



Journal of the Senate

Number 13

Tuesday, March 3, 1992

CALL TO ORDER

The Senate was called to order by the President at 10:00 a.m. A quorum present—40:

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

Excused: Senator Bankhead at 10:25 a.m.

PRAYER

The following prayer was offered by Father William J. McIlmoyl, Associate Rector, St. James Episcopal Church, Ormond Beach:

I want to start this morning by saying how excited I am to be here. Like most of your constituents, I am profoundly ignorant of the work that you do and the process that it takes. I found out last night for the first time how a bill actually goes through and I know the work that you do is complicated and I do not envy you for it but I do admire you.

I want to begin this morning with the word of God spoken to the great prophet, Moses. This is probably the most ancient of prayers and the backbone, I think, of all human spirituality. From the book of Deuteronomy, "Hear, O Israel, the Lord your God is one God and you shall love the Lord your God with all your heart and with all your soul and with all your might. And these words which I command you this day shall be upon your heart and you shall teach them diligently to your children and shall talk of them when you sit in your house, when you walk by the way and when you lie down and when you rise." Would you pray with me, please?

Almighty God, creator, sanctifier and redeemer, you are the ruler of the universe, the king of all creation. You have made us and we are yours. You have given us these great United States which proclaim themselves to be a nation under you and this land, this Florida, in which we gather to serve you.

In your mercy forgive us when we serve any other God but you—money, power or self-interest. Accept our thanks most gracious and loving Father, for this gathering of Florida's Senate and for the difficult work they are elected to do. Thank you for their God-given talent and their dedication. And now by the power of your Holy Spirit be present in the hearts and minds of these exceptional men and women, your children, as they gather to do the work that you have called them to do. All this we ask in your most holy name. Amen.

PLEDGE

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

CONSIDERATION OF RESOLUTIONS

On motion by Senator Thomas, by two-thirds vote **SR 2438** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Thomas—

SR 2438—A resolution recognizing March 3, 1992, as Florida Youth Conservation Corps Day.

WHEREAS, this state is experiencing a population influx and growth that exceeds that of other states and an associated impact on natural and human resources, and

WHEREAS, a growing number of young adults in this state are unemployed or underemployed; are victims of a breakdown of the family unit; lack a sense of belonging, power, and modification; and are failing in the education system, reading and performing basic mathematics at a level significantly below expectations, and

WHEREAS, approximately 25 million acres in this state are wild lands and require maintenance, and

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

WHEREAS, the Florida Youth Conservation Corps' conservation efforts create social, economic, and environmental health and stability, NOW, THEREFORE,

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

That March 3, 1992, is recognized as Florida Youth Conservation Corps Day.

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

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

SPECIAL GUESTS

Senator Thomas introduced the following guests who were seated in the chamber: Frank Phelan, Director, Civilian Conservation Corps of Eckerd Family Youth Alternatives; Danny Arroyo, Project Coordinator Conservation Corps; Garrett Copeland, Corps Member Specialist; Ivan Pena, Corps Member; and Buddy Johnson, Director of Civilian Conservation with the Department of Natural Resources.

Upon request of the President, Senator Thomas escorted the guests to the rostrum where they were presented a copy of the resolution.

On motion by Senator Forman, by two-thirds vote **SR 52** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Forman—

SR 52—A resolution recognizing May of each year as Asian American Heritage Month.

WHEREAS, the diversity of nationalities of the American people is an integral part of our nation's history and culture, and

WHEREAS, the history of Asian Americans in the United States is a long and honorable one, and

WHEREAS, men and women of Asian ancestry who have become American citizens have contributed to our nation through science, the arts, literature, agriculture, industry, and commerce, and

WHEREAS, with diligent effort and abiding faith in the American dream, Asian Americans have steadily advanced, earning ever greater respect and admiration from their fellow citizens, and continue to make many important contributions to our nation, and

WHEREAS, Asian Americans have worked for the advancement of human rights and democratic ideals around the world and have promoted greater appreciation for our system of self-government here at home, and

WHEREAS, the State of Florida has a significant number of Asian Americans living in our communities, NOW, THEREFORE,

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

That the Senate hereby recognizes May of each year as Asian American Heritage Month and asks all Floridians to join with Asian Americans in Florida in celebrating the unique customs and traditions of their ancestral homelands, which customs and traditions have deeply enriched the heritage we share as a nation and as a state.

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

SPECIAL GUEST

Senator Forman introduced Lucy Ho who was seated in the chamber.

Upon request of the President, Senator Forman presented a copy of the resolution to Mrs. Ho.

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

By Senator Jenne—

SR 2508—A resolution commending William Edward Dandy, Deputy Superintendent of Schools of Broward County, Florida.

WHEREAS, William Edward Dandy, a native of St. Petersburg, Florida, has devoted 42 years of unrelenting service to the education profession, and

WHEREAS, Mr. Dandy began his brilliant career as a teacher of social studies at Florida Agricultural and Mechanical University Demonstration School, and

WHEREAS, Mr. Dandy began working for the Broward County School District in 1958 as a guidance director and rose through the ranks, serving as administrator of civil rights programs, principal of three county schools, area superintendent, and deputy superintendent, which position he still holds, and

WHEREAS, although the story of school integration in Broward County cannot be told without including Mr. Dandy, he prefers to be remembered not as a desegregation expert, but as someone involved in total education, and

WHEREAS, through the years Mr. Dandy has been cited and recognized for the contributions he has made to the State of Florida, his alma mater, Florida Agricultural and Mechanical University, and the community, and

WHEREAS, although the retirement of William Edward Dandy from the Broward County School System, effective June 30, 1992, will leave a void in the organization, his contributions to the education profession and the citizens of Broward County, especially the children, will be enjoyed and remembered for generations to come, NOW, THEREFORE,

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

That the Florida Senate recognizes Mr. William Edward Dandy for his commitment to the education of Florida's children and for his contributions to the education profession on their behalf.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mr. William Edward Dandy as a tangible token of the esteem of the Florida Senate.

On motion by Senator Jenne, **SR 2508** was read by title and was read the second time in full and adopted.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Thomas, by two-thirds vote **CS for HB 1419** was withdrawn from the Committee on Corrections, Probation and Parole; **CS for SB 2122** was withdrawn from the Committee on Community Affairs; **CS for SB 1068** was withdrawn from the Committee on Commerce; and **SB 368** was withdrawn from the Committee on Education.

On motions by Senator Thomas, by two-thirds vote **SB 2466** was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed at the end of the Local Bill Calendar.

On motions by Senator McKay, by two-thirds vote **SB 886** was withdrawn from the committees of reference and further consideration.

On motions by Senator Gardner, by two-thirds vote **SB 1256** and **SJR 1258** were also referred to the Committee on Appropriations; and **CS for SB 1924** was removed from the calendar and referred to the Committee on Appropriations.

On motions by Senator Gardner, by two-thirds vote **Senate Bills 80, 82, 94 and 338, CS for SB 434, SB 522, SB 590, SB 680, SB 930, SB 938, CS for SB 1152, SB 1202, CS for SB 1268, CS for SB 1282, SB 1356, CS for SB 1392, CS for CS for SB 1520, CS for SB 1524, CS for SB 1578, CS for CS for SB 1788, SB 1896 and CS for SB 1900** were withdrawn from the Committee on Appropriations.

On motions by Senator Grizzle, by two-thirds vote **Senate Bills 1186, 1256, 918 and 1840** were withdrawn from the Committee on Community Affairs.

On motions by Senator Kurth, by two-thirds vote **Senate Bills 1926, 1928 and 1930** were withdrawn from the committees of reference and further consideration.

On motions by Senator Jenne, by two-thirds vote **Senate Bills 846 and 952, CS for SB 1540, CS for SB 1696 and CS for SB 2014** were withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Thomas, by two-thirds vote **SB 556 and SM 2464** were withdrawn from the Committee on Rules and Calendar.

On motions by Senator Thomas, by two-thirds vote **SJR 1258** was withdrawn from the Committees on Rules and Calendar; and Appropriations and referred to the Committees on Appropriations; and Rules and Calendar; and **SJR 800** was removed from the calendar and recommitted to the Committee on Rules and Calendar.

On motions by Senator Thomas, by two-thirds vote **SB 2336** was withdrawn from the Committee on Commerce; the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to consider **SB 2336** on Wednesday, March 4.

On motion by Senator Thomas, by two-thirds vote **CS for CS for CS for SB 1526** was withdrawn from the Committee on Commerce.

On motion by Senator Forman, by two-thirds vote **CS for CS for SB 1726** was withdrawn from the Committee on Transportation.

MOTIONS

On motions by Senator Thomas, the rules were waived and by two-thirds vote **SB 1582** was placed at the end of the Special Order Calendar.

On motions by Senator Thomas, the rules were waived and by two-thirds vote **Senate Bills 1594 and 1596, CS for SB 1598, Senate Bills 1600, 1602, 1604, 1606, 1608, 1610 and 1612** were placed at the end of the Special Order Calendar for Wednesday, March 4.

On motion by Senator Thomas, by two-thirds vote **CS for SB 268** was placed first on the Special Order Calendar for Wednesday, March 4.

On motion by Senator Kurth, the rules were waived and **CS for CS for SB 1280**, which passed February 27, was ordered immediately certified to the House.

On motion by Senator Jenne, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to consider **CS for HB 1419** on Wednesday, March 4.

On motion by Senator Meek, the rules were waived and **CS for SB 1148**, which passed February 27, was ordered immediately certified to the House.

On motion by Senator Thomas, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed at the beginning of the Special Order Calendar for Thursday, March 5.

On motion by Senator Gardner, the rules were waived and the Committee on Appropriations was granted permission to consider **CS for CS for SB 1014** on Wednesday, March 4.

On motion by Senator Jenne, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to consider **SB 1108** on Wednesday, March 4.

MATTERS ON RECONSIDERATION

The motion by Senator Langley that the Senate reconsider the vote by which—

CS for SB 1118—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; providing restrictions on such service; 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.

—passed February 27 was taken up and the motion failed.

RECONSIDERATION

On motion by Senator Beard, the rules were waived and the Senate reconsidered the vote by which—

SB 222—A bill to be entitled An act relating to water management districts; 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 under specified conditions; providing an effective date.

—as amended passed February 27.

Senator Beard moved the following amendments to engrossed **SB 222** which were adopted by two-thirds vote:

Amendment 1—On page 2, line 30, strike “person” and insert: water management district

Amendment 2—On page 3, line 3, strike “or person”

On motion by Senator Beard, **SB 222** as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36 Nays—None

LOCAL BILLS

Consideration of **SB 2468** was deferred.

SB 2470—A bill to be entitled An act relating to the North River Fire District, Manatee County; amending ss. 3, 4, chapter 89-502, Laws of Florida, as amended; providing that the board of fire commissioners of the district be elected; prescribing procedures for commission elections; providing for nonpartisan elections; providing terms of office for members of initial elected commission; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **SB 2470** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2472—A bill to be entitled An act relating to the Anna Maria Fire Control District, Manatee County; amending ss. 2, 3, chapter 27696, Laws of Florida, 1951, as amended; providing that the board of fire commissioners of the district be elected; prescribing procedures for commission elections; providing for nonpartisan elections; providing terms of office for members of initial elected commission; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **SB 2472** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2474—A bill to be entitled An act relating to the Myakka City Fire Control District, Manatee County; amending ss. 3, 4, 16, chapter 86-381, Laws of Florida; providing that the board of fire commissioners of the district be elected; prescribing procedures for commission elections; providing for nonpartisan elections; providing terms of office for members of initial elected commission; increasing the maximum amount of special assessments; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **SB 2474** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2476—A bill to be entitled An act relating to the Oneco-Tallavast Fire Control District, Manatee County; amending ss. 3, 4, 15, 16, chapter 84-477, Laws of Florida, as amended; providing that the board of fire commissioners of the district be elected; prescribing procedures for commission elections; providing for nonpartisan elections; providing terms of office for members of initial elected commission; increasing maximum rates of special assessments; increasing impact fees; providing an effective date.

—was read the second time by title.

Senator McKay moved the following amendments which were adopted:

Amendment 1—On page 6, line 29, following “0200” insert: or 0204

Amendment 2—On page 6, line 13, strike “0204 or”

On motion by Senator McKay, by two-thirds vote **SB 2476** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2478—A bill to be entitled An act relating to the Whitfield Fire Control District, Manatee County; amending ss. 3, 4, chapter 84-474, Laws of Florida; providing that the board of fire commissioners of the district be elected; prescribing procedures for commission elections; providing for nonpartisan elections; providing terms of office for members of initial elected commission; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **SB 2478** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2480—A bill to be entitled An act relating to the Parrish Fire Control District, Manatee County; amending ss. 3, 4, chapter 85-451, Laws of Florida, as amended; providing that the board of fire commissioners of the district be elected; prescribing procedures for commission elections; providing for nonpartisan elections; providing terms of office for members of initial elected commission; repealing s. 2, chapter 91-409, Laws of Florida, relating to election of district board of commissioners; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **SB 2480** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2482—A bill to be entitled An act relating to the Braden River Fire Control and Rescue District, Manatee County; amending ss. 3, 4, chapter 85-454, Laws of Florida; prescribing procedures for election of members of the board of fire commissioners of the district; providing for nonpartisan elections; providing terms of office for members elected at the 1992 general election; providing for expiration of term of office of current members of board of commissioners; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **SB 2482** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2484—A bill to be entitled An act relating to the Samoset Fire Control District, Manatee County; amending ss. 3, 4, 15, 16, chapter 84-481, Laws of Florida, as amended; providing that the board of fire commissioners of the district be elected; prescribing procedures for commis-

sion elections; providing for nonpartisan elections; providing terms of office for members of initial elected commission; increasing maximum rates of special assessments; increasing impact fees; providing an effective date.

—was read the second time by title.

Senator McKay moved the following amendments which were adopted:

Amendment 1—On page 7, line 1, following "0200" insert: *or 0204*

Amendment 2—On page 6, line 14, strike "0204 *or*"

On motion by Senator McKay, by two-thirds vote **SB 2484** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2486—A bill to be entitled An act relating to the Trailer Estates Fire Control District, Manatee County; amending ss. 2, 3, chapter 63-1587, Laws of Florida, as amended; providing that the board of fire commissioners of the district be elected; prescribing procedures for commission elections; providing for nonpartisan elections; providing terms of office for members of initial elected commission; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **SB 2486** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2488—A bill to be entitled An act relating to Manatee County; establishing the merger of the Oneco-Tallevast and Samoset Fire Control Districts into the Southern Manatee Fire and Rescue District; defining jurisdiction of the district; providing for a board of fire commissioners and providing for their election; providing authority to levy special assessments; providing a schedule of special assessments; providing for impact fees; providing for consolidation of the Oneco-Tallevast and Samoset Fire Control Districts; repealing conflicting sections of chapters 84-477 and 84-481, Laws of Florida, as amended; providing severability; providing for liberal interpretation; providing an effective date.

—was read the second time by title.

Senator McKay moved the following amendments which were adopted:

Amendment 1—On page 5, strike line 21 and insert:

(a) Vacant platted lots (use code 0000) or unbuilt condominium (use code 0004) \$5 per lot or condominium.

Amendment 2—On page 6, line 21, following "0200" insert: *or 0204*

Amendment 3—On page 6, line 19, strike "codes 0204 *or*" and insert: *code*

Amendment 4—On page 10, line 6, following "Florida" insert: *, as amended*

On motion by Senator McKay, by two-thirds vote **SB 2488** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2490—A bill to be entitled An act relating to the West Side Fire Control District, Manatee County; amending ss. 3, 4, chapter 84-479, Laws of Florida, as amended; providing that the board of fire commissioners of the district be elected; prescribing procedures for commission elections; providing for nonpartisan elections; providing terms of office for members of initial elected commission; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **SB 2490** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2492—A bill to be entitled An act relating to the Cedar Hammock Fire Control District, Manatee County; amending ss. 3, 4, chapter 84-478, Laws of Florida, as amended; providing that the board of fire commissioners of the district be elected; prescribing procedures for commission elections; providing for nonpartisan elections; providing terms of office for members of initial elected commission; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **SB 2492** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2506—A bill to be entitled An act relating to Marion County; creating a municipality to be known as the City of Silver Springs Shores in the county; defining its territorial boundaries; providing for its government, jurisdiction, elections, administrative code, procedure, powers, franchises, immunities, and privileges; prescribing the general powers to be exercised by the city; providing prohibitions; providing procedures for filling vacancies in office; providing for a city council, mayor, vice-mayor, city manager, city clerk, and city attorney; providing for initial election; providing for ordinances; providing for a planning-zoning board and other committees as needed; providing for budget adoption; providing for amendments to the city charter; providing for referendum petitions; providing severability; providing for dissolution of the Silver Springs Shores Fire Services Municipal Services Tax Unit and for transfer of its assets and liabilities; providing for continuation of personnel and services; providing for dissolution of the Silver Springs Shores Law Enforcement, Recreation and Street Lighting Municipal Services Tax Unit District and for transfer of its assets and liabilities; providing for continuation of personnel and services; providing for a referendum; providing a schedule for organization; providing for county ordinances and services during transition period; providing effective dates.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote **SB 2506** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2434—A bill to be entitled An act relating to Broward County; amending chapter 65-1541, Laws of Florida, as amended, relating to the Downtown Development Authority of the City of Fort Lauderdale, Florida; adding section 36 to chapter 65-1541, Laws of Florida, as amended; expanding the boundaries of the Downtown Development Authority of the City of Fort Lauderdale; extending the annual mill tax levy authorized pursuant to said chapter 65-1541, Laws of Florida, as amended, for operations and for outstanding bond issues to the expanded area; amending paragraph (5) of section 1 of chapter 65-1541, Laws of Florida, as amended; providing for a referendum to approve said tax levy in the expanded area; providing for validation of notice of intent to apply for this legislation; providing for severability; providing an effective date.

—was read the second time by title.

Senator Jenne offered the following amendment which was moved by Senator Forman and adopted:

Amendment 1—On page 4, line 22, through page 7, line 25, strike all of said lines and insert:

PARCEL II

Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, HARCOURT, according to the plat thereof, as recorded in Plat Book 2, Page 9, of the public records of Broward County, Florida; AND the west one-half (W 1/2) of Federal Highway (US No. 1), lying East of and adjacent to said Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12; AND the East one-half (E 1/2) of S.E. 5th Terrace, lying West of and adjacent to said Lots 14, 15, 16, 17, 18, 19, 20 and 21.

TOGETHER WITH:

Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12, HENRY SHACKELFORD AMENDED PLAT SUBDIVISION OF LOTS 2 & 3, BLOCK 57, TOWN OF FORT LAUDERDALE, according to the plat thereof, as recorded in Plat Book 3, Page 3, of the public records of Dade County, Florida; AND the West one-half of S.E. 5th Terrace, lying East of adjacent to and referenced Lots; AND the East one-half of S.E. 5th Avenue, lying West of adjacent to above referenced Lots.

ALSO TOGETHER WITH:

Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12, RE-AMENDED PLAT OF HENRY SHACKELFORD'S SUBDIVISION OF LOT 3, BLOCK 57, TOWN OF FORT LAUDERDALE, according to the plat thereof, as recorded in Plat Book 2, Page 1, of the public records of Broward County, Florida; AND the West one-half of S.E. 5th Avenue, lying East of adjacent to above referenced Lots; AND the East one-half of S.E. 4th Avenue, lying West of adjacent to above referenced Lots.

AND ALSO TOGETHER WITH:

Lots 2, 3, 4, 5, 6, 7, 8 and 9, MRS. DAISY SHACKELFORD'S AMENDED NEW SUBDIVISION OF LOT 4, BLOCK 57, TOWN OF FORT LAUDERDALE, according to the plat thereof, as recorded in Plat Book 1, Page 165, of the public records of Dade County, Florida; AND 10.00 foot Alley adjacent to said Lot 6 and Lots 7, 8 & 9; AND the West one-half (W 1/2) of S.E. 4th Avenue, lying East of and adjacent to above referenced Lots.

AND ALSO TOGETHER WITH:

Lots 5, 6, 7, 8, 9, 10, 11 and 12, SOUTH FLORIDA DREDGING COMPANY SUBDIVISION OF LOT 5, BLOCK 57, TOWN OF FORT LAUDERDALE, according to the plat thereof, as recorded in Plat Book 3, Page 27, of the public records of Broward County, Florida; AND 10.00 foot Alley adjacent to Lot 9 and Lots 10, 11 & 12; AND 5.50 foot Alley lying East of and adjacent to above referenced Lots; AND the East one-half (E 1/2) of S.E. 3rd Avenue, lying West of and adjacent to said Lots.

AND ALSO TOGETHER WITH:

The South 80.00 feet of Lots 2, 4 and 6, Block 3, all of Blocks 4, 5 and 6, SUBDIVISION OF BLOCK 56, TOWN OF FORT LAUDERDALE, according to the plat thereof, as recorded in Plat Book 1, Page 63, of the public records of Dade County, Florida; AND the West one-half (W 1/2) of S.E. 3rd Avenue, lying East of and adjacent to above referenced South 80.00 feet of Lot 2 and said Block 6; AND the East one-half (E 1/2) of S.E. 1st Avenue, lying West of and adjacent to above referenced Block 4; AND the North one-half (N 1/2) of S.E. 6th Court, lying South of and adjacent to said Lots 2, 4 and 6, Block 3; AND the South one-half of S.E. 6th Court, lying North of and adjacent to said Blocks 4, 5 and 6.

AND ALSO TOGETHER WITH:

Lots 17, 18, 19, 20 and 21, Block 55, TOWN OF FORT LAUDERDALE, according to the plat thereof, as recorded in Plat Book "B", Page 40, of the public records of Dade County, Florida, AND Parcel "A", COCA-COLA SUBDIVISION, according to the plat thereof, as recorded in Plat Book 71, Page 2, of the public records of Broward County, Florida; AND the West one-half of S.E. 1st Avenue, lying West of and adjacent to said Lots 17, 18, 19, 20 & 21 and adjacent to said Parcel "A"; AND the East one-half of Andrews Avenue, lying West of and adjacent to said Parcel "A"; AND all that certain 14.00 foot Alley within said Block 55, lying North and East of said Parcel "A"; AND all that certain irregular Alley, lying North of said Parcel "A" and South of said Lot 17.

AND ALSO TOGETHER WITH:

Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, Block 54, TOWN OF FORT LAUDERDALE, according to the plat thereof, as recorded in Plat Book "B", Page 40, of the public records of Dade County, Florida; AND the West one-half (W 1/2) of Andrews Avenue, lying East of and adjacent to said Lots 13, 14, 15, 16, 17, 18, 19, 20 and 21; AND the East one-half (E 1/2) of S.W. 1st Avenue lying West of and adjacent to said Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12; AND all that certain 14.00 foot Alley in said Block 54, lying adjacent to above referenced Lots.

AND ALSO TOGETHER WITH:

Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and Lot 20, less the North 25.00 feet thereof, Block 53, TOWN OF FORT LAUDERDALE, according to the plat thereof, as recorded in Plat Book "B", Page 40, of the public records of Dade County, Florida; AND the West one-half (W 1/2) of S.W. 1st Avenue, lying East of and adjacent to said Lots 13, 14, 15, 16, 17, 18, 19 and Lot 20, less the North 25.00 feet thereof; AND all of S.W. Flagler Avenue lying West of and adjacent to said Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12; AND the East one-half (E 1/2) of the Florida East Coast Railroad Right-of-Way, lying West of said S.W. Flagler Avenue and South of the Westerly extension of the North line of said Lot 4 and North of the Westerly extension of the Northerly right of way line of S.W. 7th Street.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida, and containing 24.8679 Acres more or less.

Section 2. The annual mill tax levy authorized pursuant to said chapter 65-1541, as amended, for operations and for outstanding bond issues shall extend to the expanded area referred to in section 1 above.

Section 3. Subsection (5) of section 1 of chapter 65-1541, Laws of Florida, as amended, is amended to read:

Section 1. Definitions. As used in this law the terms mentioned in the following subsections of this section shall have the meaning ascribed to them in this section unless the context shall clearly require otherwise.

(5)(a) "Downtown" - The following lands in the City of Fort Lauderdale, Broward County, Florida, to wit:

1. All lands not being used as a residence lying north of New River; east of Southwest and Northwest Fourth Avenue; south of Northwest and Northeast Second Street and west of Northeast and Southeast Sixth Avenue;

2. All lands not being used as a residence lying north of Northwest Second Street; east of the Florida East Coast Railroad; south of Northwest Fourth Street; and west of North Andrews Avenue;

3. All lands not being used as a residence lying within one hundred fifty feet of and being in common ownership with any of said boundary streets and avenues (excluding, however, all lands lying east of Southeast Sixth Avenue); and

4. All lands not being used as a residence lying south of Northeast Fourth Street and within one hundred fifty feet of and being in common ownership with Northeast Third Avenue and Northeast Sixth Avenue. For the purposes of definition, the words "common ownership" contained herein shall be "contiguous to and owned by the same entity"; and

5. All lands not being used as a residence lying north of Northeast Second Street, east of Northeast Second Avenue, south of Northeast Sixth Street, and west of Federal Highway, together with all lands not being used as a residence lying north of Southeast Seventh Street, east of the F.E.C. Railroad Tracks, south of Southeast Sixth Court, and west of Federal Highway, as legally described in Section 36 of chapter 65-1541, Laws of Florida, as amended.

(b) The phrase "not being used as a residence" means all residential lands not being used as a residence or that portion of nonresidential lands not being used as a residence. The determination of when land is being used as a residence shall be made and certified by the Executive Director of the Downtown Development Authority at the time the books close for a Downtown Development Authority election or, if the Downtown Development Authority does not hold an election in a particular year, as of January 1st of that year.

(c) "Residence" means a building in which one or more natural persons lives.

(d) "Residential" means lands zoned by the City of Fort Lauderdale as R-1-A, R-1, R-1-P, R-2-A, R-2, R-3-A/RM-25, R-3-B/RM-15, R-3/RM-30, R-3-C, R-4/RM-60, or R-4-C.

Section 4. It is found and determined that notice of intention to apply for this legislation was given in the time, form, and manner required by the Constitution and by law. Said notice is found to be sufficient and is hereby validated and approved.

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

Section 6. This act shall take effect only upon the approval by referendum of Section 2 of this act, by a majority of the votes cast in a referendum in which those voting are limited to qualified electors of the downtown within the area being added to the downtown by this act, except that this section shall take effect upon becoming a law. The referendum shall be conducted pursuant to the provisions of chapter 65-1541, Laws of Florida, as amended. The referendum shall be held within 180 days of this section becoming a law.

On motion by Senator Forman, by two-thirds vote **SB 2434** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

HB 867—A bill to be entitled An act relating to Bay County; repealing chapter 20048, Laws of Florida, 1939, as amended, which provides for the nomination, appointment, and term of office of Harbor Master; abolishing the position of Harbor Master; providing an effective date.

—was read the second time by title. On motion by Senator Bruner, by two-thirds vote **HB 867** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

HB 1303—A bill to be entitled An act relating to Orange County; relating to the Valencia Water Control District, created pursuant to chapter 298, Florida Statutes; amending chapter 80-556, Laws of Florida; redefining the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote **HB 1303** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

HB 1307—A bill to be entitled An act relating to Orange County; amending chapter 26066, Laws of Florida, 1949, as amended; providing for the appointment of one additional trustee; changing the number of trustees required to constitute a quorum and to transact business after the addition of the additional trustee; requiring the District to send one copy of its annual financial statement to the Chairman of the Orange County Legislative Delegation; providing an effective date.

—was read the second time by title.

Senator Jennings moved the following amendment which was adopted:

Amendment 1—In title, on page 1, line 5, after "additional trustee" insert: to the board of trustees of the West Orange Memorial Hospital Tax District

On motion by Senator Jennings, by two-thirds vote **HB 1307** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

MOTION

On motion by Senator Jennings, the rules were waived and **HB 1307** was ordered immediately certified to the House.

HB 1339—A bill to be entitled An act relating to the City of Naples, Collier County; amending ch. 90-469, Laws of Florida, which prohibits the taking of saltwater fish, except by hook and line, hand-held cast nets, and with no more than five (5) crab traps, in the residential, man-made saltwater canals in the City of Naples, to define those man-made saltwater canals within the City of Naples subject to the jurisdiction of the act; providing an effective date.

—was read the second time by title. On motion by Senator Dudley, by two-thirds vote **HB 1339** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

HB 1469—A bill to be entitled An act relating to Palm Beach County; amending chapter 67-1876, Laws of Florida, as amended, relating to the Palm Beach County Construction Industry Licensing Board; amending definitions of contractor, qualifying agent, and supervision; amending the experience prerequisites for plumbing, electrical, and heating, air conditioning, refrigeration, and ventilation contractors, specialty contractors, and journeymen; adding definitions of chapter and employee; amending the name of the board; amending membership requirements; providing that the board is autonomous regarding licensure and disciplining of contractors and participates in the hiring of its director; amending requirements regarding applications and issuance of certificates; amending procedures regarding license renewals; increasing maximum fees to be charged; modifying advertising requirements; expanding lists of acts subject to disciplinary action; expanding disciplinary powers of the board; amending exemptions; providing an effective date.

—was read the second time by title. On motion by Senator Weinstock, by two-thirds vote **HB 1469** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

HB 1571—A bill to be entitled An act relating to Northern Palm Beach County Water Control District, Palm Beach County; amending chapter 59-994, Laws of Florida; expanding the boundaries of said district; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote **HB 1571** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

HB 1631—A bill to be entitled An act relating to the Delray Beach Downtown Development Authority, Palm Beach County; amending chapter 91-385, Laws of Florida; extending the date for a referendum; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Wexler, by two-thirds vote **HB 1631** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

HB 1791—A bill to be entitled An act relating to the Baker County Hospital Authority; amending chapter 28887, Laws of Florida, 1953, as amended; increasing the number of members serving on the Baker County Hospital Authority; providing an effective date.

—was read the second time by title. On motion by Senator Walker, by two-thirds vote **HB 1791** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

HB 2289—A bill to be entitled An act relating to Lee County; prohibiting the taking of saltwater fish, except by hook and line, hand-held cast net, or use of five or fewer blue crab traps, from specified manmade canals and waterways within the county; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Dudley, by two-thirds vote **HB 2289** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 2466—A bill to be entitled An act relating to Escambia County; providing that appointees to citizens' advisory committees of the Escambia County Utilities Authority shall have no personal or business ties with the authority that could be construed as a conflict of interest; repealing chapter 91-349, Laws of Florida, which abolishes the Escambia County Utilities Authority on October 1, 1992; providing an effective date.

—was read the second time by title.

Senator Childers moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—On page 1, strike all of lines 22-24 and insert:

Section 2. Subsection (a) of section 9 of chapter 81-376, Laws of Florida, as amended by section 1 of chapter 82-390, Laws of Florida, and section 3 of chapter 91-335, Laws of Florida, is amended to read:

Section 9. Personnel.—

(a) The authority is empowered to appoint, remove, and suspend employees or agents of the authority and fix their compensation within the guidelines established by the Escambia County Civil Service Board and to adopt personnel and management policies when not preempted by Escambia County Civil Service Rules.

Section 3. Chapter 91-349, Laws of Florida, is repealed.

Section 4. This act shall take effect upon becoming a law.

And the title is amended as follows:

In title, on page 1, line 7, following the semicolon (;) insert: amending s. 9(a), chapter 81-376, Laws of Florida, as amended; deleting powers of the authority to adopt personnel and management policies independent of the Escambia County Civil Service Board;

On motion by Senator Childers, by two-thirds vote **SB 2466** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

SPECIAL ORDER

Consideration of **HB 1795** was deferred.

SB 1070—A bill to be entitled An act relating to hazardous waste; amending ss. 381.0098, 403.703, F.S.; providing that, as used in provisions regulating the treatment and disposal of certain hazardous wastes, the terms "biohazardous waste," "biological waste," and "hazardous waste," do not include the disposal of human remains under ch. 470, F.S., relating to the practice of funeral directing; providing an effective date.

—was read the second time by title.

The Committee on Professional Regulation recommended the following amendment which was moved by Senator Dantzler and adopted:

Amendment 1—On page 1, line 26 and on page 2, lines 10, 20 and 27, after "disposed of" insert: *by persons licensed*

On motion by Senator Dantzler, by two-thirds vote **SB 1070** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36 Nays—1

CS for SB 2262—A bill to be entitled An act relating to road designations; designating a portion of State Road 916 in Miami as "Maurice Rosen Boulevard"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title. On motion by Senator Meek, by two-thirds vote **CS for SB 2262** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

CS for SB 1670—A bill to be entitled An act relating to the execution of prisoners; amending s. 922.10, F.S.; providing that the identity and other personal information of an executioner is exempt from public records disclosure requirements; providing for future review of the exemption; providing an effective date.

—was read the second time by title. On motion by Senator Kiser, by two-thirds vote **CS for SB 1670** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—23 Nays—5

MOTION

On motion by Senator Kiser, the rules were waived and **CS for SB 1670** was ordered immediately certified to the House.

CS for SB 1800—A bill to be entitled An act relating to motor vehicle emissions repairs; creating s. 325.210, F.S.; limiting the cost of certain emissions-related repairs under certain circumstances; requiring motor vehicle repair shops to disclose certain information before undertaking repairs; providing a penalty; providing an exception; providing an effective date.

—was read the second time by title.

Six amendments were adopted to **CS for SB 1800** to conform the bill to **CS for HB 275**.

Pending further consideration of **CS for SB 1800** as amended, on motions by Senator Malchon, by two-thirds vote **CS for HB 275** was withdrawn from the Committees on Transportation and Appropriations.

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

CS for HB 275—A bill to be entitled An act relating to motor vehicle emissions repairs; amending s. 325.202, F.S.; defining the term "short term rental vehicle"; amending s. 325.203, F.S.; providing an additional exemption from annual inspection; creating s. 325.210, F.S.; limiting the cost of certain emissions-related repairs under certain circumstances; requiring motor vehicle repair shops to disclose certain information before undertaking repairs; providing a penalty; providing an exception; amending s. 325.209, F.S.; providing that repairs done within 30 days prior to inspection may be considered; providing an effective date.

—a companion measure, was substituted for **CS for SB 1800** and by two-thirds vote read the second time by title. On motion by Senator Malchon, by two-thirds vote **CS for HB 275** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

CS for SB 984—A bill to be entitled An act relating to citrus; amending s. 601.10, F.S.; providing that information obtained by the Department of Citrus that constitutes a trade secret is exempt from public records law disclosure; providing for future review and repeal of the exemption; amending s. 601.154, F.S.; providing for appointing additional members to the advisory councils that advise the Department of Citrus in the administration of marketing orders issued under the Citrus Stabilization Act of Florida; amending s. 601.731, F.S.; revising requirements for name and dealer designation on vehicles transporting citrus on highways; providing an effective date.

—was read the second time by title.

One amendment was adopted to **CS for SB 984** to conform the bill to **CS for HB 717**.

Pending further consideration of **CS for SB 984** as amended, on motions by Senator Dantzler, by two-thirds vote **CS for HB 717** was withdrawn from the Committees on Agriculture and Appropriations.

On motion by Senator Dantzler—

CS for HB 717—A bill to be entitled An act relating to the Department of Citrus; amending s. 601.10, F.S.; revising language with respect to the powers of the department to provide that any information which consists of a trade secret shall be held confidential; amending s. 601.154, F.S.; providing additional advisory council members; amending s. 601.731, F.S.; providing exemptions from height requirements for sign lettering on vehicles transporting citrus; providing an effective date.

—a companion measure, was substituted for **CS for SB 984** and read the second time by title. On motion by Senator Dantzler, by two-thirds vote **CS for HB 717** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35 Nays—None

Consideration of **CS for SB 904** and **CS for SB 610** was deferred.

SB 658—A bill to be entitled An act relating to children; amending s. 39.01, F.S.; defining the term "protective supervision case plan"; amending s. 39.402, F.S.; requiring an order for placement of a child in a shelter to contain written findings by the court that certain prerequisites have been met; amending s. 39.41, F.S.; providing an additional disposition option to the court in dependency proceedings; requiring disposition orders to contain written findings by the court in support of a determination as to whether reasonable efforts to prevent the removal of a child from the home or reunify the family have been made; amending s. 39.453, F.S.; providing deadlines for certain judicial reviews; providing an effective date.

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

Yeas—37 Nays—1

MOTION

On motion by Senator Weinstock, the rules were waived and **SB 658** was ordered immediately certified to the House.

CS for SB 694—A bill to be entitled An act relating to adult family-care homes; amending s. 400.402, F.S.; revising the definition of the term "adult congregate living facility" to exclude certain facilities; amending s. 400.616, F.S.; redesignating the Adult Foster Home Care Act as the Adult Family-Care Home Act; amending s. 400.617, F.S.; revising legislative intent; amending s. 400.618, F.S.; providing definitions; amending s. 400.619, F.S.; requiring adult family-care homes to be licensed by the Department of Health and Rehabilitative Services; providing license fees; providing access to the nursing home and long-term care facility ombudsman council; prohibiting the transfer of licenses; providing for conditional licenses; providing circumstances under which the department may deny, suspend, or revoke a license; creating s. 400.6196, F.S.; authorizing the department to impose penalties and require corrective action for certain violations; creating s. 400.6197, F.S.; requiring certain adult congregate living facilities to become licensed as adult family-care homes within a specified time; amending s. 400.621, F.S.; providing for rules; creating s. 400.6211, F.S.; requiring the department to provide training and education for persons who operate adult family-care homes; amending s. 400.622, F.S.; providing for injunctive proceedings; amending s. 400.623,

F.S.; requiring the department to recruit and license adult family-care homes; deleting obsolete provisions; creating s. 400.625, F.S.; providing contract requirements for residents of adult family-care homes; amending s. 419.011, F.S.; correcting a cross-reference to conform to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Weinstock moved the following amendments which were adopted:

Amendment 1 (with Title Amendment)—On page 3, between lines 3 and 4, insert:

Section 2. Subsection (9) of section 400.426, Florida Statutes, is amended to read:

400.426 Appropriateness of placements; examinations of residents.—

(9) A terminally ill resident who no longer meets the criteria for continued residency may remain in the facility if the arrangement is mutually agreeable to the resident and the facility, additional care is rendered through a licensed hospice or home health agency, and the resident is under the care of a physician who agrees that the physical needs of the resident are being met.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, strike all of lines 2-5 and insert: An act relating to adult living facilities and homes; amending s. 400.402, F.S.; revising the definition of the term "adult congregate living facility" to exclude certain facilities; amending s. 400.426, F.S.; allowing terminally ill patients in extended congregate living facilities to have additional care through a home health agency;

Amendment 2 (with Title Amendment)—On page 11, between lines 22 and 23, insert:

(4) *By January 1, 1994, the department shall properly train staff and facility operators in determining appropriate placement of clients in adult family-care homes.*

And the title is amended as follows:

In title, on page 1, line 26, after the second semicolon (;) insert: providing training requirements for placement of clients;

Amendment 3 (with Title Amendment)—On page 14, between lines 8 and 9, insert:

Section 14. Paragraphs (c) and (d) of subsection (3) of section 509.032, Florida Statutes, are redesignated as paragraphs (f) and (g), respectively, and new paragraphs (c), (d), and (e) are added to that subsection, to read:

509.032 Duties.—

(3) DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES.—The Department of Health and Rehabilitative Services shall:

(c) *Provide to the division, on a monthly basis, a list of those facilities which have had a license denied, suspended, or revoked pursuant to s. 400.414 or which are involved in an ongoing appellate proceeding related to the denial, suspension, or revocation of a license pursuant to s. 120.60.*

(d) *Coordinate with the division, local firesafety authority, and other appropriate public or private agency to develop procedures to safeguard the health, safety, or welfare of residents of public lodging establishments, nursing homes licensed under part I of chapter 400, and adult congregate living facilities licensed under part II of chapter 400, that are not equipped with automatic sprinkler systems and which may create instances where residents may be unable to save themselves in an emergency. The division may convene meetings with the Department of Health and Rehabilitative Services, appropriate agencies, the landlord, and affected residents to develop a plan that improves the prospects for safety of affected residents and, if necessary, identifies alternative living arrangements, such as facilities licensed under chapter 400.*

(e) *Coordinate with the division to identify any statutory changes needed to protect residents who are victims of self-neglect or are unable to save themselves in an emergency.*

Section 15. Subsection (1) of section 509.241, Florida Statutes, is amended to read:

509.241 Licenses required; exceptions.—

(1) LICENSES; ANNUAL RENEWALS.—Each public lodging establishment and public food service establishment shall obtain a license from the division. Such license may not be transferred from one place or individual to another. It shall be a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, for such an establishment to operate without a license. Local law enforcement shall provide immediate assistance in pursuing an illegally operating establishment. The division may refuse a license, or a renewal thereof, to any establishment that is not constructed and maintained in accordance with law and with the rules of the division. The division may refuse to issue a license, or a renewal thereof, to any establishment an operator of which, within the preceding 5 years, has been adjudicated guilty of, or has forfeited a bond when charged with, any crime reflecting on professional character, including soliciting for prostitution, pandering, letting premises for prostitution, keeping a disorderly place, or illegally dealing in controlled substances as defined in chapter 893, whether in this state or in any other jurisdiction within the United States, or has had a license denied, revoked, or suspended pursuant to s. 400.414. *If the disposition of any action taken pursuant to s. 400.414 is pending, the division may defer its review of the license application until appellate actions allowed by s. 120.60 are exhausted.* Licenses shall be renewed annually, and the division shall adopt a rule establishing a staggered schedule for license renewals. If any license expires while administrative charges are pending against the license, the proceedings against the license shall continue to conclusion as if the license were still in effect.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 2, line 7, after the semicolon (;) insert: amending s. 509.032, F.S.; requiring the department to make certain reports to the Division of Hotels and Restaurants of the Department of Business Regulation concerning the denial, suspension, or revocation of the license of an adult congregate living facility; providing additional duties of the department with respect to residents of public lodging establishments; amending s. 509.241, F.S.; providing circumstances under which the Division of Hotels and Restaurants may defer disposition of an application for licensure of a facility previously licensed under part II, ch. 400, F.S.;

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

Yeas—38 Nays—None

SB 1056—A bill to be entitled An act relating to aquatic preserves; amending s. 258.39, F.S.; modifying names of the Fort Pickens, Rocky Bayou, and St. Andrews Aquatic Preserves; revising the boundaries of the St. Andrews and Pine Island Sound Aquatic Preserves; amending s. 258.392, F.S.; revising the boundary of the Gasparilla Sound-Charlotte Harbor Aquatic Preserve; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation recommended the following amendments which were moved by Senator Johnson and adopted:

Amendment 1—On page 1, line 14, strike "(16), and (22)" and insert: (16)

Amendment 2 (with Title Amendment)—On page 2, line 4, through page 7, line 31, strike all of said lines and insert:

(16) *St. Andrews State Park Aquatic Preserve, an area of submerged lands in Bay County described as follows: Begin at the intersection of the mean high water line of St. Andrew Bay and the easterly extension of the south line of Section 11, Township 4 South, Range 15 West; thence easterly, crossing St. Andrew Bay, to the intersection of the mean high water line of St. Andrew Bay and the easterly line of Section 18, Township 4 South, Range 14 West; thence southwesterly and south-easterly along the mean high water line of St. Andrew Bay to its intersection with the east line of Section 33, Township 4 South, Range 14 West; thence southerly to the intersection of the most easterly tip of Hurricane Island and the mean high water line; thence run south to the*

intersection of a line that runs parallel with and 15,840 feet from the southerly mean high water line of Shell Island and Hurricane Island; thence northwesterly along said line being parallel with and 15,840 feet from the mean high water line of Hurricane Island, Shell Island, St. Andrews State Recreation Area Beach and Biltmore Beach (also parallel with and 15,840 feet from a headland-to-headland line extending across the opening from the Gulf of Mexico to St. Andrew Bay), to its intersection with a southerly extension of the west line of Section 8, Township 4 South, Range 15 West; thence northerly along said southerly extension of the west line of said Section 8 to its intersection with a westerly extension of the south line of Section 16, Township 4 South, Range 15 West; thence easterly along said westerly extension of the south line of said Section 16 to its intersection with the mean high water line of the Gulf of Mexico; thence southeasterly along said mean high water line to an intersection with the mean high water line of a cut leading from the Gulf of Mexico into St. Andrew Bay; thence northeasterly along the westerly mean high water line of said cut to an intersection with the southerly mean high water line of Grand Lagoon, said point being a headland point; thence northwesterly crossing Grand Lagoon with a headland line to the most southerly tip and mean high water line of Alligator Point, said point being a headland point on the mean high water line; thence northeasterly along the mean high water of St. Andrew Bay to the POINT OF BEGINNING. Including all bays, inlets, tributaries and associated waters, excepting Grand Lagoon as described in the Official Records of Bay County in Book 379, pages 547-550.

Any and all submerged lands theretofore conveyed by the Trustees of the Internal Improvement Trust Fund and any and all uplands now in private ownership are specifically exempted from this dedication.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, strike all of lines 6-10 and insert: Andrews Aquatic Preserve; providing an effective date.

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

Amendment 3 (with Title Amendment)—On page 8, before line 1, insert:

Section 3. It is the intent of the Legislature that s. 258.024, F.S., govern the provision of law enforcement services on the lands specified in s. 258.024(1)(a)i., F.S. Law enforcement officers designated and empowered pursuant to s. 370.021(5), F.S., may not be employed by the Division of Recreation and Parks to provide law enforcement services on said lands, or otherwise be assigned to perform full-time law enforcement duties on said lands.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, strike all of lines 2-10 and insert: An act relating to state lands; amending s. 258.39, F.S.; modifying names of the Fort Pickens, Rocky Bayou, and St. Andrews Aquatic Preserves; revising the boundaries of the St. Andrews and Pine Island Sound Aquatic Preserves; amending s. 258.392, F.S.; revising the boundary of the Gasparilla Sound-Charlotte Harbor Aquatic Preserve; providing legislative intent that s. 258.024, F.S.; shall govern the provision of law enforcement services on specified lands; providing an effective date.

Senator Johnson moved the following amendment which was adopted:

Amendment 4 (with Title Amendment)—Between page 7, line 31, and page 8, line 1, insert:

Section 3. Subsection (1) of section 327.46, Florida Statutes, is amended to read:

327.46 Restricted areas.—

(1) The department shall have the authority for establishing, by rule, restricted areas on the waters of the state for any purpose deemed necessary for the safety of the public, including, but not limited to, boat speeds and boat traffic where such restrictions are deemed necessary based on boating accidents, visibility, tides, vessel traffic congestion, or other potential navigational hazards, and environmental conditions such as the currents and tides, the controlling depth to mean low water, the

width of the waterbody, or the presence of aquatic vegetation. However, the department may only establish restricted areas for environmental conditions within the boundaries of legislatively designated aquatic preserves established pursuant to chapter 258. In addition, the department may establish restricted areas in the Rainbow Springs Aquatic Preserve, established pursuant to chapter 258, to prevent propeller damage to shallow water aquatic vegetation or destruction of other sensitive submerged lands resources. Each such restricted area shall be developed in consultation and coordination with the governing body of the county or municipality in which the restricted area is located and, where required, with the United States Army Corps of Engineers. Restricted areas shall be established in accordance with procedures under chapter 120.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 9, after the semicolon (;) insert: amending s. 327.46, F.S.; revising language with respect to restricted areas; providing additional criteria for the establishment of restricted boating areas;

On motion by Senator Johnson, by two-thirds vote SB 1056 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31 Nays—None

SB 1622—A bill to be entitled An act relating to recreational vehicle dealers; amending s. 320.77, F.S.; providing that a garage liability insurance policy is not required with respect to nonmotorized recreational vehicles; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 1622 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 1544—A bill to be entitled An act relating to speed measuring devices; amending s. 316.1905, F.S.; increasing the time period interval between tests of electrical, mechanical, or speed calculating devices used to determine the speed of a motor vehicle; amending s. 316.1906, F.S.; redefining the term "radar" to include laser-based speed-measurement systems; providing an effective date.

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

Yeas—34 Nays—None

CS for SB 1546—A bill to be entitled An act relating to ad valorem tax exemptions; amending ss. 196.081, 196.091, F.S.; revising procedures for qualifying for the homestead exemptions for totally and permanently disabled veterans and for disabled veterans confined to wheelchairs; specifying that these sections apply to both male and female veterans; providing for granting the exemption to the veteran's widow and widower under certain conditions; providing an effective date.

—was read the second time by title.

Senator Thurman moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—On page 3, line 16, insert:

Section 3. Subsection (5) of section 196.101, Florida Statutes, is amended to read:

196.101 Exemption for totally and permanently disabled persons.—

(5) The physician's certification shall read as follows:

PHYSICIAN'S CERTIFICATION OF TOTAL AND PERMANENT DISABILITY

I, . . . (name of physician) . . . , a physician licensed pursuant to chapter 458, chapter 459, chapter 460, or chapter 461, Florida Statutes, hereby certify Mr. . . . Mrs. . . . Miss . . . Ms. . . . (name of totally and permanently disabled person) . . . , social security number . . . , is totally and permanently disabled as of January 1, . . . (year) . . . , due to the following mental or physical condition(s):

- Quadriplegia
- Paraplegia
- Hemiplegia
- Other total and permanent disability requiring use of a wheelchair for mobility
- Legal Blindness

It is my professional belief that the above-named condition(s) render Mr. . . . Mrs. . . . Miss . . . Ms. . . . totally and permanently disabled, and that the foregoing statements are true, correct, and complete to the best of my knowledge and professional belief.

Signature.....
 Date.....
 Florida physician Board of Medicine license number.....
 Issued on.....

NOTICE TO TAXPAYER: Each Florida resident applying for a total and permanent disability exemption must present to the county property appraiser, on or before March 1 of each year, a copy of this form (or a letter from the United States Veterans Administration). Each form is to be completed by a licensed Florida physician, *osteopathic physician, chiropractic physician, or podiatrist.*

NOTICE TO TAXPAYER AND PHYSICIAN, OSTEOPATHIC PHYSICIAN, CHIROPRACTIC PHYSICIAN, OR PODIATRIST: Section 196.131(2), Florida Statutes, provides that any person who ~~shall~~ knowingly ~~gives~~ give false information for the purpose of claiming homestead exemption ~~is shall~~ be guilty of a misdemeanor of the first degree, punishable by a term of imprisonment not exceeding 1 year or a fine not exceeding \$2,500, or both.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 11, after the semicolon (;) insert: amending s. 196.101, F.S., which provides homestead exemption for totally and permanently disabled persons; authorizing osteopathic physicians, chiropractic physicians, and podiatrists to certify total and permanent disability for such purpose;

On motion by Senator Crotty, by two-thirds vote **CS for SB 1546** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

CS for CS for SB 2206—A bill to be entitled An act relating to improving the state economy; providing that the Governor is the principal economic development officer of the state; creating Enterprise Florida, Inc., a nonprofit corporation; providing membership of the board of directors of the corporation; providing terms of office; providing for removal of members; providing for meetings and organization; providing for members of the board to be reimbursed for per diem and travel expenses; providing for financial disclosure by board members; creating the Enterprise Florida Nominating Council; requiring the nominating council to nominate members for appointment to the Board of Directors of Florida Enterprise, Inc., by the Governor; specifying required geographical representation on the Board of Directors; providing for an executive director and employees; providing powers of the board of directors; providing for immunity from liability for acts and omissions of members, agents, and employees and of departmental employees; providing powers of the board; requiring the board to coordinate the state's economic development and develop an economic development plan; requiring the board to make recommendations; requiring an annual audit and annual report; providing for confidentiality of the identity of donors as prospective donors; creating the Florida Film and Television Investment Board; providing the purpose of the board; providing membership requirements; requiring public disclosure; providing powers and duties; creating the Florida Film and Television Investment Trust Fund; authorizing the investment of funds; providing conditions for investment; requiring an annual report; providing for the establishment of a seaport employment training grant program and trust fund within the Department of Commerce; providing for rulemaking; amending s. 20.17, F.S.; directing the Department of Commerce to develop a comprehensive trade data resource and research center; providing for contracting with the center; amending s. 20.23, F.S.; providing criteria for the Department of Transportation to apply in determining whether to contract with local govern-

mental and private entities for the provision of products or services; amending s. 206.46, F.S.; providing for the transfer of up to \$50 million per fiscal year from the State Transportation Trust Fund to the Right-of-Way Acquisition and Bridge Construction Trust Fund as needed to pay debt service and associated costs for right-of-way bonds; amending s. 215.605, F.S.; authorizing the department to transfer excess funds from the Right-of-Way Acquisition and Bridge Construction Trust Fund to the State Transportation Trust Fund; deleting a limitation on the use of such excess funds; amending ss. 288.012, 288.025, 288.03, F.S.; authorizing the Department of Commerce to establish and operate offices in specific foreign countries for the gathering of trade data information on trade opportunities in those countries, to assist exporters of goods and services to locate and subscribe to trade data information and research, and to assist entities contracting with the department in the gathering, storing, promoting, packaging, and selling of trade data; amending s. 335.18, F.S.; conforming a cross-reference referring to the State Highway System Access Management Act to a repeal by this act; amending s. 335.181, F.S.; providing legislative findings, policy, and purpose relating to the regulation of access to the State Highway System; amending s. 335.182, F.S.; deleting the authority for local governments to adopt access standards that exceed state standards; providing definitions; amending s. 335.1825, F.S.; providing requirements regarding the construction or alteration of an access connection and the costs for such alterations; amending s. 335.183, F.S.; providing for a graduated schedule of permit fees; deleting the requirement that the department assess a fee of at least \$25 for each permit application; amending s. 335.184, F.S.; requiring that an access permit be filed in the appropriate department district; providing criteria under which a permit may be denied; providing remedies for such denial; amending s. 335.185, F.S.; deleting the authority for the department to require joint use of access; authorizing the department to extend the duration of a permit; amending s. 335.187, F.S.; revising requirements relating to unpermitted access connections and the issuance of nonconforming permits; amending s. 335.188, F.S.; providing criteria for the adoption of an access management system by the department; providing notice requirements; repealing s. 335.189, F.S., relating to delegation of the department's permitting authority; amending s. 337.276, F.S.; authorizing the advancement of the construction phase of a project, the right-of-way of which was acquired through the issuance of bonds; providing additional criteria under which bonds may be used to acquire rights-of-way; amending s. 338.223, F.S.; providing that certain moneys allocated to proposed turnpike projects from the State Transportation Trust Fund need not be repaid to the trust fund, treated as costs of such projects, or considered when determining the economic feasibility of such projects; amending s. 338.2275, F.S.; increasing the approved maximum costs of specified turnpike projects; redefining the Branam Field/Chaffee Road Facility; amending s. 339.135, F.S.; authorizing the loaning of moneys, including state moneys, between transportation districts; prescribing criteria for such loans; requiring that such loans be repaid within a specified period; providing criteria for amendments to the department's adopted work programs; amending s. 341.053, F.S.; specifying the types of projects that may be funded under the department's Intermodal Development Program; deleting a requirement relating to the department's review of funding requests from rail authorities; deleting the requirement that a certain level of intermodal funding be distributed to the transportation districts pursuant to the statutory formula for new construction; providing a limitation on the amount of funds which may be distributed to any single entity or project in a given fiscal year; deleting a requirement regarding the prioritization of projects eligible for funding under the program; providing an effective date.

—was read the second time by title.

Senator Thomas moved the following amendments which were adopted:

Amendment 1—On page 7, lines 21 and 22, strike “or the Executive Director of the State Community College System”

Amendment 2—On page 7, between lines 23 and 24, insert:

(e) The Executive Director of the State Community College System or his designee.

(Renumber subsequent paragraphs.)

Amendment 3—On page 8, line 1, strike “Eleven” and insert: Twelve

Amendment 4—On page 8, line 7, strike “two” and insert: three

Amendment 5—On page 9, line 4, strike “10” and insert: 11

Amendment 6—On page 11, line 14, strike “11” and insert: 12

Senator Forman moved the following amendment which was adopted:

Amendment 7—On page 53, strike all of lines 8 and 9 and insert: *of people and goods, including through the construction assist in the development of dedicated bus lanes.*

On motion by Senator Thomas, by two-thirds vote **CS for CS for SB 2206** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—None

MOTION

On motion by Senator Thomas, the rules were waived and **CS for CS for SB 2206** was ordered immediately certified to the House.

CS for SB 40—A bill to be entitled An act relating to the Impaired Drivers and Speeders Trust Fund; amending s. 413.613, F.S.; providing for appropriation of moneys in the fund to the University of Florida and the University of Miami for spinal cord injury and head injury research; requiring the Board of Regents to establish a program review process; providing an effective date.

—was read the second time by title.

Senator Johnson moved the following amendments which were adopted:

Amendment 1—On page 2, line 14, before the period (.) insert: *, but may not exceed \$500,000 per university per year*

VOTE RECORDED

Senator Davis requested that she be recorded as voting nay on **Amendment 1**.

Amendment 2 (with Title Amendment)—On page 1, line 12, insert:

Section 1. This act may be cited as the “Charlie Mack Overstreet Law.”

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, line 3, after the first semicolon (;) insert: *providing a short title;*

Amendment 3—On page 2, line 28, after “Labor” insert: *and Employment Security*

On motion by Senator Johnson, by two-thirds vote **CS for SB 40** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35 Nays—1

MOTION

On motion by Senator Johnson, the rules were waived and **CS for SB 40** was ordered immediately certified to the House.

CS for CS for SB 84—A bill to be entitled An act relating to the Florida Drug and Cosmetic Act; substantially revising the act; providing clarification; deleting obsolete provisions; amending s. 499.001, F.S.; providing a short title; amending s. 499.002, F.S.; providing the purpose of the act; amending s. 499.003, F.S.; providing definitions; providing new definitions for the terms “closed pharmacy,” “compressed medical gas,” “counterfeit drug, counterfeit device, or counterfeit cosmetic,” “establishment,” “health care entity,” “manufacture,” and “prepackaged drug product”; amending the definitions of “certificate of free sale,” “investigational drug,” “label,” “legend drug,” “manufacturer,” “person,” “proprietary drug,” and “technical panel”; deleting the definitions of “generic drug,” “repackager,” and “wholesaler”; amending s. 499.004, F.S.; providing for administration and enforcement of the act by the Department of Health and Rehabilitative Services; amending s. 499.005, F.S.; prohibiting certain acts; prohibiting counterfeiting of a drug, device, or cosmetic; prohibiting purchasing, receiving, selling, or transferring of drugs from and to unauthorized persons; prohibiting the sale, purchase, or trade of drug samples; prohibiting the failure to maintain records; pro-

hibiting providing the department with false records or statements, importing of drugs, the wholesale distribution of prescription drugs by health care entities or charitable organizations, and the failure to obtain a permit; amending s. 499.0053, F.S.; providing to the department the power to administer oaths, take depositions, and issue and serve subpoenas; amending s. 499.0054, F.S.; prohibiting certain acts relating to advertising and labeling drugs, devices, and cosmetics; deleting the prohibition against advertising legend drugs in a general circulation publication; amending s. 499.0055, F.S.; providing for determining whether an advertisement is false or misleading; amending s. 499.0057, F.S.; providing advertising exemptions; deleting an advertising exemption; removing the department’s authority to authorize certain drug advertising; clarifying language pertaining to the statutory construction of this section; amending s. 499.006, F.S.; providing criteria by which a drug or device is considered to be adulterated; adding a new criterion regarding the expiration date; amending s. 499.007, F.S.; providing criteria by which a drug or device is considered to be misbranded; deleting labeling requirement to include information about repackagers; clarifying that controlled substances must meet labeling requirements; amending s. 499.008, F.S.; providing criteria by which cosmetics are considered to be adulterated; amending s. 499.009, F.S.; providing criteria by which cosmetics are considered to be misbranded; amending s. 499.01, F.S.; substantially revising and expanding the permitting process; providing for issuing, renewing, and general requirements for permits for drug manufacturing, drug wholesaling, device manufacturing, and cosmetic manufacturing, and for medical-oxygen retail establishments and veterinary legend-drug retail establishments and distributing complimentary drugs; creating s. 499.012, F.S.; providing for wholesale distribution of drugs; providing definitions for the terms “wholesale distribution,” “wholesale distributor,” and “retail pharmacy”; providing requirements for various types of permits; providing education and experience requirements for personnel employed in wholesale prescription drug distribution; providing for reciprocity; creating s. 499.0121, F.S.; providing storage and handling requirements for prescription drugs regarding facilities; security; storage; examination of materials; returned, damaged, or outdated prescription drugs; recordkeeping; written policies and procedures; responsible persons; compliance with federal, state, and local law; and salvaging and reprocessing; creating s. 499.0122, F.S.; providing for permitting of medical oxygen retail establishments and veterinary legend drug retail establishments; providing definitions for the terms “medical oxygen retail establishment,” “prescription medical oxygen,” “veterinary legend drug,” and “veterinary legend drug retail establishment”; providing general requirements; providing that retail establishments must comply with wholesale distribution requirements; creating s. 499.013, F.S.; providing a definition for the term “manufacture”; exempting pharmacies from this definition under certain conditions; requiring a permit for the manufacture of drugs, devices, or cosmetics; providing specific permit requirements; authorizing prescription drug manufacturers and compressed medical gas manufacturers to engage in wholesale distribution if certain conditions are met; providing an exemption for persons who only label or change the labeling of a cosmetic; providing rulemaking authority; creating s. 499.014, F.S.; providing for the distribution of legend drugs by hospitals, health care entities, and charitable organizations; requiring a restricted prescription drug distributor permit for such organizations; providing for storage, handling, and recordkeeping requirements; providing rulemaking authority; amending s. 499.015, F.S.; providing for the biennial registration of drugs, devices, and cosmetics and for the issuance of a certificate of free sale for any product registered under ss. 499.001-499.081, F.S.; amending cross-references; amending s. 499.018, F.S.; providing for applications for approval of investigational drugs; providing confidentiality; reenacting and amending s. 499.019, F.S.; providing for clinical investigation reports of investigational drugs; amending s. 499.02, F.S.; renaming the Florida Drug and Cosmetic Technical Review Panel as the Florida Drug Technical Review Panel; amending s. 499.021, s. 499.022, F.S.; amending the authority and duties of the panel, amending s. 499.023, F.S.; providing prerequisites to selling, holding for sale, manufacturing, repackaging, distributing, or giving away a new drug; amending s. 499.024, F.S.; providing for drug classification; correcting cross-references; amending s. 499.025, F.S.; providing identification requirements for prescription drug products in finished, solid, oral dosage form; amending s. 499.028, F.S.; substantially revising and expanding the section to include drug samples and starter packs; requiring manufacturers and distributors to obtain permits to distribute or dispose of complimentary drugs; providing definitions for the terms “drug sample or complimentary drug” and “starter packs”; prohibiting selling, purchasing, or trading drug samples; providing requirements for distribution, storage, and inventorying of drug samples; providing reporting requirements and

a requirement regarding out-of-date drug samples; providing for an increased application fee; providing for biennial permit renewal; providing that the provisions of ch. 893 apply to drug samples that are controlled substances; specifying who may possess a prescription drug sample; amending s. 499.03, F.S.; prohibiting the possession of any habit-forming, toxic, harmful, or new legend drug or any medicinal drug without a prescription; providing exemptions and exceptions; amending cross-references; further specifying who may possess legend drugs; amending s. 499.032, F.S.; requiring a prescription for dispensing phenylalanine; clarifying meaning; amending s. 499.035, F.S.; regulating the manufacture, distribution, delivery, possession, sale, advertising, and use of dimethyl sulfoxide; deleting provisions relating to human use; amending s. 499.039, F.S.; prohibiting the sale, distribution, or transfer of certain harmful chemical substances; clarifying meaning; providing penalties; amending s. 499.04, F.S.; authorizing the department to collect fees for drug, device, and cosmetic applications, permits, registrations, and free-sale certificates; providing that fees must be adequate to fund the proportionate expenses incurred; deleting obsolete provisions; providing that the department will establish fee schedules and will adjust fees based on costs to administer this act; amending s. 499.041, F.S.; substantially revising fees; providing a schedule of fees for drug, device, and cosmetic applications and permits, investigational drug applications, product registrations, and free-sale certificates; providing for an initial application fee for new permits; providing for depositing the fee proceeds into the Florida Drug, Device, and Cosmetic Trust Fund; deleting obsolete language; amending s. 499.05, F.S.; providing rulemaking authority to the department; amending s. 499.051, F.S.; providing to the department and to the Department of Law Enforcement the authority to conduct inspections and investigations for the purpose of enforcing ss. 499.001-499.081 and chs. 893, 501, and 465, F.S.; specifying what is included in the authority to inspect; providing confidentiality for information obtained in an ongoing investigation; providing for review under the Open Government Sunset Review Act; amending s. 499.052, F.S.; providing departmental officers or employees with the authority to have and to copy records of interstate shipment of drugs, devices, or cosmetics; deleting redundant language; amending s. 499.055, F.S.; providing for the department to publish reports and disseminate information; reenacting s. 499.057, F.S.; providing for the payment of expenses and salaries; amending s. 499.06, F.S.; providing for embargoing, detaining, or destroying an article or processing equipment that violates ss. 499.001-499.081, F.S., or rules adopted under those sections; amending s. 499.062, F.S.; providing for the seizure and condemnation of any adulterated or misbranded drug, device, or cosmetic; deleting redundant language; amending s. 499.063, F.S.; providing procedures for seizure; prohibiting the sale or disposal of seized articles without permission; providing penalties; deleting redundant language; reenacting and amending s. 499.064, F.S.; providing for the condemnation or sale, or the release, of seized articles; providing that the proceeds of the sale of drugs, devices, and cosmetics be deposited into the Florida Drug, Device, and Cosmetic Trust Fund; amending s. 499.066, F.S.; substantially revising penalties and remedies; providing penalties and other remedies for specified violations; providing for injunctive proceedings; providing for deposit of rewards, fines, and collections into the Florida Drug, Device, and Cosmetic Trust Fund; deleting obsolete language; amending s. 499.067, F.S.; providing for the denial, suspension, or revocation of a permit or registration; deleting obsolete language; amending s. 499.069, F.S.; providing for punishment of violations of s. 499.005, F.S.; providing a good-faith exemption; providing an exemption from liability for disseminating a false advertisement; amending s. 499.07, F.S.; providing a duty to institute and prosecute appropriate proceedings; amending s. 499.071, F.S.; providing for the issuance of warnings for minor violations; amending s. 499.081, F.S.; providing an exemption from ss. 499.001-499.081, F.S., for carriers in interstate commerce; repealing ss. 499.011, 499.016, 499.017, 499.037, 499.042, 499.068, 499.401, 499.501, 499.502, 499.503, F.S., relating to examination and investigation fees, to revocation and suspension of registration, to drug wholesaler, drug repacker, and drug, device, or cosmetic manufacturer permits, to renewal of permits, to inspections, to fees, to applications for approval of proprietary drugs, to generic drugs, to amygdalin (laetrile), to manufacture, distribution, delivery, possession, sale, and use, to regulation, to inspection, and to misbranding of toilet articles, to regulating the sale of lye and providing penalties for violations, and to defining the term "caustic"; reviving and readopting ss. 499.001, 499.002, 499.003, 499.004, 499.005, 499.0053, 499.0054, 499.0055, 499.0057, 499.006, 499.007, 499.008, 499.009, 499.01, 499.015, 499.018, 499.019, 499.023, 499.024, 499.025, 499.028, 499.03, 499.032, 499.035, 499.039, 499.04, 400.041, 499.051, 499.052, 499.055, 499.057, 499.06, 499.062, 499.063, 499.064, 499.066, 499.067, 499.069, 499.07, 499.071, 499.081, F.S.; providing an appropriation; providing an effective date.

—was read the second time by title.

Senator Gordon moved the following amendment which was adopted:

Amendment 1—On page 61, strike all of lines 17-21 and insert:

(1) A person *that applies* ~~applying~~ for use of an investigational drug ~~which does not have a Notice of Claimed Investigational Exemption for a New Drug on file with the Federal Food and Drug Administration or that which~~ is not otherwise lawful in interstate commerce *must* ~~shall~~,

On motion by Senator Weinstock, by two-thirds vote **CS for CS for SB 84** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

On motions by Senator Meek, by two-thirds vote **CS for HB 97** was withdrawn from the Committees on Criminal Justice and Appropriations.

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

CS for HB 97—A bill to be entitled An act relating to stalking; creating s. 784.048, F.S.; providing definitions; creating the offenses of stalking and aggravated stalking; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB's 196 and 298** and by two-thirds vote read the second time by title. On motion by Senator Meek, by two-thirds vote **CS for HB 97** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

CS for SB 154—A bill to be entitled An act relating to pollution control; amending s. 403.101, F.S.; deleting requirements for the Department of Environmental Regulation to establish qualifications for, examine, and certify, operators of public water systems, wastewater treatment works, and sewerage systems; deleting the exemption from certification requirements provided for water and wastewater operators at public lodging establishments; providing definitions; creating ss. 468.540-468.552, F.S.; providing legislative purpose for persons who operate water or wastewater treatment plants; defining certain terms; requiring operators of water and wastewater treatment plants to have an operator's license issued by the Department of Professional Regulation; allowing a utility to have more stringent requirements; authorizing the department to adopt rules; authorizing the secretary of the department to appoint the Technical Advisory Council for Water and Domestic Wastewater Operator Certification; authorizing the department to establish fees for applications, examinations, licensing and renewal, and recordkeeping; establishing grounds for disciplinary action; providing for a type four transfer of certain responsibilities of the Department of Environmental Regulation to the Department of Professional Regulation; providing for coordination between departments to ensure that operators meet certain requirements; repealing s. 376.307(3)(f), F.S., relating to the deposit of certain fees into the Water Quality Assurance Trust Fund; providing an effective date.

—was read the second time by title.

Senator Kirkpatrick moved the following amendment:

Amendment 1 (with Title Amendment)—Strike everything after the enacting clause and insert:

Section 1. Section 403.101, Florida Statutes, is amended to read:

403.101 *Classification of operators and of air and water contaminant sources; and reporting requirements; regulation of operators of water purification plants and wastewater treatment plants.*—

(1) The department, by rule, *may establish the levels of licensed operator required for air and water contaminant sources*, may classify air and water contaminant sources, which sources in its judgment may cause or contribute to air or water pollution, according to levels and types of emissions and other characteristics which relate to air or water pollution, and may require reporting for any such class or classes. Classifications made pursuant to this section may be made for application to the state as a whole or to any designated area of the state, and shall be made with special reference to physical effects on property and effects on health, economic, social, and recreational factors.

(2) Any person operating, or responsible for the operation of, air or water contaminant sources of any class for which the rules of the department require reporting shall make reports containing information as may be required concerning location, size, and height of contaminant outlets, processes employed, fuels used, and the nature and time period or duration of emissions, and such other information as is relevant to air and water pollution and available or reasonably capable of being assembled.

~~(3) The department is authorized to establish qualifications for, and to examine and certify, water and wastewater treatment plant operators; to issue, deny, revoke, and suspend operator certificates pursuant to its rules and chapter 120; to charge a fee not in excess of \$50 for processing an application for certification; and to charge a fee not in excess of \$50 for renewal of certification. In assessing fees authorized by this subsection, the department is directed to adjust the fees as needed within the established limits to ensure that generated revenues from the certification program will equal or exceed the cost of operation. Certificate renewal shall be biennial from the date of the original certification. This provision on the timing of renewals applies both retroactively and prospectively to all operators, whenever certified. A fee not to exceed \$5 may be charged for the issuance of a duplicate certificate. Such fees shall be nonrefundable. Renewals of certification, issued as requested by the applicant pursuant to this section, shall be exempt from the provisions of s. 120.60(3), if the department provides each applicant with written notice either personally or by mail of the certification or renewal.~~

~~(4) No person shall perform the duties of operator of a water or wastewater treatment plant unless he holds a current operator's certificate issued by the department. However, this section shall not apply to public lodging establishments licensed under chapter 509. No owner of a water or wastewater plant shall employ any person to perform the duties of an operator unless such person possesses a valid certificate at the required level of certification.~~

~~(3)(5) The department may adopt promulgate rules and minimum standards to effectuate the provisions of this section and to ensure efficient, hygienic water purification and wastewater treatment operations in this state.~~

~~(4)(6) For purposes of this section, the term;~~

~~(a) "operator" means any person, including the owner, who is principally engaged in, and is in onsite charge of, the actual operation, supervision, and maintenance of a water treatment plant or drinking water purification plant or a domestic wastewater treatment plant and includes the person in onsite charge of a shift or period of operation during any part of the day.~~

~~(b) "Public water system" shall have the same meaning provided in s. 403.852(2).~~

Section 2. Sections 468.540, 468.541, 468.542, 468.543, 468.544, 468.545, 468.546, 468.547, 468.548, 468.549, 468.550, 468.551, and 468.552, Florida Statutes, are created to read:

468.540 Short title.—Sections 468.540-468.552 may be cited as the "Water and Wastewater Operators Certification Act."

468.541 Purpose.—The Legislature finds that the threat to the public health and the environment from the operation of water and wastewater treatment plants mandates that qualified personnel operate these facilities. The sole legislative purpose in enacting ss. 468.540-468.552 is to ensure that every person who operates a water or wastewater treatment plant meets minimum requirements for professional practice. It is the legislative intent that any person who performs the duties of an operator and who falls below minimum competency or who otherwise presents a danger to the public be prohibited from operating a plant or system in this state.

468.542 Definitions.—As used in ss. 468.540-468.552, the term:

- (1) "Department" means the Department of Professional Regulation.
- (2) "Domestic wastewater collection system" means pipelines or conduits, pumping stations, and force mains and all other structures, devices, appurtenances, and facilities used for collecting or conducting wastes to an ultimate point for treatment or disposal.
- (3) "Domestic wastewater treatment plant" means any plant or other works used for the purpose of treating, stabilizing, or holding domestic wastes.

(4) "Operator" means any person, including the owner, who is in onsite charge of the actual operation, supervision, and maintenance of a water treatment plant or domestic wastewater treatment plant and includes the person in onsite charge of a shift or period of operation during any part of the day.

(5) "Public water system" means a community, nontransient-noncommunity, or noncommunity system for the provision to the public of piped water for human consumption, provided that such system has at least 15 service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. The term includes:

(a) Any collection, treatment, storage, and distribution facility or facilities under control of the operator of such system and used primarily in connection with such system.

(b) Any collection or pretreatment storage facility or facilities not under control of the operator of such system but used primarily in connection with such system.

(6) "Water distribution system" means those components of a public water system used in conveying water for human consumption from the water plant to the consumer's property, including pipelines, conduits, pumping stations, and all other structures, devices, appurtenances, and facilities used specifically for such purpose.

(7) "Water treatment plant" means those components of a public water system used in collection, treatment, and storage of water for human consumption, whether or not such components are under the control of the operator of such system.

468.543 License required.—A person may not perform the duties of an operator of a water treatment plant or a domestic wastewater treatment plant unless he holds a current operator's license issued by the department.

468.544 A utility may have more stringent requirements than set by law, including certification requirements for water distribution systems and domestic wastewater collection systems operations, except that a utility may not require a person licensed under s. 489.105(3) to have any additional license for work in water distribution systems or domestic wastewater collection systems.

468.545 Authority to adopt rules.—The department may adopt rules necessary to carry out the provisions of ss. 468.540-468.552.

468.546 Technical Advisory Council for Water and Domestic Wastewater Operator Certification.—The secretary of the department may appoint a technical advisory council as necessary.

468.547 Fees.—The department shall, by rule, establish fees to be paid for applications and examination, reexamination, licensing and renewal, renewal of inactive license, reactivation of inactive license, recordmaking, and recordkeeping. The department shall establish fees adequate to administer and implement ss. 468.540-468.552.

(1) The application fee may not exceed \$100 and is not refundable.

(2) The renewal fee may not exceed \$100 and is not refundable.

(3) All fees collected pursuant to ss. 468.540-468.552 must be deposited into the Professional Regulation Trust Fund.

468.548 Requirements for licensure.—

(1) Any person desiring to be licensed as a water treatment plant operator or a domestic wastewater treatment plant operator must apply to the department to take the licensure examination.

(2) The department shall examine any applicant who meets the criteria established by the department for licensure, submits a completed application, and remits the required fee.

(3) The department shall license as an operator any applicant who has passed the examination under this section.

(4) The department shall establish, by rule, the criteria for licensure, including, but not limited to, a requirement of a high school diploma or its equivalent, a training course approved by the department, and on-site operational experience.

(5) The department may also include a requirement that an operator's license must not have been subject to disciplinary or enforcement action in another state prior to the applicant applying for licensure in this state.

468.549 Renewal of license.—

(1) The department shall renew a license upon receipt of the renewal application and fee.

(2) The department shall adopt rules establishing a procedure for the biennial renewal of licenses.

(3) A license that is not renewed at the end of the biennium as prescribed by the department automatically reverts to inactive status.

(4) At least 60 days before the end of the biennium and automatic reversion of a license to inactive status, the department shall mail notice of reversion to the last known address of the licensee.

468.550 Inactive status.—

(1) The department shall reactivate an inactive license upon receipt of the reactivation application and fee.

(2) The department shall adopt rules relating to licenses that have become inactive and for the reactivation of inactive licenses.

(3) Any license which has been inactive more than 4 years automatically expires if a licensee has not made application for reactivation of the license.

(4) One year before the expiration of the license, the department shall give notice to a licensee at the licensee's last address of record. Once a license expires, it becomes void without any further action by the department.

468.551 Prohibitions; penalties.—

(1) A person shall not:

(a) Perform the duties of an operator of a water treatment plant or domestic wastewater treatment plant unless he is licensed under ss. 468.540-468.552;

(b) Use the name or title "water treatment plant" or "domestic wastewater treatment plant operator" or any other words, letters, abbreviations, or insignia indicating or implying that he is an operator, or otherwise holds himself out as an operator, unless the person is a holder of a valid license issued under ss. 468.540-468.552;

(c) Present as his own the license of another;

(d) Give false or forged evidence to the department for the purpose of obtaining a license;

(e) Use or attempt to use a license that has been suspended, revoked, or placed on inactive status;

(f) Employ unlicensed persons to perform the duties of an operator of a water treatment or domestic wastewater treatment plant;

(g) Conceal information relative to any violation of ss. 468.540-468.552.

(2) Any person who violates any provision of this section is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

468.552 Grounds for disciplinary action.—

(1) The department shall establish, by rule, the grounds for taking disciplinary action including suspending or revoking a valid license, placing a licensee on probation, refusing to issue a license, refusing to renew a license, or refusing to reactivate a license, and the imposition of an administrative fine, not to exceed \$1,000 per count or offense.

(2) The department shall conduct disciplinary proceedings in accordance with chapter 120.

(3) The department shall reissue the license of a disciplined operator when that operator has complied with all terms and conditions of the department's final order.

Section 3. The responsibilities of the Department of Environmental Regulation relating to the classification and regulation of operators of water treatment plants and domestic wastewater treatment plants are transferred by a type four transfer, as defined in section 20.06, Florida Statutes, to the Department of Professional Regulation. The rules of the Department of Environmental Regulation that regulate plant operators remain in effect until the Department of Professional Regulation has adopted rules to supersede those of the Department of Environmental Regulation.

Section 4. The Department of Professional Regulation shall coordinate with the Department of Environmental Regulation to ensure that the operators who are certified meet the staffing requirements for the facilities permitted by the Department of Environmental Regulation. The coordination may include anything necessary to promote the public health and environmental well-being of the state. The departments shall enter into a memorandum of understanding setting forth the form of coordination and the tasks each department will undertake.

Section 5. Paragraph (f) of subsection (3) of section 376.307, Florida Statutes, is repealed.

Section 6. This act shall take effect October 1, 1992.

And the title is amended as follows:

In title, strike everything before the enacting clause and insert: A bill to be entitled An act relating to pollution control; amending s. 403.101, F.S.; deleting requirements for the Department of Environmental Regulation to establish qualifications for, examine, and certify, operators of public water systems, wastewater treatment works, and sewerage systems; providing for classification of levels of licensed operators; providing for classification of air and water contaminant sources; providing requirements for reporting to the department; deleting the exemption from certification requirements provided for water and wastewater operators at public lodging establishments; providing a definition; creating ss. 468.540-468.552, F.S.; providing legislative purpose for persons who operate water or wastewater treatment plants; defining certain terms; requiring operators of water and wastewater treatment plants to have an operator's license issued by the Department of Professional Regulation; allowing a utility to have more stringent requirements; authorizing the department to adopt rules; authorizing the secretary of the department to appoint the Technical Advisory Council for Water and Domestic Wastewater Operator Certification; authorizing the department to establish fees for applications, examinations, licensing and renewal, and recordkeeping; establishing grounds for disciplinary action; providing for a type four transfer of certain responsibilities of the Department of Environmental Regulation to the Department of Professional Regulation; providing for coordination between departments to ensure that operators meet certain requirements; repealing s. 376.307(3)(f), F.S., relating to the deposit of certain fees into the Water Quality Assurance Trust Fund; providing an effective date.

Senator Myers moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (with Title Amendment)—On page 10, line 3, strike the period (.) and insert: , however, operators certified by the Department of Environmental Regulation as of October 1, 1992 shall be deemed to be licensed by the Department of Professional Regulation until the expiration of the term of their certification.

And the title is amended as follows:

In title, on page 11, line 24, after the semicolon (;) insert: providing for a grandfather provision;

Amendment 1 as amended was adopted.

On motion by Senator Kirkpatrick, by two-thirds vote **CS for SB 154** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34 Nays—None

On motion by Senator Davis, by two-thirds vote **CS for HB 507** was withdrawn from the Committee on Judiciary.

On motion by Senator Davis—

CS for HB 507—A bill to be entitled An act relating to domestic violence; amending s. 741.30, F.S.; providing criteria for the issuance of mutual orders of protection; providing for the effect of such orders; providing an effective date.

—a companion measure, was substituted for **CS for SB 536** and read the second time by title. On motion by Senator Davis, by two-thirds vote **CS for HB 507** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

Consideration of **SB 814** and **SB 972** was deferred.

SB 1060—A bill to be entitled An act relating to crime victims' rights; amending s. 39.045, F.S., relating to records and confidential information in proceedings involving juvenile offenders, to protect the right of the victim and certain representatives of the victim to be informed of the proceedings and to be present and to be heard at the proceedings under certain circumstances; amending s. 960.001, F.S.; expanding certain victim rights to include prompt and timely disposition; providing an effective date.

—was read the second time by title. On motion by Senator Wexler, by two-thirds vote **SB 1060** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

CS for SB 904—A bill to be entitled An act relating to public construction; amending s. 287.084, F.S.; including construction services within those services which may receive a preference in the competitive bidding process if the bidder is a Florida business; prohibiting any county, municipality, school district, or other political subdivision of the state from granting its local businesses bid preferences over other Florida businesses; providing an effective date.

—was read the second time by title.

Senator Weinstein moved the following amendment which failed:

Amendment 1 (with Title Amendment)—On page 2, strike all of lines 6-14

And the title is amended as follows:

In title, on page 1, strike all of lines 7-11 and insert: Florida business; providing an

On motion by Senator McKay, by two-thirds vote **CS for SB 904** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28 Nays—11

MOTION

On motion by Senator McKay, the rules were waived and **CS for SB 904** was ordered immediately certified to the House.

SENATOR JENNE PRESIDING

SB 1168—A bill to be entitled An act relating to the state correctional system; amending s. 945.091, F.S.; extending the period during which certain inmates may be allowed to leave confinement for prescribed periods of time for the purpose of employment; providing an effective date.

—was read the second time by title.

THE PRESIDENT PRESIDING

The Committee on Corrections, Probation and Parole recommended the following amendments which were moved by Senator Burt and adopted:

Amendment 1—On page 1, line 31, strike "24" and insert: 36

Amendment 2—On page 2, strike all of lines 1-4 and insert: Parole Commission or the Control Release Authority.

On motion by Senator Burt, by two-thirds vote **SB 1168** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32 Nays—3

MOTION

On motion by Senator Burt, the rules were waived and **SB 1168** was ordered immediately certified to the House.

RECESS

On motion by Senator Thomas, the Senate recessed at 12:10 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—28:

Madam President	Dantzler	Johnson	Myers
Beard	Dudley	Kirkpatrick	Souto
Bruner	Forman	Kiser	Thomas
Burt	Gardner	Kurth	Thurman
Casas	Grant	Langley	Walker
Childers	Grizzle	Malchon	Weinstock
Crotty	Jennings	Meek	Yancey

SPECIAL ORDER, continued

CS for SB 1146—A bill to be entitled An act relating to costs of inmates and supervisees; amending s. 944.485, F.S.; requiring prisoners to disclose income and assets as a condition of parole or release eligibility; providing that an order directing payment of prisoner daily subsistence costs survives against the estate and is not relieved in bankruptcy; deleting obsolete language; amending s. 948.09, F.S.; revising the maximum amount that persons in various community supervision programs may be required to contribute for the cost of such supervision; providing for costs of supervising persons on misdemeanor probation; requiring the Department of Corrections to establish a payment plan and priority order for payment of certain court-ordered costs; providing an effective date.

—was read the second time by title. On motion by Senator Burt, by two-thirds vote **CS for SB 1146** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—26 Nays—None

MOTION

On motion by Senator Burt, the rules were waived and **CS for SB 1146** was ordered immediately certified to the House.

CS for SB 1506—A bill to be entitled An act relating to the marketing of agricultural commodities; amending s. 573.114, F.S.; providing that marketing orders issued by the Department of Agriculture and Consumer Services may contain provisions for mitigating problems of agricultural commodity producers; authorizing the department to expend assessment funds for commodity groups to use to mitigate certain problems under specified circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Burt, by two-thirds vote **CS for SB 1506** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28 Nays—None

MOTION

On motion by Senator Burt, the rules were waived and **CS for SB 1506** was ordered immediately certified to the House.

Consideration of **CS for SB 1496** and **CS for SB 2334** was deferred.

SB 2314—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.01, F.S.; redefining the term "licensed premises" with respect to the beverage law to include sidewalks, if approved by the county or municipality to permit the service of alcoholic beverages at sidewalk cafes; providing an effective date.

—was read the second time by title.

Senator Diaz-Balart moved the following amendment:

Amendment 1 (with Title Amendment)—On page 1, strike everything after the enacting clause and insert:

Section 1. Subsection (11) of section 561.01, Florida Statutes, is amended to read:

561.01 Definitions.—As used in the Beverage Law:

(11) "Licensed premises" means not only rooms where alcoholic beverages are stored or sold by the licensee, but also all other rooms in the building which are so closely connected therewith as to admit of free passage from drink parlor to other rooms over which the licensee has some dominion or control and ~~includes shall also include all of the area~~

embraced within the sketch, appearing on or attached to the application for the license involved and designated as such on the said sketch, in addition to that included or designated by general law. *The area embraced within the sketch may include a sidewalk or other outside area that is contiguous to the rooms. If the sketch includes a sidewalk or other outside area, written approval from the county or municipality attesting to compliance with local ordinances must be submitted to the division before the division may authorize the inclusion of a sidewalk or other outside area within the licensed premises.*

Section 2. Subsection (2) of section 562.13, Florida Statutes, is amended to read:

562.13 Employment of minors or certain other persons by certain vendors prohibited; exceptions.—

(2) This section shall not apply to:

(a) Professional entertainers 17 years of age who are not in school.

(b) *Persons under the age of 18 years who are employed by the entertainment industry, as defined in s. 450.012, and who have been granted waivers under s. 450.095 or who are employed in accordance with s. 450.132.*

(c)(b) *Persons under the age of 18 years who are employed in drug-stores, grocery stores, other retail establishments, or automobile service stations which have obtained licenses to sell beer or beer and wine, when such sales are made for consumption off the premises.*

(d)(e) *Persons 17 years of age or over or any person furnishing evidence that he is a senior high school student with written permission of the principal of said senior high school or that he is a senior high school graduate, or any high school graduate, employed by a bona fide food service establishment where alcoholic beverages are sold, provided such persons do not participate in the sale, preparation, or service of the beverages and that their duties are of such nature as to provide them with training and knowledge as might lead to further advancement in food service establishments.*

(e)(d) *Persons under the age of 18 years employed as bellhops, elevator boys, and others in hotels when such employees are engaged in work apart from the portion of the hotel property where alcoholic beverages are offered for sale for consumption on the premises.*

(f)(e) *Persons under the age of 18 years employed in bowling alleys in which alcoholic beverages are sold or consumed, so long as such minors do not participate in the sale, preparation, or service of such beverages.*

(g)(f) *Persons under the age of 18 years employed by a bona fide dinner theater as defined in this paragraph, as long as their employment is limited to the services of an actor, actress, or musician. For the purposes of this paragraph, a dinner theater means a theater presenting consecutive productions playing no less than 3 weeks each in conjunction with dinner service on a regular basis. In addition, both events must occur in the same room, and the only advertised price of admission must include both the cost of the meal and the attendance at the performance.*

(h) *Persons under the age of 18 years who are employed within a theme park complex by vendors operating places of business licensed under s. 565.02(6), if such persons do not participate in the sale, preparation, or service of alcoholic beverages.*

Section 3. Section 561.26, Florida Statutes, is amended to read:

561.26 Term of license.—

(1) Except as provided in s. 561.351 and except as provided in subsection (3), no license shall be issued except an annual license. Licenses shall be renewed annually, and the division shall adopt an appropriate rule establishing a semiannual schedule for license renewals, based on a division of the state into two geographic regions, which will avoid the necessity of all licenses being renewed in the same period of the year and establishing a pro rata fee schedule and date schedule for initial implementation of the semiannual renewal system.

(2) Establishments that apply for licenses at times other than the annual renewal date fixed by the division for such establishments shall be required to pay the full annual fee if license issuance occurs more than 6 months before the next renewal date fixed by the division; if such issuance occurs less than 6 months before the next renewal date fixed by the division, the license fee shall be one-half of the annual fee.

(3) *The division may approve an application for temporary expansion of the licensed premises to include a sidewalk or other outside area for the duration of a special event upon the payment of a \$100 application fee, stipulation of the time period for the special event, and submission of a sketch outlining the expanded premises and accompanied by written approval from the county or municipality.*

Section 4. This act shall take effect upon becoming a law.

And the title is amended as follows:

In title, on page 1, strike everything above the enacting clause and insert: A bill to be entitled An act relating to alcoholic beverages; amending s. 561.01, F.S.; redefining the term "licensed premises" with respect to the Beverage Law to include sidewalks and certain other outside areas; requiring approval by the county or municipality to permit the service of alcoholic beverages on the sidewalk or certain other outside areas; amending s. 562.13, F.S.; providing additional exceptions to the prohibition against the employment of minors by vendors licensed under the Beverage Law; amending s. 561.26, F.S.; providing for applications for special events; providing an effective date.

Senator Crotty moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (with Title Amendment)—On page 4, between lines 17 and 18, insert:

Section 4. Subsection (1) of section 562.11, Florida Statutes, is amended to read:

562.11 Selling, giving, or serving alcoholic beverages to person under age 21; misrepresenting or misstating age or age of another to induce licensee to serve alcoholic beverages to person under 21; penalties.—

(1)(a) It is unlawful for any person to sell, give, serve, or permit to be served alcoholic beverages to a person under 21 years of age or to permit a person under 21 years of age to consume such beverages on the licensed premises. Anyone convicted of violation of the provisions hereof is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A licensee who violates paragraph (a) shall have a complete defense to any civil action therefor, except for any administrative action by the division under the Beverage Law, if, at the time the alcoholic beverage was sold, given, served, or permitted to be served, the person falsely evidenced that he was of legal age to purchase or consume the alcoholic beverage and the appearance of the person was such that an ordinarily prudent person would believe him to be of legal age to purchase or consume the alcoholic beverage and if the licensee carefully checked one of the following forms of identification with respect to the person: a driver's license, an identification card issued under the provisions of s. 322.051 or a comparable identification card issued by another state, a passport, or a United States Uniformed Services identification card, and acted in good faith and in reliance upon the representation and appearance of the person in the belief that he was of legal age to purchase or consume the alcoholic beverage. Nothing herein shall negate any cause of action which arose prior to June 2, 1978.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 5, line 26, after the semicolon (;) insert: amending s. 562.11, F.S.; providing for the use of certain identification cards issued by another state;

Amendment 1 as amended failed.

Senator Crotty moved the following amendment which was adopted:

Amendment 2 (with Title Amendment)—On page 1, line 26, insert:

Section 2. Subsection (1) of section 562.11, Florida Statutes, is amended to read:

562.11 Selling, giving, or serving alcoholic beverages to person under age 21; misrepresenting or misstating age or age of another to induce licensee to serve alcoholic beverages to person under 21; penalties.—

(1)(a) It is unlawful for any person to sell, give, serve, or permit to be served alcoholic beverages to a person under 21 years of age or to permit

a person under 21 years of age to consume such beverages on the licensed premises. Anyone convicted of violation of the provisions hereof is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A licensee who violates paragraph (a) shall have a complete defense to any civil action therefor, except for any administrative action by the division under the Beverage Law, if, at the time the alcoholic beverage was sold, given, served, or permitted to be served, the person falsely evidenced that he was of legal age to purchase or consume the alcoholic beverage and the appearance of the person was such that an ordinarily prudent person would believe him to be of legal age to purchase or consume the alcoholic beverage and if the licensee carefully checked one of the following forms of identification with respect to the person: a driver's license, an identification card issued under the provisions of s. 322.051 or a comparable identification card issued by another state, a passport, or a United States Uniformed Services identification card, and acted in good faith and in reliance upon the representation and appearance of the person in the belief that he was of legal age to purchase or consume the alcoholic beverage. Nothing herein shall negate any cause of action which arose prior to June 2, 1978.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 8, after the semicolon (;) insert: amending s. 562.11, F.S.; providing for the use of certain identification cards issued by another state;

On motion by Senator Diaz-Balart, by two-thirds vote **SB 2314** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—23 Nays—10

On motions by Senator Crenshaw, by two-thirds vote **CS for HB 739** was withdrawn from the Committees on Education and Judiciary.

On motion by Senator Crenshaw—

CS for HB 739—A bill to be entitled An act relating to the Board of Regents; amending s. 240.215, F.S.; providing that employees or agents of the Board of Regents shall not be determined to be agents of other persons in civil actions resulting from certain acts or omissions; revising continuing education requirements; limiting liability of affiliated health care providers; providing for applicability; providing an effective date.

—a companion measure, was substituted for **SB 1172** and read the second time by title.

Senator Weinstein moved the following amendment which failed:

Amendment 1 (with Title Amendment)—On page 3, between lines 14 and 15, insert:

(6) *In any case arising out of the rendering of, or the failure to render medical care or services in a private hospital or health care facility by employees or agents of the Board of Regents in which a judgment in excess of the limits of liability of the Board of Regents pursuant to s. 768.28 is entered against the Board of Regents, if the court determines after a hearing on motion of the party claiming damages that such private hospital or health care facility, but for this section, would have been liable for all or part of the claimant's damages which are in excess of the limits of liability of the Board of Regents pursuant to s. 768.28, the Board of Regents shall, notwithstanding the limits of liability provided by s. 768.28 which are waived to the extent required by this subsection, pay such additional amount as the court may determine without the necessity of the claimant bringing a claim bill before the Legislature. Such additional amount, however, shall not exceed the amount of any insurance, self-insurance, excess insurance, or reinsurance coverage available to the Board of Regents.*

And the title is amended as follows:

In title, on page 1, line 11, after the semicolon (;) insert: providing for payment by the Board of Regents of certain claims in excess of the limitations imposed by s. 768.28, F.S., under specified conditions; providing a limitation on such payment;

The vote was:

Yeas—12 Nays—25

Senator Gordon moved the following amendment which failed:

Amendment 2 (with Title Amendment)—On page 3, strike all of lines 6-10 and insert:

(4) *Subsection (2) does not apply to a hospital or health care facility with which the Board of Regents maintains an affiliation agreement unless the hospital or health care facility abides by the following limitations with respect to working hours for employees and agents of the Board of Regents who render medical care or treatment pursuant to the affiliation agreement:*

(a) *Employees and agents may not work more than 16 consecutive hours per on-duty assignment.*

(b) *Employees and agents may not work more than 60 hours per week.*

(c) *On-duty assignments are separated by not less than 8 nonworking hours.*

(d) *On-call duty during the night shift hours is not included in the limitations of paragraph (a), paragraph (b), or paragraph (c) if:*

1. *It can be documented that during the night shift the employees or agents are generally resting and interruptions for patient care are infrequent and limited to patients for whom the employee or agent has continuing responsibility;*

2. *Such duty is scheduled for not more often than every third night;*

3. *A continuous assignment that includes night shift on-call duty is followed by a nonworking period of not less than 16 hours; and*

4. *Policies and procedures are developed and implemented to immediately relieve an employee or agent from a continuing assignment if fatigue due to an unusually active on-call period is observed.*

(e) *Employees or agents have a minimum of one 24-hour period of nonworking time per week.*

(f) *Employees or agents who have worked the maximum number of hours permitted in paragraph (b) are prohibited from engaging in any employment other than their duties for the Board of Regents.*

The Board of Regents shall adopt rules to prescribe limits on the assigned responsibilities of its employees and agents rendering medical care or treatment in hospitals and health care facilities pursuant to affiliation agreements.

(5)(2) *There are appropriated out of any funds available in the university system, not subject to the obligation of contract, covenant, or trust, the amounts necessary to carry out the purposes of this section.*

(6)(3) *Failure of the Board of Regents or an*

And the title is amended as follows:

In title, on page 1, line 8, after the semicolon (;) insert: providing certain limitations on working hours of certain employees and agents of the Board of Regents who render medical care or treatment; providing for rules;

The vote was:

Yeas—10 Nays—26

On motion by Senator Crenshaw, by two-thirds vote **CS for HB 739** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29 Nays—9

SB 22—A bill to be entitled An act relating to displaying the American flag; prohibiting restrictions against the display of the American flag in certain circumstances; providing penalties; declaring certain contracts and other agreements void and unenforceable; providing for damages, punitive damages, attorney's fees, and costs; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote **SB 22** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 372—A bill to be entitled An act relating to construction contracting; amending s. 489.103, F.S.; exempting the sale or installation of awnings from regulation under pt. I, ch. 489, F.S., relating to construction contracting; providing an effective date.

—was read the second time by title. On motion by Senator Dantzler, by two-thirds vote **SB 372** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 758—A bill to be entitled An act relating to preneed funeral merchandise or service contracts; amending s. 639.108, F.S.; authorizing the Department of Insurance to use funds from the Preneed Funeral Contract Consumer Protection Trust Fund to provide restitution to consumers and others; providing conditions for payment of restitution; providing limitations on total expenditures; providing an effective date.

—was read the second time by title.

Senator Thurman moved the following amendment which failed:

Amendment 1 (with Title Amendment)—On page 1, line 14, insert:

Section 1. Subsection (3) of section 497.006, Florida Statutes, is amended to read:

497.006 Cemetery companies; license; application; fee.—

(3) The department shall determine the need for a new cemetery in the community by considering the adequacy of existing cemetery facilities, licensed and unlicensed, within the county; the solvency of the trust funds of the existing facilities; and the relationship between population, rate of population growth, death rate, and ratio of burials to deaths to meet the projected need for burial spaces for a period of 30 years. In order to promote competition, the department may waive the criteria of this subsection so that each county may have at least six cemeteries operated by different licensees. *If a county has three or fewer cemeteries operated by different licensees, the department shall waive the criteria of this subsection.*

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, strike all of lines 2 and 3 and insert: An act relating to the regulation of the disposition of dead bodies; amending s. 497.006, F.S.; directing the Department of Banking and Finance to waive criteria for the determination of the need for a new cemetery under certain circumstances; amending s. 639.108,

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

Yeas—36 Nays—None

MOTION

On motion by Senator Thurman, the rules were waived and **SB 758** was ordered immediately certified to the House.

RECONSIDERATION

On motion by Senator Thurman, the Senate reconsidered the vote by which **SB 758** was immediately certified to the House.

On motions by Senator Malchon, by two-thirds vote **CS for HB 415** was withdrawn from the Committees on Professional Regulation and Judiciary.

On motion by Senator Malchon—

CS for HB 415—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 a consumer transaction violation which victimizes or attempts to victimize a senior citizen or handicapped person; providing definitions; providing for priority of restitution orders and actual damages; 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.

—a companion measure, was substituted for **CS for SB 386** and read the second time by title. On motion by Senator Malchon, by two-thirds vote **CS for HB 415** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31 Nays—None

Consideration of **SB 444** was deferred.

CS for SB 494—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; revising the exemption from public records requirements for personal information relating to law enforcement officers, certain personnel of the Department of Health and Rehabilitative Services, firefighters, justices, and judges; providing an effective date.

—was read the second time by title.

Senator Dantzler moved the following amendments which were adopted:

Amendment 1 (with Title Amendment)—On page 2, line 17, through page 3, line 11, strike all of said lines and insert:

c. Personnel of the Department of Law Enforcement whose duties include the investigation of criminal activities; the home addresses, home telephone numbers, social security numbers, and photographs of such personnel; the home addresses, home and business telephone numbers, social security numbers, photographs, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel.

d. Firefighters certified in compliance with s. 633.35 the home addresses, home telephone numbers, and photographs of such firefighters certified in compliance with s. 633.35; the home addresses, home and business telephone numbers, photographs, and places of employment of the spouses and children of such firefighters; and the names and locations of schools and day care facilities attended by the children of such firefighters are exempt from subsection (1). The home addresses and telephone numbers of

e. Justices of the Supreme Court and judges of; district courts court of appeal judges, circuit courts court judges, and county courts: the home addresses and home telephone numbers of such justices and court judges; the home addresses, home and business telephone numbers, and places of employment of the spouses and children of such justices and judges; and the names and locations of schools and day care facilities attended by the children of such justices and judges are exempt from the provisions of subsection (1).

2. An agency that employs an officer or employee specified in subparagraph 1.a., subparagraph 1.b., subparagraph 1.c., subparagraph 1.d., or subparagraph 1.e. shall maintain the personal information identifying that officer or employee specified in subparagraph 1. as confidential and exempt from the provisions of subsection (1). An agency that is the custodian of personal information specified in subparagraph 1.a., subparagraph 1.b., subparagraph 1.c., subparagraph 1.d., subparagraph 1.e. and that is not the

And the title is amended as follows:

In title, on page 1, line 7, following "Services" insert: and the Department of Law Enforcement

Amendment 2 (with Title Amendment)—On page 3, between lines 27 and 28, insert:

Section 2. Section 281.301, Florida Statutes, is amended to read:

281.301 Security systems; records and meetings exempt from public access or disclosure.—Information relating to the security systems for any property owned by or leased to the state or any of its political subdivisions, and information relating to the security systems for any privately owned or leased property which information is in the possession of any agency as defined in s. 119.011(2), including all records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof relating directly to or revealing such systems or information, is confidential and exempt from the provisions of s. 119.07(1). Those portions of and all meetings relating directly to or that would reveal such systems or information are closed confidential and exempt from s. ss. 119.07(1) and 286.011 and other laws and rules requiring public access or disclosure. Agencies which

are the custodians of information made confidential by this section may release such information to a law enforcement agency determined to have a legitimate need for the confidential information. A law enforcement agency receiving confidential information pursuant to this section shall maintain the confidentiality of the information. These exemptions are This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 8, after the semicolon (;) insert: amending s. 281.301, F.S.; clarifying the exemptions from public records and public meetings requirements for information about certain security systems; authorizing the release of information under certain conditions;

On motion by Senator Dantzler, by two-thirds vote **CS for SB 494** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35 Nays—None

SB 724—A bill to be entitled An act relating to elections; amending s. 105.041, F.S.; providing that candidates for the office of circuit judge or county court judge shall be listed on the ballot in the order determined by lot conducted, after the close of qualifying, by either the supervisor of elections or the director of the Division of Elections of the Department of State, depending on the area of jurisdiction of the office sought; providing an effective date.

—was read the second time by title.

The Committee on Judiciary recommended the following amendment which was moved by Senator Grant and adopted:

Amendment 1—On page 2, strike line 9 and insert:

Section 2. This act shall take effect upon becoming a law.

On motion by Senator Grant, by two-thirds vote **SB 724** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—30 Nays—3

CS for SB 916—A bill to be entitled An act relating to multicultural education; amending s. 229.594, F.S.; requiring the Florida Commission on Education Reform and Accountability to make certain recommendations to the Legislature with respect to multicultural education; amending s. 229.601, F.S.; providing the purpose of the career education program administered by the Commissioner of Education; amending s. 231.613, F.S.; requiring that multicultural education be included as a subject area or area of instruction at inservice training institutes; amending s. 233.07, F.S.; providing additional qualifications for members of state instructional materials committees; amending s. 233.09, F.S.; providing additional qualifications for members of district instructional materials committees; providing additional requirements for instructional materials recommendations; amending s. 233.095, F.S.; revising requirements for training programs for members of instructional materials committees; amending s. 233.165, F.S.; providing additional standards for selecting instructional materials, library books, and other reading material used in the public school system; amending s. 236.0811, F.S.; providing additional requirements for school district's master plan for inservice educational training; providing additional requirements for inservice training; providing an effective date.

—was read the second time by title. On motion by Senator Meek, by two-thirds vote **CS for SB 916** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34 Nays—1

MOTION

On motion by Senator Meek, the rules were waived and **CS for SB 916** was ordered immediately certified to the House.

CS for SB 996—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; prescribing the population that a county must have to use the tax revenues for certain purposes; providing an effective date.

—was read the second time by title. On motion by Senator Kurth, by two-thirds vote **CS for SB 996** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28 Nays—4

Consideration of **CS for SB 1580** and **SB 1432** was deferred.

CS for SB 608—A bill to be entitled An act relating to solar energy; amending s. 163.04, F.S.; providing clarification regarding the application of provisions relating to energy devices based on renewable resources; providing that a person may not be prohibited from installing solar collectors in a certain manner; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **CS for SB 608** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35 Nays—None

MOTION

On motion by Senator Forman, the rules were waived and **CS for SB 608** was ordered immediately certified to the House.

SB 584—A bill to be entitled An act relating to the district school system; creating s. 230.101, F.S.; providing procedures for increasing the number of school board members; providing contents of a proposition submitted to the electors; providing manner of submitting a proposition; providing requirements for petitions; providing wording of various propositions; providing for application and implementation; providing an effective date.

—was read the second time by title.

Senator Langley moved the following amendment:

Amendment 1 (with Title Amendment)—On page 8, between lines 17 and 18, insert:

Section 2. Section 230.201, Florida Statutes, is amended to read:

230.201 District school board members; travel expenses.—

(1) ~~In addition to the salary provided in s. 230.202, Each member of a school board shall be allowed, from the district school fund, reimbursement of traveling expenses as authorized in s. 112.061, except as provided in subsection (2). Any travel outside the district shall also be governed by the rules and regulations of the state board.~~

(2) Each district school board is authorized and empowered to reimburse a school board member for travel expenses for travel from the member's residence incurred in the performance of a public purpose authorized by law to be performed by the school board, including, but not limited to, attendance at regular and special board meetings. Mileage allowance in the amount provided by law for reimbursement of travel expenses, when authorized, shall be computed from the member's place of residence to the place of the meeting or function and return.

Section 3. Section 230.202, Florida Statutes, is amended to read:

230.202 District school board members; compensation.—Each member of the district school board shall receive as salary the amount of \$300 per month, without regard to indicated, based on the population of his county. ~~In addition, compensation shall be made for population increments over the minimum for each population group, which shall be determined by multiplying the population in excess of the minimum for the group times the group rate. Laws which increase the base salary herein provided shall contain provisions on no other subject.~~

Pop. Group	County Pop. Range		Base Salary	Group Rate
	Minimum	Maximum		
I	0	9,999	\$5,000	0.083300
II	10,000	49,999	5,833	0.020830
III	50,000	99,999	6,666	0.016680
IV	100,000	199,999	7,500	0.008330
V	200,000	299,999	8,333	0.004165
VI	400,000	999,999	9,166	0.001390
VII	1,000,000		10,000	0.000000

Section 4. Subsection (2) of section 145.131, Florida Statutes, is amended to read:

145.131 Repeal of other laws relating to compensation; exceptions.—

(2) The compensation of any official whose salary is fixed by this chapter shall be the subject of general law only, except that the compensation of district school board members may be fixed *in accordance with within the salary ranges specified in s. 230.202* by special or local law, and compensation of certain school superintendents may be set by school boards in accordance with the provisions of s. 230.303.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 10, after the semicolon (;) insert: amending ss. 230.201 and 230.202, F.S.; changing the amount and method of compensation of district school board members; amending s. 145.131, F.S., relating to compensation of county officials, to conform;

Senator Dantzler moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A—On page 2, line 6, after the period (.) insert: *Provisions of this section shall take effect after the general election of 1994.*

Amendment 1 as amended was adopted.

The vote was:

Yeas—20 Nays—12

On motion by Senator Yancey, by two-thirds vote **SB 584** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—28 Nays—2

CS for SB 842—A bill to be entitled An act relating to mining, drilling, or extracting minerals from public lands; amending s. 253.571, F.S.; providing for proof of financial responsibility; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote **CS for SB 842** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33 Nays—None

CS for SB 868—A bill to be entitled An act relating to information resources; amending s. 282.003, F.S.; revising the title of the Information Resources Management Act to include paperwork reduction; amending s. 282.004, F.S.; providing legislative intent regarding minimizing the paperwork burden; amending s. 282.303, F.S.; providing definitions; amending s. 282.305, F.S.; providing duties of the Information Resource Commission regarding assistance for the review of required forms and reports and paperwork reduction; creating s. 282.3051, F.S.; providing legislative findings with respect to state government reporting requirements and required forms; directing state governmental entities to periodically identify, review, and evaluate reporting requirements and forms and to make recommendations with respect thereto; providing criteria for evaluation of reporting requirements and required forms; directing such entities to take specified paperwork reduction actions; directing the Information Resource Commission to develop a pilot project to eliminate or reduce forms and paperwork and to report thereon; amending ss. 282.3061, 282.3062, 282.307, F.S.; including paperwork reduction in the State Strategic Plan for Information Resources Management, the Annual Report on Information Resources Management, and the Strategic Plan for Information Resources Management submitted by each department; amending s. 282.311, F.S.; providing duties of information resource managers regarding paperwork reduction; amending s. 282.312, F.S.; requiring annual performance reports to include information relating to paperwork reduction and reporting requirements; amending s. 286.001, F.S.; providing that specified governmental agencies required to make regular or periodic reports may file an abstract thereof with the designated recipient and an abstract and copy with the Division of Library and Information Services; providing duties of the division and removing responsibilities of the Executive Office of the Governor; directing agency heads to ensure that reports are created, managed, and disseminated through electronic means; amending ss. 216.031 and 216.0445, F.S.; correcting references; providing an effective date.

—was read the second time by title. On motion by Senator Gardner, by two-thirds vote **CS for SB 868** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34 Nays—None

CS for SB 1496—A bill to be entitled An act relating to mosquito control; transferring authority and responsibility for the John A. Mulrennan, Sr., Arthropod Research Laboratory from the Department of Health and Rehabilitative Services to the Department of Education; transferring the Office of Entomology Services in the Department of Health and Rehabilitative Services to the Department of Agriculture and Consumer Services; transferring and continuing existing rules and pending judicial and administrative proceedings; amending ss. 388.011, 388.161, 388.162, 388.231, 388.261, 388.281, 388.301, 388.323, 388.341, 388.351, 388.361, 388.3711, 388.381, F.S.; transferring authority and responsibility for mosquito control from the Department of Health and Rehabilitative Services to the Department of Agriculture and Consumer Services; amending ss. 388.111, 388.131, F.S.; authorizing the Commissioner of Agriculture to fill certain vacancies on mosquito control district boards of directors and to hold commissioners' surety bonds; amending s. 388.151, F.S.; requiring times and places of board meetings to be on file in the office of the board; amending s. 388.4111, F.S.; deleting obsolete language; amending s. 388.42, F.S.; transferring the John A. Mulrennan, Sr., Arthropod Research Laboratory to the Department of Education, to be administered by Florida Agricultural and Mechanical University; providing additional responsibilities; amending s. 388.43, F.S.; requiring the Florida Medical Entomology Laboratory to report to the Department of Agriculture and Consumer Services; amending s. 388.45, F.S.; providing respective responsibilities of the Department of Health and Rehabilitative Services and the Department of Agriculture and Consumer Services regarding certain threats to public health and emergency declarations; amending s. 388.46, F.S.; transferring the Florida Coordinating Council on Mosquito Control to the Department of Agriculture and Consumer Services; providing for a representative from Florida A & M University; providing for appointment of the citizen members by the Commissioner of Agriculture for 4-year terms; amending s. 403.061, F.S.; conforming cross-reference; providing for effect of subsequent enactments; providing an effective date.

—was read the second time by title. On motion by Senator Gardner, by two-thirds vote **CS for SB 1496** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29 Nays—5

CS for SB 262—A bill to be entitled An act relating to comprehensive planning; amending s. 163.3184, F.S.; prescribing authority of local governing body to readopt density requirements of comprehensive plan or plan amendment not in compliance with ss. 163.3161-163.3215, F.S.; prohibiting application of sanctions against a local government readopting such a plan or plan amendment; providing an effective date.

—was read the second time by title.

Senator Grizzle moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—On page 2, between lines 6 and 7, insert:

Section 2. Subsection (5) of section 163.3191, Florida Statutes, is amended to read:

163.3191 Evaluation and appraisal of comprehensive plan.—

(5) *The first periodic report for each local government shall be prepared not later than 6 years after the adoption of the comprehensive plan. Every other periodic report shall be prepared not more than an additional 5 years thereafter. A local government whose evaluation and appraisal report is due prior to the date that its revised plan is due pursuant to s. 163.3167(2) may notify the state land planning agency that it shall complete its evaluation and appraisal report in accordance with this section at the time specified or provided for submission of a revised comprehensive plan in compliance with this part. Upon such notification, the state land planning agency shall extend any due dates established pursuant to subsection (1).*

And the title is amended as follows:

In title, on page 1, line 10, after the semicolon (;) insert: amending s. 163.3191, F.S.; prescribing a date for initial evaluation and appraisal reports;

(Renumber subsequent sections.)

Senators McKay and Bruner offered the following amendment which was moved by Senator McKay and failed:

Amendment 2—On page 2, line 6, after the period (.) insert: *This subsection applies to any county with a population of less than 150,000.*

On motion by Senator Langley, further consideration of **CS for SB 262** as amended was deferred.

SENATOR GRANT PRESIDING

SB 1432—A bill to be entitled An act relating to state lands; amending s. 253.783, F.S.; adding the Department of Agriculture and Consumer Services to the advisory committee assisting in the development of a management plan for former Cross Florida Barge Canal lands; providing an effective date.

—was read the second time by title.

The Committee on Agriculture recommended the following amendment which was moved by Senator Dantzler and adopted:

Amendment 1 (with Title Amendment)—On page 2, between lines 8 and 9, insert:

Section 2. Subsection (1) of section 374.001, Florida Statutes, is amended to read:

374.001 Transfer of canal authority to the Department of Natural Resources; trust fund expenditures and management plan coordinated with land acquisition programs.—

(1) The Canal Authority of the State of Florida is transferred by a type three transfer, as defined in s. 20.06(3), to the Department of Natural Resources effective 2 years from the effective date of deauthorization of the Cross Florida Barge Canal by the United States Congress or upon completion and *adoption by the Legislature approval* of the management plan prepared under s. 253.7829, whichever occurs *later sooner*. After the canal authority is transferred pursuant to this subsection, all funds of the canal authority shall be transferred to and maintained in a trust fund account designated as the Cross Florida Barge Canal Trust Fund administered by the Department of Natural Resources. Expenditures for land acquisition from the trust fund, and development and implementation of the management plan developed pursuant to s. 253.7829, shall be coordinated with the Conservation and Recreation Lands and the Save Our Rivers acquisition programs.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 7, after the semicolon (;) insert: amending s. 374.001, F.S.; revising the effective date for transfer of the Canal Authority of the State of Florida to the Department of Natural Resources;

Senator Thurman moved the following amendment which was adopted:

Amendment 2 (with Title Amendment)—On page 2, between lines 8 and 9, insert:

Section 2. Subsection (3) of section 253.7829, Florida Statutes, is amended to read:

253.7829 Management plan for retention or disposition of former Cross Florida Barge Canal lands; authority to manage lands until disposition.—

(3)(a) The management plan shall be prepared by the Canal Authority of the State of Florida, with the assistance of the Department of Natural Resources and the advisory committee established under s. 253.783(2)(f). The management plan shall be submitted to the Governor, the President of the Senate, the Speaker of the House of Representatives, the minority leaders of the Senate and the House of Representatives, and the chairmen of the Senate Committee on Natural Resources and Conservation and the House Committee on Natural Resources, no later than 2 years from the deauthorization of the Cross Florida Barge Canal. *Operation and maintenance of water control structures shall be delegated to the Southwest Florida Water Management District and the St. Johns River Water Management District or a responsible entity contracted by the districts during the period from November 28, 1992, until the management plan is completed by the canal authority and is adopted by the*

Legislature. The final disposition of the water control structures must be outlined in this management plan as adopted by the Legislature. Such plan shall not be implemented until state legislation specifically directing implementation of the submitted plan or a modified plan, as recommended, becomes effective.

(b) *However, the advisory committee may recommend for approval by the canal authority the use of lands owned by the canal authority within the boundaries of the Cross Florida Greenbelt Recreation and Conservation Area before the management plan is completed if the advisory committee determines that:*

1. *The proposed use is sponsored by a local government or state agency;*

2. *The failure of the canal authority to act before the adoption of the management plan will create a significant financial hardship on that local government or state agency or cause the local government or state to permanently forgo significant public benefits; and*

3. *The proposed use meets all other federal, state, and local permitting and land use requirements.*

The approval of a proposed land use under this paragraph requires an affirmative vote of at least five members of the canal authority. The advisory committee must report in the management plan all prior approved land uses.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 7, after the semicolon (;) insert: amending s. 258.7829, F.S.; providing criteria for the advisory committee to recommend certain land uses to the canal authority; providing for operation and maintenance of water control structures to be delegated for a specified period of time;

On motion by Senator Dantzler, by two-thirds vote **SB 1432** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 626—A bill to be entitled An act relating to the Transportation Disadvantaged Commission; amending s. 427.012, F.S.; increasing the number of members on the commission; amending s. 427.013, F.S.; providing for the goals of the commission; providing an effective date.

—was read the second time by title.

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

Amendment 1 (with Title Amendment)—On page 1, strike all of lines 11-18 and insert:

Section 1. Section 427.012, Florida Statutes, is amended to read:

427.012 Transportation Disadvantaged Commission.—There is created a Transportation Disadvantaged Commission in the Department of Transportation.

(1) The commission shall consist of the following members:

(a) The secretary of the Department of Transportation or his designee.

(b) The secretary of the Department of Health and Rehabilitative Services or his designee.

~~(c) The Commissioner of Education or his designee.~~

~~(d) The secretary of the Department of Labor and Employment Security or his designee.~~

(c)(e) The executive director of the Department of Veterans' Affairs or his designee.

(d)(f) The president of the Florida Association for Community Action, who shall serve at the pleasure of that association.

(e)(g) A person over the age of 60 who is a member of a recognized statewide organization representing elderly Floridians. Such person shall be appointed by the Governor to represent elderly Floridians and shall be appointed to serve a term of 4 years.

(f)(h) A handicapped person who is a member of a recognized statewide organization representing handicapped Floridians. Such person shall be appointed by the Governor to represent handicapped Floridians and shall be appointed to serve a term of 4 years.

(g)(i) Two citizen advocate representatives who shall be appointed by the Governor for a term of 4 years, one representing rural citizens and one representing urban citizens.

(h)(j) A representative of the community transportation coordinators. Such person shall be appointed by the Governor to represent all community transportation coordinators and shall be appointed to serve a term of 4 years.

(i)(k) One member of the Early Childhood Council. Such person shall be appointed by the Governor to represent maternal and child health care providers and shall be appointed to serve a term of 4 years.

(j) Two representatives of current private for-private

And the title is amended as follows:

In title, on page 1, strike all of lines 4 and 5 and insert: F.S.; changing the membership of the commission; amending s. 427.013, F.S.;

On motion by Senator Yancey, by two-thirds vote **SB 626** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36 Nays—1

SB 670—A bill to be entitled An act relating to reckless or careless operation of a vessel; amending s. 327.33, F.S.; requiring persons who operate a vessel to maintain a distance of 100 feet from a divers-down flag; providing for a reasonable effort to maintain such a distance under certain circumstances; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Gardner, by two-thirds vote **SB 670** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 1676—A bill to be entitled An act relating to the Florida Prepaid Postsecondary Education Expense Program; amending s. 240.551, F.S.; providing for confidentiality of records that identify purchasers or beneficiaries of a plan and their advance payment account activities; providing an effective date.

—was read the second time by title. On motion by Senator Crotty, by two-thirds vote **SB 1676** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30 Nays—6

CS for SB 1720—A bill to be entitled An act relating to corrections; amending s. 20.315, F.S.; transferring legal services in the Department of Corrections from the Office of Management and Budget to the secretary; renaming the Community Services Program Office the Probation and Parole Program Office; transferring program evaluation responsibilities from the Office of Management and Budget to the Assistant Secretary for Programs; transferring staff development from the Office of Programs to the Office of Management and Budget; repealing an obsolete provision; providing an effective date.

—was read the second time by title.

Senator Girardeau moved the following amendments which were adopted:

Amendment 1 (with Title Amendment)—On page 4, between lines 17 and 18, insert:

Section 2. Subsection (5) of section 944.17, Florida Statutes, is amended to read:

944.17 Commitments and classification; transfers.—

(5) The department shall also refuse to accept a person into the state correctional system unless the following documents are presented in a completed form by the sheriff or chief correctional officer, or a designated representative, to the officer in charge of the reception process:

(a) The uniform commitment and judgment and sentence forms as described in subsection (4).

(b) The sheriff's certificate as described in s. 921.161.

(c) A certified copy of the indictment or information relating to the offense for which the person was convicted.

(d) A copy of the probable cause affidavit for each offense identified in the current indictment or information.

(e) A copy of the sentencing guidelines scoresheet and any attachments thereto prepared pursuant to Rule 3.701, Florida Rules of Criminal Procedure.

(f) A copy of the restitution order or the reasons by the court for not requiring restitution pursuant to s. 775.089(1).

(g) The name and address of any victim, if available.

(h) A printout of a current criminal history record as provided through an FCIC/NCIC printer.

(i) Any available health assessments including medical, mental health, and dental, including laboratory or test findings; custody classification; disciplinary and adjustment; and substance abuse assessment and treatment information which may have been developed during the period of incarceration prior to the transfer of the person to the department's custody. Available information shall be transmitted on standard forms developed by the department.

In addition, the sheriff or other officer having such person in charge shall also deliver with the foregoing documents any available presentence investigation reports as described in s. 921.231 and any attached documents. *After a prisoner is admitted into the state correctional system, the department may request such additional records relating to the prisoner as it considers necessary from the clerk of the court, the Department of Health and Rehabilitative Services, or any other state or county agency for the purpose of determining the prisoner's proper custody classification, gain-time eligibility, or eligibility for early release programs. An agency that receives such a request from the department must provide the information requested.*

Section 3. Section 922.10, Florida Statutes, is amended to read:

922.10 Execution of death sentence.—

(1) A death sentence shall be executed by electrocution. The warden of the state prison shall designate the executioner. The warrant authorizing the execution shall be read to the convicted person immediately before execution.

(2) *The identity of the executioner must remain anonymous. All records and information relating to the identity of the executioner are confidential and exempt from s. 119.07(1). This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14.*

Section 4. Section 944.702, Florida Statutes, is amended to read:

944.702 Legislative intent.—It is the intent of the Legislature to provide persons released from incarceration from the Department of Corrections with certain fundamental resources in the areas of employment, life skills training, job placement, and temporary housing, including access to as many support services as possible in order to appreciably increase the likelihood of the inmate's successful reentry into free society.

Section 5. Section 944.703, Florida Statutes, is amended to read:

944.703 Eligible inmates.—Sections 944.701-944.708 shall apply to all inmates released from the custody of the department except those released from a work-release program or to another state. Those inmates with a detainer are shall be eligible if the department determines that cancellation of the detainer is likely or that the incarceration for which the detainer was issued will be of short duration. The department shall confirm the detainer with the originating authority prior to release as soon as the inmate's prerelease orientation assignment date is identified.

Section 6. Section 944.704, Florida Statutes, is amended to read:

944.704 Staff who provide transition assistance coordinators; duties.—The department shall designate staff provide transition assistance coordinators at major institutions whose. Their duties shall include, but are not be limited to:

~~(1) Coordinating, in conjunction with the institution education program manager, inmate vocational assignment within the institution with the comprehensive plan for correctional education of the Correctional Education School Authority.~~

(1)(2) Coordinating delivery of release transition assistance program services at the institution.

(2)(3) Assisting in the development of each inmate's postrelease employment plan.

(3)(4) Obtaining job placement information for transmittal to the Department of Labor and Employment Security.

(4)(5) Providing a photo identification card to all inmates program participants prior to their release.

~~(6) Performing any other duties consistent with s. 242.68(2)(g)20, relating to the Board of Correctional Education.~~

Section 7. Section 944.705, Florida Statutes, is amended to read:

944.705 Release orientation program.—

(1) The department shall provide participation in a standardized release orientation program to every eligible inmate.

(2) The release orientation program shall consist of both prerelease and postrelease instruction, of which not fewer than 40 hours shall be completed prior to release. This instruction must include, but is not limited to:

- (a) Employment skills.
- (b) Money management skills.
- (c) Personal development and planning.
- (d) Special needs.
- (e) Community reentry concerns.
- (f) Community reentry support.

(g) Any other appropriate instruction to ensure the inmate's successful reentry into the community.

(3) Any inmate who claims to be a victim of domestic violence as defined in s. 741.30 shall receive, as part of the release orientation program, referral to the nearest domestic violence center certified under ss. 415.601-415.608.

(4) The department shall conduct a needs assessment of every inmate to determine which, if any, basic support services the inmate needs after release.

(5) The department is authorized to contract with public or private entities for the provision of all or part of the services pursuant to this section.

~~(6) An inmate may receive less than the 40 hours required in subsection (2) if released pursuant to s. 944.277 or s. 944.598.~~

Section 8. Section 944.706, Florida Statutes, is amended to read:

944.706 Basic release assistance.—

(1) Any inmate who is being released is shall be eligible for a release assistance stipend and contract release, except when being released from a work-release program or to another state. Those inmates released to a detainer are shall be eligible pursuant to s. 944.703. Selected inmates on work release who experience severe hardships may be considered for a release assistance stipend and contract release. Each contract release plan must meet departmental approval.

(2) The department is authorized to contract with the Department of Health and Rehabilitative Services, the Salvation Army, and other public or private organizations for the provision of basic support services for releasees. The department shall contract with the Department of Labor and Employment Security for the provision of releasee job placement and disbursement of release assistance stipends.

~~(3) The department shall advance the release date of a nonparole contract releasee by up to 30 days and shall forward to the Department of Labor and Employment Security a release assistance stipend of up to~~

~~\$200 for the purpose of motivating the releasee to participate in prerelease orientation, secure permanent employment, and secure permanent residence. The Department of Labor and Employment Security shall distribute the release assistance stipend to the releasee in accordance with the provisions of law and of the release contract. Violation of the terms of the contract may constitute grounds for the forfeiture of the release assistance stipend and the termination of the contract.~~

~~(4) For those releasees who demonstrate that job placement is not needed, the department may forward the releasee's release assistance stipend directly to a basic support service provider. If it has been determined that the releasee does not need basic support services, the department may disburse the release assistance stipend directly to the releasee.~~

(3)(5) The department shall promulgate rules for the development, implementation, and termination of release assistance contracts.

Section 9. Section 944.707, Florida Statutes, is amended to read:

944.707 Postrelease special services; temporary housing; job placement services.—

(1) The department shall attempt to generate and provide to every eligible releasee, identified by the prerelease needs assessment, support services such as, but not limited to, substance abuse counseling, family counseling, and employment support programs. The department is authorized to select and contract with public or private organizations for the provision of these basic support services. Provider selection criteria includes shall include, but is not be limited to:

- (a) The depth and scope of services provided.
- (b) The geographic area to be served.
- (c) The number of inmates to be served and the cost of services per inmate.
- (d) The individual provider's record of success in the provision of inmate services.

~~(2) The department shall provide up to 15 days' temporary housing to those releasees indicating need. The department is authorized to contract with the Salvation Army and any other public or private organization for the provision of temporary housing. In cases where the releasee demonstrates that undue hardship would result because of the unavailability of contract housing or because of family needs, the department may disburse temporary housing funds directly to the releasee in an amount not to exceed the equivalent of 15 days at a contract provider's facility.~~

(2)(3) The department shall forward the following items to the Department of Labor and Employment Security job service office located nearest to the inmate's intended residence:

- (a) The job placement information obtained at release orientation.
- ~~(b) The inmate's basic release assistance stipend.~~
- (b)(c) Referral information for the needed basic support service providers.

~~(4)(a) The Department of Labor and Employment Security shall distribute the information required in subsection (3) to each eligible releasee. The basic release assistance stipend shall be given to the releasee in three portions. One portion shall be given upon the releasee initially reporting to the Department of Labor and Employment Security job service office. A second portion shall be given upon the releasee reporting to the Department of Labor and Employment Security job service office for subsequent interview, if required. The remaining portion shall be disbursed to the releasee after obtaining employment, or after diligent efforts to become employed, and participation in the counseling portions of basic support services, if provided.~~

(3)(a)(b) The Department of Labor and Employment Security shall assign job service staff exclusively dedicated to releasee services at those offices identified by the Department of Corrections as having a high number of releasee contacts. Those offices having a fewer number of releasee contacts shall have designated staff assigned to assist releasees. The Department of Labor and Employment Security shall provide appropriate training for staff assigned to assist releasees. Staff assigned to assist releasees shall use job placement information obtained at each releasee's release orientation to attempt to secure suitable employment for the releasee prior to the releasee's arrival. Staff assigned to assist releasees shall act to maximize releasee placement opportunities in the job service office service area.

(b)(e) The Department of Labor and Employment Security shall provide to the Department of Corrections data relating to inmate placement, tracking, and market needs.

Section 10. Subsection (1) of section 944.277, Florida Statutes, is amended to read:

944.277 Provisional credits.—

(1) Whenever the inmate population of the correctional system reaches 98 percent of lawful capacity, the Secretary of Corrections shall certify to the Governor that such condition exists. When the Governor acknowledges such condition in writing, the secretary may grant up to 60 days of provisional credits equally to each inmate who is earning incentive gain-time, except to an inmate who:

(a) Is serving a sentence which includes a mandatory minimum provision for a capital offense or drug trafficking offense and has not served the number of days equal to the mandatory minimum term less any jail-time credit awarded by the court;

(b) Is serving the mandatory minimum portion of a sentence enhanced under s. 775.087(2);

(c) Is convicted, or has been previously convicted, of committing or attempting to commit sexual battery, incest, or any of the following lewd or indecent assaults or acts: masturbating in public; exposing the sexual organs in a perverted manner; or nonconsensual handling or fondling of the sexual organs of another person;

(d) Is convicted, or has been previously convicted, of committing or attempting to commit assault, aggravated assault, battery, or aggravated battery, and a sex act was attempted or completed during commission of the offense;

(e) Is convicted, or has been previously convicted, of committing or attempting to commit kidnapping, burglary, or murder, and the offense was committed with the intent to commit sexual battery or a sex act was attempted or completed during commission of the offense;

(f) Is convicted, or has been previously convicted, of committing or attempting to commit false imprisonment upon a child under the age of 13 and, in the course of committing the offense, the inmate committed aggravated child abuse; sexual battery against the child; or a lewd, lascivious, or indecent assault or act upon or in the presence of the child;

(g) Is sentenced, or has previously been sentenced, or has been sentenced at any time under s. 775.084, or has been sentenced at any time in another jurisdiction as a habitual offender;

(h) Is convicted, or has been previously convicted, of committing or attempting to commit assault, aggravated assault, battery, aggravated battery, kidnapping, manslaughter, or murder against an officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9); or against a state attorney or assistant state attorney; or against a justice or judge of a court described in Article V of the State Constitution; or against an officer, judge, or state attorney employed in a comparable position by any other jurisdiction; or

(i) Is convicted, or has been previously convicted, of committing or attempting to commit murder in the first, second, or third degree under s. 782.04(1), (2), (3), or (4); or has ever been convicted of any degree of murder in another jurisdiction; or

(j) Is serving a concurrent sentence in another state or federal jurisdiction.

In making provisional credit eligibility determinations, the department may rely on any document routinely maintained in inmate files, including, but not limited to, any presentence or postsentence investigation or any information contained in arrest reports relating to circumstances of the offense.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 14, following the semicolon (;) insert: amending s. 944.17, F.S.; requiring agencies to release records relating to inmate custody classification to the Department of Corrections under certain circumstances; amending s. 922.10, F.S.; providing for anonymity of the executioner; providing for open government sunset review; amending s. 944.702, F.S.; providing intent relating to the Transi-

tion Assistance Program Act; amending s. 944.703, F.S.; amending the time period within which the department must confirm certain information; amending s. 944.704, F.S.; deleting the title of transition assistance coordinator and specifying the duties of staff who provide such assistance; amending s. 944.705, F.S.; deleting requirements relating to the release orientation program; amending s. 944.706, F.S.; eliminating provisions of basic release assistance; amending s. 944.707, F.S.; eliminating certain postrelease services; amending s. 944.277, F.S.; expanding exceptions to eligibility for grants of provisional credits and authorizing use of certain information in determining eligibility for provisional credits;

Amendment 2 (with Title Amendment)—On page 4, strike all of lines 18 and 19 and insert:

Section 2. On or before September 30, 1992, the Department of Corrections shall deliver to the President of the Senate and the Speaker of the House of Representatives a report consisting of proposed legislation and a plan of implementation, which must include a fiscal analysis and supporting corrections rationale for dealing, on a circuit basis, as an alternative to traditional incarceration of felons, with less serious criminal offenders who have not committed calculated crimes of violence. In formulating such report, the department shall consider the following:

(1) The development of an administrative mechanism to reflect the diversity of community interests and values in the development of corrections programs consistent with state corrections policy.

(2) The employment of human and programmatic resources within the several communities of the state.

(3) Circuit-based programmatic policy decisions and oversight within the framework of department standards.

(4) The legislative determination that rehabilitation of the target offender population will be more likely to occur if those offenders are separated from more serious offenders in local facilities dedicated to offender rehabilitation that will enhance the provision of support services, effective reintegration into the local economy, and the payment of restitution to victim.

(5) The relationship of such plan of implementation contemplated in this section to section 948.50, Florida Statutes, et seq., commonly known as the Community Corrections Partnership Act.

(6) The effect of existing state sentencing policy on the plan of implementation.

(7) A method of providing for gain-time and its forfeiture consistent with the objectives stated in this section.

(8) Any other corrections objectives contained in Senate Bill 1712 and House Bill 1989 as introduced by Senator Girardeau and Representative Jamerson, respectively, in the 1992 regular session of the Legislature.

In view of the time limitations imposed by this section, the department, in its discretion, may use sole-source contracted services to assist in the development of the report required by this section.

Section 3. This act shall take effect upon becoming a law.

And the title is amended as follows:

In title, on page 1, line 14, following the semicolon (;) insert: requiring the Department of Corrections to deliver a report to the Legislature; specifying what is to be considered in the report; authorizing the department to use sole-source contracted services;

On motion by Senator Dantzler, by two-thirds vote **CS for SB 1720** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 1894—A bill to be entitled An act relating to the psychotherapist-patient privilege; amending s. 90.503, F.S.; expanding the privilege by adding specified therapists to the definition of "psychotherapist"; providing an effective date.

—was read the second time by title.

One amendment was adopted to **SB 1894** to conform the bill to **CS for HB 1925**.

Pending further consideration of **SB 1894** as amended, on motion by Senator Girardeau, by two-thirds vote—

CS for HB 1925—A bill to be entitled An act relating to the psycho-therapist-patient privilege; amending s. 90.503, F.S.; expanding the privilege by adding specified therapists to the definition of “psychotherapist”; providing an effective date.

—a companion measure, was substituted for **SB 1894** and by two-thirds vote read the second time by title.

On motion by Senator Girardeau, further consideration of **CS for HB 1925** was deferred.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, March 3, 1992: HB 1795, SB 1070, CS for SB 2262, CS for SB 1670, CS for SB 1800, CS for SB 984, CS for SB 904, CS for SB 610, SB 658, CS for SB 694, SB 1056, SB 1622, SB 1544, CS for SB 1546, CS for CS for SB 2206, CS for SB 40, CS for CS for SB 84, CS for SB’s 196 and 298, CS for SB 154, CS for SB 536, SB 814, SB 972, SB 1060, SB 1168, CS for SB 1146, CS for SB 1506, CS for SB 1496, CS for SB 2334, SB 2314, SB 1172, SB 22, SB 372, SB 758, CS for SB 386, SB 444, CS for SB 494, SB 724, CS for SB 916, CS for SB 996, CS for SB 1580, SB 1432, CS for SB 608, SB 584, CS for SB 842, CS for SB 868, CS for SB 262, SB 626, SB 670, SB 1676, CS for SB 1720, SB 1894, SB 1816, CS for SB 1650, SB 1692, SB 1778, SB 1770, CS for SB 1766, SB 1762, SB 1790

Respectfully submitted,
Pat Thomas, Chairman

The Committee on Rules and Calendar submits the following bills to be placed on the Local Bill Calendar for Tuesday, March 3, 1992: SB 2468, SB 2470, SB 2472, SB 2474, SB 2476, SB 2478, SB 2480, SB 2482, SB 2484, SB 2486, SB 2488, SB 2490, SB 2492, SB 2506, SB 2434, HB 867, HB 1303, HB 1307, HB 1339, HB 1469, HB 1571, HB 1631, HB 1791, HB 2289

Respectfully submitted,
Pat Thomas, Chairman

The Committee on Finance, Taxation and Claims recommends the following pass: SB 284, SB 300, CS for SB 462 with 1 amendment, SB 492, SB 860, SB 924, SB 974, SB 1156, SB 1502, SB 1588 with 1 amendment, SB 2040, CS for SB 2184, SB 2192 with 1 amendment, SB 2250

The Committee on Judiciary recommends the following pass: SB 1862

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: CS for SB 2388 with 2 amendments

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

The Committee on Finance, Taxation and Claims recommends the following pass: SB 1186, SB 1256 with 1 amendment

The bills were referred to the Committee on Community Affairs under the original reference.

The Special Master on Claims recommends the following pass: CS for HB 89, CS for HB 91, CS for HB 601, CS for HB 1011, HB 1065, HB 2203, HB 2219

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

The Committee on Finance, Taxation and Claims recommends the following pass: SJR 1022, SJR 1258 with 1 amendment

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

The Committee on Finance, Taxation and Claims recommends the following pass: SB 112 with 3 amendments, SB 706, SB 1458, CS for SB 1484, SB 1500 with 2 amendments, CS for SB 1924 with 2 amendments, CS for SB 1976

The Committee on Judiciary recommends the following pass: SB 1278

The Committee on Rules and Calendar recommends the following pass: SJR 152, CS for SR 286, SJR 480 with 1 amendment, CS for SB 776, SJR 800 with 1 amendment, SJR 922, SR 1102, SCR 1826, SB 1920 with 1 amendment, SB 1922 with 1 amendment

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

The Committee on Judiciary recommends the following not pass: SJR 366

The bill was laid on the table.

The Special Master on Claims recommends the following not pass: CS for HB 1419

The bill was referred to the Committee on Corrections, Probation and Parole under the original reference.

The Special Master on Claims recommends the following not pass: CS for HB 1111, SB 1344

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

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: CS for CS for SB 962, CS for SB 1304, SB 1528

The Committee on Governmental Operations recommends committee substitutes for the following: CS for SB 832, CS for SB 2060, CS for SB 2412

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 756, SB 2332

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

The Committee on Appropriations recommends a committee substitute for the following: CS for CS for SB 1526

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

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 918

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

The Committee on Judiciary recommends a committee substitute for the following: SB 980

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

The Committee on Judiciary recommends a committee substitute for the following: SB 452

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2388

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

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB 1726

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

The Committee on Appropriations recommends committee substitutes for the following: SB 268, CS for SB 294, CS for SB 684, CS for SB 1078, CS for SB 1614

The Committee on Judiciary recommends a committee substitute for the following: SB 582

The Committee on Reapportionment recommends a committee substitute for the following: SJR 2498

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Appropriations and Senator Gardner—

CS for SB 268—A bill to be entitled An act relating to the state budgetary system; creating s. 11.402, F.S.; creating the Joint Legislative Budget Committee and prescribing its duties; transferring to the committee certain budgetary duties of the Executive Office of the Governor; repealing s. 17.31, F.S., relating to annual reports of trust funds; creating s. 17.32, F.S.; requiring the Comptroller to provide reports of trust funds to the Legislature annually; amending ss. 18.10, 18.125, 120.53, 120.65, 215.195, 215.22, 215.26, 215.28, 215.29, 215.31, 215.32, 215.322, 215.34, 215.405, 215.422, 215.48, 215.49, 215.51, 215.515, 215.85, 215.92, 215.94, 216.011, 216.015, 216.052, 216.0154, 216.0158, 216.016, 216.0165, 216.023, 216.031, 216.043, 216.044, 216.0442, 216.0445, 216.081, 216.091, 216.102, 216.131, 216.135, 216.141, 216.151, 216.163, 216.172, 216.177, 216.179, 216.181, 216.192, 216.195, 216.212, 216.221, 216.241, 216.251, 216.252, 216.271, 216.275, 216.292, 216.301, 216.311, 216.321, 216.345, 216.346, 216.347, 216.349, 287.20, F.S.; providing that certain budgetary procedures that apply to agencies of the executive branch of government also apply to the judicial branch; amending ss. 27.25, 27.3451, 27.53, 27.705, 120.65, 216.111, 216.177, 216.181, 216.286, 216.292, 287.064, F.S.; deleting certain powers and duties of the Executive Office of the Governor relating to budgetary matters; amending s. 110.1099, F.S.; deleting a provision that allows educational leaves of absence to be granted only when the Legislature has provided specific funding for such leaves; amending s. 215.32, F.S.; creating a Federal Revenue Fund in the State Treasury; amending ss. 215.32, 216.181, 216.182, 216.192, 216.195, 216.221, 216.231, 216.241, 216.251, 216.292, 216.301, 235.4235, 240.513, 320.20, 240.213, 240.279, F.S.; providing for the exercise of certain duties formerly in the Administration Commission by the Joint Legislative Budget Committee; amending s. 215.32, F.S.; prescribing a goal for the Working Capital Fund; repealing s. 215.3205, F.S., relating to a schedule for abolition of trust funds; providing for review of trust funds for abolition; creating s. 215.3207, F.S.; providing criteria for creation of trust funds; amending s. 215.93, F.S.; requiring the Florida Fiscal Accounting Management Information System to become operational; amending s. 216.011, F.S.; providing definitions; amending s. 216.0165, F.S.; providing for evaluation of certain judicial offices; amending s. 216.031, F.S.; revising procedures for creating legislative budget requests; creating s. 216.052, F.S.; providing for review of legislative budget requests; creating s. 216.053, F.S.; providing for summary information in the general appropriations acts; amending s. 216.065, F.S.; revising requirements for fiscal impact statements; amending s. 216.141, F.S.; deleting provisions relating to duties of the Comptroller; amending s. 216.151, F.S.; providing duty of Executive Office of the Governor; amending s. 216.164, F.S.; providing for the Governor to recommend a program budget or performance-based budget; amending s. 216.177, F.S.; deleting certain powers of legislative appropriations committee chairmen; amending s. 216.178, F.S.; providing for format of appropriations acts; amending s. 216.181, F.S.; providing for amendments to approved budgets; amending s. 216.221, F.S.; prescribing duties of Governor and Chief Justice with respect to actions to prevent budget deficits; amending s. 216.262, F.S.; prescribing duties with respect to authorized positions; amending s. 216.272, F.S.; creating additional working capital trust funds; amending s. 240.2094, F.S.; providing that funds for the State University System are subject to guidelines imposed in general appropriations acts; repealing s. 282.312(3), F.S., relating to withholding of funds of information resource managers; repealing s. 411.204(5)(e), F.S., relating to a transfer of funds for evaluation of handicap prevention, early childhood, and early assistance; amending s. 946.20, F.S.; deleting powers of the Administration Commission with respect to the number of positions for prisoners in public works; amending s. 218.385, F.S.; providing for a truth-in-bonding statement before issue of local government bonds; amending s. 110.1245, F.S.; revising provisions

relating to the meritorious service awards program; amending s. 339.135, F.S.; revising procedures for amendment of the Department of Transportation's adopted work program; repealing s. 409.085, F.S., relating to appropriations to the Department of Health and Rehabilitative Services and transfer of surplus funds; providing an effective date.

By the Committees on Appropriations; and Health and Rehabilitative Services—

CS for CS for SB 294—A bill to be entitled An act relating to medical transportation services; creating s. 401.2101, F.S.; providing a short title; amending s. 401.211, F.S.; expanding legislative intent to reflect the scope and nature of laws governing the provision of emergency medical services; amending s. 401.23, F.S.; providing definitions; amending s. 401.24, F.S.; specifying contents of the state emergency medical services plan; amending s. 401.25, F.S.; providing licensure requirements for persons and entities that provide emergency medical services; amending s. 401.252, F.S.; regulating transfers between facilities; specifying conditions for direct medical director and treating physician involvement in certain patient transfers; amending s. 401.26, F.S.; providing for vehicle permits; amending s. 401.265, F.S.; requiring a basic life support transportation service or advanced life support service to have a medical director and recognizing quality assurance activities as part of medical director functions; amending s. 401.27, F.S.; specifying paramedic training requirements; authorizing the issuance of temporary certificates and limited certificates; authorizing an inactive status for certificateholders; specifying period within which out-of-state trained certificate applicants must become certified; requiring a standard state insignia for certificateholders who wear an insignia; amending s. 401.281, F.S.; prescribing qualifications for drivers; amending s. 401.291, F.S.; imposing a reporting requirement for limited use of automatic external defibrillators; amending s. 401.30, F.S.; expanding access to patient records for certain purposes; amending s. 401.31, F.S.; specifying applicable vehicle safety requirements that are subject to inspection; imposing a requirement regarding inspection corrective action statements; amending s. 401.321, F.S.; increasing the license transfer fee; amending s. 401.33, F.S.; providing exemptions from regulation; amending s. 401.34, F.S.; increasing fees and authorizing fees for duplicate and replacement certificates, licenses, and permits; providing for same-day examination grading, walk-in eligibility determination and examination, and examination review, and prescribing the fees therefor; creating s. 401.345, F.S.; creating the Emergency Medical Services Trust Fund and providing for deposit of revenues; amending s. 401.35, F.S.; providing by rule the circumstances and procedures under which emergency medical technicians and paramedics may honor physician orders not to resuscitate; amending s. 401.38, F.S.; expanding the scope and nature of federal funding directives; amending s. 401.41, F.S.; providing prohibited acts and penalties involving emergency medical services; amending s. 401.411, F.S.; providing for disciplinary actions against licensees, permit holders, and certificateholders; amending s. 401.414, F.S.; providing for complaints and investigations of violations; amending s. 401.421, F.S.; providing for enforcement, including cease and desist orders, civil penalties, attorney's fees, and court costs; creating s. 401.435, F.S.; providing training requirements for first responder agencies; requiring a letter of agreement between the emergency medical services licensees and first responder agencies; amending s. 401.445, F.S.; providing for examination and treatment of incapacitated persons; amending s. 401.45, F.S.; specifying circumstances under which a person may not be denied emergency treatment and providing limitation on liability for denial of emergency treatment under certain circumstances; providing immunity of liability for the honoring of physician orders not to resuscitate; providing emergency medical services personnel with "Good Samaritan" immunity when acting in good faith in their official capacity; amending s. 401.48, F.S.; providing licensure requirements for air ambulance service; amending s. 401.107, F.S.; amending definitions and specifying activities that constitute emergency medical services; amending s. 401.113, F.S.; specifying use of funds deposited into the Emergency Medical Services Trust Fund; amending ss. 316.061, 316.192, 316.193, 320.0801, F.S.; specifying moneys to be deposited into the Emergency Medical Services Trust Fund; exempting, from the Florida Insurance Code, prepaid ambulance coverage by a political subdivision of this state which was operating such service as of October 1, 1991; repealing s. 25 of ch. 82-402, s. 13 of ch. 83-196, s. 1 of ch. 85-65, Laws of Florida; abrogating the repeal of part III of ch. 401, F.S., relating to emergency medical services, notwithstanding repeal of that part scheduled under the Regulatory Sunset Act; repealing ss. 401.43, 401.44, 401.481, F.S., which provide penalties for fraud involving emergency services and for turning in false alarms and which provide for air ambulance inspections; providing an effective date.

By the Committee on Judiciary and Senators Yancey and Wexler—

CS for SB 582—A bill to be entitled An act relating to civil liability; providing a definition; limiting civil liability for certain farmers who gratuitously allow certain persons to enter upon their land to remove crops remaining in the fields following harvesting; providing an exception; amending s. 768.73, F.S.; revising provisions relating to civil actions based upon negligence, strict liability, commercial transaction misconduct, professional liability, or breach of warranty in which punitive damages are awarded for willful, wanton, or gross misconduct; revising the distribution of punitive damages awards; requiring the clerk of the court to transmit a copy of the jury verdict to the State Treasurer; requiring the court to include the percentages of the award in the final judgment; requiring the payment of a percentage of certain settlement agreements to the state; requiring the Department of Banking and Finance to collect and deposit payments due the state; providing for future repeal and review of s. 768.73(2), (3), (4), (5), (6), and (7), F.S.; providing effective dates.

By the Committees on Appropriations; Finance, Taxation and Claims; and Senator Gardner—

CS for CS for SB 684—A bill to be entitled An act relating to the district school tax; amending s. 236.25, F.S.; providing for additional purposes for which the school board millage levy may be used; deleting the maximum period for which proceeds from the millage levied pursuant to s. 236.25(2), F.S., may be used to lease relocatable educational facilities; providing an effective date.

By the Committees on Judiciary; Health and Rehabilitative Services; and Senators Weinstock and Grant—

CS for CS for SB 756—A bill to be entitled An act relating to adoption; amending s. 39.462, F.S.; revising provisions with respect to process and services required before parental rights may be terminated; amending ss. 63.022, 63.042, 63.162, 63.165, 63.172, 63.207, F.S.; eliminating reference to natural parents and substituting the term "birth parents"; amending s. 63.052, F.S.; providing for an intermediary to have responsibility of a minor under certain circumstances; providing for reports to the court under certain circumstances; amending s. 63.062, F.S.; requiring notice and consent from persons required to give consent to an adoption; establishing requirements for good faith and diligent efforts in giving notice; amending s. 63.082, F.S.; revising requirements with respect to certain forms provided by the Department of Health and Rehabilitative Services to an intermediary who intends to place a child for adoption; amending s. 63.085, F.S.; revising provisions with respect to disclosure by an intermediary; amending s. 63.092, F.S.; providing for a report to the court of intended placement by an intermediary; providing for an advisory group and for recommendations to the court; providing for a preliminary home study to be performed by an agency or professional designated by the court; deleting provisions with respect to injunction against an intermediary; amending s. 63.097, F.S.; providing for paying fees to intermediaries; providing for paying fees to agencies or to the department; amending s. 63.102, F.S.; providing for the consolidation of the petition for declaratory statement and the petition for adoption under certain circumstances; amending s. 63.112, F.S.; revising provisions that specify documents required to be filed at the time the petition for adoption is filed; amending s. 63.122, F.S.; deleting provisions with respect to an investigation of the prospective adoptive home; creating s. 63.125, F.S.; providing for the final home investigation; amending s. 63.132, F.S.; requiring the living expenses of the birth mother to be documented in detail; amending s. 63.165, F.S.; revising the duty to inform certain persons about the state registry of adoption information; directing the department to review licensing standards for child-placing agencies; amending s. 63.185, F.S.; providing an exception to the residency requirement for adoption of a special needs child; amending s. 63.207, F.S.; requiring an intermediary in an out-of-state placement to petition for approval of fees and costs; providing penalties for violating a court order issued in response to such a petition; amending s. 63.212, F.S.; prohibiting certain acts by an intermediary; providing penalties; creating s. 63.219, F.S.; providing for sanctions; amending s. 409.166, F.S.; revising language with respect to waiver of adoption fees; providing effective dates.

By the Committees on Governmental Operations and Agriculture and Senators Gardner and Souto—

CS for CS for SB 832—A bill to be entitled An act relating to food and lodging; amending s. 381.006, F.S.; providing for a specified surcharge; amending s. 381.0072, F.S.; revising duties of the Department of Health and Rehabilitative Services relating to food services regulated

under chapter 500, F.S.; revising definitions; deleting reference to a contract between the Division of Hotels and Restaurants of the Department of Business Regulation and the Department of Health and Rehabilitative Services; providing for transfer of a portion of certain food service establishment licensing fees to the Department of Health and Rehabilitative Services; specifying use of funds; creating s. 381.00715, F.S.; providing a short title; providing legislative intent; providing definitions; providing permitting requirements for packaged ice plant operators and dealers; providing fees; providing operating standards; providing for enforcement by the Department of Health and Rehabilitative Services; providing for penalties and an administrative fine; preempting to the state the regulation of packaged ice plants, packaged ice plant operators, and packaged ice dealers; creating s. 381.0079, F.S.; providing for a registry of mobile food dispensing vehicles; creating s. 381.00791, F.S.; providing for applicability of certain laws to food establishments licensed under ch. 381, F.S.; amending s. 381.0061, F.S., relating to administrative fines, to conform; amending s. 500.03, F.S.; revising definitions; defining "convenience store," "food establishment," "food outlet," "food service establishment," "minor food outlet," and "retail food store"; amending s. 500.04, F.S.; expanding prohibited acts to include alteration, destruction, or removal of specified labeling information; amending s. 500.09, F.S.; expanding and clarifying provisions which require the Department of Agriculture and Consumer Services to adopt rules governing food products; authorizing certain exemptions from labeling requirements; amending s. 500.12, F.S.; requiring food permits; providing exemptions; providing an application fee; providing that the Department of Agriculture and Consumer Services shall be the exclusive permitting authority for all food outlets, retail food stores, food establishments, and minor food outlets; providing legislative intent; creating s. 500.1465, F.S.; authorizing the department to inspect all entities permitted under chapter 500, F.S.; providing inspection requirements and procedures; providing additional positions within the Department of Agriculture and Consumer Services to carry out inspection duties; providing for due consideration of personnel affected by the act; amending s. 500.146, F.S.; expanding the department's authority to adopt rules; revising provisions relative to analytical work; creating s. 500.165, F.S.; prohibiting carriers to transport food items in certain vehicles or rail cars; providing for standards by rule; providing an administrative fine; providing a penalty; amending s. 500.167, F.S.; revising provisions which provide exemptions for carriers engaged in interstate commerce; amending ss. 502.091, 502.165, 502.191, F.S.; clarifying and updating references; amending s. 502.231, F.S.; revising penalty and injunction provisions; providing for administrative fines; providing for suspension or revocation of permit; providing applicability to milk and milk product producers and handlers; amending s. 583.09, F.S.; requiring food permits for egg dealers and poultry dealers; amending s. 583.022, F.S.; providing for the refrigeration of eggs for sale or processing; providing temperature requirements; amending s. 585.002, F.S.; requiring the department to establish a fee schedule for specified costs; amending s. 585.21, F.S.; revising provisions relating to the sale of biological products; amending s. 585.90, F.S., relating to inspection, stop-sale orders, condemnation, and destruction of animal products; creating s. 585.902, F.S.; providing causes for seizure and condemnation of animal products; creating s. 585.903, F.S.; providing procedures with respect to seizure of animal products; providing a penalty; providing for suspension or revocation of permit; providing a fine; creating s. 585.904, F.S.; providing for condemnation, sale, and release of seized animal products; amending s. 571.11, F.S.; conforming a cross-reference; amending s. 20.16, F.S.; redesignating the Division of Hotels and Restaurants of the Department of Business Regulation as the Division of Public Lodging; amending ss. 159.27, 215.20, 404.056, 509.013, 509.032, 509.035, 509.072, 509.091, 509.092, 509.101, 509.141, 509.142, 509.151, 509.162, 509.191, 509.211, 509.2112, 509.215, 509.221, 509.241, 509.242, 509.251, 509.261, 509.281, 509.291, F.S.; requiring certain public lodging establishments to be equipped with sprinkler systems; providing conforming language; amending s. 509.302, F.S.; providing conforming language; transferring and renumbering ss. 381.297, 509.213, 509.214, 509.232, 509.292, F.S.; providing conforming language; providing for a transfer of the statutory powers, duties, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Division of Hotels and Restaurants of the Department of Business Regulation which relate to public food service establishments to the Deputy Secretary of Health of the Department of Health and Rehabilitative Services; repealing s. 509.036, F.S.; providing for public food service inspector standardization; providing effective dates.

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

CS for SB 918—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; providing for the payment of interest on local option tourist development taxes remitted to the Department of Revenue; requiring state and local governmental entities administering specified local option taxes to make certain reports regarding the amounts and purposes for which moneys are withheld from tax proceeds; providing for expiration; amending s. 193.023, F.S.; requiring the property appraiser to use comparable sales data as the primary measure of just valuation in specified circumstances; amending s. 195.096, F.S.; requiring the Division of Ad Valorem Tax of the Department of Revenue to use comparable sales data in reviewing assessment rolls and in conducting in-depth reviews; providing that deeds be reported to the Division of Ad Valorem Tax with specified information; requiring the property appraiser to submit a form with information as to disqualified sales data to the Division of Ad Valorem Tax; requiring the Department of Revenue to develop a methodology for using sales data and develop a plan to implement such methodology; requiring recommendations to be included for the reallocation of resources; amending s. 199.062, F.S.; revising certain reporting requirements for security brokers; amending s. 199.282, F.S.; clarifying penalties with respect to intangible personal property taxes; expanding penalties for security brokers, providing for retroactive effect; creating s. 199.106, F.S.; providing credits against the annual tax on certain intangible personal property in the amount of any like tax paid on such property in another state or territory or the District of Columbia; providing for retroactive application; creating s. 199.303, F.S.; providing legislative intent regarding application of such taxes and severability; amending s. 212.04, F.S.; providing an exemption from the tax on admissions for zoos owned by the Federal Government, the state, or any political subdivision of the state; amending ss. 212.05, 212.0515, F.S.; revising requirements pertaining to information required to be displayed on coin-operated amusement machines and vending machines; providing reporting requirements for owners and lessors of coin-operated amusement machines and vending machines; revising reporting requirements for vending machine operators; providing penalties; revising reporting requirements for persons who sell food and beverages to vending machine operators; creating s. 212.0516, F.S.; providing requirements for an identifying device issued to coin-operated amusement machines; providing for an annual fee; providing for issuing identifying devices; providing reporting requirements; providing exemptions; providing penalties; repealing s. 212.05(1)(j), F.S., relating to a tax on the use of coin-operated amusement machines; authorizing the Department of Revenue to issue identifying devices upon partial payment of the fee until a specified date; amending s. 213.053, F.S.; authorizing the Department of Revenue to disclose certain confidential information to specified persons; creating s. 213.0535, F.S.; establishing the Registration Information Sharing and Exchange Program; requiring certain local governments and state agencies to share specified tax and licensing information; providing duties of the department; providing for application of confidentiality and penalty provisions; providing for review and repeal; restricting use of such information; amending s. 213.27, F.S.; allowing the Department of Revenue to contract with a collection agency to collect taxes due; removing the requirement that taxpayers be notified by certified mail and replacing with regular mail; amending s. 216.262, F.S.; providing an additional condition under which the Administration Commission may authorize an increase in the number of positions beyond those provided in the appropriations acts; amending s. 624.5092, F.S.; providing for minimum estimated insurance premium tax payments; providing for retroactive effect; providing an effective date.

By the Committees on Finance, Taxation and Claims; Community Affairs; and Natural Resources and Conservation—

CS for CS for CS for SB 962—A bill to be entitled An act relating to solid waste; amending s. 125.01, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 166.021, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 212.055, F.S.; expanding the uses of the local option sales tax to include certain solid waste landfill closures; amending s. 212.08, F.S.; providing for a sales tax exemption prior to purchase for certain recycling equipment and machinery; deleting the expiration date for the exemption; providing exemption for boiler retrofitting services; exempting pelletized waste paper used as a boiler fuel; amending s. 287.045, F.S.; deleting obsolete language; requiring the purchase of materials with recycled content under certain conditions; requiring the Division of Purchasing to consider life-cycle costing when evaluating certain bids; requiring the Division of Purchasing to adopt certain

rules; providing a price preference for materials or products that contain recycled Florida scrap; amending the definition of the term "recycled content"; requiring state agencies and others to procure products with recycled content; amending ss. 316.003, 377.709, F.S.; conforming cross-references; amending s. 381.006, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 381.0098, F.S.; redesignating biohazardous waste as biomedical waste; providing that biomedical waste does not include disposal of human remains; amending s. 395.002, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 395.0101, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 403.1834, F.S.; allowing landfill closures to be financed by certain bonds; amending s. 403.4131, F.S.; abolishing the Clean Florida Commission; amending s. 403.4135, F.S.; requiring litter bags in motor vehicles and vessels; amending s. 403.702, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 403.703, F.S.; amending definitions; prohibiting local governments from adopting definitions that are inconsistent with those in this section; amending s. 403.704, F.S.; redesignating biohazardous waste as biomedical waste; allowing certain funds to be used for composting programs; allowing the Department of Environmental Regulation to impose certain conditions on the disposal of waste generated outside this state; amending s. 403.7045, F.S.; redesignating biohazardous waste as biomedical waste; creating s. 403.7046, F.S.; providing for regulation of certain recovered materials; providing for registration; providing for fees; providing for rulemaking; providing for confidentiality for certain information received by the Department of Environmental Regulation; providing for review under the Open Government Sunset Review Act; amending s. 403.7049, F.S.; requiring the disclosure of the funds rebated to the recycling program as a result of fees recovered pursuant to the Advance Disposal Fee Program; amending s. 403.705, F.S.; correcting a cross-reference; changing the date by which certain reports must be prepared by the Department of Environmental Regulation; deleting certain obsolete provisions; amending s. 403.706, F.S.; requiring steel cans to be separated from the waste stream; allowing certain counties to provide an opportunity to recycle; requiring counties to implement a program for the separation and composting of organic materials; specifying that the solid waste goal is a reduction goal; providing that innovation programs for uses of yard trash may qualify as a credit toward waste reduction goal; requiring counties to provide a description of the progress made toward implementing a composting program; authorizing certain local governments to enact certain ordinances; requiring each county to ensure that its solid waste management program is a separate enterprise; providing for certain fees; amending s. 403.7065, F.S.; specifying when state agencies must use products with recycled content; amending the definition of the term "recycled content" to include steel and plastics; amending s. 403.707, F.S.; redesignating clean debris as construction and demolition debris in certain circumstances and redesignating biohazardous waste as biomedical waste; prohibiting open fires, air curtain incinerators, and trench burning, unless permitted by the department; requiring an application for a solid waste management facility permit to contain certain affirmations that the proposed facility is in compliance with local zoning requirements and the local comprehensive plan; amending s. 403.708, F.S.; redesignating biohazardous waste as biomedical waste; describing the triangle that must appear on certain plastics labels; exempting plastic casings for lead-acid batteries from certain labeling requirements; substituting the term "PETE" for "PET"; prohibiting the regulation of packaging under certain circumstances; amending s. 403.7084, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 403.709, F.S.; providing for certain research and demonstration projects to be funded from the Solid Waste Management Trust Fund; specifying the uses for moneys allocated to the Solid Waste Management Trust Fund from lead-acid battery fees; amending s. 403.7095, F.S.; requiring the Department of Environmental Regulation to consider the progress made by the local government in meeting solid-waste requirements when determining whether to continue, eliminate, or place conditions on certain grants to the local government; requiring a county or municipality to demonstrate on grant application how money will be used regarding recycling at both single-family and multi-family dwellings; requiring that certain information be contained in a grant application regarding the use of the private sector in recycling; deleting certain obsolete provisions; amending s. 403.7125, F.S.; allowing certain revenues to be deposited into the local government general fund under certain conditions; preserving certain obligations of a landfill owner or operator; creating s. 403.7126, F.S.; establishing the Landfill Closure Revolving Loan Trust Fund; providing terms and conditions for loans from such fund; amending s. 403.713, F.S.; providing for ownership and control of certain recovered materials; amending s. 403.714, F.S.; deleting obsolete provisions; allowing the Legislature, state agencies, and the judicial branch to

use proceeds from sale of recyclable materials in certain ways; requiring state agencies to use compost products; requiring agencies and others to report certain information regarding compost products; requiring the Department of Agriculture and Consumer Services to develop certain specifications; amending s. 403.717, F.S.; correcting a cross-reference; creating s. 403.7184, F.S.; providing certain requirements for consumers, manufacturers, and sellers of certain batteries; providing penalties; providing for the state to recover reasonable administrative expenses, court costs, and attorneys' fees incurred in an action to enforce this section; amending s. 403.7185, F.S.; providing that proceeds from the lead-acid battery fees be deposited into the battery account within the Solid Waste Management Trust Fund instead of the Water Quality Assurance Trust Fund; amending s. 403.7195, F.S.; increasing the waste disposal fee on newsprint under certain conditions; providing minimum recycled fiber content for newsprint; amending s. 403.7197, F.S.; providing the intent and purpose of the advance disposal fee; providing definitions; requiring the Department of Environmental Regulation to conduct certain studies and designate certain materials subject to such fee; requiring recyclable packaging materials; revising the recycling rate that triggers the fee; specifying the containers subject to the fee; creating the Container Recycling Advisory Council; providing that fee collections and charges be made at certain retail establishments; providing for the remittance of fees on a basis other than retail sales; providing for certain refunds from the Department of Revenue; authorizing the Department of Environmental Regulation to establish certain exemption criteria and redemption rates; providing that reimbursement of fees to redemption centers shall not be made prior to July 1, 1993; providing for private buyback businesses; providing for rebates to certain households; providing for consolidated returns; specifying that the advance disposal fee applies to vending machine sales; requiring a bond for certain redemption centers; requiring certain identification from persons redeeming materials for the advance disposal fee; providing confidentiality for certain taxpayer records; specifying uses for moneys in the Solid Waste Management Trust Fund; subjecting certain fast-food products to the fee; providing for fee revenues to be deposited into the Litter Prevention Trust Fund, which is created; providing for uses of moneys in the fund; amending s. 403.727, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 483.615, F.S.; redesignating biohazardous waste as biomedical waste; providing for use of the term "biohazardous waste" under certain circumstances; requiring hospitals to conduct a study and report to the Department of Environmental Regulation; providing for the recycling of mercury-containing devices; providing for a demonstration project; requiring a report to the Legislature; providing an appropriation; prohibiting the use of certain toxic materials in packaging; prohibiting the use of certain packaging material; prohibiting certain environmental representations on consumer products; requiring recycling receptacles in certain locations; amending s. 576.011, F.S.; providing that certain compost is an exception to the definition of the term "commercial fertilizer"; amending s. 72.011, F.S.; providing that a taxpayer may contest the assessment of the fee and penalties and interest assessed pursuant to s. 403.7197, F.S., the advance disposal fee; amending s. 213.05, F.S.; authorizing the Department of Revenue to collect the advance disposal fee; amending s. 213.053, F.S.; providing for confidentiality of certain information obtained by the Department of Revenue pursuant to the advance disposal fee collection; creating s. 288.18, F.S.; creating the Recycled Materials Markets Development Board in the Department of Commerce; providing membership; providing powers, duties, and functions; providing for an annual report; providing for repeal; creating s. 288.1181, F.S.; creating the Recycling Markets Trust Fund; specifying uses of fund moneys; creating s. 288.1182, F.S.; authorizing the Recycling Materials Markets Development Board to enter into certain contracts to finance certain programs; providing for certain legislative review; creating s. 403.7199, F.S.; creating the Florida Packaging Waste Reduction Council; providing membership, purposes, and duties; providing appropriations; repealing s. 403.7145, F.S., relating to the Capitol Recycling Demonstration Area; repealing s. 403.7198, F.S., relating to container deposits; providing an effective date.

By the Committee on Judiciary and Senator Forman—

CS for SB 980—A bill to be entitled An act relating to DNA analysis; creating s. 760.40, F.S.; defining the term "DNA analysis"; requiring informed consent for DNA analysis; providing that records of DNA analysis are confidential and may not be disclosed without the consent of the person tested; providing exceptions to informed consent and confidentiality requirements for persons involved in certain criminal prosecutions or in proceedings to determine paternity; providing a penalty; requiring that certain notice be given to persons tested by persons who perform tests or receive records, results, or findings of tests; requiring a repeat of

an analysis that resulted in the denial of insurance, employment, financing, or educational opportunity based on test information; requiring a review of a denial under certain circumstances; providing an effective date.

By the Committees on Appropriations; Personnel, Retirement and Collective Bargaining; and Senator Childers—

CS for CS for SB 1078—A bill to be entitled An act relating to the Florida Retirement System; amending s. 112.363, F.S.; increasing the retirees' health insurance subsidy rate; increasing the employer contribution rate; amending ss. 121.052, 121.055, 121.071, 121.40, F.S.; revising contribution rates applicable to members of the Elected State and County Officers' Class, the Senior Management Service Class, and the Regular, Special Risk, and Special Risk Administrative Support Classes of the Florida Retirement System and the contribution rate applicable to the supplemental retirement plan for the Institute of Food and Agricultural Sciences of the University of Florida; amending ss. 121.091, 122.09, 238.07, F.S.; revising disability provisions to comply with federal law; providing legislative intent with respect to contribution rates; providing legislative findings; providing an effective date.

By the Committees on Finance, Taxation and Claims; Natural Resources and Conservation; and Senator Kirkpatrick—

CS for CS for SB 1304—A bill to be entitled An act relating to pollution discharge; amending s. 376.031, F.S.; providing definitions; amending s. 376.121, F.S.; providing a schedule of payments for compensating the state for damage to natural resources; designating the Department of Natural Resources as the responsible agency for conducting natural resource damage assessments; providing for disposition of moneys collected for damage to natural resources; providing intent that there be no double recovery for damages resulting from a discharge; amending s. 212.08, F.S.; providing a sales tax exemption for sales of machinery and equipment for nonprofit marine discharge response corporations; amending ss. 376.011, 376.051, 376.065, 376.07, 376.0705, 376.071, 376.163, F.S.; changing the term "spill" to the term "discharge"; providing an effective date.

By the Committees on Appropriations, Governmental Operations and Agriculture and Senator Dantzler—

CS for CS for CS for SB 1526—A bill to be entitled An act relating to governmental reorganization; amending ss. 20.14, 20.16, 570.29, F.S.; revising administrative structures of the Department of Agriculture and Consumer Services and the Department of Business Regulation; renaming the Department of Agriculture and Consumer Services the Department of Agriculture; renaming certain divisions of that department; transferring the Division of Consumer Services and the Florida Consumer's Council of that department to the Department of Business Regulation; transferring the Division of Pari-mutuel Wagering and the Florida Pari-mutuel Commission of the Department of Business Regulation to the Department of Agriculture; amending s. 570.07, F.S.; modifying functions, powers, and duties of the Department of Agriculture; creating s. 570.072, F.S.; establishing an Office of Agricultural Law Enforcement within the department; providing duties and authority of departmental law enforcement officers; amending s. 570.09, F.S., relating to the assistant commissioner; improving clarity; creating s. 570.091, F.S.; providing for deputy commissioners of agriculture; creating s. 570.092, F.S.; providing for an inspector general of the department and providing his duties; amending s. 570.30, F.S.; transferring certain responsibilities relating to public fairs and expositions from the Division of Administration to the Division of Standards and the Division of Marketing and Development; amending s. 570.31, F.S.; providing for appointment of the director of the Division of Administration; amending s. 570.33, F.S.; deleting qualifications for director of the Division of Plant Industry; amending s. 570.37, F.S.; revising qualifications for director of the Division of Animal Industry; amending s. 570.41, F.S.; deleting qualifications for director of the Division of Dairy Industry; amending s. 570.44, F.S.; renaming the Division of Inspection as the Division of Agricultural Environmental Services; transferring various duties to the Division of Food Safety, the Division of Dairy Industry, and the Office of Agricultural Law Enforcement; providing additional duties relating to soil and water conservation; transferring responsibilities for analysis of fertilizers, pesticides, commercial feed, and seed to the Division of Agricultural Environmental Services from the Division of Chemistry; amending s. 570.45, F.S.; revising duties of director of the Division of Standards; amending s. 570.46, F.S.; transferring responsibility for testing certain samples for conformity with state specifications to the Division of Standards from the Division of Chemistry;

amending s. 570.47, F.S.; deleting qualifications for division director; amending s. 570.48, F.S.; renaming the Division of Fruit and Vegetable Inspection as the Division of Fruit and Vegetables; amending s. 570.49, F.S.; providing for appointment of the division director; amending s. 570.50, F.S.; renaming the Division of Chemistry as the Division of Food Safety; making the division responsible for additional duties relating to inspection of meat and poultry and to food and food products; amending s. 570.51, F.S.; deleting qualifications for division director; abolishing the office of State Chemist; amending s. 570.53, F.S.; renaming the Division of Marketing as the Division of Marketing and Development; providing additional responsibilities relating to public fairs and expositions; amending s. 570.54, F.S.; providing for appointment and duties of the division director; creating s. 570.5475, F.S.; providing for the appointment and duties of the director of the Division of Pari-mutuel Wagering of the Department of Agriculture; amending s. 570.549, F.S.; deleting qualifications for director of the Division of Forestry; amending s. 570.55, F.S.; transferring from the Division of Inspection to the Office of Agricultural Law Enforcement enforcement duties relating to the sale of avocados, mangoes, and limes; revising definitions related thereto; creating s. 585.715, F.S.; providing that the Division of Food Safety enforce part II of chapter 585, F.S., relating to animal disease, inspection, and eradication; amending ss. 616.001, 616.21, 616.28, F.S., relating to public fairs and expositions; deleting references to the Bureau of Public Fairs and Expositions; conforming references to the department; creating s. 932.706, F.S.; creating the Law Enforcement Trust Fund within the department; providing for deposit therein of revenues from certain criminal or forfeiture proceedings; amending ss. 120.57, 125.27, 207.023, 215.22, 216.0165, 229.8059, 235.014, 252.87, 253.025, 228.501, 259.035, 259.101, 282.402, 282.403, 287.042, 288.509, 288.804, 288.811, 288.813, 320.415, 339.2405, 369.25, 370.03, 370.21, 372.0225, 372.072, 372.6672, 373.453, 373.455, 375.021, 376.3077, 380.061, 380.31, 381.0072, 388.361, 388.45, 403.088, 403.708, 403.714, 403.760, 403.7841, 403.786, 450.191, 450.211, 479.16, 481.329, 482.051, 487.021, 487.031, 487.041, 487.0615, 487.151, 487.152, 487.159, 487.170, 487.171, 500.03, 500.12, 500.301, 500.455, 500.601, 501.001, 501.90, 501.911, 501.912, 502.012, 502.055, 502.121, 502.165, 502.211, 503.011, 504.014, 504.23, 506.19, 506.20, 506.21, 506.22, 506.27, 509.013, 525.01, 525.02, 525.03, 525.06, 525.07, 525.08, 525.09, 525.10, 525.11, 525.13, 525.14, 525.16, 525.17, 526.01, 526.09, 526.10, 526.131, 526.141, 526.50, 531.37, 534.011, 534.47, 535.01, 535.11, 536.22, 550.266, 550.267, 570.01, 570.02, 570.21, 570.23, 570.242, 570.244, 570.248, 570.34, 570.38, 570.42, 570.531, 570.541, 570.60, 571.02, 571.03, 571.11, 571.23, 571.26, 573.103, 573.111, 573.112, 573.1301, 573.833, 573.842, 573.851, 573.859, 573.868, 573.877, 573.885, 573.894, 573.903, 574.01, 574.03, 574.08, 574.09, 574.12, 574.14, 575.01, 576.011, 576.091, 576.191, 578.011, 578.11, 578.13, 578.27, 580.021, 580.151, 581.011, 581.021, 581.182, 581.183, 581.185, 582.01, 582.055, 582.06, 582.08, 582.10, 582.11, 582.12, 582.13, 582.14, 582.15, 582.16, 582.19, 582.26, 582.30, 582.31, 482.32, 582.36, 582.38, 582.40, 582.48, 582.49, 583.01, 585.001, 585.002, 585.01, 585.89, 585.95, 586.02, 586.161, 589.01, 589.011, 589.04, 589.275, 589.277, 589.28, 590.01, 590.025, 590.026, 590.42, 590.50, 591.17, 591.28, 591.29, 591.30, 591.33, 591.34, 593.102, 597.0015, 597.003, 597.006, 599.002, 599.012, 600.041, 601.03, 601.10, 601.28, 601.34, 601.46, 601.58, 601.60, 601.61, 601.66, 601.67, 106.70, 601.74, 601.75, 601.76, 601.77, 601.78, 601.80, 603.11, 603.12, 603.13, 603.151, 603.152, 603.203, 603.204, 604.006, 604.15, 616.05, 616.15, 618.03, 618.12, 791.07, 823.04, 828.23, 877.06, 877.061, 944.053, F.S.; providing responsibilities of the Department of Environmental Regulation with surface water improvement and management plans and programs; conforming references to the Department of Agriculture and Consumer Services throughout the Florida Statutes to the new name for the department; conforming references to divisions within that department throughout the Florida Statutes to the new names for those divisions; providing references for the Commissioner of Agriculture; deleting obsolete provisions; revising cross-references to conform; amending ss. 487.071, 500.09, 500.11, 500.12, 500.146, 523.21, 525.02, 525.03, 568.07, 576.051, 576.061, 576.091, 578.11, F.S.; deleting provisions relating to the State Chemist throughout the Florida Statutes; transferring, renumbering, and amending ss. 570.543, 570.544, F.S., relating to the Florida Consumer's Council and the Division of Consumer Services, to conform those sections to the transfer of the council and division to the Department of Business Regulation by this act and to place them in ch. 501, F.S.; deleting obsolete provisions; transferring and renumbering s. 570.545, F.S., relating to unsolicited goods, to ch. 501, F.S.; amending ss. 14.26, 366.85, 468.1245, 484.051, 496.404, 501.021, 501.059, 526.3135, 559.801, 559.805, 559.925, 559.927, 681.102, 681.117, 713.06, 713.135, 849.0915, F.S.; conforming references to the Division of Consumer Services throughout the Florida Statutes to the transfer of the division to the Department of Business Regulation; changing related ref-

erences to the General Inspection Trust Fund to the Consumer Protection Trust Fund created in that department by this act; creating s. 501.706, F.S.; creating the Consumer Protection Trust Fund in the Division of Consumer Services of the Department of Business Regulation; providing for deposit of administrative fines and penalties and reimbursements for costs of investigations and litigations and certain other moneys into the trust fund; providing for use of the moneys in the trust fund for consumer protection and consumer services; amending s. 215.20, F.S.; providing for the trust fund to contribute to the General Revenue Fund a pro rata share of the cost of general government; providing for the merger of a similar fund, if created by another act of the Legislature, to this trust fund; amending s. 320.90, F.S.; transferring the duty to develop motor vehicle consumer's rights pamphlets from the Department of Agriculture and Consumer Services to the Department of Business Regulation; amending s. 501.0125, F.S.; transferring administration of health studio regulation from the Department of Agriculture and Consumer Services to the Department of Business Regulation; amending s. 501.014, F.S.; providing for deposit of fees and fines related to such regulation into the Consumer Protection Trust Fund instead of the General Inspection Trust Fund; amending ss. 501.135, 501.603, 501.605, 501.607, 501.612, F.S.; transferring administration of The Consumer Unit Pricing Act and the Florida Telemarketing Act from the Department of Agriculture and Consumer Services to the Department of Business Regulation; providing for deposit of certain moneys under the latter act into the Consumer Protection Trust Fund instead of the General Inspection Trust Fund; amending s. 526.311, F.S.; providing for the Department of Business Regulation to investigate complaints of violations of the Motor Fuel Marketing Practices Act; providing for deposit of a portion of certain funds collected under that act into the Consumer Protection Trust Fund rather than the General Inspection Trust Fund; amending s. 817.415, F.S.; providing for the Secretary of Business Regulation to bring actions for injunctive relief under the Florida Free Gift Advertising Law rather than the Commissioner of Agriculture; amending s. 817.416, F.S.; providing for the Department of Business Regulation to jointly bring actions with the Department of Legal Affairs for injunctive relief relating to franchises and distributorships rather than with the Department of Agriculture and Consumer Services; amending ss. 550.011, 550.02, 550.055, 550.074, 550.075, 550.076, 550.096, 550.13, 550.181, 550.262, 550.32, 550.33, 550.48, 551.03, 551.031, 551.061, 565.02, F.S.; conforming references to the Division of Pari-mutuel Wagering, the Secretary of Business Regulation, and the Florida Pari-mutuel Commission throughout the Florida Statutes to the transfer of the division and commission to the Department of Agriculture; revising cross-references; repealing ss. 377.075(6), 534.081(3), 570.36(6), 570.542, 590.02(4), F.S., relating to the State Chemist, an obsolete short title, and enforcement of agricultural provisions by law enforcement officers, special officers, the Division of Animal Industry, and special officers of the Division of Forestry; amending s. 468.382, F.S., relating to definitions pertaining to regulation of auctioneers; conforming cross-references to this act; providing an effective date.

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

CS for SB 1528—A bill to be entitled An act relating to mercury and mercury recycling; creating s. 403.7196, F.S.; providing legislative findings and intent; providing definitions; prohibiting the release of mercury into the environment under certain conditions; prohibiting the incineration and the disposal in a landfill of certain electrical lighting products and devices; creating the Mercury Recycling Trust Fund and providing for use of the moneys therein; providing for rules and fees; providing for dissemination of public service information relating to mercury recycling and for the posting of contamination warning signs; providing civil and criminal penalties; providing an effective date.

By the Committees on Appropriations; Personnel, Retirement and Collective Bargaining; and Senator Crenshaw—

CS for CS for SB 1614—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.011, F.S.; clarifying language relating to local retirement systems and transfer of functions, consolidation, or merger of governments; amending s. 121.021, F.S.; modifying definitions of "compensation," "average final compensation," and "beneficiary"; defining "plan year"; amending s. 121.031, F.S.; clarifying use of the term "valuations"; providing an exemption from confidentiality of names and addresses of retirees; amending s. 121.052, F.S.; providing retirement membership options to elected state and county officers upon dual employment; deleting obsolete language on deposit of contributions; amending s. 121.053, F.S.; allowing certain retirees return-

ing to employment to combine employment in different classes toward a second retirement benefit; exempting retired judges assigned to temporary duty; providing for additional credit toward the maximum health insurance subsidy; amending s. 121.081, F.S.; conforming language relating to transfer of functions, consolidation, or merger of governments; amending ss. 121.091, 122.09, 238.07, F.S.; clarifying effective date of retirement versus when benefits are paid; revising disability provisions to comply with federal law; revising death benefit provisions to remove limitation on remarriage; clarifying reemployment provisions; amending s. 121.122, F.S., clarifying provisions relating to renewed membership in the Florida Retirement System; providing for modified contributions; modifying service credit requirements; providing for additional credit toward the maximum health insurance subsidy; amending ss. 121.125, 122.03, 238.06, F.S.; limiting retirement credit for workers' compensation payment periods; amending s. 121.35, F.S.; modifying membership options for the State University System Optional Retirement Program; eliminating full-time status as a condition of the Optional Retirement Program; clarifying vesting provisions; amending ss. 121.40, 122.16, 321.203, F.S.; providing for payment of full retirement contributions for certain retired persons returning to employment, effective July 1, 1991; amending s. 122.07, F.S.; clarifying provisions relating to credit for seasonal state employment; amending s. 238.181, F.S.; modifying reemployment-after-retirement provisions under the Teachers' Retirement System to conform to similar provisions under the Florida Retirement System; providing an effective date.

By the Committees on Governmental Operations and Criminal Justice and Senator Jenne—

CS for CS for SB 1726—A bill to be entitled An act relating to governmental organization; creating the "Law Enforcement Consolidation Act of 1992"; transferring the Florida Highway Patrol, Capitol Police, Crime Prevention Training Institute, and the felony investigative functions of the Florida Marine Patrol to the Department of Law Enforcement; preserving existing rules, regulations, and certifications of agencies transferred; providing for the substitution of a transferee agency as a party in interest for legal proceedings; amending s. 14.022, F.S.; extending the Governor's power of command to all agents and officers of the Department of Law Enforcement in certain situations involving violence; transferring, renumbering, and amending s. 16.54, F.S.; creating the Florida Crime Prevention Training Institute in the Department of Law Enforcement; establishing an institute trust fund; providing for moneys to be deposited into the trust fund; transferring trust fund moneys from the Department of Legal Affairs to the Department of Law Enforcement; repealing s. 16.55, F.S., relating to obsolete requirements pertaining to crime prevention training; amending s. 20.201, F.S.; adding the Division of Florida Highway Patrol as a division of the Department of Law Enforcement; amending s. 20.22, F.S.; conforming the organization of the Department of General Services to the reorganization made by this act; repealing s. 20.24, F.S.; abolishing the Department of Highway Safety and Motor Vehicles and transferring its duties to the Department of State; providing for assumption of duties imposed by other legislation enacted in the same session on agencies that are abolished or whose duties are transferred by this act; transferring moneys in the Department of Highway Safety and Motor Vehicles' employees benefit fund to the General Revenue Fund; amending ss. 23.1231, 120.57, 316.003, 316.065, 316.1905, 316.1906, 316.211, 316.216, 316.2225, 316.2295, 316.2399, 316.241, 316.242, 316.253, 316.272, 316.293, 316.2952, 316.300, 316.303, 316.304, 316.3045, 316.545, 316.611, 316.615, 316.640, 321.04, 321.051, 338.239, F.S.; conforming those sections to the transfer of the Florida Highway Patrol and related functions and to the abolition of the Department of Highway Safety and Motor Vehicles; providing that the Department of Law Enforcement, not the Department of Highway Safety and Motor Vehicles, prescribes testing standards and frequency for devices that calculate vehicle speed, prescribes design criteria for radar units, prescribes standards for motorcycle riders' protective equipment, approves lighting devices, adopts rules relating to emblems and other equipment that must be displayed on slow-moving vehicles, approves standards for emblems that must be displayed on certain farm equipment, approves certain flashing devices for buses and taxicabs, approves certain lamps or devices used on certain vehicles and their method of attachment, may revoke the certificate of approval on certain lighting devices, approves the wording of signs on ice-cream vendors' vehicles, helps establish allowable levels of noise allowed by exhaust systems, approves windscreens for certain electric-powered vehicles, approves flares and similar devices, may approve the use of television-type receiving equipment visible to a motor vehicle driver if it is used in safety or law enforcement, adopts rules relating to wearing headsets while driving,

adopts rules relating to allowable noise levels in motor vehicles that are on a street, helps enforce rules relating to tandem trailer equipment and use, must be reimbursed by the Department of Transportation for certain expenses incurred in carrying out the highway patrol's powers and duties under ss. 338.22-338.44, F.S., is, for certain hearings relating to wrecker operators, exempt from the requirements that a hearing officer assigned by the Division of Administrative Hearings conduct all hearings under s. 120.57(1), F.S., and annually inspects school buses; transferring, renumbering, and amending s. 281.02, F.S.; providing for safety and security services for certain public buildings and grounds, including the Governor's office and the Governor's mansion and mansion grounds; expanding the duties of the Capitol Police; providing arrest authority; requiring certain reports to be retained; providing for ex officio members of the Capitol Police; allowing contracts with local governments or private security agencies; providing for rulemaking and for regulating parking and traffic; providing for an official uniform and prohibiting unauthorized persons from wearing the official uniform or emblem; repealing ss. 281.03, 281.04, 281.05, 281.06, 281.07, 281.08, 281.09, F.S., relating to the Capitol Police; transferring, renumbering, and amending s. 281.20, F.S.; providing for the assignment of uniformed officers, as well as agents, for transportation and protection for the Governor, his family, and his office, mansion, and grounds; transferring, renumbering, and amending s. 281.301, F.S.; providing for the confidentiality of certain information relating to security systems for state-owned property or state-leased property; amending s. 282.1095, F.S.; transferring the administration of the State Agency Law Enforcement Radio System Trust Fund from the Department of General Services to the Department of Law Enforcement for a specified period of time; amending membership of the Joint Task Force on State Agency Law Enforcement Communications; deleting obsolete provisions relating to initial appointments; amending ss. 287.16, 287.17, F.S.; deleting obsolete provisions and conforming provisions to transfers of duties made by this act; conforming a cross-reference; amending s. 288.816, F.S.; conforming that section to the repeal of sections of ch. 281, F.S.; creating s. 316.0665, F.S.; allowing the Department of State to make available copies of accident reports; authorizing fees; amending s. 316.2935, F.S.; providing that the Department of Environmental Regulation shall adopt certain rules relating to air pollution control equipment; amending s. 316.545, F.S.; providing that the executive director of the Department of Law Enforcement is a permanent member of the Commercial Motor Vehicle Review Board; amending s. 319.324, F.S.; clarifying that the joint use of the Odometer Fraud Prevention and Detection Trust Fund continues; creating s. 321.015, F.S.; defining the term "member" of the Florida Highway Patrol; amending s. 321.02, F.S.; providing that the director of the Division of Florida Highway Patrol of the Department of Law Enforcement is the commander of the Florida Highway Patrol; prescribing duties of the director; providing duties of the Department of Law Enforcement relating to the Florida Highway Patrol; amending s. 321.03, F.S.; deleting language that was transferred to s. 321.02, F.S.; amending s. 321.04, F.S.; deleting superfluous language; limiting statutes under which a patrolman may receive benefits to "pertinent statutes"; amending s. 321.05, F.S.; allowing lawful searches, rather than allowing only those that are incident to a lawful arrest; repealing ss. 321.06, 321.07, 321.08, 321.09, 321.12, F.S., relating to civil service, compensation of employees and officers, bonds required of certain employees and officers, salaries and expenses to be paid from the General Revenue Fund, and penalties for violating ch. 321, F.S.; amending ss. 321.15, 321.17, 321.18, 321.19, 321.20, 321.21, 321.222, F.S.; amending provisions relating to the Highway Patrol Pension Trust Fund and other matters relating to the retirement or death of a member of the Florida Highway Patrol; amending s. 321.23, F.S.; allowing the Florida Highway Patrol to make available copies of accident reports and homicide reports; authorizing fees; providing for the deposit of fees into appropriate trust funds; amending s. 321.25, F.S.; providing for the training of local officers in patrol schools; providing for course fees; providing priorities for the subject matter to be offered; providing for officers to pay the fees; amending s. 337.406, F.S.; allowing that section to be enforced by the Department of Law Enforcement; amending s. 403.061, F.S.; requiring the Department of Environmental Regulation and the Department of Law Enforcement to cooperate on developing certain regulations; amending s. 403.415, F.S.; providing that the test procedures for determining compliance with that section, which pertains to motor vehicle noise, shall be established by the Department of Environmental Regulation in cooperation with the Department of Law Enforcement; amending s. 404.20, F.S.; providing that the Department of Law Enforcement is one of the departments authorized to enforce rules relating to the transportation of radioactive materials; amending s. 843.16, F.S.; providing that the term "emergency vehicle" includes certain motor vehicles designated as emergency vehicles by the Department of Law Enforcement;

amending s. 932.705, F.S.; transferring the Law Enforcement Trust Fund to the Department of Law Enforcement; expanding the potential sources of moneys to be deposited into the trust fund; amending s. 943.03, F.S.; expanding the powers of the Department of Law Enforcement relating to the administration and enforcement of ch. 943, F.S., relating to destroying obsolete documents, relating to photographing documents, records, and reports and to allowing the photographs to be admissible into evidence, relating to adopting rules for operating an employees' benefit fund and to depositing into that fund certain proceeds from vending machines and from the sale of Florida Highway Patrol mementos, and relating to adopting fees for copying its personnel files and to depositing those fees into its operating budget; amending s. 943.04, F.S.; allowing the department to conduct investigations for the purpose of enforcing chs. 327, 328, F.S.; amending s. 943.1755, F.S.; amending the membership of the Criminal Justice Executive Institute's policy board; repealing s. 943.1755(7), F.S., relating to a report to be submitted to the Legislature by a date that has passed; amending s. 943.381, F.S.; authorizing an expansion of the functions of the Department of Law Enforcement; creating s. 943.41, F.S.; creating the Division of Florida Highway Patrol; providing for a director; providing the director's duties; creating s. 943.001, F.S.; creating an advisory council to facilitate communications between local law enforcement and the Department of Law Enforcement; amending ss. 39.045, 40.01, 40.011, 40.022, 43.41, 72.011, 72.031, 117.05, 120.575, 206.96, 207.002, 207.011, 207.013, 207.023, 207.0281, 207.029, 216.0165, 232.165, 233.063, 316.194, 316.1951, 316.1957, 316.2124, 316.6105, 316.613, 318.13, 318.14, 318.1451, 318.15, 318.18, 319.001, 319.25, 320.01, 320.02, 320.03, 320.06, 320.08066, 320.08067, 320.0848, 320.0898, 320.27, 320.39, 320.407, 320.415, 320.60, 320.781, 320.8285, 320.833, 320.834, 322.01, 322.02, 322.095, 322.125, 322.126, 322.20, 322.21, 322.264, 322.274, 322.45, 322.48, 324.021, 324.061, 325.02, 325.03, 325.04, 325.202, 325.203, 325.206, 325.207, 325.219, 328.03, 370.12, 403.413, 409.185, 413.012, 450.191, 488.01, 488.02, 488.03, 488.04, 488.045, 488.05, 488.06, 488.08, 538.18, 562.11, 562.111, 627.0652, 627.351, 627.7275, 627.733, 627.736, 627.743, 681.104, 705.103, 713.585, 713.78, 715.05, 732.915, 732.921, 732.9215, 831.29, 832.06, 849.38, F.S.; conforming provisions to reorganizations made by this act; repealing s. 207.028, F.S., which is obsolete; repealing ss. 112.217, 112.218, F.S., relating to Department of Highway Safety and Motor Vehicles employee benefit fund and to charges by department for copies of its personnel files; providing an effective date.

By the Committees on Governmental Operations; Health and Rehabilitative Services; and Senator Weinstock—

CS for CS for SB 2060—A bill to be entitled An act relating to aging and adult services; amending s. 20.41, F.S.; requiring the secretary of the Department of Elderly Affairs to be confirmed by the Senate; establishing the administrative structure of the department; providing for headquarters, service facilities, and planning and service areas; deleting obsolete provisions relating to the establishment of the department; clarifying the relationship between the department and the State Nursing Home and Long-Term Care Facility Ombudsman Council and the district councils; assigning duties to the executive director of the state council; amending s. 400.304, F.S.; transferring the duties and functions with respect to the State Unit on Aging from the Department of Health and Rehabilitative Services to the Department of Elderly Affairs; amending ss. 402.165, 402.166, 402.167, F.S.; providing for appointments and functions of the statewide and district human rights advocacy committees in relation to the department; deleting obsolete provisions; transferring, renumbering, and amending s. 410.011, F.S.; transferring administration of federal aging programs to the department from the Department of Health and Rehabilitative Services; designating the Department of Elderly Affairs as the state unit on aging to administer federal programs on aging in this state; transferring, renumbering, and amending ss. 410.021, 410.022, 410.023, 410.024, 410.0241, 410.026, 410.0295, F.S.; transferring responsibility for administering the Community Care for the Elderly Act from the Department of Health of Rehabilitative Services to the Department of Elderly Affairs; revising legislative intent and definitions; deleting references to core services; prescribing powers and duties of the department; revising the program; authorizing provider agencies to assess fees for services rendered; providing for community care service systems under the area agencies on aging; authorizing certain contracts; improving clarity; deleting obsolete provisions; conforming cross-references; amending ss. 410.031, 410.032, 410.033, 410.035, 410.037, F.S., relating to home care for disabled adults and the elderly; limiting the scope of these provisions to home care for disabled adults; extending eligibility for subsidy payments to providers of goods and services; providing for extraordinary medical, dental, or pharmaceutical expenses to be paid as a special supplement; transferring, renumbering, and amending ss. 410.201, 410.2015, 410.202,

F.S.; transferring responsibility for administration of the older volunteers service credit program from the Department of Health and Rehabilitative Services to the Department of Elderly Affairs; conforming cross-references; transferring, renumbering, and amending s. 410.401, F.S.; expanding membership of the Alzheimer's Disease Advisory Committee; transferring the committee and the Alzheimer's disease research grant program from the Department of Health and Rehabilitative Services to the Department of Elderly Affairs; authorizing subcommittees; providing for meetings; providing for support, assistance, and per diem and travel expenses; transferring, renumbering, and amending ss. 410.402, 410.403, F.S.; transferring the administration of provisions relating to Alzheimer's disease and memory disorder research and day care and respite care programs from the Department of Health and Rehabilitative Services to the Department of Elderly Affairs; revising these provisions; conforming cross-references; transferring, renumbering, and amending s. 410.502, F.S.; providing for future transfer of the administration of provisions related to housing and living arrangements that meet the special needs of the elderly from the Department of Health and Rehabilitative Services to the Department of Elderly Affairs; transferring and renumbering s. 410.504, F.S., relating to the multidisciplinary center on elderly living environments; amending ss. 430.02, 430.03, F.S.; conforming legislative intent and purpose with respect to programs administered by the Department of Elderly Affairs; amending s. 430.04, F.S.; providing duties of the department with respect thereto; amending s. 430.06, F.S.; providing for updates of the plan for improving social services and long-term care for elderly persons; amending s. 430.07, F.S.; converting the Office of Volunteer Community Service into a division of the department; providing responsibilities of that division; creating s. 430.102, F.S.; designating the Department of Elderly Affairs as the state agency responsible for administering federal programs on aging in this state; providing for area agencies on aging; providing for contracts with such agencies; specifying the organization and responsibilities of such agencies; providing criteria for placing additional programs and services in such agencies pursuant to contract; providing grounds for departmental action against such agencies; creating s. 430.105, F.S.; providing for confidentiality of information obtained pursuant to administration of federal aging programs; creating ss. 430.601, 430.602, 430.603, 430.604, 430.605, 430.606, 430.607, F.S.; establishing a home care for the elderly program under the Department of Elderly Affairs; providing for certain subsidy payments; providing for eligibility; providing for confidentiality; creating s. 430.801, F.S.; providing for measurement and reporting of outcome evaluation and program effectiveness of programs administered by the department; repealing s. 410.016, F.S., relating to responsibilities of the Department of Health and Rehabilitative Services with respect to the state's elderly population; repealing s. 410.029, F.S., relating to multiyear plans for implementation of community care systems; providing for the future transfer of programs on comprehensive assessment and review for long-term care and home care for the elderly from the Department of Health and Rehabilitative Services to the Department of Elderly Affairs; providing for organizational review; requiring a report; providing for continuation of existing rules; providing for pending judicial and administrative proceedings; amending ss. 110.501, 395.01465, 400.462, 402.33, F.S.; conforming cross-references; providing effective dates.

By the Committee on Judiciary and Senator Dudley—

CS for SB 2332—A bill to be entitled An act relating to probate, trusts, and guardianship; amending s. 28.2401, F.S.; increasing the service charges for reopening certain closed files and for petitions for determination of incapacity; amending s. 657.036, F.S.; providing credit union's liability for acting on presumption relating to survivorship rights in credit union deposits held in two or more names; amending s. 658.56, F.S.; providing a bank's liability for acting on presumption relating to survivorship rights in bank accounts held in two or more names; amending s. 665.063, F.S.; providing a presumption and for savings and loan association's liability relating to survivorship rights in savings and loan accounts held in two or more names; amending s. 731.110, F.S.; requiring the decedent's social security number or date of birth, if known, to be included in caveats filed with the court; amending s. 731.303, F.S.; providing that minors and certain other persons are bound by proceedings involving estates of decedents or trusts; creating s. 732.216, F.S.; providing for the Florida Uniform Disposition of Community Property Rights at Death Act; creating s. 732.217, F.S.; providing applicability to prescribed property; creating s. 732.218, F.S.; providing rebuttable presumptions; creating s. 732.219, F.S.; providing for distribution upon death; creating s. 732.221, F.S.; providing for perfection of title of personal representative, heir, or devisee; creating s. 732.222, F.S.; providing for interest of a purchaser for value or a lender; creating s. 732.223, F.S.; providing for perfec-

tion of title of surviving spouse; creating s. 732.224, F.S.; providing for nonapplicability of the act to rights of creditors; creating s. 732.225, F.S.; providing that married persons are not prohibited from severing or altering their interest in community property; creating s. 732.226, F.S.; providing limitations on testamentary disposition; creating s. 732.227, F.S.; defining "homestead"; creating s. 732.228, F.S.; providing for uniformity of construction; amending s. 732.4015, F.S.; providing definitions relating to devise of homestead; creating s. 732.518, F.S.; providing a limitation on will contests; amending s. 732.901, F.S.; requiring the testator's date of death or social security number on a will deposited with the clerk; amending s. 733.202, F.S.; requiring that the decedent's social security number be included on a verified petition for administration; requiring the date of birth of beneficiaries who are minors; creating s. 744.3046, F.S.; allowing the parents or the surviving parent of a minor child to make a written declaration appointing a preneed guardian for that child; providing requirements pertaining to the written declaration; providing for a rebuttable presumption that the designated preneed guardian or alternate preneed guardian is entitled to serve; providing discretion to the court; providing requirements relating to a petition for confirmation of appointment; requiring a confirmed guardian to file an oath and, if required, to file a bond; requiring the issuance of letters of guardianship; amending s. 733.817, F.S.; providing for apportionment of estate taxes; providing definitions; creating s. 737.206, F.S.; providing effect of fraud, duress, mistake, or undue influence on a trust; amending s. 744.301, F.S.; providing for appointment of a guardian ad litem in certain cases; amending s. 744.362, F.S.; providing an exemption from service of the initial guardianship report for minors and incapacitated persons; amending s. 744.367, F.S.; extending the time for the filing of annual guardianship plans; providing for the filing of annual accountings; amending s. 737.402, F.S.; providing that the spouse of the settlor of certain trusts is exempt from disqualification to exercise certain powers; prohibiting trustees from exercising specified powers; providing that a person who has a right to remove or replace a trustee does not possess any powers of that trustee by virtue of that right; providing clarifying language; providing effective dates.

By the Committee on Governmental Operations and Senator Malchon—

CS for SB 2388—A bill to be entitled An act relating to governmental reorganization; abolishing the Department of Administration and transferring its duties to other agencies; amending s. 20.22, F.S.; renaming the Department of General Services as the Department of Management Services and providing that the head of the department is a Secretary of Management Services appointed by the Governor; transferring the Division of Bond Finance from the Department of General Services to the State Board of Administration; transferring the Division of Capitol Police of the Department of General Services to the Department of Law Enforcement; transferring personnel, records, property, and unexpended balances of appropriations of the Department of General Services used to support the Office of Executive Clemency to the Florida Parole Commission; making the Division of Surplus Property a bureau within the Division of Purchasing; amending ss. 11.25, 11.44, 20.04, 20.23, 24.120, 110.107, 110.109, 110.1097, 110.1127, 110.1128, 110.116, 110.117, 110.121, 110.123, 110.1231, 110.1232, 110.1234, 110.1245, 110.1246, 110.125, 110.131, 110.151, 110.1522, 110.161, 110.171, 110.205, 110.2135, 110.215, 110.227, 110.233, 110.403, 110.405, 110.407, 110.503, 110.607, 112.0455, 112.08, 112.0804, 112.24, 112.3173, 112.352, 112.361, 112.363, 112.63, 112.665, 120.52, 120.65, 121.021, 121.025, 121.031, 121.0515, 121.055, 121.071, 121.135, 121.136, 121.35, 121.40, 122.02, 122.03, 122.09, 122.13, 122.23, 122.34, 123.01, 123.07, 123.11, 123.24, 123.25, 123.36, 132.34, 145.19, 154.04, 163.3184, 189.4035, 189.412, 189.421, 210.20, 210.75, 215.425, 215.515, 215.94, 215.96, 216.011, 216.0165, 216.262, 218.32, 230.23, 231.262, 231.36, 238.01, 238.03, 238.08, 238.11, 240.209, 240.343, 242.68, 250.22, 252.38, 253.126, 266.0006, 266.0016, 266.0026, 266.0036, 266.0046, 266.0056, 266.0066, 284.36, 287.17, 295.11, 321.04, 321.17, 321.19, 321.191, 321.202, 321.2205, 337.165, 350.0614, 350.125, 370.0821, 376.10, 381.709, 402.35, 403.061, 406.075, 408.001, 409.029, 443.131, 455.225, 650.02, 760.04, F.S.; conforming such sections to the abolition of the Department of Administration; amending ss. 11.148, 11.45, 14.057, 20.32, 24.105, 27.34, 27.54, 75.05, 110.173, 120.53, 159.345, 159.475, 159.7055, 159.803, 212.055, 215.422, 215.47, 215.62, 215.93, 215.94, 216.0152, 216.016, 216.044, 216.0445, 216.163, 216.292, 217.01, 217.02, 217.04, 217.045, 218.32, 218.37, 218.38, 229.8052, 235.018, 235.26, 240.225, 240.417, 240.441, 253.45, 255.02, 255.043, 255.05, 255.21, 255.245, 255.25, 255.253, 255.258, 255.259, 255.28, 255.29, 255.30, 255.45, 255.451, 255.502, 255.506, 255.518, 255.555, 255.565, 259.03, 265.284, 265.285, 265.2865, 267.061, 270.27, 272.03, 272.04, 272.05, 272.06, 272.07, 272.08, 272.09,

272.12, 272.121, 272.122, 272.124, 272.129, 272.16, 272.161, 272.18, 272.185, 273.04, 273.05, 273.055, 281.02, 282.102, 282.1021, 282.103, 282.105, 282.1095, 282.111, 282.304, 282.3061, 282.3062, 282.307, 282.308, 282.309, 282.311, 282.314, 282.318, 282.402, 282.403, 282.30, 284.01, 284.04, 284.05, 284.08, 284.385, 284.42, 285.06, 285.14, 287.012, 287.025, 287.032, 287.042, 287.055, 287.057, 287.0572, 287.0595, 287.064, 287.073, 287.0834, 287.0943, 287.0945, 287.133, 287.15, 287.151, 287.155, 287.16, 288.13, 288.14, 288.15, 288.17, 288.18, 288.23, 288.24, 288.28, 288.281, 288.31, 288.33, 288.703, 288.704, 288.705, 320.0802, 327.25, 336.025, 337.02, 337.276, 338.227, 341.101, 341.322, 344.17, 348.0002, 348.241, 348.52, 348.755, 348.765, 348.94, 348.941, 348.963, 348.966, 349.05, 365.171, 373.4596, 377.703, 380.0662, 401.013, 401.015, 403.1834, 403.1835, 403.712, 403.714, 403.7145, 413.034, 420.503, 420.608, 553.77, 570.50, 627.096, 940.03, 943.03, 944.10, 944.713, 946.504, 946.515, F.S.; conforming such sections to the renaming of the Department of Management Services and to the transfer of certain of the department's duties; repealing s. 20.31, F.S., relating to the Department of Administration; repealing s. 112.192, F.S., relating to the State Officers' Compensation Commission; repealing ss. 281.03, 281.04, 281.05, 281.06, 281.07, 281.08, 281.09, F.S., relating to powers and duties of the Division of Capitol Police and of the Department of General Services with respect to the division; repealing s. 215.58(5), F.S., relating to a definition of the term "department"; providing for a study of certain functions of decisions in the Department of General Services; providing for continuation of rules of agencies involved in reorganization; providing for substitution of agencies in pending proceedings; providing for assumption of powers and duties under conflicting laws enacted in the same session; providing an effective date.

By the Committees on Governmental Operations; Health and Rehabilitative Services; and Senator Weinstock—

CS for CS for SB 2412—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; creating the "Health and Rehabilitative Services Reorganization Act of 1992"; providing legislative findings and intent; specifying preference for functional organization of services and programs of the department; providing for a functional organization plan; providing for a pilot project to test feasibility of functional, integrated systems; providing for reports and evaluations; amending s. 20.19, F.S.; expanding purposes of the department; expanding duties of department administrators; creating the position of Assistant Secretary for Delinquency Services; assigning duties; providing for the issuance of health advisories by the State Health Officer; establishing a Medicaid Program Office; requiring advisory boards to civil mental health and developmental services institutions; reorganizing service districts; creating district health and human services boards and providing membership, powers, and duties; requiring reports; abolishing alcohol, drug abuse and mental health planning councils; creating district nominee qualifications review committees and providing membership, powers, and duties; providing for a district administrator and providing powers and duties; creating a statewide health and human services board; deleting district advisory councils; revising departmental budget provisions; providing for additional appropriation; revising provisions relating to information systems; requiring an audit by the Auditor General; providing duties; providing for the establishment of innovation zones for the purpose of testing model programs, policy options, and new technologies for the department; authorizing the Secretary of Health and Rehabilitative Services to propose changes to policies or procedures or waivers of rules for purposes of an innovation zone proposal; providing for clarifying language; amending s. 381.702, F.S.; providing districts for health planning; amending s. 402.165, F.S.; revising membership of the Statewide Human Rights Advocacy Committee; amending ss. 394.67, 396.1818, 397.217, 410.023, 410.603, 415.602, and 420.621, F.S., relating to juvenile substance abuse prevention and early intervention councils, mental health, community care services, health maintenance services, domestic violence services, and social services, to conform; repealing s. 394.715, F.S., relating to alcohol, drug abuse and mental health planning councils; amending ss. 316.1932, 316.1933, 316.1934, 322.63, 327.354, F.S.; transferring duties and functions with respect to rules and procedures for tests determining the presence of alcohol or controlled substances from the Department of Health and Rehabilitative Services to the Department of Law Enforcement; providing for the Department of Law Enforcement to establish standards and issue permits for certain blood tests; amending s. 316.1938, F.S.; transferring the authority and responsibilities for certifying ignition interlock devices from the Department of Health and Rehabilitative Services to the Department of Law Enforcement; amending ss. 483.021, 483.031, 483.051, 483.172, 483.23, F.S.; deleting provisions relating to the licensing and regulation of clinical laboratory personnel by the Department of Health and Rehabilitative Services; creating ss.

483.800-483.827, F.S.; providing a statement of purpose; providing for regulation of clinical laboratory personnel by the Board of Clinical Laboratory Personnel within the Department of Professional Regulation; amending s. 395.1015, F.S.; conforming a cross-reference; amending s. 20.30, F.S.; providing for the Board of Clinical Laboratory Personnel within the Division of Medical Quality Assurance; repealing ss. 483.041(2) and (4), 483.053, 483.071, 483.141, 483.151, 483.152, 483.153, 483.154, 483.161, 483.21, F.S., relating to clinical laboratory personnel; providing a saving clause; amending s. 393.17, F.S.; transferring the certification program for behavior analysts from the Department of Health and Rehabilitative Services to the Department of Professional Regulation; transferring the district aging and adult services programs of the Department of Health and Rehabilitative Services to the Department of Elderly Affairs; amending s. 409.029, F.S.; authorizing the Department of Health and Rehabilitative Services to contract for certain services provided under the Florida Employment Opportunity Act; amending ss. 467.003, 467.006, F.S.; transferring the authority and responsibilities for regulating the practice of midwifery from the Department of Health and Rehabilitative Services to the Department of Professional Regulation; providing for exceptions to certain effects of the act on certain districts; amending s. 509.215, F.S.; requiring certain buildings to be equipped with automatic sprinkler systems; transferring, upon federal approval, the Office of Disability Determinations from the Department of Health and Rehabilitative Services to the Department of Labor and Employment Security; continuing interim planning groups created by ch. 91-158, Laws of Florida, for a specified period; providing a saving clause for rules; providing that provisions of this act do not affect the validity of certain pending judicial or administrative proceedings; providing an effective date.

By the Committee on Reapportionment and Senators Thomas, Margolis, Kurth, Gardner, Walker, Malchon, Girardeau, Kirkpatrick, Davis, Jenne, Forman, Dantzer, Wexler, Gordon, Weinstein, Thurman, Yancey, Meek, Childers, Plummer and Weinstock—

CS for SJR 2498—A joint resolution of apportionment; providing for the apportionment of the House of Representatives and the Senate; adopting the federal decennial census for use in such apportionment; providing for omitted areas; providing for areas with no population specified for inclusion in one district which are entirely surrounded by other districts; providing severability of invalid portions; providing for application beginning in 1992.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 89, CS for HB 271, CS for HB 417, HB 565, CS for HB 601, CS for HB 729, CS for HB 1011, HB 1233, HB 1557, CS for HB 1925, HB 2219, HB 2399; has passed as amended CS for HB 91, CS for HB 97, CS for HB 275, HB 793, CS for HB 837, CS for HB 1419, CS for HB 2365; has adopted HM 129 as amended; has adopted HM 2295 and requests the concurrence of the Senate.

John B Phelps, Clerk

By the Committee on Claims and Representative Geller—

CS for HB 89—A bill to be entitled An act for the relief of James Wortham, a minor; providing an appropriation to compensate him for injuries suffered due to the negligence of the Department of Health and Rehabilitative Services; providing an effective date.

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

By the Committee on Criminal Justice and Representative Langton and others—

CS for HB 271—A bill to be entitled An act relating to firearms; amending s. 790.06, F.S.; authorizing correctional probation officer exemption from concealed weapons licensing; exempting correctional probation officers from required fees and background investigations for one year after retirement; amending s. 843.025, F.S.; providing that it is unlawful for any person to deprive a correctional officer or correctional probation officer of his weapon or radio; providing an effective date.

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

By the Committee on Criminal Justice and Representative Hafner and others—

CS for HB 417—A bill to be entitled An act relating to weapons and firearms; amending s. 790.31, F.S.; expanding provisions which prohibit the manufacture, sale, delivery, and possession of armor-piercing or exploding ammunition to include "dragon's breath" shotgun shells, "bolo shells," and "flechette shells"; providing penalties; revising applicability provisions; providing an effective date.

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

By Representative Lombard—

HB 565—A bill to be entitled An act relating to bridge designation; designating the footbridge across the Grand Canal on Midnight Pass Road (State Road No. 758) as the "Colonel Robert Webb Tribolet Bridge"; directing the Department of Transportation to affix a plaque or erect appropriate markers; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Claims and Representative Press—

CS for HB 601—A bill to be entitled An act for the relief of Marshall D. Simmons and Alicia Simmons, a minor; providing an appropriation to compensate them for the wrongful death of Kathy Ann Simmons, wife and mother, and other damages sustained in an auto accident resulting from the negligence of the Department of Transportation; providing an effective date.

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

By the Committee on Agriculture and Representative Cosgrove and others—

CS for HB 729—A bill to be entitled An act relating to firefighting training; amending s. 590.02, F.S.; providing that the Division of Forestry of the Department of Agriculture and Consumer Services shall develop a training curriculum for forestry firefighters; amending s. 633.35, F.S.; authorizing the Division of State Fire Marshal to issue a Certificate of Forestry Firefighter to persons who successfully complete training; providing for rights, privileges, and benefits of forestry firefighters; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By the Committee on Claims and Representative Gordon—

CS for HB 1011—A bill to be entitled An act for the relief of M. H., a single woman; providing an appropriation to compensate her for injuries sustained as a result of the negligence of the District Board of Trustees of Miami-Dade Community College; providing an effective date.

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

By Representative Holzendorf—

HB 1233—A bill to be entitled An act relating to community colleges; amending s. 287.042, F.S.; providing for community colleges to procure commodities and certain professional services from minority business enterprises in the same manner and in compliance with the same guidelines as state executive agencies; providing an effective date.

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

By Representative Clark—

HB 1557—A bill to be entitled An act relating to a pretrial intervention program; amending s. 948.08, F.S.; expanding the program for limited purposes under certain circumstances; providing procedure; providing an effective date.

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

By the Committee on Judiciary and Representative Crady—

CS for HB 1925—A bill to be entitled An act relating to the psychotherapist-patient privilege; amending s. 90.503, F.S.; expanding the privilege by adding specified therapists to the definition of "psychotherapist"; providing an effective date.

(Substituted for **SB 1894** on the Special Order Calendar this day.)

By the Committee on Claims and Representative Rush—

HB 2219—A bill to be entitled An act for the relief of Ozie L. Brown, as personal representative of the estate of Alton P. Bass, deceased; providing an appropriation to compensate her for the death of her son, Alton P. Bass, in a drowning accident at Lake Wauberg in Alachua County, Florida; providing an effective date.

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

By the Committee on Governmental Operations and Representative Figg—

HB 2399—A bill to be entitled An act relating to confidentiality of records pertaining to certain reports; repealing ss. 119.07(7)(d), 415.107(3), and 415.51(3), F.S.; removing exemptions from public records requirements for reports of abuse, neglect, or exploitation of aged persons or disabled adults and of child abuse or neglect which are the subject of an active criminal investigation, and for quality assurance reports promulgated by the Department of Health and Rehabilitative Services; amending ss. 110.1127, 119.07, 400.414, 415.107, and 415.51, F.S.; correcting references; providing an effective date.

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

By the Committee on Claims and Representative Muscarella—

CS for HB 91—A bill to be entitled An act for the relief of the City of Clearwater and Pinellas County; providing for assignment of judgment to serve as restitution for damages caused by Michael W. Kenton, a former employee of the City of Clearwater, who was found to have violated the Code of Ethics; providing for reimbursement to the state; providing an effective date.

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

By the Committee on Criminal Justice and Representative Hanson and others—

CS for HB 97—A bill to be entitled An act relating to stalking; creating s. 784.048, F.S.; providing definitions; creating the offenses of stalking and aggravated stalking; providing criminal penalties; providing an effective date.

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

By the Committee on Transportation and Representative Arnall and others—

CS for HB 275—A bill to be entitled An act relating to motor vehicle emissions repairs; amending s. 325.202, F.S.; defining the term "short term rental vehicle"; amending s. 325.203, F.S.; providing an additional exemption from annual inspection; creating s. 325.210, F.S.; limiting the cost of certain emissions-related repairs under certain circumstances; requiring motor vehicle repair shops to disclose certain information before undertaking repairs; providing a penalty; providing an exception; amending s. 325.209, F.S.; providing that repairs done within 30 days prior to inspection may be considered; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Representative King—

HB 793—A bill to be entitled An act relating to medical practice; creating ss. 458.3095 and 459.0051, F.S.; directing the Board of Medicine to provide, by rule, that out-of-state licensed physicians and osteopathic physicians employed or designated by sports entities visiting for specific events in the state be exempt from the state's licensing requirements under certain circumstances; providing an effective date.

—was referred to the Committee on Professional Regulation.

By the Committee on Commerce and Representative Ritchie—

CS for HB 837—A bill to be entitled An act relating to securities regulation; amending s. 517.051, F.S.; providing that certain exemptions are self-executing; clarifying an exemption for securities issued by certain

financial institutions; amending s. 517.061, F.S.; clarifying certain exemptions from registration requirements; amending s. 517.111, F.S.; providing additional grounds for denying an application to register securities; amending s. 517.12, F.S.; requiring payment of certain moneys in addition to renewal fees in renewing registrations; changing the registration expiration date of branch offices; amending s. 517.131, F.S.; authorizing the Department of Banking and Finance to require certain writs of execution; authorizing the department to waive certain compliance requirements; amending s. 517.141, F.S.; clarifying the amount of recovery to which a claimant is entitled; amending s. 517.161, F.S.; specifying certain activities or events as grounds for denying certain registrations; amending s. 517.301, F.S.; prohibiting certain activities in rendering investment advice; providing penalties; providing an effective date.

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

By the Committee on Claims and Representative Langton—

CS for HB 1419—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 Prison Rehabilitative Industries and Diversified Enterprises, Inc., (PRIDE); providing an effective date.

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

By the Committees on Appropriations and Insurance and Representative Ascherl—

CS for HB 2365—A bill to be entitled An act relating to insurance and matters connected therewith; revising provisions of part V of chapter 626 and chapter 627, F.S., scheduled for repeal under the Regulatory Sunset Act; amending s. 213.05, F.S.; removing a reference to a repealed section; amending s. 316.646, F.S.; requiring proof of insurance to specify the extent of certain coverage; amending s. 337.106, F.S.; removing a reference to a repealed section; creating s. 624.3071, F.S.; requiring the Insurance Commissioner to appoint a consumer advocate; specifying powers and duties of the consumer advocate and the commissioner; amending ss. 624.462 and 624.5092, F.S.; removing references to a repealed section; amending ss. 626.022, 626.031, 626.241, 626.2815, 626.331, 626.611, 626.841, and 626.8417, F.S.; creating ss. 626.8411, 626.8412, 626.8414, 626.8418, and 626.8419, F.S.; requiring licensure and appointment of title insurance agents and agencies; providing for examinations and continuing education; specifying grounds for discipline; providing definitions; specifying applicability of Insurance Code provisions; providing for applications; providing exemptions; amending ss. 627.021, 627.062, 627.0645, 627.0652, 627.0653, 627.311, 627.351, 627.3515, and 627.357, F.S.; renumbering and amending s. 627.4106, F.S.; creating s. 627.0621, F.S.; specifying scope of part I of chapter 627, F.S.; revising provisions relating to establishment and approval of rates for property and casualty insurance, motor vehicle insurance, and health insurance; revising provisions relating to annual filing requirements, motor vehicle insurance discounts, joint underwriting and risk apportionment, the market assistance plan, and medical malpractice self-insurance; amending ss. 627.402, 627.408, 627.4085, 627.409, 627.410, 627.411, 627.4133, 627.4143, 627.4234, 627.4235, and 627.429, F.S.; creating ss. 627.4091, 627.4131, 627.4233, 627.4236, and 627.4237, F.S.; amending and renumbering s. 627.726, F.S.; renumbering ss. 627.7262 and 627.7264, F.S.; providing definitions; revising provisions relating to applications for insurance, filing and approval of forms, notices of cancellation, nonrenewal, or renewal premium, outlines of coverage, cost-containment, coordination of benefits, and medical tests for HIV infection and AIDS; requiring a phone number on policies and certificates; requiring specification of reasons for denials, cancellations, and nonrenewals; prohibiting denial of coverage for bone marrow transplant procedures in certain circumstances; prohibiting the denial of issuance or renewal or the cancellation of certain insurance; amending s. 627.481, F.S.; creating s. 627.4765, F.S.; revising provisions relating to annuity agreements; creating the standard nonforfeiture law for individual deferred annuities; creating s. 627.522, F.S.; providing requirements and prohibitions for industrial life insurance policies; amending ss. 627.551, 627.5515, 627.552, 627.554, 627.555, and 627.556, F.S.; amending and renumbering s. 627.572, F.S.; revising provisions relating to group life insurance, out-of-state groups, employee groups, labor union groups, trustee groups, credit union groups, and association groups; amending ss. 627.601, 627.602, 627.607, 627.641, 627.6415, 627.6417, 627.6418, and 627.643, F.S.; creating ss. 627.6086, 627.6407, 627.6472, and 627.6473, F.S.; amending and renumbering ss. 627.4134, 627.6055, and 627.6145, F.S.; renumbering s. 627.6085, F.S.; revising pro-

visions relating to the scope of part VI of chapter 627, F.S., scope and format of health insurance policies, coverage of handicapped children, claims payment methodology, time limits on defenses, coverage of newborn and adopted children, mastectomy coverage, mammogram coverage, minimum standards for forms, and preferred provider arrangements; providing circumstances under which an insurer must allow revocation of the insured's notice to cancel; requiring certain coverage for massage; authorizing and providing for regulation of exclusive provider arrangements; authorizing combined preferred provider and exclusive provider policies; amending ss. 627.651, 627.6515, 627.653, 627.6575, 627.6578, 627.6612, 627.6613, 627.6615, 627.662, 627.666, 627.667, 627.6675, and 627.668, F.S.; creating ss. 627.6516, 627.6561, 627.6562, 627.6563, 627.6619, and 627.6647, F.S.; revising provisions relating to group health insurance contracts, out-of-state groups, employee groups, coverage for newborn and adopted children, mastectomy coverage, mammogram coverage, coverage of handicapped children, applicability of various Insurance Code provisions to group health insurance, liability of the succeeding insurer upon replacement of a group health policy, extension of benefits, conversion upon termination of eligibility, and coverage for mental and nervous disorders; providing credit for preexisting conditions; defining dependent coverage; requiring coverage of certain employees; providing for issuance of group health policies to trustee groups; requiring certain coverage for massage; requiring release of certain group health claims experience to a policyholder; amending ss. 627.673, 627.6736, 627.674, 627.6741, 627.6742, 627.6744, and 627.6745, F.S.; revising provisions relating to designation of a policy as a Medicare supplement policy, filing requirements for out-of-state group Medicare supplement policies, minimum standards and filing requirements, issuance, cancellation, nonrenewal, replacement, permitted compensation arrangements, loss ratio standards, and rate hearings; amending s. 627.677, F.S.; creating ss. 627.6841, 627.6842, 627.6843, 627.6844, and 627.6845, F.S.; providing definitions; providing general requirements for credit insurance consolidations; providing certain exceptions for group-to-group credit insurance consolidations; requiring certain disclosures; providing exemptions from rules relating to replacement, requiring filing and approval of forms; creating s. 627.7061, F.S.; providing that inquiries about property insurance coverage do not constitute claim activity; amending ss. 627.727, 627.728, 627.7282, 627.7283, 627.7295, 627.744, and 627.745, F.S.; creating s. 627.7284, F.S.; revising provisions relating to uninsured and underinsured motorist coverage, cancellations and nonrenewals, cancellation upon nonpayment of additional premium, return of premium upon cancellation, issuance and cancellation of motor vehicle insurance contracts, preinsurance inspection of motor vehicles, and mediation of claims; limiting the circumstances under which a motor vehicle policy may be voided for misrepresentation; amending ss. 627.7711, 627.776, 627.777, 627.7773, 627.7776, 627.778, 627.780, 627.782, 627.783, 627.784, 627.7841, 627.7842, 627.7845, 627.785, 627.786, 627.7865, 627.791, and 627.792, F.S.; creating ss. 627.7831 and 627.7843, F.S.; revising provisions relating to definitions for title insurance, applicability of Insurance Code provisions to title insurers, approval of forms, accounting and auditing of forms, furnishing of supplies, limit of risk, illegal dealings in risk premium, adoption of rates, rate deviations, prohibition of casualty title insurance, insurance against certain adverse matters, policy exceptions, evidence of title search and examination, state preemption, transaction of title insurance and other insurance, assessments, violations by unlicensed persons or entities, and liability for defalcation; requiring certain charges for issuance of a title binder or commitment; providing for regulation of ownership and encumbrance reports; amending ss. 627.826, 627.828, 627.8281, 627.829, 627.832, 627.833, 627.834, 627.835, 627.836, 627.838, 627.839, 627.840, 627.8405, 627.841, 627.845, and 627.848, F.S.; creating ss. 627.8282, 627.8283, 627.8311, 627.8361, 627.8381, 627.8391, 627.8491, and 627.865, F.S.; revising provisions relating to definitions for premium finance companies and contracts, licensure of premium finance companies, levy upon deposit, applications and renewals, denial of certificate of authority, administrative fines and probation, examinations, excessive charges and penalties therefor, books and records, filing and approval of forms, service charges, form and content of premium finance agreements, limitations on service charges and other charges, prohibited premium financing, other charges and fees, statements of account, and cancellation of insurance contract upon default; providing for application for certificate of authority; specifying net worth requirements; applying s. 628.4615, F.S., to acquisition of premium finance companies; requiring annual reports; specifying grounds for disapproval of forms; providing requirements for disbursement of funds; requiring adoption of rules; providing circumstances limiting dividends and other distributions; amending ss. 627.901, 627.902, and 627.904, F.S.; revising provisions relating to premium financing by an insurance agent or agency, premium financing by an insurer or subsid-

ary, and filing of forms by insurers and subsidiaries; amending ss. 627.9407, F.S.; creating ss. 627.94071 and 627.94072, F.S.; revising provisions relating to disclosure, advertising, and performance standards for long-term care insurance policies; providing minimum standards for home health care benefits; requiring certain offers in connection with the sale of long-term care policies; limiting campaign contributions; prohibiting solicitation of campaign contributions; providing a penalty; amending s. 627.945, F.S.; limiting the prohibition on participation in guaranty funds by risk retention groups; repealing ss. 627.0627, 627.0635, 627.0651, 627.356, 627.403, 627.4149, 627.6176, 627.6573, 627.781, and 627.827, F.S., relating to medical malpractice rate filings, motor vehicle rate filings, motor vehicle rate standards, professional liability self-insurance trust funds, definition of "premium," rating classifications for medical malpractice insurance, mandated offers of certain coinsurance in individual and group health policies, definition of "risk premium," and definition of "premium finance agreement;" rescheduling Sunset review and repeal of s. 634.045, F.S., relating to guarantees in connection with motor vehicle service agreements; saving provisions of part V of chapter 626 and chapter 627, F.S., from Sunset repeal; providing an effective date.

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

By Representative Long and others—

HM 129—A memorial to the Congress of the United States, urging Congress to propose an amendment to the Constitution of the United States relating to the physical desecration of the American Flag.

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

By Representative Huenink and others—

HM 2295—A memorial to the Congress of the United States, urging Congress to adopt legislation amending Title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

—was referred to the Committee on Rules and Calendar.

RETURNING MESSAGES ON SENATE BILLS

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has passed with amendments SB 102 and requests the concurrence of the Senate.

John B. Phelps, Clerk

SB 102—A bill to be entitled An act relating to state business; creating s. 286.27, F.S.; prohibiting the expenditure of state funds for holiday greeting cards; providing an effective date.

House Amendment 1—On page 1, line 13, before "preparation," insert: purchase,

House Amendment 2—On page 1, line 13, strike "or similar item"

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

SB 102 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39 Nays—None

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has passed with amendments CS for SB 240 and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 240—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; authorizing physician assistants to prescribe medicinal drugs under the supervision of physicians or osteopathic physicians; providing limitations; providing training requirements; providing for adoption of a formulary by board rule; requiring notice to physician assistants; requiring notice of changes; providing a fee; providing for inactive status of physician assistant certifi-

ates; providing for continuing education requirements; providing a fee; amending ss. 459.008 and 459.009, F.S.; conforming provisions relating to certificate renewal and inactive status; providing an effective date.

House Amendment 1—On page 6, line 10, after the word “one” strike “person with a doctorate degree in pharmacology” and insert: *pharmacist licensed pursuant to chapter 465*

House Amendment 2 (with Title Amendment)—On page 20, between lines 12 and 13, insert:

Section 5. *There is hereby appropriated 3 FTE and \$136,950 to the Department of Professional Regulation from the Professional Regulation Trust Fund for Fiscal Year 1992-1993 to implement the provisions of this act.*

(Renumber subsequent section.)

And the title is amended as follows:

On page 1, line 16, after the word “status;” insert: providing an appropriation;

House Amendment 3—On page 10, line 16, after the word “board” insert: *, but the board shall not require an examination passing score to be higher than the passing score for certification established by the National Commission on Certification of Physician Assistants for each particular examination, nor shall the method of scoring such examinations differ from that of said Commission*

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

CS for SB 240 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39 Nays—None

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has passed with amendment CS for SB 456 and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 456—A bill to be entitled An act relating to the Florida Boll Weevil Eradication Law; amending s. 593.114, F.S.; establishing a maximum assessment rate per acre per year; providing for past assessments; providing procedures with respect to assessments that are annulled, vacated, or set aside by a court; providing for application to assessments previously levied; providing for payment of interest; providing an effective date.

House Amendment 1 (with Title Amendment)—On page 1, line 14, strike everything after the enacting clause and insert:

Section 1. Section 593.114, Florida Statutes, is amended to read:

593.114 Assessments.—

(1) Assessments shall be collected by the department or its agent and deposited in the State Treasury to the credit of the Plant Industry Trust Fund. Except as otherwise provided herein, upon appropriation by the Legislature, all moneys received under the provisions of this section shall be remitted to the certified growers’ organization subject to such terms and conditions as the department, after consultation with the board of directors of the cotton growers’ organization, prescribes to ensure that the assessments are used in a sound program of boll weevil suppression and eradication.

(2)(a) All assessments shall be levied on a per acre basis.

(b) Upon recommendation by the board of directors of the cotton growers’ organization, the department shall establish a per acre assessment, the period for which it will be levied, and the geographical area to which it applies.

(c) *The assessment shall not exceed \$35 per acre per year.*

(3)(a) *An assessment shall be levied upon all commercial cotton growers for each growing season on each acre or part of an acre where cotton was grown in this state in the corresponding amount described below:*

Growing Season	Per-acre Assessment
1987	\$5.00
1988	17.50
1989	25.00
1990	27.00
1991	14.00

The assessments levied for each part of an acre shall be prorated proportionally.

(b) *Any commercial cotton grower who has paid the entire per-acre assessment amount due pursuant to an assessment levied on or before the effective date of this subsection for any growing season listed in paragraph (a) shall be considered paid in full for that growing season.*

(c) *Any commercial cotton grower who has not paid in full the per-acre assessment due for any growing season in paragraph (a) shall remit the unpaid amount in the following manner:*

1. *One-third of the total amount due for all growing seasons shall be remitted to the department on or before December 31, 1992.*

2. *One-third of the total amount due for all growing seasons shall be remitted to the department on or before December 31, 1993.*

3. *The remaining balance due for all growing seasons shall be remitted to the department on or before December 31, 1994*

(d) *Paragraph (c) shall not apply to any assessment levied under subsections (1) and (2) on or before January 1, 1992, if such assessment is upheld by the highest court of competent jurisdiction which has not been reversed by a higher court. Any such assessment shall be due and payable as originally assessed.*

(e) *In the event any assessment made under subsections (1) and (2) prior to January 1, 1992, is upheld by the highest court of competent jurisdiction which has not been reversed by a higher court, any assessment paid under this subsection shall be credited toward the assessments made under subsections (1) and (2), and any assessment so paid and credited under subsections (1) and (2) shall not be payable under this subsection.*

(f) *A commercial cotton grower who fails to pay any assessment levied under this section by the time periods listed in this subsection shall be subject to a penalty of not more than \$25 per acre, such amount to be established by rule of the department.*

(g) *The assessments shall be remitted to the certified growers’ organization in the manner prescribed by this section.*

(4)(a) *If any assessment made under this chapter to defray the whole or any part of the expense of any eradication or suppression program is either in whole or in part annulled, vacated, or set aside by the judgment of any court, or if the department is satisfied that any such assessment is so irregular or defective that the same cannot be enforced or collected, or if the department fails to make such assessment when it might have done so, the department shall take all necessary steps to cause a new assessment to be made for the whole or any part of the cost of any eradication or suppression program, following as nearly as possible the provisions of this chapter, and, in case such second assessment is annulled, the department may obtain and make other assessments until a valid assessment is made.*

(b) *The provisions of this subsection shall apply to any assessment levied under this chapter on or after May 1, 1987.*

(5) *A commercial cotton grower who fails to pay any assessment levied under this chapter by the applicable due date shall be subject to interest on the unpaid assessment at the rate set forth in chapter 55. Such interest shall accrue from the date the assessment was due until payment.*

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

On page 1, line 1, strike the entire title and insert: A bill to be entitled An act relating to the Florida Boll Weevil Eradication Law; amending s. 593.114, F.S.; establishing a maximum assessment rate per acre per year; providing for past assessments; providing a penalty; providing procedures with respect to assessments which are annulled, vacated, or set aside by a court; providing for applicability; providing for interest; providing an effective date.

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

CS for SB 456 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37 Nays—None

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has passed with amendment SB 1714 and requests the concurrence of the Senate.

John B. Phelps, Clerk

SB 1714—A bill to be entitled An act relating to building designation; designating the Radio Communications Building at the Florida Highway Patrol Station in Pensacola, Florida as the "Milan Dexter Hendrix Building"; designating the Florida Highway Patrol Station in Madison, Florida, as the "James H. Fulford, Jr. Highway Patrol Station"; providing for erection of appropriate markers; providing an effective date.

House Amendment 1—On page 1, lines 23-31, and on page 2, lines 1-3, strike all of said lines and insert:

WHEREAS, Trooper James H. Fulford, Jr., attended the 53rd Recruit School and was graduated from the Florida Highway Patrol Academy on November 4, 1977, having been elected class president by his fellow recruits, and

WHEREAS, Trooper Fulford's duty stations included Bradenton, Manatee County, Troop F, from 1977 to 1979, and Monticello, Jefferson County, Troop H, from 1979 to 1992, and

WHEREAS, Trooper Fulford was killed in the line of duty by an explosive device on February 1, 1992, and

WHEREAS, Trooper James H. Fulford, Jr., was a member of the Troop H Special Response Team, a certified instructor on the use of the PR-24 police baton, served on occasion as a counselor, and was the recipient of many commendations for his courtesy and assistance to the public, and

WHEREAS, Trooper Fulford is survived by his wife, Keith Ann Fulford, a son and daughter, and many other loving family members, and

WHEREAS, it is entirely fitting and proper for this legislative body to pause in its deliberations to take note of the passing of these dedicated and valued public servants who gave their lives in the cause of making the lives of all Floridians safer and more meaningful, NOW, THEREFORE,

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

SB 1714 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39 Nays—None

RETURNING MESSAGES—FINAL ACTION

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has passed SB 698, SB 730, SB 808, CS for SB 882, SB 1218, SB 1740 and SB 2424.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 to House Amendment 1 to SB 932 and passed as amended.

John B. Phelps, Clerk

The bill contained in the foregoing message was ordered engrossed and then enrolled.

ROLL CALLS ON SENATE BILLS

SB 22

Yeas—37

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

Nays—None

CS for SB 40

Yeas—35

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

Nays—1

Davis

Vote after roll call:

Yea—Jenne, McKay

CS for CS for SB 84

Yeas—38

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

Nays—None

SB 102

Yeas—39

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

Nays—None

CS for SB 154

Yeas—34

Beard	Childers	Davis	Gardner
Bruner	Crenshaw	Diaz-Balart	Girardeau
Burt	Crotty	Dudley	Gordon
Casas	Dantzler	Forman	Grant

Grizzle	Malchon	Scott
Johnson	McKay	Thomas
Kirkpatrick	Meek	Thurman
Kurth	Myers	Walker
Langley	Plummer	Weinstein

Nays—None

Vote after roll call:

Yea—Kiser, Souto

SB 222

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Childers, Yancey

CS for SB 240

Yeas—39

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

Nays—None

SB 372

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Weinstock

CS for SB 456

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Jenne

CS for SB 494

Yeas—35

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

Nays—None

SB 584—Amendment 1

Yeas—20

Beard	Crenshaw	Jennings	Myers
Bruner	Diaz-Balart	Johnson	Scott
Burt	Dudley	Kurth	Souto
Casas	Grant	Langley	Weinstein
Childers	Grizzle	McKay	Weinstock

Nays—12

Madam President	Davis	Malchon	Thurman
Crotty	Forman	Meek	Walker
Dantzler	Gardner	Thomas	Yancey

SB 584

Yeas—28

Madam President	Dantzler	Johnson	Souto
Beard	Davis	Kurth	Thomas
Bruner	Diaz-Balart	Langley	Thurman
Burt	Dudley	Malchon	Walker
Casas	Grant	McKay	Weinstein
Childers	Grizzle	Meek	Weinstock
Crotty	Jennings	Myers	Yancey

Nays—2

Forman Gardner

Vote after roll call:

Yea—Jenne

CS for SB 608

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Burt

SB 626

Yeas—36

Beard	Childers	Davis	Gardner
Bruner	Crenshaw	Diaz-Balart	Girardeau
Burt	Crotty	Dudley	Gordon
Casas	Dantzler	Forman	Grant

Grizzle
Jenne
Jennings
Johnson
Kirkpatrick

Kiser
Kurth
Langley
Malchon
McKay

Meek
Myers
Scott
Souto
Thomas

Thurman
Walker
Weinstein
Wexler
Yancey

Yeas—36

SB 758

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

Nays—1

Weinstock

SB 658

Yeas—37

Madam President	Diaz-Balart
Beard	Dudley
Bruner	Forman
Burt	Gardner
Casas	Girardeau
Childers	Gordon
Crenshaw	Grant
Crotty	Grizzle
Dantzler	Jenne
Davis	Jennings

Johnson
Kirkpatrick
Kiser
Kurth
Malchon
McKay
Meek
Myers
Plummer
Scott

Thomas
Thurman
Walker
Weinstein
Weinstock
Wexler
Yancey

Nays—None

CS for SB 842

Yeas—33

Madam President	Diaz-Balart
Beard	Dudley
Bruner	Forman
Burt	Gardner
Casas	Girardeau
Childers	Grant
Crotty	Grizzle
Dantzler	Jennings
Davis	Johnson

Kiser	Thomas
Kurth	Thurman
Langley	Walker
Malchon	Weinstein
McKay	Weinstock
Meek	Yancey
Myers	
Plummer	
Souto	

Nays—None

CS for SB 868

Yeas—34

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

Nays—None

CS for SB 904

Yeas—28

Madam President	Crotty	Jennings	Myers
Beard	Davis	Kirkpatrick	Plummer
Bruner	Dudley	Kiser	Souto
Burt	Gardner	Kurth	Thomas
Casas	Girardeau	Langley	Thurman
Childers	Grant	Malchon	Walker
Crenshaw	Grizzle	McKay	Yancey

Nays—11

Dantzler	Gordon	Meek	Weinstock
Diaz-Balart	Jenne	Scott	Wexler
Forman	Johnson	Weinstein	

CS for SB 916

Yeas—34

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

Yeas—38

Beard
Bruner
Burt
Casas
Childers
Crenshaw
Crotty
Dantzler
Davis
Diaz-Balart

Dudley
Forman
Gardner
Girardeau
Gordon
Grant
Grizzle
Jenne
Jennings
Johnson

Kirkpatrick
Kiser
Kurth
Langley
Malchon
McKay
Meek
Myers
Plummer
Scott

Souto
Thomas
Thurman
Walker
Weinstein
Weinstock
Wexler
Yancey

Nays—None

CS for SB 694

Yeas—38

Madam President	Diaz-Balart
Beard	Dudley
Bruner	Forman
Burt	Gardner
Casas	Girardeau
Childers	Gordon
Crenshaw	Grant
Crotty	Grizzle
Dantzler	Jenne
Davis	Jennings

Johnson
Kirkpatrick
Kiser
Kurth
Langley
Malchon
McKay
Meek
Myers
Plummer

Scott
Souto
Thomas
Thurman
Walker
Weinstein
Weinstock
Wexler
Yancey

Nays—None

SB 724

Yeas—30

Madam President	Gardner
Bruner	Girardeau
Burt	Grant
Casas	Grizzle
Childers	Jennings
Dantzler	Johnson
Davis	Kiser
Dudley	Kurth

Langley
Malchon
McKay
Meek
Myers
Plummer
Scott
Souto

Thomas
Thurman
Walker
Weinstein
Weinstock
Yancey

Nays—3

Beard	Diaz-Balart	Forman
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Nays—1

Langley

CS for SB 996

Yeas—28

Madam President	Forman	Kurth	Scott
Beard	Gardner	Langley	Thomas
Burt	Girardeau	Malchon	Thurman
Childers	Grizzle	McKay	Walker
Dantzler	Jennings	Meek	Weinstein
Davis	Johnson	Myers	Weinstock
Dudley	Kiser	Plummer	Yancey

Nays—4

Bruner	Casas	Diaz-Balart	Souto
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Vote after roll call:

Nay to Yea—Diaz-Balart

CS for SB 1056

Yeas—31

Beard	Gardner	Kirkpatrick	Scott
Bruner	Girardeau	Kiser	Souto
Burt	Gordon	Kurth	Thurman
Casas	Grant	Langley	Weinstein
Crotty	Grizzle	Malchon	Weinstock
Dantzler	Jenne	McKay	Wexler
Davis	Jennings	Meek	Yancey
Dudley	Johnson	Myers	

Nays—None

Vote after roll call:

Yea—Childers, Plummer, Thomas

SB 1060

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Bruner

SB 1070

Yeas—36

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

Nays—1

Gardner

Vote after roll call:

Yea—Childers

CS for SB 1146

Yeas—26

Madam President	Dantzler	Kiser	Thomas
Beard	Dudley	Kurth	Thurman
Bruner	Forman	Langley	Walker
Burt	Grant	Malchon	Weinstock
Casas	Grizzle	Meek	Yancey
Childers	Jennings	Myers	
Crotty	Johnson	Souto	

Nays—None

Vote after roll call:

Yea—Girardeau, Gordon, Weinstein

SB 1168

Yeas—32

Madam President	Dantzler	Grant	Meek
Beard	Davis	Grizzle	Myers
Bruner	Diaz-Balart	Jennings	Scott
Burt	Dudley	Johnson	Souto
Casas	Forman	Kiser	Thomas
Childers	Gardner	Kurth	Thurman
Crenshaw	Girardeau	Langley	Walker
Crotty	Gordon	Malchon	Weinstock

Nays—3

Plummer	Weinstein	Yancey
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SB 1432

Yeas—37

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

Nays—None

CS for SB 1496

Yeas—29

Madam President	Dantzler	Jennings	Souto
Beard	Davis	Johnson	Thurman
Bruner	Diaz-Balart	Kiser	Walker
Burt	Dudley	Kurth	Weinstein
Casas	Forman	Langley	Yancey
Childers	Gardner	McKay	
Crenshaw	Girardeau	Meek	
Crotty	Grant	Scott	

Nays—5

Grizzle	Myers	Weinstock
Malchon	Thomas	

CS for SB 1506

Yeas—28

Madam President	Dantzler	Johnson	Plummer
Beard	Diaz-Balart	Kiser	Scott
Bruner	Dudley	Kurth	Souto
Burt	Forman	Langley	Thomas
Casas	Grant	Malchon	Thurman
Childers	Grizzle	Meek	Weinstock
Crotty	Jennings	Myers	Yancey

Nays—None

Vote after roll call:

Yea—Girardeau, Gordon, Walker, Weinstein

SB 1544

Yeas—34

Madam President	Dudley	Kirkpatrick	Souto
Beard	Gardner	Kiser	Thurman
Bruner	Girardeau	Kurth	Walker
Burt	Gordon	Langley	Weinstein
Casas	Grant	Malchon	Weinstock
Crenshaw	Grizzle	McKay	Wexler
Crotty	Jenne	Meek	Yancey
Dantzler	Jennings	Plummer	
Davis	Johnson	Scott	

Nays—None

Vote after roll call:

Yea—Childers

CS for SB 1546

Yeas—38

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

Nays—None

SB 1622

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Malchon

CS for SB 1670

Yeas—23

Madam President	Dudley	Kirkpatrick	Plummer
Bruner	Forman	Kiser	Souto
Childers	Grant	Kurth	Thurman
Crotty	Grizzle	Langley	Weinstein
Dantzler	Jennings	McKay	Yancey
Diaz-Balart	Johnson	Myers	

Nays—5

Davis	Gordon	Weinstock
Girardeau	Malchon	

Vote after roll call:

Yea—Jenne, Thomas

SB 1676

Yeas—30

Beard	Forman	Kiser	Souto
Burt	Gardner	Kurth	Thomas
Childers	Girardeau	Langley	Thurman
Crenshaw	Gordon	Malchon	Walker
Crotty	Grant	McKay	Wexler
Davis	Grizzle	Meek	Yancey
Diaz-Balart	Jenne	Myers	
Dudley	Kirkpatrick	Scott	

Nays—6

Bruner	Jennings	Plummer
Dantzler	Johnson	Weinstock

Vote after roll call:

Yea—Weinstein

SB 1714

Yeas—39

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

Nays—None

CS for SB 1720

Yeas—37

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

Nays—None

CS for CS for SB 2206

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Langley

CS for SB 2262

Yeas—36

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

Nays—None

SB 2314

Yeas—23

Madam President	Crotty	Johnson	Scott
Bruner	Diaz-Balart	Kurth	Thomas
Burt	Forman	Malchon	Thurman
Casas	Girardeau	McKay	Walker
Childers	Grizzle	Meek	Yancey
Crenshaw	Jennings	Myers	

Nays—10

Beard	Grant	Plummer	Weinstock
Dantzler	Kiser	Souto	
Dudley	Langley	Weinstein	

ROLL CALLS ON HOUSE BILLS

CS for HB 97

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Crotty, Jenne, Yancey

CS for HB 275

Yeas—38

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

Nays—None

CS for HB 415

Yeas—31

Madam President	Davis	Kirkpatrick	Plummer
Bruner	Diaz-Balart	Kiser	Scott
Burt	Dudley	Kurth	Thomas
Casas	Forman	Langley	Thurman
Childers	Grant	Malchon	Weinstein
Crenshaw	Grizzle	McKay	Weinstock
Crotty	Jennings	Meek	Yancey
Dantzler	Johnson	Myers	

Nays—None

Vote after roll call:

Yea—Beard, Girardeau, Souto, Walker

CS for HB 507

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Girardeau

CS for HB 717

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Plummer

CS for HB 739—Amendment 1

Yeas—12

Bruner	Langley	Plummer	Weinstock
Diaz-Balart	Malchon	Walker	Wexler
Gordon	Meek	Weinstein	Yancey

Nays—25

Madam President	Dantzler	Jennings	Scott
Beard	Davis	Johnson	Souto
Burt	Dudley	Kirkpatrick	Thomas
Casas	Forman	Kiser	Thurman
Childers	Girardeau	Kurth	
Crenshaw	Grant	McKay	
Crotty	Grizzle	Myers	

CS for HB 739—Amendment 2

Yeas—10

Davis	Malchon	Walker	Wexler
Gordon	Meek	Weinstein	
Jenne	Plummer	Weinstock	

Nays—26

Beard	Diaz-Balart	Johnson	Scott
Bruner	Dudley	Kirkpatrick	Souto
Burt	Forman	Kiser	Thomas
Casas	Girardeau	Kurth	Thurman
Childers	Grant	Langley	Yancey
Crenshaw	Grizzle	McKay	
Dantzler	Jennings	Myers	

CS for HB 739

Yeas—29

Madam President	Diaz-Balart	Johnson	Souto
Beard	Dudley	Kirkpatrick	Thomas
Burt	Forman	Kiser	Thurman
Casas	Gardner	Kurth	Walker
Childers	Girardeau	Malchon	Yancey
Crenshaw	Grant	McKay	
Dantzler	Grizzle	Myers	
Davis	Jennings	Scott	

Nays—9

Bruner	Langley	Weinstein
Gordon	Meek	Weinstock
Jenne	Plummer	Wexler

Vote after roll call:

Yea—Crotty

ROLL CALL ON LOCAL BILLS

The following roll call was taken on **Senate Bills 2470, 2472, 2474, 2476, 2478, 2480, 2482, 2484, 2486, 2488, 2490, 2492, 2506** and **2434; House Bills 867, 1303, 1307, 1339, 1469, 1571, 1631, 1791, 2289** and **SB 2466** which passed this day:

Yeas—38

Madam President	Childers	Diaz-Balart	Gordon
Beard	Crenshaw	Dudley	Grant
Bruner	Crotty	Forman	Grizzle
Burt	Dantzler	Gardner	Jenne
Casas	Davis	Girardeau	Jennings

Johnson	Malchon	Souto	Weinstock
Kirkpatrick	McKay	Thomas	Wexler
Kiser	Meek	Thurman	Yancey
Kurth	Myers	Walker	
Langley	Plummer	Weinstein	

Nays—None

ENROLLING REPORTS

CS for SB 314, Senate Bills 836 and 1360 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on March 2, 1992.

SJR 162 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on March 2, 1992.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of February 27 was corrected and approved.

RECESS

On motion by Senator Thomas, the Senate recessed at 5:05 p.m. to reconvene at 2:00 p.m., Wednesday, March 4.

SENATE PAGES

March 2-6

Heather van Blokland, Gainesville; Andrea S. Concar, Tallahassee; Karen Anne Connelly, Tallahassee; Breah Croak, Eustis; Heather N. Croft, Mayo; Willona L. Edwards, Tallahassee; Lashanda Sherese Fields, Tallahassee; Tanya C. Fossler, Tampa; Cali Garner, Tallahassee; Malinda Givens, Tallahassee; Matthew B. Hill, Lutz; Seth D. McKeel, Lakeland; Susie Nabors, Tallahassee; Jessica Patrick, Tallahassee; Timothy Rogers, Newberry; Roney Summers, II, Tallahassee; Jennifer Swisher, Tallahassee; Marlom Williams, Tallahassee; Nicole J. Williams, West Palm Beach; Jason D. Winn, Tallahassee