



Journal of the Senate

Number 1

Tuesday, March 5, 1991

Beginning the Twenty-Third Regular Session of the Legislature of Florida convened under the Florida Constitution of 1968, at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the Fifth day of March, A.D., 1991, being the day fixed by the Constitution of the State of Florida for convening the Legislature.

CALL TO ORDER

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

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Scott
Beard	Dudley	Kirkpatrick	Souto
Brown	Forman	Kiser	Thomas
Bruner	Gardner	Kurth	Thurman
Casas	Girardeau	Langley	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Grizzle	Meek	Yancey
Dantzler	Jenne	Myers	

Excused: Senator Wexler

PRAYER

The following prayer was offered by the Rev. Dr. Sean O'Sullivan, Director of Drug Abuse Resistance Education and Director of Florida Drug-Free Communities Project, Catholic Community Services, Archdiocese of Miami, Miami Shores:

The prophet Amos preaching about 800 years before Christ saw in his country the same inequities that we ourselves see in our state. He sadly beheld a nation where some people had too many material goods, and others had nothing. He grieved at the arrogance of the wealthy, their abuse of power and their exploitation of the poor.

As a man of God he raised his voice for the poor and he became an advocate for the "anawin"—the little ones of God who have no voice. And because he did this his place has been enshrined in history to the end of time by the hand of the Almighty.

We thank you, Lord God, for putting us in a position for doing some good for your "anawin"—your poor, your helpless, your unemployed and aged ones; for those who are homeless, those afflicted with AIDS, those addicted mothers with child who are desperately looking for treatment.

Today a new glorious day dawns for us, replete with opportunities. We have a new Governor; we have a new President of the Senate, a woman for the first time in Florida history.

We will all stand before you someday, Almighty Father, to give you an accounting of our stewardship. Let us determine today not to listen to the vested interests of those who seek their own short-term gains. Rather let us listen to your voice within our hearts crying, for those who ask for better opportunities, a better "shake" from the system.

Let us work towards a more just and peaceful society, where the common good is our only guide. We can still have this commitment even in these times of cut-backs and financial austerity.

Thank you, Lord God, for the vocations you give us as legislators and the great opportunities you entrust to us to bring your peace, your joy and your justice to our great State of Florida.

In your Holy name, we pray. Amen.

PLEDGE

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

SPECIAL GUESTS

The President introduced her family and friends as follows: Son, Ira Margolis; friends, Cindy Schilling, Susan Fried, and Dr. Jay Groff, Doctor of the Day; Laura Nichols, President, North Dade Chamber; and Bernard Kaymen, Chairman, North Dade Chamber.

The President recognized former Senate Presidents Randolph Hodges and his wife Mildred; Bob Crawford and his wife Nancy; Mallory E. Horne; Philip D. Lewis and W. D. Childers.

THE PRESIDENT'S ADDRESS

As we have all learned over the past weeks and months, we face many daunting challenges this legislative session.

This state and the nation face an uncertain economic future. The misery that this recession has borne can be traced to a single bloodless statistic—ten Florida businesses a day are closing their doors. The needs and expectations of our constituents increase every day as they feel the results of recession and lose their jobs.

Our challenge this session is to invest the taxpayer's money where it will do the most good. In crafting a state budget you will be faced with many difficult choices.

My goal is to leave Tallahassee with the citizens of Florida knowing that we have done our best during difficult times and that we have made the best decisions possible under these circumstances. That doesn't mean that everyone will be happy with what we do. When times are good there are many who cry that they haven't got enough. So when times are tough, you can be certain the problems will be heard from Pensacola to Key West. But we were elected to make tough decisions and make them we must.

I caution you that before you cut real positions from this state budget, consider alternatives like voluntary furloughs, early retirement, four-day work weeks and unpaid vacation time.

Let's not devastate people's lives. Keeping well-trained state employees on the job will prevent us from having to train people in the future as the economy improves and the state grows.

It angers me when I hear transition teams say the legislature is meddling in the affairs of state agencies. We are elected by the people as the fiscal agents of millions of Florida taxpayers and they deserve to know that their money has been invested and spent wisely.

Let us all remember that we are not the only state facing fiscal problems. If you read only the Florida newspapers, you'd think we alone are forced to make deep budget cuts, that we're in financial trouble because our taxpayers are too cheap to finance their government, and that this legislature is a poor custodian of the state checkbook. Nothing could be farther from the truth.

California has a seven billion dollar deficit and is in the midst of a severe drought. Texas has a six billion dollar budget deficit and is now

considering a statewide property tax. Rhode Island's Governor is proposing a 20 percent increase in the personal income tax, a five-cent increase in the gas tax. New York is struggling with a six billion dollar deficit. And that Governor is proposing to cut the education budget by ten percent, while dissolving many state agencies. And those are only a few examples of what's happening in states throughout our nation.

Knowing that other states have problems doesn't make our task any easier. I believe the perspective is necessary in assessing the will of our citizens and the competence of their elected officials. I think the people of Florida are as willing to support quality government services as the people of any other state. But I also believe that a time of recession is not the time to demand that our citizens make additional sacrifices by subjecting them to quick-fix, ill-conceived new taxes.

Our new Governor has pledged that he will not raise taxes and I agree taxes should not be considered until we determine what type of stable tax structure will catapult Florida into the dawn of the 21st century.

We will, however, find alternative ways to reach the Governor's level of expenditure through dissolving some trust funds, new tax compliance methods, and some fee increases.

We need a tax structure that is more fair to our citizens and our business community, a structure that allows revenues to grow reliably and rationally without putting undue burdens on any individual class of taxpayers, a system that would maximize the exportability and deductibility of taxes on our citizens.

We've already seen proposals from Associated Industries and the Florida Chamber of Commerce. I anxiously await the ideas of Governor Chiles, his financial advisers and the Tax and Budget Reform Commission.

I have asked the chairman of our Finance and Tax Committee to explore all possible avenues of stabilizing our tax base with the goal of developing a program that both legislative houses and the Governor can advocate in a special session sometime this year.

On the spending side of the equation, somehow, we must come up with a recipe that will best provide for our needy, care for and educate our children, at the same time encouraging the economic growth that will ensure better days for our state and its citizens and prosperity for our children in the future.

Speaker Wetherell and I have already announced that the Florida Turkey is an extinct species this year. The turkey system is a thing of the past. We can't afford it, and it's not good public policy.

From this day forward, any local projects that qualify for state money should do so based on merit and statewide value after full and open debate of both houses. The spending of state money for local projects should be closely monitored and audited.

Of course, member projects in the past represented a tiny portion of the state budget, at most about one-quarter of one percent. They have taken up a good deal more conversation and ink than they deserve. Eliminating them, although helpful and symbolic, will not go a long way toward solving our problems.

There's been a good deal of conjecture about restructuring the way we spend the other 99 3/4 percent of the budget.

The Governor has talked at great length about "right-sizing" government, about changing the way we provide social services and education, about more local control over how state money is spent and what kinds of programs are funded.

We can't allow the taxpayers' money to be spent without legislative overview until there is a method to assure accountability in place.

Change is good as long as it represents improvement, more efficiency and better lives for our citizens. To try to make people think we've accomplished a lot when in fact we've just juggled things around would be nothing more than a cruel trick. Be more alert in your budget deliberations than before.

When we get the Governor's productivity proposals, I want to move, not slowly, but deliberately to make certain that the potentially sweeping changes we make are the right ones. Study their implications on people's lives and on state finances, because we will all have to live with those changes and their ramifications for decades to come. However, anything

we do to shape or reshape government policy should be done with overall economic development of the state in mind. We must help our citizens get back to work.

The Florida International Affairs Commission, created this year by our legislation, is a giant step forward to help us compete in the worldwide marketplace.

Whether it's a tax or a spending program or a law that on the surface doesn't cost a penny, literally everything we do impacts on Florida's ability to grow economically.

Studies prove that businesses don't necessarily flock to the lowest tax states or run from the highest tax states. We send the wrong message when we pass a tax one day and repeal it the next day; we have done that far too often.

Although taxes are surely a big consideration, tax policy and its efficacy and fairness may be more important than the actual bottom line of the bill. Stability in our tax structure is essential for strategic business planning. Remember business capital does not go where it is not wanted.

Are we sending the wrong message by cutting the Department of Commerce almost out of existence?

Adequate transportation, clean air and water, good schools, quality health care, low crime rates, an educated work force and stable government policy, all quality of life issues, will bring our state the clean industry it needs. Those are factors that are of paramount importance to a businessman seeking to open a new business or relocate an existing one. The business climate we need to create has less to do with sunshine and more to do with smart, responsible and responsive state government.

Our businesses and our citizens also need a government they can trust. Those who made an investment in our state deserve to know that their elected representatives are acting honestly on their behalf. We may not always do what everyone would like; but if we are acting for the betterment of the entire state in good conscience, our constituents will feel a whole lot better about their investment.

I'm proud to be a senator and I'm proud of you. I believe we act in good conscience. But we have to rekindle that pride in the citizenry, and that's difficult to do when there is natural skepticism fueled by a steady stream of innuendo.

In the organizational session we passed one of the most stringent ethics laws in the nation. I believe that legislation is good both in its limitations and its penalties. In that ethics package a stringent lobbyist reporting bill was passed. We must improve on that law by not permitting contingency fees paid to lobbyists from state money or for obtaining state money.

Many in this body wished further ethics reform, and you will have your opportunity to address many new proposals this session. My priority would be to strengthen the ability of the Ethics Commission to respond to complaints in a speedy manner. Let's not have a contest to prove who is most ethical in striving to prove how ethical we can be. We could inadvertently make lawbreakers out of honest men and women.

The days ahead can also be very gratifying. We should leave here with satisfaction in the knowledge that we have worked hard, performed well and served the citizens of our great state to the best of our abilities.

Many great senators used this gavel to open a session before and many great ones are with us today. I see many other senators who will have this opportunity in the future.

What a special thrill it is when I see the faces of the young girls watching from the gallery. They remind me that I have the added honor and responsibility of being Florida's first female Senate President. It challenges me to be a strong leader. I hope that because of this new mindset, one of those young women will be standing in this place one day.

I wish our new partner, Governor Chiles, the wisdom he will need to help guide our state through the next difficult year. His new ideas will challenge the legislature to work harder for the betterment of this great state.

I want to thank all of you for making the exceptional and unselfish sacrifices that it takes to be a member of this Senate. Let us show the public that the Florida Senate conducts itself in a deliberative and dignified manner so that the citizens of Florida can take the same pride in us as we take in ourselves. Let us work together to forge a path for a better tomorrow for all of Florida and for all Floridians.

Thank you very much.

COMMITTEES APPOINTED

On motion by Senator Malchon that a committee be appointed to notify the House of Representatives that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Gardner, Diaz-Balart, Weinstock, Jenne and Grizzle. The committee was excused.

On motion by Senator Davis that a committee be appointed to notify the Governor that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Crenshaw, Thurman, Casas, Meek, Gordon and Weinstein. The committee was excused.

COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representatives Daryl Jones, Chinoy, Mishkin, Sembler and Muscarella was received and informed the Senate that the House of Representatives was convened and ready to proceed to the business of the session. The committee then withdrew from the chamber.

COMMITTEES DISCHARGED

The committee appointed to notify the House of Representatives appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

The committee appointed to notify the Governor appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1-**Org.** and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Johnson—

HCR 1-Org.****—A concurrent resolution providing that the House of Representatives and Senate convene in joint session for the purpose of receiving a message from the Governor.

—was read the first time in full. On motion by Senator Brown, by two-thirds vote **HCR 1-**Org.**** was read the second time by title, unanimously adopted and certified to the House.

COMMITTEE MEETINGS

On motions by Senator Thomas, the rules were waived and the following committees were granted permission to meet this day from 2:00 until 5:00 p.m. to consider the agendas published in the calendar: Commerce; Corrections, Probation and Parole; Health and Rehabilitative Services Reorganization; and Professional Regulation.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bruner, by two-thirds vote **SB 202** was withdrawn from further consideration.

On motions by Senator Walker, by two-thirds vote **SB 610** was withdrawn from the committees of reference and further consideration.

On motions by Senator Thomas, by two-thirds vote **SB 256** was withdrawn from the Committee on Appropriations and referred to the Committees on Education and Appropriations.

On motions by Senator Forman, by two-thirds vote **Senate Bills 250** and **252** were withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator Thomas, the rules were waived and time of recess was extended until 10:40 a.m.

Senator Thomas moved that following the joint session, the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Tuesday, March 12 at 10:00 a.m. The motion was adopted.

(See remainder of Senate business following the joint session.)

JOINT SESSION

Pursuant to HCR 1-**Org.**, the Senate formed in processional order and marched in a body to the chamber of the House of Representatives where they were received in due form. The joint session was called to order by the Honorable T. K. Wetherell, Speaker of the House of Representatives.

The Lieutenant Governor, members of the Florida Cabinet and justices of the Florida Supreme Court were received and seated.

The Speaker invited Senator Margolis, President of the Senate, and Senator Gardner, President Pro Tempore of the Senate, to the rostrum and requested the President to preside over the joint session.

THE PRESIDENT IN THE CHAIR

The President declared a quorum of the joint session present.

The Rev. Dr. Sean O'Sullivan, Director of Drug Abuse Resistance Education and Director of Florida Drug-Free Communities Project, Catholic Community Services, Archdiocese of Miami, delivered the prayer.

The President led the pledge of allegiance to the flag of the United States of America.

On motion by Representative Johnson that a committee be appointed to notify the Governor that the joint session was assembled to receive his message, the President appointed Senators Childers, Girardeau, Thomas, Grant and Kirkpatrick; and on behalf of the Speaker, appointed Representatives Abrams, Saunders, Silver, Gordon and Mortham. The committee withdrew from the chamber.

The committee appointed to wait upon the Governor subsequently returned to the chamber escorting His Excellency, the Honorable Lawton Chiles, Governor of Florida, who was escorted to the rostrum.

The President presented the Governor to the joint assembly.

THE GOVERNOR'S ADDRESS

Madam President Margolis, Speaker Wetherell, Chief Justice Shaw and members of the Supreme Court, my teammate Lt. Governor Buddy MacKay, members of the Cabinet, members of the Senate and the House of Representatives.

We are gathered here today in a time of great victory for the allied forces in the Persian Gulf, and a time of deep gratitude for the peace and freedom they have won. Some of the families of our service personnel are in the gallery today, and I know that you want to stand with me and honor them.

We thank you and your loved ones for your many sacrifices in the perilous days that now—thank God—are over. And we grieve over those who went home to God during the conflict, and we pray for those still in enemy hands. Our hearts go out to all of the brave families who have borne the strain and anxiety of the last seven months.

I have two invitations to extend at this time. First, I would like to invite President Gwen and Speaker T.K. to join with me in seeking the swift passage of legislation to protect the jobs of approximately 1,200 state workers who left in haste to serve their country. I have that bill ready for your consideration. And secondly, I would like to invite all Floridians who served in the Gulf to come to Tallahassee on the 4th of July for the biggest and most joyful celebration this state has ever seen!

I had the privilege of seeing off the 144th Transportation Company of the Florida National Guard at Marianna; and in Fort Stewart, I sent off the Guard's 269th Signal Company, their 705th MP Unit, and the 653rd Engineer Company. It will be good to see the faces of these men and women again and to honor them for their service.

I would like to invite another special group to this 4th of July celebration—our state's Vietnam War veterans. We never did get a chance to formally welcome them home, and this will give us the opportunity to thank them, too, for all of the sacrifices that they made.

I can't wait for July to come!

Thirty-two years ago I sat out there where you are sitting. I was a freshman legislator newly elected from Polk County. With me was my wife Rhea, now our first Lady, who had helped me get elected. She was my partner then and she is my partner now. Thank the Lord.

We had three small kids—now they are married and have their own families. My mother and my dad were in the chamber with me in 1959. My father was so proud, I thought he would burst. He was a high school dropout but he went back to finish. He never got to college but worked terribly hard and demanded that my sister and I get the college education that he had missed. He died before that year was out.

I was so excited—I didn't think I could stand it. Just ten years before that, in 1948, I had stood in the same chamber of the old House as a member of Boys' State and I made a covenant with myself then that I would be back here.

I didn't know it then but it was the beginning of 12 of the happiest years of my life—my service in the Florida Legislature.

I read where someone said that Buddy and I need to show respect for the legislature. I don't respect the legislature—I revere it. There is no higher calling of service to God's people.

In the Bible, Paul said he was imprisoned, flogged, five times received forty lashes minus one from his own people, three times was beaten with rods, once was stoned, and three times ship-wrecked.

You too *must* bear all of these things!

You are the butt of jokes—you are misunderstood—maligned—viewed by much of the press as a Pulitzer prize waiting to be won.

Still, the legislative branch of government is a vital part of a divinely inspired plan of our founding fathers, which has withstood the test of time and provided the freest government ever devised.

You are the people's representatives. You are their voice clothed with the authority to speak and act for them. Awesome power—awesome responsibility.

Our free government only functions with the acquiescence and consent of our people—our decision to be effective must pass the muster of our people's faith and their hope and their expectations. We are perilously close to having the people revoke our consent to govern.

Like Caesar's wife—it's not enough for us to make the right decision—pass the right law—our people must believe we are right and trust in our wisdom.

As we prepare to embark on our journey into the next century, there are mountains to climb, rivers to cross and much work to be done before we sleep.

But first we must repair our covenant with our people. I believe that there are three major ways to strengthen our bond—the first involves how we get elected. You know Buddy and I limited our contributions to \$100. You know over 75,000 people contributed to our campaign and now their names are permanently inscribed in our special interest book in my office. You know we got elected even though we were outspent more than two to one.

But I don't know if you know how wonderful it is to serve and how easy it is to make decisions—when you aren't obligated to any special group, and therefore, you are free to decide on the basis of the merits of each case.

I applaud your leadership for agreeing with us on a major campaign reform bill. Mr. Speaker, you've said the House could have this bill on the floor this Friday—*Remarkable!*

This bill will limit contributions to \$500 per contested election—individuals—political action committees—and corporations will now be limited to \$500 contributions. And this law would not allow multiple subsidiaries with the same corporate ownership to contribute more than once. One corporation—one \$500 contribution. In some cases, the new \$500 limit is an 84 percent reduction from previous spending limits.

Florida will have the lowest spending limit for Governor, Lt. Governor, Cabinet races and any other state or county race—if you join me in making history with this law.

The other highlights of this campaign spending reform bill include:

- Provisions for no campaign solicitations in public buildings.
- No contributions given by lobbyists or political action committees to candidates during the session.

— And most importantly, we can finally level the playing field by enticing candidates to cap the amount of money they spend in campaigns with public financing. Join me in passing the best campaign reform law in the nation.

After the law you pass to protect the jobs of our service men and women, I hope this campaign bill is the next law that you send to me to sign.

Our second challenge is how we conduct ourselves in restoring the people's trust. You made a good start last fall when you banned gifts valued at more than \$100.

Let's go the next step and strengthen the people's confidence in us by requiring quarterly reporting—by givers and recipients—of gifts over \$25. Then our constituents will be able to see what we've received, and from whom.

We must also prohibit the payment of contingency fees for lobbyists who get an appropriation of public funds for their clients.

We can also strengthen the Commission on Ethics by giving them the power to initiate investigations.

We must also provide penalties for constitutional officials who fail to make the full financial disclosure required by the 1976 Sunshine Amendment.

I don't pretend to be holier than thou. As the press will be quick to tell you, I'm a new governor still adjusting to life in a glass house. The sunshine can get a little warm. But I'm convinced it's time to reexamine our ways and, together, take the steps needed to regain the people's trust. Nothing we accomplish this year will be more important, or more gratifying.

Step three involves how we spend the people's money wisely.

Mr. Speaker and Madam President, I applaud the steps you and your leadership have taken to expose turkeys and flush them off their roosts. You know I like to hunt them too—so if any of those sneaky creatures gets through, I'll take a whack at them. Turkeys aren't the only problem we have to fix. The Constitution's Tax and Budget Reform Commission has made a number of proposals to fix our budget process—let's not wait to make these changes, because we shouldn't spend another penny under the old system.

We know we have a revenue shortfall of \$1.4 billion.

We know we are top heavy and inefficient in the way we deliver services to our people. Do we raise taxes to make up for the shortfall?

Our budget says no—we suck it up and use the budget crunch to force the improvements in our delivery of services. We did not achieve our great victory in the Gulf with an army of supervisors, program coordinators and assistant secretaries—but with a lean, highly motivated, skillfully trained, superbly equipped fighting force.

Like many of our state work force who are motivated, skilled and ready, I am a state employee and I am proud to be a state employee.

The productivity cuts we are proposing in our budget help us to bring this about.

We call for cuts of \$163 million, then we return half of that to the agencies to provide for increased productivity through higher salaries, better training, and improved technology.

For example, the Department of Health and Rehabilitative Services came up with a plan to cut over 1,900 positions—16.7 percent of which will be from senior management and only 5.3 percent will come from career service. By cutting out the layers of bureaucracy in Tallahassee, we concentrate more staff money on the front line, where the services are delivered. And, for the employees that lose their jobs—the Department of Health and Rehabilitative Services made a covenant where they will help them secure jobs consistent with their career objectives—both in or out of the government.

Does that sound like the old Department of Health and Rehabilitative Services?

Two years ago our people amended our Constitution and voted overwhelmingly for a Department of Elder Affairs. Nothing has happened.

The people have a right to expect us to carry out their mandate.

We will craft this department to save money and see that the services we deliver are community based, more efficient, flexible and responsive.

This department should be our model of how we reform other services—and *we need it now*.

Today with our shrinking revenues, we are forced to reexamine our spending priorities.

We find that they are 180 degrees out of kilter. We are spending most of our money at the back end to try to fix our crisis problems, like school dropouts and growing prison populations. These back-end solutions come too late and cost too much.

We must spend wisely and recast our approach by targeting dollars on the front end—in prevention—with early access to quality health care.

We have allocated \$91.5 million more dollars in our budget for “Healthy Start”—a program which will expand health care for pregnant mothers and children in need.

The old way would say, “We can’t afford that new effort this year—and, let’s reduce the amount Chiles is asking for in tuition increases, hospital and doctor assessments on those who do not do charity work—and let the pregnant women and children wait.” The dollar we spend on the front end—on these children saves a minimum of five dollars in later remedial spending.

This initiative is the cornerstone of our spending proposal. If you pull it out, our house falls down and it is back to “business as usual.”

For too long children have been the one group at the table without a voice. Today they have a voice—join with me and let’s make it a crescendo.

I wholeheartedly support Commissioner Castor’s recommendation to reform our education system. She wants to eliminate categorical programs—to give more authority to local school districts—principals, teachers and parents—to free more dollars for the classroom—to put more of the supervisory program coordinators—the “paper pushers” back into the school rooms.

Madam President, I read your reaction to my admonition that the legislature should stop trying to micromanage programs. What happened was that you heard my unartful confession to 30 years of micromanagement. “Stop me before I try to micromanage again—.” I started at an early age. I made it an art. But you and I know that it doesn’t work. Of all the great proviso language and great programs I’ve written, I can’t show you any real results.

To reorder our spending priorities for wiser spending we must look at results—grade on the basis of outcomes—set goals and grade our achievements. Give the level of government closest to the people the responsibility, then reward or punish them on their results.

Commissioner Castor’s reforms *are* on target. The difficult part is setting the accountability standards and I believe this is where the legislature should be working and then grading the results.

Let’s dare to examine the old way we were doing it. Ask ourselves if it’s working—see if there is another way—try something else.

My greatest frustration was trying to get the Congress to lead when the President refused to.

With two houses—two parties—many voices and many philosophies—it’s often impossible to chart a course.

A legislature works best responding off of strong leadership from the executive. I am determined to provide that strong leadership. I may be wrong but I don’t intend to be in doubt. Our people will best be served if we both are strong.

Look at this stool—it’s got three legs—if you pull one out it won’t stand; it needs all three. The three legs are how we get elected, how we serve, and how we spend the people’s money. These three legs are the House, the Senate, and the Governor.

They are you, Madam President, you, Mr. Speaker, and me. We all need each other. The people, to have a steady platform on which to stand, need all three. I offer you my leg.

Mr. Speaker, Madam President, I understand there are some Republi-

cans out there in each of your houses. They look just like people from here. But I want you to know, I want to be your governor too—you are a part of this stool and a loyal opposition is a valuable part of this process. I spent six years as part of the loyal opposition and except for the honor, I’d just as soon stay in the majority.

I’ve read all the pre-session newspapers and their persuasive, parsimonious pontifications, and I hear gloom and doom—what a terrible time—no money—can only be a bad session.

I have never felt so hopeful, so optimistic, so expectant in my entire life.

The Bible speaks of cycles of life—a time for joy—a time for sorrow—a time for plenty and want—a time for laughter and a time for weeping.

I believe we are at the time for a change in the cycle. It’s the time to bring out the sickle to reap the harvest.

It will be easier to say let’s wait—we can’t—it’s not possible—we better not. That’s not the spirit I hear from our people.

What I hear is—why not now? Why not now?

Why not *us* now? Why not? Now!

Following the Governor’s address, the committee previously appointed escorted the Governor from the rostrum and from the House chamber, followed by the Lieutenant Governor, members of the Cabinet and justices of the Supreme Court.

On motion by Senator Thomas, the joint session was dissolved at 11:36 a.m. and the Senators were escorted from the House chamber by the Senate Sergeant at Arms.

(Remainder of Senate business taken up prior to joint session.)

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Grant—

SM 2—A memorial to the Congress of the United States, urging Congress to propose an amendment to the United States Constitution to prohibit the burning of the flag of the United States of America.

—was referred to the Committee on Rules and Calendar.

By Senator Grant—

SB 4—A bill to be entitled An act relating to the beverage law; amending s. 563.04, F.S.; requiring the alcoholic content of beer to be listed on the label; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Walker, Childers, Bruner, Grant, Meek and Wexler—

SB 6—A bill to be entitled An act relating to siting of facilities that burn hazardous materials; amending s. 403.722, F.S.; providing that local governments may not be restricted from adopting certain additional siting criteria for facilities burning hazardous waste, hazardous waste fuel, or biohazardous materials; prohibiting the construction, modification, or operation of these facilities until any such additional siting criteria are met; prohibiting the granting of variances; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senators Walker, Childers, Bruner, Grant, Meek and Wexler—

SB 8—A bill to be entitled An act relating to hazardous waste facility permits; amending s. 403.722, F.S.; requiring proof of a demonstrated need as a condition for the issuance of a permit for the construction, modification, or operation of a hazardous waste facility that will burn certain hazardous materials; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Senators Walker, Childers, Bruner, Grant, Meek and Wexler—

SB 10—A bill to be entitled An act relating to hazardous waste facility permits; amending s. 403.722, F.S.; requiring an applicant for a permit to construct, modify, or operate a facility that will burn hazardous waste,

hazardous waste fuel, or biohazardous materials to notify certain local governments and publish notice in a local newspaper a specified time before applying; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senators Walker, Childers, Bruner, Grant, Meek and Wexler—

SB 12—A bill to be entitled An act relating to hazardous waste facility permits; amending s. 403.722, F.S.; providing a limitation on the transfer of permits for specified facilities; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Senators Bruner and Grant—

SB 14—A bill to be entitled An act relating to defrauding the state; prohibiting a person from filing false documents with the state to defraud the state; prohibiting a person from wrongfully possessing, purchasing, or receiving property or moneys of the state; providing that such conduct is punishable by specified civil penalties; providing that a person who commits such acts of fraud is liable to the state for an amount that is threefold the actual damages sustained by the state as a result of the fraud, or an amount that is double such damages, under certain circumstances; providing that the Attorney General may file a civil suit for such penalties and damages; providing that a person may file such a suit for himself and the state; authorizing the Attorney General to participate in, withdraw from, or settle such a suit; specifying the amount of damages or the amount of proceeds of a settlement of such a suit that may be awarded to a person who files suit for himself and the state; providing for the award of attorney's fees and court costs to the party who prevails in such a suit; providing an effective date.

—was referred to the Committee on Judiciary.

By Senators Crenshaw and Grant—

SJR 16—A joint resolution proposing amendments to Section 15 of Article III of the State Constitution, relating to the qualifications and terms of legislators, and to Section 5 of Article IV of the State Constitution, relating to the qualifications and terms of cabinet members.

—was referred to the Committees on Executive Business, Ethics and Elections; and Rules and Calendar.

By Senator Gardner—

SB 18—A bill to be entitled An act relating to official police dogs; providing that a police dog that bites an animal or human is exempt from quarantine under certain circumstances; providing an effective date.

—was referred to the Committees on Agriculture and Criminal Justice.

By Senator Girardeau—

SB 20—A bill to be entitled An act relating to law enforcement officers; amending s. 112.18, F.S.; authorizing certain disability and life insurance benefits for law enforcement officers; providing an effective date.

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

By Senators Gardner, Casas, Plummer, Walker, Myers, Jennings and Kirkpatrick—

SB 22—A bill to be entitled An act relating to alcoholic beverage taxes; creating s. 212.053, F.S.; providing for a surtax on the sale or use of alcoholic beverages; prescribing duties of the Department of Business Regulation; prescribing the rate of the surtax; providing for administration, collection, and enforcement of the surtax; amending s. 212.20, F.S.; providing for distribution of the proceeds of the surtax; providing that vendors who have paid tax surcharges on alcoholic beverages not yet sold on the effective date of this act are entitled to credit such payments against the sales surtax; repealing s. 561.501, F.S., as created by s. 87, chapter 90-132, Laws of Florida, and s. 89, chapter 90-132, Laws of Florida, relating to a surcharge on alcoholic beverages sold for consumption on the premises; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Dudley—

SB 24—A bill to be entitled An act relating to education finance; establishing the teacher advanced degree categorical program; providing for computation and allocation of program funds; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Grizzle—

SB 26—A bill to be entitled An act relating to environmental education; reenacting and amending s. 229.8055, F.S., the Florida Environmental Education Act; expanding the environmental education program to provide such education in community colleges and state universities; requiring the Commissioner of Education, the Board of Regents, and the State Board of Community Colleges to administer the program; requiring the Department of Education to disseminate information regarding environmental education for adults to the school districts; providing for regional service projects; reenacting s. 229.8056, F.S.; creating an Office of Environmental Education within the Office of the Commissioner of Education to develop a formal environmental education program; providing for a Coordinator of Environmental Education and specifying duties thereof; reenacting and amending s. 229.8058, F.S.; creating the Advisory Council on Environmental Education within the Legislature; providing membership and authorization for the council to employ staff; deleting an obsolete provision relating to transfer of certain equipment and materials to the council; providing responsibilities of the Advisory Council on Environmental Education; reenacting and amending s. 229.8059, F.S.; creating the Interagency Coordinating Committee for Environmental Education to coordinate the environmental education programs of certain state agencies and water management districts; providing for appointments; providing for payment of per diem and travel expenses; providing for duties of the committee, including the development of a memorandum of understanding and the submission of reports; deleting provisions that have had their effect; reenacting and amending s. 229.8061, F.S.; directing the Governor to administer a grant program for environmental education; authorizing certain organizations and projects to be eligible for the grants; providing duties of the Advisory Council on Environmental Education with respect to the grants; providing for meetings of members and staff of the Office of Environmental Education, the Interagency Coordinating Committee, the Executive Office of the Governor's environmental education staff, and the Advisory Council for Environmental Education; repealing s. 35, ch. 89-175, Laws of Florida, which provides for such meetings; reenacting and amending s. 229.8062, F.S.; creating the Governor's Environmental Education Trust Fund in the Executive Office of the Governor in place of the Save Our State Environmental Education Trust Fund; reenacting s. 229.8063, F.S.; authorizing the Executive Office of the Governor to establish a nonprofit support corporation for certain purposes; requiring an annual audit of the records of the corporation; exempting from public records requirements information in the audit report; providing for future legislative review of such exemption; requiring an annual status report on environmental education activities by the Executive Office of the Governor; providing for future abolition and legislative review of the Advisory Council on Environmental Education and the Interagency Coordinating Committee for Environmental Education; repealing s. 39, ch. 89-175, Laws of Florida, as amended by s. 11, ch. 90-192, Laws of Florida, which provided for such abolition and review; ratifying appropriations, positions, and expenditures made pursuant to s. 40, ch. 89-175, Laws of Florida; providing for reimbursement of certain appropriated moneys; reenacting and amending s. 229.8064, F.S.; providing for the Advisory Council on Environmental Education to propose projects to the Governor and Cabinet for approval; providing for the Governor and Cabinet to act on such recommendations within a specified time; providing for use of funds in the Aquatic Resources Education Account by the Department of Natural Resources for aquatic education purposes; providing an effective date.

—was referred to the Committees on Education; Natural Resources and Conservation; and Appropriations.

By Senators Gardner and Crotty—

SJR 28—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution, relating to assessment of homestead property.

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

By Senator Dudley—

SB 30—A bill to be entitled An act relating to motor vehicle license plates; providing for the issuance to members of the United States Coast Guard Auxiliary of license plates upon which are stamped the name of such organization; requiring payment of a use fee in order to be issued such a license plate; requiring the Department of Highway Safety and Motor Vehicles to transfer the proceeds of such fee to the Department of Natural Resources for deposit into the Motorboat Revolving Trust Fund for use for boater safety education; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senators Dudley, Gardner, Forman, Kurth, Malchon, Kirkpatrick, Souto and Weinstock—

SB 32—A bill to be entitled An act relating to motor vehicle license plates; providing for issuance of "Purple Heart" license plates to recipients of the Purple Heart; requiring payment of a use fee in order to be issued such a license plate; requiring the Department of Highway Safety and Motor Vehicles to transfer the proceeds of such fee to the State Treasury for deposit into the State Homes for Veterans Trust Fund for use for the construction and operation of domiciliary and nursing homes for veterans; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Girardeau—

SB 34—A bill to be entitled An act relating to transportation; creating the "Florida Reverse Commute Program"; providing legislative findings and purpose; providing definitions; requiring the Department of Transportation to oversee the program and to allocate state funding to qualified applicants for a reverse commute program; providing for resident transportation corporations to submit proposals and receive state funding for reverse commute programs; providing criteria for awarding funds; providing for the department to monitor and evaluate the programs that receive funds; providing for rulemaking; requiring reports to legislative committees; allowing the department to request joint proposals and to discontinue funding; authorizing participating resident transportation corporations to enter into certain contracts, lease equipment, and set fees and schedules; establishing a pilot program; providing funding; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Bruner—

SB 36—A bill to be entitled An act relating to public schools; amending s. 236.081, F.S.; providing for an annual allocation under the Florida Education Finance Program to each school district for a full-time program for gifted students; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Bruner—

SB 38—A bill to be entitled An act relating to water management districts; creating s. 373.1395, F.S.; requiring water management districts to adopt revenue-producing management practices with respect to certain real property they acquire; providing for payment of revenues from the management practices, or furnishing of in-kind services, to the county in which the property is located; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Bruner—

SB 40—A bill to be entitled An act relating to environmental control; creating s. 403.7071, F.S.; requiring the Department of Environmental Regulation to provide counties and municipalities with notice of permit applications for certain waste facilities; authorizing counties and municipalities to file objections with the department and participate in permit proceedings; providing for administrative hearings; providing an effective date.

—was referred to the Committees on Community Affairs; and Natural Resources and Conservation.

By Senator Grant—

SM 42—A memorial to the Congress of the United States, urging Congress to call a constitutional convention to propose an amendment to the United States Constitution to prohibit the election of a person to the United States Senate more than three times and to prohibit the election of a person to the United States House of Representatives more than nine times.

—was referred to the Committee on Rules and Calendar.

By Senator Grant—

SJR 44—A joint resolution proposing an amendment to Section 15 of Article III of the State Constitution, relating to the qualifications and terms of legislators.

—was referred to the Committees on Executive Business, Ethics and Elections; and Rules and Calendar.

By Senator Grant—

SB 46—A bill to be entitled An act relating to consumer protection investigations; amending s. 119.07, F.S.; exempting certain records and information obtained in investigating alleged violations of consumer protection laws from the requirements providing for inspection of public records until the respective records and information become part of an official record of any hearing or court proceeding; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senators Grant and Wexler—

SB 48—A bill to be entitled An act relating to elections; amending s. 106.021, F.S.; restricting the time when a campaign depository may be designated by a candidate; providing that campaign depositories designated before a specified date may remain open until a specified date; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Grant—

SB 50—A bill to be entitled An act relating to alcoholic beverages; creating s. 562.145, F.S.; prohibiting the selling of an alcoholic beverage at a price other than at the licensee's initial price charged that week, certain free dispensing of alcoholic beverages for consumption on the licensee's premises, or selling to a person all the alcoholic beverages that the person is able to consume on the premises for a single price covering all beverages so consumed; prohibiting licensees from conducting or authorizing certain drinking games or contests on the premises; providing exceptions; providing penalties; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Davis and Grant—

SJR 52—A joint resolution proposing amendments to Sections 10 and 11, Article V of the State Constitution, relating to the selection of justices and judges.

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

By Senator Davis—

SB 54—A bill to be entitled An act relating to the tax on intangibles; amending s. 199.185, F.S.; providing a tax exemption for certain dispositions of, or documents issued in or arising out of, leases or lease-purchase agreements for the acquisition of educational facilities and sites; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Myers—

SB 56—A bill to be entitled An act relating to fishing and hunting licenses; amending s. 370.0605, F.S.; decreasing certain saltwater fishing license fees; deleting a planning requirement that has served its purpose; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senators Forman and Weinstein—

SB 58—A bill to be entitled An act relating to governmental reorganization; creating a Department of Elderly Affairs; providing for its organization; transferring specified powers, duties, records, personnel, property, appropriations, allocations, and funds from the Aging and Adult Services Program Office of the Department of Health and Rehabilitative Services to the Department of Elderly Affairs; transferring to the department the State Nursing Home and Long-Term Care Facility Ombudsman Council; providing for an advisory council; prescribing council membership and terms of office; providing for requests for appropriations for council expenses; providing for review and repeal; amending s. 20.19, F.S.; redesignating the Aging and Adult Services Program Office of the Department of Health and Rehabilitative Services as the Adult Services Program Office; amending ss. 400.304, 410.011, 410.016, 410.023, 410.024, 410.0241, 410.029, 410.032, 410.201, 410.2015, 410.401, 410.402, 410.501, 410.502, 410.503, 415.103, 415.104, and 415.106, F.S., to conform; providing departmental responsibilities; defining “area agency on aging” and providing functions of such agencies; creating planning and service areas; revising provisions relating to community-care-for-the-elderly core services; requiring annual reports; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services Reorganization; and Appropriations.

By Senators Beard and Crotty—

SB 60—A bill to be entitled An act relating to private toll roadways; providing definitions; authorizing private persons to construct, operate, extend, or enlarge toll roadways pursuant to a certificate of authority issued by the Florida Transportation Commission of the Department of Transportation; specifying application requirements for a certificate; specifying criteria for the issuance of a certificate; authorizing the Department of Transportation and affected local governmental entities to charge an application review fee; requiring the department to monitor the operation of private toll roadways; requiring each operator of a toll roadway to report certain information to the department; authorizing the department to exclude certain expenses of an operator from costs and to approve or revise the toll rates charged on such roadways; authorizing the department under specified circumstances to exercise the power of eminent domain to acquire real property for such toll roadways and to dispose of such property; requiring the operator of a private toll roadway to keep the roadway open to the public except when the roadway is under repair or construction; requiring certain expenditures of toll proceeds; prohibiting the charging of tolls in a discriminatory manner; authorizing operators to extend or enlarge their toll roadways under certain circumstances; authorizing toll roadway operators to charge tolls on toll roadways based upon traffic classifications, to develop and enforce certain regulations on the toll roadways, and to establish commuter lanes on toll roadways; requiring an applicant to enter into a contract with the department by which the department is authorized to review and inspect plans, specifications, and construction of the toll roadway; prohibiting construction on a private toll roadway without inspections and approval by the department of each stage of construction; requiring a toll roadway operator to maintain accounts to pay for repairs and maintenance of the toll roadway; requiring a toll roadway operator to maintain liability insurance on the toll roadway; exempting the department from tort liability; authorizing toll roadway operators to cross navigable watercourses; providing for the crossing of highways, roads, and railroads by such toll roadways; providing for the crossing or relocation of the facilities of public utilities and railroads affected by the construction of such a toll roadway; specifying conditions under which a certificate of authority is in default; authorizing the department to take certain action if a toll roadway operator has defaulted; providing for the expiration of certificates of authority; providing for the reversion to the state of toll roadways upon the expiration of such certificates; providing for the continuation of tolls on projects operated by the department; specifying uses of such tolls; authorizing negotiations between applicants or certificateholders and local governmental entities regarding exemptions from taxation; authorizing joint ventures between a person and a local governmental entity; authorizing state and local law enforcement authorities to patrol traffic and enforce laws on toll roadways; providing that state laws apply to persons on such toll roadways; amending s. 20.23, F.S.; authorizing the Florida Transportation Commission of the Department of Transportation to issue certificates of authority to construct, extend, or enlarge private toll roadways; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senators Dantzer, Johnson, Dudley and Wexler—

SB 62—A bill to be entitled An act relating to citrus; amending s. 601.091, F.S., to specify the Gulf production area of citrus fruit for purposes of identifying, classifying, labelling, or otherwise designating citrus fruit or processed citrus products as having been produced in that area; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Grant—

SB 64—A bill to be entitled An act relating to trafficking in controlled substances; amending s. 893.135, F.S.; including mixtures containing cocaine in a reference to “cocaine”; providing that certain persons shall be sentenced to a term of life imprisonment; providing that certain sentences are not subject to sentencing guidelines; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Plummer—

SB 66—A bill to be entitled An act relating to the donation of human organs and tissue; amending s. 381.6105, F.S.; providing an exemption to the requirement that informed consent precede certain testing of human tissue prior to donation or transfer of the tissue; amending s. 732.912, F.S.; adding medical examiners to the list of persons who may consent to anatomical gifts; allowing such gift to be made by a member of the highest available class after a reasonable effort is made to find a person who has higher priority; amending s. 732.914, F.S.; providing that an anatomical gift is revocable only by the donor or donee; allowing such gift to be made by a witnessed telephone message; amending s. 732.917, F.S.; requiring specified persons to treat the donor’s remains with dignity and respect; requiring certain persons to do everything that is medically necessary to maintain the donated organs or tissue so that the gift may be executed; prohibiting recovery through criminal proceedings against specified entities that act in good faith and without negligence under anatomical gift laws; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Judiciary.

By Senators Johnson and McKay—

SB 68—A bill to be entitled An act relating to the Southwest Florida Water Management District; amending s. 373.073, F.S.; providing that a member of the district governing board be a resident of Manatee County; repealing the requirement that a member be a resident of Sarasota County; providing that Sarasota County is included among the counties from which at-large members of the governing board will be selected; providing applicability; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Senator Myers—

SB 70—A bill to be entitled An act relating to traffic control; amending s. 316.1935, F.S.; increasing the penalty for fleeing or attempting to elude a police officer; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senators Myers and Grant—

SB 72—A bill to be entitled An act relating to traffic control; amending s. 316.1936, F.S.; increasing the penalty for an operator who is in possession of an open container of alcoholic beverages in a motor vehicle; amending ss. 316.655, 318.17, F.S., to conform; providing an effective date.

—was referred to the Committees on Transportation and Criminal Justice.

By Senators Malchon and Forman—

SB 74—A bill to be entitled An act relating to labor regulations; prohibiting employers from taking retaliatory personnel action against employees under certain conditions; authorizing civil actions and provid-

ing specified relief; providing for certain employer relief; providing an effective date.

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

By Senator Grant—

SB 76—A bill to be entitled An act relating to contraband forfeiture; amending s. 893.12, F.S.; providing that seized property must be forfeited; providing procedures and standards for protection of the interests of persons holding liens on seized property; prohibiting forfeiture of property if the owner or a coowner lacked knowledge of the criminal use of the property; amending s. 932.703, F.S.; providing that title to seized contraband vests in either the state or the seizing agency upon seizure, rather than in the state; amending s. 932.704, F.S.; specifying the manner of sale of seized real property; requiring that certain reports to the Department of Law Enforcement be made by the law enforcement agency that received or expended forfeited property or proceeds from the sale of such property, rather than by the entity with budgetary authority over such law enforcement agency; providing an effective date.

—was referred to the Committees on Criminal Justice; Finance, Taxation and Claims; and Appropriations.

By Senators Scott and Jenne—

SB 78—A bill to be entitled An act relating to condominiums; amending s. 718.115, F.S.; revising the definition of the term “common expenses” of condominiums to exclude the cost of certain television antenna systems and cable television service; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Forman, Weinstein, Weinstock, Davis, Jenne, Grant, Margolis, Bankhead, Brown, Casas, Gardner, Girardeau, Johnson, Kirkpatrick, Kurth, Malchon, Thurman, Wexler and Yancey—

SB 80—A bill to be entitled An act relating to public officers and employees; amending s. 115.09, F.S.; deleting the prohibition against payment of salary to specified public officers beyond the first 30 days of a leave of absence for active military service; amending s. 115.14, F.S.; authorizing public employers to supplement the military pay of officials and employees who are reservists called to active military service; providing for retroactive application; providing an effective date.

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

By Senator Johnson—

SJR 82—A joint resolution proposing the addition of Sections 13 and 14 to Article IV of the State Constitution, relating to the executive branch of government.

—was referred to the Committees on Health and Rehabilitative Services Reorganization; Rules and Calendar; and Appropriations.

By Senators Wexler and Grant—

SJR 84—A joint resolution proposing amendments to Section 15 of Article III, Section 5 of Article IV, Sections 17 and 18 of Article V, Section 1 of Article VIII, and Sections 4 and 5 of Article IX of the State Constitution, relating to the qualifications and terms of various constitutional officers.

—was referred to the Committees on Executive Business, Ethics and Elections; and Rules and Calendar.

By Senator Forman—

SB 86—A bill to be entitled An act relating to driving under the influence; creating s. 316.1939, F.S.; requiring that any person incarcerated for misdemeanor driving under the influence be housed in a separate minimum security facility; requiring that such person be allowed to continue to work or attend school; requiring that such person pay the costs of incarceration and rehabilitation; providing an effective date.

—was referred to the Committees on Criminal Justice; Corrections, Probation and Parole; and Appropriations.

By Senator Forman—

SB 88—A bill to be entitled An act relating to condominiums; amending s. 718.112, F.S.; providing for requirements with respect to elections to the board of administration; limiting the use of proxies; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Souto—

SB 90—A bill to be entitled An act relating to physician assistants; providing legislative intent; reenacting s. 458.347(7)(b), (f), F.S.; increasing the maximum physician assistant certification renewal fee; requiring review of certain certification prior to renewal; specifying alternative certification requirements; providing an application fee; providing for future repeal and review pursuant to the Regulatory Sunset Act; providing an effective date.

—was referred to the Committees on Professional Regulation and Appropriations.

By Senator Souto—

SB 92—A bill to be entitled An act relating to taxes; imposing a surcharge on retail sales of cigarette rolling papers; providing an exemption; providing for depositing collections of surcharge revenues into the Drug Abuse Education Trust Fund; providing for penalties and interest; providing for collection and enforcement; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Souto—

SB 94—A bill to be entitled An act relating to the manufacture, distribution, sale, and possession of chemicals; repealing ss. 499.601-499.79, F.S., relating to the manufacture, distribution, sale, and possession of diethyl ether; creating s. 499.602, F.S.; providing definitions of terms used in the act; creating s. 499.603, F.S.; requiring registration of distributors and certain purchasers or possessors of certain listed chemicals used in the manufacture of controlled substances with the Department of Health and Rehabilitative Services; creating s. 499.605, F.S.; requiring proof of identity of persons who purchase or receive listed chemicals, as defined; creating s. 499.606, F.S.; requiring maintenance of certain records and submission of transactional reports by distributors of listed chemicals; providing exemptions; creating s. 499.607, F.S.; authorizing inspections of certain facilities and vehicles; creating s. 499.609, F.S.; requiring the reporting of the loss, unexplained shortage, theft, or unlawful distribution, purchase, or possession of listed chemicals; creating s. 499.702, F.S.; authorizing the adoption of rules by the department to administer the act; creating s. 499.703, F.S.; prescribing prohibited acts; creating s. 499.704, F.S.; providing penalties and remedies; creating s. 499.706, F.S.; providing for the conduct of hearings and review of orders by the department; creating s. 499.708, F.S.; prescribing criminal penalties; creating s. 499.80, F.S.; providing for disposition and use of moneys collected under the act; creating s. 499.801, F.S.; providing that information obtained by the department is confidential and exempt from s. 119.07(1), F.S.; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; authorizing the disclosure of information to certain officials or in certain investigations or proceedings; amending s. 893.02, F.S.; adding a definition of the term “listed chemical” for purposes of ch. 893, F.S.; creating s. 893.033, F.S.; establishing a list of precursor chemicals and essential chemicals used in manufacturing controlled substances in violation of ch. 893, F.S.; creating s. 893.0358, F.S.; authorizing the Attorney General to add chemicals to or delete chemicals from the list by rule; providing for recommendations regarding such changes to the Attorney General by the Department of Health and Rehabilitative Services and the Department of Law Enforcement; amending s. 893.105, F.S.; authorizing the sample testing and destruction of listed chemicals seized; amending s. 893.12, F.S.; providing that listed chemicals involved in violations of ch. 893, F.S., are contraband and are subject to seizure and forfeiture; providing for destruction of seized chemicals; creating s. 893.149, F.S.; prohibiting the possession of a listed chemical with the intent to unlawfully manufacture a controlled substance; prohibiting the possession or distribution of a listed chemical with knowledge or a reasonable cause to believe that the chemical will be used in such unlawful manufacture; providing penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; Health and Rehabilitative Services; and Appropriations.

By Senators Dudley and Johnson—

SB 96—A bill to be entitled An act relating to easements; amending s. 704.01, F.S.; revising criteria for determining when a statutory way of necessity exists; providing that such an easement may run under the servient tenement; amending s. 704.04, F.S.; deleting the provision that a statutory way of necessity awarded by court order is temporary; providing for judicial determination of attorney's fees and costs; deleting a provision permitting either party to request a jury trial to determine compensation; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Health and Rehabilitative Services—

SB 98—A bill to be entitled An act relating to legislative review of exemptions from public records requirements; amending ss. 409.175, 409.176, F.S.; exempting from the public records law, until a specified date, certain records used for screening applicants for employment by foster homes and residential child-care agencies; amending s. 409.2561, F.S.; continuing the exemption from the public records law, until a specified date, of public assistance records; amending s. 409.2577, F.S.; exempting from the public records law, until a specified date, information obtained by the Department of Health and Rehabilitative Services under parent locator services; providing exceptions; amending s. 409.2579, F.S.; continuing the exemption from the public records law, until a specified date, of case file information from IV-D programs; amending s. 409.355, F.S.; exempting from the public records law, until a specified date, records of public assistance recipients; amending s. 409.441, F.S.; exempting from the public records law, until a specified date, records obtained by runaway youth centers; amending ss. 410.037, 410.605, F.S.; continuing the exemption from the public records law, until a specified date, of information received by persons providing services to disabled adults and the elderly under the authorization of the Department of Health and Rehabilitative Services; amending ss. 415.103, 415.107, 415.111, 415.504, F.S.; continuing the exemption from the public records law, until a specified date, of information reported to the central abuse registry and tracking system; amending ss. 415.505, 415.5086, 415.51, 415.513, F.S.; continuing certain exemptions and providing additional exemptions from the public records law, until a specified date, of information received pursuant to child protective and abuse investigations; amending s. 415.608, F.S.; exempting from the public records law, until a specified date, information received at domestic violence centers; amending s. 400.145, F.S.; continuing, until a specified date, certain limitations placed on the release of records of residents of nursing homes; amending ss. 407.02, 407.31, F.S.; continuing, until a specified date, the requirement that the Health Care Cost Containment Board submit its request in writing for certain hospital and nursing home records; amending s. 409.266, F.S.; continuing the exemption from the public records law, until a specified date, of information provided to the Department of Health and Rehabilitative Services for use in determining health care plan payments; amending s. 409.7015, F.S.; continuing the exemption from the public records law, until a specified date, of unemployment compensation information provided to the Florida Health Access Corporation; providing for future legislative review of these exemptions and exceptions pursuant to the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator Childers—

SB 100—A bill to be entitled An act relating to dissolution of marriage; amending s. 61.052, F.S.; providing that evidence establishing residency at a marriage dissolution hearing need not be corroborated; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Bruner—

SB 102—A bill to be entitled An act relating to state retirement systems; amending s. 122.08, F.S.; providing for retirement after 30 years of service for members of the State and County Officers and Employees Retirement System; conforming cross-references; amending s. 122.35, F.S.; providing for increased contributions to be paid by the employer; amending s. 238.07, F.S.; providing that a member of the Teachers' Retirement System of Florida may take normal retirement at any age upon completion of 30 years of service; conforming a cross-reference;

amending s. 238.11, F.S.; providing for increased contributions to be paid by the employer; providing an effective date.

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

By Senators Davis and Grant—

SB 104—A bill to be entitled An act relating to prostitution; establishing an action for compensatory damages and punitive damages by a prostitute against the person who coerced that person into, or who coerces that person to remain in, prostitution, and against a person who, through coercion, collects or receives any of the prostitute's earnings derived from prostitution; providing a definition for the term "prostitution"; providing an effective date.

—was referred to the Committees on Criminal Justice and Judiciary.

By Senator Gardner—

SB 106—A bill to be entitled An act relating to the purchase of real property; requiring a disclosure statement providing information regarding recreational facilities and charges; providing an effective date.

—was referred to the Committee on Judiciary.

By Senators Dudley and Grant—

SB 108—A bill to be entitled An act relating to the homestead tax exemption; amending s. 196.031, F.S.; revising the limit on the amount of the tax exemption provided to owners of homestead property; providing a contingent effective date.

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

By Senator Johnson—

SB 110—A bill to be entitled An act relating to criminal proceedings; amending ss. 142.09, 939.06, F.S.; providing that a county is not liable for defense costs when a defendant is acquitted of murder by reason of insanity; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Johnson—

SB 112—A bill to be entitled An act relating to governmental reorganization; amending ss. 20.04, 20.19, F.S.; reorganizing the Department of Health and Rehabilitative Services into three departments; renaming the department, as reorganized, the Department of Social and Rehabilitative Services; providing that the head of the department is the Secretary of Social and Rehabilitative Services, to be appointed by the Governor subject to Senate confirmation; creating a Department of Health and transferring all programs, activities, and functions of the Department of Health and Rehabilitative Services pertaining to registration of vital statistics, alcohol abuse, drug abuse, and mental health and public health matters, including environmental health matters, to the new department; providing that the head of the Department of Health is the State Health Officer, to be appointed by the Governor subject to Senate confirmation; creating a Department of Juvenile Justice and transferring all programs, activities, and functions of the Department of Health and Rehabilitative Services pertaining to delinquent children to the new department; providing that the head of the Department of Juvenile Justice is the Secretary of Juvenile Justice, to be appointed by the Governor subject to Senate confirmation; providing for transfer of related statutory powers, duties, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the former department to the new departments; providing for the continued effectiveness of administrative rules of the Department of Health and Rehabilitative Services until changed by the respective successor department; providing for the transfer of pending judicial proceedings and administrative proceedings to the respective successor departments; establishing a work group to prepare a plan for the reorganization and transfers made by the act and to submit the plan and recommended legislation for statutory modifications to the Governor, Senate President, and Speaker of the House of Representatives by a specified date; providing an effective date contingent on the approval of a constitutional amendment.

—was referred to the Committees on Health and Rehabilitative Services Reorganization; Health and Rehabilitative Services; Rules and Calendar; and Appropriations.

By Senators Meek and Wexler—

SB 114—A bill to be entitled An act relating to migrant farmworker children and families; providing legislative findings and intent; amending s. 411.202, F.S.; including migrant children in the definition of the terms, “high-risk child” or “at-risk child”; providing for a demonstration project of health care outreach; providing for reports; providing effective dates.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Kirkpatrick—

SB 116—A bill to be entitled An act relating to coastal resources; reenacting s. 380.28, F.S.; authorizing execution of the South Atlantic and Gulf States Coastal Protection Compact; providing form and substance of the compact; providing findings, purposes, and reservations of powers; providing for an effective date; providing for creation of a commission; providing powers, duties, organization, and operation of the commission; reserving certain powers to the states; providing for payment of expenses of the commission; providing for withdrawal from the compact; requiring an annual report; providing for appointment of Florida’s members of the commission; authorizing examination of accounts by the Department of Banking and Finance; providing for an advisory committee; providing a fee; repealing s. 43, ch. 89-175, Laws of Florida, relating to the future repeal and review of the committee; providing for future review and repeal of provisions relating to the committee; reenacting and amending ss. 380.31, 380.32, 380.33, F.S.; establishing the Coastal Resources Interagency Management Committee; providing duties, responsibilities, organization, and staff; repealing s. 2(7), ch. 90-192, Laws of Florida, relating to the future repeal and review of said sections; providing for future review and repeal of said sections; providing an effective date.

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

By Senators Kirkpatrick and Plummer—

SB 118—A bill to be entitled An act relating to coral reefs; reenacting s. 380.0558(5), F.S.; providing that damages recovered for injuries to coral reefs which otherwise would be deposited into the Internal Improvement Trust Fund be deposited into the Florida Area of Critical State Concern Restoration Trust Fund; reenacting and amending s. 253.04, F.S.; authorizing the Department of Natural Resources to develop a schedule to assess penalties for damage to coral reefs; prescribing the maximum amount of such penalties; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Kirkpatrick—

SB 120—A bill to be entitled An act relating to permits for drilling or exploring and extracting petroleum products or certain minerals; reenacting and amending s. 377.242, F.S.; authorizing the Department of Natural Resources to issue permits for the drilling for, exploring for, or production of certain oil, gas, or other petroleum products; providing restrictions on the location of structures used in that drilling, exploring, or production; providing an exemption from those restrictions for “infield gathering lines” in specified circumstances; authorizing the department to issue permits to explore for and extract certain minerals; requiring each permit to contain an agreement not to prevent departmental inspections; correcting cross-references; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Senator Kirkpatrick—

SB 122—A bill to be entitled An act relating to the Florida Coastal Protection Trust Fund; reenacting s. 376.11, F.S.; providing purpose and legislative intent; establishing the trust fund; providing sources for and uses of moneys in the trust fund; providing for investing moneys from the trust fund and for crediting the interest on such investment to the trust fund; providing purposes for which moneys may be disbursed from the trust fund; providing for transferring certain interest earned on investment of the trust fund moneys to the Save Our State Environmental Education Trust Fund in the Department of Natural Resources; providing for a temporary transfer of funds to the Petroleum Exploration and Production Bond Trust Fund; providing for any interest in lands acquired through trust fund moneys to be held by the Trustees of the

Internal Improvement Trust Fund; providing for the department to recover to the trust fund and the General Revenue Fund moneys discharged to control a discharge of a pollutant or other similar disaster; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Kirkpatrick—

SB 124—A bill to be entitled An act relating to land use; reenacting and amending ss. 380.501-380.512, 380.514, 380.515, F.S., of the “Florida Communities Trust Act”; providing legislative findings and intent; providing definitions; creating the Florida Communities Trust; providing for membership and expenses; providing for meetings, quorum, and voting; providing for support services; providing trust powers; providing for development, review, and approval of projects; providing for first-year duties of the Department of Community Affairs; providing for conditions of grants and loans; providing for performance postaudits by the Auditor General; creating the Florida Communities Trust Fund; providing for an annual report; providing for application to other laws; providing for construction; repealing s. 380.513, F.S., pertaining to the corporate existence of the trust and the ownership of the rights and properties of the trust after its termination; reenacting and amending s. 320.08065, F.S.; providing for Florida panther license plates; providing for fees and distribution thereof; providing for repeal and review of ss. 320.08065, 380.501-380.512, 380.514, 380.515, F.S.; repealing s. 2(6), ch. 90-192, Laws of Florida, which provides for such repeal and review; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Community Affairs; Finance, Taxation and Claims; and Appropriations.

By Senator Forman—

SB 126—A bill to be entitled An act relating to weapons and firearms; amending s. 790.06, F.S.; prescribing additional qualifications that must be met by applicants for licensure to carry a concealed weapon or firearm; requiring the Department of State to deny or revoke a license to carry a concealed weapon or firearm in certain circumstances; requiring additional information to be provided on applications; requiring sheriffs to verify information in certain circumstances; prescribing additional conditions under which a license must be suspended or revoked; deleting certain obsolete provisions; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senators Forman and Wexler—

SB 128—A bill to be entitled An act relating to weapons and firearms; creating s. 790.222, F.S.; providing legislative findings and intent with respect to assault weapons; prohibiting unlawful possession of assault weapons; providing definitions; providing criminal penalties; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Crenshaw—

SB 130—A bill to be entitled An act relating to law enforcement officers; amending s. 943.22, F.S., relating to the salary incentive program for full-time officers, to eliminate a prohibition against the making of retirement contributions to, and the receipt of retirement benefits under, the Florida Retirement System with respect to such salary incentives; providing an effective date.

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

By Senator Grant—

SB 132—A bill to be entitled An act relating to drug trafficking; prohibiting the leasing or rental of a place, structure, trailer, or conveyance with the knowledge that the leased or rented premises will be used for trafficking in illegal controlled substances; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Brown—

SB 134—A bill to be entitled An act relating to campaigns; creating s. 106.40, F.S.; requiring filing officers to give candidates, political committees, and committees of continuous existence certain forms; providing

for subscription to voluntary fair campaign practices; prescribing the Code of Voluntary Fair Campaign Practices; requiring forms; providing for public inspection; providing for certain statements on campaign literature or advertising; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Appropriations.

By Senator Grant—

SB 136—A bill to be entitled An act relating to firearms; amending s. 784.05, F.S.; providing that it is a third-degree felony to store or leave a firearm accessible to a minor, under certain circumstances, if the minor uses the firearm to cause injury or death; providing exceptions; providing penalties; amending s. 790.174, F.S.; requiring secure storage of a firearm that is accessible to a minor, under certain circumstances; providing penalties for failure to store the firearm in accordance with such requirement; providing exceptions; providing penalties; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Casas—

SB 138—A bill to be entitled An act relating to traffic control; creating s. 316.651, F.S.; prohibiting state agencies and political subdivisions from establishing quotas for the issuance of traffic citations by law enforcement officers; providing an effective date.

—was referred to the Committee on Transportation.

By Senators Kirkpatrick and Brown—

SB 140—A bill to be entitled An act relating to water resources; creating s. 240.5329, F.S.; creating the Florida Lakewatch Program within the Institute of Food and Agricultural Sciences at the University of Florida; providing purpose; providing an appropriation; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Agriculture; and Appropriations.

By Senators Jenne and Wexler—

SB 142—A bill to be entitled An act relating to ethics in government; amending s. 112.3148, F.S., as amended; prohibiting governmental entities and direct-support organizations from making certain gifts to persons who must file disclosure of financial interests and “procurement employees”; providing for valuation of gifts when there is no cost to the donor; providing applicability of certain reporting requirements; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senators Crotty, Grant and Wexler—

SB 144—A bill to be entitled An act relating to firearm safety; creating ss. 790.151, 790.153, 790.155, and 790.157, F.S.; prohibiting the use of a firearm while intoxicated or impaired; providing penalties; providing tests to determine intoxication or impairment; providing for right to refuse; authorizing use of blood tests in cases of death or serious bodily injury; providing for certain presumptions of impairment; providing definitions; providing evidentiary standards; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Forman—

SB 146—A bill to be entitled An act relating to solid waste; amending s. 403.713, F.S.; repealing a provision that excludes certain recyclable materials from any ordinance passed by a local government that provides for the reservation of solid waste material for resource recovery facilities; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Senator Johnson—

SJR 148—A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution relating to sheriffs, to establish qualifications for holding the office of sheriff.

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

By Senator Wexler—

SB 150—A bill to be entitled An act relating to crimes against the elderly; amending s. 784.08, F.S.; providing that enhanced penalties apply for certain crimes against elderly persons regardless of whether the person charged with the crime has knowledge of the age of the victim; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Wexler—

SB 152—A bill to be entitled An act relating to sexual offenses involving children; amending s. 827.071, F.S.; redefining the term “sexual conduct” for purposes of the crimes of promoting sexual performance by a child and possessing certain items of child pornography; reenacting ss. 39.001(3)(b) and (d), 39.076(3)(w) and (5)(a), 110.1127(3)(a) and (b), 242.335(3)(a) and (b), 393.0655(1)(u) and (3)(a), 394.457(6)(a) and (c), 396.0425(1)(u) and (3)(a), 397.0715(1)(u) and (3)(a), 402.305(1)(a) and (c), 409.175(4)(a), 772.102(1)(a), 895.02(1)(a), 934.07, 943.058(9), F.S., relating to the screening of personnel, definitions of the terms “criminal activity” and “racketeering activity,” the interception of certain communication, and the expunction of criminal records, to incorporate the amendment to s. 827.071, F.S., in references thereto; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Malchon—

SB 154—A bill to be entitled An act relating to regulation of electrical and alarm system contractors; amending s. 489.503, F.S.; removing the exemption from regulation as alarm system contractors of persons who install burglar alarms in small commercial buildings; amending s. 489.505, F.S.; defining the term “registered alarm system contractor”; providing that such a contractor may contract only in the jurisdiction in which he is registered; amending s. 489.537, F.S.; providing for a registered electrical contractor to perform alarm system contracting in specified circumstances; reenacting s. 553.19(1), F.S.; updating electrical standards; providing an effective date.

—was referred to the Committees on Professional Regulation and Appropriations.

By Senators Davis and Grant—

SB 156—A bill to be entitled An act relating to the tax on sales, use, rentals, admissions, and other transactions; amending ss. 212.054, 212.055, F.S.; authorizing certain counties to impose, pursuant to referendum, a surtax on that tax to provide health care services for certain indigent persons; providing for the duration of the surtax; specifying a maximum rate of surtax; providing purposes of the surtax; providing for a trust fund; providing for use of the proceeds; providing legislative findings with respect to liens against revenues raised by the surtax; providing an effective date.

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

By Senator Gardner—

SB 158—A bill to be entitled An act relating to designation of state buildings; designating the children’s medical services building of the Department of Health and Rehabilitative Services located in Brevard County as the Thomas J. Philpot Building; directing the department to erect suitable markers; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator Kirkpatrick—

SB 160—A bill to be entitled An act relating to vending machine sales; creating s. 212.0515, F.S.; providing a method for calculating the sales tax on sales made through vending machines; providing a definition; requiring an identifying device for each machine; establishing a fee for such devices; requiring reports on vending machine sales and the taxes remitted on those sales; providing penalties; amending s. 212.12, F.S.; providing for separately reporting sales made through vending machines; providing an appropriation; providing an effective date.

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

By Senators Kiser, Plummer, Thomas and Childers—

SB 162—A bill to be entitled An act relating to historic preservation; creating preservation boards of trustees within the Department of State; placing the boards under the administrative supervision of the department; directing the Department of State to adopt certain rules; providing for the sale of property by the preservation boards; creating the Historic St. Augustine Preservation Board of Trustees; providing for membership; providing certain powers and procedures for operation; permitting the board of trustees to authorize a direct-support organization to operate for certain purposes; providing public records exemptions; providing that the direct-support organization must operate under a contract and specifying the terms of the contract; creating the Historic Pensacola Preservation Board of Trustees; providing for membership; providing certain powers and procedures for operation; amending s. 266.107, F.S.; revising cross-references; permitting the board of trustees to authorize a direct-support organization to operate for certain purposes; providing public records exemptions; providing that the direct-support organization must operate under a contract and specifying the terms of the contract; creating the Historic Tallahassee Preservation Board of Trustees; providing for membership; providing certain powers and procedures of operation; amending s. 266.117, F.S.; revising cross-references; permitting the board of trustees to authorize a direct-support organization to operate for certain purposes; providing public records exemptions; providing that the direct-support organization must operate under a contract and specifying the terms of the contract; creating the Historic Florida Keys Preservation Board of Trustees; providing for membership; providing certain powers and procedures of operation; amending s. 266.207, F.S.; revising cross-references; permitting the board of trustees to authorize a direct-support organization to operate for certain purposes; providing public records exemptions; providing that the direct-support organization must operate under a contract and specifying the terms of the contract; creating the Historic Palm Beach Preservation Board of Trustees; providing for membership; providing certain powers and procedures of operation; amending s. 266.308, F.S.; revising cross-references; permitting the board of trustees to authorize a direct-support organization to operate for certain purposes; providing public records exemptions; providing that the direct-support organization must operate under a contract and specifying the terms of the contract; creating the Historic Tampa-Hillsborough County Board of Trustees; providing for membership; providing certain powers and procedures for operation; amending s. 266.407, F.S.; revising cross-references; creating the Ybor City Historic District and Barrio Latino Commission; providing for membership, powers, and duties; permitting the board of trustees to authorize a direct-support organization to operate for certain purposes; providing public records exemptions; providing that the direct-support organization must operate under a contract and specifying the terms of the contract; creating the Historic Broward County Preservation Board of Trustees; providing for membership; providing certain powers and procedures for operation; permitting the board of trustees to authorize a direct-support organization to operate for certain purposes; providing public records exemptions; providing that the direct-support organization must operate under a contract and specifying the terms of the contract; providing for determining local governments' share of cost of historic preservation services provided by boards; providing for expiration of portions of the act and for review under s. 11.611, F.S., the Sun-down Act; providing for future repeal and review of public records exemptions pursuant to s. 119.14, F.S., the Open Government Sunset Review Act; repealing ss. 266.01, 266.02, 266.03, 266.04, 266.05, 266.06, 266.07, 266.08, 266.101, 266.102, 266.103, 266.104, 266.105, 266.106, 266.109, 266.110, 266.111, 266.112, 266.113, 266.114, 266.115, 266.118, 266.201, 266.202, 266.203, 266.204, 266.205, 266.206, 266.2095, 266.301, 266.302, 266.303, 266.304, 266.305, 266.306, 266.309, 266.401, 266.402, 266.403, 266.404, 266.405, 266.406, 266.408, 266.409, 266.410, 266.411, 266.501, 266.502, 266.503, 266.504, 266.505, 266.506, 266.507, 266.508, F.S., as amended, relating to historic preservation boards; providing an effective date.

—was referred to the Committees on Governmental Operations, Community Affairs and Appropriations.

By Senator Davis—

SJR 164—A joint resolution proposing an amendment to Section 7 of Article X of the State Constitution relating to lotteries.

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

By Senator Gardner—

SB 166—A bill to be entitled An act relating to the Challenger license plate annual use fee; amending s. 240.408, F.S.; changing the name of the Challenger Astronauts Memorial Undergraduate Scholarship Program and its trust fund; providing for administration of the program and fund by the Board of Regents; providing that graduates of qualified Florida nonpublic secondary schools are eligible for scholarships from such program; providing eligibility requirements; providing procedures for nominating such students; providing conforming language; amending ss. 320.0808, 331.302, F.S.; reallocating the distribution of the Challenger license plate annual use fee; specifying uses for such distribution; deleting the Space Research Foundation as a recipient of part of the Challenger fees; requiring annual audits; prohibiting use of Challenger fees for certain activities and programs; providing an effective date.

—was referred to the Committees on Education; Finance, Taxation and Claims; and Appropriations.

By Senator Gardner—

SB 168—A bill to be entitled An act relating to building permits; amending s. 553.79, F.S.; requiring agencies that enforce building codes, when issuing permits, to provide certain information pertaining to additional permit requirements; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Gardner—

SB 170—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.08, F.S.; providing an additional category of license fees for truck tractors and heavy trucks operated as for-hire vehicles and used to transport certain agricultural or horticultural products; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Gordon—

SB 172—A bill to be entitled An act relating to public schools; amending s. 236.1223, F.S.; extending the writing skills enhancement program to include the ninth grade in order to enable school districts to receive additional categorical funds from the state for providing instruction in writing skills to students in that grade; revising the allocation formula; amending s. 24.121, F.S.; providing for funding the extension of the program from moneys in the Educational Enhancement Trust Fund; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Gordon—

SB 174—A bill to be entitled An act relating to remedies for unlawful discriminatory practices; creating s. 760.07, F.S.; providing for a right of action for equitable remedies and actual and punitive damages for persons aggrieved by discriminatory practices in the areas of education, employment, housing, and public accommodations; providing for attorney's fees and court costs; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Gordon—

SB 176—A bill to be entitled An act relating to discrimination against persons in admission to private clubs; prohibiting certain clubs from discriminating against an individual in evaluating his application for club membership because of race, color, religion, gender, national origin, or handicap; specifies a procedure for enforcement of the prohibition by the Commission on Human Relations; authorizing a person to seek injunctive relief for alleged discriminatory practices of such a club, under certain circumstances; providing an effective date.

—was referred to the Committees on Commerce and Judiciary.

By Senator Grant—

SJR 178—A joint resolution proposing an amendment to Section 12 of Article III of the State Constitution, relating to appropriation bills.

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

By Senator Grant—

SB 180—A bill to be entitled An act relating to taxation; amending s. 212.0505, F.S., which imposes a tax on unlawful sales, use, and other transactions involving medicinal drugs, cannabis, or controlled substances; including possession within such transactions; revising calculation of the surcharge imposed under said section and providing that the surcharge shall be included in determining penalties; providing that a United States attorney may request that taxes or penalties be settled or compromised; transferring funds in the Drug Abuse Education Trust Fund; providing for the release of certain liens on property for liability for taxes and penalties imposed under said section; authorizing the Department of Revenue to issue subpoenas in connection with the enforcement of said section and providing requirements and procedures; providing for enforcement by the circuit courts; providing for witness fees; amending s. 607.0505, F.S.; authorizing the Department of Legal Affairs to disclose certain information to the Department of Revenue in connection with the enforcement of s. 212.0505; providing that such information is exempt from public record requirements; providing for future legislative review of this and certain other exemptions pursuant to the Open Government Sunset Review Act; amending s. 895.02, F.S.; revising the definition of “racketeering activity” under the Florida RICO Act to include certain tax-related crimes; reenacting ss. 655.50(3)(g), 896.101(1)(g), F.S., relating to unlawful financial transactions, to incorporate the amendment to s. 895.02, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Grant—

SB 182—A bill to be entitled An act relating to state prisoners; amending s. 947.146, F.S.; requiring the Control Release Authority to determine the amount and manner of restitution prison inmates are to pay to their victims or other aggrieved parties; providing an effective date.

—was referred to the Committee on Corrections, Probation and Parole.

By Senator Grant—

SB 184—A bill to be entitled An act relating to campaign financing; amending s. 106.071, F.S.; revising the penalty for failure to include a required disclaimer in political advertisements paid for by independent expenditures; amending ss. 106.143 and 106.144, F.S.; revising provisions relating to application of penalties for violation of provisions relating to certain political advertisements and endorsements; amending s. 106.25, F.S.; revising the definition of “violation” for the purposes of Florida Elections Commission jurisdiction; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Grant—

SB 186—A bill to be entitled An act relating to elections; amending s. 106.021, F.S.; prohibiting a candidate from changing the designation of office sought and using campaign funds from the prior candidacy for the subsequent candidacy; providing an exception; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Grant—

SB 188—A bill to be entitled An act relating to campaign financing; amending s. 106.295, F.S.; prohibiting solicitation or acceptance of contributions for a legislative campaign related to acquisition or maintenance of a leadership position; providing a definition; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Rules and Calendar.

By Senator Grant—

SB 190—A bill to be entitled An act relating to campaign finance; amending s. 106.011, F.S.; defining “political committee”; amending s. 106.08, F.S.; lowering maximum contributions to candidates for office; applying such limits to county executive committees of political parties;

prohibiting contributions by corporations; reenacting ss. 106.04(5), 106.075(2), 106.19(1)(a), and 106.29(4), F.S., relating to committees of continuous existence, contributions to pay loans, penalties for violations, and reports by political parties, to incorporate the amendment to s. 106.08, F.S., in references thereto; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Grant—

SB 192—A bill to be entitled An act relating to elections; creating ss. 101.731, 101.732, and 101.733, F.S., and amending s. 101.74, F.S.; creating the Elections Emergency Act; providing definitions; expanding authority of the Governor to suspend or delay elections in emergency circumstances; providing for requests by the Secretary of State or a supervisor of elections for such suspension or delay; authorizing the Secretary of State to reschedule elections not held due to an emergency; providing time and notice requirements; requiring the Division of Elections of the Department of State to develop an elections emergency contingency plan; specifying scope and concerns; providing for coordination of such plan with municipal clerks, supervisors of elections, and emergency management officials; amending s. 101.75, F.S.; conforming language; providing additional circumstances for change of dates of municipal elections; providing a contingent effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Forman—

SB 194—A bill to be entitled An act relating to civil actions; providing that certain civil actions must be tried within a specified time after a motion therefor; providing circumstances under which the court may deny such motion; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Dudley—

SJR 196—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution, relating to assessment of homestead property.

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

By Senators Dudley and Grant—

SJR 198—A joint resolution proposing an amendment to Section 6, Article VII of the State Constitution relating to the homestead tax exemption.

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

By Senator Yancey—

SB 200—A bill to be entitled An act relating to commercial funds transfers; creating ss. 670.101-670.507, F.S.; prescribing the law governing the rights, duties, and liabilities that arise from funds transfers between commercial entities, from the payment order of the originator to the originator's bank, through intermediary banks, to the beneficiary's bank; including credit transfers but excluding debit transfers; also excluding consumer transactions, conditional orders, and transfers outside the banking system; providing for discharge of the originator's underlying obligation; providing for variation by agreement; prescribing rights with respect to creditor process served on a receiving bank; providing for injunctions and restraining orders with respect to funds transfers; providing for priority among various obligations to be paid from the same account; providing for preclusion of objection to debit of customer's account; providing for determination of the rate of interest that a receiving bank is obliged to pay; specifying applicable law and providing for choice of law; amending s. 671.101, F.S.; revising the short title of the Uniform Commercial Code to include this act; amending s. 671.105, F.S.; providing that this act governs over that section with respect to specification of applicable law; providing an effective date.

—was referred to the Committees on Commerce and Judiciary.

SB 202 was withdrawn prior to introduction.

By Senator Brown—

SB 204—A bill to be entitled An act relating to ad valorem tax exemption; amending s. 196.012, F.S.; revising the definition of “educational institution”; amending s. 196.192, F.S.; specifying that property owned by an exempt entity and used for exempt purposes by another exempt entity is qualified for exemption; amending s. 196.198, F.S.; specifying that property owned by an educational institution and used for educational purposes by another exempt entity or educational institution is qualified for exemption; providing an effective date.

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

By Senator Meek—

SB 206—A bill to be entitled An act relating to postsecondary education; amending s. 230.645, F.S.; exempting homeless students from requirements for the payment of fees for postsecondary instruction; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Meek—

SB 208—A bill to be entitled An act relating to low-income housing; creating s. 163.05, F.S.; creating an emergency home repair program for certain low-income elderly and low-income handicapped persons; providing a funding formula; prescribing uses for the funds; providing for the Department of Community Affairs to administer the program; providing for the adoption of rules; providing an effective date.

—was referred to the Committees on Community Affairs and Appropriations.

By Senators Crenshaw and Childers—

SB 210—A bill to be entitled An act relating to state attorney investigators; providing a competitive pay adjustment for state attorney investigators; providing for adjustments in pay plans to conform; providing a retroactive effective date.

—was referred to the Committees on Judiciary; Personnel, Retirement and Collective Bargaining; and Appropriations.

By Senator Crenshaw—

SB 212—A bill to be entitled An act relating to fees imposed on certain motor vehicle registrations; amending s. 320.072, F.S.; extending to certain military personnel and former military personnel, who are residents of this state, the exemption from certain fees imposed on initial applications for motor vehicle registration; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Meek—

SB 214—A bill to be entitled An act relating to public school personnel; amending s. 231.15, F.S.; revising certification requirements for athletic coaches employed in public schools; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senators Myers and Grant—

SB 216—A bill to be entitled An act relating to elections; amending s. 99.012, F.S.; providing restrictions on persons qualifying for public office; providing exceptions; providing definitions; providing for removal of a person's name from the ballot for his failure to comply with the restrictions under certain circumstances; amending s. 99.061, F.S.; requiring all candidates to file financial disclosure at the time of qualifying; amending s. 163.566, F.S., to correct a cross-reference; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Girardeau—

SB 218—A bill to be entitled An act for the relief of Charles Vaughn; providing an appropriation to compensate for expenses for total parental nutrition incurred as a result of Crohn's disease; providing an effective date.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Grant—

SB 220—A bill to be entitled An act relating to legislative employees; amending s. 11.148, F.S.; requiring the Joint Legislative Management Committee to conduct a pay study, at least biennially, to compare legislative employees' and legislators' salaries with salaries of legislative employees and legislators in other states; providing an effective date.

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

By Senator Grant—

SB 222—A bill to be entitled An act relating to drug testing by employers; providing legislative intent; authorizing employers to require drug tests under a drug-free workplace program; providing circumstances under which employees forfeit eligibility for certain benefits under a drug-free workplace program; providing definitions; providing that employers do not have a legal duty to require drug testing; requiring notice to employees and job applicants prior to testing; providing types of tests required for employers to qualify for discount workers' compensation rates; providing procedural requirements for testing; authorizing confirmation testing by employers; providing certain protections for employers; exempting test records from public record requirements; providing for future legislative review of such exemptions under the Open Government Sunset Review Act; providing requirements for drug-testing laboratories; requiring the Department of Labor and Employment Security to adopt rules; providing that implementing drug-free workplace programs does not eliminate applicable collective bargaining rights; requiring the Department of Insurance to approve workers' compensation insurance rates for employers implementing drug-free workplace programs; repealing sections 12, 13, and 51 of ch. 90-201, Laws of Florida, relating to the drug-free workplace program; providing an effective date.

—was referred to the Committees on Commerce; Health and Rehabilitative Services; and Appropriations.

By Senator Grant—

SB 224—A bill to be entitled An act relating to obstruction of justice; creating s. 843.085, F.S.; prohibiting the unauthorized wearing or display of certain indicia of authority; prohibiting the unauthorized display on vehicles of certain markings; regulating the sale or transfer of certain indicia of authority; requiring recordkeeping for such transactions; providing for cumulative application; providing penalties; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Gordon—

SJR 226—A joint resolution proposing the creation of Section 10, Article II of the State Constitution, relating to public office.

—was referred to the Committees on Executive Business, Ethics and Elections; and Rules and Calendar.

By Senator Gordon—

SB 228—A bill to be entitled An act relating to public school instructional personnel; amending s. 230.23, F.S.; requiring each district school board to consider the teaching experience of certain instructional personnel in determining the salary schedule for instructional personnel; providing an effective date.

—was referred to the Committee on Education.

By Senator Souto—

SB 230—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S.; providing that a person operating or in charge of a facility in which certain controlled substances are unlawfully manufactured be sentenced to a mandatory term of 15 years and a fine of \$500,000 for a first conviction and life imprisonment without eligibility for release for a second conviction; providing that such person is not eligible for parole or gain-time; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By the Committee on Education—

SB 232—A bill to be entitled An act relating to eminent scholars selection committees; amending s. 240.257, F.S.; deleting committee composition requirements; amending s. 1, ch. 82-46, Laws of Florida; abrogating the repeal of s. 240.257(6)(c), F.S., pursuant to the Sundown Act; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Education—

SB 234—A bill to be entitled An act relating to education; amending s. 230.66, F.S.; abolishing the Industry Services Advisory Council; authorizing the Commissioner of Education to develop a method by which participation in the industry services training program by private-sector individuals assists staff of the Department of Education, the Department of Commerce, and the Department of Labor and Employment Security; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By the Committee on Education—

SB 236—A bill to be entitled An act relating to the Advisory Council for the Blind; amending s. 413.011, F.S.; providing for the removal of non-participating members and for filling vacancies; abrogating the repeal of s. 413.011(2), F.S., scheduled pursuant to the Sundown Act; providing for future legislative review and repeal of s. 413.011(2), F.S.; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Education—

SB 238—A bill to be entitled An act relating to women's intercollegiate athletics; amending s. 240.533, F.S.; revising the composition of the Council on Equity in Athletics, providing for the length of terms for council members; abrogating the repeal of s. 240.533(3), F.S., scheduled pursuant to the Sundown Act; providing for future legislative review and repeal of s. 240.533(3), F.S.; providing an effective date.

—was referred to the Committee on Education.

By Senator Johnson—

SB 240—A bill to be entitled An act relating to drivers' licenses; amending s. 322.21, F.S.; increasing license fees to finance certain school district and nonpublic school costs related to issuance of drivers' licenses to minors; providing for the disbursement of such funds to school districts and nonpublic schools; amending s. 322.16, F.S.; providing content for a driver's license examination relating to the use of air brakes; providing effective dates.

—was referred to the Committees on Education; Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Forman—

SB 242—A bill to be entitled An act relating to capital punishment; amending s. 922.10, F.S.; requiring execution of death sentence by lethal injection; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Forman—

SB 244—A bill to be entitled An act relating to local occupational license taxes; creating s. 205.1935, F.S.; exempting certain real estate salesmen and broker-salesmen from local occupational license requirements; providing an effective date.

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

By Senator Forman—

SB 246—A bill to be entitled An act relating to motor vehicles; amending s. 322.34, F.S.; providing for the seizure and forfeiture of a motor vehicle owned by a person upon a specified number of convictions of that person for driving while his license is canceled, suspended, or revoked; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Plummer—

SB 248—A bill to be entitled An act relating to beverage containers; providing definitions; requiring specified refund values for beverage containers; requiring each person who purchases certain beverages to pay a deposit equal to the refund value of the beverage container to the dealer that sells the beverage; requiring dealers that sell beverages in beverage containers to redeem empty containers from consumers at the refund value; prescribing duties of dealers, distributors, and vending machine operators; providing for reimbursement of dealers and businesses that sell beverage containers to dealers; requiring that the refund value be stated on such containers; specifying conditions under which dealers, distributors, and manufacturers may refuse to accept beverage containers; authorizing dealers to apply to the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation or to the Department of Agriculture and Consumer Services for permission to limit the number of beverage containers that must be redeemed from consumers daily; authorizing the division and the department to grant such permission, under certain circumstances; requiring manufacturers and distributors of beverages in beverage containers to pay a portion of unreturned deposits to the Department of Environmental Regulation for deposit into the Solid Waste Management Trust Fund; authorizing the Department of Agriculture and Consumer Services and the Division of Alcoholic Beverages and Tobacco to impose fines for violations and providing for disposition thereof; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Forman—

SB 250—A bill to be entitled An act relating to the state lottery; requiring the Department of the Lottery to contract with a vendor to provide a pilot program for playing specified lottery games by telephone; authorizing minimum deposit requirements; providing for deposit of player deposits in the Administrative Trust Fund; providing for pooling at the state level; providing for automatic wagering; providing that the telephonic system may use a computer system different from the existing lottery computer system; specifying the compensation rate of the vendor; requiring a report to the Legislature; providing that the system may be continued and expanded upon the approval of the State Lottery Commission; providing for rules; providing for confidentiality of certain information; providing for review and repeal; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Forman—

SB 252—A bill to be entitled An act relating to nursing homes and related care facilities; amending s. 400.415, F.S.; providing for a mandatory moratorium on admissions to such a facility in specified circumstances; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator Forman—

SB 254—A bill to be entitled An act relating to school zone speed limits; amending s. 316.1895, F.S.; providing for certain speed limits before, during, and after regularly scheduled breakfast programs at schools; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Bankhead—

SB 256—A bill to be entitled An act relating to criminal penalties; amending s. 228.091, F.S.; increasing the penalties for trespass upon grounds or facilities of public schools; amending s. 230.23, F.S.; providing for school boards to add specified notice of possible criminal penalties to codes of student conduct; amending s. 39.037, F.S.; requiring notification of the district school superintendent or his designee of the taking into custody of a student under certain circumstances; providing an exemption from public records requirements; providing for future review and repeal; providing for removal of information from school records; amending s. 790.01, F.S.; providing for increased penalties for carrying concealed weapons or firearms upon grounds or facilities of public and nonpublic schools; amending s. 790.10, F.S.; adding destructive devices to weapons which may not be improperly exhibited; providing for unlawful possession and discharge of weapons and firearms on school property and

at school functions; providing a definition; providing exceptions; providing penalties, including a mandatory minimum term of imprisonment for unlawful discharge in certain circumstances; amending s. 790.06, F.S., to conform; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Bankhead—

SB 258—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; providing for the impoundment or immobilization of a vehicle used in the commission of driving under the influence; prescribing an additional fine when a minor is present in the vehicle when the offense of driving under the influence is committed; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Dudley—

SB 260—A bill to be entitled An act relating to durable powers of attorney; amending s. 709.08, F.S.; providing for notification of the execution of a durable power of attorney in certain situations; providing an effective date.

—was referred to the Committee on Judiciary.

By Senators Weinstein and Wexler—

SB 262—A bill to be entitled An act relating to condominiums; amending s. 718.114, F.S.; revising language with respect to bingo games on condominium property; authorizing the use of gross receipts for certain purposes; providing for the donation of proceeds under certain circumstances; providing an effective date.

—was referred to the Committees on Commerce and Criminal Justice.

By Senators Weinstein and Wexler—

SB 264—A bill to be entitled An act relating to cruelty to animals; creating s. 828.065, F.S.; specifying procedures for the euthanasia of certain animals offered or obtained for sale by pet shops; providing for injunctions; providing penalties; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Diaz-Balart—

SB 266—A bill to be entitled An act relating to motor vehicles; amending s. 320.072, F.S.; revising the exemption from the additional fees imposed for the initial registration of certain motor vehicles for members of the Armed Forces; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Malchon—

SB 268—A bill to be entitled An act relating to nursing homes and related health care facilities; creating the position of Advocate for Nursing Home and Long-Term Care Facility Residents under the Commission on Aging; providing for authority of such advocate; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Malchon—

SB 270—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; revising an exception to disqualification from unemployment compensation benefits with respect to weeks that the individual received benefits from a retirement, pension, or annuity program embodied in a union contract or a public or private employee benefit program; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Malchon—

SB 272—A bill to be entitled An act relating to the safety and health of children; requiring the Department of Health and Rehabilitative Services to develop a comprehensive program for improving the health and

safety of children; specifying matters that the program must include; providing for implementation of the program; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Malchon—

SB 274—A bill to be entitled An act relating to education; amending s. 232.26, F.S.; providing for the suspension of pupils charged with certain delinquent acts; specifying the length of suspensions of pupils charged with a felony or delinquent act; providing an effective date.

—was referred to the Committee on Education.

By Senator Malchon—

SB 276—A bill to be entitled An act relating to operating motor vehicles and vessels while under the influence; amending s. 316.193, F.S.; providing that driving with a specified breath alcohol level constitutes driving under the influence; prescribing minimum fines; requiring certain notice to the defendant upon a second conviction; amending s. 316.1932, F.S.; specifying the basis for determining the percent of alcohol in blood or breath; expanding implied consent for blood tests; specifying persons who may withdraw blood for blood test purposes; providing for release of breath test information; amending s. 316.1933, F.S.; specifying persons who may withdraw blood; amending s. 316.1934, F.S.; defining "normal faculties"; providing admissibility of breath tests; specifying presumptions relating to impairment; providing that the length of time elapsing between the arrest and the test may not be considered in determining admissibility of the test; providing for admissibility of an affidavit containing the results of a blood or breath test in specified circumstances; creating s. 316.1939, F.S.; providing for seizure and forfeiture of vehicles involved in certain cases of driving under the influence; providing exceptions; amending s. 316.656, F.S., relating to the prohibition against accepting a plea to a lesser included offense, to conform; amending s. 322.291, F.S., relating to the requirement for attending driver improvement school, to conform; amending s. 327.35, F.S.; providing that operating a vessel with a specified breath alcohol level constitutes operating a vessel under the influence; providing penalties; providing for required attendance at substance abuse courses; requiring certain notice to the defendant; providing for seizure and forfeiture of vessels involved in certain cases of operating a vessel under the influence; amending s. 327.352, F.S., relating to tests for impairment or intoxication with respect to operating a vessel under the influence, to conform; amending s. 327.354, F.S.; providing admissibility of breath tests; specifying presumptions relating to impairment; specifying the basis for determining the percentage of alcohol in blood or breath; amending s. 327.36, F.S., relating to the prohibition against accepting a plea to a lesser included offense, to conform; reenacting ss. 322.03(1)(b), 322.264, 322.271(2)(a), 322.28(2)(a), (e), (5)(a), 322.282(2)(a), 327.351(1), (2), 327.352(1), (2), 327.353, F.S., relating to accident reports, drivers' licenses, and operation of a vessel while intoxicated, to incorporate the amendments to ss. 316.193, 316.1932, 316.1933, 316.1934, 327.35, F.S., in references thereto; amending s. 90.803, F.S.; providing for admissibility of an affidavit containing the results of a blood or breath test notwithstanding the hearsay rule; amending s. 316.062, F.S.; providing that the duty of a person to give information regarding an accident to a law enforcement officer does not extend to information that would incriminate the person; amending ss. 316.066, 324.051, F.S.; providing circumstances under which a law enforcement officer may testify as to statements made to him relating to accidents; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Gordon—

SB 278—A bill to be entitled An act relating to faculty in the State University System; requiring faculty members and graduate teaching assistants to complete a course in applied pedagogy as a condition for renewal of their annual contracts; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Jenne—

SB 280—A bill to be entitled An act relating to the sale of cigarettes; creating s. 210.1501, F.S.; requiring a person distributing, wholesaling, or exporting cigarettes to obtain a permit from the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation; pro-

viding permit fees; providing for permit renewal; authorizing the division to revoke permits under certain circumstances; providing for duplicate permits; providing for rules; providing penalties; creating s. 210.1601, F.S.; providing for the revocation or suspension of wholesale dealer permits; providing civil penalties in lieu of revocation or suspension; creating s. 210.1611, F.S.; authorizing the division to examine records and issue subpoenas; providing a penalty for refusal to appear or give testimony; repealing ss. 210.15, 210.16, 210.161, F.S., which sections contain the foregoing provisions, but which sections were repealed by s. 2, ch. 81-318, Laws of Florida, effective October 1, 1990, in order to authorize deletion of the repealed provisions from the Florida Statutes; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Kirkpatrick—

SB 282—A bill to be entitled An act relating to recycling; amending s. 403.714, F.S.; requiring state institutions to participate in certain recycling programs; authorizing the Legislature, each state agency, the judicial branch, and the State University System to use the proceeds from state recycling programs for employee benefits and to offset the costs of recycling programs; repealing s. 403.7145, F.S., relating to the Capitol recycling demonstration area; providing an effective date.

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

By Senator Bankhead—

SB 284—A bill to be entitled An act relating to childbirth by caesarean section; defining the term, "provider hospital"; requiring provider hospitals to adopt specified guidelines that must be applied prior to the performance of a caesarean section delivery; requiring the establishment of peer review boards to review certain caesarean section deliveries; requiring the reviews and reports to be part of the hospital's quality assurance monitoring and peer review process; providing an effective date.

—was referred to the Subcommittee on Health Care of the Committee on Health and Rehabilitative Services; and the Committee on Health and Rehabilitative Services.

By Senator Dudley—

SB 286—A bill to be entitled An act relating to housing authorities; amending s. 421.05, F.S.; providing that the specification of the number of members of a housing authority applies regardless of the date of creation of the housing authority; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Grant—

SB 288—A bill to be entitled An act relating to health insurance; requiring individual and group, blanket, or franchise accident or health insurance policies providing coverage for cancer treatment to provide coverage for bone marrow transplants; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senators Dudley, Grant, Brown, Kiser, Johnson, Gordon and Forman—

SJR 290—A joint resolution proposing an amendment to Section 2, Article VII of the State Constitution, relating to taxation of real property.

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

By Senator Malchon—

SB 292—A bill to be entitled An act relating to health care; creating the Florida Patient's Bill of Rights and Responsibilities; providing definitions; providing purpose; providing rights of patients to individual dignity, receipt of information, including financial information, access to health care, notice of experimental research, and notice of the terms of the Florida Patient's Bill of Rights and Responsibilities; providing for patient's responsibilities; requiring the Department of Health and Rehabilitative Services to print and distribute copies of a summary of the

Florida Patient's Bill of Rights and Responsibilities; providing an effective date.

—was referred to the Subcommittee on Health Care of the Committee on Health and Rehabilitative Services; and the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Crotty—

SB 294—A bill to be entitled An act relating to elections; repealing s. 100.091, F.S., relating to the second primary election; amending s. 100.061, F.S.; providing that candidates receiving the highest number of votes in the primary election be declared nominated; providing a method for deciding tie votes; eliminating the second primary; amending ss. 97.021, 98.051, 98.081, 99.061, 99.095, 99.103, 100.071, 100.081, 100.111, 100.141, 101.141, 101.251, 101.252, 101.62, 102.012, 103.021, 103.022, 103.091, 105.031, 105.041, 105.051, 106.07, 106.08, 106.29, and 106.35, F.S.; conforming language; modifying provisions relating to ballots sent to absent qualified electors overseas; repealing s. 100.096, F.S., relating to special local elections to be held at the second primary election; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Forman—

SB 296—A bill to be entitled An act relating to child support guidelines; amending s. 61.30, F.S.; amending the deductions from gross income allowable in computing the parents' combined net income so as to determine the minimum child support need; requiring the court order for child support to state the actual dollar amount provided as calculated under these guidelines; providing an effective date.

—was referred to the Committee on Judiciary.

By Senators Forman and Davis—

SB 298—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; prohibiting the department from releasing the address of licensees, registered owners, or titleholders except in certain situations; prohibiting persons who receive such addresses from selling, giving away, or allowing the copying of those addresses except under specified conditions; providing for future legislative review; providing for the adoption of rules; providing an effective date.

—was referred to the Committees on Transportation and Governmental Operations.

By Senator Forman—

SB 300—A bill to be entitled An act relating to the tax on transient rentals; amending s. 212.03, F.S.; revising the occupancy requirements under which facilities serving transient guests are subject to the transient rental tax; providing an effective date.

—was referred to the Committees on International Trade, Economic Development and Tourism; Finance, Taxation and Claims; Community Affairs; and Appropriations.

By Senator Forman—

SB 302—A bill to be entitled An act for the relief of Terry Lee Russell and Rhonda Russell, as parents of Terry Lee Russell, Jr., deceased; providing an appropriation to compensate them for the wrongful death of their son, who died as a result of the negligence of the Department of Natural Resources and the negligence of a lifeguard service that contracted with the state; providing an effective date.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Forman—

SB 304—A bill to be entitled An act relating to cruelty to animals; creating s. 828.28, F.S.; providing standards for the carriage trade; providing requirements for carriages and equipment; providing requirements and prohibitions for the operation of carriages; providing requirements and prohibitions with respect to carriage drivers; providing requirements and prohibitions with respect to carriage animals; requiring examinations and certifications by a licensed veterinarian; providing for emergency treatment; specifying working conditions for carriage animals; providing

for recordkeeping; providing for application and enforcement; providing penalties; providing for funding; providing an effective date.

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

By Senator Forman—

SB 306—A bill to be entitled An act relating to traffic regulations to assist blind persons and mobility-impaired persons; amending ss. 316.1301, 316.1303, 318.18, F.S.; providing an increased fine for violating those regulations; providing for distributing the proceeds of such fine; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senators Malchon, Weinstock, Brown, Grant, Kurth and Langley—

SB 308—A bill to be entitled An act relating to clean indoor air; amending s. 386.203, F.S.; modifying definitions; amending s. 386.204, F.S.; modifying prohibition against smoking in a public place; amending s. 386.205, F.S.; providing additional places that may not be designated as smoking areas; modifying requirements for designating a patient's room as a smoking area; eliminating exceptions to the square footage limitation for smoking areas in certain public places; providing for smoking areas in facilities having common areas under certain circumstances; amending s. 386.206, F.S.; modifying authorization for certain discretionary signs; creating s. 386.211, F.S.; making it unlawful to interfere with a person who reports certain violations; providing for enforcement; creating s. 386.212, F.S.; requiring public announcements in certain public transportation terminals that smoking is allowed only in designated areas; providing an effective date.

—was referred to the Committees on International Trade, Economic Development and Tourism; Commerce; and Governmental Operations.

By Senator Bruner—

SB 310—A bill to be entitled An act relating to insurance; amending s. 627.733, F.S.; providing exemptions from mandatory motor vehicle insurance requirements for specified military and Civil Service personnel; correcting a cross-reference; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Brown—

SB 312—A bill to be entitled An act relating to bond financing; amending s. 215.58, F.S.; providing additional definitions for the State Bond Act; amending s. 215.68, F.S.; requiring certain disclosures by the managing bond underwriter with respect to the negotiated sale of state bonds; creating s. 215.681, F.S.; prohibiting certain communications relative to the selection of bond counsel, an underwriter for a negotiated sale, or a financial adviser; providing penalties; creating s. 215.682, F.S.; requiring the disclosure of finder's fees relative to the purchase of state bonds; providing penalties; amending s. 218.369, F.S.; providing for the applicability of certain definitions; creating s. 218.387, F.S.; providing definitions; prohibiting certain communications relative to the selection of bond counsel, an underwriter for a negotiated sale, or a financial adviser in the sale of local bonds; providing penalties; authorizing the Commission on Ethics to investigate complaints of violations; providing an effective date.

—was referred to the Committees on Governmental Operations; Executive Business, Ethics and Elections; Finance, Taxation and Claims; and Appropriations.

By Senator Brown—

SB 314—A bill to be entitled An act relating to alcoholic beverage taxes; amending s. 563.05, F.S.; increasing the excise tax on malt beverages; providing for disposition of certain proceeds of such excise tax; amending s. 564.06, F.S., as amended by s. 6, chapter 90-233, Laws of Florida; increasing the excise tax on wines and beverages and deleting import taxes on such beverages; providing for disposition of certain proceeds of such excise tax; amending s. 565.12, F.S.; increasing the excise tax on liquors and beverages and deleting the import taxes on such beverages; providing for disposition of certain proceeds of such excise tax; amending s. 561.12, F.S., as amended by s. 2, chapter 90-17, Laws of Florida; providing that alcoholic beverage excise tax revenues to be paid into the Children and Adolescents Substance Abuse Trust Fund need not be

deposited into the General Revenue Fund; repealing ss. 87, 88, 89, chapter 90-132, Laws of Florida, relating to a surcharge on sales of alcoholic beverages for consumption on the premises; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senators Brown and Wexler—

SB 316—A bill to be entitled An act relating to water conservation; creating ss. 125.568, 166.048, and 373.625, F.S.; providing legislative findings and intent relating to the conservation of water through xeriscaping; directing counties and municipalities to enact ordinances requiring the use of xeriscaping; requiring counties and municipalities to promote xeriscaping through public education and local incentives; requiring state agencies, counties, and municipalities to use xeriscaping in or around certain facilities; requiring purchasers of automatic sprinkler systems to install rain sensor devices; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Community Affairs.

By Senator Grizzle—

SB 318—A bill to be entitled An act relating to water resources; amending s. 373.103, F.S.; providing for the Department of Environmental Regulation to delegate to local governments the enforcement of storm-water permitting or surface water management programs; amending s. 373.129, F.S.; authorizing such local governments to maintain actions and deposit civil penalties into a local water pollution control trust fund and use those funds for specified purposes; providing an effective date.

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

By Senator Grant—

SB 320—A bill to be entitled An act relating to medical malpractice actions; amending s. 90.702, F.S.; providing that certain expert witnesses in such actions must practice actively in the specialty with respect to which they are called to testify; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Grant—

SB 322—A bill to be entitled An act relating to the crime of keeping a place of prostitution; amending s. 796.01, F.S.; revising elements of the offense of keeping a house of ill fame to update obsolete terminology; providing an enhanced penalty for two or more convictions of keeping, setting up, maintaining, or operating a place, structure, building, or conveyance for the purpose of prostitution, assignation, or lewdness; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Grant—

SB 324—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; increasing the penalty for driving under the influence when a minor passenger is present in the vehicle at the time the violation occurred; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Grant—

SB 326—A bill to be entitled An act relating to smoking in public places; amending s. 386.203, F.S.; redefining the term "public place" to include motor vehicles owned by or leased to the state or its political subdivisions; amending s. 386.205, F.S.; prohibiting smoking areas from being designated in motor vehicles; providing penalties; providing an effective date.

—was referred to the Committees on Commerce and Governmental Operations.

By Senator Grant—

SB 328—A bill to be entitled An act relating to appropriations; creating s. 216.2815, F.S.; providing that any appropriation made in the General Appropriations Act to a private or nongovernmental organization or

person shall be a public record and may be audited by the Auditor General; providing an effective date.

—was referred to the Committees on Governmental Operations; Rules and Calendar; and Appropriations.

By Senator Grant—

SB 330—A bill to be entitled An act relating to motor vehicles; creating s. 320.0851, F.S.; requiring display of special license plates on vehicles registered by persons convicted of driving under the influence; providing for rules; providing for fees and specifying disposition thereof; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senators Myers, Kirkpatrick, Crenshaw, Weinstock, Grizzle, Wexler, Johnson, Forman, Crotty, Thurman, Grant, Walker, Meek, Childers, Dudley and Scott—

SB 332—A bill to be entitled An act relating to the State University System; amending s. 240.281, F.S.; authorizing the deposit of funds received by a faculty practice plan outside the State Treasury; providing an effective date.

—was referred to the Committees on Education; Governmental Operations; Finance, Taxation and Claims; and Appropriations.

By Senator Gordon—

SB 334—A bill to be entitled An act relating to the Florida Public Service Commission; making the position of commissioner elective; providing qualifications for commissioners; providing for commission districts; prescribing duties of the Division of Elections; amending ss. 100.041, 100.101, 350.01, F.S., to conform; repealing ss. 350.001, 350.031, F.S., relating to appointment of commissioners; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Gordon—

SB 336—A bill to be entitled An act relating to state employees; providing for salary adjustments for state employees based on county-by-county price level indices of housing and transportation costs; providing an effective date.

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

By Senators Gordon, Wexler, Grant, Casas and Forman—

SB 338—A bill to be entitled An act relating to insurance; requiring certain health insurance policies to include coverage for infertility test and treatment; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Kirkpatrick—

SB 340—A bill to be entitled An act relating to building designations; designating the farmers market in White Springs as the "Wayne Hollingsworth Farmers Market"; directing the Department of General Services to erect suitable markers; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Gordon—

SB 342—A bill to be entitled An act relating to corporate income tax; amending s. 220.02, F.S.; removing a statement of intent that limited liability companies be subject to said tax; amending s. 220.03, F.S., relating to the definition of "corporation," to conform; repealing s. 220.13(2)(j), F.S., which defines "taxable income" for such companies; amending ss. 220.11, 220.186, F.S.; correcting references; amending s. 608.471, F.S.; providing that income of a limited liability company is taxable to the extent such income is subject to tax under the Internal Revenue Code; requiring a report to the Legislature; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Diaz-Balart—

SB 344—A bill to be entitled An act relating to motor vehicle licenses; creating s. 320.0896, F.S.; providing for the issuance of Florida Special Olympics motor vehicle license plates upon payment of the license tax and additional fees; providing for deposit of a portion of the fees; providing for the use of fees; providing for duties of Florida Special Olympics, Inc.; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Gordon—

SB 346—A bill to be entitled An act relating to minimum employee health care; providing a definition; requiring certain employers to provide health benefit plans for employees; providing general requirements; providing for requirements relating to covered items and services; providing requirements relating to timing of coverage and prohibition of preexisting condition limitations; providing requirements relating to premiums, deductibles, copayments, coinsurance, and out-of-pocket expenses; providing exemptions; providing an effective date.

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

By Senator Weinstein—

SB 348—A bill to be entitled An act relating to employment agencies; creating s. 501.126, F.S.; providing for regulation by the Department of Business Regulation; providing for licensing of employment agencies and registration of search and placement firms; providing intent; providing definitions; providing powers and duties of the department; requiring licensure; providing licensing procedures, prerequisites, and restrictions; requiring an employment agency to file a schedule of fees and sample contract; establishing requirements for the content of contracts with job applicants, including statement of the refund policy; prohibiting contracts for certain services from being linked to contracts for other services; requiring certain records to be kept; specifying prohibited acts; requiring the department to enforce the act; providing for rulemaking; providing for complaints and hearings; providing civil and criminal penalties; providing for license revocation or suspension; allowing the department to seek injunctions; exempting government employment agencies; providing for a review of certain employment agencies; providing that license taxes on employment agencies are not affected; requiring licensure under ch. 400, F.S., or ch. 402, F.S., for health care or personal care employment agencies; providing for review and repeal; providing an effective date.

—was referred to the Committees on Commerce; Judiciary; Finance, Taxation and Claims; and Appropriations.

By Senators Weinstein and Wexler—

SB 350—A bill to be entitled An act relating to medical practice; creating s. 458.3135, F.S.; providing a limitation on billing by physicians treating Medicare beneficiaries; providing a condition for licensure; amending s. 458.331, F.S.; providing additional grounds for disciplinary action, and reenacting s. 458.311(1)(d), F.S., relating to requirements for licensure, to incorporate the amendment in a reference; creating s. 459.073, F.S.; providing a limitation on billing by osteopathic physicians treating Medicare beneficiaries; providing a condition for licensure; amending s. 459.015, F.S.; providing additional grounds for disciplinary action; providing an effective date.

—was referred to the Committees on Professional Regulation; Subcommittee on Health Care of the Committee on Health and Rehabilitative Services; and the Committee on Health and Rehabilitative Services.

By Senator Weinstein—

SB 352—A bill to be entitled An act relating to dog owner's liability; amending s. 767.04, F.S.; specifying liability of dog owner who displays a "Bad Dog" sign; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Crenshaw—

SJR 354—A joint resolution proposing an amendment to Section 12 of Article III of the State Constitution, relating to appropriation bills.

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

By Senators Thomas, Myers, Johnson, Malchon, Childers, Meek and Dudley—

SB 356—A bill to be entitled An act relating to tanning facilities; providing definitions; providing applicability; providing for licensure and fees and for discipline; providing for warning statements and signs; regulating the operation of tanning facilities; requiring reporting of injuries; providing for inspections; providing for penalties and injunctive relief; providing for rules; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Professional Regulation; Finance, Taxation and Claims; and Appropriations.

By Senator Grant—

SB 358—A bill to be entitled An act relating to legislative employees; amending s. 11.147, F.S.; requiring revision of the pay plan for legislative employees when appropriate to make salaries competitive with salaries in the relevant labor market; requiring the Joint Legislative Management Committee to conduct a pay study biennially to determine if legislative employees' salaries are competitive with salaries in the relevant labor market; providing that whenever the salary range of pay grades in the executive branch Career Service Pay Plan is adjusted, the salary range of pay grades assigned to legislative classes must be adjusted by a like percentage; providing an effective date.

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

By Senator Grant—

SB 360—A bill to be entitled An act relating to education; creating the "Parental Choice in Education Act"; providing purpose and definitions; providing duties of the Department of Education and district school boards; providing for the admission to participating schools of children with educational certificates; providing for the value of certificates and their redemption; providing for the publishing of information; authorizing transportation service; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Grant—

SB 362—A bill to be entitled An act relating to insurance administrators; amending s. 626.88, F.S.; revising the definitions of the terms "administrator" and "insurer," and defining the terms "affiliate," "control," and "underwriting" for purposes of pt. VII, ch. 626, F.S., relating to insurance administrators; creating s. 626.8804, F.S.; providing a fee to apply for a certificate of authority to act as an administrator; amending s. 626.8805, F.S.; revising qualifications and requirements for a certificate of authority; creating s. 626.8806, F.S.; exempting certain administrators from other states from provisions requiring a certificate of authority to act as an administrator; creating s. 626.8807, F.S.; authorizing the Department of Insurance to waive such requirements for certain administrators from other states; creating s. 626.8808, F.S.; providing that certain administrators that provide services that are regulated by federal laws which preempt state law are excluded from the requirement of obtaining a certificate of authority to act as an administrator; amending s. 626.882, F.S.; revising requirements relating to the written agreement required between an administrator and an insurer; providing for termination of such agreement; amending s. 626.883, F.S.; revising a provision relating to the use of an administrator to transfer payments between the insurer and insureds or claimants; repealing provisions relating to the fiduciary duties of an administrator that transfers such payments and provisions relating to the establishment of accounts and deposits and the withdrawal of moneys from such accounts; amending s. 626.884, F.S.; revising provisions relating to the maintenance of records of an administrator and the confidentiality of such records; transferring and renumbering s. 626.887, F.S., relating to advertising by an administrator; creating s. 626.8844, F.S.; specifying the responsibilities of an insurer that enters into a contract with an administrator; requiring an insurer to periodically review and audit the operations of the administrator with which he contracts, under certain circumstances; creating s. 626.8846, F.S.; specifying fiduciary requirements of administrators that transfer moneys between insurers and insureds; requiring the administrator to deposit such moneys into an account and to provide an accounting to the insurer; requiring the administrator to maintain records of the account; specifying requirements for payments from the account; transferring, renumbering, and amending s. 626.888, F.S.; revising requirements relating to the com-

ensation of an administrator for the adjustment or settlement of claims of an insurer; amending s. 626.885, F.S.; revising requirements that administrators provide written notice of its contractual relationship with the insurer to insureds; specifying requirements relating to the collection by administrators of premiums and charges from insureds; amending s. 626.886, F.S.; requiring administrators to deliver information from insurers to covered individuals; amending s. 626.89, F.S.; revising the financial statement and filing fee requirements of administrators; amending s. 626.891, F.S.; revising grounds for suspension or revocation of an administrator's certificate of authority; amending s. 626.893, F.S.; revising conditions relating to the suspension of an administrator's certificate of authority; amending s. 626.894, F.S.; revising provisions relating to administrative fines imposed by the department in lieu of suspending or revoking a certificate of authority to act as an administrator; providing for restitution by administrators that commit certain violations; repealing s. 626.8809, F.S., relating to fidelity bonds of administrators; repealing s. 626.8817, F.S., relating to the responsibilities of an insurer that contracts with an administrator; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senators Kirkpatrick, Walker, Thomas, Crenshaw, Gordon, Dudley, Forman, Souto, Brown, Thurman, Gardner, Bruner, Grizzle, Meek, Diaz-Balart, Casas, Childers, Myers, McKay, Weinstein, Jenne, Wexler, Malchon, Kurth, Crotty, Beard, Johnson, Davis, Yancey, Jennings, Kiser, Plummer, Grant and Girardeau—

SB 364—A bill to be entitled An act relating to funds for public education; amending s. 24.121, F.S.; providing for a transfer of funds from the Administrative Trust Fund to the Library Services Trust Fund; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Brown—

SB 366—A bill to be entitled An act relating to public officers, candidates for public office, and public employees; amending s. 112.312, F.S.; providing additional definitions; amending s. 112.313, F.S.; providing exemptions from the prohibition against a public officer or employee doing business with his own company or entering into a conflicting employment relationship; amending s. 112.3135, F.S.; removing a nonconforming definition; amending s. 112.3143, F.S.; providing definitions; providing additional disclosure requirements for public officers in circumstances in which potential voting conflicts are involved; amending s. 112.3144, F.S.; providing for notice of a penalty; providing for a 10-day grace period for filing disclosure statements; amending s. 112.3145, F.S.; requiring certain officers, candidates, and employees who hold a specified relationship with business entities authorized to operate in this state to file a disclosure statement as part of their financial statement; providing for a 10-day grace period for filing financial disclosure statements; providing for notice of a penalty; amending s. 112.317, F.S.; providing penalties for officers, employees, and candidates who violate s. 8, Art. II of the State Constitution; providing penalties for former public officers or employees who violated provisions of part III of ch. 112, F.S., or s. 8, Art. II of the State Constitution; providing a penalty for filing a complaint maliciously; amending s. 112.320, F.S.; providing that the Commission on Ethics is the commission provided for in s. 8(f), Art. II of the State Constitution; amending s. 112.322, F.S.; providing authority of the Commission with respect to breaches of the public trust; providing an automatic fine for late filing of financial disclosure; authorizing the commission to delegate to its investigators the authority to administer oaths; authorizing the commission to delegate its subpoena powers to its members or executive director; authorizing the commission to allow its employees to serve such subpoenas; providing authority for the commission to make rules; creating s. 112.3231, F.S.; providing time limitations for commission actions; amending s. 112.324, F.S.; modifying procedures on complaints of violations of part III of ch. 112, F.S., or s. 8, Art. II of the State Constitution; providing an exception from time limitations for previously filed complaints; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Grant—

SB 368—A bill to be entitled An act relating to intoxication; amending s. 316.193, F.S.; reducing the blood alcohol level which constitutes the offense of driving a vehicle while under the influence of alcohol; amend-

ing s. 316.1934, F.S.; reducing the blood alcohol level which constitutes prima facie evidence of such offense; amending ss. 322.2615, 322.64, F.S., relating to suspension of drivers' licenses, to conform; amending s. 327.35, F.S.; reducing the blood alcohol level which constitutes the offense of operating a vessel while under the influence of alcohol; amending s. 327.354, F.S.; reducing the blood alcohol level which constitutes prima facie evidence of such offense; amending s. 440.09, F.S.; reducing the blood alcohol level under which it is presumed, for purposes of the Workers' Compensation Law, that an employee is intoxicated; amending s. 550.2405, F.S.; reducing the blood alcohol level which constitutes the offense of officiating at or participating in dog or horse races or jai alai games while under the influence of alcohol; amending s. 768.075, F.S.; reducing the blood alcohol level for purposes of providing owners of real property immunity from civil liability for injury to trespassers; reenacting ss. 316.072(4)(b), 316.1934(4), 316.656, 318.17, 322.03(2), 322.0602(2)(a), 322.12(2), 322.2615(2), (7), (8)(b), and (14), 322.264, 322.271(2)(a) and (c) and (4), 322.28(2) and (5)(a), 322.282(2)(a), 322.291, 322.44(Article IV) (1), 322.62(3), 322.63(2)(d) and (6), 322.64(1)(b), (2), (7)(a), (8)(b), (14), and (15), 627.758(4), 790.06(2) and (10), 903.36(2), 960.03(3), F.S., relating to obedience to traffic laws; right to trial by jury; penalties; commercial drivers' licenses; the Youthful Drunk Driver Visitation Program; driver's license applications, suspension, revocation, and renewal; arrest bonds; concealed weapons permits; and victim assistance, to incorporate the amendment to s. 316.193, F.S., in references thereto; reenacting ss. 327.351(1), 327.352(1) and (2), F.S., relating to operation of a vessel while intoxicated and penalties for failing to submit to certain tests, to incorporate the amendment to s. 327.35, F.S., in references thereto; reenacting s. 440.10(2), F.S., relating to liability for compensation, to incorporate the amendment to s. 440.09, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice, Transportation and Appropriations.

By Senator Gordon—

SB 370—A bill to be entitled An act relating to minimum wages; requiring employers to pay employees specified hourly minimum wages; providing an exception for employees who receive tips in excess of specified amounts; providing an exception to the minimum wage requirement for certain employees; requiring the Department of Labor and Employment Security to propose legislation to conform wage requirements of the state to federal law; providing an effective date.

—was referred to the Committees on Commerce, Community Affairs and Appropriations.

By Senator Brown—

SB 372—A bill to be entitled An act relating to purchasing; amending s. 287.012, F.S.; providing that public procurement requirements pertaining to commodities, insurance, and contractual services apply to the Florida Public Service Commission and the judicial branch of government; amending s. 287.0572, F.S.; deleting a cross-reference; providing an effective date.

—was referred to the Committees on Governmental Operations and Judiciary.

By Senator Souto—

SB 374—A bill to be entitled An act relating to the Florida Public Education Lottery Act; amending s. 24.115, F.S.; restricting the amount of prizes; providing for distribution of certain prize moneys; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Souto—

SB 376—A bill to be entitled An act relating to abuse and neglect of certain adult persons; amending ss. 415.111, 775.15, F.S.; increasing the statutes of limitation for certain offenses involving abuse or neglect of aged persons or disabled adults; improving the clarity of provisions prescribing these offenses; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Souto—

SB 378—A bill to be entitled An act relating to traffic control; amending s. 316.1935, F.S.; increasing the penalty for fleeing or attempting to elude a police officer; requiring operation of siren and lights by such officer; requiring revocation of a violator's driver's license; prohibiting suspension, deferral, or withholding of adjudication of guilt or imposition of sentence; prohibiting issuance of a driver's license to certain violators for specified periods; providing requirements with respect to pursuit by an unmarked police vehicle, including a penalty; creating s. 316.1939, F.S.; requiring law enforcement agencies to adopt guidelines for vehicular pursuits; specifying certain content of the guidelines; establishing requirements and prohibitions for vehicular pursuits by law enforcement officers; providing effective dates.

—was referred to the Committees on Criminal Justice, Transportation and Appropriations.

By Senator Childers—

SB 380—A bill to be entitled An act relating to unemployment compensation; amending s. 443.111(1), F.S., and repealing ch. 82-23, Laws of Florida, as amended; continuing, for a limited time, a provision allowing payment of unemployment benefits by mail and providing different procedures for the payment of unemployment benefits after that period; providing effective dates.

—was referred to the Committee on Commerce.

By Senator Dantzler—

SB 382—A bill to be entitled An act relating to homeowners' associations; creating part II of ch. 607, F.S.; providing definitions; providing for maintenance of official records of homeowners' associations and access thereto by parcel owners; providing for financial reports to parcel owners; providing for notice of the annual budget and of the annual budget meeting; providing for the right of parcel owners to attend the budget meeting; providing for transfer of control of homeowners' associations from the developer to parcel owners other than the developer; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Crenshaw—

SB 384—A bill to be entitled An act relating to community colleges; amending s. 240.319, F.S.; revising policies relating to credit card payments for goods, services, tuition, or fees; providing an effective date.

—was referred to the Committees on Education, Governmental Operations and Appropriations.

By Senators Kurth, Souto, Casas and Grant—

SB 386—A bill to be entitled An act relating to health insurance; requiring that health insurance policies which provide benefits for certain therapeutic services also cover the services of persons licensed to practice massage; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Crotty—

SB 388—A bill to be entitled An act relating to insurance; amending s. 627.4143, F.S.; requiring the outline of coverage for private passenger motor vehicle insurance to include information on coverage of collision damage to rental vehicles; requiring such information to be included on proof-of-insurance cards; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Jenne—

SB 390—A bill to be entitled An act relating to corporate income tax; amending s. 220.03, F.S.; updating references to the Internal Revenue Code for purposes of the Florida Income Tax Code; providing for retroactive effect; providing an effective date.

—was referred to the Committee on Finance, Taxation and Claims.

By Senator Grant—

SB 392—A bill to be entitled An act relating to campaign finance; amending s. 106.08, F.S.; providing quarterly limitations on amounts of

contributions candidates may accept in certain years; reenacting s. 106.19(1)(a), F.S., relating to penalties, to incorporate the amendment to s. 106.08, F.S., in a reference thereto; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Bankhead—

SB 394—A bill to be entitled An act relating to insurance; amending s. 627.4143, F.S.; requiring the outline of coverage for private passenger motor vehicle insurance to include information on coverage of collision damage to rental vehicles; requiring such information to be included on proof-of-insurance cards; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Grant and Dantzer—

SB 396—A bill to be entitled An act relating to immunity from civil liability; creating s. 766.1115, F.S.; extending the state's sovereign immunity to physicians and allied health care professionals, and health care facilities, providing reduced-fee indigent or low-income health care services on behalf of a governmental entity; providing definitions; requiring contracts and specifying terms thereof; requiring indemnification of the state; requiring certain disclosures; amending s. 110.501, F.S.; amending the definition of "volunteer" to include health care professionals, and health care facilities, under certain circumstances; amending s. 110.504, F.S.; limiting volunteer protection to volunteer services, and reenacting ss. 110.502(2) and (3), and 410.201(4), F.S., relating to status of volunteers and older volunteers, to incorporate said amendment in references thereto; amending s. 768.23, F.S.; expanding the definition of "agent" for purposes of sovereign immunity to include persons, and health care facilities, providing volunteer or reduced-fee indigent or low-income health care on behalf of governmental entities, and reenacting ss. 766.203(1) and 766.207(1), F.S., relating to presuit investigation and voluntary binding arbitration of medical negligence claims, to incorporate said amendment in references thereto; amending s. 768.13, F.S.; providing immunity, except under circumstances demonstrating reckless disregard for the consequences, to physicians and health care personnel, and health care facilities, rendering care to a patient in need of obstetrical services under certain circumstances; providing definitions, and reenacting ss. 401.265(3), 458.331(1)(p), 459.015(1)(t), and 766.103(2), F.S., relating to medical directors, grounds for disciplinary actions against physicians and osteopathic physicians, and medical consent, to incorporate said amendment in references thereto; providing for severability; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Judiciary; Finance, Taxation and Claims; and Appropriations.

By Senators Forman and Weinstein—

SB 398—A bill to be entitled An act relating to motor vehicle license plates; providing for the issuance to military veterans of specialized license plates; providing for fees and for the deposit and use of such fees; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Forman—

SB 400—A bill to be entitled An act relating to communications; creating s. 282.1075, F.S.; providing legislative intent; providing an obligation to share certain communication towers between state agencies and school districts, community colleges, or other state agencies; directing state agencies which own or operate certain towers to make rules; providing for requirements of such rules; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator Forman—

SB 402—A bill to be entitled An act relating to regulation of nonpublic-sector buses; providing definitions; prohibiting certain counties and local governmental entities from unduly restricting or imposing economic regulation on the use of specified nonpublic-sector buses in intercounty transportation and over intercity transportation routes or on private-sector contract transportation agreements for the use of nonpublic-sector buses other than on intercity transportation routes; providing that the

exemption from local regulation runs to the bus owner and not the bus; limiting the duration of such exemptions; amending s. 341.102, F.S.; prohibiting local governmental entities from unduly restricting or imposing economic regulation on nonpublic-sector buses engaged in intercity transportation; providing an effective date.

—was referred to the Committees on Transportation and Community Affairs.

By Senator Grant—

SB 404—A bill to be entitled An act relating to death sentence proceedings; amending ss. 921.141 and 921.142, F.S.; adding as an aggravating circumstance that the victim was a minor in the care, custody, or control of the defendant; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Diaz-Balart—

SB 406—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.05, F.S.; revising requirements and conditions relating to the exemption for boats and airplanes removed from the state after purchase; revising a penalty; amending s. 212.06, F.S.; revising conditions under which property used outside the state before being imported into the state is exempt from use tax; providing a presumption; amending s. 212.07, F.S.; providing that the exemption for resale includes property purchased exclusively for rental purposes; providing procedures for entitlement to said exemption for property purchased outside the state; amending s. 212.08, F.S.; revising requirements and conditions relating to the exemption for boats temporarily docked in the state; providing that supplies purchased for vessels engaged in foreign commerce are not subject to use tax upon storage or withdrawal from storage; creating s. 212.0822, F.S.; providing legislative intent regarding out-of-state vessels; providing an effective date.

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

By Senator Diaz-Balart—

SB 408—A bill to be entitled An act relating to Medicaid; providing legislative findings and intent; directing the Department of Health and Rehabilitative Services to seek a federal waiver which would permit Medicaid recipients to obtain brand name drugs under the Medicaid-prescribed drug program, under described circumstances; requiring a copayment by the recipient; providing an exception; providing prescription requirements; providing responsibility of the department to advise the Legislature and implement the copayment provision; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By the Committee on Education—

SB 410—A bill to be entitled An act relating to community hospital education; amending s. 381.503, F.S.; abolishing the Community Hospital Education Council; requiring the Board of Regents to report to the Legislature on the programs and expenditures under the Community Hospital Education Act; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By the Committee on Education—

SB 412—A bill to be entitled An act relating to the Florida Council for the Hearing Impaired; transferring the council from the Department of Education to the Division of Vocational Rehabilitation of the Department of Labor and Employment Security; creating s. 413.505, F.S.; establishing the council; providing for council membership, terms, chairpersons, meetings, staff, and duties and responsibilities; amending s. 427.503, F.S.; revising definitions of terms used in the telephone communications services for the deaf act; amending s. 427.504, F.S.; providing additional council duties pertaining to the communication services program for the hearing impaired and speech impaired; amending s. 427.506, F.S.; providing factors to be considered in purchasing certain telecommunications devices and deleting previous purchasing standards; continuing the exemption from s. 119.01, F.S., for certain information provided to the council; repealing s. 2(2), ch. 86-286, Laws of Florida; abrogating the prospective repeal of ss. 427.501, 427.502, 427.503, 427.504, 427.505, 427.506,

427.507, F.S., relating to telephone communications services for the deaf; repealing s. 229.8361, F.S., relating to the establishment of the council in the Department of Education; providing for expiration of s. 413.505, F.S., and for legislative review in advance thereof; repealing s. 427.508, F.S., relating to a completed report on implementing a dual-party relay system in this state; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By the Committee on Education—

SB 414—A bill to be entitled An act relating to the Florida State Medical Museum Council; amending s. 240.515, F.S.; abolishing the council; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Education—

SB 416—A bill to be entitled An act relating to the State Health Facility Authority; repealing sections 154.401, 154.402, 154.403, 154.404, 154.405, 154.406, 154.407, 154.408, 154.409, 154.41, 154.411, 154.412, 154.413, 154.414, 154.415, 154.418, 154.42, 154.422, 154.423, 154.424, 154.425, 154.426, F.S., the "State Health Facilities Authority Law"; providing an effective date.

—was referred to the Committees on Education; Finance, Taxation and Claims; and Appropriations.

By the Committee on Education—

SB 418—A bill to be entitled An act relating to the Postsecondary Education Planning Commission; amending s. 240.147, F.S.; deleting obsolete language; clarifying the role of the commission as an independent advisory body to the State Board of Education and Legislature; directing the commission to conduct certain studies and planning activities; revising and readopting ss. 240.145, 240.147, F.S., notwithstanding their scheduled repeal pursuant to the Sundown Act; providing for future legislative review and repeal of such sections; providing an effective date.

—was referred to the Committee on Education.

By Senators Beard, Weinstein, Myers and Crotty—

SB 420—A bill to be entitled An act relating to law enforcement officers; providing an appropriation to provide a competitive pay adjustment for certain law enforcement employees of the Florida Highway Patrol; providing for adjustments in pay plans to conform; providing an effective date.

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

By Senators Jennings and Thurman—

SB 422—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; prescribing the fee that may be charged for copying public records; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator Forman—

SB 424—A bill to be entitled An act relating to the cigarette law; providing for temporary initial permits; providing for fees; providing for renewals of expired permits; providing fees for such renewal; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senator Meek—

SB 426—A bill to be entitled An act relating to Florida Agricultural and Mechanical University; requiring the Board of Regents to develop a plan for establishing a College of Law at such university; providing the contents of such plan; requiring submission of such plan to the Legislature; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Meek—

SB 428—A bill to be entitled An act relating to insurance companies; creating the Insurance Community Reinvestment Act; providing a legislative finding that insurers have an obligation to invest in certain communities in the state where the insurer does business; requiring the Department of Insurance to review this investment performance of insurers; requiring insurers to disclose investments to the department; authorizing certain community organizations to request a public hearing on complaints pertaining to an insurer's investment performance; requiring insurers to provide certain notice and make certain information available to the public; creating the Insurance Reinvestment Oversight Committee; providing for appointment and duties; requiring an annual report by the committee; providing rulemaking authority; providing an effective date.

—was referred to the Committees on Commerce and Judiciary.

By Senator Girardeau—

SB 430—A bill to be entitled An act relating to weatherization of residences of low-income households; providing intent and definitions; providing duties of the Department of Community Affairs; providing requirements for weatherization; providing for benefits; providing an appropriation; providing an effective date.

—was referred to the Committees on Community Affairs and Appropriations.

By Senators Johnson and Jenne—

SB 432—A bill to be entitled An act relating to testimony in proceedings related to sexual abuse or other abuse; amending s. 92.53, F.S.; allowing the videotaping of the testimony of a victim or witness who is disabled or aged in certain cases of sexual abuse or other abuse; amending s. 92.54, F.S.; allowing the use of closed circuit television for testimony by a disabled adult or aged person in certain proceedings involving abuse or sexual offenses; amending s. 90.803, F.S.; providing a hearsay exception, in certain circumstances, for an out-of-court statement of a victim who is a disabled adult or aged person; providing an effective date.

—was referred to the Committees on Criminal Justice and Judiciary.

By Senator Gardner—

SB 434—A bill to be entitled An act relating to taxation; creating s. 213.015, F.S.; prescribing requirements with respect to the rights, safeguards, and protections afforded taxpayers during tax assessment, collection, and enforcement processes; amending s. 20.21, F.S.; creating the position of Taxpayer's Rights Advocate within the Department of Revenue and specifying responsibilities of the advocate; amending s. 72.011, F.S.; prohibiting certain legal actions when a taxpayer contest proceeding has been initiated under s. 120.575, F.S.; amending s. 95.091, F.S.; revising the period of time during which the Department of Revenue may determine and assess the amount of certain taxes, penalties, or interest; requiring the department to commence an audit within a specified period of time after it issues a notice of intent to conduct an audit; amending s. 120.575, F.S.; providing procedures that must be followed when a taxpayer contests a tax, interest, or penalty; providing venue; providing for filing a petition and providing prerequisites thereto; providing powers of hearing officers and panels; providing for liens; providing for the prevailing party to recover legal costs, including attorney's fees; amending s. 120.65, F.S.; providing for hearing officers to be administrative law judges; providing for a uniform rate of pay for administrative law judges; providing an exception; creating s. 213.018, F.S.; providing for a taxpayer problem resolution program; providing that the Taxpayers' Rights Advocate has authority to issue taxpayer assistance orders in extraordinary circumstances; providing for tolling the period of limitation on an assessment upon a taxpayer's request for an order; creating s. 213.025, F.S.; requiring the Department of Revenue to conduct its audits, inspections, and interviews at reasonable times and places, with exceptions; amending s. 213.21, F.S.; providing a taxpayer rights to have representation and to record informal conferences; amending s. 213.34, F.S.; allowing the department to offset overpayments against deficiencies; creating s. 213.731, F.S.; requiring notice before collection action is taken; providing taxpayer's rights to protest and to seek a review; creating s. 213.732, F.S.; providing procedural requirements, taxpayers' rights, and venue for certain legal actions relating to jeopardy findings and assessments; creating s. 213.733, F.S.; providing for the cancellation, amendment, or modification of a tax warrant; amending ss. 199.262, 206.075, 211.125, 211.33, 212.14, 212.15, 214.12, 214.45, F.S.; providing procedures applicable if

jeopardy to the revenue exists and is asserted in or with an assessment; providing an appropriation; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Meek—

SB 436—A bill to be entitled An act relating to the Teachers' Retirement System of Florida; creating s. 238.3205, F.S.; providing retirement credit for military service under the system to the same extent and in the same manner as is permitted under the Florida Retirement System; providing an effective date.

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

By Senator Kurth—

SB 438—A bill to be entitled An act relating to aquatic preserves; creating s. 258.3992, F.S.; establishing the Indian River-City of Vero Beach Aquatic Preserve; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Senator Meek—

SB 440—A bill to be entitled An act relating to emergency management; creating s. 252.311, F.S.; providing legislative intent; amending s. 252.32, F.S.; clarifying policy and purpose with respect to emergency management; amending s. 252.34, F.S.; providing definitions; amending s. 252.35, F.S.; creating the Division of Emergency Management; providing duties and responsibilities; amending s. 252.355, F.S.; providing for a voluntary registry of disabled persons; specifying the purpose of such registry; specifying the duties of the Department of Health and Rehabilitative Services with regard to the registry; providing timeframes for notification by electric utilities; exempting certain information from public-records disclosure requirements; amending s. 252.36, F.S.; providing clarifying language with respect to the emergency management powers of the Governor; creating s. 252.365, F.S.; prohibiting the sale of supplies, services, provisions, or equipment during states of emergency at excessive prices; authorizing a state attorney to issue subpoenas and initiate proceedings; amending s. 252.37, F.S.; creating the Emergency Management Assistance Trust Fund; providing for the use and source of funds; amending s. 252.38, F.S.; prescribing the emergency management powers of counties and municipalities; amending s. 252.51, F.S.; providing immunity from liability for certain persons; amending s. 252.83, F.S.; requiring funding to county governments; creating s. 252.91, F.S., relating to the Interstate Compact on Emergency Management; providing findings; providing definitions; providing procedures to effectuate transfer of resources to states party to the compact; requiring the appointment of a compact administrator; providing for adoption of and withdrawal from the interstate compact; allowing for other arrangements; providing severability; creating s. 252.92, F.S.; requiring the appointment of the compact administrator; creating s. 252.93, F.S.; allowing for the payment of financial obligations imposed by the interstate compact; creating s. 252.94, F.S.; specifying the responsibilities of state departments, agencies, and officers; creating s. 252.95, F.S.; providing for the transmittal of copies of the act adopting the compact; amending s. 401.24, F.S.; providing for a medical disaster component of the emergency medical services state plan; amending s. 624.5092, F.S.; requiring the Department of Revenue to administer, audit, and enforce the assessment and collection of the surcharge used to fund the Emergency Management Assistance Trust Fund; providing for repeal and Sunset review by the Legislature of s. 252.37, F.S.; providing an appropriation; providing an effective date.

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

By Senator Meek—

SB 442—A bill to be entitled An act relating to public buildings; amending s. 255.05, F.S.; increasing the monetary amount of a contract for the construction or repair of public property for which a county, city, political subdivision, public authority, or state agency may exempt the contractor from a requirement that he execute a payment and performance surety bond; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senators Dudley and Grant—

SB 444—A bill to be entitled An act relating to taxation of homestead property; amending s. 192.001, F.S.; providing for the assessment of homestead property; amending s. 200.069, F.S.; revising the requirements for the notice of proposed property taxes prepared by property appraisers; providing a conditional effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Bruner—

SB 446—A bill to be entitled An act relating to public high schools; amending s. 236.02, F.S.; decreasing the minimum number of instructional hours required for school districts that participate in the Florida Education Finance Program; decreasing the minimum number of instructional periods required under the program; establishing the length of instructional periods; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Bruner—

SB 448—A bill to be entitled An act relating to state government; repealing ss. 1, 2, 3, 4, 5, 6, 7, chapter 90-110, Laws of Florida, and amending ss. 216.023, 11.45, 215.20, 215.22, F.S.; repealing the Agency Budget Sunset Act under which agencies of state government were subject to periodic review in order to determine whether their programs and activities remained justifiable; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator McKay—

SB 450—A bill to be entitled An act relating to corporate income tax; amending s. 220.13, F.S.; including as additions to be added to taxable income to determine adjusted federal income certain deductions relating to advertising or promotional activities for alcoholic beverages, cigarettes, tobacco, or other tobacco products; creating s. 220.55, F.S.; providing for the transfer of a percentage of an apportioned amount based on such additions into the Alcohol Abuse Treatment, Intervention, and Prevention Trust Fund and the Florida Cancer Research and Treatment Trust Fund under certain conditions; creating the trust funds and providing for the uses thereof; providing duties of certain universities; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Grizzle—

SB 452—A bill to be entitled An act relating to personnel of the school system; creating s. 231.66, F.S.; providing tuition-free courses for instructional personnel and teacher aides at area vocational-technical centers, community colleges, and state universities; providing an effective date.

—was referred to the Committees on Education; Personnel, Retirement and Collective Bargaining; and Appropriations.

By the Committee on Health and Rehabilitative Services—

SB 454—A bill to be entitled An act relating to legislative review of exemptions from public records requirements; amending ss. 409.266, 409.2664, F.S.; continuing the exemptions from the public records law for certain records used in investigations of Medicaid fraud; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By the Committee on Health and Rehabilitative Services—

SB 456—A bill to be entitled An act relating to vital statistics; amending s. 382.025, F.S.; deleting duplicative reference to fees charged for birth certificates or marriage certificates; repealing s. 33 of ch. 87-387, Laws of Florida, and s. 7 of ch. 88-303, Laws of Florida; abrogating the future repeal and review of provisions relating to the issuance of birth certificates and marriage certificates; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senators Davis, Grant, Grizzle, Malchon, Thurman, Gordon, Weinstock and McKay—

SB 458—A bill to be entitled An act relating to state employment; amending s. 110.221, F.S.; prohibiting the state from terminating the employment of a career service employee because of the pregnancy of the employee's spouse; providing for parental or medical leave for certain state employees; prohibiting the state from requiring mandatory parental or medical leave or denying certain employees the use and payment for specified leave for specified reasons; providing an effective date.

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

By Senators Davis, Forman and Malchon—

SB 460—A bill to be entitled An act relating to circuit judges; amending s. 26.20, F.S.; providing for access at times other than regular work hours to a circuit judge for obtaining a temporary injunction ex parte in domestic violence cases; authorizing a chief judge of the circuit to make assignments; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Health and Rehabilitative Services—

SB 462—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; repealing s. 20.19(5)(e), F.S.; deleting the authorization for the Medicaid Advisory Council; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator Myers—

SB 464—A bill to be entitled An act relating to water resources; amending s. 373.079, F.S.; authorizing the governing board of a water management district to delegate to its executive director authority relating to permits; amending s. 373.117, F.S.; revising provisions relating to the certification by an engineer of certain projects for which a license or permit must be issued by the department or a water management district; authorizing the Department of Environmental Regulation or the governing boards of water management districts to adopt rules to require certification by a professional of certain projects that involve the services of that professional; prohibiting the use or operation of a completed project without such certification; creating s. 373.1395, F.S.; limiting the liability of water management districts for damages that occur on real property or water areas of the district that are made available to the public for recreational purposes if no fee is charged for admission to the real property or water areas and no commercial activity is conducted upon the real property or water areas; amending s. 373.139, F.S.; providing that the title information of real property to be acquired by a water management district is exempt from public record requirements under certain circumstances; creating s. 373.1401, F.S.; authorizing the governing board of each water management district to contract with governmental entities and environmental nonprofit organizations to provide for the improvement, management, and maintenance of the district's real property; amending s. 373.59, F.S.; repealing a provision providing for such a contract with state agencies; creating s. 373.102, F.S.; authorizing the governing board of a water management district to exchange real property of the district for other real property located in the state; authorizing the governing board to enter into a contract for such an exchange; amending s. 373.553, F.S.; authorizing the governing board of a water management district to provide for the disbursement of funds of the board and of the district by wire or electronic transfer; amending s. 119.07, F.S.; exempting from public record requirements information relating to the medical condition or medical status of employees of a water management district; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Senator Casas—

SB 466—A bill to be entitled An act relating to consumer collection practices; amending s. 559.55, F.S.; providing definitions; creating ss. 559.553-559.713, F.S.; requiring licensure of collection agencies by Department of Banking and Finance; providing exemptions; providing for application forms, fees, and periods; providing for reactivation of a license; providing for license requirements; providing for license denials;

providing for a surety bond; providing for powers of department to issue and serve subpoenas; providing for issuance of a rule nisi; providing for enforcement; providing for appointment of a receiver; providing for imposition of a fine; provides for rulemaking authority; provides grounds for disciplinary proceeding; providing for disciplinary actions of the department; providing for investigations; providing for costs; providing for complaints; providing for confidentiality of certain information; providing for privilege against civil liability; providing requirements for books and records; providing for deposits into the Regulatory Trust Fund of the Division of Finance; providing criteria for trust accounts; providing procedure for validation of debts; providing procedure for communication to debtor; providing requirements for legal suits against debtor; providing for assignment of accounts; amending s. 559.715, F.S.; replacing "claim" with "debt"; amending s. 559.72, F.S.; providing a new prohibited practice; amending s. 559.77, F.S.; providing for venue; amending s. 559.78, F.S.; providing for jurisdiction; creating s. 559.781, F.S.; providing for penalties; providing for review and repeal; providing an effective date.

—was referred to the Committees on Commerce; Professional Regulation; Finance, Taxation and Claims; and Appropriations.

By Senator Meek—

SB 468—A bill to be entitled An act relating to charitable, nonprofit, or veterans' organizations; creating s. 849.0932, F.S.; providing definitions; authorizing such organizations to conduct charity casino fund raisers under certain circumstances; providing for licensing by the Division of Administration of the Department of Business Regulation; providing powers and duties of the division; providing for fees; providing requirements of games-of-chance suppliers; providing that admission fees shall be collected in a room apart from the room where the fund raiser is conducted; providing for required statements; providing a limitation on the types of games which may be conducted and on the value of prizes; prohibiting certain persons from attending a fund raiser; restricting the location of fund raisers; providing penalties; providing for a conditional repeal; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce; Finance, Taxation and Claims; and Appropriations.

By Senators Forman and Thurman—

SB 470—A bill to be entitled An act relating to energy; amending s. 187.201, F.S.; providing policy in the state comprehensive plan with respect to renewable energy technologies and passive solar design techniques; amending s. 186.801, F.S.; requiring consideration of alternatives to electric utility site plans that increase the use of renewable resources; amending s. 196.175, F.S.; extending the property tax exemption for installation of renewable energy devices; amending s. 366.81, F.S.; requiring the Florida Public Service Commission, in reviewing utility energy efficiency and conservation plans, to consider certain economic effects of specified energy resources and systems; amending s. 366.82, F.S.; authorizing utility conservation plans to include reliance on solar and other renewable technologies; amending s. 163.04, F.S.; providing that deed restrictions or similar covenants or agreements may not prohibit energy devices based on renewable sources; amending s. 489.105, F.S.; defining "solar contractor"; amending s. 489.113, F.S.; providing that a solar contractor shall not be required to subcontract certain work; providing an effective date.

—was referred to the Committees on Professional Regulation; Community Affairs; Finance, Taxation and Claims; and Appropriations.

By Senators Thomas, Casas, Souto, Meek, Walker, Girardeau and Forman—

SB 472—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; including persons employed by the state to provide care or treatment to patients in a forensic unit of a state hospital within the Special Risk Class of the system; providing for upgrading of retirement credit for such past service; providing an effective date.

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

By Senator Gordon—

SB 474—A bill to be entitled An act relating to postsecondary education; creating s. 240.4076, F.S.; establishing the assistant state attorneys and public defenders student loan forgiveness program; providing for

repayment of student loans by the Justice Administrative Commission on behalf of persons employed as assistant state attorneys or assistant public defenders; prescribing limits and exceptions; providing for adoption of rules; providing an effective date.

—was referred to the Committees on Education, Judiciary and Appropriations.

By Senator Bankhead—

SB 476—A bill to be entitled An act relating to military personnel; amending s. 295.019, F.S.; providing for the education at state expense of the dependent children of servicemen from this state killed in specified military operations; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senators Weinstock and Malchon—

SB 478—A bill to be entitled An act relating to health care; requiring the Social Services Estimating Conference to include planning for community-based, in-home services, as well as nursing home care; providing for the development of official information; directing the Department of Health and Rehabilitative Services to submit a budget request for purchase of an information system; requiring a consensus study of the relationship between community-based, nonentitlement programs and nursing home care, during a specified period; providing for future studies; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By the Committee on Health and Rehabilitative Services—

SB 480—A bill to be entitled An act relating to the Medicaid program; creating s. 409.901, F.S.; providing definitions; creating s. 409.902, F.S.; designating the Department of Health and Rehabilitative Services as the single state agency for administering the Florida Medicaid Program; creating s. 409.903, F.S.; specifying those persons who are eligible for payments for services under the Florida Medicaid Program, subject to certain limitations; creating s. 409.904, F.S.; specifying those persons who are eligible for optional payments for services; creating ss. 409.905, 409.906, F.S.; enumerating federally mandated and optional services to be provided by Medicaid; creating s. 409.907, F.S.; providing requirements for Medicaid provider agreements; providing circumstances under which a provider agreement may be revoked or terminated; creating s. 409.908, F.S.; establishing reimbursement standards for payment for Medicaid services; creating s. 409.909, F.S.; establishing additional reimbursement requirements for nursing home care and prescription drug services under Medicaid; transferring, renumbering, and amending s. 409.2665, F.S., relating to the recovery of Medicaid payments from third-party resources; deleting definitions made obsolete by this act; conforming cross-references to changes made by this act; deleting certain requirements pertaining to the recovery of third-party resources for Medicaid benefits made payable by check; creating s. 409.911, F.S.; authorizing the department to use certain cost-effective methods in purchasing health care; providing standards and requirements for contracts for certain prepaid services; authorizing the department to apply for waivers and establish certain programs in order to reduce costs; exempting certain financial and business information provided to the department from public record laws; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; creating s. 409.912, F.S.; establishing criteria for oversight of goods and services provided under the Florida Medicaid Program; providing for investigations by the Auditor General; exempting certain information pertaining to such investigations from public record laws; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; providing circumstances under which the department may impose administrative sanctions; authorizing the department to recover investigation costs; providing for the department to withhold Medicaid payments during a pending investigation; creating s. 409.913, F.S.; providing penalties for specified actions of Medicaid provider fraud; requiring the Auditor General to conduct a Medicaid Fraud Control program; providing powers and duties; exempting certain records pertaining to investigations by the Auditor General from public record laws; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; creating s. 409.914, F.S.; requiring county contributions on behalf of certain persons covered by the Florida Medicaid Program, including the establishment of limits thereon and methods for collection; creating s. 409.915, F.S.; requiring the department to use the systems it

has developed to manage the Florida Medicaid Program to assist other agencies; creating s. 409.916, F.S.; creating the Public Medical Assistance Trust Fund; creating s. 409.917, F.S.; providing for funds from the Public Medical Assistance Trust Fund to be distributed to hospitals providing a disproportionate share of Medicaid or charity care services; providing formulas to compute the disproportionate share rate; providing for Medicaid payments to hospitals that participate in the Regional Perinatal Intensive Care Center Program; providing payment criteria; transferring, renumbering, and amending s. 409.2666, F.S., relating to the Medicaid Research and Development Trust Fund; deleting obsolete provisions; transferring, renumbering, and amending s. 409.2667, F.S., relating to the receipt and deposit of funds into the Medicaid Research and Development Trust Fund; conforming a cross-reference to changes made by this act; creating s. 409.920, F.S.; requiring the department to adopt rules; amending s. 110.123, F.S., relating to the state group insurance program; s. 154.011, F.S., relating to primary care services; s. 394.4787, F.S., relating to definitions applicable to provision of acute care mental health services; s. 395.01465, F.S., relating to emergency care hospitals; s. 400.126, F.S., relating to receivership of nursing home facilities; s. 400.18, F.S., relating to closing of nursing facilities; s. 400.332, F.S., relating to certain funds received by a nursing home for participation in the geriatric outpatient nurse clinic program; s. 407.51, F.S., relating to hospital budgets; s. 409.2673, F.S., relating to the shared county and state health care program for low-income persons; s. 409.345, F.S., relating to public assistance payments as debt of the recipient; s. 409.701, F.S., the Florida Small Business Health Access Corporation Act; s. 410.036, F.S., relating to eligibility for home care for disabled adults and the elderly; s. 624.424, F.S., relating to statements and records of insurers; s. 627.736, F.S., relating to personal injury protection benefits; s. 631.813, F.S., relating to application of the Florida Health Maintenance Organization Consumer Assistance Plan; s. 641.261, F.S., relating to reporting requirements of health maintenance organizations; s. 641.31, F.S., relating to health maintenance contracts; s. 641.411, F.S., relating to reporting requirements of prepaid health clinics; s. 768.73, F.S., relating to punitive damages; conforming cross-references in said sections to changes by this act or deleting from said sections cross-references made obsolete by this act; amending s. 895.02, F.S.; redefining the term "racketeering activity" for purposes of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, to include offenses relating to Medicaid fraud; reenacting ss. 655.50(3)(g), 896.101(1)(g), F.S., relating to unlawful financial transactions, to incorporate the amendment to s. 895.02, F.S., in references thereto; repealing s. 21, ch. 89-275, Laws of Florida, ss. 400.23(3), 409.266, 409.2662, 409.2663, 409.2664, 409.267, 409.2671, 409.268, F.S., relating to the Medicaid program and payments thereunder; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Community Affairs; and Appropriations.

By Senators Forman and Weinstock—

SB 482—A bill to be entitled An act for the relief of Brenda Smith and Steve Smith; providing an appropriation to compensate them for the damages sustained as a result of injury to Brenda Smith and for the wrongful death of their daughter, Leslie Smith; providing an effective date.

—was referred to the Special Master; and the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Beard—

SB 484—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.051, F.S., relating to optional participation for cities and special districts; authorizing a city or independent special district that has opted to participate in the Florida Retirement System to revoke its election in order to establish an alternative retirement plan; providing for public hearing; providing for publication of notice; providing for an actuarial report; providing for presentation of the plan and report to each certified bargaining unit; requiring negotiation; providing for adoption of a revocation resolution; providing conditions; providing for increases in retirement contributions; providing an effective date.

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

By Senator Bruner—

SB 486—A bill to be entitled An act relating to the central abuse registry and tracking systems of the Department of Health and Rehabilitative Services; amending ss. 415.103, 415.504, F.S.; providing for the

department to trace and record incoming calls to the central abuse registry and tracking systems operated by the department; requiring notice, as specified, that a report of abuse, neglect, or exploitation is unfounded; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Walker—

SB 488—A bill to be entitled An act relating to public officers and employees; amending s. 112.061, F.S.; increasing the mileage allowance paid for travel by automobile; providing an effective date.

—was referred to the Committees on Governmental Operations, Community Affairs and Appropriations.

By Senator Plummer—

SB 490—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.14, F.S.; establishing a sport season for the recreational harvesting of spiny lobster, otherwise known as "crawfish"; designating this season as the "Bob Hector Sport Fishermen's Crawfish Season"; providing an effective date.

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

By Senator Kiser—

SB 492—A bill to be entitled An act relating to the state lottery; amending s. 24.121, F.S.; revising the uses of lottery revenues deposited in the Educational Enhancement Trust Fund; providing requirements with respect thereto; providing an effective date.

—was referred to the Committees on Education, Commerce and Appropriations.

By Senator Langley—

SJR 494—A joint resolution proposing an amendment to Section 6, Article VII of the State Constitution, relating to homestead tax exemption.

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

By Senator Langley—

SB 496—A bill to be entitled An act relating to the county road system; amending s. 336.41, F.S.; providing that all construction and reconstruction of roads and bridges to be performed by counties utilizing the proceeds of the voted or optional gas tax on motor fuel and special fuel shall be let to contract to the lowest responsible bidder by competitive bid; providing an exception; providing an effective date.

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

By Senator Langley—

SB 498—A bill to be entitled An act relating to suspension of driving privileges; amending ss. 322.2615, 322.64, F.S.; revising provisions relating to administrative suspension of the driving privilege and disqualification from operating a commercial motor vehicle for driving under the influence or refusing to submit to a requested breath, blood, or urine test; providing that law enforcement officers or correctional officers may take such actions; specifying information that may be considered in a review of such action; specifying circumstances under which a review must be conducted; specifying scope of review; providing circumstances for issuance of temporary permits and licenses for business or employment use; specifying venue for appeals of suspensions and disqualifications; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Finance, Taxation and Claims.

By Senator Gordon—

SB 500—A bill to be entitled An act relating to pharmaceutical salesmen; requiring such persons to be licensed by the Department of Professional Regulation; establishing licensure requirements and fees; providing an effective date.

—was referred to the Committees on Professional Regulation; and Finance, Taxation and Claims.

By Senator Gordon—

SB 502—A bill to be entitled An act relating to motor vehicles; prohibiting the operation of a motor vehicle in a manner that permits the engine to idle for more than 5 consecutive minutes; providing a penalty; providing exceptions; providing an effective date.

—was referred to the Committees on Transportation; and Finance, Taxation and Claims.

By Senator Kirkpatrick—

SB 504—A bill to be entitled An act relating to boating safety; creating the Boating Safety Advisory Council within the Department of Natural Resources; providing for appointment of members and powers and duties; amending s. 322.27, F.S.; providing for points to be assessed against drivers' licenses for boating offense violations; correcting a cross-reference; amending s. 316.193, F.S.; providing for consideration of convictions of certain boating offenses as prior convictions with respect to operating under the influence; amending s. 327.02, F.S.; providing definitions with respect to the Florida Vessel Registration and Safety Law; amending s. 327.04, F.S.; authorizing the Department of Natural Resources to require that certain information be supported by oath or affirmation; amending s. 327.30, F.S.; revising reporting requirements of collisions, accidents, and casualties involving vessels; amending s. 327.31, F.S.; directing the Division of Law Enforcement to transmit certain information concerning boating accidents; creating s. 327.331, F.S.; providing that bow, seatback, gunwale, and transom riding are unlawful; amending s. 327.35, F.S.; prohibiting operation of vessels by persons impaired by alcohol or drugs; prohibiting operation of certain vessels by persons with certain alcohol concentrations; providing penalties; providing for consideration of convictions of certain traffic offenses as prior convictions with respect to vessels; amending s. 327.352, F.S.; correcting a cross-reference; amending s. 327.3521, F.S.; providing penalties for refusal to take a chemical or physical test under certain circumstances; providing for a service charge; creating s. 327.3522, F.S.; providing for chemical and physical testing of crewmembers of inspected vessels; amending s. 327.353, F.S.; correcting a cross-reference; amending s. 327.354, F.S.; providing that a presumption of impairment may not be introduced during specified prosecutions; amending s. 327.36, F.S.; correcting cross-references; revising language with respect to mandatory adjudication of certain boating offenses; amending s. 327.46, F.S.; providing for the creation of restricted areas on waters other than the Florida Intracoastal Waterway by ordinance; creating s. 327.462, F.S.; providing a maximum speed for waters of the state; amending s. 327.50, F.S.; revising language with respect to vessel safety regulations and lighting requirements; amending s. 327.52, F.S.; requiring certain vessels to display maximum loading and horsepower information; amending s. 327.70, F.S.; providing for enforcement; amending s. 327.73, F.S.; revising language with respect to noncriminal infractions; amending s. 327.731, F.S.; revising language with respect to the mandatory education of violators; amending s. 327.74, F.S.; providing that every charge with respect to a boating offense shall be brought by a uniform boating citation; providing a definition; repealing s. 327.351, F.S., relating to the operation of a vessel while intoxicated; providing for boating safety education courses; providing for future repeal and legislative review of provisions relating to the Boating Safety Advisory Council; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Grant—

SB 506—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; requiring that a person convicted a second time of driving under the influence be warned that a subsequent conviction will result in the forfeiture of his motor vehicle; providing for the forfeiture of a motor vehicle owned by the defendant and used in a third or subsequent offense of driving under the influence; amending s. 932.701, F.S.; redefining the term "contraband," for purposes of the Florida Contraband Forfeiture Act, to include the motor vehicle used in a third or subsequent offense of driving under the influence and owned by the defendant; providing an effective date.

—was referred to the Committees on Transportation and Criminal Justice.

By Senator Gardner—

SB 508—A bill to be entitled An act relating to offenses involving obscene materials; amending s. 827.071, F.S.; providing that for purposes of the crime of possessing certain items of child pornography, the possession of each such item is a separate offense; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Davis—

SB 510—A bill to be entitled An act relating to charitable organizations; amending s. 849.0935, F.S.; providing that a charitable organization may conduct a raffle, in which an entry fee is charged, under certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; and Finance, Taxation and Claims.

By Senator Crotty—

SJR 512—A joint resolution proposing amendments to Sections 4 and 6, Article VII of the State Constitution, relating to assessment of property for ad valorem taxes.

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

By Senator Brown—

SB 514—A bill to be entitled An act relating to sex crimes involving children; amending s. 775.15, F.S.; tolling the statute of limitations for the crime of sexual activity with a child by or at the solicitation of a person in familial or custodial authority; amending s. 827.071, F.S.; reclassifying certain crimes relating to sexual performance by a child; providing penalties; providing that each act, thing, or transaction forbidden by this section is punishable as a separate offense; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Malchon—

SB 516—A bill to be entitled An act relating to health planning; amending s. 163.3164, F.S.; defining the terms "local health council" and "Statewide Health Council"; amending s. 163.3177, F.S.; providing for an optional health element for local government comprehensive plans; amending s. 163.3181, F.S.; requiring local government procedures for public participation in the comprehensive planning process to include involvement of local health councils in certain circumstances; amending s. 163.3184, F.S.; requiring the state land planning agency to provide a copy of certain local government comprehensive plans or plan amendments to the Statewide Health Council; amending s. 186.003, F.S.; defining the term "Statewide Health Council"; amending s. 186.022, F.S.; requiring the Executive Office of the Governor to consider findings of the Statewide Health Council's review of agency functional plans; amending s. 186.503, F.S.; defining the terms "local health council" and "Statewide Health Council"; amending s. 186.507, F.S.; requiring memoranda of agreement between regional planning councils and local health councils; amending s. 186.508, F.S.; requiring the Executive Office of the Governor to consider findings of the Statewide Health Council's review of comprehensive regional policy plans; amending s. 186.511, F.S.; requiring involvement of local health councils in the evaluation of the health element of comprehensive regional policy plans; amending s. 187.201, F.S.; substantially rewording the health element of the state comprehensive plan; revising goals and policies; amending s. 381.703, F.S.; providing a schedule for appointing local health council members; revising the functions of the local health councils; changing the composition of the Statewide Health Council; revising the functions of the Statewide Health Council; requiring the Department of Health and Rehabilitative Services to assist the Statewide Health Council in preparing a state health plan and provide orientation to local health council members; authorizing the Department of Health and Rehabilitative Services to withhold funds from or cancel contracts with local health councils under certain circumstances; repealing s. 381.025, F.S., relating to long-range health planning; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Dantzer—

SB 518—A bill to be entitled An act relating to hunting and fishing; creating s. 372.105, F.S.; creating the Fish and Wildlife Trust Fund; amending s. 372.57, F.S.; providing for a 5-year and lifetime sportsman's license for hunting and fishing; providing fees; amending s. 372.571, F.S.; revising language with respect to the expiration of licenses and stamps; providing reference to lifetime licenses; amending s. 372.5712, F.S.; providing for the expenditure of certain revenues relating to waterfowl hunting privileges; amending s. 372.5715, F.S.; providing for the expenditure of certain revenues relating to turkey hunting privileges; amending s. 372.573, F.S.; providing for the expenditure of certain revenues relating to water management area privileges; amending s. 372.60, F.S.; revising language with respect to the issuance of replacement licenses or stamps to include reference to lifetime licenses; amending s. 372.661, F.S.; revising cross-references with respect to private hunting preserve licenses; providing an appropriation; amending s. 370.0605, F.S.; providing for a 5-year resident saltwater fishing license; amending s. 370.0608, F.S.; providing for the disposition of proceeds from the 5-year license; creating s. 370.0615, F.S.; providing for lifetime saltwater fishing licenses; providing fees; providing effective dates.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator McKay—

SB 520—A bill to be entitled An act relating to violent offenses against certain officers; amending s. 775.0823, F.S.; providing enhanced mandatory minimum sentences for aggravated assault or aggravated battery with a deadly weapon; amending s. 784.07, F.S.; providing enhanced penalties for an assault or battery committed against certain officers as a result of the past performance of the officer's official duties; amending s. 784.021, F.S.; defining any assault with a deadly weapon as an aggravated assault; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Weinstock—

SB 522—A bill to be entitled An act relating to therapeutic services for children; amending s. 39.001, F.S.; providing legislative intent that specified therapeutic services be provided by the Department of Health and Rehabilitative Services in coordination with the Department of Education and local education agencies to meet the needs of children adjudicated dependent or in need of services who are in the physical custody of the department; amending s. 39.002, F.S.; providing legislative intent that therapeutic services, including treatment for medical, mental, and emotional conditions, alcohol and drug abuse problems, and developmental disabilities, be provided to children adjudicated dependent or in need of services who are in the physical custody of the department; amending s. 39.403, F.S.; requiring preliminary screenings and comprehensive assessments for specified therapeutic services to be completed for children for whom a dependency petition is filed; amending s. 39.407, F.S.; requiring the department to ensure that children adjudicated dependent who are in the physical custody of the department receive court-ordered specified therapeutic services; amending s. 39.408, F.S.; requiring predisposition studies for hearings on dependency cases to include a description of identified needs for specified therapeutic services and recommendations for the most appropriate, least restrictive provision of services for unmet needs; amending s. 39.424, F.S.; expanding services for children in need of services to include specified therapeutic services; amending s. 39.436, F.S.; requiring preliminary screenings and comprehensive assessments for specified therapeutic services to be completed for children for whom a child in need of services petition is filed; amending s. 39.439, F.S.; requiring the department to ensure that children adjudicated a child in need of services who are in the physical custody of the department receive court-ordered specified therapeutic services; amending s. 39.44, F.S.; requiring predisposition studies for hearings on children in need of services cases to include a description of identified needs for specified therapeutic services and recommendations for the most appropriate, least restrictive provision of services for unmet needs, and reenacting ss. 39.01(21) and 39.442(4), F.S., relating to definitions and powers of disposition, to incorporate said amendment in references thereto; amending s. 39.451, F.S.; requiring a foster care performance agreement to include a plan for necessary therapeutic services, and reenacting s. 39.4105, F.S., introductory paragraph, relating to grandparents rights, to incorporate said amendment in a reference thereto; amending s. 39.452, F.S.; provid-

ing for therapeutic services to be included in the permanent placement plan; amending s. 39.453, F.S.; requiring that the social service agency report to the court regarding, and that judicial review of performance agreements determine whether, specified therapeutic treatment needs are being met in the most appropriate, least restrictive environment; reenacting s. 39.41(1)(a), F.S., relating to dependency dispositions, to incorporate the amendments to ss. 39.451 and 39.453, F.S., in references thereto; creating s. 393.0652, F.S.; providing that children adjudicated dependent or in need of services who are in the physical custody of the department receive needed developmental services and delineating funding responsibility; amending s. 394.4781, F.S.; mandating that children adjudicated dependent or in need of services who are in the physical custody of the department receive needed mental health services on a priority basis and delineating funding responsibility; amending s. 394.50, F.S.; mandating that children adjudicated dependent or in need of services who are in the physical custody of the department receive needed mental health services and delineating funding responsibility; creating s. 394.85, F.S.; providing that children adjudicated dependent or in need of services who are in the physical custody of the department receive needed mental health services and delineating funding responsibility; amending ss. 396.042 and 397.031, F.S.; providing that children adjudicated dependent or in need of services who are in the physical custody of the department receive needed alcohol abuse and drug abuse services and delineating funding responsibilities; amending s. 39.015, F.S., relating to adoption of rules, to correct a cross reference; providing for the phase-in of new programs and services and providing funding priorities; requiring the department to submit a plan; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Forman—

SB 524—A bill to be entitled An act relating to a discretionary surtax on documents; providing legislative findings and intent; providing definitions; authorizing counties and eligible jurisdictions to levy a discretionary surtax on certain documents to provide financial assistance for financing eligible housing for eligible persons; providing for establishment of a trust fund; providing for the administration, collection, and distribution of the proceeds of the surtax; providing for application of specified administrative and enforcement provisions of chapter 201, F.S.; providing for notice to, and duties of, the Department of Revenue; requiring an annual report; providing for establishment and administration of the housing assistance award program; providing for an advisory council; specifying effect of the act; providing an effective date.

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

By Senator Forman—

SB 526—A bill to be entitled An act relating to municipal annexation; amending s. 171.062, F.S.; authorizing a board of county commissioners to prohibit the rezoning by any municipality of certain land following its annexation to that municipality for a specified period of time; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Gardner—

SB 528—A bill to be entitled An act relating to veterans; creating s. 295.0195, F.S.; providing educational opportunities at state expense for dependent children of deceased or disabled military personnel who died or became disabled in the Mideast Persian Gulf military arena; amending s. 295.02, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senators Dudley and Grant—

SB 530—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.001, F.S.; providing standards for determining substantial completion of an improvement to real personal property; creating s. 192.039, F.S.; providing for assessment and taxation of certain real property on a partial-year assessment roll; creating s. 192.044, F.S.; providing for assessment and taxation of certain tangible personal property on a partial-year assessment roll; creating s. 192.045, F.S.; providing for the assessment of certain railroad property for a partial year; amending s. 192.042, F.S.; providing for the day of assessment; providing for reimbursement of tax collectors for preparation of the initial partial-year

assessment rolls; amending s. 193.052, F.S.; providing for partial-year tax returns; providing certain notice requirements of filing deadlines and penalties; amending s. 193.062, F.S.; providing a date for filing of returns; amending s. 193.114, F.S.; providing for preparation of partial-year rolls; amending s. 195.027, F.S.; requiring partial-year returns by agency rule; amending s. 196.011, F.S.; providing a requirement for application for exemption for property listed on a partial-year assessment roll; amending s. 197.3635, F.S.; specifying information to be included on notice for partial-year taxes and assessments; creating s. 200.0701, F.S.; requiring notice of partial-year assessment; requiring inclusion of partial-year 1991 property on 1992 rolls; providing for severability; amending s. 196.081, F.S.; providing that the exemption for certain permanently and totally disabled veterans may be claimed by the veteran's spouse after the veteran's death under certain circumstances; providing that such veteran's spouse may claim the exemption for another residence under certain circumstances; providing an effective date.

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

By Senators Kiser and Grant—

SB 532—A bill to be entitled An act relating to taxation; creating s. 213.015, F.S.; providing requirements with respect to the rights, safeguards, and protections afforded taxpayers during tax assessment, collection, and enforcement processes; creating s. 213.018, F.S.; providing for a taxpayer problem resolution program; providing for a taxpayers' rights advocate with authority to issue taxpayer assistance orders; amending s. 213.21, F.S.; providing a taxpayer's right to have representation and record informal conferences; providing that a taxpayer may demonstrate during audit a basis for reasonable cause for penalty compromise; creating s. 213.025, F.S.; requiring the Department of Revenue to conduct its audits, inspections, and interviews at reasonable times and places, with exceptions; amending s. 213.34, F.S.; directing the department to offset overpayments against deficiencies; creating s. 213.731, F.S.; requiring notice before collection action is taken; providing a taxpayer's right to protest and seek a review; creating s. 213.732, F.S.; providing procedural requirements, taxpayers' rights, and venue for certain legal actions with respect to jeopardy findings and assessments; creating s. 213.733, F.S.; providing for cancellation, amendment, or modification of warrants; creating s. 213.734, F.S.; providing requirements with respect to payment of interest; amending ss. 199.262, 206.075, 211.125, 211.33, 212.14, 212.15, 214.12, and 214.45, F.S.; specifying procedures applicable if jeopardy to the revenue exists and is asserted in or with an assessment; repealing s. 214.12(4), F.S., relating to taxpayer protest regarding a jeopardy assessment lien; amending s. 20.21, F.S.; creating within the department the position of taxpayers' rights advocate and providing his responsibilities; amending s. 72.011, F.S.; prohibiting certain legal actions when an action has been initiated under s. 120.575, F.S.; amending s. 95.091, F.S.; revising the period of time during which the department may determine and assess taxes, penalties, and interest; requiring the department to commence an audit within a specified period of time after it issues a notice of intent to conduct an audit; amending s. 120.575, F.S.; providing procedures and requirements applicable when a taxpayer contests specified taxes, interest, or penalties; providing requirements relating to petitions, hearings, and orders; providing venue; providing powers of hearing officers and panels; providing for liens; providing for recovery of legal costs, including attorney's fees; amending s. 120.65, F.S.; requiring that hearing officers be administrative law judges; providing for a uniform rate of pay; providing an appropriation; providing severability; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Meek—

SB 534—A bill to be entitled An act relating to the Florida Employment Opportunity Act; amending s. 409.029, F.S.; amending the short title; amending cross-references; deleting obsolete provisions; providing for housing assistance for teenage parents; establishing the Teenage Parent Group Residence Pilot Program; providing an application procedure and providing for competitive selection of grant recipients; requiring an annual report and evaluation of the program's effectiveness; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Commerce; and Appropriations.

By Senator Meek—

SB 536—A bill to be entitled An act relating to high-blood-pressure screening; providing legislative intent; authorizing screening of high-risk populations residing in public housing projects in three metropolitan counties; directing the Department of Health and Rehabilitative Services to incorporate pilot-project, screening-related activities into ongoing activities of comprehensive health improvement projects conducted by county public health units in those counties; providing for periodic reports; directing the department to seek federal funding or matching funding; providing an appropriation; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Diaz-Balart—

SB 538—A bill to be entitled An act relating to law enforcement officers; amending s. 112.531, F.S.; including deputy sheriffs within the term “law enforcement officer” for purposes of laws relating to rights of law enforcement officers; providing an effective date.

—was referred to the Committees on Criminal Justice, Community Affairs and Appropriations.

By Senator Diaz-Balart—

SB 540—A bill to be entitled An act relating to public lodging establishments; amending s. 509.2112, F.S.; increasing the scope of a provision that requires the inspection of certain such establishments that are three stories or higher; providing an effective date.

—was referred to the Committees on International Trade, Economic Development and Tourism; and Appropriations.

By Senator Myers—

SB 542—A bill to be entitled An act relating to police standards and training; amending s. 943.10, F.S.; defining the term “police chiefs”; creating s. 943.134, F.S.; establishing minimum standards for employment of police chiefs; providing that certain standards must be met prior to appointment and that certain standards must be met within a specified time after appointment; providing exceptions; amending s. 318.21, F.S.; providing that a portion of funds distributed to municipalities or counties be reserved for police chief training; requiring continuing education for police chiefs; amending s. 112.532, F.S.; requiring that all terminations of police chiefs be preceded by a written statement of cause and an opportunity to respond to such statement within 72 hours; providing for severance agreements in employment contracts; providing an effective date.

—was referred to the Committees on Criminal Justice, Community Affairs and Appropriations.

By Senator Diaz-Balart—

SB 544—A bill to be entitled An act relating to building designations; designating a building on the University Park campus of the Florida International University as the “Charles E. Perry Building”; providing an effective date.

—was referred to the Committee on Education.

By Senator Grant—

SB 546—A bill to be entitled An act relating to international banking; amending s. 663.01, F.S.; providing definitions; amending s. 663.02, F.S.; expanding the applicability of domestic bank powers to international banking corporations; deleting reference to a clarification concerning branching authority of bank holding companies located outside the state; amending s. 663.03, F.S.; providing that ch. 607, F.S., regulating corporations applies to international banking corporations unless it conflicts with the banking code; amending s. 663.04, F.S.; prescribing conditions under which a license may be issued to an international banking corporation to operate an international bank agency or an international branch; deleting application fee; amending s. 663.05, F.S.; modifying the application requirements for an international banking corporation to maintain an office in this state; creating s. 663.055, F.S.; prescribing certain capital requirements as a condition of licensing; providing alternative requirements for licensing; amending s. 663.06, F.S.; expanding the permissible activities of an international banking corporation and allowing the department to prescribe by rule the procedures for surrendering a license; creating s. 663.061, F.S.; defining the permissible activities of interna-

tional bank agencies; creating s. 663.062, F.S.; defining the permissible activities of an international representative office; amending s. 663.063, F.S.; altering the purposes and powers of an international administrative office; creating s. 663.064, F.S.; defining the permissible activities of an international branch; creating s. 663.065, F.S.; defining the permissible activities of a state investment company; creating s. 663.066, F.S.; authorizing, under certain conditions, the acquisition of state banks by international banking corporations; amending s. 663.07, F.S.; modifying the asset maintenance requirements of an international bank agency and international branch; amending s. 663.083, F.S.; adding the term “international branch” and deleting language allowing capital debentures and notes to be treated as capital in computing capital limitations; amending s. 663.09, F.S.; providing for the consolidation of reports under certain circumstances; requiring loan documentation to be in the English language; amending s. 663.10, F.S.; modifying the provisions related to license conversion; amending s. 663.11, F.S.; replacing the term “international bank agency” with the term “office”; amending s. 663.12, F.S.; providing for filing fees, semiannual assessments, and examination fees; reviving and readopting ch. 663, F.S., notwithstanding its scheduled repeal; providing for future repeal and review pursuant to the Regulatory Sunset Act; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senator Diaz-Balart—

SB 548—A bill to be entitled An act relating to the City of Miami, Dade County; providing for the relief of Damian Garcia to compensate him for damages for injuries received in an accident at a beach owned and maintained by the city through the negligence of the city; providing for payment of said compensation; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Kirkpatrick—

SB 550—A bill to be entitled An act relating to Alachua County; amending ss. 1(1), (2)(a), 3(2)(b), ch. 84-388, Laws of Florida, as amended by s. 1, ch. 86-342, Laws of Florida; providing that deputy sheriffs are deemed public employees and enjoy all rights granted public employees by law, including the protections afforded to law enforcement officers by pt. VI, ch. 112, F.S., and the right to engage in collective bargaining; repealing a provision relating to the rehiring of sheriff’s employees who have been placed on disciplinary probation for periods of 6 months or more; eliminating the requirement that the sheriff review all complaints against employees and permitting the sheriff to review such complaints at his discretion; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Crotty—

SB 552—A bill to be entitled An act relating to local government officials; amending s. 115.09, F.S.; providing for a temporary vacancy created in the membership of the governing body of a local government due to the military service of a member to be filled by vote of the body’s remaining members; providing an effective date.

—was referred to the Committees on Community Affairs; and Executive Business, Ethics and Elections.

By the Committee on Education—

SB 554—A bill to be entitled An act relating to education; reviving and readopting s. 229.053(2)(m), F.S., relating to the duty of the State Board of Education to create subordinate advisory bodies; providing for future repeal and review; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By the Committee on Education—

SB 556—A bill to be entitled An act relating to confidentiality of records relating to the blind; amending s. 413.011, F.S.; creating an exemption from public records disclosure requirements for information in the register of the blind maintained by the Division of Blind Services;

amending s. 413.012, F.S.; continuing and clarifying an exemption from public records disclosure requirements for certain information maintained by the division with respect to vocational rehabilitation programs; providing for release of such information under specified circumstances; providing for future review of these exemptions pursuant to the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Commerce—

SB 558—A bill to be entitled An act relating to the sale of money orders; amending ss. 560.01, 560.02, 560.03, 560.04, 560.06-560.11, 560.16, F.S.; deleting obsolete language; updating, simplifying, and clarifying certain language; revising qualifications for a license to engage in business of selling money orders; amending s. 560.05, F.S.; eliminating requirement that license applications be made in writing and under oath; creating s. 560.131, F.S.; providing grounds for disciplinary action against a licensee; creating s. 560.133, F.S.; providing for department investigations and examinations and the handling of complaints; amending s. 560.135, F.S.; providing powers of the department; amending s. 560.151, F.S.; providing for the collection of fees, charges, and fines and for deposit into the State Treasury to the credit of the Division of Finance's Regulatory Trust Fund; amending s. 560.17, F.S.; providing a penalty; repealing s. 560.13, F.S., relating to revocation of a license to sell money orders and inspections of books and records; repealing s. 560.137, F.S., which authorizes injunctions against violators; repealing s. 560.138, F.S., which authorizes cease and desist orders and administrative fines; repealing s. 560.15, F.S., which authorizes rules; repealing s. 560.201, F.S., which requires the recording of the sale of certain money orders; reviving and readopting portions of ch. 560, F.S., notwithstanding its scheduled repeal; providing for future repeal and review pursuant to the Regulatory Sunset Act; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By the Committee on Commerce—

SB 560—A bill to be entitled An act relating to unemployment compensation records and communications; amending s. 443.041, F.S.; providing that a provision relating to privileged communication between an employer and an employee or between the Division of Unemployment Compensation of the Department of Labor and Employment Security and its agent, representative, or employee is not an exemption from public records requirements and is not subject to s. 119.14, F.S., the Open Government Sunset Review Act; amending s. 443.171, F.S.; exempting certain reports of employers relating to employees from public records requirements; providing for future review and repeal of this exemption pursuant to s. 119.14, F.S.; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Commerce—

SB 562—A bill to be entitled An act relating to labor organizations; amending s. 447.045, F.S.; exempting certain records relating to business agents of labor organizations from public records requirements; providing for future review and repeal of the exemption pursuant to s. 119.14, F.S., the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Commerce—

SB 564—A bill to be entitled An act relating to toxic substances; reenacting and amending s. 442.109, F.S.; clarifying that the section does not create an exemption from public records requirements; reenacting and amending s. 442.111, F.S.; providing an exemption from public records requirements for trade secret information relating to specific chemical identities; providing for future review and repeal of the exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 442.112, F.S.; clarifying that the section does not create an exemption from public records requirements; reenacting and amending s. 442.118, F.S.; providing an exemption from public records requirements for information concerning toxic substances provided to fire departments and other specified agencies; providing for future review and repeal of the exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Plummer—

SJR 566—A joint resolution proposing an amendment to Section 16, Article III of the State Constitution, relating to reapportionment, to require the formation of a commission to reapportion the state legislative and congressional districts.

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

By Senator Plummer—

SB 568—A bill to be entitled An act relating to reapportionment; providing membership requirements for the reapportionment commission established by Section 16, Article III of the State Constitution; providing for the appointment and removal of such members; providing meeting and staffing requirements for the commission; providing guidelines for the adoption and filing of an apportionment plan by the commission; providing for challenges to the plan and for review by the Supreme Court; providing for the adoption of a plan by the Supreme Court in certain situations; providing for reimbursement of commission members' expenses; providing for the preparation of reports and conclusion of the business of the commission; providing an effective date.

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

By Senator Brown—

SB 570—A bill to be entitled An act relating to the fine arts; amending s. 265.603, F.S.; revising the definition of the term "sponsoring organization" under the Fine Arts Endowment Program of 1985; amending ss. 265.605, 265.606, F.S.; deleting provisions allocating moneys in the Fine Arts Endowment Trust Fund to each of the five fine arts regions within the state; repealing s. 265.604, F.S., relating to the five fine arts regions under the program; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator Malchon—

SB 572—A bill to be entitled An act relating to public health; amending s. 381.061, F.S., relating to duties of the Department of Health and Rehabilitative Services; providing conditions for the state's preemption of the ranking of food service establishments; providing an effective date.

—was referred to the Committees on International Trade, Economic Development and Tourism; Health and Rehabilitative Services; and Appropriations.

By Senator Malchon—

SB 574—A bill to be entitled An act relating to crime victim compensation; amending s. 960.03, F.S.; revising definitions for purposes of eligibility under the "Florida Crimes Compensation Act"; amending s. 960.04, F.S.; expanding award eligibility; amending s. 960.07, F.S.; increasing the time period extension for filing claims for compensation which the division is authorized to allow for cause; providing an effective date.

—was referred to the Committees on Commerce, Criminal Justice and Appropriations.

By the Committee on Agriculture—

SB 576—A bill to be entitled An act relating to regulation of pesticides and pesticide applicators; amending ss. 487.031, 487.041, F.S.; continuing, for a specified period, the exemption from public records accessibility requirements granted to confidential information received by the Department of Agriculture and Consumer Services from other agencies in the discharge of its duties with respect to registration of pesticides; amending s. 487.0615, F.S.; continuing, for a specified time, the exemption from public records accessibility requirements for confidential records received by the council from the United States Environmental Protection Agency or a person who has registered a pesticide; amending s. 487.160, F.S.; continuing the requirement that records of licensees that are public entities may be obtained by the Department of Agriculture and Consumer Services by written request only; providing an effective date.

—was referred to the Committees on Agriculture and Governmental Operations.

By the Committee on Community Affairs—

SB 578—A bill to be entitled An act relating to housing advisory bodies; amending s. 420.609, F.S.; revising the membership requirements and duties of the Affordable Housing Study Commission; deleting requirement of Senate confirmation of members of the commission; repealing s. 30, ch. 88-376, Laws of Florida; abrogating the repeal of s. 420.609, F.S., notwithstanding repeal scheduled pursuant to the Sundown Act and providing for future review and repeal; repealing s. 410.501, F.S.; which provides for a multidisciplinary advisory group on housing for the elderly; repealing s. 410.503, F.S., which requires reports on housing for the elderly; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Malchon—

SB 580—A bill to be entitled An act relating to Acquired Immune Deficiency Syndrome (AIDS); requiring review of professional practices, professional education, reporting of human immunodeficiency virus (HIV) infection, HIV testing for purposes of health and life insurance; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Rules and Calendar.

By the Committee on Transportation—

SB 582—A bill to be entitled An act relating to transportation; amending s. 206.46, F.S.; revising the amount of funds that must be transferred annually from the State Transportation Trust Fund into the Right-of-Way Acquisition and Bridge Construction Trust Fund; amending s. 215.605, F.S.; providing procedures for the use of excess moneys in that fund; amending s. 334.03, F.S.; revising the definition of the term "Florida Intrastate Highway System"; amending s. 337.11, F.S.; repealing the requirement that a bond be posted to protest certain bid solicitations and otherwise revising the posting requirement with respect to other types of protest; amending s. 337.18, F.S.; revising the schedule of liquidated damages on certain contracts; reenacting s. 337.18(5), F.S., relating to incentive payments to contractors for early completion and to assessment of additional damages for a contractor's failure to complete work on time; amending s. 337.221, F.S., relating to claims settlement; providing that that section does not give rise to any rights under chapter 120, F.S., or to certain other rights; amending s. 337.276, F.S.; providing procedures for the advancement of construction phases that use advanced acquisition of rights-of-way; amending s. 338.001, F.S.; repealing the requirement that the Florida Intrastate Highway System be adopted by affirmative action of the Legislature; requiring that projects on the system be specifically identified in the Department of Transportation's tentative work program; requiring that an annual status report on the system be presented to the legislative transportation committees; amending s. 338.221, F.S.; revising the definition of the term "economically feasible" as used in the Florida Turnpike Law; amending s. 338.223, F.S.; authorizing the use of State Transportation Trust Fund moneys on proposed turnpike projects under certain conditions; providing that such funds are not required to be reimbursed except as provided in the General Appropriations Act or implementing bill; authorizing the use of turnpike funds to pay for studies of proposed turnpike projects; amending s. 338.227, F.S., relating to turnpike revenue bonds, to conform that section to changes made by this act; amending s. 338.2275, F.S.; deleting maximum authorized costs imposed on certain turnpike projects; providing for the establishment of a contingency amount for such a project; limiting the cost of such projects; providing procedures for exceeding such costs under certain circumstances; amending s. 338.250, F.S.; specifying that the Department of Environmental Regulation is responsible for approval of mitigation plans submitted by water management districts in connection with construction of beltways; amending s. 338.251, F.S.; providing that the Department of Transportation is not required to pay interest when repaying advances from the Toll Facilities Revolving Trust Fund; providing a schedule for such repayments; amending s. 339.08, F.S.; prohibiting the use of State Transportation Trust Fund moneys to pay the administrative expenses of commuter rail authorities that do not operate rail service; amending s. 339.135, F.S.; providing exceptions from the requirement that the planned date of construction using advanced acquisition of rights-of-way be identified in the tentative work program; amending s. 341.031, F.S.; revising definition of the term "transit corridor project" as used in the Florida Public Transit Act; amending s. 341.051, F.S.; deleting limitations on state funding for public transit capital projects; amending s. 341.052, F.S.; revising the formula for distribution of public transit

block grants; revising limitations applicable to the use of such funds; providing procedures for the reallocation of unused, unusable, or improperly used public transit block grant funds; amending s. 348.0012, F.S.; revising exclusions from applicability of the Florida Expressway Authority Act; amending s. 59, ch. 90-136, Laws of Florida; revising deadlines and procedures for the preparation and submission of a report on functional classification of roads; providing for public hearing; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Souto—

SB 584—A bill to be entitled An act relating to chemicals used in the manufacture of controlled substances; amending s. 893.02, F.S.; adding a definition of the term "listed chemical"; creating s. 893.033, F.S.; establishing a list of precursor chemicals and essential chemicals; amending s. 893.105, F.S.; authorizing the sample testing and destruction of listed chemicals seized; amending s. 893.12, F.S.; providing that listed chemicals involved in violations of ch. 893, F.S., are contraband and are subject to seizure and forfeiture; providing for destruction of seized chemicals; creating s. 893.149, F.S.; prohibiting the possession of a listed chemical with the intent to unlawfully manufacture a controlled substance; providing penalties; amending s. 112.0455, F.S.; revising a cross-reference to conform to renumbering made by this act; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Kurth—

SB 586—A bill to be entitled An act relating to real estate; amending s. 475.045, F.S.; revising language with respect to the duties of the Foundation Advisory Committee to the Florida Real Estate Commission Education and Research Foundation; amending s. 475.22, F.S.; providing requirements with respect to brokers whose registered office is located outside the State of Florida; amending s. 475.25, F.S.; revising language with respect to discipline; amending s. 475.5015, F.S.; revising language with respect to brokerage business records; repealing s. 475.011, F.S., eliminating an exemption with respect to any person employed as a manager of a condominium or cooperative apartment complex; providing an effective date.

—was referred to the Committee on Professional Regulation.

By Senator Grant—

SJR 588—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution, relating to homestead tax exemption.

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

By Senator Johnson—

SB 590—A bill to be entitled An act relating to offenses by public officers; providing elements of the crime of official misconduct; providing definitions; prohibiting public servants from engaging in specified actions with respect to official records and documents; prohibiting public servants from interfering with certain communications relating to criminal violations; prohibiting public officers from refraining from performing certain duties; providing penalties; repealing s. 839.25, F.S., relating to official misconduct; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; Criminal Justice; and Appropriations.

By Senators Gordon and Meek—

SB 592—A bill to be entitled An act relating to governmental organization; creating a Department of Volunteer Community Service; providing for a secretary of the department; providing duties of the department; providing for an advisory board; exempting officers and employees of the department from financial disclosure requirements; amending s. 410.201, F.S.; transferring responsibility for the older volunteer service program from the Department of Health and Rehabilitative Services to the Department of Volunteer Community Service; providing an effective date.

—was referred to the Committees on Governmental Operations; Health and Rehabilitative Services; Health and Rehabilitative Services Reorganization; and Appropriations.

By Senator Johnson—

SB 594—A bill to be entitled An act relating to the offense of witness tampering; amending s. 914.22, F.S.; revising the elements of the offense to prohibit influencing a person to testify untruthfully; deleting the affirmative defense of lawful conduct; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senators McKay, Beard and Dudley—

SB 596—A bill to be entitled An act relating to lobbying; amending s. 11.062, F.S.; prohibiting departments of the executive branch, universities, community colleges, and water management districts from using state funds or tax revenues to retain lobbyists; providing that full-time employees of these entities are exempt; prohibiting lobbyists from accepting compensation derived from state funds or tax revenues; providing penalties; authorizing complaints to be filed with the Ethics Commission; authorizing the commission to adopt rules; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; Rules and Calendar; and Appropriations.

By Senators Crotty, Thomas, Casas and Childers—

SB 598—A bill to be entitled An act relating to radio communication; prohibiting counties and municipalities from enacting or enforcing restrictive ordinances governing amateur radio antennas; providing for construction of such antennas in conformance with federal requirements; providing for the application of the act; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senators Weinstein, Grant, Yancey, Malchon, Wexler, Gardner, Forman, Johnson and Dudley—

SB 600—A bill to be entitled An act relating to forfeitures; amending s. 932.704, F.S.; authorizing counties and municipalities to appropriate certain proceeds from the sale of forfeited property for use in providing specified services and programs; providing application requirements for receiving such funds; providing an effective date.

—was referred to the Committees on Community Affairs and Criminal Justice.

By Senators Weinstein, Grant, Yancey, Malchon, Wexler, Gardner, Forman, Johnson, Dudley, Scott and Jenne—

SB 602—A bill to be entitled An act relating to health insurance; prohibiting changes in coverage of premium increases for members of the Florida National Guard or United States military reserves while on active military duty; providing for such persons to reinstate such coverage without a waiting period or disqualification upon their return from active duty; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Diaz-Balart—

SB 604—A bill to be entitled An act relating to the School District of Dade County, Florida; providing for the relief of Alberto Sosa, a minor, by and through his parents and next friends, Magaly and Alberto Sosa, Sr., and Magaly and Alberto Sosa, Sr., individually; directing the district school board to compensate them for serious physical injury suffered by Alberto Sosa while a student at Rockway Junior High School; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Kurth—

SB 606—A bill to be entitled An act relating to limited access transportation facilities; amending s. 316.091, F.S.; authorizing the operation of bicycles on certain limited access causeways; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Meek—

SB 608—A bill to be entitled An act relating to student financial assistance; creating s. 240.4042, F.S.; requiring the State Board of Education to adopt a procedure for the appeal of determinations with respect to applicants' eligibility for state student financial aid; providing for a committee to consider such appeals; prescribing procedures for such appeals; requiring state university and community college presidents to establish institutional procedures for student appeal of grievances related to the award or administration of financial aid; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Walker—

SB 610—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; requiring a report to the Governor and the Legislature on the effects of the act; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senators Meek, Kirkpatrick, Thurman, Weinstock, Malchon, Gardner, Gordon, Walker, Johnson, Grizzle, Kurth, Thomas, Brown, Scott, Weinstein, Crenshaw, Forman, Jenne and Dudley—

SB 612—A bill to be entitled An act relating to community colleges; amending s. 240.359, F.S.; revising the formula for determining the annual apportionment of state funds to community colleges; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Forman—

SB 614—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.101, F.S., which provides an exemption for totally and permanently disabled persons; authorizing osteopathic physicians, chiropractic physicians, and podiatrists to certify total and permanent disability for such purpose; providing an effective date.

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

By Senator Grizzle—

SB 616—A bill to be entitled An act relating to community redevelopment agencies; amending s. 163.340, F.S.; excluding juvenile welfare boards, health care districts, 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 subject to referendum; providing an effective date.

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

By Senator Gordon—

SB 618—A bill to be entitled An act relating to water resources; creating s. 373.504, F.S.; requiring the water management districts created under ch. 373, F.S., to impose water user fees for certain surface water or groundwater withdrawn within the districts in lieu of certain ad valorem taxes; providing an exception; providing for the determination of such fees; providing for determination of a fee structure; amending ss. 373.506, 373.579, F.S.; providing for the use of water user fees levied by the districts; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Community Affairs; Finance, Taxation and Claims; and Appropriations.

By Senators Wexler, Jenne, Forman, Scott and Weinstein—

SB 620—A bill to be entitled An act relating to Florida Atlantic University; providing legislative intent; amending s. 3, ch. 82-247, Laws of Florida; removing site specific restrictions for the relocation of the Florida Atlantic University West Palm Beach Center and for the expenditure of proceeds from the sale of land; providing for the sale of the Florida

Atlantic University TV Tower Site to fund the acquisition, purchase, lease, renovation, or expansion of facilities for use by Florida Atlantic University; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senators Bruner and Kirkpatrick—

SB 622—A bill to be entitled An act relating to oyster and clam harvesting; amending s. 370.06, F.S.; requiring a person to obtain an oyster and clam harvesting license from the Department of Natural Resources in order to harvest oysters or clams; providing exceptions; providing for prerequisites to receiving a license; prescribing license fees; providing for credit of the oyster and clam harvesting license fee against the saltwater products license fee; creating the Shellfish Conservation Trust Fund for deposit of such fees; providing for use of moneys in the trust fund for specified purposes; providing penalties; amending s. 370.07, F.S.; providing a surcharge on harvested oysters or clams; providing an exception; providing for collection of the surcharge from wholesale dealers by the Department of Revenue; providing for transfer of such collections to the Shellfish Conservation Trust Fund; providing for use of moneys in the trust fund for specified purposes; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senators Souto and Plummer—

SB 624—A bill to be entitled An act relating to the admissions tax; amending s. 212.04, F.S.; providing an exemption from that tax for an entity identified under s. 170(c) of the United States Internal Revenue Code of 1954, as amended; providing an effective date.

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

By Senator Casas—

SB 626—A bill to be entitled An act relating to false pretense; creating s. 817.025, F.S.; prohibiting home or private business invasion by false personation or representation with intent to commit a felony; providing criminal penalties; providing capital felony penalties if a deadly weapon is used; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Casas—

SB 628—A bill to be entitled An act relating to the Florida Public Education Lottery Act; amending s. 24.115, F.S.; restricting the amount of prizes; providing for distribution of certain prize moneys; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Kurth—

SB 630—A bill to be entitled An act relating to county boundaries; amending s. 7.31, F.S.; providing for consistency of terms in the description of the boundary line between Indian River County and Brevard County; providing an effective date.

—was referred to the Committee on Community Affairs.

By the Committee on Health and Rehabilitative Services—

SB 632—A bill to be entitled An act relating to health care service programs; amending ss. 641.201, 641.21, F.S.; deleting obsolete language to conform to changes made by the act; providing additional requirements for persons applying for a certificate of authority from the Department of Insurance to operate a health maintenance organization; requiring the Department of Health and Rehabilitative Services to adopt rules governing the operation of certain organizations providing prepaid health care and social services; amending s. 641.22, F.S.; providing additional requirements for obtaining a certificate of authority to operate a health maintenance organization; amending s. 641.221, F.S.; providing requirements for expanding the service area of a health maintenance organization; amending s. 641.23, F.S.; providing additional circumstances under which the department may revoke an organization's certificate of authority; providing a penalty; creating s. 641.275, F.S.; requiring periodic examinations of the quality of health care services provided by health

maintenance organizations; exempting certain medical records and examination reports from public records law; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; providing for subpoenas and enforcement thereof; providing a penalty; providing for the examination of health maintenance organizations that operate under certificates issued by the Department of Health and Rehabilitative Services prior to a specified date; amending s. 641.28, F.S.; deleting obsolete provisions; amending s. 641.29, F.S.; requiring health maintenance organizations to pay an annual assessment; providing for deposit of assessment proceeds into the Health Care Services Trust Fund; creating s. 641.295, F.S.; establishing the Health Care Services Trust Fund; providing for the transfer of certain funds in the Health Maintenance Organization Quality Care Trust Fund into the Health Care Services Trust Fund on a specified date; amending s. 641.30, F.S.; providing circumstances under which certain health maintenance organizations are exempt from specified hospital licensing requirements; transferring, renumbering, and amending s. 641.51, F.S.; prohibiting modification of the professional judgment of certain health care providers under certain circumstances; transferring, renumbering, and amending s. 641.55, F.S.; requiring the Department of Insurance to administer the internal risk management programs of health maintenance organizations; continuing the exemption of certain reports and records from public records law; providing for future review of these exemptions pursuant to the Open Government Sunset Review Act; transferring, renumbering, and amending s. 641.54, F.S., relating to hospital and physician information disclosure; amending s. 641.31, F.S.; requiring health maintenance organizations to provide additional notification regarding subscriber's rights and the organization's grievance process; creating s. 641.31085, F.S.; providing requirements for a subscriber grievance procedure; requiring the department to investigate unresolved grievances; amending s. 641.311, F.S.; authorizing the department to provide for additional members on the grievance review panel; amending s. 641.401, F.S.; providing an additional legislative purpose in regulating prepaid health clinics; amending s. 641.402, F.S.; providing a definition; amending s. 641.405, F.S.; providing additional requirements for persons applying for a certificate of authority from the Department of Insurance to operate a prepaid health clinic; requiring the Department of Health and Rehabilitative Services to adopt rules governing the operation of certain clinics providing prepaid health care and social services; amending s. 641.406, F.S.; providing additional requirements for obtaining a certificate of authority to operate a prepaid health clinic; amending s. 641.412, F.S.; requiring prepaid health clinics to pay an annual assessment; providing for deposit of assessment proceeds into the Health Care Services Trust Fund; creating s. 641.4185, F.S.; requiring periodic examinations of the quality of health care services provided by prepaid health clinics; exempting certain medical records and examination reports from public records law; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; providing for subpoenas and enforcement thereof; providing a penalty; providing for the examination of prepaid health clinics that operate under certificates issued by the Department of Health and Rehabilitative Services prior to a specified date; creating s. 641.4187, F.S.; requiring prepaid health clinics to establish internal quality assurance programs; providing program requirements; prohibiting modification of the professional judgment of certain health care providers under certain circumstances; providing prepaid health clinic subscribers the right to a second medical opinion under certain circumstances; amending s. 641.45, F.S.; providing additional circumstances under which the department may revoke a clinic's certificate of authority; amending s. 641.455, F.S.; conforming provisions to changes made by the act; repealing ss. 641.47, 641.48, 641.49, 641.495, 641.515, 641.52, 641.56, 641.57, 641.58, F.S., relating to health care services; reviving and readopting parts II and III of ch. 641, F.S., notwithstanding repeals scheduled pursuant to the Regulatory Sunset Act; providing for future review and repeal; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Finance, Taxation and Claims; and Appropriations.

By Senator Forman—

SB 634—A bill to be entitled An act relating to solicitation of funds; creating ss. 496.401-496.407, 496.409-496.424, F.S.; regulating solicitation of public contributions; requiring full public disclosure of persons who solicit contributions, the purpose of the contribution, and the actual use made of the contributions; providing exemptions; prohibiting deception, fraud, and misrepresentation in the soliciting and reporting of contributions; providing administrative fines; providing criminal penalties; providing for supervision by the Division of Consumer Services of the

Department of Agriculture and Consumer Services; providing procedures; authorizing the division to adopt rules; providing definitions; authorizing the Department of Legal Affairs to make investigations and bring civil actions to enforce the act; requiring the Department of State to provide notice of the requirements of the act to persons registering as nonprofit corporations; transferring and renumbering s. 496.008, F.S.; providing procedures for obtaining authority to solicit funds in a public transportation facility; providing powers of the division; providing civil remedies and criminal penalties; repealing ss. 496.001-496.007, 496.0085, 496.009, 496.011, F.S., which provide for regulating the solicitations of public contributions; providing effective dates.

—was referred to the Committees on Professional Regulation; Finance, Taxation and Claims; and Appropriations.

By Senator Thomas—

SB 636—A bill to be entitled An act relating to the Legislature; fixing the date for convening the regular session of the Legislature in the year 1992; providing an effective date.

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

By Senator Bankhead—

SB 638—A bill to be entitled An act relating to death sentence proceedings; amending ss. 921.141 and 921.142, F.S.; providing as an aggravating circumstance that the victim was a minor; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senators Malchon and Weinstein—

SB 640—A bill to be entitled An act relating to health care; creating the "Florida Health Care Purchasing Cooperative Act"; authorizing the Florida Health Care Purchasing Cooperative; providing for powers, membership, and duties of the cooperative; providing for the confidentiality of information gathered and maintained by the cooperative; providing for a board of directors; providing for board membership and reimbursement for expenses; providing immunity from liability; providing for initial staff support to the cooperative by the Health Care Cost Containment Board; providing appropriations; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Governmental Operations; and Appropriations.

By Senators Kirkpatrick and Dantzer—

SB 642—A bill to be entitled An act relating to wildlife; amending s. 372.663, F.S.; prohibiting the killing, injuring, or capturing of alligators or other crocodilia, or the eggs of either, unless authorized by the rules of the Game and Fresh Water Fish Commission; providing penalties; providing for confiscation of equipment used; amending s. 372.711, F.S.; increasing the civil penalty imposed for certain noncriminal infractions relating to wildlife, imposing a civil penalty for other noncriminal infractions; increasing the period of time in which a person must pay the civil penalty; amending s. 372.83, F.S.; specifying penalties for certain non-criminal infractions and misdemeanor violations of ch. 372, F.S.; providing penalties for certain other violations and for subsequent violations; requiring the suspension or revocation of licenses or permits issued pursuant to ch. 372, F.S., under certain circumstances; prohibiting the killing or wounding of any species designated as endangered, threatened, or of special concern, or destroying the eggs or nest of any such species; providing criminal penalties; amending s. 372.911, F.S.; repealing a general penalty provision; repealing s. 372.68, F.S.; relating to requirements for monthly reports from freshwater fish dealers; repealing s. 372.71, F.S., as amended; relating to penalties for violation of ch. 372, F.S.; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Criminal Justice; and Appropriations.

By Senator Kirkpatrick—

SB 644—A bill to be entitled An act relating to land management; amending s. 161.54, F.S., relating to coastal zone protection; revising a cross-reference to conform to amendments made to the referenced provision by this act; amending s. 177.26, F.S.; repealing a legislative policy statement relating to a program of coastal boundary mapping conducted

by the Department of Natural Resources; repealing ss. 177.27(2), 177.30, 177.31, 177.32, 177.33, 177.34, F.S., relating to such coastal mapping program; repealing ss. 177.503(9), 177.504(2)(b), 177.507(1), F.S., relating to a program conducted by the department to validate and certify public land survey corners; amending s. 253.025, F.S.; requiring a certified land survey to be made prior to the acquisition of lands by the state; providing requirements for such survey; amending s. 253.82, F.S.; providing for release of the state's interest in certain lands acquired by the state under the Murphy Act; declaring certain state lands to be surplus lands; providing for the sale of such surplus lands and the disposition of proceeds; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Judiciary; and Appropriations.

By Senator Kirkpatrick—

SB 646—A bill to be entitled An act relating to the operation of vessels; amending s. 376.12, F.S.; revising the limits on a vessel's liability for discharging pollutants within state boundaries; deleting provisions requiring the financial security for a vessel to be payable to the Florida Coastal Protection Trust Fund; providing an effective date.

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

By the Committee on Personnel, Retirement and Collective Bargaining—

SB 648—A bill to be entitled An act relating to state employment; amending s. 110.604, F.S.; providing that certain personnel actions are exempt from chapter 447, F.S., relating to labor organizations and collective bargaining; amending s. 447.203, F.S.; defining "public employer" with respect to Selected Exempt Service employees; providing an effective date.

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

By Senator Gordon—

SB 650—A bill to be entitled An act relating to faculty of the State University System; amending s. 240.243, F.S.; requiring certain faculty members to teach a minimum number of classroom contact hours, or contact-hour equivalents, per week during certain semesters; providing for exemption from this requirement; requiring the Board of Regents to develop data to demonstrate compliance with this requirement; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Grant—

SB 652—A bill to be entitled An act relating to state employee lobbyists; amending s. 11.061, F.S.; prescribing a limit on the number of lobbyists that may be employed by a state agency, water management district, or institution in the State University System or State Community College System; providing an exception; providing an effective date.

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

By Senators Childers, Bruner and Thomas—

SB 654—A bill to be entitled An act relating to saltwater fishing licenses; amending s. 370.0605, F.S.; providing license fees for residents of states contiguous to Florida; authorizing the Department of Natural Resources to enter into reciprocal agreements with contiguous states with respect to saltwater fishing license fees; providing for reduced fees pursuant to any such agreement; deleting an obsolete provision; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senators Grant, Yancey, Dudley and Weinstock—

SB 656—A bill to be entitled An act relating to imitation firearms; amending s. 39.044, F.S.; authorizing a court to detain a child prior to his detention hearing if the child has been arrested for an offense involving an imitation firearm; amending s. 775.087, F.S.; specifying felony reclassifications and a mandatory minimum term of imprisonment if an imitation firearm is used in the commission of any of specified felonies;

amending s. 790.001, F.S.; defining the term "imitation firearm" for purposes of ch. 790, F.S.; relating to weapons and firearms; amending s. 790.06, F.S., relating to licenses to carry concealed weapons or firearms; revising a cross-reference to conform to renumbering by the act; amending s. 790.07, F.S.; providing that a person who commits a criminal offense or who is under indictment and who displays, uses, threatens to use, or attempts to use an imitation firearm is guilty of a second-degree felony; amending s. 812.13, F.S.; providing that the commission of a robbery with an imitation firearm is a first-degree felony; amending s. 947.16, F.S.; providing that a sentencing judge may retain jurisdiction over a person who is convicted of any felony involving the use of an imitation firearm for purposes of reviewing such person's prison release order; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Davis—

SB 658—A bill to be entitled An act relating to secured transactions; amending ss. 679.504, 679.506, F.S.; clarifying that a guarantor of the obligation secured under a secured transaction has the same rights as the debtor has to reasonable notice prior to sale or disposition of the collateral by the secured party after the debtor's default which right cannot be waived prior to default and to redeem the collateral prior to its sale or disposition by the secured party; providing an effective date.

—was referred to the Committees on Commerce and Judiciary.

By Senator Davis—

SB 660—A bill to be entitled An act relating to indigent health care; creating s. 768.601, F.S.; providing definitions; providing limited immunity from civil liability for health care providers under contract with state or local government to provide indigent care, and for the employees thereof; providing that excessive judgments be reported to the Legislature; providing for patient notification; providing that existing public records provisions are not affected; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Judiciary; Rules and Calendar; and Appropriations.

By Senator Davis—

SJR 662—A joint resolution proposing an amendment to Section 4, Article X of the State Constitution, relating to homestead exemptions.

—was referred to the Committees on Judiciary; Finance, Taxation and Claims; and Appropriations.

By Senators Forman and Gardner—

SB 664—A bill to be entitled An act relating to revenues for public education; amending s. 24.102, F.S.; revising intent of the Florida Public Education Lottery Act; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Davis—

SB 666—A bill to be entitled An act relating to fire and going-out-of-business sales; amending s. 559.21, F.S.; providing for tax collectors instead of sheriffs to issue permits to conduct such sales; requiring the payment of delinquent taxes on the goods to be sold in order for a permit to be issued; revising procedures for the conduct of such a sale; repealing provisions for renewal of such a permit; amending s. 559.22, F.S.; requiring a person who conducts such a sale to specify the permit number within advertisements of the sale; amending s. 559.23, F.S.; providing for payment of permit application fees to tax collectors; deleting provisions for renewal fees; amending s. 559.24, F.S.; revising certain requirements for conducting such a sale; providing that advertisements of such a sale must specify certain information; amending s. 559.26, F.S.; specifying criminal penalties for violation of certain requirements pertaining to such a sale; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senator Forman—

SB 668—A bill to be entitled An act relating to motor vehicle sales warranties; amending s. 681.102, F.S.; providing definitions; amending s. 681.103, F.S.; requiring manufacturers to provide notice of certified dis-

pute settlement procedures; amending s. 681.104, F.S.; revising certain consumer remedies if a manufacturer fails to repair a nonconformity; amending s. 681.106, F.S.; deleting a provision that provides that a consumer acts in bad faith if he files a claim which lacks a justiciable issue of law or fact; amending s. 681.108, F.S.; providing for dispute settlement procedures; creating s. 681.1085, F.S.; providing operating guidelines for certified procedures; amending s. 681.109, F.S.; revising certain provisions relating to the eligibility of disputes filed with the Florida New Motor Vehicle Arbitration Board; amending s. 681.1095, F.S.; revising the composition of the Florida New Motor Vehicle Arbitration Board; providing for the Division of Consumer Services of the Department of Agriculture and Consumer Services to determine the eligibility of certain disputes presented to the board; authorizing the board to administer oaths; revising certain provisions relating to the appeal of board decisions; amending s. 681.114, F.S.; requiring the Department of Legal Affairs to notify the Department of Highway Safety and Motor Vehicles of certain vehicles returned pursuant to ch. 681, F.S., and requiring such information to be noted on a vehicle's registration; amending s. 681.115, F.S.; providing that certain waiver agreements are void; providing for applicability to previously purchased or leased vehicles; providing an effective date.

—was referred to the Committees on Professional Regulation, Judiciary and Appropriations.

By Senators Weinstock and Forman—

SB 670—A bill to be entitled An act relating to protection of persons from abuse, neglect, and exploitation; repealing s. 415.102(11), F.S.; deleting the definition of the term "indicated-perpetrator undetermined report" for purposes of provisions relating to the abuse, neglect, or exploitation of aged persons; amending s. 415.103, F.S.; deleting provisions relating to classifying such reports in the central abuse registry and tracking system within the Department of Health and Rehabilitative Services; providing for the award of fees and costs in actions challenging the department's classification of certain reports; amending s. 415.104, F.S.; providing requirements for persons representing alleged perpetrators in investigations of abuse, neglect, or exploitation; deleting terminology made obsolete by the act; amending s. 415.107, F.S.; deleting provisions relating to the confidentiality of reports classified as "indicated-perpetrator undetermined"; repealing s. 415.503(10), F.S.; deleting the definition of the term "indicated-perpetrator undetermined report" for purposes of provisions relating to child abuse or neglect; amending s. 415.504, F.S.; requiring the department to make certain reports to local law enforcement agencies; deleting provisions pertaining to classifying such reports in the central abuse registry and tracking system within the department; providing for the award of fees and costs in actions challenging the department's classification of certain reports; amending s. 415.505, F.S.; providing requirements for persons representing alleged perpetrators in certain child protective investigations; deleting terminology made obsolete by the act; providing for the termination of certain restrictive actions upon a finding that a report of child abuse or neglect is unfounded; amending s. 415.51, F.S.; deleting provisions relating to confidentiality of reports of child abuse or neglect which are classified as "indicated-perpetrator undetermined"; requiring the department to expunge information and records pertaining to indicated reports or indicated-perpetrator undetermined reports prior to a specified date; authorizing the department to reclassify such records prior to expunction; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Casas—

SJR 672—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution relating to ad valorem taxation.

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

By Senator Casas—

SB 674—A bill to be entitled An act relating to state uniform traffic control; amending ss. 316.613, 318.18, and 322.27, F.S.; increasing the penalty for violations of law relating to child restraint requirements; providing for the assessment of points against a violators' driver's license; providing for a criminal penalty for certain violations; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By the Committee on Commerce—

SB 676—A bill to be entitled An act relating to labor problems; repealing s. 448.06, F.S., relating to the establishment of a voluntary mediation and conciliation service; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Kirkpatrick, Forman, Casas, Thomas, Gordon, Brown and Kurth—

SB 678—A bill to be entitled An act relating to jurors; amending s. 40.01, F.S.; providing that jurors shall be selected from those possessing a driver's license or identification card or who have executed a prescribed affidavit, rather than from registered electors; creating s. 40.011, F.S.; requiring the Department of Highway Safety and Motor Vehicles to furnish a department data base list to clerks of the circuit court in each county; providing for affidavits for application for jury duty for persons whose names do not appear on the list; creating s. 40.022, F.S.; requiring the clerk of the circuit court to purge the jury lists once a month of persons convicted of a felony, adjudicated mentally incompetent, or deceased; amending s. 98.211, F.S.; deleting a provision that lists of electors be used for purposes of jury selection; amending s. 322.20, F.S.; providing that the Department of Highway Safety and Motor Vehicles may furnish to the courts, for jury selection purposes, lists of persons issued identification cards; restricting release of such information by the court; amending s. 905.37, F.S.; providing that statewide grand jurors be selected from the same juror pool as countywide jurors; providing an effective date.

—was referred to the Committees on Judiciary and Appropriations.

By Senator Kirkpatrick—

SB 680—A bill to be entitled An act relating to water resources; amending s. 373.069, F.S.; modifying the boundaries of the Suwannee River Water Management District and the St. Johns River Water Management District; providing for the transfer of water management district rules, permits, and applications for permits affected by the boundary modifications; providing for the merger of the Northwest Florida Water Management District and the Suwannee River Water Management District, contingent upon approval of an amendment to the State Constitution increasing the ad valorem millage that may be levied for water management purposes in Northwest Florida; providing for the Governor to appoint a governing board; creating s. 373.077, F.S.; providing for the appointment of members of water management district governing boards to staggered terms; amending s. 373.083, F.S.; providing for the delegation of permitting authority to water management district executive directors; amending s. 373.089, F.S.; authorizing water management districts to exchange district lands for lands owned by other persons; providing limitations; amending s. 373.117, F.S.; providing for certification of an activity by a professional engineer, land surveyor, landscape architect, or geologist; creating s. 373.1395, F.S.; providing a limitation on liability of water management districts that make certain areas available without charge to the public for recreational purposes; creating s. 373.420, F.S.; authorizing water management districts to conduct wetland determinations; authorizing a fee; amending s. 373.507, F.S.; providing for county notification of specified board meetings; amending s. 373.536, F.S.; providing for the review of water management district budgets by the Department of Environmental Regulation; providing requirements for that review; providing for a report to the Governor and Cabinet and the Legislature; creating s. 373.620, F.S.; providing for periodic review of parts II, III, and IV of ch. 373, F.S.; repealing s. 373.503(3)(b), F.S., relating to restrictions on the millage assessed for district and basin purposes by water management districts; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Governmental Operations; Finance, Taxation and Claims; and Appropriations.

By Senator Kiser—

SB 682—A bill to be entitled An act relating to the Auditor General; amending s. 11.45, F.S.; providing additional duties of the Auditor General with respect to Sunset and Sundown review; providing for a report; providing an effective date.

—was referred to the Committees on Governmental Operations; Rules and Calendar; and Appropriations.

By Senator Thurman—

SB 684—A bill to be entitled An act relating to government efficiency; creating the "Fiscal Responsibility Underwriting Gubernatorial and Legislative Expenditures Act"; requiring the Governor to produce an annual report proposing improvements to executive department efficiency and productivity, as specified; requiring distribution of the report; providing definitions; requiring the Joint Legislative Auditing Committee to hold public hearings and meet with certain consumer groups; requiring the committee to submit to the Governor and the Legislature certain recommendations; requiring written responses to such recommendations; amending s. 216.164, F.S.; requiring the Governor to submit certain supplementary budget materials; providing an effective date.

—was referred to the Committees on Governmental Operations; Rules and Calendar; and Appropriations.

By Senator Thurman—

SB 686—A bill to be entitled An act relating to capital felonies; amending s. 775.082, F.S.; providing that persons convicted of specified capital felonies and sentenced to life imprisonment are ineligible for parole; amending s. 790.161, F.S.; prescribing penalties for persons convicted of a capital felony involving death as a result of making, possessing, throwing, placing, projecting, discharging, or attempting to discharge a destructive device; providing an effective date.

—was referred to the Committees on Criminal Justice; Corrections, Probation and Parole; and Appropriations.

By Senator Thurman—

SB 688—A bill to be entitled An act relating to public school personnel; defining the term "educational support employee" for purposes of the act; providing that each such employee is employed on a probationary status for an initial period of his employment determined by a collective bargaining agreement or by school board rules; specifying conduct for which such an employee's employment may be terminated; authorizing a school board to suspend such an employee while it determines if he is to be terminated; requiring the school board to provide written notice of its decision to the employee; providing for appeal of a decision to terminate; providing for expiration of the act; providing for legislative review in advance thereof; providing an effective date.

—was referred to the Committee on Education.

By Senator Thurman—

SB 690—A bill to be entitled An act relating to jai alai; creating s. 551.1535, F.S.; creating the Jai Alai Tournament of Champions Meet; providing requirements for such meet; providing tax breaks; providing credits; providing an exemption from license application under certain circumstances; providing for the length of the meet; providing application; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Thurman—

SB 692—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; exempting financial statements or records submitted to an agency in connection with an invitation to bid or request for proposal from public records requirements; providing for review and repeal; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Thurman—

SB 694—A bill to be entitled An act relating to personnel of the school system; amending s. 231.17, F.S.; requiring the refingerprinting of individuals holding active teaching certificates under certain circumstances; providing an effective date.

—was referred to the Committee on Education.

By Senator Thurman—

SB 696—A bill to be entitled An act relating to archives; amending s. 257.35, F.S.; providing access of records in the Florida State Archives; providing authority for the Florida State Archives to require the transfer of historical records; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Kiser—

SJR 698—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 20 of Article XII of the State Constitution, relating to homestead exemption.

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

By Senator Kirkpatrick—

SB 700—A bill to be entitled An act relating to aquaculture; reenacting ss. 253.01(1)(b), 270.22, F.S.; providing for deposit of revenues from certain aquaculture leases into the Marine Biological Research Trust Fund of the Department of Natural Resources, rather than the Internal Improvement Trust Fund; providing for the use of funds from shellfish-related aquaculture leases; amending s. 253.68, F.S.; allowing the Board of Trustees of the Internal Improvement Trust Fund to consider, in estimating the effect of a proposed lease approval, comments made by county commissioners in the county in which the proposed lease area lies; reenacting and amending s. 253.71, F.S.; revising provisions relating to aquaculture lease contracts; providing for a surcharge; providing for a minimum lease fee; exempting perpetual leases from a surcharge on aquaculture leases; eliminating a bond requirement; providing for cultivation guidelines; revising the dates for payment of aquaculture lease fees; deleting a provision that has served its purpose; improving clarity; reenacting s. 370.07(7), F.S., relating to the purchase of saltwater products at temporary locations; reenacting and amending s. 370.16, F.S.; providing regulations relating to oysters and shellfish; providing for application for a lease for growing oysters or clams; providing for notice to the riparian owner; requiring the leased lands to be as compact as possible; providing for surveys, plats, and maps of oyster and clam reefs; providing for the execution of leases; requiring lessees to stake off boundaries; providing penalties; providing for leases in perpetuity; providing a minimum rental amount and providing for periodic adjustment of rents; providing for an aquaculture lease surcharge and exempting certain perpetual leases from the surcharge; providing for depositing surcharge proceeds into the Marine Biological Research Trust Fund and for the uses of those proceeds; including clams as shellfish that may be planted to attain commercial density; repealing provisions for determining the bona fide cultivation of shellfish leases; deleting provisions that allow the department to monitor the cultivation of shellfish grants and leaseholds in Apalachicola Bay; repealing reporting requirements for planting shellfish; providing rulemaking authority; allowing the department to enforce the removal of unlawful cultch; providing for the transferability of leases; providing deadlines and enforcement procedures for the payment of rent, including forfeiture for nonpayment; providing for the cancellation of leases to natural reefs; repealing provisions allowing the inclusion of natural reefs in shellfish leases; prohibiting future shellfish leases in Franklin County, except as provided; repealing restrictions on the size of aquaculture leases and on allowed methods of harvest; providing for the settlement of boundary disputes; prohibiting trespass on leased beds and gathering oysters and clams between sunset and sunrise; providing for the protection of oyster and clam reefs; prohibiting staking off water bottoms or bedding oysters without obtaining a lease; repealing provisions relating to shellfish harvesting seasons in Apalachicola Bay; repealing provisions relating to the Apalachicola Bay Conservation Trust Fund; giving statewide application to the prohibition, previously made applicable to Apalachicola Bay, against harvesting oysters by means other than hand tongs; repealing provisions relating to special activity licenses for Apalachicola Bay; allowing the department to mechanically harvest oysters or clams during a closed harvest season; providing for fishing for relaying or transporting purposes; providing for transfer of the proceeds from a discontinued oyster severance tax; requiring a license for an oyster, clam, or mussel canning factory and providing for a license fee; prohibiting false returns as to oysters or clams handled; providing penalties; providing for the deposit of shellfish lease rental fees; providing for marine patrols for enforcing the severance or privilege tax on oysters and clams; providing for the seizure of vessels and cargoes violating oyster and clam laws; allowing boards of county commissioners to appropriate and expend moneys for oyster and clam rehabilitation; prohibiting the dredging of dead shell deposits; providing for cooperation with the U.S. Fish and Wildlife Service; providing that shells from oysters and clams are the property of the Division of Marine Resources; providing for that division, assisted by the testing facilities of the Department of Health and Rehabilitative Services, to protect oyster grounds, beds, and reefs; requiring health permits; providing requirements for oyster vessels; deleting provisions that have served their purpose; improving clarity; provid-

ing that the amendment or republication of certain provisions by this act does not affect the scheduled repeal of those provisions; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Kirkpatrick—

SB 702—A bill to be entitled An act relating to hunting and fishing licenses; reenacting s. 372.561(5)(b), F.S.; providing for certain totally and permanently disabled persons to be certified by any branch of the United States Armed Forces or the United States Social Security Administration to receive permanent hunting and fishing licenses; reenacting and amending s. 372.57, F.S.; providing that the turkey stamp used for hunting need not bear the name of the person to whom it is issued; changing fees and conditions with respect to certain nonresident hunting licenses; authorizing the Game and Fresh Water Fish Commission to designate certain free fishing days; deleting an expired provision that provides for reciprocal licensing of certain Georgia and Alabama residents; reenacting s. 372.571, F.S., relating to expiration of licenses and stamps, to conform to the act; reenacting s. 372.661, F.S.; providing for a commercial hunting preserve license; providing a fee; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Kirkpatrick—

SB 704—A bill to be entitled An act relating to pollution prevention; amending s. 403.031, F.S.; defining the term "pollution prevention" for purposes of ch. 403, F.S.; amending s. 403.061, F.S.; providing additional duties of the Department of Environmental Regulation in establishing pollution prevention and reduction programs; creating s. 403.072, F.S.; providing a short title; creating s. 403.073, F.S.; providing goals and policies of the state in preventing pollution; creating s. 403.074, F.S.; requiring the department to implement a program for providing technical assistance in pollution prevention; creating the Pollution Prevention Council within the department; providing for appointment of council members; requiring the council to make recommendations for a statewide pollution prevention program; providing for abolishment of the council; providing an effective date.

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

By Senator Langley—

SB 706—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; providing that certain persons convicted of DUI manslaughter are not eligible for basic gain-time; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By Senator Langley—

SB 708—A bill to be entitled An act relating to recovery for wrongful death; repealing s. 768.21(8), F.S., as created by s. 2, ch. 90-14, Laws of Florida, which subsection provides that certain damages are not recoverable by adult children and that certain other damages are not recoverable by the parents of an adult child; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Bankhead—

SB 710—A bill to be entitled An act relating to the service districts of the Department of Health and Rehabilitative Services; amending s. 20.19, F.S.; transferring St. Johns County from one subdistrict of a service district to another subdistrict; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Health and Rehabilitative Services Reorganization.

By Senator Bankhead—

SB 712—A bill to be entitled An act relating to the impact fee upon motor vehicle registrations; amending s. 320.072, F.S.; exempting from payment of that fee certain military personnel and former military personnel; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By the Committee on Judiciary—

SB 714—A bill to be entitled An act relating to juries; amending s. 40.01, F.S.; providing that jurors must be citizens of the United States; amending s. 40.013, F.S.; revising juror disqualification and excusal provisions; amending s. 40.015, F.S.; requiring jury districts to be established in accordance with procedures adopted by the Supreme Court; amending s. 40.02, F.S.; consolidating provisions on jury lists and drawing venires; modernizing these provisions to reflect current electronic processes; amending s. 40.23, F.S., making the fine for failure to comply with jury summons discretionary; increasing the amount of such fine; amending s. 40.235, F.S.; revising provisions on juror accommodations; amending s. 40.24, F.S.; clarifying what constitutes active attendance of juror; amending s. 40.271, F.S.; revising provisions on employer reprisals for employee jury duty; amending ss. 40.29, 40.31, 40.32, 40.33, 40.34, 40.35, F.S.; providing that the clerks of court are to receive their money for juror and witness fees through the Supreme Court; providing that the Supreme Court can require additional data to support an estimate for fees; providing that the Supreme Court is to audit the clerks' statement of fees; amending s. 40.41, F.S.; providing for the length of term of service for a petit juror; repealing s. 40.221, F.S., which provides for drawing the jury venire; repealing s. 40.225, F.S., which provides for an alternative method of drawing jury venires; repealing s. 40.231, F.S., which provides for jury pools; repealing s. 40.26, F.S., which provides for meals for jurors; repealing s. 40.30, F.S., which provides for the comptroller to transmit juror and witness fee amounts to the clerk of the court; providing an effective date.

—was referred to the Committees on Judiciary and Appropriations.

By Senator Souto—

SB 716—A bill to be entitled An act relating to the state lottery; amending s. 24.105, F.S.; requiring the Department of the Lottery to publish detailed financial reports; providing an effective date.

—was referred to the Committees on Commerce and Governmental Operations.

By Senator Jenne—

SB 718—A bill to be entitled An act relating to loan brokers and credit service organizations; providing legislative findings and intent; providing definitions; prohibiting loan brokers from performing certain acts; providing for the responsibility of principals; providing for investigations, cease and desist orders, and hearing procedures with respect to loan brokers; providing for fines and disposition thereof; providing for examinations, subpoenas, hearings, and witnesses; providing for injunctions to restrain violations; providing criminal penalties; providing for actions for damages; providing for the powers and duties of the Department of Banking and Finance; amending s. 516.07, F.S.; deleting certain violations of the Florida Consumer Finance Act; repealing ss. 559.10, 559.11, 559.12, and 559.13, F.S., relating to budget planning; amending s. 817.7001, F.S.; defining the term "budget planning"; revising definitions with respect to credit service organizations; creating s. 817.7002, F.S.; providing for the powers and duties of the Department of Banking and Finance with respect to credit service organizations; creating s. 817.7003, F.S.; prohibiting budget planning; creating s. 817.707, F.S.; providing recordkeeping requirements; creating s. 817.708, F.S.; providing for the responsibilities of principals; creating s. 817.709, F.S.; providing for investigations, examinations, subpoenas, hearings, and witnesses; creating s. 817.715, F.S.; providing for injunctions to restrain certain violations; creating s. 817.716, F.S.; providing for cease and desist orders; providing for imposition of fines; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Bankhead—

SB 720—A bill to be entitled An act relating to the Florida Olympic Resource Commission; establishing the commission within the Department of Commerce; providing duties; providing for the appointment of members; providing for commission staff; providing meeting requirements; providing for reports; providing for the compensation of members and the termination of the commission; providing an appropriation; providing an effective date.

—was referred to the Committees on International Trade, Economic Development and Tourism; and Appropriations.

By Senator Kirkpatrick—

SR 722—A resolution commending the Buchholz High School football team and its coach for winning the 1990 state class AAAA high school football championship.

—was referred to the Committee on Rules and Calendar.

By Senator Kirkpatrick—

SB 724—A bill to be entitled An act relating to the Department of Professional Regulation; amending s. 455.2175, F.S.; prohibiting the theft of examinations; providing penalties; amending s. 455.219, F.S.; providing for fees for duplicate licenses, research, certified copies, and duplication; amending s. 455.225, F.S.; specifying circumstances in which a formal hearing is required; amending s. 455.2275, F.S.; expanding applicability of prohibitions against giving false information to the department or a board; amending s. 455.230, F.S.; authorizing the department to require the payment of attorney's fees, costs, and court costs by a person who defaults in an examination hearing in certain circumstances; amending s. 455.241, F.S.; providing that the furnishing of reports or copies of patient records not be conditioned upon payment of a fee; providing an effective date.

—was referred to the Committee on Professional Regulation.

By Senator Kirkpatrick—

SB 726—A bill to be entitled An act relating to detention facilities; amending s. 951.23, F.S.; requiring that minimum standards and requirements for county and municipal detention facilities be consistent with certain judicial decisions or statutes; specifying circumstances for custody of inmates in reduced custody housing areas; providing an effective date.

—was referred to the Committee on Corrections, Probation and Parole.

By Senator Kirkpatrick—

SB 728—A bill to be entitled An act relating to public utility records; amending s. 119.07, F.S.; exempting applications for publicly owned utility services and customer financial records of publicly owned utilities from public inspection requirements; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Brown—

SB 730—A bill to be entitled An act for the relief of William L. Shirley and Esther S. Shirley; providing appropriations to compensate them for injuries sustained by William L. Shirley as a result of the negligence of the Department of Transportation and the Department of Highway Safety and Motor Vehicles; providing an effective date.

—was referred to the Special Master; and the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Brown—

SB 732—A bill to be entitled An act relating to lobbyists; creating s. 11.055, F.S.; prohibiting contingency fees; providing a penalty; providing for return of compensation received under a contingency-fee arrangement; amending s. 11.062, F.S.; prohibiting governmental entities from employing certain lobbyists with public funds; providing an exception; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Rules and Calendar.

By Senator Brown—

SB 734—A bill to be entitled An act relating to school finance; amending s. 236.25, F.S.; authorizing school boards to use certain discretionary ad valorem tax revenues for the purchase of new and replacement motor vehicles; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Brown—

SB 736—A bill to be entitled An act relating to campaign financing; amending s. 106.08, F.S.; subjecting contributions made by national political parties and state and county executive committees of political parties to campaign contribution limits, for which there are penalties for violation; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senators Weinstock and Wexler—

SB 738—A bill to be entitled An act relating to Palm Beach County; amending chapter 75-473, Laws of Florida, as amended; revising membership requirements for the Solid Waste Authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Childers—

SB 740—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.04, F.S.; revising language with respect to racing meetings; amending s. 550.51, F.S.; eliminating a prohibition against permit-holders operating more than 6 days in any week; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senator Johnson—

SB 742—A bill to be entitled An act relating to crime prevention; amending s. 772.102, F.S.; providing that for purposes of certain civil remedies, the term “enterprise” includes groups that associate for no purpose other than the criminal conduct; providing that the term “pattern of criminal activity” includes activities that do not continue; amending s. 895.02, F.S.; providing that the term “racketeering activity” for purposes of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act includes specified crimes as existing on or before January 1, 1991; including within the definition of the term the crime of keeping a gambling house; providing that, for purposes of the act, the term “enterprise” includes entities that associate for no purpose other than racketeering conduct; providing that the term “pattern of racketeering activity” includes activities which do not continue; creating s. 895.031, F.S.; providing trial venue for incidents of racketeering conduct; amending s. 895.05, F.S.; providing that certain interests in real property are subject to forfeiture under the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; providing that property used or intended to be used to facilitate racketeering conduct is subject to forfeiture; revising the point in time at which title to forfeited property vests in the state; authorizing the court to order forfeiture of other property of the defendant if property subject to forfeiture is unavailable; providing circumstances under which certain property and interests are not subject to forfeiture; correcting a cross-reference; providing for certain fees and costs to be waived in proceedings under the act; amending s. 895.06, F.S.; requiring the clerk of the court to seal nondisclosure orders relating to certain civil investigative subpoenas; amending s. 895.07, F.S.; providing for a notice of lis pendens to remain in effect until termination of a civil proceeding brought under the act; amending s. 895.09, F.S.; authorizing compromise of certain forfeiture actions; amending s. 48.081, F.S.; authorizing service of process to be made on foreign corporations under any applicable law; reenacting ss. 655.50(3)(g), 896.101(1)(g), F.S., relating to unlawful financial transactions, to incorporate the amendment to s. 895.02, F.S., in references thereto; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Johnson—

SB 744—A bill to be entitled An act relating to education; amending s. 228.0727, F.S.; correcting a cross-reference; amending s. 230.2312, F.S.; deleting obsolete language relating to the Florida Primary Education Program; providing for the inclusion of funds in the applicable basic cost factor; amending s. 230.2313, F.S.; requiring each school district to provide student services from current operating funds of the Florida Education Finance Program; amending s. 230.2319, F.S.; providing for the inclusion of middle childhood funds in the applicable basic cost factor; amending s. 230.645, F.S.; correcting a cross-reference; amending s. 233.057, F.S.; authorizing the provision of funds from current operating funds for services of reading resource specialists; amending s. 233.067, F.S.; authorizing the provision of funds from current operating funds for comprehensive health education and substance abuse prevention; amending s. 236.081, F.S., relating to the Florida Education Finance Program; including in the base student allocation amounts previously provided for certain categorical programs; including in the applicable basic cost factor certain funds previously provided for categorical programs; providing for additional weighted full-time equivalent student membership for specified programs; correcting cross-references; providing permanent and

transitional categorical programs; deleting listed general and transitional categorical programs; revising provisions relating to the determination of a sparsity supplement; including additional weighted full-time equivalent membership for certain funds previously provided for categorical programs; revising provisions relating to the calculation of the extended day supplement; providing for a specified quality assurance guarantee; providing for a discretionary tax power equalization supplement and calculation thereof; including the supplement in the total allocation to each district for current operation; creating s. 236.0821, F.S.; providing for calculation of a measure of public school funding equity and review of results thereof; amending s. 236.083, F.S.; correcting a cross-reference; amending s. 236.088, F.S.; providing basic skills and functional literacy compensatory funds through the Florida Education Finance Program; amending s. 236.089, F.S.; providing for funding of student development services through current operating funds; amending s. 236.092, F.S., relating to mathematics, science, and computers; deleting categorical funding; providing for the inclusion of funds for high-cost science lab equipment in the applicable basic cost factor; amending s. 236.1223, F.S.; providing for additional weighted full-time equivalent student membership to fund the teaching of writing skills; amending s. 236.25, F.S.; revising provisions authorizing each school district to levy a nonvoted current operating discretionary millage; providing for determination of such levy; amending ss. 237.34 and 240.1161, F.S.; correcting cross-references; requiring the Commissioner of Education to report to the Legislature on specified issues; providing an effective date.

—was referred to the Committees on Education; Finance, Taxation and Claims; and Appropriations.

By Senator Johnson—

SB 746—A bill to be entitled An act relating to the determination of millage rates for purposes of ad valorem taxation; amending s. 200.065, F.S.; providing a maximum nonvoted millage rate increase for certain taxing authorities; restricting the maximum rate of the proposed millage necessary to fund the tentative budget; providing an effective date.

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

By Senator Johnson—

SB 748—A bill to be entitled An act relating to public school financing; providing that district school boards may use ad valorem tax revenues collected for capital-outlay purposes to fund classroom operations under certain circumstances; providing an expiration date; providing an effective date.

—was referred to the Committees on Education; Finance, Taxation and Claims; and Appropriations.

By Senator Johnson—

SB 750—A bill to be entitled An act relating to tax on cigarettes and tobacco products; amending s. 210.02, F.S.; specifying liability and responsibility for cigarette excise tax collection; amending s. 210.09, F.S.; providing that sales tickets or invoices state the county in which the sale was made; amending s. 210.25, F.S.; defining “distributing agent” for purposes of the tax on tobacco products; amending s. 210.40, F.S.; providing for application and fees for a distributing agent’s license; amending s. 210.50, F.S.; providing for revocation or suspension of license; amending s. 210.60, F.S.; requiring distributing agents to keep records; authorizing inspection of distributing agents’ premises and records; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Johnson—

SB 752—A bill to be entitled An act relating to crime victim assistance; amending s. 775.089, F.S.; authorizing enhanced-amount restitution in certain circumstances, and reenacting ss. 538.07(2), 538.23(4), 810.115, 921.187(2), 947.181(2), 948.03(1)(e), 948.032, and 960.001(1)(h), F.S., relating to secondhand dealers, secondary metals recyclers, trespass, sentencing, parole, probation, and victim’s rights, to incorporate said amendment in references thereto; amending ss. 772.14 and 772.15, F.S., relating to civil remedies for criminal practices, to delete limitations upon such remedies; creating s. 960.31, F.S.; providing for abolishment of offender causes of action in certain circumstances and providing evidentiary mat-

ters; creating s. 960.32, F.S.; prohibiting pleading on abolished causes of action and providing penalties; providing effective dates.

—was referred to the Committees on Criminal Justice, Judiciary and Appropriations.

By Senator Brown—

SB 754—A bill to be entitled An act relating to criminal penalties; amending s. 775.084, F.S.; providing for enhanced penalties for habitual felony offenders, and habitual violent felony offenders, who commit life felonies; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Brown—

SB 756—A bill to be entitled An act relating to victims' rights; amending s. 960.003, F.S.; providing for human immunodeficiency virus testing of persons charged with, convicted of, or incarcerated for certain offenses that involve the transmission of body fluids from one person to another and for disclosure of test results to victims or their guardians; providing for victim counseling; providing for post-conviction test orders; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Gardner—

SB 758—A bill to be entitled An act relating to proceedings relating to juveniles; creating s. 39.338, F.S.; providing certain rights to victims and witnesses in juvenile delinquency proceedings; amending ss. 39.053, 39.054, F.S.; requiring judges to impose restitution as a penalty in community control programs; providing an effective date.

—was referred to the Committees on Judiciary; and Health and Rehabilitative Services.

By Senator Jenne—

SB 760—A bill to be entitled An act relating to physical therapy practice; amending s. 486.021, F.S.; revising definition of the term physical therapy; amending s. 486.125, F.S.; providing additional grounds for which disciplinary actions may be taken; providing an effective date.

—was referred to the Committee on Professional Regulation.

By Senator Jenne—

SB 762—A bill to be entitled An act relating to condominiums; amending s. 718.114, F.S.; revising language with respect to the authority to conduct bingo games by condominium associations; providing an effective date.

—was referred to the Committees on Commerce and Criminal Justice.

By Senators Jenne and Diaz-Balart—

SB 764—A bill to be entitled An act relating to the regulation of vacation plans; amending s. 721.01, F.S.; changing the short title of chapter 721, F.S., to the Florida Real Estate Vacation Plan and Time-Sharing Act; amending s. 721.02, F.S.; providing legislative purpose; amending s. 721.03, F.S.; providing for the scope of the chapter; amending s. 721.05, F.S.; providing definitions; amending s. 721.07, F.S.; revising language with respect to public offering statements; providing fees; authorizing the Division of Florida Land Sales, Condominiums, and Mobile Homes to provide by rule for summary statements of public offerings under certain circumstances; amending s. 721.08, F.S.; authorizing the division to accept other assurances under the chapter rather than escrow accounts to guarantee performance; amending s. 721.11, F.S.; revising language with respect to advertising materials; amending s. 721.13, F.S.; revising language with respect to the duties of a managing entity; amending s. 721.27, F.S.; providing for the assessment of a penalty against managing entities who fail to file a required annual fee; repealing s. 721.30, F.S.; eliminating obsolete language with respect to the operation of certain laws of Florida; amending s. 192.037, F.S.; revising language with respect to escrow accounts for taxes and assessments for fee time-share real property; creating s. 509.512, F.S.; providing for a time-share plan developer and exchange company exemption to the Florida Membership Campground Act; amending s. 559.927, F.S.; providing for a time-share plan developer

and exchange company exemption to regulation as sellers of travel; providing an effective date.

—was referred to the Committees on International Trade, Economic Development and Tourism; Finance, Taxation and Claims; and Appropriations.

By Senator Jenne—

SB 766—A bill to be entitled An act relating to membership campgrounds; creating chapter 722, F.S., the Florida Membership Campground Act; providing legislative purposes; specifying the scope of the act; providing definitions; requiring contracts for the purchase of the right to use campgrounds and facilities pursuant to a membership camping plan; providing for a cancellation period with regard to such contracts; requiring a disclosure statement; providing for filing membership camping contracts with the Division of Florida Land Sales, Condominiums, and Mobile Homes; providing a fee; providing for filing an affidavit concerning the occupancy level for campgrounds; requiring trust accounts; providing penalties; requiring nondisturbance instruments or alternative assurances; providing notice to creditors; providing circumstances under which an offeror may terminate or relocate campgrounds; defining advertising materials and providing restrictions; requiring disclosure with respect to certain advertising; providing requirements as to prize and gift promotional offers; providing requirements as to vacation and lodging certificates; providing for protection of purchasers' interests in planned facilities; specifying requirements with regard to planned future development of adjoining properties, the transfer of offeror's interest in a campground, and the collection of dues payments; providing requirements relating to reciprocal programs; requiring a disclosure statement; providing for filing the disclosure statement and for providing the disclosure statement to purchasers; providing for the registration of salespersons and tour generators; providing civil penalties; providing for regulation by the Division of Florida Land Sales, Condominiums, and Mobile Homes; providing penalties; providing for enforcement; providing for the applicability of chapter 212, F.S., to fees, penalties, and fines under chapter 722, F.S.; providing that proceeds collected pursuant to chapter 722 be deposited in the Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund; providing for purchasers' remedies; providing criminal penalties; providing for severability; repealing ss. 509.501-509.511, F.S.; deleting the Florida Membership Campground Act; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Brown—

SB 768—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.461, F.S.; providing for classification and assessment of high water recharge lands; requiring owners to contract to use land only for certain purposes for a specified period of time in order for land to be so classified and assessed; prohibiting high water recharge lands from being subdivided during such period; providing procedures and requirements, including requirements that the land may not be subdivided and that a contract must be made to maintain the land in that classification for a specified minimum period of time; requiring payment of back taxes if land becomes ineligible for classification as high water recharge land; providing for appeals to the property appraisal adjustment board if land is denied classification as high water recharge land; specifying the factors applicable to such classification; providing for determination of assessment of such land; amending ss. 193.052, 194.011, 194.032, 194.037, 195.073, 195.096, F.S., relating to filing of returns, procedures of the property appraisal adjustment boards, and classification of real property, to conform; providing an effective date.

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

By Senator Diaz-Balart—

SB 770—A bill to be entitled An act relating to Metropolitan Dade County and the City of Homestead; providing for the relief of Yolanda Amara Torres, individually, and as mother and natural guardian of Oscar Rosa, a minor, for injuries sustained by Oscar Rosa through the negligence of Metropolitan Dade County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Jenne—

SB 772—A bill to be entitled An act relating to consumer protection; creating part IV of chapter 501, F.S., relating to telemarketing; providing purpose and definitions; providing exemptions; providing requirements for licensure of commercial telephone solicitors and salespersons by the Department of Business Regulation; requiring certain disclosures; requiring display of licenses; providing for license renewal; providing security requirements; specifying grounds for denial of licensure; providing for general disclosures and disclosures of gifts and premiums to purchasers; requiring written contracts for purchase of consumer goods or services; providing for refund, credit, or replacement; specifying unlawful acts; providing investigative powers of enforcing authority; providing general civil remedies and civil penalties; providing for attorney's fees and costs; providing for referral to a criminal prosecuting authority; providing criminal penalties; requiring burden of proof of exempt businesses; providing additional individual remedies; providing for rules; providing for review and repeal; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Grant—

SJR 774—A joint resolution proposing an amendment to Section 3, Article III of the State Constitution, relating to time of daily sessions of the legislature.

—was referred to the Committee on Rules and Calendar.

By Senator Grant—

SB 776—A bill to be entitled An act relating to education; amending s. 24.121, F.S., relating to the allocation of lottery revenues and expenditures thereof for public education; providing for the annual allocation by the Department of Education of specified percentages of the moneys in the Educational Enhancement Trust Fund among the school districts, the state universities, and the community college districts; providing for distribution of the moneys to, and administration of the moneys by, the respective district school boards, the Board of Regents, and the respective community college district boards of trustees; specifying the purposes for which the moneys distributed may or may not be used; repealing existing provisions for the apportionment and use of such moneys; providing for continuing annual appropriations of the moneys in the Educational Enhancement Trust Fund to carry out the act; exempting the trust fund from s. 216.301, F.S., relating to reversion of fund balances at the end of a fiscal year; authorizing the Department of Education to adopt necessary rules; providing an effective date.

—was referred to the Committees on Education, Commerce and Appropriations.

By Senator Grant—

SB 778—A bill to be entitled An act relating to retired justices and judges assigned to temporary judicial duty; amending s. 25.073, F.S.; changing the rate of compensation of such justices and judges; providing an effective date.

—was referred to the Committees on Judiciary and Appropriations.

By Senator Grant—

SB 780—A bill to be entitled An act relating to alcoholic beverages; creating s. 562.0605, F.S.; requiring licensed vendors to post certain health warning signs in licensed self-serve package outlets; directing the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation to furnish the required signs; prohibiting the selling or serving of an alcoholic beverage in a room in which such a warning sign is not posted as required; providing penalties; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Grant—

SB 782—A bill to be entitled An act relating to buying services; creating ss. 559.3901-559.3906, F.S.; creating the Buying Services Act of 1991; providing definitions; providing for right of cancellation, refunds, non-waivable rights, requirements, notice and effect of noncompliance with respect to contracts of membership; providing for required disclosures and prohibited acts; providing penalties with respect to violations of the act; providing an effective date.

—was referred to the Committees on Professional Regulation and Appropriations.

By Senator Grant—

SB 784—A bill to be entitled An act relating to criminal sentencing; amending s. 921.187, F.S.; authorizing specified substance abuse punishment programs as sentencing alternatives for certain felony drug possessors and felony drug sellers, manufacturers, and deliverers; creating ss. 893.175 and 893.177, F.S.; providing for placement on probation with set conditions; authorizing residential supervision in a Probation Restitution Center in certain circumstances; authorizing the withholding of adjudication for first-time felony drug possessors; requiring a mandatory minimum 1-year prison sentence for offenders who have three prior felonies and are convicted of selling drugs; providing penalties for violation of probation; providing for fines; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; Criminal Justice; and Appropriations.

By Senator Yancey—

SB 786—A bill to be entitled An act relating to negligence; creating s. 768.051, F.S.; requiring an attorney's certification that a claim has merit as a prerequisite to filing an action for professional negligence against a professional engineer, land surveyor, architect, or landscape architect; providing exceptions; providing that failure to file the certificate is grounds for dismissal of the action; providing for award of costs and attorney's fees in the event of dismissal; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Forman—

SB 788—A bill to be entitled An act relating to solid waste management; amending s. 403.7049, F.S.; exempting certain nonprofit corporations from solid waste disposal fees imposed by counties and municipalities; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Community Affairs; Finance, Taxation and Claims; and Appropriations.

By Senator Forman—

SB 790—A bill to be entitled An act relating to transportation of school children; amending s. 234.021, F.S.; providing additional criteria for determination of a hazardous walking condition; providing an effective date.

—was referred to the Committee on Education.

By Senator Forman—

SB 792—A bill to be entitled An act relating to the state lottery; amending ss. 24.115 and 24.121, F.S.; revising the disposition of unclaimed prize money; providing an effective date.

—was referred to the Committees on Education; Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Wexler—

SJR 794—A joint resolution proposing amendments to Section 15 of Article III and Section 5 of Article IV of the State Constitution, relating to the qualifications and terms of legislators and cabinet members.

—was referred to the Committees on Executive Business, Ethics and Elections; and Rules and Calendar.

By Senator Wexler—

SB 796—A bill to be entitled An act relating to alcoholic beverage vendors; amending s. 561.704, F.S.; repealing a provision that exempts certain vendors from a surcharge on the renewal or issuance of each permanent alcoholic beverage vendor license; incorporating an exemption to this provision made elsewhere in the statutes; repealing a provision that has had its effect; removing the limitation on the duration of the surcharge; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Souto—

SB 798—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; revising the definition of the

term "creditable service" to include certain out-of-state teaching service for purposes of provisions relating to the retirement system; creating s. 121.1115, F.S.; providing for the purchase by certain members of the system of service credit for such out-of-state teaching service, subject to certain conditions and limitations; authorizing a district school board employing such a member to pay a portion of the amount required to purchase the credit; providing an effective date.

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

By Senator Souto—

SB 800—A bill to be entitled An act relating to disability leave; creating s. 321.061, F.S.; providing that certain law enforcement officers who sustain a work-related disability shall be carried on full-pay status under certain circumstances; providing a definition; providing an effective date.

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

By Senator Brown—

SJR 802—A joint resolution proposing an amendment to Section 9 of Article VII of the State Constitution relating to ad valorem taxation for water management purposes.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; Appropriations; and Rules and Calendar.

By Senator Brown—

SB 804—A bill to be entitled An act relating to local government; amending s. 125.01, F.S.; providing for establishment of a municipal service taxing and benefit unit within municipal boundaries upon consent of the governing body of the municipality; deleting provisions providing for establishment of a municipal service taxing unit within municipal boundaries only upon the approval of the electors of the affected municipality; amending s. 200.066, F.S.; providing for ad valorem taxes to be imposed prior to July 1 for a newly created municipal service taxing unit that conforms to the boundaries of a municipality; amending s. 200.071, F.S.; clarifying that ad valorem taxes may be levied by a municipal service taxing unit within the boundaries of a municipality; providing an effective date.

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

By Senator Brown—

SB 806—A bill to be entitled An act relating to the Florida Seed Capital Fund; amending s. 159.445, F.S.; authorizing the Florida Seed Capital Fund to invest in limited partnerships meeting certain criteria; increasing the limitation on certain investments; deleting a restriction on making investments; deleting the definition of "small business"; providing for the election of a secretary-treasurer of the board; revising powers and duties of the board; authorizing the board to establish a direct-support organization known as the Florida Enterprise Development Corporation; providing purpose of the organization; requiring a contract between the board and the direct-support organization and specifying contract requirements; requiring the organization to provide an annual financial and compliance audit; providing an exemption from public records requirements; providing for future review and repeal; providing criteria for investments by the board in limited partnerships; providing an effective date.

—was referred to the Committees on International Trade, Economic Development and Tourism; Governmental Operations; Finance, Taxation and Claims; and Appropriations.

By Senator Thomas—

SB 808—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes; adopting the Florida Statutes 1991 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 1991 shall be effective immediately upon publication; providing that general laws enacted during the 1989 regular and special legislative sessions up to and including the special session of June 19 to June 20, 1989, and prior thereto and not included in the Florida Statutes 1991 are repealed; providing that general laws enacted during the November 1989 special session, the 1990 regular and special sessions, the January 1991 special session, and the 1991 regular session are not repealed by this adoption act.

—was referred to the Committee on Rules and Calendar.

By Senator Davis—

SB 810—A bill to be entitled An act relating to crime victim assistance; creating s. 794.029, F.S.; requiring the Department of Health and Rehabilitative Services to develop and disseminate certain sexual offense awareness and prevention education materials and programs; creating s. 943.1727, F.S.; requiring basic skills training of law enforcement and correctional officers and written protocols for law enforcement agencies in handling sexual offense cases; amending s. 943.325, F.S.; adding offenses requiring DNA testing of offenders upon conviction; amending s. 960.001, F.S.; adding provisions relating to sexual offense victim assistance to victim's rights guidelines; providing appropriations; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Criminal Justice; and Appropriations.

By Senator Davis—

SB 812—A bill to be entitled An act relating to games of chance; amending s. 849.0935, F.S.; providing definitions; authorizing certain organizations to conduct drawings by chance or raffles; authorizing requirement of payment of a fee or contribution; specifying use of proceeds; requiring maintenance of records; providing for inspection of records; limiting individuals who may participate in the conduct of games; prohibiting compensation to persons conducting such games; prohibiting use of mechanical or electrical devices or media; prohibiting drawings contingent on other contests; providing a conditional effective date.

—was referred to the Committees on Criminal Justice; and Finance, Taxation and Claims.

By Senator Plummer—

SB 814—A bill to be entitled An act relating to health maintenance organizations; amending s. 641.234, F.S.; requiring that contracts with chiropractors or podiatrists provide for payment in substantially the same amounts as contracts with medical doctors or osteopaths; requiring a health maintenance organization to accept for contract a chiropractor or osteopath who meets certain requirements; providing an effective date.

—was referred to the Committees on Commerce; Health and Rehabilitative Services; and Appropriations.

By Senator Crotty—

SB 816—A bill to be entitled An act relating to elections; amending s. 101.161, F.S.; revising ballot requirements for constitutional amendments and other measures submitted to a vote of the electors; amending s. 101.171, F.S.; providing requirements regarding the furnishing of copies of constitutional amendments to supervisors of elections for posting; amending s. 101.191, F.S.; revising the form of the general election ballot to require that the ballot title for a constitutional amendment be included on the ballot rather than the substance of the amendment; amending ss. 101.20, 101.62, F.S.; requiring that the ballot title and summary of specified measures be included in sample ballots and enclosed with absentee ballots; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Crotty—

SB 818—A bill to be entitled An act relating to municipalities; authorizing the governing body of a municipality to adopt an official municipal seal and prohibit its use without the express approval of the governing body; authorizing the governing body to impose a penalty for any violation of such prohibition; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Crotty—

SB 820—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.081, F.S., which provides an exemption for the homestead of a totally and permanently disabled veteran; providing that such veteran's widow may transfer the exemption to another residence under certain circumstances; providing an effective date.

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

By Senator Crotty—

SB 822—A bill to be entitled An act relating to prostitution; amending s. 796.03, F.S.; providing that it is illegal to procure any person for prostitution regardless of the age of the person; providing a penalty; amending s. 796.05, F.S.; revising language with respect to deriving support from the proceeds of prostitution; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Langley—

SB 824—A bill to be entitled An act relating to the tax on solid minerals; amending ss. 211.31, 211.32, F.S.; eliminating the refund provided to taxpayers of the severance tax on solid minerals for costs incurred in restoring and reclaiming mined land; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Langley—

SB 826—A bill to be entitled An act relating to intangible personal property taxes; amending s. 199.023, F.S.; defining the term “real property” for specified purposes under the Intangible Personal Property Tax Act to include leasehold estates in real property; specifying that the act does not affect the ad valorem taxation of any leasehold estate; specifying when sufficient taxes have been paid on certain notes or other obligations; prohibiting payment of refunds; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Langley—

SB 828—A bill to be entitled An act relating to gambling; amending s. 849.091, F.S.; defining the term “pyramid sales scheme”; declaring such a scheme a lottery and providing a penalty for persons who participate in such a lottery; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Crotty—

SB 830—A bill to be entitled An act relating to campaign finance; amending s. 106.08, F.S.; lowering maximum contributions to candidates for office; applying such limits to state or county executive committees of political parties; reenacting ss. 106.04(5), 106.075(2), 106.19(1), 106.29(4), F.S., relating to committees of continuous existence, contributions to pay loans, penalties for violations, and reports by political parties, to incorporate the amendment to s. 106.08, F.S., in references thereto; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senators Johnson and Gardner—

SB 832—A bill to be entitled An act relating to the operation of vessels; prohibiting persons from operating certain vessels unless such persons obtain a vessel operator's license; providing certain exemptions from the licensing requirement; prohibiting persons from allowing certain vessels owned or controlled by them to be operated by others under certain circumstances; providing a penalty; providing requirements for obtaining a vessel operator's license, including education requirements, testing requirements, and payment of a fee; requiring persons who purchase certain vessels to obtain a vessel operator's license within a specified time; requiring the Department of Natural Resources to adopt rules for issuing temporary vessel operator's certificates; creating the Boating Education and Standards Advisory Council within the Department of Natural Resources; providing for membership and meetings of the council; requiring the council to develop the vessel operator's licensing examination; providing additional duties of the council pertaining to licensing and boating safety; requiring the Department of Highway Safety and Motor Vehicles to prepare and distribute boating citation forms and affidavit-of-compliance forms; providing for boating citations to be issued by law enforcement agencies; requiring a copy of each citation issued to be transmitted to the Department of Highway Safety and Motor Vehicles; requiring court clerks to report, to the Department of Highway Safety and Motor Vehicles, on the disposition of offenses involving the operation of vessels; providing a point system for determining the qualifications of persons to operate certain vessels; providing circumstances under which

a vessel operator's license may be suspended by the Department of Highway Safety and Motor Vehicles; providing rulemaking authority; providing for revocation of a vessel operator's license under certain circumstances; requiring the Department of Highway Safety and Motor Vehicles to maintain separate records for boating and motor vehicle violations; repealing s. 327.74, F.S., relating to uniform boating citations; providing effective dates.

—was referred to the Committees on Natural Resources and Conservation; Transportation; and Appropriations.

By Senators Johnson and Jenne—

SB 834—A bill to be entitled An act relating to solid waste management; creating the “Solid Waste Collection and Disposal System Regulatory Law”; providing for the regulation of solid waste collection and disposal utilities by the Florida Public Service Commission; providing legislative intent; providing definitions; specifying utilities that are exempt from regulation under the act; requiring utilities to obtain a certificate from the commission; providing certificate application requirements; providing for public hearings on the application; providing a procedure for a utility to apply for deletion of territory; providing a procedure for a utility to apply for extension of territory; providing for the sale, assignment, or transfer of a utility's certificate or its facilities; providing a procedure for establishing the rates charged by a utility for solid waste collection and disposal services; requiring the refund of rates under certain circumstances; providing for establishing interim rates; authorizing the commission to conduct certain proceedings; providing a procedure for establishing an official filing date; providing requirements for rates and charges for new classes of services; providing requirements for services provided within a utility's territory; providing powers of the commission; authorizing the commission to establish fees; requiring utilities to pay a regulatory fee based on gross operating revenues; exempting proprietary confidential business information obtained by the commission from public records requirements; providing for future legislative review of this exemption under the Open Government Sunset Review Act; authorizing the commission to impose certain penalties; providing for a receiver to be appointed upon abandonment of a utility; providing for application of the act; providing procedures under which certain utilities may obtain a temporary authorization of operation; providing a saving clause; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Souto—

SJR 836— A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution relating to ad valorem taxation of elderly persons' homesteads.

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

By Senator Souto—

SB 838—A bill to be entitled An act relating to liability for injury or damage caused by others; amending s. 768.125, F.S.; providing that a person who sells or furnishes alcoholic beverages to another is not liable for injury or damage caused by the person served unless a reasonable person would not have sold or furnished alcoholic beverages to such person; providing that a person who sells or furnishes alcoholic beverages to a person who is not of drinking age or who is obviously intoxicated or who knowingly serves a person habitually addicted to alcohol is liable for injury or damage caused by the person served; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Jennings—

SB 840—A bill to be entitled An act relating to the Beverage Law; amending s. 561.01, F.S.; defining the term “exporter” for purposes of the Beverage Law; amending ss. 561.14, 561.17, F.S.; requiring persons exporting alcoholic beverages to register with the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation; amending s. 561.20, F.S.; authorizing the division to issue special 3-day licenses for conducting specified types of special sales; prescribing an application fee; amending s. 561.22, F.S.; prohibiting an exporter of alcoholic beverages from obtaining an alcoholic beverage vendor's license; amending s. 561.24, F.S.; prohibiting certain manufacturers of alcoholic

beverages from registering as exporters of alcoholic beverages; amending s. 561.32, F.S.; prohibiting the transfer of a license as a matter of right if certain administrative proceedings have been or will be brought against the license; amending s. 561.331, F.S.; providing for a temporary beverage license to be issued upon request for a change in the type or series of a license; providing a fee for application for such temporary license; amending ss. 561.37, 561.38, F.S.; deleting provisions requiring exporters of alcoholic beverages to secure payment of taxes by surety bonds filed with the division; amending s. 561.41, F.S.; requiring an exporter of alcoholic beverages to provide the division with certain records and allow the division access to its premises; providing rulemaking authority; amending s. 561.43, F.S.; prohibiting an exporter of alcoholic beverages from registering to operate in a dry county; amending s. 561.55, F.S.; providing recordkeeping requirements for exporters and vendors of alcoholic beverages; requiring exporters to supply to the division copies of certain reports prepared pursuant to federal regulations; amending s. 562.11, F.S.; providing that alcoholic beverages may not be sold or served to underage persons anywhere in the state; providing an additional form of identification for use in proving legal age under the Beverage Law; amending s. 562.12, F.S.; prohibiting a person from operating as an exporter of alcoholic beverages without being registered as an exporter; providing a penalty; amending s. 562.45, F.S.; authorizing counties to enact ordinances regulating certain matters respecting the sale of alcoholic beverages; requiring a licensee to provide documentation of proper zoning prior to approval of a change in the series of a license or in the licensee's location; amending s. 562.47, F.S.; revising the elements which constitute prima facie evidence that a beverage is an alcoholic beverage; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Wexler—

SB 842—A bill to be entitled An act relating to operation of bicycles; amending s. 316.2065, F.S.; prohibiting minors from operating bicycles without protective headgear; providing for issuance of warnings; providing for posting of notice at certain businesses; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Wexler—

SB 844—A bill to be entitled An act relating to the practices of medicine and osteopathic medicine; creating s. 458.3225, F.S.; providing a limitation on billing by physicians treating CHAMPUS beneficiaries; providing a condition for licensure as a physician; amending s. 458.331, F.S.; providing an additional ground for disciplinary action against a physician, and reenacting s. 458.311(1)(d), F.S., relating to requirements for licensure, to incorporate the amendment in a reference; creating s. 459.0101, F.S.; providing a limitation on billing by osteopathic physicians treating CHAMPUS beneficiaries; providing a condition for licensure as an osteopathic physician; amending s. 459.015, F.S.; providing an additional ground for disciplinary action against an osteopathic physician; providing an effective date.

—was referred to the Committees on Professional Regulation; and Health and Rehabilitative Services.

By Senator Wexler—

SB 846—A bill to be entitled An act relating to state purchasing; amending ss. 283.32, 287.045, F.S.; requiring state agencies to purchase recycled paper under certain circumstances; authorizing state agencies to allow a specified price preference in awarding contracts for paper products composed of a minimum percentage of recycled materials; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator Jenne—

SB 848—A bill to be entitled An act relating to lobbying; creating ss. 11.063 and 112.3217, F.S.; prohibiting fees which are contingent upon the award of state appropriations; providing penalties; providing for forfeiture of amounts unlawfully received; providing exemptions; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; Rules and Calendar; and Appropriations.

By Senator Weinstock—

SB 850—A bill to be entitled An act relating to medical education; establishing a geriatric medical education program to be administered by the Board of Regents; providing eligibility requirements for colleges of medicine; establishing a procedure for allocating funds; providing appropriations; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Weinstein—

SB 852—A bill to be entitled An act relating to solid waste management; amending s. 403.706, F.S.; expanding county authority to dispose of solid waste in facilities located within the county, including solid waste generated outside the county; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Community Affairs.

By Senator Weinstein—

SB 854—A bill to be entitled An act relating to transportation of school children; creating s. 234.0515, F.S.; authorizing school districts to require the inspection of nonpublic buses used to transport students; authorizing the assessment of a fee; providing for the frequency and thoroughness of such inspections; providing an effective date.

—was referred to the Committees on Education; Finance, Taxation and Claims; and Appropriations.

By Senator Dudley—

SB 856—A bill to be entitled An act relating to notaries public; providing that a notary public qualified in a profession may give advice relating to that profession; providing that a notary public may not represent that he has powers that his office does not authorize; providing that a notary public who is not an attorney may not select notarial certificates, assist in drafting or understanding a document requiring a notarial act, or represent that he has the authority to counsel on immigration matters or qualifications; requiring notaries public who are not attorneys and who advertise their services to provide specified notice that they are not attorneys; providing that notaries public may supervise the making of photocopies; providing an exception; providing a form for notarizing an attested copy; prescribing conditions under which notaries public may take an acknowledgment of an instrument; prescribing conditions under which notaries public may not notarize a signature; amending s. 117.01, F.S.; providing that convicted felons and persons adjudicated mentally incompetent may not be appointed as notaries public; providing exceptions; increasing the application fee for appointment; prescribing information to be included in an application; requiring the Department of State to maintain an application for the term of a commission; requiring a notary public to notify the department of changes in the information included in the application; requiring applicants to submit a fingerprint card; providing that applicants are subject to background checks by the Florida Department of Law Enforcement; requiring applicants to swear the information on the application is true and that they know the responsibilities of a notary public; requiring a test; providing that applicants may be required to attend and complete training and educational seminars as a condition to holding a commission as a notary public; authorizing the Department of State to adopt guidelines for such seminars; authorizing the assessment of a fee to cover the costs of such seminars; creating s. 117.011, F.S.; providing grounds for denial of application for commission; creating s. 117.012, F.S.; providing grounds for suspension of a commission; requiring a performance bond; increasing the amount of the bond; amending s. 117.03, F.S.; requiring acknowledgment of identification; amending s. 117.05, F.S.; prescribing a fee; amending s. 117.07, F.S.; prescribing method for affixing a notary seal to a document; amending s. 117.08, F.S.; prohibiting representing oneself as a notary public without being commissioned; providing a penalty; amending s. 117.09, F.S.; prohibiting coercing a notary public; prohibiting obtaining a commission in other than legal name; prohibiting notarizing one's own signature; providing a penalty; creating the Notary Public Trust Fund; providing that moneys in the fund are to be used to pay the costs of administering ch. 117, F.S.; providing an effective date.

—was referred to the Committees on Professional Regulation, Judiciary and Appropriations.

By Senator Dudley—

SB 858—A bill to be entitled An act relating to electrical contracting; creating s. 489.539, F.S.; providing for certification as journeyman electricians while employed by and under the supervision of certified or registered electrical contractors; providing for applying for certification to the Department of Professional Regulation; specifying certification criteria; authorizing the Electrical Contractors' Licensing Board to establish application and examination fees, certification fees, and renewal fees; exempting certified journeyman electricians from local licensing requirements except the payment of registration fees; providing for the denial, suspension, or revocation of such local registrations; requiring the Electrical Contractors' Licensing Board to adopt rules; providing an effective date.

—was referred to the Committees on Community Affairs; Professional Regulation; Finance, Taxation and Claims; and Appropriations.

By Senator Grant—

SB 860—A bill to be entitled An act relating to women prisoners; amending s. 944.24, F.S.; creating the Corrections Equality Act; requiring the Department of Corrections to provide education and rehabilitation programs for women which are equivalent to the programs provided for male prisoners; requiring the department to allow women prisoners to participate in work release programs and to be eligible for early release under the same procedures and standards that apply for men; requiring the department to make certain additional provisions for pregnant inmates; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By Senator Dudley—

SB 862—A bill to be entitled An act relating to municipal records; creating a municipal clerk's equipment modernization trust fund in each municipality to provide for equipment and training to update and improve recordkeeping systems; requiring the person responsible for records within each municipality to administer the trust fund; imposing a surcharge on each instrument filed with the clerk of the circuit court to fund the improvements; requiring each clerk of the circuit court to transfer to municipalities revenue derived from the surcharge for deposit into the trust fund; authorizing each clerk of the circuit court to retain a specified portion of such moneys as compensation; providing an effective date.

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

By Senator Dudley—

SB 864—A bill to be entitled An act relating to motor vehicle licenses; creating s. 320.08068, F.S.; providing for the issuance of Save Our Children license plates; providing fees; providing for the use of fees; providing an effective date.

—was referred to the Committees on Transportation; Health and Rehabilitative Services; Finance, Taxation and Claims; and Appropriations.

By Senator Dudley—

SB 866—A bill to be entitled An act relating to immunity from civil liability; creating s. 768.095, F.S.; providing former employers with immunity from civil liability in the good-faith disclosure of information regarding the job performance of former employees to prospective employers; providing an evidentiary standard; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Dudley—

SB 868—A bill to be entitled An act relating to the Department of Transportation; directing the department to permit certain nonprofit organizations to place concession-type trailers at certain rest areas on the grounds of interstate rest stops; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Dudley—

SB 870—A bill to be entitled An act relating to animal control; amending s. 828.27, F.S.; authorizing animal control officers to carry

tranquilizer devices; authorizing counties and municipalities to adopt ordinances relating to animal control or cruelty that require a mandatory court appearance; providing for citations; providing a means for issuing an order to show cause for failure to pay a fine or appear in court; providing that failure to pay a fine or appear is contempt of court; providing circumstances for mandatory court appearances; providing an effective date.

—was referred to the Committees on Agriculture and Judiciary.

By Senator Kiser—

SB 872—A bill to be entitled An act relating to elections; amending s. 100.371, F.S.; requiring that signatures on initiative petitions be witnessed; requiring the sponsor to certify that no per-signature fee was paid; providing that petition forms approved before January 1, 1991, are not affected by this act; providing for severability; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Souto—

SB 874—A bill to be entitled An act relating to lottery revenues; amending s. 24.121, F.S.; revising the allocation of such revenues among school districts and the purposes for which such allocations may be used; providing an effective date.

—was referred to the Committees on Education, Commerce and Appropriations.

By Senator Souto—

SB 876—A bill to be entitled An act relating to procurement of commodities; creating s. 287.1145, F.S.; prohibiting agencies from purchasing commodities without competitive bids until the Auditor General and Joint Legislative Auditing Committee have reviewed the price structure of the commodity and determined that the price is not excessive; providing for periodic review of certain contracts; providing for reports to the Legislature; providing an effective date.

—was referred to the Committees on Governmental Operations; Rules and Calendar; and Appropriations.

By Senator Johnson—

SB 878—A bill to be entitled An act relating to public officers, candidates for public office, and public employees; amending s. 112.312, F.S.; providing additional definitions for purposes of the code of ethics for public officers and employees and s. 8, Art. II, State Constitution; amending s. 112.313, F.S.; including provisions regulating representation before certain agencies by legislators, statewide elected officers, and agency employees, and standards of conduct for legislators and legislative employees; removing provisions relating to disclosure of certain specified interests by public officers and employees and candidates for public office; revising an exemption from the prohibition against doing business with one's own agency or entering into a conflicting employment relationship and providing additional exemptions; amending s. 112.3143, F.S.; providing additional disclosure requirements for public officers regarding voting conflicts; amending s. 112.3145, F.S.; requiring certain officers, candidates, and employees who hold a specified relationship with certain business entities to file a disclosure statement as part of their financial disclosure statement; amending ss. 112.3146, 112.3147, 112.3148, F.S.; correcting references; amending s. 112.317, F.S.; prescribing penalties for former public officers and employees for violating the code of ethics or s. 8, Art. II, State Constitution, relating to ethics in government; amending s. 112.320, F.S.; specifying that the Commission on Ethics is the commission provided for in s. 8, Art. II, State Constitution; amending s. 112.322, F.S.; prescribing investigatory and other powers and duties of the commission with respect to a sworn complaint of a breach of the public trust; providing for issuance of advisory opinions by the commission; authorizing the commission to delegate the authority to administer oaths and issue and serve subpoenas; authorizing the commission to make rules; creating s. 112.3231, F.S.; providing time limitations for commission actions; amending s. 112.324, F.S.; modifying procedures on complaints of violations of part III, ch. 112, F.S., or s. 8, Art. II, State Constitution; designating proper disciplinary officials; providing for dismissal of complaints; repealing s. 112.3141, F.S., relating to representation before certain agencies by legislators, statewide elected officers, and agency

employees, and standards of conduct for legislators and legislative employees; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senators Grant and Malchon—

SB 880—A bill to be entitled An act relating to organ and tissue procurement organizations; providing for legislative intent; providing that the Department of Health and Rehabilitative Services develop and adopt a certification procedure, based on existing national standards, for organ procurement organizations, tissue banks, and eye banks; providing for all organ procurement agencies, tissue banks, and eye banks to be certified by the department before a specified date; providing provisional certification to all organ procurement organizations, tissue banks, and eye banks active in this state before a specified date; providing for the appointment of an advisory board to review the status of organ, tissue, and eye procurement in this state; providing funding for the advisory board and certification process through fees, administrative penalties, and surcharges on certain fines; providing for indirect physician supervision of organ, tissue, and eye procurement coordinators in cadaveric organ, tissue, and eye procurement; providing that physicians licensed in any state may procure cadaver organs in this state for out-of-state patients listed under the United Network for Organ Sharing System; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Finance, Taxation and Claims; and Appropriations.

By Senator Grant—

SB 882—A bill to be entitled An act relating to employee leasing companies; providing definitions; creating the Board of Employee Leasing Companies within the Department of Professional Regulation; providing for the licensure of employee leasing companies; providing fees; providing exemptions; providing for license renewal; providing for inactive status; providing for licensees' insurance, employment tax, and benefit plans; providing for application for license; providing for license requirements; providing a fee; providing for license contents and the posting of licenses; providing grounds for disciplinary action; providing penalties; providing penalties for transacting business without a license; providing for cease and desist and penalty orders; providing for continuing education; providing for approval of schools; providing for the deposit of fees into the Professional Regulation Trust Fund; providing for the application of the act; providing for review and repeal; providing an appropriation; providing an effective date.

—was referred to the Committees on Professional Regulation; Finance, Taxation and Claims; and Appropriations.

By Senator Malchon—

SB 884—A bill to be entitled An act relating to electrolysis; providing a short title; providing legislative intent; providing definitions; creating the Electrolysis Council under the Board of Medicine within the Department of Professional Regulation; providing for rules, membership, terms, organization, meetings, and quorum thereof; providing regulatory powers and duties of the board; providing for the licensure of electrologists by examination and endorsement; providing for temporary permits; restricting use of certain titles and abbreviations; providing for license renewal; providing for automatic licensure expiration; providing for the adoption of rules; providing for fees; providing grounds for disciplinary action; providing administrative penalties; providing criminal penalties; providing exemptions; providing continuing education requirements; providing for future review and repeal; providing an effective date.

—was referred to the Committees on Professional Regulation; Finance, Taxation and Claims; and Appropriations.

By Senator Malchon—

SB 886—A bill to be entitled An act relating to consumer transaction fraud; creating s. 501.2077, F.S.; providing enhanced civil penalties with respect to consumer transaction fraud which defrauds a senior citizen or handicapped person; providing definitions; providing for priority of restitution orders; providing for deposit and disbursement of enhanced civil penalties; amending s. 501.2075, F.S., relating to civil penalties, to conform; providing an effective date.

—was referred to the Committees on Judiciary and Professional Regulation.

By Senator Diaz-Balart—

SB 888—A bill to be entitled An act relating to false, misleading, and deceptive advertising; creating s. 817.4165, F.S.; creating the "Emory Deutsch Live Music Act"; requiring advertisements and tickets for concerts or events which feature live musical performances to state whether any portion of the music is prerecorded; providing for civil recovery; providing an effective date.

—was referred to the Committees on Professional Regulation and Judiciary.

By Senator Bankhead—

SB 890—A bill to be entitled An act relating to lobbying; amending s. 11.062, F.S.; prohibiting state agencies including water management districts receiving state funds from using state funds to retain lobbyists; providing exceptions; requiring lobbyists seeking an appropriation to submit a written statement of how funds will be used; prohibiting any person from including lobbying fees in a request for an appropriation; prohibiting using any part of an appropriation to pay a lobbyist; providing for legislative censure; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; Rules and Calendar; and Appropriations.

By Senator Bankhead—

SB 892—A bill to be entitled An act relating to vehicles; repealing s. 319.36, F.S., relating to transportation of vehicles to destinations outside the United States; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Childers—

SB 894—A bill to be entitled An act relating to Escambia County; amending s. 7.1, ch. 83-405, Laws of Florida; providing that the Escambia County Civil Service System is applicable to employees of the Escambia County Utilities Authority; relettering paragraphs; amending s. 7.2, ch. 83-405, Laws of Florida; revising a cross-reference to conform; amending s. 9, ch. 81-376, Laws of Florida, as amended; providing that employees of the authority are subject to the civil service system; providing that current employees of the authority shall not be affected as a result; providing for an interlocal agreement under which the authority will pay its proportionate share of civil service system costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Dantzler—

SB 896—A bill to be entitled An act relating to community control; amending ss. 948.01 and 948.10, F.S.; requiring certain notifications of offender placements and update notifications of offender violations; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By Senators Walker and Johnson—

SR 898—A resolution commending President Bernard F. Sliger for his accomplishments in 14 years as president of Florida State University.

—was referred to the Committee on Rules and Calendar.

By Senator Kiser—

SB 900—A bill to be entitled An act relating to agency orders issued pursuant to the Administrative Procedure Act; amending s. 119.041, F.S.; prohibiting state agencies from disposing of records of certain agency orders; requiring each state agency to permanently maintain those records pursuant to rules of the Department of State; amending s. 120.53, F.S.; specifying the types of state agency orders that the agency must include in a subject-matter index that the agency must make available for public inspection and copying; specifying other information that each state agency must make available for public inspection and copying; requiring the department to establish procedures for state agencies to follow in indexing rules and orders; requiring approval of the department of state agency procedures for indexing rules and orders and making information available to the public; revising requirements for the preservation of records of agency orders; providing for the publication of such

orders in a designated reporter approved by or published by the department; authorizing the department to make such reporter available by annual subscription and to charge an agency a space rate to pay the cost of publishing the reporter; amending s. 120.59, F.S.; providing that certain final orders of state agencies must have the complete text of materials incorporated by reference attached to the order or must include a statement that specifies the location of such materials; requiring state agencies to number certain final orders in a certain manner; requiring state agencies to permanently preserve, pursuant to rules of the department, certain agency orders, subject-matter indexes, and lists that must be made available to the public; requiring the department to adopt rules to coordinate the indexing, listing, and preservation of orders and other information of state agencies that must be made available for public inspection and copying; requiring the department to provide by rule for storage and retrieval systems for state agencies to index and preserve agency orders; requiring the department to determine which of the final orders of each state agency must be included in a subject-matter index that must be made available to the public; authorizing the department to obtain assistance and information from public officers and state agencies to coordinate and administer the indexing, listing, and publication of agency orders; requiring each state agency by a specified date to submit to the department for approval its plans for coordinating and establishing procedures for indexing, listing, and publishing agency orders; providing an effective date.

—was referred to the Committees on Governmental Operations, Community Affairs and Appropriations.

By Senator Gardner—

SR 902—A resolution to recognize the Veterans' Memorial in Titusville, Florida.

—was referred to the Committee on Rules and Calendar.

By the Committee on Corrections, Probation and Parole—

SB 904—A bill to be entitled An act relating to state prison inmates; amending s. 947.1405, F.S.; requiring the Parole Commission to determine the status of victim restitution before setting the terms and conditions of the conditional release of certain inmates; requiring the commission to determine an inmate's eligibility for conditional release upon his admission to a state correctional facility; requiring the commission to gather information relating to the victim of such an inmate; requiring the commission to adopt rules to implement the conditional release program rules by a specified date; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By the Committee on Corrections, Probation and Parole—

SB 906—A bill to be entitled An act relating to mentally disordered sex offenders; repealing ss. 917.012, 917.014, 917.016, 917.017, 917.018, 917.021, F.S., relating to the identification and disposition of mentally disordered sex offenders; renumbering and amending s. 917.019, F.S.; allowing the Department of Health and Rehabilitative Services to establish programs to train persons to provide residential, as well as postdischarge, treatment for such offenders; providing for interdepartmental coordination; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By the Committee on Corrections, Probation and Parole—

SB 908—A bill to be entitled An act relating to probation; amending s. 948.01, F.S.; requiring a written contract between an entity that provides a misdemeanor supervision program and the court or the board of county commissioners if the court is to sentence a defendant into that program; specifying provisions that must be included in the contract; providing an effective date.

—was referred to the Committee on Corrections, Probation and Parole.

By Senator Childers—

SB 910—A bill to be entitled An act relating to husband and wife; abolishing the common-law rule of the liability of a husband for necessities furnished his wife; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Kirkpatrick—

SB 912—A bill to be entitled An act relating to the Florida National Guard; requiring the Adjutant General and representatives of the Board of Regents, State Board of Community Colleges, and State Board of Education to develop a program for waiver of tuition and fees at state universities and community colleges for certain members of the Florida National Guard; specifying qualifications for participation in the program; requiring each student who participates in the program to maintain membership and participation in the Florida National Guard while enrolled in classes and for a specified period thereafter; requiring students who fail to maintain enrollment in classes or who fail to maintain membership or participation in the Florida National Guard to pay tuition and fees; specifying eligibility criteria for participation in the program; providing for the adoption of rules for administering the program; amending s. 240.235, F.S.; requiring the Board of Regents to provide tuition and fee waivers; amending s. 240.35, F.S.; requiring the State Board of Community Colleges to provide tuition and fee waivers; amending s. 240.355, F.S.; requiring the State Board of Education to adopt rules; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Bruner—

SM 914—A memorial to the Congress and the Supreme Court of the United States, requesting Congress to enact legislation and the Supreme Court to amend its rules to clarify the powers of masters and their relationship to the federal courts and to regulate the fees and costs of masters, monitors, and court-appointed experts in litigation pertaining to conditions of confinement in state, county, or municipal correctional and detention facilities.

—was referred to the Committees on Corrections, Probation and Parole; and Rules and Calendar.

By Senator Casas—

SB 916—A bill to be entitled An act relating to alcoholic beverage licenses; amending s. 561.20, F.S.; redefining the term "speciality center" for the purposes of law relating to special alcoholic beverage licenses; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senator Bankhead—

SB 918—A bill to be entitled An act relating to the Florida National Guard; amending ss. 250.18, 250.21, 250.22, 250.27, 250.28, 250.29, 250.43, 250.44, 250.46, and 250.49, F.S.; revising the provisions of the military code to eliminate reference to gender; eliminating an annual uniform allowance; amending s. 110.205, F.S.; revising language with respect to the exemption from the career service with respect to the military personnel of the Department of Military Affairs to eliminate reference to the appropriate military pay schedule; creating s. 250.375, F.S.; authorizing certain medical officers to practice in Florida; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senators Malchon and Bankhead—

SB 920—A bill to be entitled An act relating to victim assistance; amending s. 960.001, F.S.; providing that the Department of Legal Affairs shall review and coordinate implementation of guidelines for fair treatment of victims and witnesses; amending s. 960.002, F.S.; transferring direct-support organization powers and duties from the Governor to the Attorney General and from the Executive Office of the Governor to the Department of Legal Affairs; amending s. 960.03, F.S.; revising definitions; amending s. 960.05, F.S.; establishing the Crime Victims' Services Office within the Department of Legal Affairs; amending s. 960.09, F.S.; providing for determination of claims of victims and witnesses and for administrative hearings thereon; providing that claims shall be subject to the Administrative Procedure Act; amending ss. 960.06, 960.07, 960.12, 960.13, 960.14, 960.15, 960.21, 960.22, 960.23, and 960.28, F.S.; transferring duties relating to crime victims and witnesses from the Division of Workers' Compensation to the Department of Legal Affairs; providing for the transfer of the Bureau of Crimes Compensation and Victim and Witness Services, renamed as the Crime Victims' Services Office, to the Department of Legal Affairs; providing that certain records are exempt

from the public records law and that the exemption is subject to the Open Government Sunset Review Act; reenacting ss. 775.0835(2) and 784.046(9)(a), F.S., relating to criminal fines and repeat violence actions, to incorporate the amendment to s. 960.21, F.S., in references thereto; amending s. 27.3455, F.S., to conform; providing an effective date.

—was referred to the Committees on Judiciary, Commerce and Appropriations.

By Senator Bruner—

SR 922—A resolution commending the Choctawhatchee High School football team and Coach Lionel Fayard for winning the 1990 class AAAAA state championship.

—was referred to the Committee on Rules and Calendar.

By Senator Girardeau—

SB 924—A bill to be entitled An act relating to cemetery companies; amending s. 497.044, F.S.; prohibiting cemetery companies from requiring monument installers to obtain certain insurance or pledge monetary guaranty; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Girardeau—

SB 926—A bill to be entitled An act relating to voter registration; providing for the acceptance of voter registration applications by the Department of Highway Safety and Motor Vehicles in conjunction with the issuance or renewal of drivers' licenses or identification cards; providing an exception; providing for the designation of employees to be utilized; providing for forms; amending s. 98.271, F.S.; requiring supervisors of elections to appoint volunteer deputy registrars; providing for the term of appointment; prohibiting an arbitrary limitation on the number of volunteer registrars; providing for training sessions; providing duties for volunteer registrars; providing an effective date.

—was referred to the Committees on Transportation; and Executive Business, Ethics and Elections.

By the Committee on Natural Resources and Conservation—

SB 928—A bill to be entitled An act relating to wetlands permitting; providing legislative intent; defining the term "wetlands"; providing criteria for granting or denying permits for activities in wetlands; providing that, after a specified date, all wetlands permitting activities are the sole responsibility of the water management districts; requiring the Department of Environmental Regulation to coordinate with the water management districts a review of the requirements of this act and make certain recommendations to the Legislature by a certain date; providing an effective date.

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

By Senator Girardeau—

SB 930—A bill to be entitled An act relating to workers' compensation; amending s. 440.02, F.S.; providing that the term "wages" includes wages from outside or concurrent employment in the case of a volunteer law enforcement officer; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Johnson—

SB 932—A bill to be entitled An act relating to taxation; requiring the Department of Revenue to develop and implement a limited-duration tax amnesty program for state taxes other than intangible personal property taxes; providing terms and conditions for such program; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Johnson—

SB 934—A bill to be entitled An act relating to beverage containers; providing definitions; imposing a surcharge on the sale of beverage containers in the state; requiring the surcharge to be remitted to the Department of Revenue; requiring the department to adopt rules; providing for moneys collected from the surcharge to be returned to counties; requiring

county governing authorities to contract for the establishment of recovery stations within the county to accept empty beverage containers and offer refunds; providing for moneys received by counties from the surcharge to be used to pay refunds and certain additional costs; requiring county governing authorities to appoint environmental resource advisory boards; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Johnson—

SB 936—A bill to be entitled An act relating to insurance; creating the Prepaid Limited Health Service Organization Act of Florida; providing for regulation of prepaid limited health service organizations and contracts by the Department of Insurance; providing definitions; specifying applicability of other laws; requiring incorporation; providing that such organizations are not authorized to transact any other insurance business; requiring and providing for application for certificate of authority; providing for issuance or denial of certificate; providing standards for continued eligibility; providing for issuance of provisional certificate of authority; requiring contracts in English, with translations provided in certain circumstances; specifying content of contracts; regulating rates and charges; prohibiting discrimination; specifying validity of noncomplying contracts; providing for construction of contract; providing for delivery; requiring notice of cancellation; specifying what payments are acceptable; prohibiting the advertising use of certain words; regulating contracts between organizations and providers, managers, and administrators; providing for complaints; specifying examination and investigation authority of the department; providing for determination of acceptable assets and investments; requiring reports; requiring licensed agents; requiring minimum surplus; providing for insolvency protection; requiring fidelity bonds; providing for suspension or revocation of certificate of authority; providing for administrative penalties; providing civil remedies; providing for injunctions; requiring payment of judgments within a specified time; providing for rehabilitation, conservation, and liquidation; providing fees; defining unfair methods, acts, and practices; providing for appeals; providing for confidentiality; providing for review and appeal; regulating acquisitions; imposing taxes on dental care services and prepaid ambulance contracts; providing for deposit of such taxes; providing for rules; amending s. 624.5092, F.S.; providing for administration of taxes; repealing ch. 637, F.S., relating to optometric, pharmaceutical, and dental service plan corporations, and ch. 638, F.S., relating to ambulance service contracts, and part III, ch. 641, F.S., relating to prepaid health clinics; providing for review and appeal; repealing s. 624.523(1)(l), F.S., to conform; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Casas—

SB 938—A bill to be entitled An act relating to criminal sentencing; amending s. 921.001, F.S.; revising the membership of the Sentencing Commission; providing for the Secretary of the Department of Corrections or his designee to be a member of the commission; mandating a revision of the sentencing guidelines by the commission; deleting provisions which authorize a court to impose a sentence outside the guidelines under certain circumstances; providing for the revised sentencing guidelines to be prepared in contemplation of certain changes in the law; providing an appropriation; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; Criminal Justice; Rules and Calendar; and Appropriations.

By the Committee on Professional Regulation—

SB 940—A bill to be entitled An act relating to the regulation of professions and occupations; creating s. 11.62, F.S.; providing legislative intent; requiring the Legislature to consider certain factors in considering legislation that provides for the regulation of a profession or an occupation; requiring proponents of such legislation to provide specified information to certain legislative committees or to the Department of Professional Regulation; requiring the department to provide information to the Legislature relating to the effect of proposed legislation on a regulated profession or occupation; requiring legislative committees to make certain determinations upon making recommendations concerning the enactment of new regulations or of revisions of regulations of professions or occupations; providing an effective date.

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

By the Committee on Professional Regulation—

SB 942—A bill to be entitled An act relating to public records and meetings; reenacting and amending s. 455.217, F.S.; clarifying that certain provisions relating to examination information of the Department of Professional Regulation do not create exemptions from the public records law; continuing the exemptions from the public meetings requirements and the public records requirements for meetings and records of meetings held by the Department of Professional Regulation, notwithstanding the Open Government Sunset Review Act; reenacting and amending s. 455.225(4), (10), F.S.; continuing the exemption from the public record requirements of ch. 119, F.S., and the public meeting requirements of ch. 286, F.S., for the proceedings of probable cause panels of professional regulation boards and complaints against professionals filed with the Department of Professional Regulation; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; reenacting and amending s. 455.229, F.S.; providing that certain information filed by licensure applicants with the department and applicant examination questions and answers and examination grades remain exempt from the public record requirements of ch. 119, F.S.; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; revising an examination review procedure; reenacting and amending s. 455.232, F.S., relating to confidential information in the hands of persons under contract with the department or a board therein; clarifying that the provision is not an exemption from s. 119.07(1), F.S.; reenacting and amending s. 455.241(2), (3), F.S.; providing an exemption for patient records maintained by the department from the public record requirements of ch. 119, F.S.; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; reenacting and amending s. 455.247(2), F.S.; providing that reports on professional liability claims and actions against certain health care practitioners and filed with the department remain exempt from the public record requirements of ch. 119, F.S.; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 458.3315(4)(e), (6)(a), F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for information obtained by the Department of Professional Regulation about a physician participating in the impaired practitioners treatment program; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 458.337(3), F.S.; continuing the exemption, with modifications, from the public record requirements of ch. 119, F.S., for reports of disciplinary actions against physicians by medical organizations and hospitals filed with the department; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 458.339(3), F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for medical reports concerning the physical or mental condition of physicians which are filed with the department; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 458.341, F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for certain patient records of physicians obtained by the department pursuant to investigations for violations related to the inappropriate or excessive prescribing of controlled substances; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 459.0155(4)(e), (7)(a), F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for information obtained by the Department of Professional Regulation about an osteopathic physician participating in the impaired practitioners treatment program; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 459.016(3), F.S.; continuing the exemption, with modifications, from the public record requirements of ch. 119, F.S., for reports of disciplinary actions by medical organizations and hospitals filed with the department; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 459.017(3), F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for medical reports concerning the physical or mental condition of osteopathic physicians which are filed with the department; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 459.018, F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for certain patient records of an osteopathic physician obtained by the department pursuant to an investigation for a violation related to the inappropriate or excessive prescribing of controlled substances; providing for future legislative review

of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 460.4104(6), (7), F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for information contained in a report or summary of a peer review committee which may identify a patient and any patient records used by the Department of Professional Regulation in peer review of or disciplinary proceedings against a chiropractic physician; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 461.0132(4)(a), (c), (6)(a), F.S.; requiring podiatrists participating in the impaired practitioners treatment program to authorize the release of certain medical records; providing an exemption from the public record requirements of ch. 119, F.S., for information obtained by the Department of Professional Regulation about a podiatrist participating in the impaired practitioners treatment program; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 463.0165(4)(e), (6)(a), F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for information obtained by the Department of Professional Regulation about an optometrist participating in the impaired practitioners treatment program; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 464.0185(4)(a), (e), (6)(a), F.S.; requiring nurses participating in the impaired practitioners treatment program to authorize the release of certain medical records; providing an exemption from the public record requirements of ch. 119, F.S., for information obtained by the department about a nurse participating in the impaired practitioners treatment program; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 465.0165(4)(a), (e), (6)(a), F.S.; requiring pharmacists participating in the impaired practitioners treatment program to authorize the release of certain medical records; providing an exemption from the public record requirements of ch. 119, F.S., for information obtained by the Department of Professional Regulation about a pharmacist participating in the impaired practitioners treatment program; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 465.186(1), F.S., relating to the formulary of medicinal drugs which may be made available to the public upon the order of a pharmacist; revising that provision to cover drug products and dispensing procedures; revising an obsolete reference to the Board of Medical Examiners; clarifying that the provision is not an exemption from s. 119.07(1), F.S.; reenacting and amending s. 466.022(2), (3), F.S., relating to dentistry peer review committees; clarifying that a provision relating to discovery and admissibility of information in such a committee's records is not an exemption from the public record requirements of ch. 119, F.S.; providing an exemption from the public record requirements of ch. 119, F.S., and continuing the exemption from the public meetings requirements of ch. 286, F.S., for dentistry peer review information obtained by the Department of Professional Regulation; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; reenacting and amending s. 466.0275(2), F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for medical reports concerning the physical or mental condition of dentists which are filed with the department; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 466.0283(4)(e), (6)(a), F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for information obtained by the department about a dentist participating in the impaired practitioners treatment program; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 473.316(1), (2), (3), F.S., relating to privileged communications between an accountant and client; clarifying that this provision is not an exemption from s. 119.07(1), F.S.; reenacting and amending s. 474.2141(4)(e), (6)(a), F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for information obtained by the Department of Professional Regulation about a veterinarian participating in the impaired practitioners treatment program; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 474.2185(3), F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for medical reports concerning the physical or mental condition of veterinarians which are filed with the department; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; reenacting and amending s. 490.0095(4)(e), (6)(a), F.S.; providing an exemption from the public record requirements of ch. 119, F.S., for information obtained by the Department of Professional Regulation about a psychologist participating in the impaired practition-

ers treatment program; providing for future legislative review of this exemption pursuant to the Open Government Sunset Review Act; repealing s. 455.230, F.S., relating to discovery of professional examination questions and answers; repealing s. 476.224, F.S., relating to complaints against barbering licensees for violations of ch. 476, F.S., the Barbers' Act; providing an effective date.

—was referred to the Committee on Professional Regulation.

By Senator Girardeau—

SB 944—A bill to be entitled An act for the relief of Mr. and Mrs. Darriel Swindell; providing an appropriation to compensate them for injuries caused by the negligence of the Department of Corrections; providing an effective date.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Girardeau—

SB 946—A bill to be entitled An act relating to the Public Advocate; creating s. 11.71, F.S.; creating the "Public Advocate Act"; providing definitions; creating the Office of Public Advocate in the legislative branch of state government; providing for the appointment of the Public Advocate; providing powers and duties; amending s. 393.13, F.S.; redesignating the district human rights advocacy committee as the district human rights advocacy commission; amending ss. 394.459, 394.715, and 400.304, F.S., to conform; amending s. 402.165, F.S.; redesignating the Statewide Human Rights Advocacy Committee as the Statewide Human Rights Advocacy Commission; assigning the Statewide Human Rights Advocacy Commission to the Office of the Public Advocate; providing additional responsibilities of the Statewide Human Rights Advocacy Commission; amending s. 402.166, F.S., to conform; providing that each district of the Department of Health and Rehabilitative Services shall have at least one human rights advocacy commission staff member who shall be hired and supervised by the statewide commission executive director; providing additional duties of commission members; amending ss. 402.167, 415.103, 415.104, 415.106, 415.107, 415.501, and 415.505, F.S., to conform; creating s. 11.73, F.S.; creating the Public Advocate Trust Fund; providing a surcharge on license taxes for certain vehicles; providing effective dates.

—was referred to the Committees on Judiciary; Health and Rehabilitative Services; Rules and Calendar; Finance, Taxation and Claims; and Appropriations.

By Senator Dantzler—

SB 948—A bill to be entitled An act relating to visitation rights of grandparents of minors; amending s. 752.01, F.S.; deleting certain prerequisites to filing a petition for reasonable rights of visitations; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Dantzler—

SB 950—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.20, F.S.; clarifying the procedures for issuance of alcoholic beverage licenses pursuant to the state population estimate; amending s. 562.13, F.S.; providing that it is unlawful for any vendor licensed under the beverage laws to employ persons convicted of certain felony violations as a manager or person in charge or as a bartender; amending s. 564.06, F.S.; deleting obsolete language relating to wine; consolidating existing fees; amending s. 565.12, F.S.; deleting obsolete language relating to liquor; consolidating existing fees; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senator Davis—

SB 952—A bill to be entitled An act relating to sexual acts and offenses against persons under age 18; amending ss. 95.031, 95.051, 95.11, F.S.; revising the statute of limitation for bringing a civil action for damages suffered as a result of childhood sexual abuse, as defined; specifying acts constituting "childhood sexual abuse"; amending s. 775.15, F.S.; increasing the statutes of limitation for specified sexual crimes when committed against persons under the age of 18 years; providing for tolling the statute of limitation until the victim attains the age of 18; redefining the agencies that may accept reports of violations and that are required

to report the reported violations to the state attorney having jurisdiction; providing an effective date.

—was referred to the Committees on Judiciary and Criminal Justice.

By the Committee on Commerce—

SB 954—A bill to be entitled An act relating to workers' compensation; reenacting and amending s. 440.515, F.S.; notwithstanding its scheduled repeal pursuant to s. 119.14, F.S., the Open Government Sunset Review Act; exempting reports filed by self-insurers with the Division of Workers' Compensation of the Department of Labor and Employment Security from public inspection requirements; providing that the exemption is subject to the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Souto—

SB 956—A bill to be entitled An act relating to postsecondary education; amending s. 240.408, F.S.; providing for the award of scholarships to nonpublic school students from the Challenger Astronauts Memorial Undergraduate Scholarship Program; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Grant—

SB 958—A bill to be entitled An act relating to immunity from liability; amending s. 768.13, F.S.; providing that physicians who provide medical services at a free clinic or pursuant to referral from a free clinic are immune from liability for damages arising out of such services; providing exceptions; defining "free clinic"; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Davis—

SB 960—A bill to be entitled An act relating to the right of eminent domain to counties; amending s. 127.01, F.S.; providing that in eminent domain proceedings a county's burden of showing reasonable necessity for parks, playgrounds, recreational centers, or other types of recreational purposes shall be the same as the burden in other types of eminent domain proceedings; providing an effective date.

—was referred to the Committees on Judiciary and Community Affairs.

By Senator Souto—

SB 962—A bill to be entitled An act relating to motor vehicle license plates; creating s. 320.08085, F.S.; providing for the creation of a Vietnam veterans license plate; providing application procedures; providing fees; providing for the deposit and uses of fee proceeds; providing for the transfer of the plates to replacement vehicles; specifying requirements for the design of the plates; allowing combined requests for such plates and personalized prestige plates; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Gordon—

SB 964—A bill to be entitled An act relating to handguns; providing for a surcharge to be levied on retail sales of handguns; providing for such surcharge to be remitted to the Department of Revenue; requiring the department to adopt rules; providing for moneys collected from the surcharge to be deposited into the Trauma Services Trust Fund; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Meek—

SB 966—A bill to be entitled An act relating to special observances; creating s. 683.21, F.S.; designating "Juneteenth Day" to officially commemorate the freeing of the slaves in Florida; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Dudley—

SB 968—A bill to be entitled An act relating to real estate appraisers; providing purpose; providing definitions; requiring the registration, licensure, or certification of certain appraisers; providing exceptions; creating the Florida Real Estate Appraisal Board; providing for the qualification, appointment, and compensation of members; providing powers and duties of the board; providing for the adoption of rules; providing requirements and procedures for the registration, licensure, or certification of appraisers; providing examination, educational, and experience requirements; providing for the renewal of registrations, licenses, and certificates; providing for fees; providing for inactive status; providing for a registry of licensed or certified appraisers; requiring appraisers to display and disclose their registration, license, or certificate numbers; requiring appraisers to inform the department of their current office locations; establishing grounds for discipline and disciplinary procedures; providing for criminal violations and penalties; providing professional standards; requiring the retention of records; providing for temporary permits; amending s. 20.30, F.S.; creating the Florida Real Estate Appraisal Board in the Division of Real Estate of the Department of Professional Regulation; amending s. 475.01, F.S.; prohibiting real estate brokers from performing certain appraisal services; conforming provisions; amending s. 475.011, F.S.; exempting registered, licensed, or certified appraisers from the licensing provisions related to real estate brokers and salesmen; amending ss. 475.04, 475.25, 475.451, F.S.; conforming provisions; repealing s. 475.42(1)(m), F.S., relating to uncertified persons performing appraisals and conforming to current revisions; repealing s. 475.501, F.S., relating to state-certified appraiser licensing provisions; providing for future repeal and legislative review; providing an effective date.

—was referred to the Committees on Professional Regulation; Finance, Taxation and Claims; and Appropriations.

By Senator Gardner—

SB 970—A bill to be entitled An act relating to transportation corridors; amending s. 332.115, F.S.; revising the purposes for which a transportation corridor between an airport and a port facility may be used; requiring local governments affected by a proposed transportation corridor to provide certain comments to the regional planning council; providing for review of transportation corridor projects under s. 380.06, F.S., relating to developments of regional impact; providing limitations on the location of passenger rail terminals; exempting transportation corridors from requirements pertaining to high-speed rail lines; providing an effective date.

—was referred to the Committees on Transportation and Community Affairs.

By the Committee on Commerce—

SB 972—A bill to be entitled An act relating to vocational rehabilitation records; amending s. 413.22, F.S.; providing that provisions requiring the Division of Vocational Rehabilitation of the Department of Labor and Employment Security to prepare regulations governing the confidentiality of records does not constitute an exemption from public records requirements; reenacting and amending s. 413.341, F.S.; continuing, pursuant to the Open Government Sunset Review Act, the exemption from public records requirements provided for applicant and client records maintained by the division; revising circumstances under which certain confidential applicant and client records may be released; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Davis—

SB 974—A bill to be entitled An act relating to the membership of statutorily created boards, commissions, councils, and committees of the state; declaring state policy with respect to the gender balance of the membership of such bodies; establishing the Task Force of Gender Balance on Boards and Commissions; providing for the membership of the committee; providing duties; providing for a report; providing for the dissolution of the committee; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator McKay—

SB 976—A bill to be entitled An act relating to food safety protection standards; amending s. 381.061, F.S.; deleting the requirement that the Department of Health and Rehabilitative Services adopt food safety protection standards for training, testing, and certifying certain managers in food establishments regulated under ch. 381, F.S.; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator Jenne—

SB 978—A bill to be entitled An act relating to insurance; amending s. 627.410, F.S.; providing that benefits of an individual accident and health insurance policy form are reasonable in relation to premium rates if the rates are filed pursuant to a loss ratio guarantee; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Meek—

SB 980—A bill to be entitled An act relating to the Florida Small and Minority Business Act of 1985; amending s. 288.703, F.S.; amending the definition of the term “small business,” as used in that act; providing an effective date.

—was referred to the Committee on International Trade, Economic Development and Tourism.

By Senators Jennings, Dantzler, Brown, McKay, Thurman and Crotty—

SB 982—A bill to be entitled An act relating to negligence; amending s. 768.73, F.S.; prohibiting awards for punitive damage against an employer, principal, or master for the acts of an employee, agent, or servant; providing exceptions; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Gardner—

SB 984—A bill to be entitled An act relating to appeals; amending s. 924.06, F.S.; providing that at the conclusion of an unsuccessful appeal by a defendant in a criminal proceeding who is represented by a public defender or other court-appointed attorney, attorney’s fees and costs for the appeal shall be assessed against the defendant and such order shall become part of the defendant’s original sentence; providing for procedure; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Meek—

SB 986—A bill to be entitled An act relating to nursing scholarships; amending s. 240.4075, F.S.; allowing part of the revenues collected from nursing license fees to be used for a nursing scholarship loan program; creating s. 240.4076, F.S.; creating the nursing scholarship loan program; providing eligibility and loan limitations; providing for repayment of loans or waivers of repayment for specified work activity; providing penalties for loan defaults; providing for rulemaking; providing for administrative expenses; providing an effective date.

—was referred to the Committees on Education; Health and Rehabilitative Services; and Appropriations.

By Senators Kurth, Dantzler, Wexler, Malchon and Gordon—

SB 988—A bill to be entitled An act relating to driving under the influence; prohibiting the release of a person arrested for driving under the influence until he is no longer under the influence of alcoholic beverages, chemical substances, or controlled substances to the extent that his faculties are impaired or until his blood alcohol level is less than 0.05 percent; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Commerce—

SB 990—A bill to be entitled An act relating to insurance; amending ss. 624.08, 624.09, F.S.; revising the definitions of the term “state” and “unauthorized insurer”; amending s. 624.12, F.S.; clarifying applicability

of the Florida Insurance Code; amending s. 624.155, F.S., relating to civil remedies; requiring return of a notice of violation that does not provide specific information; requiring a report to the Department of Insurance upon final disposition of an alleged violation; amending s. 624.305, F.S.; requiring notification to the department after receipt of a loan based on market rates; amending s. 624.310, F.S.; requiring provision of information to other prosecuting agencies; amending s. 624.313, F.S.; requiring publication of a statistical report by the department as early as possible each year; specifying items that may be included in the report; providing authority for contracting with outside vendors for compilation of data in an electronic data-processing format; amending s. 624.315, F.S.; revising required contents of the annual report by the department; amending s. 624.316, F.S.; revising authority for examining insurers; providing authority for the department to accept independent financial records of the insurer; transferring, renumbering, and amending s. 627.321, F.S.; revising provisions relating to market conduct examinations; expanding the scope of such examinations; providing authority for the examinations to be conducted by independent professional examiners; amending s. 624.317, F.S., relating to investigations; improving clarity; amending s. 624.401, F.S.; prescribing felony penalties for acting as an insurer or transacting insurance without a certificate of authority; amending s. 624.404, F.S.; expanding authority of the department for denying, suspending, or revoking certificates of authority; amending s. 624.412, F.S.; revising deposit requirements for alien insurers; amending s. 624.416, F.S.; revising provisions pertaining to duration of a certificate of authority; amending s. 624.424, F.S.; requiring authorized insurers to file quarterly financial statements; providing authority for submission of forms to designates; providing authority for requiring reports or filings to be provided in computer-readable form; requiring audited financial statements and opinions based upon certain principles; providing authority for verification of financial statements by independent certified public accountants; specifying reasons for refusal to accept reports from certain independent certified public accountants; amending s. 624.425, F.S.; removing requirements for resident agents to be paid the full and usual commission allowed; amending s. 624.426, F.S.; revising exceptions to resident agent and countersignature law; amending s. 624.428, F.S.; repealing provision requiring payment of usual commissions to insurance agents; amending s. 624.430, F.S., relating to discontinuance of writing certain kinds or lines of insurance; providing exemptions for members of a group having an aggregate surplus in excess of \$1 billion; amending s. 624.436, F.S.; conforming applicability of short title of the Florida Non-profit Multiple-Employer Welfare Arrangement Act; amending s. 624.4361, F.S.; providing definitions for terms used in that act; amending s. 624.437, F.S.; revising definition of the term "multiple-employer welfare arrangement"; revising terminology with respect to certificates of approval; increasing fines for failure to have a certificate; amending s. 624.438, F.S.; requiring the constitution or bylaws of certain associations to specifically state purposes; providing that an arrangement may only offer coverage to eligible employers who are members of the association; expanding requirements for evidence of the benefits and coverages; creating s. 624.4385, F.S.; prohibiting the use of certain terms in an arrangement's name, contracts, or literature; amending s. 624.439, F.S.; requiring signatures on applications for certificates of authority to be under oath; requiring submission of the articles of incorporation of the association and of the arrangement; requiring submission of rate tables and other information; requiring actuarial certification; requiring fidelity bond coverage for directors and officers; imposing requirements for excess insurance; requiring a feasibility study; requiring confirmation of insolvency protection; requiring submission of contracts; amending s. 624.4392, F.S.; requiring arrangements to have fund balances in certain amounts; amending s. 624.44, F.S.; requiring examinations of arrangements; providing authority for administering oaths; providing for payment of examination expenses; providing authority to contract for performing examinations; requiring filing of information proving the arrangement is not insolvent within 30 days after notice of insolvency; providing sanctions for failing to timely supply such information; amending s. 624.441, F.S.; increasing insolvency protection deposits; providing for deposit payments; creating s. 624.4411, F.S.; requiring submission of certain contracts to the department; requiring such contracts to contain cancellation provisions; amending s. 624.4412, F.S., relating to policy forms; improving clarity; amending s. 624.4415, F.S.; revising assessment provisions; creating s. 624.4416, F.S.; providing authority for receiver assessment; creating s. 624.4417, F.S.; prohibiting certain sales of insurance coverage by an arrangement; amending s. 624.442, F.S.; providing requirements with respect to annual reports, including actuarial certification; requiring quarterly filing; providing penalties for noncompliance; creating s. 624.4431, F.S.; providing authority to the department to adopt certain

rules; creating s. 624.4432, F.S.; requiring arrangements to comply with pt. II of ch. 625, F.S.; amending s. 624.444, F.S.; revising provisions pertaining to suspension or revocation of a certificate of authority; providing authority for the department to order implementation of a corrective action plan; providing for suspensions and reinstatement; creating s. 624.4441, F.S.; providing authority for imposing administrative fines against arrangements; amending s. 624.445, F.S., relating to suspensions and revocations; conforming terminology; amending s. 624.610, F.S.; extending reinsurance provisions that apply to unincorporated alien insurers to incorporated alien insurers; limiting ceding of risks under certain conditions; amending s. 624.80, F.S.; revising the term "insurer" and defining the term "special funds" as used in pt. VI, ch. 624, F.S.; amending s. 624.82, F.S.; revising confidentiality provisions; amending s. 624.87, F.S.; providing for disposition of special funds used by the department which are subsequently reimbursed by insurers; revising and readopting various sections of ch. 624, F.S., notwithstanding their scheduled repeal; providing for future repeal of specified sections of ch. 624, F.S., and for review of those sections pursuant to the Regulatory Sunset Act; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Malchon—

SB 992—A bill to be entitled An act relating to public nuisances; amending s. 893.138, F.S.; providing for local administrative action to abate public nuisances at which prostitution-related activities occur; authorizing certain administrative procedures for enforcement of orders abating drug-related or prostitution-related public nuisances or youth and street gang activity; providing for temporary injunctive relief against such nuisances; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Malchon—

SJR 994—A joint resolution proposing an amendment to Sections 3 and 6, Article VII of the State Constitution, relating to ad valorem taxation.

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

By Senator Malchon—

SB 996—A bill to be entitled An act relating to ad valorem tax relief; creating part II of ch. 196, F.S., consisting of ss. 196.40, 196.41, 196.42, 196.43, 196.44, 196.45, 196.46, 196.47, F.S.; providing for relief from ad valorem taxes by means of grants to qualified households; providing definitions and procedures; providing for administration by the Department of Revenue; providing penalties; providing for confidentiality; providing an appropriation; providing an effective date.

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

By Senator Malchon—

SB 998—A bill to be entitled An act relating to marriage licenses; amending s. 741.01, F.S.; increasing the portion of the marriage license fee used to fund domestic violence centers; providing an effective date.

—was referred to the Committees on Judiciary; Finance, Taxation and Claims; and Appropriations.

By Senator Malchon—

SB 1000—A bill to be entitled An act relating to health care cost containment; amending s. 381.706, F.S.; removing an exemption from review requirements; conforming language to the repeal of s. 381.713(1), F.S.; amending s. 407.002, F.S.; providing definitions; amending s. 407.05, F.S.; requiring hospitals to file budgets with the Health Care Cost Containment Board; amending s. 407.09, F.S.; authorizing the board to collect fees and specifying disposition thereof; amending s. 407.31, F.S.; requiring nursing homes to submit certain data; amending s. 407.32, F.S.; revising the reporting date for the annual board report on nursing home financial data; amending s. 407.70, F.S.; providing for publication of data on physician charges; requiring health insurers to submit certain information; repealing s. 381.713(1), F.S., relating to exemptions from certificate of need requirements for health maintenance organizations; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Finance, Taxation and Claims; and Appropriations.

By Senator Malchon—

SB 1002—A bill to be entitled An act relating to bone marrow donation; providing an appropriation for the HLA-typing of potential bone marrow donors in the state; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Bankhead—

SB 1004—A bill to be entitled An act relating to jurors and grand jurors; amending s. 40.013, F.S.; providing that a person may not be excused from service on a jury solely because of deafness or hearing impairment; amending s. 90.6063, F.S.; requiring appointment of an interpreter to assist deaf jurors or grand jurors; amending s. 905.17, F.S.; authorizing interpreters to be present at grand jury deliberation or voting; amending s. 905.24, F.S.; prohibiting interpreters from disclosing grand jury proceedings; amending s. 913.03, F.S.; providing that deafness or hearing impairment is not a ground for challenging a juror; providing an effective date.

—was referred to the Committees on Judiciary, Community Affairs and Appropriations.

By Senator Casas—

SB 1006—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.16, F.S.; authorizing pari-mutuel wagering to be conducted through a system in which wagers are placed by telephone outside a horse or dog racetrack enclosure and are received and processed within the enclosure; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senator Casas—

SB 1008—A bill to be entitled An act relating to educational facilities; amending s. 235.193, F.S.; prohibiting local governing bodies from imposing certain conditions upon the development of land for a school plant or for the construction of educational facilities; providing an effective date.

—was referred to the Committees on Community Affairs and Education.

By Senator Dudley—

SB 1010—A bill to be entitled An act relating to state government; creating s. 11.074, F.S.; requiring an estimate of the impact of legislation on families; amending s. 120.54, F.S.; requiring family impact statements in formulating and implementing certain policies and rules; providing procedure; providing an effective date.

—was referred to the Committees on Governmental Operations; Appropriations; and Rules and Calendar.

By Senator Dudley—

SB 1012—A bill to be entitled An act relating to child support; amending s. 61.13, F.S.; providing for child support for children who are over age 18 and who have not yet graduated from high school; amending s. 742.031, F.S.; revising language with respect to court ordered support in hearings concerning determination of paternity; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Dudley—

SB 1014—A bill to be entitled An act relating to the "911" emergency telephone system; amending s. 365.171, F.S.; revising provisions relating to the "911" fee; deleting the requirement for annual approval of a county's recurring fee by the Division of Communications; specifying that a fund be established exclusively for "911" fee revenues and expenditures; requiring that moneys in the fund be used only for specified purposes; requiring an annual financial audit of the fund; providing for carry over of funds; specifying those costs which are eligible for expenditure of "911" fee revenues, including costs for two county positions; prohibiting certain expenditures; establishing legislative goal for the expenditure of fees; providing an effective date.

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

By Senators Casas, Meek and Gordon—

SB 1016—A bill to be entitled An act relating to thoroughbred racing; amending s. 550.011, F.S.; providing requirements for the Florida Pari-mutuel Commission in allocating days of operation for three thoroughbred tracks that are located within 35 air miles of each other; providing for application of the act; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senators Brown and Forman—

SB 1018—A bill to be entitled An act relating to exterior design and landscaping; amending s. 336.045, F.S.; requiring the Department of Transportation to adopt standards and criteria to provide for the compatibility of facilities with the surrounding environment; providing that certain transportation facilities must conform to local comprehensive plans; requiring the department to provide for construction pursuant to such standards within the budget for the construction of each such facility; requiring the department to complete a program for placing specific information panels on certain highways; requiring the department to adopt other programs for consolidating signs on certain highways; requiring the department to file recommendations for such programs with the Legislature; amending s. 163.3202, F.S.; providing that local land development regulations must include certain landscaping regulations and regulations that protect historic districts and resources; amending s. 163.362, F.S.; providing that community redevelopment plans must show by diagram historic resources within redevelopment areas; providing that such plans must include a historic resources element that specifies the effect of the proposed redevelopment upon historic resources and that provides for the protection of such resources; providing that such plans must include requirements that newly constructed developments conform to existing developments; providing an effective date.

—was referred to the Committees on Transportation, Community Affairs and Appropriations.

By Senator Grizzle—

SB 1020—A bill to be entitled An act relating to pari-mutuel facilities; creating s. 550.53, F.S.; authorizing bingo games on the premises of pari-mutuel permitholders; providing a tax; providing definitions; providing for regulation by the Division of Pari-mutuel Wagering; authorizing the division to adopt rules; providing that ch. 849, F.S., does not apply; providing an effective date.

—was referred to the Committees on Commerce; Criminal Justice; and Finance, Taxation and Claims.

By Senator Jenne—

SB 1022—A bill to be entitled An act relating to health insurance subsidies; creating ss. 175.401-175.414, F.S., and ss. 185.50-185.63, F.S.; providing for Municipal Firefighters' and Municipal Police Officers' Retiree Health Insurance Subsidy Trust Funds; providing legislative intent; providing definitions; providing for the application of various statute provisions concerning municipal firefighters and police officers; providing for the creation and maintenance of the funds; providing for benefits; directing the Insurance Commissioner and Treasurer to keep accounts of deposits and disbursements; providing for refunds; providing for a depository for pension funds; providing for rules of the Department of Insurance; providing for funding and for the amortization of unfunded liabilities; providing for actuarial valuation requirements; providing for termination and distribution of the funds; providing for applicability and nondiscrimination; prohibiting certain special acts; providing an effective date.

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

By Senators Yancey, Gardner, Kurth, Childers, Langley, Malchon, Diaz-Balart, Wexler, Crotty, Myers, Souto, Crenshaw, Jennings, Thurman and Casas—

SB 1024—A bill to be entitled An act relating to firearms; creating s. 790.054, F.S.; authorizing correctional probation officers to carry concealed firearms upon meeting certain requirements; exempting such officers from licensing and penal provisions; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senators Gardner, Grant, Kiser, Langley, Thurman and Girardeau—

SB 1026—A bill to be entitled An act relating to motorcycle safety; requiring the Department of Highway Safety and Motor Vehicles to conduct or contract for a study of motorcycle safety; providing for funding; providing contents of the study; requiring the department to submit a report to the Legislature; requiring follow-up activities; providing for the termination of funding; providing an effective date.

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

By Senator Gardner—

SB 1028—A bill to be entitled An act relating to boating safety; amending s. 327.02, F.S.; defining the terms “marked navigation channel” and “miles per hour” for the purposes of the “Florida Vessel Registration and Safety Law”; creating s. 327.462, F.S.; providing for vessel speed limits; providing exceptions; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Senator Forman—

SB 1030—A bill to be entitled An act relating to motor vehicle certificates of title; amending s. 319.32, F.S.; reducing the fees charged for certificates of title, and duplicate certificates of title, for repossessed motor vehicles; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Forman—

SB 1032—A bill to be entitled An act relating to local improvements; amending s. 170.01, F.S.; providing that pedestrian canopies constructed over public sidewalks are public improvements for which municipalities may levy special assessments on the benefited property; providing an effective date.

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

By Senator Forman—

SB 1034—A bill to be entitled An act relating to “The Motor Vehicle Retail Sales Finance Act”; amending s. 520.085, F.S.; revising provisions relating to finance charges with respect to a retail installment contract representing the sale of a motor vehicle primarily for business or commercial purposes; providing an effective date.

—was referred to the Committees on Commerce and Professional Regulation.

By Senators Yancey and Thurman—

SB 1036—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; authorizing the reemployment of retired district school board employees under certain circumstances; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Education; and Appropriations.

By Senators Yancey and Thurman—

SB 1038—A bill to be entitled An act relating to mobile home park lot tenancies; amending s. 723.003, F.S.; defining the term “resale agreement” for the purposes of the Florida Mobile Home Act; amending s. 723.058, F.S., relating to restrictions on the sale of mobile homes; prohibiting the requirement of certain resale agreements as a condition of tenancy; prohibiting resale agreements of perpetual or indefinite duration; prohibiting discriminatory increases in lot rental amounts based upon refusal to enter or extend a resale agreement; providing an effective date.

—was referred to the Committees on Commerce and Professional Regulation.

By Senator Dudley—

SB 1040—A bill to be entitled An act relating to education; amending s. 232.2465, F.S.; revising provisions relating to the awarding of Florida Academic Scholars’ certificates; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Executive Business, Ethics and Elections; and Senators Wexler, Crotty, Plummer, Weinstein, Dudley and Weinstock—

SB 1042—A bill to be entitled An act relating to public officers, candidates for public office, and public employees; amending s. 112.312, F.S.; providing additional definitions and redefining the term “gift” for purposes of part III of ch. 112, F.S., and s. 8, Art. II of the State Constitution; amending s. 112.313, F.S.; clarifying a prohibition; removing provisions relating to disclosure of certain specified interests; providing exemptions from the prohibition against a public officer or employee doing business with his own company or entering into a conflicting employment relationship; amending s. 112.3143, F.S.; providing definitions; providing additional disclosure requirements for public officers in circumstances in which potential voting conflicts are involved; amending s. 112.3144, F.S.; providing for notice of a penalty; providing for a 10-day grace period for filing disclosure statements; amending s. 112.3145, F.S.; requiring certain officers, candidates, and employees who hold a specified relationship with business entities authorized to operate in this state to file a disclosure statement as part of their financial statement; providing for a 10-day grace period for filing financial disclosure statements; providing for notice of a penalty; amending s. 112.3148, F.S.; providing for the valuation of gifts; correcting a cross-reference; amending s. 112.317, F.S.; providing penalties for officers, employees, and candidates who violate s. 8, Art. II of the State Constitution; providing penalties for former public officers or employees who violated provisions of part III of ch. 112, F.S., or s. 8, Art. II of the State Constitution; removing prohibition against certain disclosures of information; amending s. 112.320, F.S.; providing that the Commission on Ethics is the commission provided for in s. 8(f), Art. II of the State Constitution; amending s. 112.321, F.S.; providing for appointment and terms of members of the Commission on Ethics; amending s. 112.3215, F.S.; providing for registration by lobbyists of principals; increasing the lobbyists registration fee; providing for semi-annual reports by lobbyists; providing for receipt and disposition of complaints against lobbyists; providing investigation procedures; amending s. 112.322, F.S.; providing authority of the Commission with respect to breaches of the public trust; providing an automatic fine for late filing of financial disclosure; authorizing the commission to delegate to its investigators the authority to administer oaths; authorizing the commission to delegate its subpoena powers to its members or executive director; authorizing the commission to allow its employees to serve such subpoenas; providing authority for the commission to make rules; creating s. 112.3231, F.S.; providing time limitations for commission actions; amending s. 112.324, F.S.; modifying procedures on complaints of violations of part III of ch. 112, F.S., or s. 8, Art. II of the State Constitution; providing procedures for complaints against former officers, former employees, and former candidates; providing procedures for complaints against candidates; providing an exception from time limitations for previously filed complaints; providing effective dates for lobbyist registration fees; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; Finance, Taxation and Claims; and Appropriations.

By Senator Scott—

SB 1044—A bill to be entitled An act relating to claims involving the state; creating s. 17.0415, F.S.; providing that the Comptroller may authorize the assignment of claims between the state, its agencies, and its subdivisions; amending s. 284.385, F.S.; providing for a system to coordinate the exchange of information about claims for and against the state; amending s. 768.28, F.S.; specifying information that must be included in a written claim against the state; providing that compliance with such requirements is a condition precedent to an action; providing circumstances under which a court may excuse incomplete or inaccurate compliance; providing an effective date.

—was referred to the Committees on Governmental Operations; Finance, Taxation and Claims; and Appropriations.

By Senators Crenshaw, Gardner, Johnson, Thurman, Myers, Bankhead, Brown, Grant, Grizzle, Jennings, Yancey, Wexler, Jenne, Dudley, Beard, Thomas, Souto and McKay—

SB 1046—A bill to be entitled An act relating to the Board of Regents; amending s. 240.215, F.S.; providing that certain employees or agents of the Board of Regents are not, and may not be deemed to be, agents of other persons in certain civil actions resulting from certain acts or omissions; providing an effective date.

—was referred to the Committees on Education and Judiciary.

By Senator Dudley—

SB 1048—A bill to be entitled An act relating to the Immokalee Fire Control District, Collier County; amending section 1 of chapter 30666, Laws of Florida, 1955, as amended; expanding the boundaries of the district; providing for a referendum.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Dudley—

SB 1050—A bill to be entitled An act relating to Big Corkscrew Island Fire Control and Rescue District, Collier County; amending s. 1, ch. 77-535, Laws of Florida; extending the boundaries of the district; providing for referendums.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Childers and Beard—

SB 1052—A bill to be entitled An act relating to historic preservation; creating the Historic St. Augustine Preservation Board of Trustees, the Historic Pensacola Preservation Board of Trustees, the Historic Tallahassee Preservation Board of Trustees, the Historic Florida Keys Preservation Board of Trustees, the Historic Palm Beach County Preservation Board of Trustees, the Historic Tampa-Hillsborough County Board of Trustees, the Ybor City Historic District, the Barrio Latino Commission, the Historic Broward County Preservation Board of Trustees, and the Historic Volusia County and Flagler County Preservation Board of Trustees; providing membership; providing organization, powers, and procedures for operation of the boards; authorizing direct-support organizations; providing public records exemptions; authorizing specified local governments to make annual appropriations to defray costs of the boards; providing definitions; providing for future expiration and review under s. 11.611, F.S., the Sundown Act; providing for future repeal and review of public records exemptions pursuant to s. 119.14, F.S., the Open Government Sunset Review Act; repealing ss. 266.01, 266.02, 266.03, 266.04, 266.05, 266.06, 266.07, 266.08, 266.101, 266.102, 266.103, 266.104, 266.105, 266.106, 266.109, 266.110, 266.111, 266.112, 266.113, 266.114, 266.115, 266.118, 266.201, 266.202, 266.203, 266.204, 266.205, 266.206, 266.2095, 266.301, 266.302, 266.303, 266.304, 266.305, 266.306, 266.309, 266.401, 266.402, 266.403, 266.404, 266.405, 266.406, 266.408, 266.409, 266.410, 266.411, 266.501, 266.502, 266.503, 266.504, 266.505, 266.506, 266.507, 266.508, F.S., relating to historic preservation boards; providing an effective date.

—was referred to the Committees on Governmental Operations, Community Affairs and Appropriations.

By Senator Gordon—

SB 1054—A bill to be entitled An act relating to the State University System; amending s. 240.209, F.S.; providing for the establishment, in the General Appropriations Act, of a separate matriculation and tuition fee for students enrolled in graduate programs and postgraduate professional programs who are nonimmigrant aliens; prescribing the level of such fees; amending s. 240.233, F.S.; limiting the percentage of students enrolled in graduate programs and postgraduate professional programs who are nonimmigrant aliens; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Walker—

SB 1056—A bill to be entitled An act relating to building designations; designating the administration building at the Suwannee Valley State Farmers' Market as the "Wayne Hollingsworth Building"; directing the Department of General Services to erect suitable markers; providing an effective date.

—was referred to the Committee on Agriculture.

By Senators Davis, Kirkpatrick, Grant, Yancey, Weinstein, Gordon, Meek and Thomas—

SB 1058—A bill to be entitled An act relating to vending machine sales; creating s. 212.0515, F.S.; providing a method for calculating the sales tax on sales made through vending machines; providing a definition; requiring an identifying device for each machine; establishing a fee for

such devices; requiring reports on vending machine sales and the taxes remitted on those sales; providing for deposit of certain vending machine sales tax collections; providing for distribution; providing limitations on uses of such moneys; providing for grants; providing penalties; amending s. 212.20, F.S.; providing for deposit of vending machine sales tax collections; amending s. 212.12, F.S.; providing for separately reporting sales made through vending machines; providing an appropriation; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; Commerce; and Appropriations.

By Senator Crenshaw—

SB 1060—A bill to be entitled An act relating to the allocation of lottery revenues for public education; amending s. 24.121, F.S.; providing for the allocation of a portion of the net revenues from the lottery to each school district for distribution of a specified amount to each public school in the district; specifying uses for the moneys so distributed; providing an effective date.

—was referred to the Committees on Education, Commerce and Appropriations.

By Senator Grizzle—

SB 1062—A bill to be entitled An act relating to oil and gas production; authorizing the Department of Natural Resources to accept grants and donations for deposit into the Research Account of the Petroleum Exploration and Production Bond Trust Fund; requiring the department to develop and implement a research program with respect to abandonment and plugging procedures for wells abandoned before 1974, to investigate possible economic and environmental risks from such wells, to recommend action with respect to such wells, and to undertake a pilot program of remedial action; providing for an advisory committee; providing an appropriation; providing an effective date.

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

By Senator Grizzle—

SB 1064—A bill to be entitled An act relating to coastal zone protection; amending s. 161.54, F.S.; redefining the term "substantial improvement" for the purposes of requirements relating to construction under the Coastal Zone Protection Act of 1985; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By the Committee on Health and Rehabilitative Services—

SB 1066—A bill to be entitled An act relating to midwifery; amending s. 467.002, F.S.; specifying a legislative intent of making the practice of midwifery safer and more available; amending s. 467.003, F.S.; revising definitions of terms used in provisions relating to midwifery to conform to amendments made by this act; increasing the minimum age of a person who fulfills the definition of the term "midwife"; amending s. 467.004, F.S.; redesignating the Advisory Council of Lay Midwifery as the Council of Midwifery; revising provisions to conform to a transfer of the council made by the act; requiring the council to assist the Department of Education and the Department of Professional Regulation in administering the regulation of midwives; providing for reimbursement of per diem and travel expenses of members of the council; providing for initial membership of the council; amending s. 467.006, F.S.; repealing provisions that restricted eligibility for a license to practice midwifery to nurses; repealing obsolete provisions; providing that persons who successfully complete certain educational programs are eligible for such a license; amending s. 467.009, F.S.; specifying subjects that the Department of Professional Regulation must require to be included within educational programs on midwifery; providing that such a program must admit only students who have a high school diploma or its equivalent in order for the program to be approved by the department; amending s. 467.011, F.S.; revising the subjects that must be included in the examination on midwifery that is given by the department; requiring the issuance of a license to each person who passes the examination upon paying the licensure fee; amending s. 467.013, F.S.; repealing a cap on the fee charged to a licensee to have his license placed on inactive status at his request; requiring training and examination to reinstate a suspended license; creating s. 467.0135, F.S.; specifying fees that the department may charge for licensure examinations, licenses, license renewals, and placing a license on

inactive status; amending s. 467.201, F.S.; increasing the severity of the criminal penalties for specified violations of ch. 467, F.S.; amending s. 467.205, F.S.; requiring the Department of Education to review educational programs on midwifery that are required for licensure; requiring the Department of Education to periodically review each organization that offers such a program for certification; amending s. 467.209, F.S.; providing that the transfer of responsibility for regulating midwifery by this act does not affect proceedings, contracts, licenses, or rules in effect upon transfer; transferring powers, duties, records, personnel, and property relating to the administration of midwifery provisions of the Department of Health and Rehabilitative Services to the Department of Professional Regulation; amending s. 409.266, F.S.; providing for medicaid reimbursement of midwives licensed under ch. 467, F.S.; amending s. 627.351, F.S.; including licensed midwives within the definition of the term "health care provider" for the purpose of medical malpractice risk apportionment; repealing s. 8, ch. 84-268, Laws of Florida; saving provisions of ch. 467, F.S., from repeal pursuant to the Regulatory Sunset Act and the Sundown Act; providing for future repeal and legislative review of ch. 467, F.S., pursuant to the Regulatory Sunset Act; providing an appropriation; repealing s. 467.202, F.S., relating to injunctions restraining violations of ch. 467, F.S.; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Professional Regulation; Finance, Taxation and Claims; and Appropriations.

By Senator Johnson—

SB 1068—A bill to be entitled An act relating to driving under the influence; amending s. 316.1933, F.S.; providing circumstances under which a law enforcement officer must require a blood test for impairment or intoxication; reenacting ss. 316.066(4), 316.1934(2), F.S., relating to accident reports and presumptions of impairment, to incorporate the amendment to s. 316.1933, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Transportation and Criminal Justice.

By Senator Crotty—

SB 1070—A bill to be entitled An act relating to ethics in government; amending s. 112.312, F.S.; defining "gift" for purposes of the code of ethics and constitutional financial disclosure; amending s. 112.3148, F.S.; providing for valuation of a gift at the greater of actual cost to the donor or fair market value; amending s. 112.3149, F.S.; defining "honorarium"; providing applicability; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Crotty—

SB 1072—A bill to be entitled An act relating to drivers' licenses; amending s. 322.12, F.S.; providing that certain persons who have had drivers' licenses from another state or country shall not be required to take a practical examination to be licensed in this state under certain circumstances; amending s. 322.21, F.S.; providing for a surcharge upon all drivers' licenses; providing for the disposition of the surcharge; amending ss. 394.463 and 394.467, F.S.; providing for involuntary examination and placement of persons who are addicted to certain controlled substances under certain circumstances; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Weinstein—

SB 1074—A bill to be entitled An act relating to the Department of Legal Affairs; creating s. 16.61, F.S.; creating the Division of Civil Rights; specifying powers and duties of the division; providing an appropriation; providing an effective date.

—was referred to the Committees on Judiciary, Governmental Operations and Appropriations.

By Senator Crotty—

SB 1076—A bill to be entitled An act relating to telecommunications; creating s. 364.245, F.S.; providing findings; providing circumstances and procedures for discontinuation of telecommunications service when the service is used for an unlawful purpose; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Crotty—

SB 1078—A bill to be entitled An act relating to elections; amending s. 100.061, F.S.; changing the date of the first primary election; amending s. 100.091, F.S.; changing the date of the second primary election; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Crotty—

SB 1080—A bill to be entitled An act relating to criminal penalties; amending s. 775.087, F.S.; providing a mandatory minimum term of imprisonment for persons convicted of committing certain controlled substance violations while in possession of a firearm or destructive device, and reenacting ss. 944.277(1)(b), 944.598(3), and 947.146(4)(b), relating to provisional credits, emergency release of prisoners, and control release, to incorporate said amendment in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Crotty—

SB 1082—A bill to be entitled An act relating to sentencing; amending s. 921.187, F.S.; authorizing placement of first-time felony drug possession offenders on probation for a minimum 1-year period with conditions of paying a fine, attending a substance abuse education course and, where indicated, a substance abuse evaluation and treatment program, performing high visibility community service while wearing identifying clothing, undergoing periodic drug testing, and participating in a self-help group; authorizing withholding of adjudication; providing for disposal of fines; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Jenne—

SB 1084—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.114, F.S.; requiring property appraisers to complete certain forms relating to changes made to assessment rolls; amending ss. 193.1142 and 200.065, F.S.; specifying the date for mailing notices of proposed property taxes in conjunction with tax roll approval; providing for the extension of deadlines under s. 200.065 under certain conditions; requiring the property appraiser to notify affected taxing authorities of adjustments made to millage rates in response to a review notice issued by the Department of Revenue; amending s. 193.461, F.S.; revising the definition of "agricultural purposes" for purposes of classification and assessment of agricultural land; amending s. 195.095, F.S.; revising provisions which regulate the process of contracting with property appraisers, tax collectors, and county commissions for assessment or collection services or systems; specifying duties of the executive director of the department or his designee; revising application of such provisions; providing for waiver of such provisions under certain circumstances; amending s. 195.096, F.S.; providing for the confidentiality of data and samples developed or obtained by the Division of Ad Valorem Tax in conjunction with review of assessment rolls; providing for review and repeal; amending s. 201.022, F.S.; requiring that the return which is required to be filed as a condition precedent to recording of a deed transferring an interest in real property state the parcel identification number; providing effective dates.

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

By Senator Dudley—

SB 1086—A bill to be entitled An act relating to real property transfer taxes; creating s. 200.46, F.S.; prescribing millage limits on levies by units of local government that receive revenues from the local option real property transfer tax; creating s. 201.015, F.S.; authorizing counties to levy a local option real property transfer tax; prescribing requirements for the ordinance imposing the tax; providing for its approval by the county governing authority; prescribing a maximum rate; providing for sharing of revenues with municipalities; prescribing purposes for which the revenues may be used; providing an expiration date; amending s. 201.15, F.S.; providing that local option real property transfer taxes are not subject to the distribution formula applicable to excise taxes on documents; providing an effective date.

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

By Senator Weinstock—

SB 1088—A bill to be entitled An act relating to medical practice; amending s. 458.315, F.S.; deleting reference to community population size for eligibility for issuance of temporary certificate for practice in areas of critical need; authorizing the issuance of such certificates to physicians to be employed in certain practice settings; providing an effective date.

—was referred to the Committees on Professional Regulation; and Health and Rehabilitative Services.

By Senators Jennings, Langley and Gardner—

SB 1090—A bill to be entitled An act relating to Seminole County; repealing chapters 74-612 and 81-493, Laws of Florida, relating to the Seminole County Comprehensive Planning Act of 1974; providing a savings clause; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Thomas—

SB 1092—A bill to be entitled An act relating to Santa Rosa Island; amending ss. 7.17, 7.55, F.S.; redefining the boundaries of Escambia and Santa Rosa Counties; providing that Navarre Beach shall be included in the boundary of Santa Rosa County; providing for Santa Rosa County to assume a portion of the liabilities of Escambia County; providing for the Santa Rosa County School District to educate certain children living in that portion of Santa Rosa Island in Escambia County; prohibiting the construction of a navigable waterway or channel on certain parts of Santa Rosa Island without approval of the county commissioners of both Escambia County and Santa Rosa County; prescribing requirements with respect to the density level on that portion of Santa Rosa Island leased by Escambia County to Santa Rosa County; providing a severability section; providing the current coastal construction line on that portion of Santa Rosa Island leased to Santa Rosa County remains in full force and effect; providing all current licenses issued by the state for establishments located on that portion of Santa Rosa Island leased to Santa Rosa County shall remain in full force and effect; 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.

By Senator Kurth—

SB 1094—A bill to be entitled An act relating to Indian River Mosquito Control District; amending chapter 24600, Laws of Florida, as amended; establishing new boundaries; increasing the amount with respect to which the board of commissioners may purchase goods and services without bids under certain conditions; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Langley—

SB 1096—A bill to be entitled An act relating to judgments; creating s. 55.031, F.S.; providing for prejudgment interest on awards in actions for personal injury and wrongful death; providing for such interest in pending proceedings; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Weinstock—

SB 1098—A bill to be entitled An act relating to background screening; amending ss. 39.076, 110.1127, 242.335, 393.0655, 394.457, 396.0425, 397.0715, 402.3055, and 409.175, F.S.; providing employers with immunity from liability for communications made in good faith regarding certain employees or former employees; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Kurth—

SB 1100—A bill to be entitled An act relating to emergency management; amending s. 252.55, F.S.; recognizing the Search and Rescue

Response Force as a nonprofit, educational, and emergency-management related organization eligible to purchase materials from the various surplus warehouses of the state; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator Weinstock—

SB 1102—A bill to be entitled An act relating to insurance; amending s. 627.6515, F.S.; requiring a group health insurance policy issued outside the state to provide coverage for mammograms to Florida residents covered under the policy; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Dudley—

SB 1104—A bill to be entitled An act relating to postsecondary education; creating the "Collegiate Athletic Association Compliance Enforcement Procedures Act"; providing legislative findings; providing definitions; providing that hearings are prerequisite to a finding of violation of association rules and specifying hearing procedures; providing penalty requirements; providing rights in interrogation; providing restrictions on penalties imposed by associations; providing for liability of an association; providing for application of the act; providing for cumulative remedies; providing an effective date.

—was referred to the Committees on Education, Judiciary and Appropriations.

By Senator Souto—

SR 1106—A resolution recognizing the week of October 19-26, 1991, as Red Ribbon Week for the purpose of encouraging persons to display opposition to illegal drug use by wearing a red ribbon.

—was referred to the Committee on Rules and Calendar.

By Senator Dudley—

SB 1108—A bill to be entitled An act relating to aquatic and invasive exotic plant control; creating s. 369.27, F.S.; requiring the Department of Natural Resources to develop and implement an invasive exotic plant control program; providing a surcharge on nursery certificates of registration; providing for the adoption of rules; creating s. 369.29, F.S.; providing for fees; providing an appropriation and authorizing positions; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Community Affairs; Finance, Taxation and Claims; and Appropriations.

By Senator Langley—

SB 1110—A bill to be entitled An act relating to motor vehicle insurance; amending ss. 324.022, 324.051, 324.061, 324.071, 324.121, 324.131, 324.191, and 627.7275, F.S.; requiring personal injury liability motor vehicle insurance in a certain amount; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Kirkpatrick—

SB 1112—A bill to be entitled An act relating to the Department of General Services; amending s. 20.22, F.S.; renaming the Division of Safety and Crime Prevention of the department as the Division of Capitol Police; amending ss. 281.02, 281.03, 281.04, 281.05, 281.06, 281.07, 281.08, and 281.09, F.S., to conform; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Weinstock—

SB 1114—A bill to be entitled An act relating to school attendance; amending s. 232.01, F.S.; deleting the exemption from compulsory school attendance provided for pregnant students; repealing s. 232.06(4), F.S., relating to an exemption from compulsory school attendance provided for parents of compulsory school attendance age who do not have access to child care; providing an effective date.

—was referred to the Committee on Education.

By Senator Weinstock—

SB 1116—A bill to be entitled An act relating to the transportation of hazardous materials; creating a study commission to make recommendations to the Legislature with respect to the intrastate transportation of hazardous materials by motor carrier, rail, air, and water; providing for the membership and powers and duties of the commission; providing for a report; providing for the dissolution of the commission; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Dudley—

SB 1118—A bill to be entitled An act relating to standards of conduct for public officers and employees; amending s. 112.313, F.S.; prohibiting certain elected local officers from lobbying their agencies for 2 years after they cease to hold office; providing that a county or municipality may prohibit former appointive officers and employees from engaging in certain lobbying before the county or municipality for a period of 2 years after they vacate office or terminate employment; providing penalties; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Community Affairs.

By Senator Kirkpatrick—

SB 1120—A bill to be entitled An act relating to environmental regulation; amending s. 213.053, F.S.; allowing the Department of Environmental Regulation to obtain certain tax information from the Department of Revenue in the conduct of its duties; amending s. 325.223, F.S.; providing for the assessment by the department of certain noncompliance fees for violations of refrigerant recycling equipment certification requirements; amending s. 373.459, F.S., relating to the Surface Water Improvement and Management Trust Fund; deleting an erroneous cross-reference; amending s. 403.061, F.S.; deleting certain provisions regarding the designation of special waters as Outstanding Florida Waters; amending s. 403.101, F.S.; increasing fees for certification and renewal of certification for operators of water purification plants and wastewater treatment plants; revising provisions providing for renewal of certification; deleting a provision requiring that such fees be deposited into the General Revenue Fund; amending s. 403.1835, F.S.; providing that the Wastewater Treatment and Stormwater Revolving Loan Fund is a nonlapsing trust fund; exempting such fund from the provisions of s. 216.30, F.S.; amending s. 403.414, F.S.; replacing the pollution control awards program with an environmental award program; amending s. 403.7225, F.S.; authorizing counties to impose a small quantity generator notification and verification surcharge on the business or occupational license or renewal of certain persons under certain circumstances; authorizing a county to enter an agreement with the county tax collector to collect the surcharge; creating s. 403.818, F.S.; providing for the adoption of wellhead protection areas by the Department of Environmental Regulation; providing guidelines for determining adequacy for protection of potable water wells and wellfields; amending s. 403.852, F.S.; revising the definition of "public water system" as used in the Florida Safe Drinking Water Act to include nontransient noncommunity systems; amending s. 403.854, F.S.; allowing the Department of Environmental Regulation to waive any requirement for a certified operator for a nontransient noncommunity water system; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Girardeau—

SB 1122—A bill to be entitled An act relating to jurors; amending s. 40.01, F.S.; providing that jurors shall be selected from certain persons possessing a valid driver's license or identification card, registered electors, or persons volunteering for jury service; creating s. 40.011, F.S.; requiring the Department of Highway Safety and Motor Vehicles to deliver to the clerk of the court a list to be used for selection of jurors; providing for an affidavit to request jury service; creating s. 40.012, F.S.; providing for the purging of jury source lists; creating s. 40.0121, F.S.; providing for public notice of juror qualifications; amending s. 40.02, F.S.; providing that a chief judge's designation of a court administrator to perform certain jury management duties must be in conformity with normal county budgetary timeframes; providing that where the court administrator is designated to perform such duties the county shall not be finan-

cially responsible; amending s. 322.08, F.S.; providing for certain information on applications for drivers' licenses; amending s. 322.20, F.S.; providing that the Department of Highway Safety and Motor Vehicles shall furnish to the courts, for jury selection purposes, lists of licensed drivers and persons possessing identification cards; providing that restrictions on the use of such information and fees for violation of such restrictions apply to the courts; amending s. 905.37, F.S.; providing that statewide grand jurors be selected from the same juror pool as petit jurors; providing for payment of costs of the jury selection system; providing an effective date.

—was referred to the Committees on Judiciary and Appropriations.

By Senator Langley—

SB 1124—A bill to be entitled An act relating to limited liability companies; revising ch. 608, F.S.; amending s. 608.401, F.S.; providing a short title; amending s. 608.402, F.S.; providing definitions; amending s. 608.404, F.S.; specifying the powers of limited liability companies; amending s. 608.405, F.S.; providing for formation of limited liability companies; amending s. 608.406, F.S.; providing requirements for names of limited liability companies; creating s. 608.4061, F.S.; providing for reservation of the name of a foreign limited liability company; creating s. 608.4062, F.S.; providing for registration of the name of a foreign limited liability company; amending s. 608.407, F.S.; specifying content of articles of organization; amending s. 608.408, F.S.; providing for filing of articles of organization; amending s. 608.409, F.S.; specifying effect of issuance of certificate of organization; creating s. 608.4101, F.S.; requiring maintenance of certain records; amending s. 608.411, F.S.; providing for amendment to articles of organization; creating s. 608.412, F.S.; requiring filing of supplemental affidavit of capital contributions in specified circumstances; amending s. 608.415, F.S.; requiring limited liability companies to maintain registered office and registered agent; amending s. 608.416, F.S.; providing for change of registered office and change or resignation of registered agent; amending s. 608.4211, F.S.; specifying allowable contributions to capital and liability therefor; amending s. 608.422, F.S.; providing for management; amending s. 608.423, F.S.; providing for adoption of regulations; amending s. 608.424, F.S.; limiting ability to contract debt; amending s. 608.425, F.S.; providing for ownership of company property; amending s. 608.426, F.S.; providing circumstances for distribution of property; creating s. 608.4261, F.S.; providing for sharing of profits and losses; amending s. 608.427, F.S.; providing for withdrawal or reduction of members' contributions to capital; creating s. 608.428, F.S.; specifying liability upon return of contribution; amending s. 608.432, F.S.; providing for transfer of members' interests; creating s. 608.433, F.S.; providing circumstances under which an assignee may become a member; creating s. 608.434, F.S.; specifying powers of the estate of a deceased or incompetent member; creating s. 608.4361, F.S.; specifying liability of members and managers to creditors; creating s. 608.4362, F.S.; specifying liability of managers and managing members; creating s. 608.4363, F.S.; providing for indemnification; amending s. 608.441, F.S.; providing for dissolution; creating s. 608.4411, F.S.; providing for revocation of dissolution; creating s. 608.4421, F.S.; providing for disposition of claims against dissolved company; creating s. 608.4431, F.S.; specifying effect of dissolution; amending s. 608.444, F.S.; providing for distribution of assets upon dissolution; amending s. 608.445, F.S.; specifying content of articles of dissolution; amending s. 608.446, F.S.; providing for filing of articles of dissolution; amending s. 608.448, F.S.; specifying grounds for administrative dissolution; creating s. 608.4481, F.S.; providing procedures for and effects of administrative dissolution; creating s. 608.4482, F.S.; providing for reinstatement; creating s. 608.4483, F.S.; providing for appeal from denial of reinstatement; amending s. 608.449, F.S.; providing grounds for judicial dissolution; creating s. 608.4491, F.S.; providing procedure for judicial dissolution; creating s. 608.4492, F.S.; providing for receivership or custodianship; creating s. 608.4493, F.S.; providing for decree of dissolution; creating s. 608.4494, F.S.; requiring deposit of assets of dissolved company with the Department of Banking and Finance; creating s. 608.4511, F.S.; requiring filing of annual reports with the Department of State; amending s. 608.452, F.S.; specifying fees of the Department of State; amending s. 608.455, F.S.; providing for waiver of certain required notices; amending s. 608.471, F.S.; providing for determination of tax under ch. 220, F.S.; creating s. 608.501, F.S.; requiring a foreign limited liability company to obtain a certificate of authority prior to transacting business; creating s. 608.502, F.S.; specifying consequences of transacting business without authority; creating s. 608.503, F.S.; providing for application for certificate of authority; creating s. 608.504, F.S.; providing for amendment of certificate of authority; creating s. 608.505, F.S.; specifying effect of certificate of authority; creating s. 608.506, F.S.; providing

requirements for name of foreign limited liability company; creating s. 608.507, F.S.; requiring registered office and registered agent; creating s. 608.508, F.S.; providing for change of registered office and registered agent; creating s. 608.509, F.S.; providing for resignation of registered agent; creating s. 608.5101, F.S.; providing for service of process; creating s. 608.511, F.S.; providing for withdrawal of foreign limited liability company; creating s. 608.512, F.S.; specifying grounds for revocation of authority to transact business; creating s. 608.513, F.S.; specifying procedure for and effect of revocation of authority; creating s. 608.514, F.S.; providing for appeal from revocation; repealing ss. 608.435, 608.436, 608.442, 608.443, and 608.453, F.S., relating to liabilities of members and managers, filing of statement of intent to dissolve, effect of statement of intent to dissolve, and miscellaneous charges; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Kurth—

SB 1126—A bill to be entitled An act for the relief of Jack Forte; providing an appropriation to compensate him for the wrongful taking of his property by the Department of Natural Resources; providing an effective date.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Jenne—

SB 1128—A bill to be entitled An act relating to taxation; amending s. 20.21, F.S.; changing the name of the Division of Technical Assistance of the Department of Revenue; amending ss. 72.011, 215.26, F.S.; providing that taxpayers may contest the legality of any denial of refund of specified taxes, interest, or penalties in circuit court or under ch. 120, F.S.; providing time limitations; amending ss. 26.012, 57.111, 72.031, 120.575, F.S., to conform; amending s. 198.15, F.S.; providing for a delinquency penalty for late payment of estate taxes; amending s. 199.052, F.S.; requiring certain corporations to file intangible tax returns; amending s. 199.282, F.S.; providing penalties for failure to timely file an annual return required under s. 199.052, F.S.; amending s. 203.01, F.S.; repealing s. 203.01(5), F.S., relating to the option of separately stating the tax on gross receipts for utility service as a component of the charge for providing such taxable services; substituting "utility business" for "telecommunication business" in specifying the type of business to which the tax applies; deleting obsolete language about penalties; amending s. 203.63, F.S.; deleting provisions that allow the tax on certain telecommunications services to be separately stated on a bill or invoice as Florida gross receipts tax; deleting related provisions for collecting such tax; amending s. 206.01, F.S.; excluding natural gasoline from the definition of the term "motor fuel"; amending s. 206.56, F.S.; deleting provisions concerning embezzlement of state funds; providing elements of the crime of theft of state funds; providing penalties; amending ss. 206.97, 206.9915, 212.66, F.S.; incorporating the amendment to s. 206.56, F.S., in references thereto; amending s. 206.86, F.S.; including natural gasoline in the definition of the term "alternative fuel"; defining the term "natural gasoline"; amending s. 206.9931, F.S.; requiring any person who purchases a pollutant for sale, use, consumption, or distribution either to document the payment of, or to pay, certain taxes; amending s. 212.02, F.S.; amending the definition of the term "admissions"; amending s. 212.04, F.S.; stating that provisions authorizing a tax-exempt sale for resale do not apply to admission sales; providing for collecting tax on resales of admissions; exempting from tax certain sales of admissions; amending s. 212.0505, F.S.; allowing a designee of the department's executive director to settle or compromise certain taxes, penalties, or interest, as specified; amending s. 212.054, F.S.; providing for the administration of the discretionary sales surtax on certain items of tangible personal property; amending s. 212.055, F.S.; providing restrictions on the effective date of any change in the distribution formula for proceeds of the local government infrastructure surtax; amending s. 212.0596, F.S.; providing for alternative procedures for collecting the use tax from mail-order purchasers; amending s. 212.12, F.S.; providing tax brackets applicable to all counties, not merely charter counties, that have adopted the discretionary sales surtax at a specified rate; allowing the department to specify, by rule, tax brackets for counties that adopt a different tax rate; amending s. 212.20, F.S.; exempting funds collected pursuant to s. 212.18(5), F.S., from a requirement that all funds collected by the department be credited to the General Revenue Fund; amending s. 213.053, F.S.; allowing the department to provide certain state tax information to certain governmental and non-governmental agencies for use in the conduct of their official duties; pro-

viding for confidentiality of that information; providing penalties for breach of confidentiality; providing that certain information is a public record; allowing the Department of Banking and Finance and the Department of Law Enforcement access to certain information during specified types of joint investigations with the Department of Revenue; allowing use of that information in certain investigations and legal proceedings; amending s. 213.06, F.S.; providing rulemaking authority; creating s. 213.2201, F.S.; allowing the department to produce publications containing the laws under its jurisdiction; authorizing charges for the publications, at the discretion of the Department of Administration; providing for the deposit of moneys received; providing for reciprocal exchange of publications; amending s. 213.30, F.S.; providing for compensating certain persons who provide the department with information that leads to collecting certain taxes, penalties, or interest; prohibiting certain employees or former employees of government agencies from receiving such compensation; providing confidentiality for information that could lead to the identification of persons who supply information to the department under that section; amending s. 213.34, F.S.; providing additional auditing authority to the department; creating s. 213.37, F.S.; allowing the department to require sworn, verified affidavits in connection with certain documents; providing that making a false written declaration under s. 92.525(3), F.S., is a third-degree felony; providing penalties; creating s. 213.756, F.S.; providing that certain funds collected are state funds from the moment of collection; restricting the refund of such funds; amending and transferring parts I, II, and III of ch. 214, F.S., which consist of ss. 214.02, 214.03, 214.04, 214.05, 214.06, 214.07, 214.08, 214.10, 214.11, 214.12, 214.13, 214.14, 214.15, 214.16, 214.17, 214.18, 214.19, 214.20, 214.22, 214.23, 214.40, 214.41, 214.42, 214.425, 214.43, 214.434, 214.44, 214.45, 214.47, 214.48, 214.49, 214.50, 214.51, 214.52, 214.60, 214.61, 214.62, F.S., and relate to administration of designated nonproperty taxes, to parts VIII, IX, and X of ch. 220, F.S., the Florida Income Tax Code, and renumbering those sections, respectively, as ss. 220.701, 220.703, 220.705, 220.707, 220.709, 220.711, 220.713, 220.715, 220.717, 220.719, 220.721, 220.723, 220.725, 220.727, 220.729, 220.731, 220.733, 220.735, 220.737, 220.739, 220.801, 220.803, 220.805, 220.807, 220.809, 220.811, 220.813, 220.815, 220.819, 220.821, 220.823, 220.825, 220.827, 220.829, 220.901, 220.903, 220.905, F.S.; correcting cross-references; conforming language to the transferral and renumbering of those sections; repealing s. 214.01, F.S., which specifies the application of ch. 214; conforming language and correcting references; repealing s. 214.46, F.S., providing for the duration of liens arising under ch. 220, F.S., and other applicable laws; amending ss. 220.11, 220.63, F.S.; deleting obsolete language that mandated legislative review and allowed subsequent legislative action during the 1989 legislative session; amending s. 220.15, F.S.; consolidating in that section provisions for apportionment of adjusted federal income; repealing ss. 214.70, 214.71, F.S., which define "tax base" and provide a general method for apportionment; amending and renumbering s. 214.72, F.S., relating to apportionment methods for special industries, as s. 220.151, F.S.; amending and renumbering s. 214.73, F.S., relating to other methods of apportionment, as s. 220.152, F.S.; amending ss. 72.011, 72.041, 196.012, 212.0598, 213.05, 213.053, 220.131, 220.181, 220.23, 220.31, 220.32, 220.41, 220.53, 220.64, and 221.04, F.S.; conforming and correcting references; amending ss. 220.183, 624.5105, F.S., relating to the community contribution tax credits against the corporate income tax and insurance premium tax; revising provisions relating to limitations on credits and carryover of credits; specifying that a taxpayer eligible for the insurance premium tax credit is not eligible for the corporate income tax credit; amending s. 403.717, F.S.; redefining the term "lead-acid battery"; amending s. 403.718, F.S.; amending the deadline for paying waste tire fees to the department; amending s. 403.7185, F.S.; deleting the phrase "new or remanufactured" in reference to lead-acid batteries; amending s. 624.511, F.S.; placing restrictions upon the refund of certain overpayments of taxes; providing that those refunds be made out of the General Revenue Fund; creating s. 702.045, F.S.; providing that the department's failure to participate in a mortgage foreclosure action does not affect certain rights of the department; requiring the clerk of the court to serve notice to the department of the status of real-property foreclosure proceedings; providing that the department has a right to participate in all legal proceedings subsequent to that notice; amending s. 893.11, F.S.; providing that this section, which concerns suspension, revocation, and reinstatement of business and professional licenses, does not apply to taxes, fees, or permits that the department regulates, controls, or administers in accordance with s. 213.05, F.S.; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Dudley—

SB 1130—A bill to be entitled An act relating to firesafety; prescribing uniform criteria for creation of independent special fire control districts; preempting certain special acts and general acts of local application; providing for district boards of commissioners and for their election; providing for officers of boards; providing for commissioners' compensation and expenses; providing general and special powers of districts; providing for ad valorem taxes, non-ad valorem assessments, user charges, and impact fees; providing for referenda; providing for intergovernmental coordination; providing for expansion, merger, and dissolution of districts; amending s. 316.072, F.S.; providing penalties for failure to obey orders or directions of fire department members at the scene of rescue operations or other emergencies; providing an effective date.

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

By the Committee on Commerce—

SB 1132—A bill to be entitled An act relating to banking; repealing section 1 of chapter 90-353, Laws of Florida, relating to regulating mortgage lending; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Commerce—

SB 1134—A bill to be entitled An act relating to the Florida Health Maintenance Organization Consumer Assistance Plan; amending s. 631.814, F.S.; providing a definition; amending s. 631.816, F.S.; providing for staggered terms of office of the board of directors of the plan; deleting obsolete provisions; amending s. 631.817, F.S.; providing additional circumstances under which a person remains eligible for treatment under the plan; amending s. 631.818, F.S.; revising the powers of and duties performed by the plan upon the insolvency of a health maintenance organization; authorizing the plan to recover costs and attorney's fees in certain claims filed against a subscriber; providing additional circumstances under which a subscriber may be terminated from coverage; amending s. 631.819, F.S.; revising provisions authorizing the board of directors to levy and collect assessments; deleting provisions authorizing assessments against the Health Care Financing Administration; amending s. 631.820, F.S.; deleting provisions authorizing the Department of Insurance to adopt rules under specified circumstances; conforming a cross-reference; amending s. 631.821, F.S.; providing an additional circumstance under which the department may suspend or revoke a health maintenance organization's certificate of authority; amending s. 631.822, F.S.; revising requirements pertaining to recordkeeping; reviving and readopting part IV of ch. 631, F.S., notwithstanding the repeal scheduled under the Regulatory Sunset Act; providing for future legislative review and repeal of such part; providing an effective date.

—was referred to the Committee on Commerce and Appropriations.

By the Committee on Commerce—

SB 1136—A bill to be entitled An act relating to health maintenance organizations; amending s. 641.19, F.S.; defining and redefining terms for purposes of pt. II, ch. 641, F.S., relating to health maintenance organizations; amending s. 641.21, F.S.; requiring each application for a certificate of authority to operate a health maintenance organization to be filed under the oath of two officers; requiring certain biographical information, independent investigative reports, and sets of fingerprints to be filed with such an application; creating s. 641.215, F.S.; requiring applicants for such a certificate of authority to file statements agreeing to certain procedures for liquidating, rehabilitating, reorganizing, or conserving the health maintenance organization; amending s. 641.228, F.S.; correcting a cross-reference relating to the Florida Health Maintenance Organization Consumer Assistance Plan; deleting a provision that has served its purpose; amending s. 641.23, F.S.; providing that the failure of a health maintenance organization to renew its health care provider certificate terminates its certificate of authority; amending s. 641.26, F.S.; requiring the annual report of a health maintenance organization to include financial statements with the Department of Insurance in specified forms; specifying a requirement for the quarterly reports of health maintenance organizations; amending s. 641.27, F.S.; requiring departmental supervision of any reorganization of a health maintenance organization; creating s. 641.284, F.S.; specifying exclusive methods for the liquidation, rehabilitation, reorganization, or conservation of a health maintenance organization; amending s. 641.31, F.S.; requiring health maintenance organiza-

tions to provide certain advance notice of changes of the amount of charges pursuant to health maintenance contracts; requiring health maintenance organizations to cease charging at a rate that has been disapproved by the department; repealing a provision that prohibits the Department of Health and Rehabilitative Services from contracting with certain entities for Medicaid services; revising a provision pertaining to maternity coverage in a health maintenance contract; requiring certain health maintenance organizations to have open enrollment periods at specified intervals; amending s. 641.3108, F.S.; extending the time period by which a health maintenance organization must give a subscriber notice of a termination, cancellation, or nonrenewal of its contract with the subscriber; amending s. 641.3111, F.S.; revising provisions relating to the extension of benefits pursuant to a health maintenance contract after the contract term ceases; providing for the extension of benefits for maternity coverage; amending s. 641.315, F.S.; requiring contracts between health maintenance organizations and hospitals to specify the financial responsibility for ancillary services; providing that a subscriber may not be denied available, necessary health care services or be subject to certain financial obligations of any ancillary provider; extending the time period for a health care provider to notify a health maintenance organization of the cancellation of a contract with the health maintenance organization; creating s. 641.325, F.S.; providing that copayments may not be in an amount that will prevent a person from receiving a covered service or benefit; amending s. 641.35, F.S.; revising provisions relating to the assets and investments of health maintenance organizations; amending s. 641.36, F.S.; revising provisions relating to rulemaking; providing penalties for violating rules of the Department of Insurance relating to health maintenance organizations; amending s. 641.3905, F.S., relating to the examining and investigative powers of the department; providing that such powers are in addition to its general powers; amending s. 641.3921, F.S.; revising a provision relating to the disenrollment for cause of a subscriber of a health maintenance organization under a converted contract; amending s. 641.3922, F.S.; revising provisions relating to the cancellation or nonrenewal clause within a converted contract; saving ss. 641.17-641.3922, F.S., from Sunset repeal; providing for future repeal and for legislative review in advance thereof pursuant to s. 11.61, F.S.; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By the Committee on Commerce—

SB 1138—A bill to be entitled An act relating to public employees; amending s. 447.203, F.S.; providing that a reference to public information appearing within a definition of the term "good faith bargaining" does not constitute an exemption from s. 286.011, F.S., or ch. 119, F.S., and is not subject to Open Government Sunset Review; amending s. 447.205, F.S.; providing that an exemption from the public records and meetings requirements for draft orders and deliberations of the Public Employees Relations Commission concerning issuance of final orders is subject to s. 119.14, F.S., the Open Government Sunset Review Act; continuing the exemption and providing for future legislative review and repeal of the exemption pursuant to that act; amending s. 447.307, F.S.; continuing and amending an exemption for employee collective bargaining agent certification petitions from ch. 119, F.S., relating to public records; providing for future legislative review and repeal of the exemption pursuant to the Open Government Sunset Review Act; amending s. 447.409, F.S.; providing that a provision for providing records to a special master conducting a labor impasse proceeding does not exempt the records from s. 286.011, F.S., or ch. 119, F.S., and is not subject to the Open Government Sunset Review Act; amending s. 447.503, F.S.; revising a provision relating to evidence filed with the Public Employers Relations Commission to review charges of an unfair labor practice; amending s. 447.605, F.S.; continuing an exemption from public records requirements for the work product of a public employer in preparing for collective bargaining; providing for future legislative review and repeal of the exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Meek—

SB 1140—A bill to be entitled An act relating to regional criminal justice assessment centers; authorizing creation and setting forth purpose, powers, duties, structure, and organization of the centers; providing for standardized screening, testing, physical examination, and investigation of inservice officers and applicants for law enforcement and corrections positions within criminal justice agencies in Florida; providing for fund-

ing of the centers through the assessment of an additional court cost of \$3 against persons convicted of violations of criminal statutes, ordinances, or traffic offenses in participating counties and against persons paying certain civil fines and penalties; providing for additional funding; providing for advisory boards; providing for travel and per diem expenses for center advisory board members; providing that activities of the centers shall not generate state funding; providing budgeting and audit review requirements; providing an effective date.

—was referred to the Committees on Criminal Justice; Education; Finance, Taxation and Claims; and Appropriations.

By Senators Gardner and Davis—

SB 1142—A bill to be entitled An act relating to information resources; amending s. 282.1021, F.S.; prescribing content of the State Implementation Plan for Communications Services; amending s. 282.303, F.S.; providing additional definitions with respect to the Information Resource Commission and information resource management; amending s. 282.304, F.S.; providing that the commission is in the Executive Office of the Governor; amending s. 282.306, F.S.; prescribing additional duties of the commission's executive administrator; amending s. 282.3062, F.S.; changing the date by which the annual report of the commission must be prepared; deleting an element from the annual report; amending s. 282.307, F.S.; revising the information that must be contained in each department's strategic plan for information resources management; requiring the plan to be supplemented to reflect changes in the direction of projects; amending ss. 282.308, 282.311, F.S.; abolishing the duties of information resource managers with respect to the Information Resources Management Operating Plan; repealing s. 282.3115, F.S., which requires preparation of an Information Resources Management Operating Plan; amending s. 282.312, F.S.; changing the date by which annual performance reports must be submitted to the commission; revising the information that must be contained in the report; amending s. 282.318, F.S.; prescribing additional duties of department heads and the Supreme Court with respect to security of data and information technology resources; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By the Committee on Community Affairs—

SB 1144—A bill to be entitled An act relating to the State Board of Building Codes and Standards; amending s. 553.49, F.S.; providing for the general contractor or architect appointed to the Board of Building Codes and Standards to serve on the advisory committee to the board in a nonvoting capacity under certain circumstances; amending s. 553.74, F.S.; providing for members appointed to the board to be actively engaged in the profession they represent; providing for one of the three members of the board who is a municipal or district codes enforcement official to function as a fire official; amending s. 553.77, F.S.; providing for the board to coordinate with the Florida Fire Code Advisory Council for assistance and recommendations relating to firesafety code interpretations; reviving and readopting ss. 553.49, 553.71(1), 553.74, 553.75, 553.76, 553.77, F.S., relating to the board and the advisory committee, notwithstanding the scheduled repeal of such sections pursuant to the Sundown Act; providing for future repeal and legislative review of such sections; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Kirkpatrick—

SB 1146—A bill to be entitled An act relating to personnel of the school system; amending s. 231.15, F.S.; exempting volunteer athletic coaches from certain certification requirements; providing an effective date.

—was referred to the Committee on Education.

By Senator Davis—

SB 1148—A bill to be entitled An act relating to health care responsibility; amending s. 154.306, F.S.; revising the rate of payment, and reenacting s. 154.309(2), F.S., relating to certification of county of residence, to incorporate said amendment in a reference thereto; amending s. 154.308, F.S.; establishing a spend-down provision, and reenacting ss. 154.304(9) and 154.31, F.S., relating to definitions and hospital obligation, to incorporate said amendment in references thereto; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Community Affairs; and Appropriations.

By Senator Wexler—

SB 1150—A bill to be entitled An act relating to sexual acts and offenses against persons under age 18; amending ss. 95.031, 95.051, 95.11, F.S.; revising the statute of limitation for bringing a civil action for damages suffered as a result of childhood sexual abuse; specifying acts constituting "childhood sexual abuse"; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Plummer—

SB 1152—A bill to be entitled An act relating to witnesses in criminal proceedings; amending s. 27.04, F.S.; providing that a witness summoned to appear before the state attorney has the right to consult with and be advised by his own counsel during the examination; amending s. 905.17, F.S.; providing that a witness under examination by a grand jury may be represented by an attorney; providing an effective date.

—was referred to the Committees on Criminal Justice and Judiciary.

By the Committee on Commerce—

SB 1154—A bill to be entitled An act relating to banking; repealing ss. 664.01-664.12, F.S.; relating to industrial savings banks; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Meek—

SB 1156—A bill to be entitled An act relating to community college license plates; requiring the Department of Highway Safety and Motor Vehicles to issue specialty license plates for state community colleges; establishes fees; providing for the distribution and use of the fees; providing application and issuance requirements; providing an effective date.

—was referred to the Committees on Transportation; Education; Finance, Taxation and Claims; and Appropriations.

By Senator Meek—

SB 1158—A bill to be entitled An act relating to education; amending s. 228.061, F.S.; deleting provisions relating to nursery schools and providing for preschool programs; amending s. 230.2305, F.S.; revising provisions relating to the prekindergarten early intervention program; deleting obsolete language; revising requirements for plan approval; revising requirements relating to the use of funds; amending s. 230.2312, F.S.; revising provisions relating to promotion from the Florida Primary Education Program; amending ss. 231.1713 and 402.3057, F.S.; providing that noninstructional personnel need not be reprinted under certain circumstances; amending s. 232.01, F.S.; revising school attendance requirements for pregnant students and certain handicapped children; amending s. 232.045, F.S.; providing eligibility for admission to preschool programs; repealing s. 232.05, F.S., relating to eligibility for nursery schools; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senators Dudley and Thurman—

SB 1160—A bill to be entitled An act relating to optometry; repealing s. 463.0055(4), F.S., which provides for the creation of a committee to establish a formulary of topical ocular pharmaceutical agents used by certified optometrists; providing an effective date.

—was referred to the Committee on Professional Regulation.

By Senator Grant—

SB 1162—A bill to be entitled An act relating to aquaculture; amending s. 370.01, F.S.; exempting organisms produced in licensed saltwater aquaculture or maricultural operations from the definition of "restricted species"; creating s. 370.065, F.S.; authorizing the Department of Natural Resources to license aquacultural or maricultural operations; creating s. 372.0226, F.S.; authorizing the Game and Fresh Water Fish Commission to license freshwater aquacultural operations; exempting organisms produced therein from the definitions of "endangered species" and "threatened species"; providing for application, license, and renewal fees; specifying that such organisms shall be known as "cultured organisms"; amending s. 372.072, F.S., the "Florida Endangered and Threatened Species Act of 1977," to conform; providing for review and repeal; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Finance, Taxation and Claims.

REPORTS OF COMMITTEES

The Committee on Criminal Justice recommends the following pass: SB 70, SB 256

The Committee on Education recommends the following pass: SB 234

The Committee on Governmental Operations recommends the following pass: SB 422 with 1 amendment, SB 442

The Committee on Natural Resources and Conservation recommends the following pass: SB 318

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 102, SB 130

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

The Committee on Community Affairs recommends the following pass: SB 156 with 2 amendments

The Committee on Education recommends the following pass: SB 416

The Committee on Transportation recommends the following pass: SB 32

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

The Committee on Governmental Operations recommends the following pass: SB 328

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

The Committee on Community Affairs recommends the following pass: SB 168 with 1 amendment, SB 286

The Committee on Corrections, Probation and Parole recommends the following pass: SB 182

The Committee on Criminal Justice recommends the following pass: SB 150, SB 152

The Committee on Education recommends the following pass: SB 232, SB 238, SB 414, SB 418

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

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 140

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

The Committee on Education recommends committee substitutes for the following: SB 410, SB 412

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

The Committee on Transportation recommends a committee substitute for the following: SB 72

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 76

The Committee on Transportation recommends committee substitutes for the following: SB 30, Senate Bills 212 and 266, SB 306, SB 344

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

The Committee on Transportation recommends a committee substitute for the following: SB 298

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

The Committee on Criminal Justice recommends a committee substitute for the following: SJR 148

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 132

The Committee on Governmental Operations recommends committee substitutes for the following: SB 46, SB 448

The Committee on Transportation recommends committee substitutes for the following: SB 138, SB 246, SB 254

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

BILLS REFERRED TO SUBCOMMITTEE

The following have been referred to the Subcommittee on Health Care which will report to the full committee within 40 days: SB 66, SB 272, SB 408, SB 480, SB 516, SB 536, SB 580, SB 632

Eleanor Weinstock, Chairman
Committee on Health and Rehabilitative Services

REPORT OF THE COMMITTEE ON RULES AND CALENDAR

The Committee on Rules and Calendar respectfully recommends a revision of the Senate Rules attached hereto and by reference made a part of this Committee Report.

Pat Thomas, Chairman

1.44—Notice required for certain meetings

(a) A written notice of the following meetings at which legislative business is to be discussed shall be filed with the Secretary of the Senate. While the legislature is not in regular or special session and during the first fifty (50) days of a regular session, the notice shall be filed not later than *four (4) hours before the scheduled time of the day preceding the day of the meeting*. After the fiftieth (50th) day of a regular session and during a special session, the notice shall be filed not later than two (2) hours ~~preceding the time set for the meeting~~; *before the scheduled time of the meeting*:

1. meetings of the President of the Senate (or a Senator designated to represent the President) with the Governor, or with the Speaker of the House of Representatives (or a representative designated to represent the Speaker);
2. meetings of a majority of the Senators who constitute the membership of any Senate committee or subcommittee;
3. steering meetings of the chairman of the Committee on Appropriations with the chairmen of the standing subcommittees of the Committee on Appropriations; and
4. meetings called by the President or his designee, of a majority of the chairmen of the Senate's standing committees.

(b) Notices of meetings required by Rule 1.44 shall be filed by or at the direction of the person(s) at whose call the meeting is convened; shall state the date, time, and place of the meeting; shall contain a brief description of the general subject matter scheduled to be discussed. *In the case of a meeting required to be noticed pursuant to this rule, if the meeting is to take place at or after 10:00 p.m. then the notice must be delivered to the Secretary by 6:00 p.m. ; and, in the case of meetings*

requiring a one (1) day notice, shall be delivered to the Secretary's office by 4:30 p.m. on the day preceding the day of the meeting. If such a day is a Friday, delivery shall be by 2:30 p.m. Notices of such meetings shall appear in the daily calendar.

In the event the times required for notice under Rule 1.44 are not sufficient to permit publication in a daily or interim calendar, the Secretary shall post a copy of each such notice on a bulletin board provided for this purpose in the public corridor leading to the Senate Chamber. The Secretary of the Senate shall make a diligent effort to give actual notice to the representatives of the press of all noncalendared meeting notices posted.

(c) Political caucuses are exempt from the foregoing notice requirements. Political caucuses shall be open to the public in accordance with Rule 1.43 and noticed in accordance with this rule when issues then pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate Committee or Senate Subcommittee are discussed. *Political caucuses held for the sole purpose of designating a President, a President Pro Tempore, a Minority Leader or a Minority Leader Pro Tempore need not be open or noticed.*

1.441—Constitutional requirements concerning open meetings

All legislative committee and subcommittee meetings and joint conference committee meetings, shall be open and noticed to the public.

All prearranged gatherings, between more than two members of the legislature, or between the Governor, the President of the Senate, or the Speaker of the House of Representatives, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments shall be reasonably open to the public.

In cases of conflict between this rule and any other rule of the Senate the rule providing greater notice or public access shall prevail.

1.442—Legislative records

There shall be available for public inspection in Tallahassee the retained papers and records developed and received in the course of legislative business as follows:

(a) bills and amendments thereto, resolutions and amendments thereto filed with or reported to the Secretary.

(b) messages and communications received from the Governor or the other house of the legislature;

(c) transcripts or minutes, if prepared, and journal records of all sessions and meetings, including meetings of committees and subcommittees and public hearings, with the records of attendance of Senators and records of any votes taken;

(d) final reports submitted by committees and subcommittees and final staff reports submitted to committees and subcommittees;

(e) records showing the recorded votes of each Senator in every session and every committee and subcommittee meeting in which the Senator votes;

(f) reports and findings required by law to be made and submitted to the Senate or an officer of the Senate;

(g) leave, classification, applications, and payroll records of Senators and employees;

(h) administrative manuals setting forth Senate policies and procedures;

(i) fiscal records, including the operating budget of the Senate, Financial and Compliance Audits of the Legislature, accounts, vouchers, invoices and contracts dealing with the receipt or disbursement of funds by the Senate as an institution or its acquisition, use or disposal of services, supplies, materials, equipment or other property;

(j) reports of quarterly intradistrict allotment expenditures of Senators;

(k) lobbyist registration and expenditure records;

(l) all final records which are required by these rules to be made or retained.

Provided, however, that this Rule shall not affect legislative records specifically protected by law, and activities undertaken pursuant to Rule Twelve.

2.3—Committee reports prior to session, availability of records and reports

Before a regular session of the legislature convenes, each standing committee shall prepare a report of its findings, recommendations, and proposed legislation, and file same with the President of the Senate and the Secretary of the Senate.

Before a regular session of the legislature convenes, each standing subcommittee shall prepare a report of its findings, recommendations, and proposed legislation, and submit same to the chairman of the standing committee for consideration by such committee.

Within thirty (30) days following sine die adjournment of a regular session, each standing committee shall provide information on the public business assigned to it since the regular session of the preceding year.

~~The records and reports of standing committees and the subcommittees thereof shall be available in the same manner as the reports and records of state agencies. Provided, however, that this rule shall not affect legislative records specifically protected by law, and activities undertaken pursuant to Rule Twelve, Part One. Records of oversight investigations of state agencies and other units of government may be excluded from this rule until a report is filed.~~

2.15—Standing committee duties in deliberation

It shall be the duty of standing committees to report all matters referred to them either (a) favorably, (b) favorably with committee amendment(s), (c) favorably with committee substitute as defined in these Rules, or (d) unfavorably. *The vote of the members of a standing committee or subcommittee on final passage of any measure shall be recorded. Upon the request of any two members of a committee or subcommittee the vote on any other matter, properly before the committee, shall be recorded.*

Such reports shall also reflect (e) the time and place of the meeting at which the action was taken, and (f) the vote of each member of the committee on the motion to report each bill or resolution. A bill filed for introduction by a committee shall be accompanied by such report. The Secretary shall enter in the Journal the action of the committee, but shall not include that portion of the report required by items (e) and (f). Reports of committees shall be preserved pursuant to law.

All matters referred to standing committees shall be reported by said committees with their recommendations; and after such report has been received by the Secretary, no matter so reported shall be recommitted to a committee except by two-thirds (2/3) vote of those present in session.

In reporting a Senate measure, a standing committee may draft a new measure embracing the same general subject matter, to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure (or measures). Proposed substitutes shall be filed with the committee secretary no less than two (2) hours prior to any committee meeting at which a recommendation of the substitute is adopted unless the substitute is merely a combination of the noticed bill(s) and amendments offered in compliance with Rule 2.39. Copies of substitutes shall be furnished to committee members' offices immediately upon filing with the committee secretary, and made reasonably available by the committee secretary before the meeting, upon request, to the members of the committee and to the public. A Senate committee may not recommend a Senate committee substitute for a House bill. The substitute measure must be accompanied by the original measure (or measures) referred to the committee and returned to the Secretary in the same manner as a favorable report. No other standing committee of reference shall consider the original measure (or measures) but shall direct its attention to the substitute measure. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill (or bills) as originally introduced. When the original measure is reached on the calendar, the substitute shall be read a first time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number (or numbers) of the original and shall be returned to the Secretary in the same number of copies required for first introduction of a similar measure. The name of the introducer of the original measure (or mea-

asures) shall be shown by the committee secretary on the committee substitute unless the said introducer requests that it be omitted. A committee substitute may be co-sponsored by a Senator whose signature is affixed to the original.

All standing committee reports shall be signed by the chairman or, in his absence, the vice-chairman and shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. of the second legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the measure; if amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be typewritten in full on amendment forms, numbered serially, and attached to the measure. All measures reported unfavorably shall be laid on the table.

4.5—Conference committee report

The report of a committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days, and on the completion of the second reading the vote shall be on the adoption or rejection thereof and final passage of the measure as recommended. During the last five (5) days of a regular session the report shall be read only once. *Copies of conference committee reports shall be available to the membership twelve (12) hours prior to the time such report is scheduled to be taken up on the Senate floor.*

The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

Except when the Senate is voting on a proposition, reports of committees of conference shall always be in order.

4.8—Bills affecting appropriations, revenue, retirement or cities and counties 4.8—Reference of claim bills

All bills authorizing or substantially affecting appropriations shall be referred to the Committee on Appropriations. All bills authorizing or substantially affecting tax revenue shall be referred to the Committee on Finance, Taxation and Claims. All bills substantially affecting a state-funded or state-administered retirement system shall be referred to the Committee on Personnel, Retirement and Collective Bargaining. *All bills which are affected by the provisions of Art. VII, s. 18, Florida Constitution shall be referred to the Committee on Community Affairs.* A bill that is amended to substantially affect appropriations or tax revenue, or a state retirement program or expenditures or revenues as set forth in Art. VII, s. 18, Florida Constitution shall, before being placed before the Senate for final passage, be referred along with all amendments to the Committee on Appropriations or the Committee on Finance, Taxation and Claims, or the Committee on Personnel, Retirement and Collective Bargaining, or the Committee on Community Affairs, as appropriate for review and recommendation to the Senate which review during the last ten (10) days of a regular Session shall be accomplished within twenty-four (24) hours.

4.81—Claim bills

a. Claim bills are of two types: excess judgment claims filed pursuant to section 768.28(5), F.S., and equitable claims filed without an underlying excess judgment.

b. ~~The provisions of the first paragraph of this Rule to the contrary notwithstanding, all~~ All claim bills shall be first referred by the President to a Senate Special Master who shall conduct a de novo hearing, pursuant to reasonable notice, and determine liability, proximate cause and damages. Discovery procedures shall be governed by the Florida Rules of Civil Procedure and the Florida Evidence Code, as applicable. The Special Master shall administer an oath to all witnesses, accept relevant documentary and tangible evidence properly offered, tape record the proceedings, and prepare a final report containing findings of fact, conclusions of law and recommendations. The report shall be signed by the Special Master who shall be available, in person, to explain his report to the committees and to the Senate.

c. On receipt of the Special Master's report and recommendations, the Secretary shall, under the President's initial reference, deliver each

claim bill with the report attached, to the Committee on Finance, Taxation and Claims or other committee designated by the President.

d. On receipt of the Special Master's report and recommendations concerning an equitable claim that is unsupported by an excess judgment, the chairman of the Finance, Taxation and Claims Committee shall refer the claim bill and Special Master's report to a select subcommittee to consider and make a recommendation to the committee thereon. The select subcommittee shall consist of not less than three members of the Senate representing geographic areas outside that from which the claim bill arises and shall notice, hear and report each claim bill and Special Master's report referred to it in the same manner as any other bill.

e. Stipulations entered into by the parties are not binding on the Special Master, the Senate or its committees.

f. The hearing and consideration of a claim, any element of which is pending in litigation, shall be held in abeyance until all judicial activity thereon, including any appellate proceedings, shall have come to rest.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Transportation and Senator Dudley—

CS for SB 30—A bill to be entitled An act relating to motor vehicle license plates; providing for the issuance to members of the United States Coast Guard Auxiliary of license plates upon which are stamped the name of such organization; requiring payment of a use fee and processing fee in order to be issued such a license plate; requiring the Department of Highway Safety and Motor Vehicles to transfer the proceeds of such fee to the Department of Natural Resources for deposit into the Motorboat Revolving Trust Fund for use for boater safety education; providing an effective date.

By the Committee on Governmental Operations and Senator Grant—

CS for SB 46—A bill to be entitled An act relating to public records; amending s. 570.544, F.S.; providing a limited exemption from s. 119.07(1), F.S., for certain records and information obtained by the Department of Agriculture and Consumer Services or by any other office or agency during the investigation of consumer complaints and alleged violations of consumer protection laws; providing for future review and repeal of such public records exemptions; providing an effective date.

By the Committee on Transportation and Senators Myers and Grant—

CS for SB 72—A bill to be entitled An act relating to traffic control; amending s. 316.1936, F.S.; increasing the penalty for an operator who is in possession of an open container of alcoholic beverages in a motor vehicle; amending ss. 316.655, 318.17, F.S., to conform; providing an effective date.

By the Committee on Criminal Justice and Senator Grant—

CS for SB 76—A bill to be entitled An act relating to contraband forfeiture; amending s. 893.12, F.S.; providing that seized property must be forfeited; providing procedures and standards for protection of the interests of persons holding liens on seized property; prohibiting forfeiture of property if the owner or a coowner lacked knowledge of the criminal use of the property; amending s. 932.703, F.S.; providing that title to seized contraband vests in either the state or the seizing agency upon seizure, rather than in the state; amending s. 932.704, F.S.; specifying the manner of sale of seized property; requiring that certain reports to the Department of Law Enforcement be made by the law enforcement agency that received or expended forfeited property or proceeds from the sale of such property, rather than by the entity with budgetary authority over such law enforcement agency; providing an effective date.

By the Committee on Criminal Justice and Senator Grant—

CS for SB 132—A bill to be entitled An act relating to controlled substance violations; prohibiting the leasing or rental of a place, structure, trailer, or conveyance with the knowledge that the leased or rented premises will be used for trafficking in or the sale of illegal controlled substances; providing an effective date.

By the Committee on Transportation and Senator Casas—

CS for SB 138—A bill to be entitled An act relating to traffic control; prohibiting state agencies from establishing quotas for the issuance of traffic citations by law enforcement officers; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senators Kirkpatrick and Brown—

CS for SB 140—A bill to be entitled An act relating to water resources; creating s. 240.5329, F.S.; creating the Florida Lakewatch Program within the Institute of Food and Agricultural Sciences at the University of Florida; providing purpose; restricting the use of certain data collected; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice and Senator Johnson—

CS for SJR 148—A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution relating to sheriffs, to provide that the Legislature may, by general law, establish qualifications for the office of sheriff.

By the Committee on Transportation and Senators Crenshaw, Diaz-Balart, Crotty and Malchon—

CS for SB's 212 and 266—A bill to be entitled An act relating to fees imposed on certain motor vehicle registrations; amending s. 320.072, F.S.; extending to certain military personnel and former military personnel the exemption from certain fees imposed on initial applications for motor vehicle registration; extending such exemption to certain relatives of members of the United States Armed Forces who lose their lives while on active duty or who are listed as "missing-in-action"; providing an effective date.

By the Committee on Transportation and Senator Forman—

CS for SB 246—A bill to be entitled An act relating to motor vehicles; amending s. 322.34, F.S.; providing for the seizure and forfeiture of a motor vehicle owned by a person upon a specified number of convictions of that person for driving while his license is canceled, suspended, or revoked; providing an effective date.

By the Committee on Transportation and Senator Forman—

CS for SB 254—A bill to be entitled An act relating to school zone speed limits; amending s. 316.1895, F.S.; providing additional speed restrictions for school zones; providing for certain speed limits before, during, and after regularly scheduled breakfast programs at schools; providing an effective date.

By the Committee on Transportation and Senators Forman and Davis—

CS for SB 298—A bill to be entitled An act relating to records of the Department of Highway Safety and Motor Vehicles; prohibiting the department from releasing the addresses of licensees, registered owners, or titleholders except in certain situations; prohibiting persons who receive such addresses from selling, giving away, or allowing the copying of those addresses except under specified conditions; providing penalties; providing for future legislative review; providing for the adoption of rules; amending s. 320.05, F.S.; removing the authorization for a licensee under chapter 493, F.S., to obtain certain records; conforming provisions to this act; amending ss. 319.25, 320.03, 322.20, F.S., relating to motor vehicle title records, motor vehicle registration records, and driver's license records, to conform those provisions to this act; providing an effective date.

By the Committee on Transportation and Senator Forman—

CS for SB 306—A bill to be entitled An act relating to traffic regulations to assist blind persons and mobility-impaired persons; amending ss. 316.1301, 316.1303, 318.18, F.S.; providing an increased fine for violating those regulations; providing for distributing the proceeds of such fine; providing an effective date.

By the Committee on Transportation and Senator Diaz-Balart—

CS for SB 344—A bill to be entitled An act relating to motor vehicle licenses; creating s. 320.0896, F.S.; providing for the issuance of Florida Special Olympics motor vehicle license plates upon payment of the license tax and additional fees; providing for deposit of a portion of the fees; providing for the use of fees; providing for duties of Florida Special Olympics, Inc.; providing an effective date.

By the Committee on Education—

CS for SB 410—A bill to be entitled An act relating to the Community Hospital Education Council; amending s. 381.503, F.S.; revising the composition of the Community Hospital Education Council; providing for the length of terms for council members; abrogating the repeal of s.

381.503(5), F.S., scheduled pursuant to the Sundown Act; providing for future legislative review and repeal of s. 381.503(5), F.S.; providing an effective date.

By the Committee on Education—

CS for SB 412—A bill to be entitled An act relating to the Florida Council for the Hearing Impaired; transferring the council from the Department of Education to the Division of Vocational Rehabilitation of the Department of Labor and Employment Security; creating s. 413.505, F.S.; establishing the council; providing for council membership, terms, chairpersons, meetings, staff, and duties and responsibilities; amending s. 427.503, F.S.; revising definitions of terms used in the telephone communications services for the deaf act; amending s. 427.504, F.S.; providing additional council duties pertaining to the communication services program for the hearing impaired and speech impaired; authorizing hearing aid specialists to certify a person as deaf, hard of hearing, or speech impaired; amending s. 427.506, F.S.; providing factors to be considered in purchasing certain telecommunications devices and deleting previous purchasing standards; continuing the exemption from s. 119.01, F.S., for certain information provided to the council; repealing s. 2(2), ch. 86-286, Laws of Florida; abrogating the prospective repeal of ss. 427.501, 427.502, 427.503, 427.504, 427.505, 427.506, 427.507, F.S., relating to telephone communications services for the deaf; repealing s. 229.8361, F.S., relating to the establishment of the council in the Department of Education; providing for expiration of s. 413.505, F.S., and for legislative review in advance thereof; repealing s. 427.508, F.S., relating to a completed report on implementing a dual-party relay system in this state; providing an effective date.

By the Committee on Governmental Operations and Senator Bruner—

CS for SB 448—A bill to be entitled An act relating to state government; repealing ss. 1, 2, 3, 4, 5, 6, 7, chapter 90-110, Laws of Florida, and amending ss. 216.023, 11.45, 215.20, 215.22, F.S.; repealing the Agency Budget Sunset Act under which agencies of state government were subject to periodic review in order to determine whether their programs and activities remained justifiable; providing for certain audits by the Auditor General; prescribing duties of certain legislative committees; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

Appointments Subject to Confirmation by the Senate:

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Accountancy	
Appointees: Baumann, John P., Jr., Odessa	12/26/94
MacNamara, David C., St. Petersburg	12/26/94
Board of Architecture and Interior Design	
Appointees: Cross, Timothy D., Coral Springs	12/17/94
West, Donald Jack, Sarasota	12/17/94
State Athletic Commission	
Appointee: Resnick, James, Miami Beach	09/30/94
Florida Board of Auctioneers	
Appointee: Trollinger, Arthur L., Oakland Park	09/30/94
Board of Trustees of Central Florida Community College	
Appointee: Bogosta, June D., Bronson	05/31/94
Board of Trustees of Lake-Sumter Community College	
Appointees: Bartch, Dale E., Tavares	05/31/94
Spencer, Kendall, Leesburg	05/31/94
Board of Trustees of Miami-Dade Community College	
Appointee: Wolfson, Louis III, Coral Gables	05/31/94
Board of Trustees of Okaloosa-Walton Community College	
Appointees: Ignasiak, Robert L., Freeport	05/31/94
Williams, Irvin J., Niceville	05/31/94

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Polk Community College Appointee: Hooks, Hollis H., Lakeland	05/31/94	Jacksonville Port Authority Appointee: Ringhaver, Randal L., Jacksonville	09/30/94
Construction Industry Licensing Board Appointees: Lopez-Cantera, Carlos C., Miami Nagin, Robert D., Clearwater Tate, J. Kenneth, Hollywood	09/30/94 09/30/94 09/30/94	Prepaid Postsecondary Education Expense Board Appointee: Tate, Stanley G., Bay Harbor Islands	06/30/93
Board of Correctional Education Appointees: Haggis, Arthur George, Hollywood Thompson, Paul D., Ormond Beach Williams, Isaac W., Jr., Ocala	07/01/94 07/01/94 07/01/94	Florida Public Service Commission Appointees: Deason, J. Terry, Bristol Gunter, Gerald Leon, Tallahassee	01/01/95 01/01/95
State of Florida Correctional Medical Authority Appointee: Floyd, Hugh J., Sarasota	09/30/94	Florida Real Estate Commission Appointee: Vordermeier, Harry J., Jr., Ft. Lauderdale	11/16/94
Board of Trustees for the Florida School for the Deaf and the Blind Appointee: Proctor, William Lee, St. Augustine	11/14/94	Withlacoochee Regional Planning Council, Region 5 Appointee: Dickson, Stacy L., Jr., Anthony	10/01/92
Board of Dentistry Appointees: Kopco, Carolyn G., St. Petersburg Robinson, William F., Tampa	10/01/94 10/01/94	East Central Florida Regional Planning Council, Region 6 Appointees: Dale, Larry A., Lake Mary DeLuca, Stephen B., DeLand	10/01/93 10/01/93
Florida Elections Commission Appointee: Thompson, Anthony C., Tallahassee	12/10/93	Southwest Florida Regional Planning Council, Region 9 Appointee: Crouse, John L., Sarasota	10/01/92
Electrical Contractors' Licensing Board Appointee: Gillman, Ed, Miami	12/17/94	State Retirement Commission Appointee: Goldenberg, Stanley F., Lynn Haven	12/31/94
Board of Professional Engineers Appointees: Decker, Stephen O., Tampa Palm, William H., Winter Park	12/20/94 12/20/94	Board of Trustees of the John and Mable Ringling Museum of Art Appointees: Holmes, Jacqueline B., Orange Park Meyer, Judith S., Bradenton	11/05/94 11/05/94
Board of Professional Geologists Appointees: Herbert, Thomas A., Tallahassee Randazzo, Anthony F., Gainesville Viera, Melie, Miami	09/30/94 09/30/94 09/30/94	Board of Speech-Language Pathology and Audiology Appointee: Walker, Virginia G., Tallahassee	09/30/92
Board of Hearing Aid Specialists Appointee: Weber, Dora W., Pompano Beach	07/30/94	Florida Transportation Commission Appointees: Mixson, Wayne, Tallahassee Reece, Phil, Winter Park	09/30/94 09/30/94
Florida High Speed Rail Transportation Commission Appointee: Slade, Tom, Orange Park	06/30/94	Florida Commission on Veterans' Affairs Appointee: Pound, Marjorie T., Jacksonville	11/16/94
Florida Housing Finance Agency Appointees: Ecclestone, E. Llwyd, Jr., North Palm Beach Ramsey, William J., Tampa Stevens, Thomas A., Summerland Key	11/13/94 11/13/94 11/13/94	Referred to the Committee on Executive Business, Ethics and Elections.	
Board of Professional Land Surveyors Appointee: Richardson, Raymond E., Destin	12/06/94	Secretary of Administration Appointee: Pieno, John A., Tallahassee	Pleasure of Governor
Marine Fisheries Commission Appointees: Foti, George L., Long Key Newberger, Mitchell A., Lutz	08/01/91 08/01/94	Referred to the Committees on Personnel, Retirement and Col- lective Bargaining; and Executive Business, Ethics and Elec- tions.	
Board of Nursing Appointee: Harrison, Virginia Budd, Tallahassee	08/01/94	Secretary of Business Regulation Appointees: Ferris, Janet E., Tallahassee Sole, Joseph A., Tallahassee	Pleasure of Governor Pleasure of Governor
Board of Nursing Home Administrators Appointees: Paulson, Joni K., Indialantic Phillips, David H., Orlando	12/13/94 12/13/94	Secretary of Lottery Appointee: Mann, Marcia, Tallahassee	Pleasure of Governor
Board of Opticianry Appointee: Morse, Manty Sabates, Miami	12/26/93	Secretary of Labor and Employment Security Appointee: Scruggs, Frank, Tallahassee	Pleasure of Governor
Board of Optometry Appointees: Day, Robert W., Tallahassee Lewis, John B., Bradenton	12/28/94 12/28/94	Referred to the Committees on Commerce; and Executive Business, Ethics and Elections.	
Florida Pari-mutuel Commission Appointee: Brown, Berton L., Pensacola	06/30/94	Secretary of Commerce Appointee: Farmer, Greg, Tallahassee	Pleasure of Governor
Board of Pharmacy Appointee: Inge, Leonard L., Tallahassee	08/01/94	Referred to the Committees on International Trade, Economic Development and Tourism; and Executive Business, Ethics and Elections.	
Board of Pilot Commissioners Appointee: Zapf, John T., Miami	06/30/91	Secretary of Community Affairs Appointee: Sadowski, William E., Miami	Pleasure of Governor

Referred to the Committees on Community Affairs; and Executive Business, Ethics and Elections.

Secretary of Corrections
 Appointee: Dugger, Richard L., Tallahassee Pleasure of Governor

Referred to the Committees on Corrections, Probation and Parole; and Executive Business, Ethics and Elections.

Secretary of Environmental Regulation
 Appointee: Browner, Carol M., Tallahassee Pleasure of Governor

Referred to the Committees on Natural Resources and Conservation; and Executive Business, Ethics and Elections.

Secretary of Health and Rehabilitative Services
 Appointee: Williams, Robert B., Tallahassee Pleasure of Governor

Referred to the Committees on Health and Rehabilitative Services; and Executive Business, Ethics and Elections.

Secretary of Professional Regulation
 Appointee: Stuart, George, Jr., Tallahassee Pleasure of Governor

Referred to the Committees on Professional Regulation; and Executive Business, Ethics and Elections.

Secretary of Transportation
 Appointee: Watts, Ben G., Tallahassee Pleasure of Governor

Referred to the Committees on Transportation; and Executive Business, Ethics and Elections.

By permission the following certificate was received:

SUPREME COURT OF FLORIDA

No. 77,443

In re: CERTIFICATION OF JUDICIAL MANPOWER
 [February 21, 1991]

SHAW, C. J.

Under the provisions of article V, section 9, of the Florida Constitution, the Florida Supreme Court is responsible for determining the need for an increase or decrease in the number of judges required to consider and dispose of cases filed before the respective courts. To this end, we have analyzed case filings and evaluated the growth in the workload of the State Courts System over the past several years, in light of additional judgeships which have been authorized each year by the Florida Legislature.

As the result of this review, we are certifying the need for two district court of appeal judges, eight circuit court judges, and twelve county court judges. A comparison of the requests for new judges filed by the respective courts and the new judgeships certified as needed for fiscal year 1991-92 follows:

REQUESTS/SUPREME COURT CERTIFICATION

DCA	REQUEST	CERTIFIED
1	2	2
2	-	-
3	-	-
4	-	-
5	-	-
TOTALS	2	2

CIRCUIT COURT		COUNTY COURT	
CIRCUIT	REQUEST CERT.	COUNTY	REQUEST CERT.
1	-	-	-
2	-	-	-

3	1	1	-	-	
4	-	-	Duval	2	2
			Clay	1	-
5	-	-		-	-
6	-	-	Pinellas	1	1
7	2	1	Volusia	1	1
			Putnam	1	-
8	-	-		-	-
9	2	1	Orange	1	1
			Osceola	1	-
10	-	-		-	-
11	2	2		-	-
12	1	1		-	-
13	2	-	Hillsborough	2	2
14	-	-		-	-
15	-	-	Palm Beach	2	2
16	-	-		-	-
17	-	-	Broward	2	2
18	-	-	Brevard	2	1
			Seminole	1	-
19	1	1	Martin	1	-
20	<u>1</u>	<u>1</u>		<u>-</u>	<u>-</u>
TOTALS	12	8		18	12

Florida Rule of Judicial Administration 2.035(b)(2) sets forth the criteria for certification of need for additional judges in the district courts of appeal. The Court received a request for two additional judgeships from the First District Court of Appeal. In evaluating this request, we gave the greatest weight to data on the past and projected filings in that court and the composition of its caseload.

The First District Court of Appeal has exclusive jurisdiction to hear workers' compensation appeals and handles a disproportionate share of appeals of administrative rulings. These two classes of cases are usually more demanding in terms of judicial time and effort than general civil and criminal appeals. Thus, they must be given greater weight in the assessment of that court's workload and need for new judgeships. Moreover, the volume of general civil and criminal appeals for the First District Court of Appeal has increased at a steady rate over the past three years. The last judgeship authorized for the First District Court of Appeal was effective in January 1989. Since that time, the workload for that court has increased by approximately 500 filings. It is projected that by the end of 1991, total filings for that court will have increased by 642 cases. This increase, coupled with the demands of worker's compensation and administrative appeals, is sufficient to justify two additional judgeships for the First District Court of Appeal.

Florida Rule of Judicial Administration 2.035(b)(1) sets forth the criteria for certification of need for judges at the trial court level. As with certifications of recent years, we have placed the greatest weight on statistical data reflecting the growth and composition of caseloads filed in the various circuits and counties. We have determined that the most consistent and reliable factor at the circuit court level is total case filings per judge. Criminal, civil, probate, domestic relations, guardianship, and juvenile case filings for each circuit are also evaluated by applying different weights reflecting the differential requirements for judicial hearing time and attention. The filings per judge statistics for the county courts are adjusted to exclude worthless check offenses and criminal and civil traffic infractions (except for DUI). In addition to those factors prescribed in Florida Rule of Judicial Administration 2.035, other factors considered include the use of county and retired judges on temporary assignment; the availability of supplemental hearing resources furnished by the counties (traffic magistrates, child support hearing officers, commissioners, and general or special masters); reliance on mediation and arbitration to resolve cases; and special local circumstances that affect case handling.

The need for additional judgeships at the circuit court level is more limited than in recent years. This may be due, in part, to the authorization and funding of 22 new circuit judgeships by the 1990 Legislature, which became effective January 1, 1991. Our data also shows that the rate

of increase in filings in the circuit courts, which had been quite dramatic in recent years, has slowed. This is largely due to lower filing rates in the criminal divisions in many circuits.

Still, we find compelling justification for eight new circuit judgeships. All of the courts for which new circuit judgeships are requested are projected to have 1991 filings levels above the 1,865 filings per judge threshold, at which this Court has determined there is substantial need for more judicial resources. Other factors such as geographical constraints affecting judicial assignments, reliance on retired judges on temporary assignment, and historical assignments of county judges to hear circuit court matters weighed heavily in our decisions for selected circuits.

These judgeships are critical to the ability of the circuit courts to keep up with caseloads. Each year the courts are surveyed to determine how long litigants and attorneys must wait before their cases may be heard before a judge. The survey completed this year indicates that the wait to have routine motions heard is often as much as two to three months. Civil cases that are trial ready cannot be placed on a trial docket earlier than nine to twelve months in most circuits. Data gathered by the Office of the State Courts Administrator indicates that disposition rates have leveled off in recent years, which suggests Florida judges are working at or near capacity. Pending case inventories, too, have increased. The eight judgeships we find to be needed will not enable a reversal of these trends, but they are crucial to our ability to avoid greater delays than are currently the norm in many circuits.

As reported last year, county court caseloads began a relatively sharp increase in 1988, when 760,569 cases were filed. That trend has continued through 1990, when 807,264 cases were filed for a statewide increase of 46,695 cases or 6 percent. The more populous counties and counties which experience large seasonal changes in population were hardest hit by the increases. We are certifying the need for 12 new county court judgeships, the vast majority of which are for such counties.

In evaluating the need for such positions, we relied principally on filings data that was adjusted to include only criminal, civil, and DUI cases. Worthless check cases, non-DUI criminal traffic, and civil traffic infractions were excluded because of their limited requirements for judicial time, the diversion of large numbers of worthless check cases in selected circuits, and the variability and volume of such cases reported from county to county. We used a range of 3,700 to 3,800 adjusted filings per judge as the threshold at which there is a presumptive need for additional judicial positions. County courts with caseloads near or exceeding that level were judged to be operating at or above capacity. County judges in such courts were found to have relatively little time to assist with case assignments at the circuit court level. Where the judges in these counties did help with the circuit court workload, it was to the detriment of case processing in the county courts. All but one of the counties for which certification of need is made are projected to have between 3,709 and 4,776 adjusted filings per judge in 1991.

The one county for which we recommended a new judgeship, and for which we projected fewer than 3,700 adjusted filings per judge, was Brevard County. However, it had one of the highest levels of traffic filings in the state. Also, Brevard County maintains three widely separated court facilities which makes the sharing of judicial resources difficult.

In making the certification for county court judges, the Court considered the possible impact of the change in county court jurisdiction which was effective October 1, 1990. Only three months of data on case filings since the change are available and the data is inconclusive. While the jurisdictional change may not have a dramatic effect on the workload of individual judges, we expect there will be some marginal increase in case assignments.

We also considered the possible impact of implementation of the 1988 amendment to the Florida Constitution authorizing the establishment of civil traffic infraction hearing officers. Implementing legislation was passed in 1989, but only the Eleventh Judicial Circuit in Dade County and the Thirteenth Judicial Circuit in Hillsborough County are participating in a pilot program to employ traffic magistrates. County court caseloads in these counties are in the range where additional judgeships would likely be requested, but only Hillsborough County made a request this year. Hillsborough County's use of traffic magistrates was relatively limited and has been estimated to save the equivalent of only approximately three-tenths of a judgeship.

Florida trial courts have continued to address workload pressures by relying heavily on the temporary assignment of retired judges. A total of

3,609 days of service were provided by retired judges in fiscal year 1989-90. This is the equivalent of approximately 15 judge years. We expect demand for retired judge service to continue to grow. Yet, budget cutbacks have forced a curtailment in the assignment of retired judges in the current budget year. The use of retired judges is the most cost effective and flexible program we have to address calendaring problems and emergencies as they arise. The Court is seeking restoration of the funds that were cut and full funding of its fiscal year 1991-92 budget request, for approximately 4,800 days of retired judge service. This is viewed as a critical companion measure of the judicial certification.

Full funding for the requests certified as needed herein is deemed absolutely essential if Florida's courts are to fulfill their constitutional duties to try cases in a fair, impartial, and timely manner.

It is so ordered.

VERTON, McDONALD, BARKETT, GRIMES, KOGAN and HARDING, JJ., concur.

Original Proceeding - Certification of Judicial Manpower

STANDING COMMITTEES AND SUBCOMMITTEES (With Revisions)

Agriculture

Senator Dantzler, Chairman; Senator Souto, Vice-Chairman; Senators Bruner, McKay, Thomas and Thurman

Appropriations

Senator Gardner, Chairman; Senator Casas, Vice-Chairman; Senators Bankhead, Beard, Brown, Bruner, Childers, Crenshaw, Crotty, Davis, Diaz-Balart, Dudley, Girardeau, Gordon, Grant, Grizzle, Johnson, Kirkpatrick, Kurth, Langley, McKay, Meek, Myers, Scott, Thomas, Thurman, Walker, Weinstock and Yancey

Subcommittee A: Senator Kirkpatrick, Chairman; Senators Beard, Casas, Crenshaw, Girardeau, Scott and Thomas

Subcommittee B: Senator Meek, Chairman; Senators Childers, Crotty, Grizzle, Johnson, Thurman and Walker

Subcommittee C: Senator Davis, Chairman; Senators Bankhead, Brown, Gordon, Kurth, McKay and Weinstock

Subcommittee D: Senator Bruner, Chairman; Senators Diaz-Balart, Dudley, Grant, Langley, Myers and Yancey

Commerce

Senator Childers, Chairman; Senator Walker, Vice-Chairman; Senators Brown, Casas, Crenshaw, Diaz-Balart, Forman, Grant, Jenne, Langley, Scott and Wexler

Community Affairs

Senator Grizzle, Chairman; Senator Kurth, Vice-Chairman; Senators Crenshaw, Crotty, Girardeau, Jenne, Jennings, Kirkpatrick and Kiser

Corrections, Probation and Parole

Senator Bruner, Chairman; Senator Yancey, Vice-Chairman; Senators Beard, Crotty and Girardeau

Criminal Justice

Senator Grant, Chairman; Senator Yancey, Vice-Chairman; Senators Beard, Casas, Davis, Langley and Plummer

Education

Senator Walker, Chairman; Senator Johnson, Vice-Chairman; Senators Dudley, Forman, Gordon, Meek, Myers, Scott, Weinstock and Wexler

Executive Business, Ethics and Elections

Senator Girardeau, Chairman; Senator Wexler, Vice-Chairman; Senators Crotty, Dudley, Grizzle, Plummer and Weinstock

Finance, Taxation and Claims

Senator Jenne, Chairman; Senator Dantzler, Vice-Chairman; Senators Childers, Forman, Jennings, Kiser, Malchon, Plummer, Souto and Wexler

Governmental Operations

Senator Malchon, Chairman; Senator Yancey, Vice-Chairman; Senators Casas, Dantzler, Johnson, Kiser, McKay and Thurman

Health and Rehabilitative Services

Senator Weinstock, Chairman; Senator Malchon, Vice-Chairman; Senators Bankhead, Davis, Forman, Gordon, Kiser, McKay and Meek

Subcommittee on Health Care: Malchon, Chairman; Senators Bankhead, Davis, Forman, Gordon and McKay

Health and Rehabilitative Services Reorganization

Senator Gordon, Chairman; Senator Davis, Vice-Chairman; Senators Bankhead, Gardner, McKay, Myers and Weinstock

International Trade, Economic Development and Tourism

Senator Diaz-Balart, Chairman; Senator Kurth, Vice-Chairman; Senators Bankhead, Davis, Grant, Jenne, Meek and Scott

Judiciary

Senator Weinstein, Chairman; Senator Yancey, Vice-Chairman; Senators Dudley, Girardeau, Grant, Jenne, Johnson, Langley, Scott and Wexler

Natural Resources and Conservation

Senator Kirkpatrick, Chairman; Senator Brown, Vice-Chairman; Senators Beard, Casas, Dantzler, Grizzle, Myers, Plummer, Thomas and Thurman

Personnel, Retirement and Collective Bargaining

Senator Souto, Chairman; Senator Kurth, Vice-Chairman; Senators Bruner, Crotty and Walker

Professional Regulation

Senator Thurman, Chairman; Senator Dantzler, Vice-Chairman; Senators Dudley, Grizzle, Jennings, Kirkpatrick, Kurth, Plummer and Souto

Reapportionment

Senator Gordon, Chairman; Senator Girardeau, Vice-Chairman; Senators Bankhead, Brown, Bruner, Casas, Crotty, Dantzler, Dudley, Forman, Grant, Jenne, Jennings, Johnson, Kirkpatrick, Kiser, Kurth, Langley, Malchon, McKay, Meek, Souto, Thurman, Walker and Weinstock

Legislative Subcommittee: Senator Brown, Chairman; Senator Casas, Vice-Chairman; Senators Bankhead, Bruner, Crotty, Dudley, Forman, Girardeau, Kirkpatrick, Kiser and Walker

Congressional Subcommittee: Senator Thurman, Chairman; Senator Souto, Vice-Chairman; Senators Dantzler, Grant, Jenne, Jennings, Johnson, Kurth, Langley, Malchon, McKay, Meek and Weinstock

Rules and Calendar

Senator Thomas, Chairman; Senator Crenshaw, Vice-Chairman; Senators Beard, Childers, Davis, Diaz-Balart, Gardner, Gordon, Grizzle, Scott, Weinstein, Wexler and Yancey

Transportation

Senator Forman, Chairman; Senator Beard, Vice-Chairman; Senators Bruner, Crenshaw, Jennings, Kirkpatrick, Myers and Thomas

* Senator Weinstein, as Majority Leader, is a voting member of all standing committees and standing subcommittees.

JOINT COMMITTEES

Administrative Procedures

Senator Walker, Alternating Chairman; Senators Dantzler and Kiser

Advisory Council on Environmental Education

Senator Plummer, Alternating Chairman; Senator Kirkpatrick

Advisory Council on Intergovernmental Relations

Senator Malchon, Alternating Chairman; Senators Dudley, Myers and Yancey

Legislative Auditing

Senator Bruner, Alternating Chairman; Senators Bankhead, Crenshaw, Johnson and Kirkpatrick

Legislative Information Technology Resources

Senator Gardner, Alternating Chairman; Senators Bankhead and Davis

Legislative Management

Senator Childers, Alternating Chairman; Senators Casas and Weinstein

RECESS

Pursuant to the motion by Senator Thomas previously adopted, upon dissolution of the joint session at 11:36 a.m., the Senate recessed to reconvene Tuesday, March 12 at 10:00 a.m.

SENATE PAGES

March 4-8

Joe Lawton Barrett, Winter Park; Karlye Elin Block, Orlando; Sara Essig, Port Charlotte; Daniel E. Farrington, Jacksonville; Melanie Lyn Gray, Tallahassee; Gretchen Griffith, Melbourne; Wendell Ryan Hall, Orange Park; Jessica Kirkwood, Winter Park; Andy Koppers, Lakeland; Stephen Linton-Smith, Vero Beach; Kier V. Matthews, Winter Haven; Melanie Musolino, Indian Harbour Beach; Christopher Mitchell Paul, Bainbridge, Georgia; John Pfeil, Arcadia; Jamina Melisa Scippio, Lake City; Stacy Sullivan, Ft. Lauderdale