



Journal of the Senate

Number 12

Tuesday, May 15, 1990

CALL TO ORDER

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

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

PRAYER

The following prayer was offered by the Reverend Billy Robson, Pastor, New Prospect Baptist Church, Cross City:

Our precious heavenly Father, as we come into thy presence this morning, we come very humbly, Lord, realizing that thou are the creator of all good and perfect things; realizing, Lord, that you are the one that is full of all wisdom and knowledge. You are the one that's able to minister to the lives and the hearts and the problems of each one.

We pray, Father, as we come to begin this day that you will become real in our lives and, Lord, that each one today would be aware of the great responsibility that they have in this house.

We ask, heavenly Father, today that they would look to thee for thy wisdom, for thy guidance, for thy leadership and thy direction, Lord, that they may make a difference in the needs of this state. Father, we just ask you to help each one now to seek your direction and your purpose and, Father, may we be mindful of the words, "Lord, as he looked and he said if the Lord be not in this, it can not stand. Then he looked around and said that if the Lord be in it, it can not fail."

Father, may this day and the remainder, Lord, of these meetings be done in your will and your direction. And, Lord, may each one here make a difference today in the life and the future of so many people in Florida. We'll just praise you for we ask in the sweet name of Jesus. Amen.

PLEDGE

Senator Diaz-Balart led the Senate in the pledge of allegiance to the flag of the United States of America.

Special Guests

Senator Girardeau introduced Moussa Sangare, of the Republic of Guinea, West Africa, Ambassador to the United States, and Captain Alimou Diallo, his military attache and translator.

Upon request of the President, Senator Girardeau escorted Ambassador Sangare and Captain Diallo to the rostrum.

Consideration of Resolutions

On motion by Senator Weinstein, by two-thirds vote SR 3172 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Weinstein—

SR 3172—A resolution commemorating the 35th anniversary of the creation of the City of Margate.

WHEREAS, following the May 30, 1955, date of incorporation as a city, Margate has grown from a small farming hamlet to the present, as a full service city for approximately 42,000 residents, and

WHEREAS, its city commission manager form of government strives to provide its residents, a happy mix of both young families and retired persons, with quality schools, recreational facilities, city services, and community pride, and

WHEREAS, because of the city's central location between the eastern and western portions of Broward County, Margate has experienced continuous growth in a variety of businesses, and

WHEREAS, Margate is fortunate to have a citizenry with a rich spirit of participation, characterized by pride in the community, government responsiveness, and business development, and these essential ingredients of an American City make Margate a desirable place to live, work, and raise families, NOW, THEREFORE,

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

That the Florida Senate congratulates the City of Margate and its residents on the 35th anniversary of its incorporation.

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

On motion by Senator Weinstein, by two-thirds vote SR 3174 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Weinstein—

SR 3174—A resolution commemorating the 65th anniversary of the creation of the City of Deerfield Beach.

WHEREAS, following the June 11, 1925, date of incorporation as a city, Deerfield Beach has grown from a small hamlet to the present, as a full service city for approximately 60,000 residents, and

WHEREAS, its government strives to provide its residents, a happy mix of both young families and retired persons, with quality schools, recreational facilities, city services, and community pride, and

WHEREAS, because of the city's northeast location in Broward County, Deerfield Beach has experienced continuous growth in a variety of businesses, and

WHEREAS, Deerfield Beach is fortunate to have a citizenry with a rich spirit of participation, characterized by pride in the community, government responsiveness, and business development, and these essential ingredients of an American City make Deerfield Beach a desirable place to live, work, and raise families, NOW, THEREFORE,

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

That the Florida Senate congratulates the City of Deerfield Beach and its residents on the 65th anniversary of its incorporation.

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

On motion by Senator Meek, by two-thirds vote SR 3150 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Meek—

SR 3150—A resolution honoring Mrs. Rosa Mae Watson Davis for her lifelong support for the value of education and the encouragement she has given to so many of her family to attend and graduate from college.

WHEREAS, Rosa Mae Watson was born to David and Anna Watson on May 22, 1895, in Richland County, South Carolina, and

WHEREAS, she moved to Palmetto, Florida, in 1911 at the age of 16 and, on June 8, 1914, married the late Johnny Joseph Davis, Sr., and

WHEREAS, the Davises had nine children (four sons and five daughters), and

WHEREAS, Mrs. Davis, though having but a sixth-grade education herself, is a strong advocate of the value of education and was president of the Lincoln Memorial School Parent-Teacher Association for 12 consecutive years, and

WHEREAS, Mrs. Davis, better known to family and friends as "Mama Rosa," has encouraged five of her children, nine of her grandchildren, and ten of her nieces and nephews to attend and graduate from Florida A&M University, and

WHEREAS, "Mama Rosa" has seen ten of her family members go on to receive advanced degrees, including law, from F.A.M.U. and other institutions, NOW, THEREFORE,

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

That this body honors Mrs. Rosa Mae Watson Davis for her exemplary support of education at all levels and her lifelong faith in the value of education to allow a person to realize his potential.

BE IT FURTHER RESOLVED that "Mama Rosa" be honored for her personal sacrifices that permitted 24 members of her family to achieve college educations, an achievement that will be multiplied many times through succeeding generations.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate, with the Seal of the Senate affixed, be transmitted to Mrs. Rosa Davis as a tangible token of the sentiments expressed herein and a lasting symbol of the esteem and respect of the members of the Florida Senate.

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

On motion by Senator Souto, by two-thirds vote SR 2932 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Souto—

SR 2932—A resolution declaring a Safe Driving Awareness Month, a Safe Driving Awareness Week, and a Safe Driving Awareness Day.

WHEREAS, more than 230,000 people are injured in car crashes in Florida each year, and

WHEREAS, more than 3,000 people are killed in car crashes in Florida each year, and

WHEREAS, more than 380,000 drivers are involved in car crashes in Florida each year, and

WHEREAS, there are more than 700 car crashes in Florida each day, and

WHEREAS, car crashes are the leading cause of death of Floridians under 44 years of age and are a leading cause of death of those over 44 years of age, and

WHEREAS, car crashes in Florida each year cause more than 750 million dollars in property damage alone, in addition to millions of dollars in medical expenses and lost income, and

WHEREAS, injuries caused by car crashes account for more than 50 percent of the demands placed on trauma and emergency health care delivery systems in Florida, and

WHEREAS, car crashes in Florida have a detrimental effect on the economy of the state because employers are deprived of countless hours of staff time due to the injuries and deaths of their personnel as a result of car crashes, and

WHEREAS, car-crash-related deaths and injuries and the accompanying suffering and losses are preventable, and

WHEREAS, the tragic loss of lives is an unacceptable and unnecessary waste of people and property, and

WHEREAS, in order to focus public attention on the devastating extent of the car crash problem by publicly emphasizing the importance of safe driving practices, NOW, THEREFORE,

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

That the month of February of each year is hereby designated as Florida Safe Driving Awareness Month.

BE IT FURTHER RESOLVED, that the week beginning with the last Sunday in February of each year is hereby designated as Florida Safe Driving Awareness Week.

BE IT FURTHER RESOLVED, that February 24 of each year is hereby designated as Florida Safe Driving Awareness Day.

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

On motion by Senator Grant, by unanimous consent—

By Senator Grant—

SR 3192—A resolution commending Hugh Franklin Culverhouse, Sr., for his accomplishments.

WHEREAS, Hugh Franklin Culverhouse, Sr., has achieved success as a community leader and philanthropist, as an attorney, as the owner and president of the Tampa Bay Buccaneers, and as a friend of the Tampa Bay area community, and

WHEREAS, Mr. Culverhouse is a person who has always been committed to the betterment of his fellow man and has demonstrated this commitment through hard work and financial investment in numerous educational, health care, youth, and civic organizations, and

WHEREAS, some of the organizations which have benefited from his generosity include the University of South Florida, the University of Alabama School of Accountancy, Jacksonville University, the University of Florida, Stetson University College of Law, Eckerd College, the Mendez Foundation, the Boys and Girls Clubs of Tampa, the Family Consultation Service of Jacksonville, the Girls Clubs of Sarasota County, the Tampa Bay Performing Arts Center, and the Sarasota Opera Society, and

WHEREAS, Hugh Franklin Culverhouse, Sr., has received many awards and honors over the years, including an appointment by Gerald R. Ford to the rank of ambassador to represent the President in the 1976 Winter Olympics in Innsbruck, Austria, and

WHEREAS, in addition to his business acumen, which has brought him success in all of his endeavors, he has consistently demonstrated a strong devotion to family ideals and to the improvement of his community, NOW, THEREFORE,

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

That the Florida Senate hereby commends Hugh Franklin Culverhouse, Sr., for his accomplishments and joins the citizens of the Tampa Bay area in saluting this generous and admired resident of the Tampa Bay area for his contributions to that community and this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Hugh Franklin Culverhouse, Sr., as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Grant, SR 3192 was read the second time in full and adopted.

On motion by Senator Kirkpatrick, by two-thirds vote SR 3154 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Kirkpatrick—

SR 3154—A resolution commending Robert W. Sym for his many years of public service to the state.

WHEREAS, Robert W. Sym has been a resident of this state for the past 43 years, after moving from his birthplace of Manchester, New Hampshire, and

WHEREAS, he received a bachelor's degree in accounting from the University of Florida in 1958, and

WHEREAS, he began his long and distinguished professional career of 36 and one-half years serving in Gainesville as a staff accountant in the Division of Plant and Grounds at the University of Florida in 1953, and

WHEREAS, Mr. Sym has served a total of 30 years within the offices of the State Auditor, the Legislative Auditor, and the Office of the Auditor General, and

WHEREAS, Mr. Sym will retire from public service on June 30, 1990, as Assistant Auditor General, a position he has held since 1979, and

WHEREAS, as Assistant Auditor General, Mr. Sym has advised the Auditor General regarding policy, professional, and personnel matters; supervised a staff of 327 professional and paraprofessional employees; consulted on legislative matters; and represented the Office of the Auditor General before various governmental and professional bodies, and

WHEREAS, during his years of professional public service, Mr. Sym has been a member of the American Institute of Certified Public Accountants, the Florida Institute of Certified Public Accountants, and the Governmental Accounting Standards Board Task Force on Infrastructure Accounting Concerns and Capital Asset Budget vs. Actual Reporting and served as chairman of the Southeastern Intergovernmental Audit Forum Committee on Small Firm Peer Review Alternatives, and

WHEREAS, Mr. Sym has written and coauthored various publications in his field of professional practice, and

WHEREAS, he has served as a frequent lecturer and consultant on various compliance auditing topics within the state, at various national meetings, and on the Governmental Accounting Standards Board, and

WHEREAS, Mr. Sym has always provided invaluable advice and consultation to the Legislative Auditing Committee and the Legislature on matters of governmental accountability, NOW, THEREFORE,

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

That the Senate commends Robert W. Sym for his many professional accomplishments and his many years of service to this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Robert W. Sym as a tangible token of the sentiments expressed herein.

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

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

On motion by Senator Langley, by two-thirds vote SR 3158 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Langley—

SR 3158—A resolution recognizing the week of May 14-May 19, as Teachers' Appreciation Week.

WHEREAS, the Florida District of Kiwanis, consisting of 342 Clubs and 15,917 members including 30 Divisions and including organizations in its family such as Circle K (college youth), Key Club and Keyettes (high school youth), and Builders Club (middle school), has long been a champion of education, and

WHEREAS, the international service club founded in 1915 has continually lived up to its motto of "We build," and its current theme directs its members to take "time to care," and

WHEREAS, the Florida District of Kiwanis Community Service Committee has spearheaded a campaign to honor Florida's elementary and secondary school teachers by presenting on Friday, May 18, "an apple to teacher" stamped with the Kiwanis emblem and proclaiming that "Kiwanis loves and appreciates our teachers," NOW, THEREFORE,

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

That the Florida Senate does hereby join the Florida District of Kiwanis in recognizing the week of May 14-May 19, 1990, as "Teachers' Appreciation Week."

BE IT FURTHER RESOLVED that the Florida Senate extends its invitation to Governor Bob Martinez and Commissioner of Education Betty Castor to join the Senate in saluting members of Florida's Kiwanis family for their recognition of teachers whose task it is to sharpen and polish the potential of tomorrow's citizens.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Kiwanis Governor Wallace S. Hamrick of Ocala as a tangible token of the sentiments expressed herein.

—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 Tuesday, May 15, 1990: CS for SB 788, SB 2700, SB 46, SB 554, CS for SB 234, SB 2226, SB 1354, SB 1710, SB 462, CS for SB 414, CS for SB 1562, SB 1658, SB 412, CS for SB 916, CS for SB 1226, CS for SB 2984, SB 1228, CS for SB 1834, SB 3032, CS for SB 1410, SB 1962, CS for SB 1422, CS for SB 2484, SB 3122, CS for SB 786, CS for SB 1330, CS for SB 556, CS for SB 494, SB 526

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 Tuesday, May 15, 1990: SB 2420, SB 3104, SB 3114, SB 3132, SB 3142, SB 3160, SB 3130

Respectfully submitted,
James A. Scott, Chairman

The Committee on Corrections, Probation and Parole recommends the following pass: SB 2698

The Committee on Economic, Professional and Utility Regulation recommends the following pass: CS for SB 508

The Committee on Judiciary-Criminal recommends the following pass: CS for SB 1558, CS for SB 1644 with 3 amendments, SB 1938, SB 2572

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

The Committee on Commerce recommends the following pass: SB 1630 with 2 amendments

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

The Committee on Commerce recommends the following pass: SB 582

The Committee on Community Affairs recommends the following pass: CS for SB 2474

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

The Committee on Corrections, Probation and Parole recommends the following pass: SB 3036

The Committee on Economic, Professional and Utility Regulation recommends the following pass: SB 1056

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

The Committee on Corrections, Probation and Parole recommends the following pass: SB 1590

The Committee on Judiciary-Criminal recommends the following pass: SB 2392, CS for SB 3012 with 3 amendments

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

The Committee on Ethics and Elections recommends the following pass: SJR 2710

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

The Committee on Economic, Professional and Utility Regulation recommends the following pass: SB 2016, SB 2400

The Committee on Ethics and Elections recommends the following pass: SB 436

The Committee on Judiciary-Criminal recommends the following pass: CS for HB 219, CS for SB 1288, CS for SB 1726, SB 2130

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

The Committee on Community Affairs recommends the following not pass: SB 1920, SB 2516

The bills were laid on the table.

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 3020

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

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 2852

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 1106

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

The Committee on Regulated Industries recommends committee substitutes for the following: SB 1636, SB 1806

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

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 1720

The bill with committee substitute attached was referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 1558, SB 3012

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

The Committee on Ethics and Elections recommends committee substitutes for the following: SJR 10, SB 1268

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

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 2422

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 2912

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

Bills Referred to Subcommittee

May 14, 1990

The following have been referred to Appropriations Subcommittee A which will report to the full committee within 15 days: CS for SB 284, CS for SB 682, CS for SB 846, CS for SB 1458, CS for SB 1758, SB 1848, CS for SB 2012, SB 2292, CS for SB 2298, SB 2514, CS for SB 2956

The following have been referred to Appropriations Subcommittee B which will report to the full committee within 15 days: CS for SB 772, SB 832, CS for SB 1030, SB 1138, SB 1356, CS for SB 1464, SB 1510, CS for SB's 1556, 618 and CS for SB 1514, SB 2100, SB 2328, SB 2500, SB 2746

The following have been referred to Appropriations Subcommittee C which will report to the full committee within 15 days: CS for SB 240, CS for SB 976, CS for SB 994, SB 1118, SB 1218, CS for SB 1310, SB 1376, CS for SB 1744, CS for SB's 1766 and 726, CS for SB's 1884 and 764, SB 2162, CS for SB 2594

REQUESTS FOR EXTENSION OF TIME

May 11, 1990

The Committee on Agriculture requests an extension of 15 days for consideration of the following: Senate Bills 174, 180, 214, 242, 1304, 1324, 1670, 1674, 1676, 1686, 1918, 2062, 2364, 2546, 2608, 2622, 2722, 2730, 2744, 2760, 2832, 2876, 2974, 3034; House Bills 71, 2163, 2535, 2545, 2547, 2551, 2667

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 4, 58, 64, 82, 130, 212, 552, 566, 582, 590, 594, 604, 612, 614, 678, 778, 986, 1012, 1076, 1112, 1216, 1246, 1296, 1454, 1524, 1560, 1564, 1614, 1630, 1704, 1748, 1864, 1876, 1878, 1930, 2170, 2176, 2276, 2338, 2366, 2368, 2390, 2522, 2690, 2706, 2836, 2848, 3050; House Bills 357, 821, 873, 1873, 2393, 2443, 2481, 3429, 3471

The Committee on Community Affairs requests an extension of 15 days for consideration of the following: Senate Bills 102, 244, 338, 350, 498, 562, 754, 1036, 1046, 1196, 1214, 1258, 1274, 1286, 1394, 1424, 1532, 1574, 1576, 1688, 1690, 1700, 1722, 1794, 1920, 2034, 2060, 2072, 2098, 2140, 2172, 2192, 2424, 2440, 2474, 2516, 2542, 2724, 2780, 2786, 2840, 2858, 2904, 2940, 2992

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: Senate Bills 886, 900, 1004, 1342, 1590, 1720, 1738, 1984, 2698, 2852, 2918, 3020, 3036

The Committee on Economic, Professional and Utility Regulation requests an extension of 15 days for consideration of the following: Senate Bills 38, 496, 500, 508, 540, 842, 894, 964, 1056, 1114, 1122, 1170, 1232, 1300, 1348, 1390, 1392, 1446, 1486, 1638, 2016, 2076, 2122, 2200, 2206, 2246, 2356, 2400, 2438, 2586, 2606, 2640, 2650, 2660, 2752, 2784, 2834, 2868, 2870, 2874, 2908, 2928, 2938, 2962, 3014, 3016, 3018, 3022, 3030; House Bills 319, 557, 2519

The Committee on Education requests an extension of 15 days for consideration of the following: Senate Bills 88, 128, 194, 318, 464, 646, 670, 676, 794, 826, 1124, 1664, 1712, 1732, 1764, 1776, 1796, 1874, 1898, 1914, 1916, 1958, 1988, 2024, 2054, 2082, 2156, 2164, 2278, 2284, 2296, 2332, 2358, 2460, 2504, 2562, 2574, 2616, 2618, 2648, 2662, 2716, 2718, 2808, 2856, 2872, 2900, 2910, 2968; House Bills 281, 623

The Committee on Ethics and Elections requests an extension of 15 days for consideration of the following: Senate Bills 10, 12, 200, 282, 436, 656, 658, 926, 962, 988, 1106, 1268, 1684, 1742, 1886, 1948, 2354, 2422, 2512, 2664, 2710, 2822; House Bills 403, 529, 789

The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: Senate Bills 6, 8, 32, 52, 164, 178, 246, 256, 310, 416, 452, 460, 476, 530, 568, 720, 768, 814, 992, 1068, 1142, 1166, 1188, 1198, 1202, 1238, 1248, 1282, 1302, 1366, 1382, 1406, 1430, 1460, 1494, 1504, 1528, 1530, 1552, 1578, 1622, 1698, 1708, 1736, 1866, 1882, 1942, 1960, 2018, 2026, 2032, 2036, 2042, 2074, 2088, 2102, 2152, 2236, 2288, 2324, 2386, 2398, 2468, 2470, 2488, 2530, 2568, 2684, 2692, 2756, 2796, 2920, 2922, 2986, 3038, 3062, 3068, 3074; House Bill 2589

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: Senate Bills 264, 306, 346, 358, 422, 548, 634, 636, 664, 724, 762, 818, 836, 876, 998, 1066, 1086, 1186, 1262, 1298, 1334, 1388, 1478, 1544, 1566, 1648, 1650, 1680, 1734, 1752, 1762, 1786, 1836, 1928, 1934, 1940, 1980, 2008, 2020, 2104, 2110, 2114, 2158, 2268, 2272, 2486, 2532, 2544, 2550, 2554, 2556, 2558, 2612, 2646, 2728, 2732, 2736, 2738, 2812, 2816, 2826, 2828, 2878, 2926, 2946, 2970, 2972, 2976, 3006, 3026; House Bills 149, 287, 799, 967, 1249, 1827, 2225, 2279, 2281, 2333, 2513

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: Senate Bills 106, 226, 492, 966, 996, 1010, 1074, 1148, 1352, 1598, 1702, 1854, 1912, 1954, 2014, 2030, 2050, 2108, 2126, 2182, 2188, 2228, 2286, 2302, 2346, 2394, 2402, 2458, 2494, 2538, 2540, 2564, 2680, 2682, 2778, 2810, 2824, 2916, 2996; House Bills 1523, 2287, 2527, 3295

The Committee on Health Care requests an extension of 15 days for consideration of the following: Senate Bills 74, 86, 192, 238, 534, 652, 1060, 1100, 1254, 1452, 1490, 1798, 1870, 1922, 1926, 2000, 2116, 2178, 2208, 2220, 2232, 2316, 2578, 2632, 2638, 2644, 2694, 2712, 2734, 2774, 2818, 2820, 3010, 3024; House Bills 209, 429

The Committee on Higher Education requests an extension of 15 days for consideration of the following: Senate Bills 202, 626, 866, 1134, 1160, 1172, 1404, 1496, 1506, 1538, 1542, 1692, 1968, 2374, 2388, 2410, 2412, 2444, 2508, 2526, 2678, 2740, 2768, 2782, 2842; House Bills 571, 2303, 2933

The Committee on Insurance requests an extension of 15 days for consideration of the following: Senate Bills 48, 716, 766, 782, 816, 830, 858, 874, 896, 960, 1038, 1158, 1364, 1402, 1408, 1436, 1682, 1696, 1772, 2132, 2150, 2210, 2234, 2258, 2318, 2326, 2360, 2428, 2492, 2570, 2656, 2666, 2668, 2670, 2762, 2788, 2794, 2804, 2850, 2854, 2866, 2880, 2902, 2924, 2982, 3060; House Bill 3621

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: Senate Bills 116, 126, 134, 230, 400, 450, 520, 538, 572, 622, 630, 692, 698, 770, 798, 810, 838, 840, 854, 902, 910, 1002, 1006, 1020, 1090, 1140, 1162, 1164, 1190, 1192, 1204, 1264, 1276, 1308, 1320, 1322, 1372, 1534, 1596, 1678, 1694, 1730, 1750, 1774, 1780, 1784, 1790, 1812, 1824, 1828, 1846, 1850, 1862, 1880, 1888, 1890, 1894, 1924, 1974, 2038, 2044, 2046, 2056, 2064, 2112, 2118, 2144, 2154, 2198, 2222, 2224, 2230, 2238, 2274, 2290, 2312, 2320, 2350, 2352, 2382, 2406, 2426, 2430, 2432, 2480, 2506, 2518, 2642, 2688, 2696, 2766, 2770, 2844, 2884, 2894, 2896, 2906, 2950, 3002, 3042, 3064; House Bills 155, 211, 1169, 1393, 1969, 3005

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: Senate Bills 20, 24, 136, 166, 196, 204, 206, 208, 250, 270, 294, 438, 440, 488, 638, 746, 812, 878, 1008, 1224, 1240, 1242, 1252, 1272, 1288, 1418, 1420, 1492, 1644, 1672, 1726, 1778, 1788, 1840, 1938, 1966, 2010, 2022, 2080, 2130, 2142, 2148, 2204, 2214, 2216, 2254, 2260, 2264, 2314, 2334, 2336, 2392, 2404, 2448, 2454, 2572, 2596, 2600, 2614, 2634, 2636, 2838, 2864, 2882, 2948, 3000, 3040, 3066, 3070; House Bills 83, 163, 219, 1457, 1869, 2387, 2497

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 30, 120, 148, 176, 190, 296, 320, 356, 404, 442, 444, 446, 448, 536, 584, 606, 620, 624, 650, 760, 808, 820, 844, 880, 890, 908, 938, 948, 1088, 1096, 1128, 1144, 1182, 1244, 1318, 1328, 1368, 1370, 1434, 1550, 1660, 1668, 1724, 1822, 1844, 1852, 1868, 1906, 1950, 1998, 2004, 2006, 2058, 2084, 2106, 2120, 2138, 2174, 2190, 2242, 2244, 2250, 2294, 2348, 2372, 2376, 2396, 2528, 2560, 2654, 2672, 2702, 2720, 2742, 2802, 2806, 2860, 2934, 2942, 2944, 2958, 2978, 2990, 2994, 3004, 3046, 3162, 3176; House Bills 517, 733, 2455, 2841

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for consideration of the following: Senate Bills 152, 172, 276, 428, 468, 776, 800, 828, 1000, 1032, 1034, 1136, 1154, 1156, 1400, 1746, 1936, 1946, 1970, 1972, 2212, 2306, 2370, 2714, 2790, 3058, 3124

The Committee on Regulated Industries requests an extension of 15 days for consideration of the following: Senate Bills 44, 154, 516, 588, 722, 984, 1132, 1234, 1266, 1444, 1652, 1666, 1808, 1902, 1904, 1944, 1964, 2052, 2180, 2218, 2240, 2282, 2330, 2380, 2414, 2446, 2552, 2576, 2580, 2628, 2630, 2686, 2892, 3044; House Bill 1267

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: Senate Bills 26, 62, 66, 186, 224, 312, 360, 472, 474, 478, 522, 524, 640, 642, 660, 804, 834, 868, 882, 924, 1040, 1212, 1360, 1456, 1474, 1500, 1594, 1792, 1800, 1896, 1908, 1910, 1932, 1978, 2086, 2124, 2166, 2202, 2304, 2420, 2464, 2604, 2708, 2776, 2800, 2932, 3086, 3088, 3104, 3114, 3116, 3130, 3132, 3134, 3138, 3142, 3150, 3154, 3156, 3158, 3160, 3170, 3172, 3174; House Bills 305, 443, 2317, 2399, 3469, 3625

The Special Master on Claims requests an extension of 15 days for consideration of the following: Senate Bills 50, 70, 76, 394, 484, 1344, 1992, 2988, 3072, 3094, 3144

The Committee on Transportation requests an extension of 15 days for consideration of the following: Senate Bills 118, 146, 232, 336, 420, 586, 608, 756, 822, 898, 1184, 1256, 1270, 1306, 1314, 1316, 1396, 1448, 1586, 1662, 1706, 1718, 1858, 1900, 1976, 2002, 2070, 2128, 2134, 2168, 2252, 2280, 2300, 2384, 2434, 2436, 2452, 2456, 2462, 2466, 2478, 2520, 2582, 2620, 2624, 2658, 2674, 2704, 2798, 2814, 2846, 2886, 2888, 2898, 2930, 2952, 2954, 3028, 3048, 3078, 3136; House Bills 55, 1137

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Langley—

SB 3178—A bill to be entitled An act relating to Lake Weir and Little Lake Weir, Marion County; establishing construction criteria for private single-family dock and boathouse facilities on Lake Weir and Little Lake Weir; providing exceptions; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Natural Resources and Conservation; and Rules and Calendar.

By Senator Johnson—

SB 3180—A bill to be entitled An act relating to Sarasota County and Charlotte County; amending chapter 82-381, Laws of Florida, relating to the Englewood Area Fire Control District; providing for compensation for district commissioners; deleting a restriction on the number of terms which commissioner may serve; providing an effective date.

Proof of publication of the required notice was attached.

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

SR 3182 was introduced out of order and adopted May 8.

SR 3184 was introduced out of order and adopted May 9.

SR 3186 was introduced out of order and adopted May 9.

By Senator Gardner—

SB 3188—A bill to be entitled An act relating to Brevard County; amending chapter 28924, Laws of Florida, 1953, as amended, relating to the North Brevard County Hospital District; providing for a change in the terms of officers of the board; changing the name of the hospital and other medical facilities in the district; ratifying action of the board; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Gardner, Langley and Jennings—

SB 3190—A bill to be entitled An act relating to the City of Sanford, Seminole County; amending chapter 61-2791, Laws of Florida, as amended, the Civil Service System and the Civil Service Board of the City of Sanford, Seminole County, to abolish the Civil Service System and the Civil Service Board of Sanford, and to create the Civil Service System and the Civil Service Board of Sanford, Seminole County, as its successor; providing for organization of the Civil Service Board; establishing meetings; providing for employment of a secretary; deleting all references to "Chief Examiner," "Examinations," "Assistant Examiners," "Notice of Examinations," "Eligible Registers," "Nature of Examinations," "Examination Grades," and the examination process; providing for delivery of copy of changes to code of rules and certificates of receipt of acknowledgment; providing effective date of amendments or changes to rules and regulations; providing for succession of interests and conflicts; providing for future repeal of the Civil Service Act; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Ethics and Elections; and Senators Kiser and Weinstock—

CS for SJR 10—A joint resolution proposing an amendment to Section 5, Article IV and the creation of Section 20, Article XII of the State Constitution; limiting the terms of cabinet members.

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

CS for SB 1106—A bill to be entitled An act relating to elections; creating s. 101.685, F.S.; providing for canvassing of overseas absentee ballots; providing an effective date.

By the Committee on Ethics and Elections; and Senators Brown, Dudley, Malchon, W. D. Childers, Thurman and Deratany—

CS for SB 1268—A bill to be entitled An act relating to ethics in government; amending s. 11.045, F.S.; defining the terms “event” and “immediate family” for purposes of provisions regulating legislative lobbyists; requiring lobbyists to report certain lobbying expenditures over a specified amount; requiring that additional information be included in the statements of lobbying expenditures submitted by lobbyists to the joint legislative office; requiring lobbyists to submit semiannual reports to legislators; amending s. 112.312, F.S.; defining the term “relative” for purposes of the code of ethics for public officers and employees; amending s. 112.3148, F.S.; deleting a limitation on certain relatives of an elected public officer who may give gifts to that public officer which are not deemed contributions; providing additional information that must be provided to elected public officers regarding contributions given to them or on their behalf; providing for an elected public officer to file certain statements of objections to reported contributions; providing an effective date.

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

CS for SB 1558—A bill to be entitled An act relating to services for delinquent juveniles; directing the Department of Health and Rehabilitative Services to establish an early delinquency intervention program; specifying services to be provided under such program; requiring the arrest report of certain juveniles to be forwarded to the local Children, Youth, and Families Program Office of the department; authorizing the department to refer a juvenile to an early delinquency intervention program under certain circumstances; authorizing the department to have access to certain records; exempting records released to the department and records developed by the department under the act from public disclosure requirements; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; requiring the department to adopt rules; providing an effective date.

By the Committee on Regulated Industries and Senator Margolis—

CS for SB 1636—A bill to be entitled An act relating to pari-mutuel wagering; amending ss. 550.162, 551.09, F.S.; reviving and readopting provisions which authorize permitholders to withhold an additional 2 percent from exotic wager pools; providing that moneys withheld for capital improvements and reduction of capital improvement debt may be used for advertising and promotion; providing for retroactivity; providing an effective date.

By the Committee on Corrections, Probation and Parole; and Senator Woodson-Howard—

CS for SB 1720—A bill to be entitled An act relating to sex offenders; providing legislative findings and intent with respect to treatment of sex offenders; amending ch. 917, F.S., relating to sex offenders; defining the term “sex offender” and eliminating the designation “mentally disordered sex offender”; providing for treatment of sex offenders in state custody; providing training standards for treatment programs; providing for community-based treatment of sex offenders; repealing provisions relating to treatment of probationer sex offenders; amending ss. 944.033, 944.053, 945.091, 946.40, 947.146, 947.16, 951.24, 953.21, 958.09, F.S., to conform; providing an effective date.

By the Committee on Regulated Industries and Senator Casas—

CS for SB 1806—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.0121, F.S., which section prescribes numbers of authorized performances and days for certain permitholders; amending s. 550.02, F.S.; specifying the information that must be required of each applicant for a permit; deleting a reference relating to the permit application; requiring the reporting of changes of ownership or interest by permitholders; prohibiting entries to be placed by a spouse under certain conditions; amending s. 550.03, F.S.; requiring payment of charity day proceeds within a specified time after the end of an association's fiscal year; allowing the deduction of expenses based upon total performances in the fiscal year; authorizing additional scholarship day operations; providing for distribution of funds; amending ss. 550.09, 550.13, F.S.; providing for the distribution of funds to the Pari-mutuel Wagering Trust Fund; amending s. 550.10, F.S.; permitting the denial, revocation, or suspension of an occupational license for conviction of a felony or of certain misdemeanors or for prior revocation of an occupational license related to pari-mutuel wagering; providing for felony waiver under cer-

tain conditions; allowing the denial, revocation, or suspension of an occupational license for financial irresponsibility related to the pari-mutuel industry; permitting the fining, or revocation or suspension of a license, of a licensee who provides false information; amending s. 550.115, F.S.; deleting requirement for division approval for disbursement by a board of relief of moneys deposited into the board of relief fund; amending s. 550.12, F.S.; requiring filing of the annual report within a specified time after the end of the fiscal year; amending s. 550.16, F.S.; authorizing the distribution of specified moneys as capital improvement funds under certain circumstances; amending s. 550.241, F.S.; providing disclosure requirements for positive test results of tests for certain substances; amending s. 550.262, F.S.; requiring certification of information to the Florida Thoroughbred Breeders' Association, Florida Standardbred Breeders and Owners Association, and Florida Quarter Horse Breeders and Owners Association relating to the eligibility of certain horses for breeders' awards; amending s. 551.04, F.S.; specifying information that may be required of applicants to operate frontons; amending s. 535.21, F.S.; correcting cross-references; repealing s. 535.19, F.S., relating to financial reporting for horse shows; repealing s. 535.21, F.S., relating to occupational license qualifications with respect to horse shows; providing an effective date.

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

CS for SB 2422—A bill to be entitled An act relating to presidential preference primary elections; amending s. 103.101, F.S.; providing a date for the state presidential preference primary election; providing for dates related to candidate selection; providing an effective date.

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

CS for SB 2852—A bill to be entitled An act relating to prisoners and inmates; requiring the county sheriff, the Department of Corrections, or a medical treatment facility to file medical insurance claims on behalf of certain prisoners and inmates; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senators Walker and Weinstock—

CS for SB 2912—A bill to be entitled An act relating to mental health; amending s. 394.4785, F.S.; providing restrictions on admissions of minors to certain facilities; providing responsibilities of the Department of Health and Rehabilitative Services; providing for rules; providing an effective date.

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

CS for SB 3012—A bill to be entitled An act relating to the juvenile justice system; revising, reorganizing, and combining chapters 39, 959, F.S.; amending s. 39.002, F.S.; providing legislative purpose for the juvenile justice system; amending s. 39.01, F.S.; revising definitions; amending s. 39.012, F.S.; revising standards for rules for implementation; revising pt. II of ch. 39, F.S.; creating ss. 39.021-39.079, F.S.; providing for administering the delinquency system; providing for jurisdiction; providing for juvenile justice training academies; creating the Juvenile Justice Standards and Training Council; providing responsibilities of the Council; creating the Juvenile Justice Training Trust Fund; providing a community arbitration program; providing requirements for community arbitrators; providing procedures for initiating cases for arbitration; providing for arbitration hearings; providing for disposition of cases following community arbitration; providing for review of community arbitration; providing for funding community arbitration; providing criteria for taking a child into custody; providing for release or delivery of a child from custody; providing for fingerprinting and photographing a child taken into custody; providing for a child's right to counsel; providing authorized and prohibited uses of detention; providing detention criteria; providing for oaths, records, and confidential information; providing for medical, psychiatric, psychological, substance abuse, and educational examination and treatment; providing intake procedures; providing requirements for reports and recommendations; providing for delinquency petitions and procedure, including process and service; providing that an answer is not required to a petition alleging delinquency; providing for adjudicatory, waiver, and disposition hearings; providing for placement determinations for serious or habitual juvenile offenders; providing for adjudication; providing powers of disposition; providing for early delinquency intervention programs; providing early delinquency intervention program criteria; providing for a boot camp educational and work program for children; creating the serious or habitual juvenile offender program and providing

criteria and procedure; providing for assessment, treatment, and records thereof; providing for treatment facilities; providing for community control or commitment of children prosecuted as adults and providing criteria and procedure; providing penalties for escapes from secure detention or residential commitment facilities; providing for transfer of children from the Department of Corrections to the Department of Health and Rehabilitative Services; providing for transfer of children to other treatment services; providing for detention of furloughed child or escapees on authority of the department; providing for contracts for the transfer of Florida children under federal custody; providing for an exceptional child educational program; providing for furlough of a child and for furlough revocation; providing for appeal; providing additional grounds for appeal by the state and the time for taking such appeal; providing for orders or decisions when state appeals; providing for court and witness fees; authorizing consultants for the department; authorizing departmental contracting powers; providing standards for department personnel and providing department personnel screening standards; providing the form of commitment with a certified copy of the charge attached; providing for sheriffs to maintain information on juvenile offenders; amending ss. 27.02, 39.402, 39.411, 39.412, 39.444, 230.335, 282.502, 318.21, 402.22, 415.107, 415.51, 943.058, 953.21, F.S.; conforming cross-references; reenacting s. 958.04(1)(a), F.S., relating to disposition of youthful offenders to incorporate amendments to ch. 39, F.S., in references thereto; repealing ss. 39.02, 39.03, 39.031, 39.032, 39.0321, 39.04, 39.05, 39.06, 39.07, 39.071, 39.08, 39.09, 39.10, 39.11, 39.1105, 39.111, 39.112, 39.113, 39.115, 39.117, 39.12, 39.13, 39.14, 39.145, 39.146, 39.19, 39.33, 39.331, 39.332, 39.333, 39.334, 39.335, 39.336, 39.337, 416.01, 416.02, 416.03, 416.04, 416.05, 416.06, 416.07, 416.08, 959.001, 959.011, 959.021, 959.022, 959.05, 959.06, 959.10, 959.116, 959.12, 959.13, 959.15, 959.156, 959.185, 959.19, 959.20, 959.21, 959.22, 959.225, 959.23, 959.24, 959.25, 959.28, 959.29, 959.31, F.S., relating to jurisdiction, taking a child into custody, detention, fingerprinting and photographing, use of secure detention, intake, petition, process and service, no answer required, right to counsel, medical, psychiatric, psychological, and educational examination and treatment, hearings, adjudication, powers of disposition, legislative intent, community control or commitment of children prosecuted as adults, escapes from a juvenile facility, juvenile boot camp, serious habitual juvenile offender program, information systems, oaths, records, and confidential information, contempt, appeal, additional grounds for appeal by the state, order or decision when state appeals, court and witness fees, purpose, community arbitration program, community juvenile arbitrators, procedure for initiating cases for arbitration, arbitration hearings, disposition of cases, review, funding, detention homes, counties maintaining no detention homes, circuit judge may parole, literary and industrial training, certain counties maintaining homes, board of trustees, county commissioners authorized to acquire land for home, appointment of employees, county board of visitors, definitions, administration, authority of department, regulations, annual report, state-operated detention, consultants, departmental contracting powers, discipline at department facilities, security units, transfer of minors from the Department of Corrections to the Department of Health and Rehabilitative Services, term of commitment, transfer to mental health and retardation services, detention of furloughed person or escapee on authority of the department, furlough revocation hearing, service of process, contracts for the transfer of Florida juveniles under federal custody, form of commitment, certified copy of charge to be attached to the commitment, case history of each child committed, records and privileged information, duty of juvenile detention inspectors, county and state detention facilities, exceptional child educational program, field services, juvenile justice training academies, Juvenile Justice Standards and Training Council, Juvenile Justice Training Trust Fund, and delinquency prevention; providing for a juvenile civil citation process for children who commit nonserious delinquent acts; providing an appropriation; providing an effective date.

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

CS for SB 3020—A bill to be entitled An act relating to medical expenses of persons in custody; amending s. 944.17, F.S.; providing for medical expenses of state prisoners; amending s. 948.06, F.S.; providing for medical expenses of probation violators; amending s. 947.22, F.S.; providing for medical expenses of parole violators; providing an effective date.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Scott, by two-thirds vote SB 3176 was withdrawn from the Committees on Natural Resources and Conservation; and

Rules and Calendar and by two-thirds vote placed at the end of the local calendar.

On motions by Senator Margolis, by two-thirds vote SB 40, CS for SB 68, CS for CS for SB 280, CS for SB 550, CS for SB 662, SB 694, CS for SB 824, CS for SB 980, CS for SB 1358, CS for SB 1440, CS for SB 1450, CS for SB 1476, CS for SB 1592, CS for SB 1606, Senate Bills 1872, 2136 and 2146, CS for SB 2262, and Senate Bills 2270, 2498, 2936 and 3054 were withdrawn from the Committee on Appropriations.

On motions by Senator Margolis, by two-thirds vote CS for SB 2256 was removed from the calendar and referred to the Committee on Appropriations and CS for CS for SJR 2464 was also referred to the Committee on Appropriations.

On motion by Senator Scott, by two-thirds vote CS for SB 998 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Scott, by two-thirds vote SB 1500 was withdrawn from the Committee on Rules and Calendar.

Rules and Calendar Committee Report

Senator Scott reported that the Committee on Rules and Calendar had determined that an emergency exists compelling the introduction of Senate Bills 3194 and 3196, notwithstanding the fact that the final day had passed for introduction of bills.

On motion by Senator Scott, the rules were waived by unanimous consent and the Senate reverted to introduction for the purpose of introducing the following bills out of order:

INTRODUCTION AND REFERENCE OF BILLS

By the Committee on Finance, Taxation and Claims—

SB 3194—A bill to be entitled An act relating to the Taxation and Budget Reform Commission; amending s. 101.161, F.S.; including proposals submitted by the commission in provisions relating to constitutional amendment ballot language; creating s. 286.036, F.S.; authorizing the commission to employ personnel, incur expenses, and expend funds; providing for travel and per diem expenses; providing for state agencies and local governments to assist and cooperate with the commission; providing for the issuance of subpoenas by the commission; providing for enforcement thereof; providing for expiration of the commission; assigning the commission to the Board of Regents for administrative purposes; providing an effective date.

—which was read by title and referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Dudley—

SB 3196—A bill to be entitled An act relating to the excise tax on documents; creating s. 201.015, F.S.; authorizing counties to levy a discretionary surtax on certain documents; prescribing requirements for the ordinance imposing the surtax; providing for its approval by an extraordinary majority or by referendum; prescribing a maximum rate; providing for sharing of revenues with municipalities; prescribing purposes for which the revenues may be used; providing an expiration date; providing an effective date.

—which was read by title and referred to the Committees on Finance, Taxation and Claims; and Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State Senate Bills 150, 268, 372, 702, 950 and CS for SB 1294 which he approved on May 15, 1990.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

First Reading

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 2997 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Education and Representative Wise and others—

CS for HB 2997—A bill to be entitled An act relating to education; amending s. 240.233, F.S.; prescribing foreign language requirements for admission of state university students; authorizing high schools to offer American sign language; providing an effective date.

—was referred to the Committee on Higher Education.

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed HB 3701, as amended, and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Appropriations—

HB 3701—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1990, and ending June 30, 1991, to pay salaries, other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was referred to the Committee on Appropriations.

On motion by Senator Margolis, by two-thirds vote HB 3701 was withdrawn from the Committee on Appropriations.

On motions by Senator Margolis, by unanimous consent HB 3701 was taken up out of order and by two-thirds vote read the second time by title.

On motions by Senator Margolis, **Amendments 1 and 2** striking everything before and after the enacting clause were adopted.

Pursuant to Rule 7.6, the amendments constituted an entirely new bill and were not published in the Journal.

On motion by Senator Margolis, by two-thirds vote HB 3701 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Crenshaw

Vote after roll call:

Yea—Woodson-Howard

On motion by Senator Margolis, the rules were waived and **HB 3701** as amended was ordered immediately certified to the House.

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3703 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Appropriations—

HB 3703—A bill to be entitled An act relating to implementing the fiscal year 1990-1991 General Appropriations Act; providing legislative intent; authorizing the Division of Information Services of the Department of General Services to acquire materials and equipment to continue implementation of an Information System Utility Data Center; providing the Attorney General with certain oversight responsibility relating to Department of Health and Rehabilitative Services compliance with a

Florida Supreme Court decision; requiring a report; providing access to certain confidential information; requiring that certain attorneys provide legal representation in certain proceedings relating to juveniles; prohibiting the Department of Health and Rehabilitative Services from contracting for legal representation for such proceedings without prior approval from the Attorney General; directing the Department of Health and Rehabilitative Services to distribute moneys appropriated from the Public Medical Assistance Trust Fund to certain hospitals; requiring the Department of Health and Rehabilitative Services to expand eligibility for payment for certain Medicaid services provided to children; providing for transfer of funds from the Emergency Medical Services Trust Fund to the General Revenue Fund; authorizing an appropriation from said trust fund to fund trauma-related projects; requiring the Capital Collateral Representative to seek certain compensation and reimbursement for representing indigent persons in the federal courts; providing for transfer of funds from the Insurance Commissioner's Regulatory Trust Fund to the General Revenue Fund; authorizing the Department of Highway Safety and Motor Vehicles to expend certain funds for operation of the Emissions Control Program and continuation of a fund shift to fund a revenue shortfall; authorizing the Department of Highway Safety and Motor Vehicles to expend certain funds to construct a building for the Kirkman Data Center; providing for continuation of certain vacant positions in the Department of Transportation; requiring the Department of Transportation to submit a manpower utilization report to the Executive Office of the Governor; providing responsibility of the Fort Myers Urban Office of the Department of Transportation for transportation planning and policy for specified counties; directing the Department of Natural Resources to develop a beach management plan with specified positions and funds; requiring a report; providing that the Division of Bond Finance of the Department of General Services shall not issue state bonds for right-of-way land acquisition and bridge construction during fiscal year 1990-1991; providing that certain funds appropriated for the Miami Bridge Runaway Shelter shall not revert until a specified date; authorizing the Board of Regents to construct and/or refinance housing projects at Florida State University, Florida A & M University, Florida Atlantic University, the University of Central Florida, and Florida International University, which may be financed or partially financed from revenue bonds; providing that certain funds appropriated for the Solar Energy Center of the University of Central Florida shall not revert until a specified date; revising an appropriation for the University Center Expansion of Florida Atlantic University; providing an additional project thereunder; modifying the title of a project relating to dormitory asbestos at Florida State University; providing that certain funds appropriated for a library renovation project at the University of Florida shall not revert until a specified date; authorizing Valencia Community College to use non-PECO funds to acquire property; authorizing the issuance of bonds, the proceeds of which shall be deposited into the Florida Preservation 2000 Trust Fund; directs the Department of Revenue to report on the taxation of transactions on the Miccosukee Reservation; requires the Department of Revenue to cease enforcement actions against the Miccosukee tribe; allowing Orlando-Orange County Expressway Authority to proceed with a construction project financed by revenue bonds of the authority; allowing Seminole County Expressway Authority to proceed with a construction project financed by revenue bonds of the authority; providing a retroactive effective date and an expiration date.

—was referred to the Committee on Appropriations.

On motions by Senator Margolis, by two-thirds vote HB 3703 was withdrawn from the Committee on Appropriations.

On motions by Senator Margolis, by unanimous consent HB 3703 was taken up out of order and by two-thirds vote read the second time by title.

On motions by Senator Margolis, **Amendments 1 and 2** striking everything before and after the enacting clause were adopted.

Pursuant to Rule 7.6, the amendments constituted an entirely new bill and were not published in the Journal.

On motion by Senator Margolis, by two-thirds vote HB 3703 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Crenshaw

Vote after roll call:

Yea—Woodson-Howard

On motion by Senator Margolis, the rules were waived and **HB 3703** was ordered immediately certified to the House.

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 340, SB 602 and SB 1728.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

SPECIAL ORDER

Consideration of **CS for SB 788** and **SB 2700** was deferred.

Senator Peterson presiding

SB 46—A bill to be entitled An act relating to motor vehicles; amending ss. 316.008, 316.1955, 316.1956, 316.1958, 316.1964, 320.0805, 320.084, 320.0842, 320.0843, 320.0845, 320.0848, F.S.; correcting a cross-reference; authorizing persons who have been issued specified license plates to park in spaces designated for disabled persons; authorizing a law enforcement officer to request to see an identification card issued by the Department of Highway Safety and Motor Vehicles to disabled persons; providing for the department to issue identification cards to certain disabled persons; providing that certain parking spaces provided for disabled persons need not be outlined in blue paint; redesignating the internationally accepted wheelchair symbol as the international symbol of accessibility; deleting provisions relating to press license plates; providing for the design and issuance of press license plates; deleting the provision relating to 5-year residency requirement; deleting reference to Veterans Administration and making reference to United States Department of Veterans Affairs or the predecessor; providing for the renewal of license plates for certain disabled persons; providing for the renewal of parking permits for disabled persons; providing for the display of such permit; providing for the transfer of a parking permit for a disabled person to another vehicle; revising language with respect to license plates for members of Paralyzed Veterans of America; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendments which were moved by Senator Beard and adopted:

Amendment 1—On page 7, line 19, strike “(f)” and insert: (e) (f)

Amendment 2—On page 10, line 13, after “issued” insert: *an identification card and*

Senator Woodson-Howard offered the following amendments which were moved by Senator Beard and adopted:

Amendment 3—On page 3, line 7; on page 3, lines 12 and 13; and on page 4, line 16, after “pursuant to s.” insert: 320.084,

Amendment 4—On page 5, line 3, after “s. 316.1958,” insert: s. 320.084,

Amendment 5—On page 7, lines 30 and 31, and on page 8, lines 1-23, strike all of said lines and insert:

Section 7. Subsection (1) of section 320.084, Florida Statutes, is amended and subsection (5) is added to said section, to read:

320.084 Free motor vehicle license plate to certain disabled veterans.—

(1) One free motor vehicle license number plate *together with an identification card* shall be issued by the department for use on any motor vehicle owned or leased by any disabled veteran who has been a resident of this state continuously for the preceding 5 years or has established a domicile in this state as provided by s. 222.17(1), (2), or (3), and who has been honorably discharged from the United States Armed Forces, upon application, accompanied by proof that:

(a) A vehicle was initially acquired through financial assistance by the *United States Department of Veterans Affairs or its predecessor Veterans Administration of the Federal Government* specifically for the purchase of an automobile;

(b) The applicant has been determined by the *United States Department of Veterans Affairs or its predecessor Veterans Administration of the Federal Government* to have a service-connected 100-percent disability rating for compensation; or

(c) The applicant has been determined to have a service-connected disability rating of 100 percent and is in receipt of disability retirement pay from any branch of the United States Armed Services.

(5) *Any person who is issued a license plate under this section has the same rights and duties with regard to parking in spaces specially designated for use by disabled persons as do persons issued a parking permit pursuant to s. 316.1958 or s. 320.0848. However, this subsection does not abrogate the duty of a person to annually renew his vehicle registration.*

On motion by Senator Beard, by two-thirds vote SB 46 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Woodson-Howard

On motion by Senator Kirkpatrick, by two-thirds vote HB 2303 was withdrawn from the Committee on Higher Education.

On motion by Senator Kirkpatrick—

HB 2303—A bill to be entitled An act relating to the University of Florida; naming the new student services center as the Marshall M. Criser Student Services Center; authorizing the university to erect appropriate markers; providing an effective date.

—a companion measure, was substituted for SB 554 and read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote HB 2303 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Bankhead	Diaz-Balart	Kiser	Souto
Beard	Dudley	Malchon	Stuart
Brown	Forman	Margolis	Thomas
Bruner	Gardner	McPherson	Thurman
Casas	Girardeau	Meek	Walker
Childers, D.	Grizzle	Myers	Weinstein
Childers, W. D.	Jennings	Peterson	Weinstock
Davis	Johnson	Plummer	
Deratany	Kirkpatrick	Scott	

Nays—1

Gordon

Vote after roll call:

Yea—Woodson-Howard

Motion

On motion by Senator Scott, by two-thirds vote **SB 1398** was added to the end of the special order calendar.

CS for SB 234—A bill to be entitled An act relating to the sale of real property; amending s. 498.037, F.S., relating to public offering statements required with respect to the sale of certain subdivided lands under the Florida Uniform Land Sales Practices Law; specifying additional information and items that must be included in such public offering statements; amending s. 190.009, F.S.; revising provisions relating to disclosures required by a community development district with respect to present and prospective residents of the district and by a residential developer within such a district with respect to prospective purchasers; amending s. 190.048, F.S.; revising the statement that must appear on any contract for the sale of real property within a community development district; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote CS for SB 234 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Woodson-Howard

On motion by Senator Forman, the rules were waived and **CS for SB 234** was ordered immediately certified to the House.

On motion by Senator Diaz-Balart, by two-thirds vote HB 2497 was withdrawn from the Committee on Judiciary-Criminal.

On motion by Senator Diaz-Balart—

HB 2497—A bill to be entitled An act relating to presentence investigation reports; amending s. 921.231, F.S.; providing that the court is not required to refer a felony case for presentence investigation; providing additional requirements with respect to the content of such reports; providing an effective date.

—a companion measure, was substituted for SB 2226 and read the second time by title. On motion by Senator Diaz-Balart, by two-thirds vote HB 2497 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Woodson-Howard

SB 1354—A bill to be entitled An act relating to county government; amending s. 125.01, F.S.; authorizing the legislative and governing body of a county to establish, merge, or abolish municipal service taxing units or benefit units within the county to provide mental health care services; providing an effective date.

—was read the second time by title.

Senator Myers moved the following amendments which were adopted:

Amendment 1—On page 3, between lines 7 and 8, insert:

Section 2. Section 154.331, Florida Statutes, is amended to read:

154.331 County health *and mental health* care special districts.—Each county may establish a dependent special district pursuant to the provisions of chapter 125 or, by ordinance, create an independent special district as defined in s. 200.001(8)(e) to provide funding for indigent and other health *and mental health* care services throughout the county in accordance with this section. The county governing body shall obtain approval, by a majority vote of the electors, to establish the district with authority to annually levy ad valorem taxes which shall not exceed the maximum millage rate authorized by this section. Any independent health *or mental health* care special district created by this section shall be required to levy and fix millage subject to the provisions of s. 200.065. Once approved by the electorate, the independent health *or mental health* care special district shall not be required to seek approval of the electorate in future years to levy the previously approved millage.

(1) The county governing body shall appoint a district health *or mental health* care board to serve as the governing board of the independent special district. Such board shall consist of not less than five members, of which two members shall be appointed to the board by the Governor, and not less than three members shall be appointed by the governing body of the county. All members shall have been residents of the county for the previous 12-month period. The members' terms shall be staggered and may not exceed 4 years. No member shall serve for more than two consecutive terms. The governing body of the county shall fill any vacancies that may occur during the term of any board member. Board members may be removed for cause only by the Governor or by a majority of the electors voting within the county.

(2)(a) Each district health *or mental health* care board may, subject to the limitations placed on the district by the governing body of the county at the time the independent special district was created and approved by the electorate, have any or all of the following powers or functions:

1. To provide and maintain in the county such health *or mental health* care clinics as the board determines are needed for the general welfare of the county.

2. To provide for the health *or mental health* care of indigents and to provide such other health *or mental health*-related services for indigents, including the purchase of institutional services from any private or publicly owned medical facility, as the board determines are needed for the general welfare of the county.

3. To allocate and provide funds for other agencies or facilities in the county which provide health *or mental health* benefits or health *or mental health* services that improve the general welfare of indigents and other county residents.

4. To collect information and statistical data that will be helpful to the board and the county in deciding the health *or mental health* care needs in the county.

5. To consult and coordinate with other agencies dedicated to health *or mental health* care to the end that the overlapping of services will be prevented.

6. To govern, operate, administer, and fund, or any combination thereof, any county-owned or county-operated medical *or mental health* facility which is a major provider of charitable health *or mental health* care services for low-income persons.

7. To assume funding for the county's share of state or federal indigent health *or mental health* care programs which require financial participation by the county.

8. To lease or buy such real property and personal property and to construct such buildings as are needed to execute the foregoing powers or

functions; however, such purchases may not be made or construction done unless paid for with cash on hand or secured by funds deposited in financial institutions. Nothing in this paragraph shall be construed to authorize an independent health or mental health care special district to issue bonds of any nature, nor shall it have the power to require the imposition of any bond by the governing body of the county.

9. To employ, pay, and provide benefits for any part-time or full-time personnel needed to execute the foregoing powers and functions.

(b) Each district health or mental health care board shall:

1. Organize immediately after the members are appointed to elect one of its members as chairman and one of its members as vice chairman, and elect other officers as deemed necessary by the board.

2. Make and adopt bylaws and rules and regulations for the board's guidance, operation, governance, and maintenance, provided such rules and regulations are not inconsistent with federal or state laws or ordinances of the county.

(c) Board members shall serve without compensation, but shall be entitled to necessary expenses incurred in the discharge of their duties.

(d) All financial records and accounts relating to the independent health or mental health care special district shall be available for review by the county governing body and for audit by state auditors assigned from time to time to audit the affairs of the county officials.

(3)(a) The fiscal year of the district must be the same as that of the county.

(b) On or before May 1 of each year, the district health or mental health care board shall prepare a tentative annual written budget of the district's expected income and expenditures, including a contingency fund, and shall compute a proposed millage rate within the voter-approved cap necessary to fund the tentative budget. Prior to adopting a final budget, the board shall comply with the provisions of s. 200.065, relating to the method of fixing millage, and shall fix the final millage rate by ordinance or resolution of the board. The adopted budget and final millage rate must be certified and delivered to the county governing body no later than the time of adoption of the county's annual budget. Included in each certified budget must be the millage rate adopted by ordinance or resolution of the independent health or mental health care special district board as necessary to be applied to raise the funds budgeted for district operations and expenditures. In no circumstances, however, shall any independent health or mental health care special district levy millage to exceed a maximum of 5 mills of assessed valuation of all properties within the county which are subject to ad valorem taxes or the amount approved by the electorate when the district was created, whichever is less. The budget of the district so certified and delivered to the county governing body may not be changed or modified by the county governing body or by any other authority.

(c) All tax moneys collected under this section, as soon after the collection thereof as is reasonably practicable, must be paid directly to the district health or mental health care board by the tax collector of the county, or by the clerk of the circuit court if the clerk collects delinquent taxes.

1. The moneys so received by the district health or mental health care board must be deposited in financial institutions with separate and distinguishable accounts established specifically for the district and may be withdrawn only by checks signed by the chairman of the district health or mental health care board and countersigned by either one other member of the district health or mental health care board or by a chief executive officer who is so authorized by the board.

2. Upon entering the duties of office, the chairman and the other member of the district health or mental health care board or chief executive officer who signs its checks shall each give a surety bond in the sum of \$1,000, which bond must be conditioned that each of them shall faithfully discharge the duties of his office. The premium on said bond may be paid by the special district as part of the expense of the board. No other member of the district health or mental health care board may be required to give bond or other security.

3. No funds of the district may be expended except by check as aforesaid, except expenditures from a petty cash account, which may not at any time exceed \$25. All expenditures from petty cash must be recorded on the books and records of the district. No funds of the district, except-

ing expenditures from petty cash, may be expended without prior approval of the board, in addition to the budgeting thereof.

(d) Within 10 days after the expiration of each quarter-annual period, the district health or mental health care board shall cause to be prepared and filed with the county governing body a financial report, which includes:

1. The total expenditures of the board for the quarter-annual period;
2. The total receipts of the board during the quarter-annual period; and
3. A statement of the funds the board has on hand or deposited with financial institutions at the end of the quarter-annual period.

(4) Any independent health or mental health care special district may be dissolved pursuant to s. 165.051, or the county governing body may by ordinance vote to dissolve the independent health or mental health care special district subject to the approval of the electorate; provided, however, the county obligates itself to assume the debts, liabilities, contracts, and outstanding obligations of the district within the total millage available to the county governing body for all county and municipal purposes as provided for under s. 9, Art. VII of the State Constitution.

(5) Any independent health or mental health care special district created under this section shall comply with all other statutory requirements of general application which relate to the filing of any financial reports or compliance reports required under part III of chapter 218, or any other report or documentation required by law.

(Renumber subsequent section.)

Amendment 2—In title, on page 1, line 7, after the semicolon (;) insert: amending s. 154.331, F.S.; providing for the establishment of independent mental health care special districts, with authority to levy ad valorem taxes as is allowed for health care special districts;

On motion by Senator Myers, by two-thirds vote SB 1354 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Weinstein, Woodson-Howard

On motion by Senator Myers, the rules were waived and SB 1354 was ordered immediately certified to the House.

SB 1710—A bill to be entitled An act relating to health care services; amending s. 641.225, F.S.; specifying the entities providing prepaid capitated services to which health maintenance organization surplus requirements apply; providing an effective date.

—was read the second time by title.

The Committee on Health Care recommended the following amendments which were moved by Senator Malchon and adopted:

Amendment 1—On page 2, line 4, strike "may shall" and insert: shall

Amendment 2—On page 2, line 26, strike “*must shall*” and insert: shall

On motion by Senator Malchon, by two-thirds vote SB 1710 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Woodson-Howard

SB 462—A bill to be entitled An act relating to retirement; amending s. 121.051, F.S.; opening for a limited period membership in the Florida Retirement System to certain active members of existing systems which have been closed to new members; requiring notice of election to transfer and providing that failure to notify shall result in compulsory membership in the closed system; providing that the decision shall be irrevocable; providing that transferees from the Teachers’ Retirement System shall retain certain rights to survivor benefits; providing an effective date.

—was read the second time by title.

The Committee on Personnel, Retirement and Collective Bargaining recommended the following amendments which were moved by Senator Weinstein and adopted:

Amendment 1—On page 7, line 17, following “Code” insert: , or as provided in paragraph (1)(c) of this section,

Amendment 2—On page 8, line 2, strike “*disability*”

On motion by Senator Weinstein, by two-thirds vote SB 462 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

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

Nays—None

Vote after roll call:

Yea—Woodson-Howard

CS for SB 414—A bill to be entitled An act relating to public records; creating s. 163.041, F.S.; providing for the confidentiality of booking business records of a publicly owned or publicly operated convention center, sports stadium, sports arena, coliseum, or auditorium; exempting booking business records of such facilities from the provisions of s. 119.07(1), F.S.; providing for future review and repeal; providing for access to exempted records for the Department of Revenue; providing an effective date.

—was read the second time by title.

Two amendments were adopted to CS for SB 414 to conform the bill to CS for HB 1249.

Pending further consideration of CS for SB 414 as amended, on motions by Senator Jennings, by two-thirds vote CS for HB 1249 was withdrawn from the Committees on Governmental Operations; Finance, Taxation and Claims; and Ethics and Elections.

On motion by Senator Jennings—

CS for HB 1249—A bill to be entitled An act relating to public records; creating s. 255.047, F.S.; providing for the confidentiality of booking business records of publicly owned or publicly operated convention centers, sports stadiums, sports arenas, coliseums, and auditoriums; providing definitions; providing for future review and repeal; providing access to exempted records for the Department of Revenue; providing an effective date.

—a companion measure, was substituted for CS for SB 414 and read the second time by title. On motion by Senator Jennings, by two-thirds vote CS for HB 1249 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Grizzle

Vote after roll call:

Yea—Woodson-Howard

CS for SB 1562—A bill to be entitled An act relating to harness racing; amending s. 550.16, F.S.; authorizing pari-mutuel permittees conducting harness racing to withhold an additional percentage of the handle; amending s. 550.262, F.S.; providing that the additional percentage of the handle withheld by harness racing permittees shall be used to provide certain insurance benefits; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote CS for SB 1562 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Bankhead	Deratany	Johnson	Peterson
Beard	Diaz-Balart	Kirkpatrick	Plummer
Brown	Dudley	Kiser	Souto
Bruner	Forman	Langley	Stuart
Casas	Gardner	Malchon	Thomas
Childers, D.	Girardeau	Margolis	Thurman
Childers, W. D.	Grant	McPherson	Walker
Crenshaw	Grizzle	Meek	Weinstein
Davis	Jennings	Myers	Weinstock

Nays—None

Vote after roll call:

Yea—Woodson-Howard

On motion by Senator Forman, the rules were waived and **CS for SB 1562** was ordered immediately certified to the House.

SB 1658—A bill to be entitled An act relating to the Drug-Free Workplace Act; amending s. 112.0455, F.S.; specifying procedures for initial drug tests; specifying persons who may conduct drug tests; deleting requirement that a specimen be preserved in a frozen state; providing that the laboratory criteria established by the National Institute on Drug Abuse are guidelines, rather than requirements, for the state drug testing program; providing an effective date.

—was read the second time by title. On motion by Senator Bruner, by two-thirds vote SB 1658 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Woodson-Howard

SB 412—A bill to be entitled An act relating to criminal history records; amending s. 943.058, F.S.; authorizing the Department of Law Enforcement to disseminate information contained in sealed records to the Risk Assessment Information System Coordinating Council to assist in development of a population-at-risk profile; providing an effective date.

—was read the second time by title.

Senator Gordon offered the following amendment which was moved by Senator Weinstock and adopted:

Amendment 1—On page 2, line 22, after “in s 282.502” insert: ; however, this information may not include the identity of a person who is the subject of such record

Senator Grant moved the following amendment which was adopted:

Amendment 2—On page 2, line 30, insert:

Section 2. Section 117.10, Florida Statutes, is amended to read:

117.10 Law enforcement officers and correctional officers.—Law enforcement officers and correctional officers, as defined in s. 943.10, are notaries public for the purpose of notarizing, certifying, or attesting to written documents or recorded statements in connection with the performance of official duties. Sections 117.01, 117.04, 117.05, 117.07, and 117.08 do not apply to the provisions of this section. An officer may not notarize his own signature.

(Renumber subsequent sections.)

Senator Gordon moved the following amendment:

Amendment 3—In title, on page 1, line 4, after “disseminate” insert: certain

Further consideration of **SB 412** with pending **Amendment 3** was deferred.

CS for SB 916—A bill to be entitled An act relating to financial institutions; amending s. 655.037, F.S.; authorizing the Department of Banking and Finance to serve a compliant for removal for violation of provisions relating to currency transaction reporting or money laundering; providing for emergency orders for suspension; amending s. 655.411, F.S.; providing a requirement for conversion of a charter relating to currency transaction reporting and money laundering violations; amending s. 657.021, F.S.; providing a restriction on serving as an officer, director, or committee member of a credit union for violation of provisions relating to currency transaction reporting or money laundering; amending s. 658.21, F.S.; authorizing the department to disallow illegally obtained financial resources from capitalization requirements for banks and trust companies; providing requirements for officers and directors; amending s. 658.235, F.S.; requiring investigation relating to violation of provisions relating to currency transaction reporting or money laundering by major shareholders of banks and trust companies; amending s. 658.28, F.S.; providing for denial of a certificate of approval for acquisition of a bank or trust company for violations; amending ss. 658.43, 663.05, 663.306, 665.0201, F.S.; authorizing the department to disallow illegally obtained assets from capitalization requirements of banks and trust companies, international banking corporations, international development banks, and associations; providing a requirement for licensure of an international banking corporation; providing a requirement for proposed officers and directors for approval of an application to organize an international development bank or an association; amending ss. 665.025, 665.033,

665.034, F.S.; providing restrictions on associations relating to violation of provisions relating to currency transaction reporting and money laundering; providing an effective date.

—was read the second time by title.

Senator Johnson moved the following amendments which were adopted:

Amendment 1—On page 15, between lines 23 and 24, insert:

Section 14. Paragraph (a) of subsection (5) of section 120.60, Florida Statutes, is amended to read:

120.60 Licensing.—

(5) In proceedings for the issuance, denial, renewal, or amendment of a license or approval of a merger pursuant to title XXXVIII:

(a)1. The Department of Banking and Finance shall have published in the Florida Administrative Weekly notice of the application within 21 days of receipt.

2. Within 21 days of publication of notice, any person may request a hearing, which upon request shall be conducted pursuant to s. 120.57 except that the Department of Banking and Finance shall by rule provide for participation by the general public; however, the failure to request a hearing within 21 days of publication of notice shall constitute waiver of any right to a hearing, except that the Department of Banking and Finance or an applicant may request a hearing at any time prior to the issuance of a final order.

(Renumber subsequent section.)

Amendment 2—In title, on page 2, line 14, after the semicolon (;) insert: amending s. 120.60, F.S.; allowing the department or an applicant for a license or approval of a merger pursuant to title XXXVIII to request a hearing at any time before a final order is issued;

On motion by Senator Johnson, by two-thirds vote CS for SB 916 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

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

Nays—None

Vote after roll call:

Yea—Woodson-Howard

CS for SB 1226—A bill to be entitled An act relating to the correctional system; amending ss. 944.09, 947.175, F.S.; requiring that all terms, conditions, and restrictions imposed upon the release under supervision of offenders, parolees, and probationers be monitored and complied with; providing an effective date.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote CS for SB 1226 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Bankhead	Deratany	Johnson	Peterson
Beard	Diaz-Balart	Kirkpatrick	Plummer
Brown	Forman	Kiser	Stuart
Bruner	Gardner	Langley	Thomas
Casas	Girardeau	Malchon	Thurman
Childers, D.	Gordon	Margolis	Walker
Childers, W. D.	Grant	McPherson	Weinstein
Crenshaw	Grizzle	Meek	
Davis	Jennings	Myers	

Nays—None

Vote after roll call:

Yea—Woodson-Howard

Consideration of **CS for SB 2984** and **SB 1228** was deferred.

CS for SB 1834—A bill to be entitled An act relating to the fitting and dispensing of hearing aids; amending s. 484.0445, F.S.; revising provisions relating to the training program and examination requirements for hearing aid specialists; amending s. 484.045, F.S.; revising provisions relating to retaking the examination for licensure; amending s. 484.047, F.S.; revising provisions relating to renewal of licensure; amending s. 484.051, F.S.; revising provisions relating to the direction of complaints concerning the sale of hearing aids; providing an effective date.

—was read the second time by title. On motion by Senator Thurman, by two-thirds vote **CS for SB 1834** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Bankhead	Deratany	Johnson	Peterson
Beard	Diaz-Balart	Kirkpatrick	Plummer
Brown	Dudley	Kiser	Souto
Bruner	Forman	Langley	Stuart
Casas	Gardner	Malchon	Thomas
Childers, D.	Girardeau	Margolis	Thurman
Childers, W. D.	Grant	McPherson	Walker
Crenshaw	Grizzle	Meek	Weinstein
Davis	Jennings	Myers	

Nays—None

Vote after roll call:

Yea—Woodson-Howard

Consideration of **SB 3032** was deferred.

CS for SB 1410—A bill to be entitled An act relating to probate; amending s. 731.111, F.S.; deleting a cross-reference; amending s. 733.212, F.S.; deleting a cross-reference and providing for Notice of Administration; amending s. 732.507, F.S.; providing for the voiding of provisions of a will executed by a married person under certain circumstances; providing for construing and administering said will; amending s. 733.702, F.S.; deleting inapplicable information relating to limitations on presentation of claims; providing an effective date.

—was read the second time by title. On motion by Senator Dudley, by two-thirds vote **CS for SB 1410** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Bankhead	Deratany	Johnson	Peterson
Beard	Diaz-Balart	Kirkpatrick	Plummer
Brown	Dudley	Kiser	Souto
Bruner	Forman	Langley	Stuart
Casas	Gardner	Malchon	Thomas
Childers, D.	Girardeau	Margolis	Thurman
Childers, W. D.	Gordon	McPherson	Walker
Crenshaw	Grizzle	Meek	Weinstein
Davis	Jennings	Myers	Weinstock

Nays—None

Vote after roll call:

Yea—Woodson-Howard

SB 1962—A bill to be entitled An act relating to the Game and Fresh Water Fish Commission; amending s. 372.121, F.S.; deleting requirement of approval by the board of county commissioners for certain rules or regulations of the commission; providing an effective date.

—was read the second time by title. On motion by Senator Stuart, by two-thirds vote **SB 1962** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Woodson-Howard

CS for SB 1422—A bill to be entitled An act relating to community redevelopment agencies; amending s. 163.340, F.S.; excluding juvenile welfare boards and health care and hospital districts from the requirements that they pay tax increments to redevelopment trust funds for use by community redevelopment agencies; amending s. 163.370, F.S.; authorizing community redevelopment agencies to levy ad valorem taxes; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote **CS for SB 1422** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—3

Bruner	Dudley	Langley
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SB 2700—A bill to be entitled An act relating to building contractors and developers; amending s. 501.1375, F.S.; allowing the use of irrevocable letters of credit in lieu of surety bonds when a contractor or developer wants to use a buyer's escrowed funds for building purposes; providing that master surety bonds and letters of credit are not subject to a mechanic's lien or lien of any lending institution or subrogation; providing an effective date.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote **SB 2700** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 2984—A bill to be entitled An act relating to fuel taxes; creating ss. 206.101, 206.102, F.S.; consolidating state taxes on motor fuel and local option taxes on motor fuel; providing for collection, enforcement, and administration of such taxes; providing collection allowances; renumbering and amending ss. 206.23, 206.02, 206.021, 206.404, 206.055, 206.026, 206.027, 206.028, 206.03, 206.04, 206.05, 206.065, 206.43, 206.09, 206.095, 206.10, 206.48, 206.485, 206.62, 206.42, 206.41, 206.425, 212.67, 206.11, 206.44, 206.426, 206.56, 206.14, 206.18, 206.06, 206.07, 206.075,

206.21, 206.215, 206.24, 206.27, 206.59, 206.406, 206.45, 206.47, 206.60, 206.605, 212.69, 206.89, 206.90, 206.91, 206.87, 206.877, 206.875, 206.879, 206.97, F.S.; creating s. 206.703, F.S.; amending ss. 206.01, 206.9915, 206.9825, 206.9845, 206.9931, 206.9942, 207.003, 207.005, 212.05, 212.08, 336.021, 336.025, 336.026, F.S.; consolidating and reorganizing provisions of chapters 206, 212, 336, F.S., relating to the taxation of motor fuel; providing for the return of certain taxes paid by a school district to such school district; providing for a tax on special fuel; providing for the deposit of such tax into the Local Government Special Fuel Tax Trust Fund for distribution to counties and municipalities; revising certain tax exemptions relating to special fuels; providing for retroactivity of such exemption; revising certain cross-references; revising certain definitions; creating s. 206.178, F.S.; authorizing certain importers and jobbers to self-accrue and remit taxes under certain circumstances; providing an exemption from paying certain taxes; renumbering ss. 206.022, 206.025, 206.12, 206.15, 206.16, 206.17, 206.175, 206.20, 206.204, 206.205, 206.22, 206.28, 206.405, 206.445, 206.46, 206.61, 206.85, 206.86, 206.88, 206.92, 206.96, F.S., amending ss. 163.3184, 207.023, 207.026, 212.235, 215.22, 218.21, 336.024, 376.301, 849.092, F.S.; correcting cross-references; including the Local Government Special Fuel Tax Trust Fund in a list of funds assessed a service charge for deposit in the General Revenue Fund; amending s. 213.21, F.S.; renumbering and amending s. 206.445, F.S.; authorizing the Department of Revenue to settle or compromise motor and special fuel taxes; renumbering and amending s. 206.12, F.S.; providing for the sampling of motor and special fuel tax records for audit purposes by the department; repealing ss. 206.08, 206.19, 206.25, 206.435, 206.49, 206.625, 206.63, 206.64, 206.93, 206.94, 206.945, 212.60, 212.61, 212.62, 212.6201, 212.63, 212.635, 212.64, 212.65, 212.655, 212.66, F.S., relating to the motor fuel tax and the sales tax on motor fuel and special fuel; providing for a tax on certain special fuel inventory; providing an effective date.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote CS for SB 2984 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Walker

SB 1228—A bill to be entitled An act relating to youthful offenders; amending s. 958.04, F.S.; providing for certain notification and consultation regarding basic training program placement and extending the time period for the sentencing court to notify the department; providing an effective date.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote SB 1228 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

CS for SB 2484—A bill to be entitled An act relating to crime prevention; amending s. 896.101, F.S.; prohibiting conducting or attempting to conduct a financial transaction involving property represented by a law enforcement officer or a person acting under the direction of a law enforcement officer to be the proceeds of, or to be used for, certain

unlawful activity; amending s. 895.02, F.S.; redefining the term “racketeering activity” to include offenses related to financial transactions and witness tampering; providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote CS for SB 2484 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 3122—A bill to be entitled An act relating to fair housing; repealing subsection (3) of s. 760.25, F.S., which provides that no cause of action exists against certain persons engaged in residential real estate transactions for certain representations about property; amending s. 760.29, F.S.; establishing criteria for an exemption for housing for older persons from provision of law prohibiting discrimination in the sale, rental, or financing of housing; creating s. 760.36, F.S., specifying requirements for conciliation agreements arising out of efforts of the Florida Commission on Human Relations; providing an effective date.

—was read the second time by title. On motion by Senator Meek, by two-thirds vote SB 3122 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Langley

On motion by Senator Meek, the rules were waived and **SB 3122** was ordered immediately certified to the House.

On motions by Senator Margolis, by two-thirds vote CS for HB 571 was withdrawn from the Committees on Higher Education; and Economic, Professional and Utility Regulation.

On motion by Senator Margolis—

CS for HB 571—A bill to be entitled An act relating to osteopathy; amending s. 459.0077, F.S.; revising requirements for an osteopathic faculty certificate; revising the automatic expiration date; amending s. 459.013, F.S.; conforming language; amending s. 459.015, F.S.; modifying grounds for disciplinary actions; amending s. 459.021, F.S.; modifying procedures for registration of hospital residents and interns; providing for rules; providing an effective date.

—a companion measure, was substituted for CS for SB 786 and read the second time by title.

Senator Margolis moved the following amendment which was adopted:

Amendment 1—On page 1, line 20, after “board” insert: *, who demonstrates to the board that he is currently licensed to practice osteopathic medicine in another jurisdiction in the United States*

On motion by Senator Margolis, by two-thirds vote CS for HB 571 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Plummer

CS for SB 1330—A bill to be entitled An act relating to mechanic's liens; creating s. 713.001, F.S.; designating part I of ch. 713, F.S., the "Construction Lien Law"; amending s. 713.01, F.S.; rearranging and revising definitions; deleting unnecessary cross-references; revising the definition of the term "furnish materials" to exclude certain preliminary work from inclusion in specially fabricated materials; providing a definition for the term "lender"; transferring a provision relating to the effectiveness of the giving of a notice of commencement to a section that relates to such notice; amending s. 713.03, F.S.; permitting architects, landscape architects, interior designers, engineers, and land surveyors to file liens for all services permitted under their respective licenses; amending s. 713.06, F.S.; revising the time period within which a person not in privity with the owner must serve a notice to owner in order to perfect a lien against the owner's property; revising cross-references, including a reference relating to the mailing of a copy of a notice to owner by a lienor to a person designated by the owner to receive notices in addition to himself; prescribing a revised form for a notice to owner; prescribing requirements for serving a copy of a notice to owner on the owner's lender; prescribing the manner that a lender who has received such notice must make payments to the contractor on behalf of the owner; providing that the lender's failure to comply with such requirement in making payments renders the lender liable to the owner for all damages sustained as a result of such failure; providing that a lienor, in the absence of a recorded notice of commencement, may rely on the information contained in the building permit application in serving a notice to owner; requiring a lienor to strictly comply with the time requirements for providing such notice; amending s. 713.09, F.S.; deleting an unnecessary cross-reference that requires revision to conform with changes made by the act; amending s. 713.13, F.S.; deleting an unnecessary cross-reference; requiring an owner entering into a construction contract of more than 1 year's duration to record a notice of commencement stating the period of effectiveness of the notice; providing that payments by the owner after expiration of the notice of commencement are improper; prescribing a form for a notice of commencement; providing that the failure to attach a copy of the bond to the notice of commencement when recording it negates the exemption that an owner having a payment bond would otherwise have but permits the unrecorded bond to be used as a transfer bond; requiring the owner to sign the notice of commencement; extending the time period allowed for commencement of construction after the recording of a notice of commencement; requiring a lender to file a notice of commencement for the owner-borrower before disbursing construction funds; providing that the lender is liable to the owner for all damages sustained as a result of the lender's failure to record the notice of commencement; requiring a lender who is required to record a notice of commencement to designate the lender, in addition to others, to receive copies of notices to owner; creating s. 713.132, F.S.; providing for termination by the owner of the period of effectiveness of a notice of commencement by recording a notice of termination, accompanied by the contractor's affidavit; prescribing the contents of a notice of termination; providing that an owner may rely on the contractor's affidavit, except with respect to lienors who have given notice, in executing, swearing to, and recording a notice of termination; providing for when a notice of termination may be recorded; providing that the owner or contractor, or both, are liable for fraud or collusion with respect to a fraudulent notice of termination to any lienor damaged thereby; providing for when a notice of termination is effective to terminate the notice of commencement; amending s. 713.135, F.S.; revising the warning statement that an issuing authority is required to print on building permits; deleting the requirement that such warning statement be placed on applications for permits; revising references to conform to changes made by this act; deleting unnecessary references; requiring an issuing authority to furnish building permit applicants with notice-of-

commencement forms and printed summaries of the Construction Lien Law; requiring an issuing authority to verify at its first inspection that a certified copy of the recorded notice of commencement has been posted and prohibiting it from approving the inspection without such verification; providing that an issuing authority is not liable for failure to verify that a certified copy of the recorded notice of commencement has been posted; prescribing a building permit application form; amending s. 713.14, F.S.; providing that a subcontractor's, sub-subcontractor's, or materialman's failure to demand a designation of account is a defense only to the extent of the payment made; amending s. 713.16, F.S.; prescribing a form for a request to a lienor for a sworn statement of account; amending s. 713.18, F.S.; prescribing when service is effective if made by registered or certified mail that is returned by the postal service; amending s. 713.23, F.S.; changing the time when a notice of nonpayment must be served in order for a lienor to recover on a payment bond; providing that a lienor may not waive in advance his right to bring an action under a payment bond against the surety; amending s. 713.29, F.S.; providing for the payment of attorney's fees if a lien dispute is submitted to arbitration; amending s. 713.31, F.S.; providing that a minor mistake or error or a good faith dispute as to the amount due does not constitute a willful exaggeration that defeats an otherwise valid lien; repealing s. 713.34, F.S., relating to misapplication of real property mortgage loan funds; amending s. 713.345, F.S.; proscribing misapplication of construction funds and providing penalties therefor; amending s. 713.346, F.S., relating to payment on construction contracts; revising a cross-reference to conform to changes made by the act; amending s. 48.23, F.S., relating to *lis pendens*, to revise terminology used in that section to accord with this act; amending s. 95.11, F.S., relating to limitations on actions, to revise cross-references to conform with changes made by this act; amending s. 255.05, F.S.; prohibiting a claimant on a public construction bond from waiving in advance his right to bring an action under the bond against the surety; amending s. 482.201, F.S., relating to liens of licensees on real property, to revise a reference to accord with this act; amending s. 489.119, F.S.; providing that an application by a corporation to engage in contracting through a qualifying agent must contain the names of certain stockholders under certain circumstances; providing restrictions on persons whose license is revoked; amending s. 489.129, F.S.; increasing the time within which a contractor must remove a lien placed on an owner's property in order to avoid disciplinary action against him by the Construction Industry Licensing Board; providing that intimidating, threatening, coercing, or otherwise discouraging the service of a notice to owner under the Construction Lien Law or a notice to contractor under ch. 255, F.S., with respect to a public construction contract is a ground for disciplinary action against a contractor by such licensing board; amending s. 501.1375, F.S., relating to escrow deposits for the purchase of residential dwelling units, to revise a reference to accord with this act; amending s. 718.121, F.S., relating to liens against condominium property, to revise a reference to accord with this act; amending s. 721.16, F.S., relating to liens for overdue assessments under real estate time-share plans, to revise references to accord with this act; providing effective dates.

—was read the second time by title.

Senator Dudley moved the following amendments which were adopted:

Amendment 1—On page 25, strike all of lines 23-26 and insert: ~~provisions of s. 713.13. A completed copy of the notice of commencement provided by the applicant shall be attached to the building permit at the time the building permit is issued by the issuing authority. The issuing authority shall~~

Amendment 2—On page 25, strike all of lines 27 and 28 and insert: *verify at the first inspection which occurs 7 days after the building permit is issued that a certified copy of the recorded notice of*

Amendment 3—On page 33, lines 9-31, and on page 34, lines 1-21, strike all of said lines and insert:

Section 12. Subsection (1) of section 713.23, Florida Statutes, is amended to read:

713.23 Payment bond.—

(1)(a) The payment bond required to exempt an owner under this part shall be furnished by the contractor in at least the amount of the original contract price before commencing the construction of the improvement under the direct contract, and a copy of the bond shall be attached to the notice of commencement when the notice of commencement is recorded. The bond shall be executed as surety by a surety insurer authorized to do business in this state and shall be conditioned

that the contractor shall promptly make payments for labor, services, and material to all lienors under the contractor's direct contract. Any form of bond given by a contractor conditioned to pay for labor, services, and material used to improve real property shall be deemed to include the condition of this subsection.

(b) The owner, contractor, or surety shall furnish a true copy of the bond at the cost of reproduction to any lienor demanding it. Any person who fails or refuses to furnish the copy without justifiable cause shall be liable to the lienor demanding the copy for any damages caused by the refusal or failure.

(c) ~~If a payment bond is furnished within 10 days after receipt of a notice to owner, the owner shall give written notice to the person who serves the notice to owner of the existence of the payment bond, including the name and address of the surety and principal under the bond.~~

(c)(d) Either before beginning or within 45 days after beginning to furnish labor, materials, or supplies, a lienor who is not in privity with the contractor, except a laborer, shall serve the contractor with notice in writing that the lienor will look to the contractor's bond for protection on the work. If a notice of commencement is not recorded, or a reference to the bond is not given in the notice of commencement, and in either case if the lienor not in privity with the contractor is not otherwise notified in writing of the existence of the bond, the lienor not in privity with the contractor shall have 45 days from the date the lienor is notified of the existence of the bond within which to serve the notice. The notice may be in substantially the following form:

NOTICE TO CONTRACTOR

To . . . (name of contractor) . . .

The undersigned notifies you that he has furnished or is furnishing . . . (services or materials) . . . for the improvement of the real property identified as . . . (property description) . . . owned by . . . (owner's name and address) . . . under an order given by . . . and that the undersigned will look to the contractor's bond for protection on the work.

. . . (Lienor's signature and address) . . .

(d)(e) In addition, a lienor is ~~shall be~~ required, as a condition precedent to recovery under the bond, to serve a written notice of nonpayment to the contractor and the surety ~~not later than within 90 days after of the final furnishing of labor, services, or materials by date a payment is due to the lienor under a contract. A written notice satisfies will satisfy~~ this condition precedent with respect to the payment described in the notice of nonpayment and with respect to any other payments which become due to the lienor after the date of the notice of nonpayment. The failure of a lienor to receive retainage sums not in excess of 10 percent of the value of labor, services, or materials furnished by ~~the said~~ lienor is ~~shall~~ not be considered a nonpayment requiring the service of the notice provided under this paragraph. The notice under this paragraph may be in substantially the following form:

NOTICE OF NONPAYMENT

To . . . (name of contractor and address) . . .
. . . (name of surety and address) . . .

The undersigned notifies you that he has furnished . . . (describe labor, services, or materials) . . . for the improvement of the real property identified as . . . (property description) . . . The amount now due and unpaid is \$

. . . (signature and address of lienor) . . .

(e)(f) No action for the labor or materials or supplies may be instituted or prosecuted against the contractor or surety unless both notices have been given. No action shall be instituted or prosecuted against the contractor or against the surety on the bond under this section after 1 year from the performance of the labor or completion of delivery of the materials and supplies.

(f)(g) Any lienor ~~has shall have~~ a direct right of action on the bond against the surety. A ~~No~~ bond ~~must not shall~~ contain any provisions restricting the classes of persons protected thereby or the venue of any proceeding. The surety is ~~shall~~ not be entitled to the defense of pro tanto discharge as against any lienor because of changes or modifications in the contract to which the surety is not a party; but the liability of the surety ~~may shall~~ not be increased beyond the penal sum of the bond. A ~~lienor~~ may ~~not waive~~ in advance his right to bring an action under the bond against the surety.

Amendment 4—On page 34, between lines 21 and 22, insert:
Section 13. Section 713.245, Florida Statutes, is created to read:

713.245 Conditional payment bond.—

(1) Notwithstanding any provisions of ss. 713.23 and 713.24 to the contrary, if the contractor's written contractual obligation to pay lienors is expressly conditioned upon and limited to the payments made by the owner to the contractor, the duty of the surety to pay lienors will be coextensive with the duty of the contractor to pay, if the bond contains on the front page, in at least 10-point type, the statement: THIS BOND ONLY COVERS CLAIMS OF SUBCONTRACTORS, SUB-SUBCONTRACTORS, SUPPLIERS, AND LABORERS TO THE EXTENT THE CONTRACTOR HAS BEEN PAID FOR THE LABOR, SERVICES, OR MATERIALS PROVIDED BY SUCH PERSONS. THIS BOND DOES NOT PRECLUDE YOU FROM SERVING A NOTICE TO OWNER OR FILING A CLAIM OF LIEN ON THIS PROJECT.

(2) Except as specified in this section, all bonds issued under this section must conform to the requirements of s. 713.23 (1) (a), (b), (g) and s. 713.23(4). No action shall be instituted or prosecuted against the contractor or the surety after one year from the date the lien is transferred to the bond.

(3) The owner's property is not exempt from liens filed under this part. All lienors must comply with the provisions of this part to preserve and perfect those lien rights.

(4) Within 90 days after a claim of lien is recorded for labor, services, or materials for which the contractor has been paid, the owner or the contractor may record a notice of bond as specified in s. 713.23(2), together with a copy of the bond and a sworn statement in substantially the following form:

CERTIFICATE OF PAYMENT TO THE CONTRACTOR

TO: Lienor . . . (name and address from claim of lien) . . .
Contractor . . . (name and address) . . .
Surety . . . (name and address) . . .

Under penalties of perjury, the undersigned certifies that the bond recorded with this certificate conforms with s. 713.245, F.S., that the bond is in full force and effect, and that the contractor has been paid \$. . . for the labor, services, and materials described in the Claim of Lien filed by . . . dated . . . , 19. . . , and recorded . . . , 19. . . , in Official Records Book . . . at Page . . . of the Public Records of . . . County, Florida.

Dated this . . . day of . . . , 19. . . .

. . . (Owner) . . .
. . . (Address) . . .
.....
.....

Sworn to and subscribed before me,
the undersigned authority, this
. . . day of . . . , 19. . . .
. . . (Name) . . .

NOTARY PUBLIC
My Commission Expires:

. . . (Contractor) . . .
. . . (Address) . . .
.....
.....

Sworn to and subscribed before me,
the undersigned authority, this
. . . day of . . . , 19. . . .
. . . (Name) . . .

NOTARY PUBLIC
My Commission Expires:

Any notice of bond recorded more than 90 days after the recording of the claim of lien shall have no force or effect as to that lien unless the owner, the contractor and the surety all sign the notice of bond.

(5) The clerk shall serve a copy of the notice, the bond, and the certificate on the contractor, the surety, and the lienor; certify to the service on the face of the notice, the bond, and the certificate; record the notice, the bond, and the certificate; and collect a fee in accordance with s. 713.23(2).

(6) The contractor may join in a certificate of payment to the contractor at any time by recording a sworn statement substantially in the following form:

JOINDER IN CERTIFICATE OF PAYMENT

TO: Owner . . . (name and address from certificate of payment) . . .
Lienor . . . (name and address from claim of lien) . . .
Surety . . . (name and address) . . .

The undersigned joins in the Certificate of Payment to the Contractor recorded on . . . , 19. . . . , in Official Records Book at Page of the Public Records of County, Florida, and certifies that the facts stated in the Certificate of Payment to the Contractor are true and correct.

Dated this day of , 19. . . .
. . . (Name) . . .
. . . (Address) . . .

Sworn to and subscribed before me, the undersigned authority, this day of , 19. (Name) . . .

NOTARY PUBLIC
My Commission Expires:

(7) The clerk shall serve the joinder in certificate of payment on the owner, the surety, and the lienor; certify to the service on the face of the joinder; record the joinder; and collect a fee in accordance with s. 713.23(2).

(8) If the contractor disputes the certificate of payment to the contractor, the contractor must record, not later than 15 days after the date the clerk certifies service of the certificate, a sworn statement in substantially the following form:

NOTICE OF CONTEST OF PAYMENT

TO: Owner . . . (name and address from certificate of payment) . . .
Lienor . . . (name and address from claim of lien) . . .
Surety (name and address) . . .

Under penalties of perjury, the undersigned certifies that the contractor has not been paid or has only been paid \$. . . . for the labor, services, and materials described in the Certificate of Payment to the Contractor recorded in Official Records Book at Page of the Public Records of County, Florida.

Dated this day of , 19. . . .
. . . (Name) . . .
. . . (Address) . . .

Sworn to and subscribed before me, the undersigned authority, this day of , 19. (Name) . . .

NOTARY PUBLIC
My Commission Expires:

(9) The clerk shall serve a copy of the notice of contest of payment on the owner, the lienor, and the surety; certify service on the face of the notice; record the notice; and collect a fee in accordance with s. 713.23(2).

(10) If the contractor has signed the certificate of payment to the contractor or the joinder in the certificate or the contractor fails to record a notice of contest of payment within 15 days after the date the clerk certifies service of a certificate of payment to the contractor signed by the owner, the lien shall transfer to the bond to the extent of payment specified in the certificate of payment to the contractor. To the extent the lien exceeds the amount specified in the certificate of payment to the contractor, such amount shall remain as a lien on the owner's property. The surety may assert all claims or defenses of the owner regarding the validity of the claim of lien or of the contractor regarding the amount due the lienor.

(11) If the notice of contest of payment specifies that the contractor has been paid a portion of the amount due the lienor, the lien shall transfer to the bond to the extent of the payment specified in the notice of contest of payment. To the extent the lien exceeds the amount specified

in the notice of contest of payment, such amount shall remain as a lien on the owner's property. The surety may assert all claims or defenses of the owner regarding the validity of the claim of lien or of the contractor regarding the amount due the lienor.

(12) If there are any material misstatements of fact made by the owner or the contractor in any certificate of payment to the contractor, or by the contractor in any notice of contest of payment, the person making the material misstatement is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The penalties apply individually and to the business entity if the false certificate is signed in a representative capacity.

(13) The certificate of payment to the contractor and the notice of contest of payment must be signed by the owner or the contractor individually if he is a natural person, by the general partner if the owner or the contractor is a limited partnership, by a partner if the owner or the contractor is a general partnership, by the president or a vice-president if the owner or the contractor is a corporation, or by any authorized agent if the owner or the contractor is any other type of business entity.

(14) In an action to enforce a lien, the owner shall not be considered the prevailing party solely because the lien is transferred to a conditional payment bond after the action to enforce the lien is brought.

(15) This section is repealed July 1, 1992.

(Renumber subsequent sections.)

Amendment 5—On page 35, line 10, after "error" insert: in a claim of lien,

Amendment 6—On page 43, line 31, before the period (.) insert: or when its operation would impair vested contract rights

Amendment 7—In title, on page 5, line 3, after the first semicolon (;) insert: creating s. 713.245, F.S.; creating a conditional payment bond; providing requirements for bond; providing that conditional payment bond does not exempt owner's property from liens; providing for notices; providing penalties;

On motion by Senator Dudley, by two-thirds vote CS for SB 1330 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Table with 4 columns of names: Bankhead, Beard, Brown, Bruner, Casas, Childers, D., Childers, W. D., Crenshaw, Davis, Deratany, Diaz-Balart, Dudley, Forman, Gardner, Girardeau, Gordon, Grant, Grizzle, Jennings, Johnson, Kirkpatrick, Kiser, Langley, Malchon, Margolis, Meek, Myers, Peterson, Plummer, Scott, Souto, Stuart, Thomas, Thurman, Walker, Weinstein, Weinstock, Woodson-Howard

Nays—None

CS for SB 556—A bill to be entitled An act relating to health care services; amending s. 641.495, F.S.; clarifying a requirement to provide that a reference to health care services includes specified physician services; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote CS for SB 556 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Table with 4 columns of names: Bankhead, Beard, Brown, Bruner, Casas, Childers, D., Childers, W. D., Crenshaw, Davis, Deratany, Diaz-Balart, Dudley, Forman, Gardner, Girardeau, Gordon, Grant, Grizzle, Jennings, Johnson, Kirkpatrick, Kiser, Langley, Malchon, Margolis, Meek, Myers, Peterson, Plummer, Scott, Souto, Stuart, Thomas, Thurman, Walker, Weinstein, Weinstock, Woodson-Howard

Nays—None

CS for SB 494—A bill to be entitled An act relating to water safety; creating s. 514.071, F.S.; requiring persons working as swimming instructors or lifeguards at public swimming pools to have certain certification; authorizing injunctions to prevent operation of pools in violation of such requirement; creating s. 233.0643, F.S.; authorizing school districts to offer water safety courses or programs; authorizing school districts to design a model water safety curriculum; providing for review and repeal; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote CS for SB 494 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

SB 526—A bill to be entitled An act relating to elections; amending s. 99.096, F.S.; modifying language on petition signature requirements for minor party candidates seeking to secure a place on the ballot; amending s. 100.141, F.S.; providing petition signature requirements for special primary elections and special elections; providing an effective date.

—was read the second time by title. On motion by Senator Diaz-Balart, by two-thirds vote SB 526 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 3032—A bill to be entitled An act relating to drug testing; providing that persons administering drug tests to certain offenders released from the state prison system are exempt from pt. I of ch. 483, F.S., relating to the regulation of clinical laboratories; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Criminal recommended the following amendments which were moved by Senator Kirkpatrick and adopted:

Amendment 1—On page 1, strike all of lines 15 and 16 and insert: is exempt from part I of chapter

Amendment 2—In title, on page 1, strike all of lines 3 and 4 and insert: certain law enforcement and drug treatment facility personnel administering drug tests

On motion by Senator Kirkpatrick, by two-thirds vote SB 3032 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

Bankhead	Childers, W. D.	Forman	Jennings
Beard	Crenshaw	Gardner	Johnson
Brown	Davis	Girardeau	Kirkpatrick
Bruner	Deratany	Gordon	Kiser
Casas	Diaz-Balart	Grant	Langley
Childers, D.	Dudley	Grizzle	Malchon

Margolis	Peterson	Thurman	Woodson-Howard
McPherson	Souto	Walker	
Meek	Stuart	Weinstein	
Myers	Thomas	Weinstock	

Nays—None

On motion by Senator Kirkpatrick, the rules were waived and **SB 3032** was ordered immediately certified to the House.

SB 1398—A bill to be entitled An act relating to education; amending s. 240.233, F.S.; prescribing foreign language requirements for admission of state university students; providing an effective date.

—was read the second time by title.

Three amendments were adopted to SB 1398 to conform the bill to CS for HB 2997.

Pending further consideration of SB 1398 as amended, on motion by Senator Gordon, by two-thirds vote CS for HB 2997 was withdrawn from the Committee on Higher Education.

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

CS for HB 2997—A bill to be entitled An act relating to education; amending s. 240.233, F.S.; prescribing foreign language requirements for admission of state university students; authorizing high schools to offer American sign language; providing an effective date.

—a companion measure, was substituted for SB 1398 and by two-thirds vote read the second time by title. On motion by Senator Gordon, by two-thirds vote CS for HB 2997 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

The President presiding

LOCAL BILLS

SB 2420—A bill to be entitled An act relating to St. Petersburg Junior College; authorizing the district board of trustees of the college to establish and operate a model college incorporating the principles of certain international systems of education; requiring certain evaluations and reports; providing for expiration of the act; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote SB 2420 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 3104—A bill to be entitled An act relating to Englewood Water District in Charlotte and Sarasota counties; amending section 1 of chapter 59-931, Laws of Florida, as amended; enlarging the area of the Englewood Water District; providing for a referendum; amending section 35 of chapter 59-931, Laws of Florida, as created by section 3 of chapter 86-420, Laws of Florida; providing for the board of supervisors of the district to be subject to recall as provided in general law; deleting provisions authorizing removal of district supervisors pursuant to a petition and recall election; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs recommended the following amendment which was moved by Senator Johnson and adopted:

Amendment 1—On page 2, line 1, after "general law" insert: *for municipal officers*

On motion by Senator Johnson, by two-thirds vote SB 3104 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 3114—A bill to be entitled An act relating to Brevard County; creating the Spaceport Research and Development Authority; establishing the purposes of the authority; providing for a board of directors to govern the authority; prescribing the duties and responsibilities of the board; providing a procedure for the appointment of the board; providing for liberal construction; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Gardner, by two-thirds vote SB 3114 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 3132—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. On motion by Senator W. D. Childers, by two-thirds vote SB 3132 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Margolis	Peterson
McPherson	Plummer
Meek	Scott
Myers	Souto

Nays—None

SB 3142—A bill to be entitled An act relating to the Deltona Fire District, Volusia County; authorizing the Board of Commissioners of the district to provide fire prevention and fire safety programs within the district; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote SB 3142 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Brown

Consideration of **SB 3160** was deferred.

SB 3130—A bill to be entitled An act relating to Central County Water Control District, formerly Central County Water Drainage District, in Hendry County, Florida; amending chapter 70-702, Laws of Florida, as amended, so as to permit the district to construct, acquire by donation or purchase recreational facilities and areas, including related facilities, and to construct, operate, and maintain such recreational and related facilities for the benefit of district residents; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 3130 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 3176—A bill to be entitled An act relating to Acme Improvement District, Palm Beach County; granting additional powers to the district to expand its parks and recreation areas, assume enforcement of deed restrictions, assume the obligations and powers of certain associations within the district, including making, collecting, and enforcing assessments, acquire capital improvements, study and take action to form a municipal government, appoint advisory boards, require permits for connection to and use of the district property, and provide roads for the exclusive use and benefit of landowners and residents; ratifying existing water management plans; reorganizing the board of supervisors and method of electing the same; making boundary changes and adding land to the district, including transferring land from the Lake Worth Drainage District to the Acme Improvement District; providing for exemption of land within the boundaries of utility transmission lines from district taxes; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 3176 was read the third time by title, passed and certified to the House. The vote on passage was:



Journal of the Senate

Number 13

Thursday, May 17, 1990

CALL TO ORDER

The Senate was called to order by the President at 9:30 a.m. A quorum present—39:

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

Excused: Senators W. D. Childers and Grizzle at 10:30 a.m.

PRAYER

The following prayer was offered by Captain Ron Busroe, The Salvation Army, Ft. Lauderdale:

Dear Father, thank you for this day and the opportunity you have given these men and women to serve your people in this great State of Florida.

We know that the problems faced are many. We would ask for the Senators the administrative ability of Moses to do the job; the courage of David to stand up to the Goliaths of special interests; the wisdom of Solomon to know the truth; the social consciousness of Amos, seeking both justice and righteousness; the patience of Job to endure, that in the end good might prevail; and finally, the love of Jesus that will softly bind all this together so that all Floridians, rich and poor, young and old, black, white and brown, might be better for the efforts of these Senators. Bless them and their families. Amen.

Special Performance

Senator Scott introduced to the Senate, Andrea L. Howard, who sang "The Battle Hymn of the Republic." Andrea, a senior at Madison County High School in Greenville, is serving as a Senate Page this week.

Consideration of Resolutions

On motion by Senator Grizzle, by two-thirds vote SR 3086 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Grizzle—

SR 3086—A resolution proclaiming May 18, 1990, as "Women in Military Service for America Day" in Florida.

WHEREAS, women have served in the United States Military Service from the earliest days of our republic, as well as in the Continental Army of the American Revolution, as nurses, spies, and soldiers on the front lines, and

WHEREAS, women served in the War of 1818 and played increasingly important roles in the Civil War as exemplified by Dr. Mary Walker, an Army Surgeon who was awarded the Congressional Medal of Honor, and

WHEREAS, women nurses successfully served under a civilian contract to meet emergency needs during the Spanish-American War, and

WHEREAS, the Army Nurse Corps was formed in 1901 and the Navy Nurse Corps was formed in 1908, and

WHEREAS, approximately 35,000 women served during World War I, 400,000 women served in World War II, some 50,000 women served during the Korean War, and approximately 7,500 served in Vietnam from 1962 to 1973, and

WHEREAS, women have been an essential part of the Armed Forces of our country, both in peacetime and in war, and

WHEREAS, 400,000 women serve in the active military services, National Guard, and the United States Reserve Forces of our country, and

WHEREAS, there are approximately 1.2 million living women veterans, 83,000 of whom reside in the State of Florida, and

WHEREAS, the contributions and sacrifices of these women have not received due recognition, NOW, THEREFORE,

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

That the Senate of the State of Florida hereby proclaims May 18, 1990, as "Women in Military Service for America Day" in Florida and encourages all Floridians to recognize women who have served in the Armed Forces of the United States of America.

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

Senator Grizzle introduced Major Nancy Fouts of the Army National Guard who was seated in the chamber; and Ms. Ramelle Petroglou, Executive Assistant, Government and Community Affairs, Florida Department of Military Affairs, who was seated in the gallery.

Upon request of the President, Senator Grizzle escorted Major Fouts to the rostrum where she was presented a copy of the resolution.

On motion by Senator Walker, by two-thirds vote SR 3088 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Walker—

SR 3088—A resolution honoring B. Calvin Jones for his discoveries and excavations of early Spanish period historical sites, particularly his discovery and identification of the 1539-1540 winter campsite of Hernando de Soto.

WHEREAS, Buddy Calvin Jones, a Texan who, by the time he received his Masters Degree in Anthropology in 1968, already had more than 7 years of experience in the archaeology of the early Spanish contact period, and

WHEREAS, in 1968, Calvin Jones brought his experience to Florida as an archaeologist with the Florida Board of Archives and History here in Tallahassee, where he immediately embarked on a highly successful career with the discovery and excavation of San Joseph de Ocuya, an early Spanish mission that was destroyed before the year 1700, and

WHEREAS, Calvin Jones has since discovered and excavated Missions San Pedro de Patale (I) and (II), Mission San Damian de Escambe, Mission San Lorenzo de Ibitachuca, Mission San Miguel de Asile, Mission San Pedro de Potohiriba, Mission San Juan de Guacara, and Mission San Antonio de Enacapi and other Spanish mission and rancho sites about which so little is known that their proper names are unknown, and

WHEREAS, it would be a singular achievement to have removed any one of these ancient places from the abyss of antiquity into the light of scientific scrutiny where it will provide an opportunity for generations of students to probe into the past, yet Calvin Jones has brought literally dozens of these places to light, often on his own time and at his own expense, and

WHEREAS, Calvin always finds time for the amateur historian and archaeologist and for the landowner, without whose aid many discoveries would not be possible, and he listens to their concerns, explains the significance of their finds, and creates ways for them to work together with the state to enlarge our knowledge of the rich heritage of our past, and

Yeas—38

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

Nays—1

Weinstock

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 426 with amendment and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 426—A bill to be entitled An act relating to warning signs at contaminated sites; providing legislative intent; providing for adoption of rules by the Department of Environmental Regulation; providing penalties; providing application; providing sign specifications; providing an effective date.

House Amendment 1—On page 1, line 30, after “site” insert: *where there may be a risk of exposure to the public*

On motion by Senator Kirkpatrick, the Senate concurred in the House amendment.

CS for SB 426 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—37

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

Nays—None

Committee Meeting Change

On motion by Senator Scott, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar was granted permission to meet Wednesday, May 16, at 12:00 noon to set the special order calendar for Thursday, May 17.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Margolis, by two-thirds vote CS for SB 412 with pending Amendment 3 was referred to the Committee on Appropriations.

On motion by Senator Margolis, by two-thirds vote CS for SB 2398 was withdrawn from the Committee on Appropriations.

On motions by Senator Deratany, by two-thirds vote CS for SB 1142, CS for SB 2398, CS for SB 2920, CS for SB 1238, CS for SB 1460, CS for SB 2026, CS for SB 2060, CS for SB 2074 and Senate Bills 452 and 2102 were withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Kirkpatrick, by two-thirds vote Senate Bills 2192, 2786 and 2644 were withdrawn from the committees of reference and further consideration.

Conferees on HB 3701 and HB 3703 Appointed

The President appointed Senator Margolis, Chairman; Senator Scott, At Large; Senator Deratany, Alternate At Large; Subcommittee A: Senators Kirkpatrick, Beard, W. D. Childers, Gardner, Jennings, McPherson and Casas; Subcommittee B: Senators Peterson, Gordon, Johnson, Stuart, Walker and Girardeau; Subcommittee C: Senators Myers, Brown, Davis, Grant, Thomas, Bankhead and Weinstein as conferees on HB 3701 and HB 3703. The action of the Senate was certified to the House.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 10 was corrected and approved.

CO-INTRODUCERS

Senators Diaz-Balart and Thurman—SB 608; Senator Johnson—SB 2492; Senator Casas—SB 2720

RECESS

Senator Scott moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Thursday, May 17, at 9:30 a.m. The motion was adopted.

Pursuant to the motion by Senator Scott, the Senate recessed at 11:38 a.m. to reconvene at 9:30 a.m., Thursday, May 17.

SENATE PAGES

May 14-18

Karlos Jarod Barnes, Tallahassee; Christopher (Chris) R. Campbell, Belle Glade; John Evans Dailey, Tallahassee; Christopher Michael Duclos, Brandon; Jamie Ann Felton, Sarasota; Elizabeth (Beth) Ellen Hamilton, Wellington; Andrea L. Howard, Greenville; Jennifer Renee Jeffers, Port Charlotte; Christal Ondrea Knowles, Pensacola; Jennifer D. Krell, Tallahassee; Amanda Meksraitis, Sarasota; Debby Maria Presley, Lake City; Gregg Prothero, Tallahassee; Gail Barbara Schachter, Hollywood; Tami Starcher, Tampa; Paul Watson, Clearwater; Georgia Michelle Yates, Havana