



Journal of the Senate

Number 19

Friday, May 26, 1989

CALL TO ORDER

The Senate was called to order by the President at 10:00 a.m. A quorum present—38:

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

Excused: Senator Grizzle at 11:00 a.m.; Senator Jennings at 12:15 p.m.; Senators Dudley and Langley

PRAYER

The following prayer was offered by the Rev. Dave Malheiro, Pastor, Fellowship Baptist Church, Tallahassee:

Lord, I thank you for the opportunity to pray with those who have been called out to serve in such a special way. For those who have the awesome responsibility to make decisions that will so greatly affect the people and the future of our state, I ask that you will provide abundant knowledge, keen discernment, and unusual wisdom.

These are special men and women who have the respect and the honor of those who have selected them, even above others. My prayer, our Father, this day is that when these days are over, the applause has hushed, the accolades have ceased, and they have returned to the places from which they came, they will sense from above, "Well done, thy good and faithful servant." Our Father, bless them in these proceedings this day is our prayer. Amen.

Motions

On motion by Senator McPherson, the rules were waived and **SB 989** was ordered immediately certified to the House.

On motions by Senator Scott, by two-thirds vote **SB 1551** was added to the special order calendar and **HB 193** was added to the local bill calendar.

Special Guests

Senator Thomas presented to the Senate Jose Pujals Mederos, a political prisoner who was released from a Cuban prison after being incarcerated for 27 years and 22 days. During the 1987 session, Senator Thomas introduced a resolution urging United States officials to secure the release of Mr. Pujals. Approximately a year later, Mr. Pujals was released and reunited with his family.

Senator Thomas introduced Mr. Pujals's wife Gloria; his daughter Gloria Pullen of Havana, Florida; and granddaughter Lori Pullen.

At the request of the President, Senators Thomas, Ros-Lehtinen, Souto and Casas escorted the guests to the rostrum where Mr. Pujals addressed the Senate.

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

Jose Pujals Mederos: Honorable Bob Crawford, President, and other honorable members of the Florida Senate, almost 30 years ago with a deep admiration for this country and its free institutions, I left my three children, at the time nine, eight and seven years old, in the free and healthy environment of Florida where they would grow up, work here for

and be educated by my close relatives. I went back to my country, Cuba, to fight an aggressive and most wicked regime that step by step was taking over every facet of Cuban life and society, doing away with all our democratic institutions, our moral values and principles, our Christian traditions, and suppressing ruthlessly even the slightest manifestation of freedom and human dignity.

In that course of action, a fellow prisoner, a fellow fighter for freedom, and I were arrested on August 8, 1961. We were taken before the Revolutionary Tribunal. He was condemned to death with another fellow prisoner, a friend of us, and they were both executed that night while I remained on the death penalty for fourteen months until numerous diplomatic appeals brought that death sentence down to a thirty-year imprisonment.

Having my life spared at the time, I could never imagine how many years, decades of suffering and cruelty, were awaiting me. At times, living over tons of TNT explosives ready to blow us to another world at the least serious menace that the regime faced. At other times, in a forced labor of the bayonets and shots fired at us, with a daily toll of blood and sometimes of Cuban lives of my fellow prisoners taken away. And at other times, crime in cells completely naked as we come to this world without a square inch of cloth, taking turns to sleep on the floor in a sardine-can-like fashion. At other times, as in the last eight years in prison completely enclosed in cells, barefooted, in underwear, just with iron plates covering all openings, with no utensils provided, with no mail to the families, without visits from the family for seven years, and eating what we could with our hands, almost always in a terrible fright.

As our children grew up, they became increasingly concerned with our fate, and they became desperate. A good American, a good-natured American, Fred Phelps, got word of this and at his initiative the Havana Kiwanis Club began a letter-writing campaign on behalf of my release. Quite conscious of the difficulties attending my case, they realistically baptized it and made a miracle happen. Many personalities and institutions gave support to that campaign. Senator Thomas introduced a motion. Senator Ileana Ros seconded the motion and the Florida Senate unanimously adopted the resolution on behalf of my release on April 21, 1987. The Florida Cabinet and the Florida House of Representatives also issued similar resolutions. Many dignitaries and personalities also made letters of appeal.

It is the most difficult thing as a communist regime in its overpowering and arbitrary rule over the country commits all sorts of abuses and violations of human rights, but they don't like to be told. They dislike being denounced for them, they have received in the face of every denunciation of the violations of human rights. The Kiwanis Club campaign, this Senate Resolution, as well as the other resolutions, fitted quite perfectly well in those denunciations. They were calling attention to the fate of a man who already had been in prison at the time for more than a quarter of a century without having his hands tainted with blood or anything unduly taken just because of his love for his country and for freedom and democracy. That campaign was most effective, and finally conditions began to ameliorate by mid 1987. By the end of 1987 visits from the family were resumed, and I was finally released near the end of 1988 after twenty-seven years and twenty-two days in prison.

It is quite fitting to state that I don't regret having sacrificed my life for my country and its freedom, but I do regret having failed. I do regret having to leave my country, being forced to leave my country with my heart broken, leaving it still enslaved. I do regret that many political, long-time political prisoners still remain in prison now that I have been here.

Upon our arrival we found our three children already grown up. They had married. They had established their homes. They had had their own children. They had become American citizens on their own choosing. Hence, our seven grandchildren are all American-born citizens in this State of Florida. Surrounded by them, we have been enjoying freedom.

But after enduring so much suffering and so much cruelty, one gets the feeling that we come to appraise freedom and the gift that naturally comes with your free society in a much larger sense than my good-natured American friends who are so close to freedom that they fail to appraise its worth and, worse still, they fail to appraise many of the dangers that beset and threaten this free society. Freedom must always be defended. Freedom must always be fought for.

I have also the feeling that this country, this free society, cannot enjoy its free society in the longrun security. As long as you have freedom, you have oppression and tyranny of the most wicked nature of your southern foes, your southern burglar. We must preserve this free society and in doing away with tyranny oppression, with this doctrine of terror, deprivation, bloodshed; in doing away with it and in promoting freedom, democracy, justice, honesty and well-being of the people, we should also have a common concern and a common task to perform.

Senator Crawford, Senator Thomas, Senator Ileana Ros and other honorable members of this institution of democracy of this State of Florida, please accept my presence here today, together with my wife, Gloria, my daughter, Gloria Pullen, with little Lori, the three generations together. I say many tokens of the sincere acknowledgment and immense gratitude for your valuable support during this more unforgettable phase of our prolonged ordeal. Thank you very much to you all.

Consideration of Resolutions

On motion by Senator Ros-Lehtinen, the rules were waived by unanimous consent and the following resolution was introduced out of order:

By Senator Ros-Lehtinen—

SR 1553—A resolution recognizing June 24th as the day of the female political prisoner.

WHEREAS, thousands of political prisoners are in Cuban jails and are deprived of basic rights, and

WHEREAS, many of these political prisoners are being kept in jail after having completed their sentences and others are being held in solitary confinement, and

WHEREAS, on June 24, 1961, a female political prisoner, Lydia Perez Leon, was beaten and ignored in her jail cell and died as a result of trying to give birth without medical assistance, thereby converting herself into a symbol of the Cuban female martyr, and

WHEREAS, women political prisoners in Cuban jails have been subject to cruel and inhuman treatment, and

WHEREAS, it is proper to honor those women political prisoners who have survived the horrors of Cuban jails and praise them for their solidarity and their preservation of the human spirit, NOW, THEREFORE,

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

That June 24th, the anniversary of the day on which Lydia Perez Leon died, be recognized as the day of the female political prisoner.

On motion by Senator Ros-Lehtinen, SR 1553 was read the second time in full and adopted.

On motion by Senator Peterson—

SR 1128—A resolution expressing educational goals for the State of Florida.

WHEREAS, students in any state are not likely to achieve more in education than they and their leaders expect and aim for, and

WHEREAS, we shape our educational reforms into a vision of what we expect to accomplish, and

WHEREAS, we need to have specific educational goals and ways of knowing when we have successfully reached them or are making progress toward achieving them, and

WHEREAS, significant improvements in education must be planned, pursued, and evaluated, and

WHEREAS, setting and pursuing educational goals may be the best way to encourage and maintain public support, and

WHEREAS, educational goals must be concrete, realistic yet challenging, and measurable, and

WHEREAS, goals must address the entire range of educational programs, focusing on student learning and performance, and

WHEREAS, Florida is determined to meet or exceed national standards in education by the year 2000, NOW, THEREFORE,

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

That the Florida Senate expresses the following goals for education and will work to achieve them, thereby encouraging a deeper and more sustained commitment to educational improvement from early childhood education through graduate school:

1. All children will be ready for first grade.
 2. Student achievement for elementary and secondary students will be at national levels or higher.
 3. The school dropout rate will be reduced by one-half.
 4. Ninety percent of adults will have a high school diploma or equivalency.
 5. Four out of every five students entering college will be ready to begin college-level work.
 6. Significant gains will be achieved in the mathematics, sciences, and communications competencies of vocational education students.
 7. The percentage of adults who have attended college or earned 2-year, 4-year, or graduate degrees will be at the national averages or higher.
 8. The quality and effectiveness of all colleges and universities will be regularly assessed, with particular emphasis on the performance of undergraduate students.
 9. All institutions that prepare teachers will have effective teacher education programs that place primary emphasis on the knowledge and performance of graduates.
 10. Schools will have improved performance and productivity demonstrated by results.
 11. Salaries for teachers and faculty will be competitive in the marketplace, will reach important benchmarks, and will be linked to performance measures and standards.
 12. Florida will maintain or increase the proportion of state tax dollars for schools and colleges while emphasizing funding aimed at raising quality and productivity.
- was taken up out of order by unanimous consent, read the second time in full and adopted.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Friday, May 26, 1989: SB 321, SB 855, CS for CS for SB 997, CS for SB 676, CS for SB 1534, SB 1314, CS for SB 65, CS for SB 439, CS for SB 1135, CS for SB 896 (to be considered at 11:00 a.m.), CS for SB 88, SB 747, SB 509, CS for SB 890, SB 377, CS for SB 925, CS for SB 865, SB 327, SB 830, SB 625, CS for SB 912, CS for SB 1131, CS for SB 804, CS for SB 683, SB 1114, SB 1147, SB 820, CS for SB 532, CS for HB 877, SB 802, CS for SB's 493 and 947, CS for SB 28, CS for SB 1322, SB 1258, CS for SB 550, CS for SB 240, SB 623, CS for SB 844, SB 1170, SB 1371, CS for SB 667, CS for SB 256, SB 1272, CS for SB 851, SB 578, CS for SB 1334, CS for SB 934, CS for SB 1414, SB 637, SB 1216, CS for SB 1112, SB 675, SB 1340, SB 262, CS for SB 776, SB 1268, SB 1171, SB 434

Respectfully submitted,
James A. Scott, Chairman

The Committee on Rules and Calendar submits the following bills to be placed on the Local Bill Calendar for Friday, May 26, 1989: SB 703, SB 1509, SB 1511, SB 1541, SB 1542, SB 1543, SB 1544, SB 1545, SB 1546, SB 1547, SB 1548, HB 172, HB 198, HB 367, HB 405, HB 584, HB 585, HB 601, HB 653, HB 657, HB 658, HB 771, HB 773, HB 819, HB 850, HB 982, HB 983, HB 1168, HB 1202, HB 1264, HB 1265, HB 1278, HB 1279, HB 1280, HB 1282, HB 1311, HB 1649, HB 1700

Respectfully submitted,
James A. Scott, Chairman

The Committee on Appropriations recommends the following pass: CS for HB 323

The bill was referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB 1347 with 1 amendment

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

The Committee on Appropriations recommends the following pass: CS for CS for SJR 25, CS for CS for SB's 566 and 764 with 2 amendments

The bills were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Appropriations recommends the following pass: CS for SB 218 with 1 amendment, CS for CS for SB 265, SB 272, SB 485, CS for CS for SB's 601, 1015 and 1095 with 2 amendments, CS for SB 729, CS for SB 786, CS for SB 882 with 2 amendments, CS for CS for SB 960 with 1 amendment, SB 1188 with 1 amendment, CS for SB 1207, CS for SB 1275 with 6 amendments, CS for SB 1295 with 2 amendments, CS for SB 1374

The bills were placed on the calendar.

The Committee on Appropriations recommends a committee substitute for the following: CS for SB 1474

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

REQUESTS FOR EXTENSION OF TIME

May 26, 1989

The Committee on Agriculture requests an extension of 15 days for consideration of the following: Senate Bills 834, 985, 1003, 1081; House Bills 447, 581, 757

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 3, 5, 14, 18, 79, 148, 200, 203, 254, 291, 296, 342, 343, 379, 382, 387, 395, 410, 424, 436, 446, 468, 624, 628, 774, 782, 795, 821, 822, 848, 860, 862, 891, 901, 906, 928, 965, 967, 979, 980, 984, 1019, 1051, 1086, 1110, 1130, 1265, 1299, 1397, 1409, 1438, 1439, 1469; House Bills 154, 502, 558, 878, 1355

The Committee on Community Affairs requests an extension of 15 days for consideration of the following: Senate Bills 22, 54, 138, 157, 192, 249, 251, 323, 426, 525, 552, 554, 565, 617, 630, 686, 699, 760, 805, 807, 903, 933, 966, 1037, 1038, 1073, 1085, 1113, 1143, 1144, 1162, 1175, 1176, 1180, 1231, 1276, 1303, 1308, 1336, 1339, 1348, 1390, 1391, 1412, 1436, 1437, 1444; House Bills 19, 31, 268, 371, 599, 600, 849, 880, 889, 965, 994, 1057, 1438

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: Senate Bills 287, 388, 437, 940, 1029, 1191, 1392, 1454

The Committee on Economic, Professional and Utility Regulation requests an extension of 15 days for consideration of the following: Senate Bills 80, 172, 252, 306, 319, 420, 559, 573, 644, 813, 826, 858, 886, 910, 931, 944, 990, 1010, 1070, 1102, 1165, 1288, 1291, 1352, 1426; House Bills 209, 210, 1142

The Committee on Education requests an extension of 15 days for consideration of the following: Senate Bills 115, 176, 301, 363, 409, 490, 796, 880, 942, 970, 971, 975, 983, 1132, 1138, 1240, 1284, 1350, 1359; House Bills 308, 485, 1211

The Committee on Ethics and Elections requests an extension of 15 days for consideration of the following: Senate Bills 100, 151, 187, 381, 563, 806, 810, 923, 1064, 1172, 1345, 1446; House Bills 362, 436

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 16, 31, 47, 90, 121, 141, 177, 180, 181, 188, 235, 326, 336, 415, 421, 453, 484, 529, 534, 549, 579, 597, 632, 656, 660, 663, 701, 726, 733, 734, 754, 785, 800, 847, 868,

871, 878, 884, 885, 895, 897, 929, 959, 1014, 1034, 1039, 1056, 1140, 1179, 1195, 1235, 1245, 1257, 1290, 1311, 1346, 1347, 1425, 1430, 1443, 1447, 1448, 1479, 1490; House Bills 817, 1722

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: Senate Bills 70, 75, 129, 435, 445, 460, 483, 580, 584, 621, 976, 1011, 1041, 1076, 1209, 1239, 1283, 1341, 1395, 1435, 1463; House Bills 809, 1019, 1152, 1390, 1487

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: Senate Bills 37, 257, 300, 441, 518, 551, 608, 610, 618, 716, 724, 770, 792, 832, 1071, 1134, 1190, 1227, 1329, 1362; House Bill 1712

The Committee on Health Care requests an extension of 15 days for consideration of the following: Senate Bills 174, 329, 546, 674, 974, 981, 1105, 1107, 1181, 1306, 1420; House Bills 814, 1415, 1418, 1419, 1715

The Committee on Higher Education requests an extension of 15 days for consideration of the following: Senate Bills 44, 125, 264, 497, 722, 812, 964, 986, 1360

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, 332, 352, 367, 526, 568, 638, 652, 678, 679, 720, 883, 908, 943, 1008, 1024, 1027, 1044, 1091, 1108, 1197, 1242, 1300, 1321, 1328, 1376, 1440; House Bill 329

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: Senate Bills 221, 227, 283, 286, 308, 362, 366, 469, 502, 520, 583, 622, 668, 714, 751, 803, 829, 850, 863, 875, 900, 911, 950, 951, 963, 973, 988, 991, 994, 996, 1045, 1047, 1125, 1182, 1217, 1229, 1267, 1273, 1277, 1296, 1332, 1373, 1386, 1407, 1422, 1432, 1457, 1462, 1465; House Bills 86, 1435, 1493

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: Senate Bills 43, 78, 178, 399, 400, 464, 466, 480, 574, 640, 657, 730, 767, 814, 835, 836, 915, 917, 941, 945, 999, 1018, 1028, 1032, 1043, 1094, 1119, 1201, 1326, 1421; House Bills 56, 242, 1386

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 7, 72, 195, 205, 371, 384, 438, 449, 494, 516, 522, 577, 589, 596, 634, 700, 745, 757, 768, 777, 853, 938, 954, 1002, 1004, 1009, 1067, 1069, 1093, 1145, 1159, 1161, 1187, 1202, 1254, 1289, 1301, 1351, 1365, 1433, 1461; House Bills 294, 344, 394, 813, 815, 816, 1421, 1532, 1637, 1696, 1711, 1714, 1716, 1724, 1727, 1734

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for consideration of the following: Senate Bills 10, 85, 222, 345, 567, 592, 593, 595, 636, 773, 779, 816, 823, 888, 995, 1058, 1099, 1255, 1263, 1269, 1287, 1316, 1354, 1411, 1452; House Bills 696, 777, 930, 931, 1170

The Committee on Regulated Industries requests an extension of 15 days for consideration of the following: Senate Bills 149, 310, 331, 620, 902, 926, 949, 1013, 1054, 1167, 1185, 1274, 1304, 1312, 1338, 1372, 1442, 1453; House Bills 17, 151, 699

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: Senate Bills 27, 53, 60, 64, 69, 132, 133, 139, 158, 167, 234, 270, 285, 289, 324, 328, 341, 351, 376, 535, 555, 557, 564, 591, 771, 818, 831, 857, 1040, 1136, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1168, 1247, 1318, 1389, 1393, 1405, 1473, 1485, 1486, 1513, 1514, 1518, 1519, 1522, 1527; House Bills 45, 133, 228, 241, 320, 711, 981, 999, 1000, 1366, 1770

The Special Master on Claims requests an extension of 15 days for consideration of the following: Senate Bills 1142, 1464, 1515

The Committee on Transportation requests an extension of 15 days for consideration of the following: Senate Bills 4, 173, 239, 309, 486, 684, 765, 766, 873, 1096, 1100, 1117, 1208, 1232, 1233, 1262, 1323, 1369, 1370, 1459, 1477; House Bills 85, 409, 426, 635, 1389, 1644, 1723

FIRST READING OF COMMITTEE SUBSTITUTES

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

CS for SB 1447—A bill to be entitled An act relating to citrus canker; providing definitions; providing legislative findings and intent; establishing presumptive full and fair compensation values with respect to certain categories of plants lost as a result of the Citrus Canker Eradication Program; creating the Citrus Canker Compensation Trust Fund; creating the Office of Citrus Canker Claims within the Department of Banking and Finance; providing duties; providing procedures for citrus canker claims; providing procedures for and limits on attorney's fees; providing for venue; directing the Attorney General to take certain action; providing for the application of the act; amending s. 581.192, F.S.; revising the amount of the excise tax on commercial sale or distribution of citrus nursery stock; providing that a percentage of the amount of such tax shall be deposited into the Citrus Canker Compensation Trust Fund; amending s. 581.193, F.S.; revising the amount of the excise tax on citrus nursery stock; deleting applicability of such tax for certain movement; providing that a percentage of the amount of such tax shall be deposited into the Citrus Canker Compensation Trust Fund; repealing section 10 of chapter 85-283, Laws of Florida, as amended; abrogating the repeal of s. 581.192, F.S., which imposes the excise tax on commercial sale or distribution of citrus nursery stock; repealing section 2 of chapter 87-182, Laws of Florida, as amended; abrogating the repeal of s. 581.193, F.S., which imposes the excise tax on citrus nursery stock; amending section 2 of chapter 86-128, Laws of Florida, as amended; extending indefinitely an excise tax on citrus; abrogating the repeal of said tax; providing for distribution of taxes; revising the amount of said tax; providing for the effect of certain court action on the act; directing the Department of Agriculture and Consumer Services to provide the Office of Citrus Canker Claims with assistance; providing appropriations; providing effective dates.

By the Committees on Appropriations and Transportation and Senators Kirkpatrick and Beard—

CS for CS for SB 1474—A bill to be entitled An act relating to transportation; amending s. 339.135, F.S.; providing definitions; revising terminology; revising procedures and requirements for submittal of the legislative budget request and tentative work program; deleting obsolete provisions; providing for certain reports to be submitted by the department to the Legislature; specifying procedures for development of the tentative work program and for changes thereto submitted by metropolitan planning organizations; providing for objections to be filed by the metropolitan planning organizations under certain circumstances; revising requirements for publication of the tentative work program; providing for review of the tentative work program by the Department of Community Affairs for specified purposes; providing for separate identification by specific appropriation of certain projects included in the appropriations act; defining the original approved budget of the department; revising requirements for certification forward of funds at the end of the fiscal year; providing procedures for roll forward of spending authority under certain circumstances; revising procedures for amending the adopted work program and for notification and approvals related thereto; providing for temporary transfers of funds between districts in certain circumstances; providing requirements for performance monitoring by the department and for annual reporting related thereto; amending s. 339.155, F.S.; providing for development of a statewide transportation plan; providing that the plan of work prepared by a metropolitan planning organization must be consistent, to the maximum extent feasible, with specified local government comprehensive plans; providing for the program and resource plan as a section of the Florida Transportation Plan; amending s. 339.175, F.S.; expanding the planning responsibilities of the metropolitan planning organizations; providing for rescheduling or deletion of projects from transportation improvement programs under certain circumstances; providing for consistency of metropolitan planning organization plans and programs with specified local government comprehensive plans; providing that the department shall give priority to certain transportation improvements in a transportation improvement program; providing for review of transportation improvement programs by the Department of Community Affairs for specified purposes and providing for notifications related thereto; amending s. 339.2405, F.S.; revising the number of members which constitutes a quorum of the Florida Highway Beautification Council; amending s. 20.23, F.S.; assigning the Florida Transportation Commission of the department to the Office of the Secretary for specific purposes only; providing for the commission to employ

sufficient staff; requiring the secretary to provide assistance and information to the commission or its staff, upon request; providing for the commission to develop and submit a budget; revising certain current functions, and providing additional functions of the commission; reorganizing the department; specifying the qualifications, titles, and duties of certain employees of the department; specifying the reporting responsibilities of certain employees of the department; exempting specified department employees from part III of ch. 110, F.S., relating to the Senior Management Service System and providing that their salaries be set in accordance with specified considerations; providing that the commission and secretary determine the reports to be submitted by the district secretaries; deleting obsolete language; amending s. 216.163, F.S.; providing the content and form of the Governor's recommended budget; amending ss. 215.605, 332.007, 337.015, 337.11, 338.223, 339.12, 339.402, 341.041, 341.051, 341.302, 341.303, F.S.; conforming to changes in cross-references and terminology; providing for the disposition of certain appropriated funds under certain circumstances; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 854 and CS for SB 1342, which became law without his signature on May 24, 1989.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

First Reading

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed HB 1806; has passed as amended HB 1306 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Canady and others—

HB 1806—A bill to be entitled An act relating to sexual battery; amending s. 794.011, F.S.; making it a first degree felony to commit sexual battery upon certain persons who are physically incapacitated; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Representative Harris—

HB 1306—A bill to be entitled An act relating to Hendry County; creating the Area Housing Commission of Clewiston, LaBelle, and Hendry County; providing exemptions from provisions of ss. 421.05 and 421.07, F.S.; providing for appointment, term of office, and removal of members of the commission; providing additional powers to those granted in s. 421.08, F.S.; authorizing the commission to transact business and exercise its functions within the corporate limits of Clewiston and LaBelle and the unincorporated areas of Hendry County and to apply for and accept grants, loans, and subsidies; providing that conflicting laws are superseded; providing an effective date.

(Substituted for SB 1509 on the local bill calendar this day.)

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives requests the return of SB 1379 and requests the concurrence of the Senate.

John B. Phelps, Clerk

SB 1379—A bill to be entitled An act relating to the City of Jacksonville; amending s. 19.06, ch. 67-1320, Laws of Florida, as amended; exempting certain positions from the civil service system of the city; providing an effective date.

On motion by Senator Girardeau, SB 1379 was recalled from engrossing and returned to the House as requested.

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed with amendments CS for SB 1133 and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 1133—A bill to be entitled An act relating to patient records; reenacting s. 395.017, F.S., as amended; reinstating provisions inadvertently repealed by omission by s. 1, ch. 88-208, Laws of Florida; providing conforming language; requiring speedy release of patient records and insurance information by licensed facilities; amending s. 455.241, F.S.; requiring speedy release of patient records and insurance information by health care providers; providing an effective date.

Amendment 1—On page 1, line 28, after x-rays, insert: *and insurance information*

Amendment 2—On page 2, line 3, strike "*and insurance information*"

On motions by Senator Davis, the Senate concurred in the House amendments.

CS for SB 1133 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Thurman, Woodson-Howard

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments and passed as amended HB 1440.

John B. Phelps, Clerk

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 32, 142, 353, 394, CS for SB 585, Senate Bills 647, 763, 914 and CS for SB 1285.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

SPECIAL ORDER

SB 321—A bill to be entitled An act relating to state employment; amending s. 110.151, F.S.; revising the provision of law relating to state officers' and employees' child care services to delete reference to the Office of Labor Relations and to refer instead to the Department of Administration; directing the department to conduct a feasibility study to determine the child care needs of state employees; amending section 2 of chapter 88-151, Laws of Florida, providing for the use of unexpended funds in the State Employee Child Care Revolving Trust Fund; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote SB 321 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

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

Nays—None

On motion by Senator Grizzle, the rules were waived and **SB 321** was ordered immediately certified to the House.

SB 855—A bill to be entitled An act relating to public lodging establishments; amending s. 509.141, F.S.; providing for the removal of a guest from a public lodging establishment for failure of the guest to check out by the agreed-upon check-out time; providing an effective date.

—was read the second time by title.

The Committee on Regulated Industries recommended the following amendment which was moved by Senator Grizzle and adopted:

Amendment 1—On page 1, line 27, strike "*or check out by the agreed upon check-out time*" and insert: *by the agreed upon check-out time or who, in the case of a public lodging establishment, fails to check out by the time agreed upon in writing by the guest and public lodging establishment at check-in unless an extension of time is agreed to by the public lodging establishment and guest prior to check-out*

On motion by Senator Grizzle, by two-thirds vote SB 855 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—2

Gordon Weinstein

LOCAL CALENDAR

SB 703—A bill to be entitled An act relating to Pinellas County; providing for the issuance of a special alcoholic beverage license to Order of Ahepa, George Washington Chapter #16, Inc., for the sale of alcoholic beverages on the order's premises; providing that such license shall not be subject to any quota or limitation pertaining thereto, but shall be an exception to any such quota or limitation; providing an effective date.

—was read the second time by title.

Senator Kiser moved the following amendments which were adopted:

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

Section 1. The Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation is hereby authorized to issue a special alcoholic beverage license to any convention club complex within the City of Tarpon Springs, Florida, permitting the sale of alcoholic beverages for consumption on the premises only and within the boundaries of the given convention club complex.

Section 2. For the purposes of this act, the term "convention club complex" means any real estate development on a contiguous tract of land and containing the following amenities:

- (1) Indoor meeting facilities for at least 50 persons within the convention center building.
- (2) A restaurant having at least 2,500 square feet of service area which is equipped to serve 150 patrons full course meals at tables at one time.
- (3) A clubhouse facility located in a separate but contiguous building for a fraternal organization promoting, developing, and maintaining cultural relations of people of the same nationality.

(4) The entire complex as defined must be owned, managed, controlled, and operated at all times by the fraternal organization holding the alcoholic beverage license authorized by this act.

Section 3. The alcoholic beverage license fee to be assessed shall be the same as the fee charged vendors operating places of business where consumption on the premises is permitted in counties having a population of over 100,000 according to the latest state or federal census.

Section 4. The license is authorized for use by the fraternal organization at the clubhouse for members and their guests and in conjunction with special events held at the complex which include, but are not limited to: weddings, commercial exhibits such as boat shows and automobile shows, and events sponsored by or held under the auspices of the chamber of commerce.

Section 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 6. This act shall take effect upon becoming a law.

Amendment 2—In title, on page 1, strike all of lines 1-11 and insert:

A bill to be entitled An act relating to Pinellas County; providing for the issuance of a special alcoholic beverage license to a convention club complex within the City of Tarpon Springs; providing for a definition of a convention club complex; providing for a license fee; providing restrictions; providing an effective date.

On motion by Senator Kiser, by two-thirds vote SB 703 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	Kiser	Souto
Bankhead	Forman	Malchon	Stuart
Beard	Gardner	Margolis	Thomas
Brown	Girardeau	McPherson	Thurman
Bruner	Gordon	Meek	Walker
Casas	Grant	Myers	Weinstein
Childers, W. D.	Jennings	Plummer	Weinstock
Crenshaw	Johnson	Ros-Lehtinen	Woodson-Howard
Davis	Kirkpatrick	Scott	

Nays—2

Childers D. Peterson

SB 1509—A bill to be entitled An act relating to Hendry County; creating the Area Housing Commission of Clewiston, LaBelle, and Hendry County; providing exemptions from provisions of ss. 421.05 and 421.07, F.S.; providing for appointment, term of office, and removal of members of the commission; providing additional powers to those granted in s. 421.08, F.S.; authorizing the commission to transact business and exercise its functions within the corporate limits of Clewiston and LaBelle and the unincorporated areas of Hendry County and to apply for and accept grants, loans, and subsidies; providing that conflicting laws are superseded; providing an effective date.

—was read the second time by title.

One amendment was adopted to SB 1509 to conform the bill to HB 1306.

Pending further consideration of SB 1509 as amended, on motions by Senator D. Childers, by two-thirds vote—

HB 1306—A bill to be entitled An act relating to Hendry County; creating the Area Housing Commission of Clewiston, LaBelle, and Hendry County; providing exemptions from provisions of ss. 421.05 and 421.07, F.S.; providing for appointment, term of office, and removal of members of the commission; providing additional powers to those granted in s. 421.08, F.S.; authorizing the commission to transact business and exercise its functions within the corporate limits of Clewiston and LaBelle and the unincorporated areas of Hendry County and to apply for and accept grants, loans, and subsidies; providing that conflicting laws are superseded; providing an effective date.

—a companion measure, was substituted for SB 1509 as amended and by two-thirds vote read the second time by title. On motion by Senator D. Childers, by two-thirds vote HB 1306 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 1511—A bill to be entitled An act relating to Hendry and Collier Counties; creating the Cow Slough Water Control District; providing district boundaries; prescribing powers, privileges, duties, liability, and officials; providing applicability of the provisions of chapter 298, F.S., to said district; providing for the appointment of the first board of supervisors and the election of future supervisors, defining their terms of office, prescribing their duties, powers, and qualifications, and fixing their compensation; providing for the levy of assessments and taxes upon the lands in said district and for the collection and enforcement thereof; providing that taxes shall be a lien on lands in the district and providing for the collection and enforcement of district taxes at the same time and in like manner as county taxes; providing that said taxes shall be extended by the county property appraiser on the county tax roll and shall be collected by the tax collector in the same manner and time as county taxes; providing for the same discounts and penalties as county taxes and providing for the compensation of the county taxing officials; providing for the levy of a uniform acreage tax on lands in said district to be used for paying the expenses of organizing said district; authorizing said district to borrow money and issue negotiable or nonnegotiable notes, bonds, and other evidences of indebtedness in order to better carry out the provisions of this act; providing water control and management, reclamation, and irrigation of the lands in said district by units; providing severability; providing for precedence over conflicting laws; providing that district does not have the power of condemnation over specified property; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 16, line 14 through page 17, line 26, strike all of said lines and insert:

beginning of said line; thence run N 78 34' 09" E, a distance of 1,662.03 feet to the end of said line.

The parcel of land herein described is a portion of an Island lying Southerly of the South right of way line of the Caloosahatchee River Canal and Northerly of the Caloosahatchee River.

(2) Starting at the NW corner of the SE 1/4 of Section 30, Township 43 South, Range 28 East; thence S 50 feet to the south line of State Road 80; thence E with said line 508.88 feet; thence S 512 feet to the abandoned right-of-way of SAL Railroad; thence W 508.88 feet along said right-of-way; thence N 513 feet to point of beginning, containing 5 acres, more or less.

(3) All of that portion of the Old Caloosahatchee River Channel lying between the S'ly line of Government Lots 3 and 4 in Section 19, Township 43 South, Range 28 East, Hendry County, Florida and the center line of said channel; said centerline described as follows:

Commence at the SW corner of Government Lot 4 in Section 30, Township 43 South, Range 28 East, and run N 00 33' 39" W for 1,320.27 feet to the SE right-of-way line of the Caloosahatchee River Canal (C-43); thence run N 78 34' 09" E for 268 feet, more or less, along said SE right-of-way line for the point of beginning of center line of said old channel, at a point opposite station 1830+00 of said canal (C-43); thence run SE'y, E'y, N'y and NE'y along the center line of said old channel to a point on the SE'y right-of-way line of said canal (C-43) opposite station 1816+35, more or less, of said Canal (C-43); containing 1.10 acres, more or less.

(4) In Township 44 South, Range 28 East, E 1/2 of Section 7, all of Sections 5, 8, 13-17, 20-29, 32-36, E 1/2 of Section 18, E 1/2 of Section 19, E 1/2 of Section 30, E 1/2 of Section 31.

(5) In Township 44 South, Range 29 East, all of Sections 5, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32 and all those portions of Sections 9, 16, 21, 28, and 33 lying West of State Highway 29.

(6) In Township 45 South, Range 28 East, all of Sections 1-3, 10-12.

(7) In Township 45 South, Range 29 East, all of Sections 5-8, NW 1/4 of Section 17.

(8) Beginning at a point on the south boundary of

On motion by Senator D. Childers, by two-thirds vote SB 1511 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 1541—A bill to be entitled An act relating to Pinellas County; authorizing the Board of County Commissioners of Pinellas County to designate code inspectors; providing for issuance of citations for violations of county codes; limiting duties; providing exemption from certain requirements; providing an effective date.

—was read the second time by title. On motion by Senator Malchon, by two-thirds vote SB 1541 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 1542—A bill to be entitled An act relating to Franklin County; prohibiting the operation of a mechanized dredge or rake in Apalachicola Bay in that county for the purpose of taking or removing oysters or clams; providing that a violation of this prohibition is a misdemeanor of the first degree, punishable as provided by general law; providing an effective date.

—was read the second time by title. On motion by Senator Bruner, by two-thirds vote SB 1542 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Childers, D.	Gardner	Kirkpatrick
Bankhead	Childers, W. D.	Girardeau	Kiser
Beard	Crenshaw	Gordon	Malchon
Brown	Davis	Grant	Margolis
Bruner	Deratany	Jennings	McPherson
Casas	Forman	Johnson	Meek

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

Nays—None

SB 1543—A bill to be entitled An act relating to the Gainesville-Alachua County Regional Airport Authority; amending chapter 86-469, Laws of Florida; clarifying the definition of airport; providing that the authority may acquire land in the name of the city by eminent domain; authorizing the authority to, independently or in conjunction with the City of Gainesville, accept revenues and grants and incur obligations relating thereto; providing that the authority may borrow money from available sources; authorizing the authority to appoint or employ airport guards or police with full police powers; providing that the authority may expend funds to advertise and promote the airport, its operations, and issues affecting the airport; providing an effective date.

—was read the second time by title.

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 1—On page 3, strike all of lines 17-19 and insert:

(12) To issue revenue bonds or refunding bonds of the authority pursuant to Section 10. Further, to borrow money from available sources to finance airport operations and facilities, excluding the Airport Industrial Park.

On motion by Senator Kirkpatrick, by two-thirds vote SB 1543 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 1544—A bill to be entitled An act relating to Monroe County; creating the Solid Waste and Resource Recovery Authority of Monroe County, to construct, issue permits, acquire, own, maintain, and operate a waste collection, resource recovery, and disposal system in said county for the collection or disposal or both of solid waste, septage, and other waste matter; providing for the governing body of the authority and for terms of its members; providing for officers, meetings, and method of removing members; prescribing the powers of the authority; providing for the granting of franchises; providing for an executive director; authorizing the authority to establish, fix, and collect fees, rentals, or other charges for the services and facilities of said waste collection, resource recovery, and disposal system, and to issue bonds to finance the cost of the construction, acquisition, expansion, or improvement of said waste collection, resource recovery, and disposal system, and purposes related thereto; providing that the bonds shall be revenue bonds payable solely from the fees, rentals, or other charges derived from said waste collection, resource recovery, and disposal system, or from funds other than ad valorem taxes; providing for budget and approval of budget; providing that the authority may not supply or furnish the services and facilities of said waste collection, resource recovery, and disposal system outside the service area without the consent of the applicable local governments; providing for the exercise of eminent domain by the authority; providing for a receiver of said waste collection, resource recovery, and disposal system on default of the authority in the payment on such bonds or of covenants with the holders of such bonds; providing for covenants of the state with respect to the rights of the holders of said bonds; providing for the issuance of refunding bonds; authorizing the authority to covenant with holders of such bonds to include the amounts necessary for debt service and reserves on said bonds in each year in the budget of such authority for such year; authorizing the authority to require the use of the facilities of said waste collection, resource recovery, and disposal system; authorizing

the authority to make other valid and legally binding covenants with the holders of said bonds relative to said waste collection, resource recovery, and disposal system; specifying the rights, security, and remedies of the holders of said bonds; providing that the authority has sole and exclusive authority within the county to collect and dispose of solid waste, and other waste matter; authorizing the authority to prohibit or control incineration and disposal of solid waste and other waste matter; authorizing the authority to prohibit or issue permits, control, and require the disposal of all solid waste, septage, and other waste in a disposal facility as specified by the authority; authorizing the authority to enter into contracts for the collection or disposal or both of solid waste and other waste matter; authorizing the authority to use property rights held by the state and political subdivisions thereof; authorizing the authority to accept grants and loans; authorizing the authority to lease the waste collection, resource recovery, and disposal system, or part thereof, and to lease facilities; authorizing the authority to divide the county into districts for the purposes of solid waste collection or disposal or both; exempting the fees, rentals, or other charges for the services and facilities of such system from regulation, supervision, and control of state agencies; authorizing the authority to delegate authority to administer such waste collection, resource recovery, and disposal system or part thereof; authorizing the authority to make rules and regulations for the use, control, management, and operation of the waste collection, resource recovery, and disposal system; exempting the exercise of rights and powers conferred by the act from the Florida Antitrust Act of 1980; authorizing the authority to grant permits or licenses for collection or disposal, or both, of solid waste, septage, and other waste matter; providing severability; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Plummer, by two-thirds vote SB 1544 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 1545—A bill to be entitled An act relating to Escambia County; prohibiting the siting of a hazardous waste processing, transfer, or storage facility within the drainage basin of the Perdido River or Perdido Bay; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 22, after the period (.) insert: The term “facility” means all contiguous land and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous waste. Facility as used in this section refers solely to commercial profit producing facilities used to treat, store, or dispose of hazardous waste not produced by the facility owner or operator, and does not refer to any activities ancillary to the activities of retailers of new petroleum products.

On motion by Senator W. D. Childers, by two-thirds vote SB 1545 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

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

Nays—None

SB 1546—A bill to be entitled An act relating to the City of Gulf Breeze, Santa Rosa County; providing for the conveyance of state-owned lands located within the city limits to the city; authorizing the use of the lands for recreational, waterfront development; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 1546 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

On motions by Senator Thurman—

HB 653—A bill to be entitled An act relating to the Homosassa Special Water District, Citrus County; amending chapter 59-1177, Laws of Florida, as amended, increasing the territorial limits of the district; providing for a referendum.

—a companion measure, was substituted for SB 1547 and read the second time by title.

On motion by Senator Thurman, HB 653 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 1548—A bill to be entitled An act relating to Citrus County, Homosassa Special Water District; amending section 2 of chapter 59-1177, Laws of Florida, as amended; increasing the maximum amount of compensation that may be provided to members of the board of commissioners of the district; providing an effective date.

—was read the second time by title. On motion by Senator Thurman, by two-thirds vote SB 1548 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

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

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

Nays—None

HB 172—A bill to be entitled An act relating to Collier County; repealing chapter 61-772, Laws of Florida, as amended by chapter 80-492, Laws of Florida, which provides a mileage allowance for members of the Board of County Commissioners of Collier County for travel; providing an effective date.

—was read the second time by title. On motion by Senator Woodson-Howard, by two-thirds vote HB 172 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 198—A bill to be entitled An act relating to Collier County; repealing chapter 61-1592, Laws of Florida, which authorizes per diem for members of the Board of County Commissioners of Collier County; providing an effective date.

—was read the second time by title. On motion by Senator Woodson-Howard, by two-thirds vote HB 198 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 367—A bill to be entitled An act relating to the Golden Gate Fire Control and Rescue District, Collier County; amending section 5 of Article IV of chapter 87-498, Laws of Florida; changing salary requirements for fire commissioners; adding section 6 to Article IV of chapter 87-498, Laws of Florida; providing attendance requirements for fire commissioners; providing for a referendum.

—was read the second time by title. On motion by Senator Woodson-Howard, by two-thirds vote HB 367 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Childers, D.	Gardner	Kirkpatrick
Bankhead	Childers, W. D.	Girardeau	Kiser
Beard	Crenshaw	Gordon	Malchon
Brown	Davis	Grant	Margolis
Bruner	Deratany	Jennings	McPherson
Casas	Forman	Johnson	Meek

Nays—None

HB 405—A bill to be entitled An act relating to the Collier County water-sewer district; amending subsection (2) of section 3 of chapter 88-499, Laws of Florida; providing for independence of other water or sewer service jurisdictions; providing an effective date.

—was read the second time by title. On motion by Senator Woodson-Howard, by two-thirds vote HB 405 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 584—A bill to be entitled An act relating to the City of Orlando, Orange County; relating to the pension fund of the police department of said city; amending chapter 22414, Laws of Florida, 1943, as amended, relating to composition of the board of trustees; amending chapter 65-2025, Laws of Florida, as amended, relating to additional powers of the board of trustees with regard to investments; amending chapter 22414, Laws of Florida, 1943, as amended, pertaining to disability pensions for disabilities not in line-of-duty; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote HB 584 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 585—A bill to be entitled An act relating to the City of Orlando, Orange County; relating to the pension fund of the fire department of said city; amending chapter 23444, Laws of Florida, 1945, as amended, relating to composition of the board of trustees, general powers of the board of trustees with regard to investments, disability pensions for disabilities not in line-of-duty, and cost-of-living increase; providing severability; providing an effective date.

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

Yeas—37

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

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

Nays—None

HB 601—A bill to be entitled An act relating to Lee County; granting authority to the Board of County Commissioners of Lee County to designate agents of the Division of Codes and Building Services as Contractors' Licensing Investigators and as Code Enforcement Investigators to issue citations for violations of the Lee County Contractors' Licensing Ordinance and Lee County Codes and Ordinances, and amendments thereto; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote HB 601 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 657—A bill to be entitled An act relating to Indian Trail Water Control District in Palm Beach County; amending chapter 57-646, Laws of Florida, as amended, so as to include Section 1, Township 43 South, Range 41 East and part of the W 1/2 of Section 14, Township 42 South, Range 41 East, Palm Beach County, in the territorial limits of the district; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote HB 657 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Weinstock

HB 658—A bill to be entitled An act relating to Highland Glades Drainage District, Palm Beach County; amending chapter 8885, Laws of Florida, 1921, to include within the boundaries of the district land in Palm Beach County described as sections 5, 6, 7, 8, 17, 18, 19, and 20, Township 43 South, Range 38 East; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote HB 658 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Jennings	Margolis	Plummer	Thomas
Johnson	McPherson	Ros-Lehtinen	Thurman
Kirkpatrick	Meek	Scott	Walker
Kiser	Myers	Souto	Weinstein
Malchon	Peterson	Stuart	Woodson-Howard

Nays—1

Weinstock

HB 771—A bill to be entitled An act relating to Palm Beach County; repealing chapter 65-2051, Laws of Florida, relating to the Palm Beach County Building Board of Appeals; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote HB 771 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 773—A bill to be entitled An act relating to Manatee County; pursuant to Section 14, Article III of the State Constitution and chapter 30, Florida Statutes, providing permanent status for certain employees of the Manatee County Sheriff; specifying rights of such employees; providing procedures for appeal of disciplinary actions and complaints against employees of the sheriff; providing for the appointment of a board to hear appeals and procedures with respect thereto; providing an effective date.

—was read the second time by title. On motion by Senator Woodson-Howard, by two-thirds vote HB 773 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 819—A bill to be entitled An act relating to Saint Lucie County; providing permanent status for certain employees of the St. Lucie County Sheriff; specifying rights of such employees; providing procedures for appeal of disciplinary actions and complaints against employees of the sheriff; providing for appointment of boards to hear appeals and procedures with respect thereto; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote HB 819 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.	Forman	Jennings
Beard	Childers, W. D.	Gardner	Johnson
Brown	Crenshaw	Girardeau	Kirkpatrick
Bruner	Davis	Gordon	Kiser

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

Nays—None

HB 850—A bill to be entitled An act relating to the Delray Beach Downtown Development Authority, Palm Beach County; amending chapter 71-604, Laws of Florida, as amended; expanding the downtown development authority area description to include properties eastward of the Intracoastal Waterway, northward of current downtown development authority area to include those properties lying South of N.W. 2nd Street, East of N.E. 7th Avenue and West of N.E. 2nd Avenue, southward of the current Downtown Development Authority area to include those properties lying North of S.E. 2nd Street, West of S.E. 1st Avenue, and East of S.E. 7th Avenue, all such properties lying within the municipal boundaries of the City of Delray Beach; providing for a referendum.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote HB 850 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 982—A bill to be entitled An act relating to the West Palm Beach water catchment area, Palm Beach County; amending chapter 67-2169, Laws of Florida, to change the description of the West Palm Beach water catchment area to exclude therefrom certain portions of Section 1, Section 2, Section 11, and Section 12 in Range 42 East, Township 43 South, and to include a certain portion of Section 11, in Range 42 East, Township 42 South, which lands are not a functional part of the water supply system of the City of West Palm Beach; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote HB 982 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 983—A bill to be entitled An act relating to the West Palm Beach water catchment area, Palm Beach County; amending chapter 67-2169, Laws of Florida, to clarify that the city shall retain full ownership and control of the West Palm Beach water catchment area and shall make no use thereof which is inconsistent with water supply purposes; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote HB 983 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 1168—A bill to be entitled An act relating to the City of Jacksonville; amending chapter 67-1320, Laws of Florida, as amended, being the Charter of the City of Jacksonville; providing for payment of reasonable per diem and travel expenses incurred in travel and other duties performed for public purposes by officials and employees of the consolidated government and its independent agencies; providing for retroactive application; providing an effective date.

—was read the second time by title. On motion by Senator Girardeau, by two-thirds vote HB 1168 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 1202—A bill to be entitled An act relating to Duval County; adding section 5.2 to chapter 21197, Laws of Florida, 1941, as amended, relating to tenure of employment of teachers in the public schools; providing for a definition of the terms "conviction" and "convicted" as used in sections 4 and 5.1; providing an effective date.

—was read the second time by title. On motion by Senator Girardeau, by two-thirds vote HB 1202 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 1264—A bill to be entitled An act relating to the City of Panama City Beach, Bay County; amending Section 1-3 of the charter of the City of Panama City Beach, adopted by referendum May 2, 1978; preserving unto the City of Panama City Beach all powers preserved and continued by said charter and by Chapter 70-874, Laws of Florida, as amended, which merged certain municipalities; empowering the City of Panama City Beach to plan, acquire, develop, maintain, and operate or lease sports and recreational facilities, and industrial development facilities, within the area north of and within 12 miles of the corporate limits of the City of Panama City Beach; defining sports and recreational facilities and industrial development facilities; granting to the City of Panama City Beach certain specified powers to acquire necessary real and personal property within said area and sell or lease such property; granting to the City of Panama City Beach the power to exercise all governmental, cor-

porate, and proprietary municipal powers upon any real property so acquired, except the power to levy ad valorem taxes; declaring all such powers to be for municipal purposes; providing an effective date.

—was read the second time by title. On motion by Senator Bruner, by two-thirds vote HB 1264 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 1265—A bill to be entitled An act relating to Bay County; repealing chapter 67-827, Laws of Florida, relating to the issuance of alcoholic beverage licenses for certain restaurants in Bay County; providing an effective date.

—was read the second time by title. On motion by Senator Bruner, by two-thirds vote HB 1265 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Peterson

HB 1278—A bill to be entitled An act relating to Escambia County; amending chapter 83-405, Laws of Florida, relating to the Escambia County Civil Service Act; establishing the right of all classified employees, including deputy sheriffs, to engage in collective bargaining and retain all rights of public employees under law; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, strike all of lines 19-24 and insert: *choosing, when such right is granted by general law.*

Amendment 2—In title, on page 1, line 8, after “law” insert: *when such right is granted by general law.*

On motion by Senator W. D. Childers, by two-thirds vote HB 1278 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Childers, D.	Gardner	Kirkpatrick
Bankhead	Childers, W. D.	Girardeau	Kiser
Beard	Crenshaw	Gordon	Malchon
Brown	Davis	Grant	Margolis
Bruner	Deratany	Jennings	McPherson
Casas	Forman	Johnson	Meek

Myers	Scott
Peterson	Souto
Plummer	Stuart
Ros-Lehtinen	Thomas

Thurman
Walker
Weinstein
Weinstock

Woodson-Howard

Nays—None

HB 1279—A bill to be entitled An act relating to DeSoto County Hospital District; amending chapter 65-1450, Laws of Florida; providing for annual required meetings and for the calling of meetings by a majority of the district board at any time; providing an effective date.

—was read the second time by title. On motion by Senator Woodson-Howard, by two-thirds vote HB 1279 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 1280—A bill to be entitled An act relating to Lee County; amending chapter 76-411, Laws of Florida, expanding the boundaries of the San Carlos Fire Protection and Rescue Service District; providing an effective date.

—was read the second time by title. On motion by Senator Woodson-Howard, by two-thirds vote HB 1280 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 1282—A bill to be entitled An act relating to St. Johns County; amending chapter 63-1853, Laws of Florida; renaming the St. Augustine Airport Authority as the St. Augustine-St. Johns County Airport Authority; providing an effective date.

—was read the second time by title. On motion by Senator Bankhead, by two-thirds vote HB 1282 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 1311—A bill to be entitled An act relating to Lee County; amending chapter 76-409, Laws of Florida, relating to the Fort Myers Shores Fire Protection and Rescue Service District; increasing from \$1 per \$1,000 of net taxable assessed valuation to \$2 per \$1,000 of net taxable

assessed valuation, the authorized limit within which the board of the district may levy millage tax to provide for funds for the district; providing for a referendum.

—was read the second time by title. On motion by Senator Woodson-Howard, by two-thirds vote HB 1311 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 1649—A bill to be entitled An act relating to Jackson County; repealing chapter 61-2286, Laws of Florida; abolishing the Chipola Dormitory Authority; providing for the disposition of any assets owned by the authority; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote HB 1649 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 193—A bill to be entitled An act relating to Collier County; providing legislative intent; providing jurisdiction; setting forth powers and duties of the board of county commissioners and the county park enforcement officers (park rangers); authorizing the board of county commissioners to designate employees of the Collier County Department of Parks and Recreation as county park enforcement officers (park rangers); authorizing county park enforcement officers (park rangers) to issue citations for county ordinance violations which occur within the boundaries of any Collier County park and for violations of Collier County ordinances which regulate the use of parks and prohibit certain acts therein; providing an effective date.

—was read the second time by title.

Senator Scott moved the following amendment which was adopted:

Amendment 1—In title, on page 1, line 17, after the semicolon (;) insert: providing that specified acts committed within county parks are offenses for which such citations may also be issued;

On motion by Senator Scott, by two-thirds vote HB 193 as amended 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.	Forman	Jennings
Beard	Childers, W. D.	Gardner	Johnson
Brown	Crenshaw	Girardeau	Kirkpatrick
Bruner	Davis	Gordon	Kiser

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

Nays—None

SPECIAL ORDER, continued

The hour of 11:00 a.m. having arrived, the Senate proceeded to consideration of—

CS for SB 896—A bill to be entitled An act relating to workers' compensation; amending ss. 112.3145, 120.52, 287.012, 381.609, 413.341, 440.02, 440.021, 440.09, 440.10, 440.11, 440.12, 440.13, 440.14, 440.15, 440.16, 440.17, 440.185, 440.19, 440.20, 440.24, 440.25, 440.271, 440.28, 440.29, 440.30, 440.31, 440.32, 440.33, 440.34, 440.385, 440.39, 440.41, 440.42, 440.44, 440.442, 440.45, 440.47, 440.49, 440.54, 440.56, 440.57, 442.115, 455.241, 489.131, 549.08, 626.869, 627.311, 766.101, 766.302, 766.304, 766.307, 766.308, 766.309, 766.31, 766.311, 766.312, 960.03, 960.09, 960.15, F.S.; creating ss. 440.115, 440.295, 489.114, 489.510, 624.22, F.S.; changing the name of the position of Chief Commissioner within the office of the secretary of the Department of Labor and Employment Security to Chief Judge; changing the name of the positions of deputy commissioner within such office to judge of compensation claims; providing that training and educational services are not contractual services for purposes of state purchasing contracts; providing for a judge of compensation claims to authorize access to a human immunodeficiency virus test result; providing definitions; providing an offset for professional athletes' compensation benefits; requiring certain employers to show proof of having secured workers' compensation coverage for their employees; providing immunity from liability; providing for drug testing; authorizing rules; providing for weekly payment of compensation; providing for the deauthorization of health care without order of a judge of compensation claims under certain circumstances; providing an exception to the confidentiality of certain medical records; limiting the hours of compensable attendant care that may be provided by a family member; requiring the panel that determines certain reimbursement allowances to review recommendations of a committee appointed by the Insurance Commissioner; providing requirements for utilization review by health care providers; providing employee's choice of physician; providing for the payment of compensation on a weekly basis; providing for determining average weekly wage; providing requirements for payment of temporary total disability benefits; providing requirements for payment of wage-loss benefits; providing requirements for payment of temporary partial wage-loss benefits; requiring full-pay status for law enforcement officers; providing that certain death benefits do not cease upon the remarriage of the deceased's spouse; increasing certain penalties for failure to give timely notice of injury or death; providing that the statute of limitations for specified claims is not tolled or extended by the failure of the division, an employer, or a carrier to file certain notices or reports or to provide certain information; providing that certain benefits shall be paid at stated intervals; requiring the Division of Workers' Compensation of the department to monitor compensation payment practices; requiring the judges of compensation claims and the Chief Judge to make certain reports; providing additional requirements for investigations by the division; authorizing the secretary of the department to issue subpoenas; requiring mediation; requiring the division to have mediation officers; authorizing the Governor to appoint a qualifications advisory committee; providing terms; requiring examinations; authorizing a judge of compensation claims to order that certain evaluations be conducted prior to the adjudication of a claim for permanent total disability benefits; revising circumstances under which attorney's fees may be awarded; modifying provisions relating to actions against a third party for compensation for employee injuries; providing duties of the advisory council appointed by the secretary of the department; requiring the Governor to appoint a workers' compensation oversight board; providing duties and responsibilities of the board; specifying the salary of judges of compensation claims; requiring the division to provide training and education benefits; providing a rotation system for selection of training and education providers; providing payments of training and education from the Workers' Compensation Administration Trust Fund; providing for the development of training and education standards; providing for certain reimbursement to the subsequent employer of a permanently impaired worker; requiring the division to identify employers whose employees have a high frequency of or severe work-related injuries; providing requirements for employers so identified; increasing penalties; authorizing the cancellation

of the contract for insurance if an employer fails to implement a safety training program as required by the division; providing that certain dividends or refunds issued by a self-insurer may not be contingent upon policy renewal; requiring evidence of workers' compensation coverage as a condition for issuance or renewal of certification or registration as a contractor or electrical contractor; requiring certain proof of coverage for out-of-state contractors; defining the term "motorsports teams"; providing continuing education requirements for adjusters of workers' compensation claims; creating s. 624.22, F.S.; providing legislative intent; creating s. 624.23, F.S.; directing the Joint Legislative Auditing Committee to appoint a Public Insurance Counsel to represent the general public before the Department of Insurance in matters pertaining to health and motor vehicle insurance; providing for oath; providing restrictions on the counsel and his employees; creating s. 624.24, F.S.; providing for the duties and powers of the counsel; creating s. 624.25, F.S.; providing for the location of the counsel office; creating s. 624.26, F.S.; providing that the Joint Legislative Auditing Committee may authorize the counsel to employ certain assistants; creating s. 624.27, F.S.; providing for expenses; creating the Public Insurance Counsel Trust Fund; providing legislative intent; amending s. 624.319, F.S.; providing that the Public Insurance Counsel shall have access to certain examination and investigation files and reports; amending s. 624.523, F.S.; providing for the transfer of certain funds to the Public Insurance Counsel Trust Fund; providing for review and repeal; providing immunity from liability for peer review or utilization committees; providing conforming language; requiring the division to conduct a cost analysis of employee rehabilitation; providing for a schedule of maximum reimbursements based upon such analysis; requiring a report by the Department of Labor and Employment Security; requiring the Center for Public Policy at Florida State University to conduct a cost comparison study; requiring a report; providing for funding; requiring the division to publish a guide to the workers' compensation system; providing an appropriation; correcting cross-references; providing for future repeal and review of ch. 440, F.S.; providing an effective date.

—which was read the second time by title.

Senator Weinstein moved the following amendment which failed:

Amendment 1—On page 1, line 5, strike "440.11" and on page 2, lines 1 and 2, strike "providing immunity from liability"

The vote was:

Yeas—15

Mr. President	Deratany	Malchon	Walker
Bruner	Forman	Plummer	Weinstein
Childers, D.	Gordon	Stuart	Weinstock
Davis	Johnson	Thurman	

Nays—16

Bankhead	Childers, W. D.	Meek	Scott
Beard	Gardner	Myers	Souto
Brown	Grant	Peterson	Thomas
Casas	Jennings	Ros-Lehtinen	Woodson-Howard

Vote after roll call:

Nay—Crenshaw

Yea to Nay—Plummer

On motion by Senator Meek, the Senate reconsidered the vote by which **Amendment 1** failed.

Amendment 1 was adopted.

Senator Weinstein moved the following amendment which was adopted:

Amendment 2—On page 28, line 3, through page 29, line 2, strike all of said lines

On motion by Senator Weinstein, the Senate reconsidered the vote by which **Amendment 2** was adopted.

Amendment 2 was withdrawn.

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

Amendment 3—On page 147, line 3 and on page 161, line 9, strike "1991" and insert: 1990

Senator Gordon moved the following amendment which failed:

Amendment 4—On page 24, strike all of lines 8-14 and renumber subsequent sections.

Senator Gordon moved that the Senate reconsider the vote by which **Amendment 4** failed. The motion failed.

Senator Gordon moved the following amendment which failed:

Amendment 5—On page 161, between lines 10 and 11, insert:

Section 79. Section 627.0915, is created to read:

(1) From October 1, 1989, until October 1, 1990, no authorized insurer of workers' compensation coverage shall issue policies with rates higher than rates charged on similar policies that existed on October 1, 1989.

Senator Jennings moved the following amendment which was adopted:

Amendment 6—On page 25, strike all of lines 3-8 and insert: employees of a subcontractor who has secured such payment. A subcontractor is not liable for the payment of compensation to the employees of another subcontractor on such contract work and is not protected by the exclusiveness of liability provisions of s. 440.11 from action at law or in admiralty on account of injury of such employee of another subcontractor.

Senators Stuart, Scott and Kirkpatrick offered the following amendment which was moved by Senator Stuart and adopted:

Amendment 7—On page 114, strike all of line 18 after the period (.), all of lines 19-22 and all of line 23 before the period (.) and insert: *If any voluntary vocational rehabilitation services or training and education services are voluntarily provided to the employee by the employer or carrier, those services shall be reported to the division within such time as the division may prescribe by rule, so that the division may perform utilization review of such services. Neither the employer, carrier, or injured employee is required to furnish or accept voluntary vocational rehabilitation services. As used in this subsection the term "Voluntary Vocational Rehabilitation Services" means services helpful to restore injured employees to suitable gainful employment. Voluntary vocational rehabilitation within the Workers' Compensation Act includes two major interrelated types of services, Medical Care Coordination and Vocational Services Coordination. "Medical Care Coordination" includes but is not limited to coordinating physician and mental restoration services, such as medical, psychiatric, or therapeutic treatment for the injured employee, providing health teaching to the employee and family, and monitoring the employee's recovery process to maximize recovery, minimize the disability, and prevent complications. The purpose of medical care coordination is to minimize the recovery period without jeopardizing medical stability, to assure that proper medical treatment and other restorative services are received in a timely and sequential manner, so as to assist in the containment of medical costs. "Vocational Services Coordination" includes but is not limited to vocational services needed by the injured employee to secure suitable gainful employment. Such services include counseling for adjustment to disability, vocational counseling, vocational and functional capacity assessments, job seeking skills training, self employment assistance, and selective job placement, arranging other services such as education or training (vocational and on-the-job) which may be needed by the employee, and monitoring the employee's progress toward attainment of the identified vocational goal. For the purpose of this subsection, "Selective Job Placement" means a process by which a provider directly assists the injured employee in securing suitable employment by matching the needs and abilities of the injured employee with the requirements and demands of specific jobs.*

The Department of Insurance may determine whether these voluntary services provided should be considered benefits to the employee, losses, or loss adjustment expenses of the employer or carrier for purposes of ratemaking. The Department is empowered to promulgate rules for such purposes.

Senator Grant moved the following amendment which failed:

Amendment 8—On page 141, line 25 through page 147, line 5, strike all of said lines and insert:

Section 50. Section 627.0653, Florida Statutes, is created to read:
627.0653 Motor vehicle insurance rate filings; public hearings.—

(1) Within 7 days of receipt of a motor vehicle insurance rate filing that proposes or results in an average overall rate increase of 10 percent or greater and which has a gross premium impact on Florida policyholders of \$1.5 million or more, the department shall publish notice of such filing together with notice that a public hearing will be held in the county with the most Florida residents who are policyholders affected by the filing. The publication of notice shall be in the newspaper of largest circulation in the county in which the hearing is to be held. The department may also, in its discretion, publish notice in other newspapers as appropriate to reach affected policyholders. The department may hold additional public hearings on the rate filing in other counties in which policyholders who reside therein are substantially affected by the filing. The public hearing shall be held no less than 15 days and no more than 30 days after the date of the last publication of notice of the filing. Notice shall also be provided by mail to any person or organization that has submitted during the current calendar year but at least 15 days prior to the hearing, a written request to the department to be placed on a mailing list relating to motor vehicle insurance rate filings that meet the requirements of this section.

(2) A copy of the rate filing shall be available for the length of time the rate filing remains open for public inspection in the department's field office nearest in location to the county in which the hearing is to be held. Any policyholder, person, or organization representing a policyholder may present testimony or documentary evidence at the public hearing held pursuant to this subsection and may file supplementary evidence with the department within 10 days following the hearing. The department shall have prepared a transcript of the public hearing which shall serve as the official record of the hearing. Any relevant information presented at the hearing or subsequent thereto shall be considered by the department in reviewing the filing.

(3) The public hearing required by this subsection shall be prior to any proceeding held pursuant to chapter 120. In the event that a proceeding is held pursuant to chapter 120, all persons who presented testimony or evidence at the public hearing shall be notified by the department of the time, date, and location of the proceeding. Any policyholder shall be considered a party whose substantial interests are affected by the department's action on the rate filing.

Senator Woodson-Howard moved **Amendment 9** on which a point of order was raised by Senator Gordon. The point of order and amendment were subsequently withdrawn.

Senator Davis moved the following amendment which was adopted:

Amendment 10—On page 79, lines 7 and 8 and on page 86, line 10 through page 91, line 29, strike all of said lines and insert: *compensation claims deputy commissioner shall order all parties to attend either a mediation conference or a hearing thereof. Any party who requests a mediation conference shall not be precluded from requesting a hearing following the mediation conference should both parties not agree to be bound by the results of the mediation conference a hearing thereof.*

(b) *If the request in paragraph (a) is for a mediation conference, an application for a mediation conference concerning a claim shall refer to the claim previously filed and state the reasons for requesting the mediation conference and the questions in dispute so that the responding or opposing parties may be notified of the purpose of the mediation conference. The Chief Judge shall select a judge of compensation claims, a general master, or a special master to serve as the mediator. The general master shall be employed on a full time basis by the office of the Chief Judge. The rate of compensation for a general master shall be at 60 percent of the salary of a judge of compensation claims. A general master must be a member of The Florida Bar and have three years of experience in the practice of workers' compensation law in this state. The special master shall be selected from a list prepared by the Chief Judge. The special master must be independent of all parties participating in the mediation conference. A special master must be a member of The Florida Bar and have three years of experience in the practice of workers' compensation law in this state. The rate of compensation for a special master shall be \$250 per day plus travel and per diem expenses. The special master shall have access to the office, equipment and supplies of the judge of compensation claims in each district. In the event both parties agree, the results of the mediation conference shall be binding*

and neither party shall have a right to appeal the results. In the event either party refuses to agree to the results of the mediation conference, the results of the mediation conference as well as the testimony, witnesses and evidence presented at the conference shall not be admissible at any subsequent proceeding on the claim. The mediator shall not be called in to testify or give deposition to resolve any claim for any hearing before the judge of compensation claims. The fact of requesting or accepting an offer to mediate shall not be called in to testify or give deposition to resolve any claim for any hearing before the judge of compensation claims. The fact of requesting or accepting an offer to mediate shall not be admissible as evidence of liability in any collateral or subsequent proceeding on the claim. Neither party may be represented by an attorney at the mediation conference. Any judge who serves as mediator shall not be permitted to preside at a hearing involving the same claim pursuant to paragraph (c). If a request for mediation is filed, the mediation conference must be held within 45 days after it is filed and the judge, general master, or special master shall give the claimant and other interested parties at least 15 days' notice of such conference, served upon the claimant and other interested parties by mail.

(c) *If the request in paragraph (a) is for a hearing an application for a hearing concerning a claim*

(Renumber subsequent sections.)

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

Amendment 11—On page 161, between lines 7 and 8, insert:

Section 78. Study Commission on Workers' Compensation.—

(1) The Study Commission on Workers' Compensation is created to review the workers' compensation system and recommend legislative changes that will stabilize or reduce rates while promoting equitable benefits for injured workers.

(2) The study commission shall be composed of the following members:

(a) Three members of the Senate appointed by the President.

(b) Three members of the House appointed by the Speaker of the House.

(Renumber subsequent sections.)

Senator Gordon moved the following amendment which failed:

Amendment 12—On page 24, line 12, strike ~~or similar~~ and insert: *unless*

Senators W. D. Childers and Gordon offered the following amendment which was moved by Senator W. D. Childers and adopted:

Amendment 13—In title, on page 1, line 2, strike "workers' compensation" and insert: insurance

Senator Stuart moved the following amendment which was adopted:

Amendment 14—In title, on page 3, line 31, insert: providing a definition of voluntary vocational rehabilitation services;

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

Amendment 15—In title, on page 6, line 3, after "references;" insert: providing a study commission;

Amendment 16—In title, on page 1, line 2, strike "workers' compensation" and insert: insurance

On motion by Senator W. D. Childers, by two-thirds vote CS for SB 896 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Beard	Bruner	Childers, D.
Bankhead	Brown	Casas	Childers, W. D.

Crenshaw	Johnson	Myers	Walker
Davis	Kirkpatrick	Ros-Lehtinen	Weinstein
Deratany	Kiser	Scott	Weinstock
Forman	Malchon	Souto	Woodson-Howard
Girardeau	Margolis	Stuart	
Gordon	McPherson	Thomas	
Grant	Meek	Thurman	

trolled substance with intent to commit such actions; providing that such persons are not eligible for parole or statutory gain-time; providing that persons performing such activities with any other controlled substance must be fined \$500 and must serve 100 hours of public service in addition to any other penalty; providing an effective date.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote CS for SB 1534 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

On motion by Senator Scott, the rules were waived and CS for SB 1534 was ordered immediately certified to the House.

SB 1314—A bill to be entitled An act relating to elevators; amending s. 399.01, F.S.; redefining the terms “alteration,” “elevator,” and “service maintenance contract”; amending s. 399.02, F.S.; providing for the adoption of a safety code for elevators and escalators; excluding certain equipment from regulation under ch. 399, F.S.; requiring a certificate of insurance to be kept on file; amending s. 399.035, F.S.; revising certain standards relating to accessibility for the physically handicapped; exempting certain existing elevators from regulation; amending s. 399.05, F.S.; providing for maintenance of certain insurance coverage; prescribing approval requirements with respect to alteration of an elevator; providing for inspection of alterations; amending s. 399.061, F.S.; prescribing a timetable for regular inspection of elevators; amending s. 399.07, F.S.; providing for a fee schedule for renewal of certification; amending s. 399.13, F.S.; prescribing records which a municipality must maintain; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote SB 1314 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Motion to Introduce Bill

Senator Plummer moved that the rules be waived and the following bill be introduced notwithstanding the fact that the final day had passed for introduction of bills:

A bill to be entitled An act relating to Areas of Critical Concern.

The motion was referred to the Committee on Rules and Calendar.

CS for SB 65—A bill to be entitled An act relating to administrative rulemaking; amending s. 120.54, F.S.; revising items that must be included in the economic impact statement that must be prepared by an agency before it adopts, amends, or repeals a rule; providing an effective date.

—was read the second time by title. On motion by Senator Kiser, by two-thirds vote CS for SB 65 was read the third time by title, passed and certified to the House. The vote on passage was:

Nays—None

Vote after roll call:

Yea—Peterson, Plummer

On motion by Senator Scott, the rules were waived and CS for SB 896 was ordered immediately certified to the House.

CS for CS for SB 997—A bill to be entitled An act relating to the towing industry; providing for creation of the Task Force Committee on Towing to study the towing industry and problems associated with abandoned vehicles; providing for per diem and travel expenses; providing for a report; providing for a penalty against any towing business which fails to cooperate; 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 2, line 2, after “created” insert: within the Department of Highway Safety and Motor Vehicles

Amendment 2—On page 3, line 5, after “Governor” insert: , the House Speaker,

Amendment 3—On page 3, strike all of lines 15-17 and insert: committee from the private sector shall not be entitled to per diem or travel expense reimbursement, and members of the committee from the public sector shall obtain such reimbursement, if any, from their public entity. Members of the committee

Amendment 4—In title, on page 1, line 3, after “creation” insert: within the Department of Highway Safety and Motor Vehicles

On motion by Senator Ros-Lehtinen, by two-thirds vote CS for CS for SB 997 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

On motion by Senator Ros-Lehtinen, the rules were waived and CS for CS for SB 997 was ordered immediately certified to the House.

Consideration of CS for SB 676 was deferred.

CS for SB 1534—A bill to be entitled An act relating to transportation and drug abuse prevention and control; creating s. 320.072, F.S.; providing for an additional fee on certain motor vehicle registration transactions; providing for deposit of fee proceeds into the Department of Highway Safety and Motor Vehicles Law Enforcement Trust Fund; amending s. 320.06, F.S.; requiring license plates of leased or rented cars to be imprinted with the word “Lease”; amending s. 320.0705, F.S.; providing for semiannual registration of certain rental or leased motor vehicles; creating s. 212.0606, F.S.; imposing a surcharge on the lease or rental of certain motor vehicles; providing for distribution; providing for the application of certain provisions of part I of ch. 212, F.S., to the surcharge; authorizing the Department of Revenue to adopt emergency rules; providing appropriations; amending s. 893.13, F.S.; prescribing a minimum term of imprisonment for persons who sell, purchase, manufacture, or deliver a controlled substance as defined in s. 893.03(1)(a), (b), (d), (2)(a), (b), F.S., within 1,000 feet of a school or who possess such con-

Yeas—32

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

Nays—1

Bruner

Vote after roll call:

Yea—Girardeau

Motions

On motion by Senator Scott, the rules were waived and time of recess was extended until final action on SB 1551 and motions relating to committee reference.

On motion by Senator Peterson, by unanimous consent SB 1551 was taken up out of order. Pending further consideration of SB 1551, on motion by Senator Peterson, by two-thirds vote HB 1806 was withdrawn from the Committee on Judiciary-Criminal.

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

HB 1806—A bill to be entitled An act relating to sexual battery; amending s. 794.011, F.S.; making it a first degree felony to commit sexual battery upon certain persons who are physically incapacitated; providing an effective date.

—a companion measure, was substituted for SB 1551 and by two-thirds vote read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 1806 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Kiser

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Scott, by two-thirds vote SB 445 was withdrawn from the Committee on Governmental Operations; CS for SB 1229, CS for SB 1267, CS for SB 1386, CS for SB 1422 and CS for SB 1462 were withdrawn from the Committee on Judiciary-Civil.

On motions by Senator Deratany, by two-thirds vote CS for SB 656, SB 871, SB 878, SB 1056, CS for SB 1195, SB 1448 and CS for SB 484 were withdrawn from the Committee on Finance, Taxation and Claims.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 25 was corrected and approved.

CO-INTRODUCERS

Senator Souto—SB 650

RECESS

Senator Scott moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Monday, May 29, at 1:00 p.m. The motion was adopted.

Pursuant to the motion by Senator Scott, the Senate recessed at 1:09 p.m. to reconvene at 1:00 p.m., Monday, May 29.