kirkpatrick

SB 696—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; creating an exemption of limited duration from the public records law for title information relating to real property sought to be acquired by a state agency through purchase or the power of eminent domain; providing for future review and repeal of exemptions relating to such property; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations recommended the following amendment which was moved by Senator Beard and adopted:

Amendment 1—On page 2, strike all of lines 6-8 and insert: *acquisition, obtained by an agency of the executive branch of state government in the course of or preliminary to its acquisition of property by purchase or through exercise of the power of eminent domain is*

On motion by Senator Beard, by two-thirds vote SB 696 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

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

Nays—None

Vote after roll call:

Yea—Walker

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Deratany, by two-thirds vote Senate Bills 159 and 414 were withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Deratany, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to consider the report of the Select Subcommittee on the Taxation and Budget Reform Commission and HB 1413 on Wednesday, May 3.

On motion by Senator Margolis, by two-thirds vote CS for CS for SB 45 was removed from the calendar and referred to the Committee on Appropriations.

On motions by Senator Scott, by two-thirds vote Senate Bills 785 and 1298 and House Bills 818 and 293 were withdrawn from the Committee on Governmental Operations.

On motion by Senator Scott, by two-thirds vote CS for SB 30 was withdrawn from the Committee on Judiciary-Civil.

On motions by Senator Scott, by two-thirds vote SB 653 was withdrawn from the Committee on Personnel, Retirement and Collective Bargaining and referred to the Committee on Judiciary-Criminal.

On motion by Senator Scott, by two-thirds vote SB 1416 was withdrawn from the Committee on Education.

On motions by Senator Scott, by two-thirds vote CS for SB's 566 and 764 was withdrawn from the Committee on Rules and Calendar and referred to the Committees on Finance, Taxation and Claims; Appropriations; and Rules and Calendar.

ENROLLING REPORTS

Senate Bills 19 and 104 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 28, 1989.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 27 was corrected and approved.

CO-INTRODUCERS

Senator Myers—SJR 15, Senate Bills 281, 567, 621, 752 and 1197; Senator Dudley—Senate Bills 165 and 793; Senator Kirkpatrick—CS for SB 208; Senator Peterson—SB 249; Senator Casas—Senate Bills 281, 434, 567, 729 and CS for SB 752; Senator Souto—Senate Bills 434 and 729; Senator Gardner—SB 920; Senators Deratany and Stuart—SB 946; Senator Weinstock—SB 1373

RECESS

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

Pursuant to the motion by Senator Scott, the Senate recessed at 12:03 p.m. to reconvene at 10:00 a.m., Tuesday, May 9.

SENATE PAGES

May 1-5

Catherine Julyenne Bailey, Chipley; Barry N. Bishop, Tampa; Alfredo R. del Portillo, Coral Gables; Lisa Goodman, Miami Beach; Steve Gordon, Chattahoochee; Mylissa Graber, Coral Springs; Peter P. Hardy, Orlando; William Kamaka, Sarasota; Shanna Marie Kent, Chattahoochee; Jerry Martin, Jr., Cross City; Eduardo Martinez, Coral Gables; Tanya McClellan, Winter Garden; Travis Moore, Islamorada; Neal J. Musson, New Smyrna Beach; Mary Helen O'Connor, Orlando; James F. Selph III, Arcadia; Jennifer L. Terrill, Clewiston