



Journal of the Senate

Number 11

Wednesday, April 12, 1995

CALL TO ORDER

The Senate was called to order by the President at 9:30 a.m. A quorum present—40:

Mr. President	Diaz-Balart	Horne	Myers
Bankhead	Dudley	Jenne	Ostalkiewicz
Beard	Dyer	Jennings	Rossin
Bronson	Forman	Johnson	Silver
Brown-Waite	Grant	Jones	Sullivan
Burt	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams

PRAYER

The following prayer was offered by the Rev. Martin W. Lifer III, Associate Pastor, First Presbyterian Church, Winter Haven:

O God most high, O God most near, we praise you and commit ourselves to you this day. In you alone do our past and our future truly hold together. We bless your name. May your way, your truth and your life reign in this senate, this state and this world.

O God our Maker, most high and most near, we thank you that you create us and call us to be stewards on this good earth. You have called those gathered here today to positions of leadership in their state and in their communities. Guide our senators and our other public officials to be steward-leaders worthy of the authority and responsibilities you grant to them. On this Reunion Day in these chambers, we especially give thanks for those who have served before us in this place. We remember those breakthrough moments, those critical instances of statesmanship, and those events of self-sacrifice that have occurred within these chambers, making a difference for the betterment of this state. Now, on this Reunion Day, we pray that you would empower our current leaders with a vision of true stewardship of this state, its heritage, people, finances, land and other resources, as we move quickly toward a new century.

O God our Redeemer, most high and most near, we thank you that you are just and merciful, abounding in steadfast love and giving rights to those who have no rights in your presence. By your justice, renew in the leaders of this state, this nation and all the nations the will to enact laws and to make decisions that are just and equitable. Today, in these chambers, make these senators courageous enough to do what is right rather than what may simply be expedient. But also, make them humble enough to know that they themselves can neither know everything nor do everything that needs to be accomplished. Forgive us when we reject your ways. Restore us in justice and mercy, so that we may respond to your saving purposes both for the powerful and the powerless.

O God our Sustainer, most high and most near, we thank you that you bring us through our lives as people united in community with others. Reconcile us to yourself and to each other. In your world, overcome hostility, hatred and prejudice with love and new understanding. Overcome war with peace. Overcome violence, crime and abuse by intervention that breaks the cycle of violence. Overcome disease and death with your healing touch. Grant us wisdom to know when to speak, when to listen and when to act. Give us spiritual discernment to understand our problems for what they are.

O God most high, O God most near, surprise us with your grace today and all the days of our lives.

In your name, we pray. Amen.

PLEDGE

Senate Pages, Kenneth Beard of Tallahassee and Alicia Fessenden of Palm Harbor, led the Senate in the pledge of allegiance to the flag of the United States of America.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Jennings, by two-thirds vote **SB 2084** was withdrawn from the Committees on Judiciary; Health and Rehabilitative Services; and Ways and Means; and referred to the Committees on Health and Rehabilitative Services; Judiciary; and Ways and Means; **CS for SB 544** was withdrawn from the Committee on Ways and Means; and referred to the Committees on Community Affairs; and Ways and Means; **SB 1442** was withdrawn from the Committee on Education; **CS for SB 954** was withdrawn from the Committee on Banking and Insurance; and **SB 1438** was withdrawn from the Committee on Criminal Justice.

On motion by Senator Jennings, by two-thirds vote **SB 2546**, **SB 1416**, **SB 1076** and **CS for SB 1008** were withdrawn from the Committee on Commerce and Economic Opportunities; and **SB 2284**, **SB 2070** and **CS for SB 740** were withdrawn from the Committee on Judiciary.

On motion by Senator Holzendorf, by two-thirds vote **SB 2076** was withdrawn from the committees of reference and further consideration.

On motion by Senator Diaz-Balart, by two-thirds vote **CS for SB 32**, **SB 38**, **SB 90**, **SB 118**, **SB 160**, **CS for SB 254**, **SB 312**, **SB 334**, **SB 478**, **CS for SB 510**, **SB 516**, **SB 534**, **SB 686**, **SB 766**, **SB 864**, **SB 1310**, **SB 2428** and **SB 2458** were withdrawn from the Committee on Ways and Means.

MOTIONS

On motion by Senator Jennings, the rules were waived and by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, April 13 to be considered following **CS for SB 1554**.

SPECIAL ORDER

CS for SB 2248—A bill to be entitled An act relating to vocational education; amending ss. 187.201, 228.093, 228.501, 229.133, 229.551, 229.602, 230.63, 230.64, 231.614, 233.0674, 235.15, 235.199, 239.101, 239.105, 239.109, 239.113, 239.117, 239.125, 239.201, 239.205, 239.213, 239.229, 239.233, 239.237, 239.241, 239.301, 240.118, 240.134, 240.145, 240.152, 240.153, 240.35, 240.4021, 240.421, 246.213, 322.0601, 446.011, 446.041, 446.052, 475.451, 475.617, 475.627, 616.21, 790.06, 229.592, 230.23166, 235.435, 236.081, 239.225, 239.245, 239.249, 240.301, 240.404, 240.4093, 240.61, 288.047, 288.0475, 369.105, 440.16, 475.17, F.S.; changing the term "area vocational-technical center" to "area technical center," the term "postsecondary adult vocational" to "certificate technical education," the term "postsecondary vocational" to "associate in science degree education," and redesignating the Division of Vocational, Adult, and Community Education as the Division of Applied Technology and Adult Education, wherever those terms appear in the statutes: reenacting ss. 228.0855(3)(a), 228.2001(4), 229.808(1), 231.0861(3), 231.3505, 231.361(2), 233.068(5)(b), 239.209(1), 239.505(3), (4)(j), (k), (9)(a), 242.68(2)(a), (g), 246.203(1), (2), 246.207(1)(o), 409.029(9)(h), 446.051, 450.081(1)(a), (2), 450.161, 953.35(1)(i), 20.315(1)(e), 39.001(1)(f), 39.055(1)(c), 216.136(10)(a), 228.041(1)(b), (22), 229.053(2)(n), 230.23(4)(h), 230.33(6)(h), 231.1725(1)(c), (2), 231.173(5)(d), 231.606(1)(a), 231.613(1), 231.62(1), 232.246(1)(h), 409.145(3)(a), (b), 443.1715(2), 958.045(4), F.S., to abrogate changes in terminology; repealing ss. 15, 16, ch. 94-232, Laws of Florida, relating to the title of ch. 239, F.S., and to a directive to the Division of Statutory Revision; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote **CS for SB 2248** 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 1070—A bill to be entitled An act relating to qualifying for public office; amending s. 99.061, F.S.; revising the qualifying period for write-in candidates; specifying the items that must be received by the filing officer by the end of the qualifying period in order for a candidate to be qualified; providing for notice of errors or omissions; deleting the current provision for the notice and correction of errors or omissions in qualifying papers; amending s. 105.031, F.S., relating to the qualification of judicial candidates, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Latvala, by two-thirds vote **CS for SB 1070** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39 Nays—None

On motion by Senator Diaz-Balart, the rules were waived and the Senate proceeded to—

CONSIDERATION OF BILLS ON THIRD READING

COMMUNICATION

The Honorable James A. Scott, President
The Florida Senate

April 7, 1995

Dear Mr. President:

In compliance with Article III, Section 19(d) of the Constitution and Joint Rule 2, engrossed copies of Senate Bills 2800 and 2802 have been furnished to each member of the Legislature, each member of the Cabinet, the Governor, and the Chief Justice of the Supreme Court.

Delivery was completed April 7, 1995 at 10:12 a.m.

Respectfully submitted,
Joe Brown, Secretary

SB 2800—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1995, and ending June 30, 1996, and supplemental appropriations for the period ending June 30, 1995, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing effective dates.

—was taken up pending roll call, having been amended and read the third time on April 6. On motions by Senator Diaz-Balart, **SB 2800** was read by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40 Nays—None

SB 2802—A bill to be entitled An act relating to implementing the fiscal year 1995-1996 General Appropriations Act; providing legislative intent; authorizing the Department of Health and Rehabilitative Services to use general revenue funds to extend AFDC and Medicaid benefits to certain asylum applicants; requiring quarterly reports by the Department of Health and Rehabilitative Services on specified pending class-action litigation; authorizing the Department of Health and Rehabilitative Services and the Agency for Health Care Administration to transfer general revenue funds as necessary to comply with any proviso language or provision of law requiring or specifically authorizing the transfer of general revenue funds between the two agencies; transferring responsibility for the state pharmaceutical contract from the Department of Management Services to the Department of Health and Rehabilitative Services; prescribing the data to be used in disproportionate-share-program determinations; authorizing the Department of Health and Rehabilitative Services to advance moneys for certain contract services; specifying how the Agency for Health Care Administration shall make payments for the

Medicaid disproportionate share program; prescribing the method by which the Department of Health and Rehabilitative Services shall determine and make allocations to its service districts; allowing the Board of Pharmacy to provide certain exemptions for pharmacy programs at the Department of Corrections; allowing certain juvenile justice programs to be considered institutions for the purpose of replacing motor vehicles; prescribing law enforcement uses to which certain unused funds resulting from the settlement of litigation may be put; authorizing the Division of Bond Finance of the State Board of Administration to refinance certain bonds; prescribing duties of state agencies covered by the state risk management program with respect to funding costs for employees entitled to workers' compensation benefits; providing for indemnification of the Florida Casualty Insurance Risk Management Trust Fund; authorizing the Department of State to use specified funds to operate and maintain information systems and equipment for public records access; authorizing the transfer of certain funds from the sale of management area stamps to the State Game Trust Fund for agency operations; authorizing use of the Florida International Trade and Promotion Trust Fund to fund the Division of International Trade and Development of the Department of Commerce; authorizing use of the Cultural Institutions Trust Fund to fund matching endowments under the Fine Arts Endowment Program and the state touring program, subject to legislative appropriation; requiring the Auditor General to resume routine financial and operational audits of the Florida Public Service Commission; prohibiting the Department of Environmental Protection from seeking certain reimbursement to the Water Quality Assurance Trust Fund; directing the Department of Management Services to delegate responsibility for disposal of surplus property; requiring coordination among the Departments of Environmental Protection, Agriculture and Consumer Services, and Juvenile Justice and the Game and Fresh Water Fish Commission to site juvenile justice residential facilities; specifying program orientation; requiring a report; authorizing the Department of State to use the Cultural Institutions Trust Fund to fund certain cultural programs when appropriations are provided for such purposes; providing for reallocation of funds with respect to assessments for the Florida Casualty Insurance Risk Management Trust Fund; authorizing a certain appropriation to be used for mosquito control and transferring moneys collected from waste tire fees to the Department of Agriculture and Consumer Services; requiring the use of specified moneys to fund the pedestrian bridge crossing State Road 92, North Dale Mabry Highway; authorizing the Department of Transportation to enter into a revenue producing demonstration program using landscape design under certain conditions; providing for the disbursement of Advance Disposal Fees under certain conditions; authorizing the Department of Environmental Protection to carry forward certain unencumbered funds; providing for calculation of the statewide adjusted aggregate required local effort for all school districts from ad valorem taxes, under authority of the Commissioner of Education; providing for adjustment of the required local effort millage rate of certain districts; providing for calculation of the maximum total weighted full-time equivalent student enrollment of each school district; prescribing limits on increases in financial assistance payments for private tuition assistance; authorizing the Department of Education to contract for the 1995 cost-of-living market basket survey; excluding certain nonvoted discretionary taxes and state funds from the calculation of the minimum guaranteed funding level per weighted full-time equivalent; authorizing the Department of Education to enter into codevelopment contracts; continuing the waiver of certain education laws; exempting the Knott Data Center and Projects, Contracts, and Grants Programs from certain budget request requirements; allowing the Department of Education to approve certain items for the center and such projects, contracts, and grants programs; prohibiting certain obligations of state funds; requiring the use of Safe School funding consistent with associated proviso; requiring a separate vote by any school board to levy certain supplemental nonvoted discretionary millage authorized in the General Appropriations Act; allowing the Commissioner of Education to reorganize the Department of Education; requiring reports; requiring the Commissioner of Education to authorize pilot projects to use an alternative method of funding exceptional student education; providing job qualifications for employees of the Florida Education Finance Program full-time enrollment verification function that is transferred to the Auditor General; providing for a proposed distribution schedule of funds from the Educational Enhancement Trust Fund; prohibiting the Commissioner of Education from accepting in fiscal year 1995-1996 certain applications and requests for funds for community educational facilities in order to focus the use of PECO funds on the provision of direct instruction facilities; authorizing the Executive Office of the Governor and the Chief Justice of the Supreme Court to approve certain budget changes under certain circumstances and requir-

ing the Executive Office of the Governor and the Chief Justice to maintain an accounting of these changes and to provide this accounting to the legislative appropriations committees upon request; limiting state agency and governmental branch actions resulting from certain contracts containing provisions for dispute resolution; providing severability; providing effective dates, including a retroactive effective date, and an expiration date.

—was taken up pending roll call, having been amended and read the third time on April 6. On motions by Senator Diaz-Balart, **SB 2802** was read by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40 Nays—None

SPECIAL ORDER, continued

CS for SB 1328—A bill to be entitled An act relating to financial affairs of local governments; amending s. 11.45, F.S.; revising definitions; requiring audit reports of additional entities; requiring the Auditor General to notify the Governor and Legislative Auditing Committee when a local governmental entity is in, or is about to enter, a state of financial emergency; providing goals and objectives for the local government financial reporting system; amending s. 166.241, F.S., providing that municipalities may consider carry-over funds when making appropriations; amending s. 189.4035, F.S.; reducing the distribution of the official list of special districts; amending s. 189.4085, F.S.; deleting the requirement that special districts submit certain bond information to the Department of Community Affairs; amending s. 189.412, F.S.; revising duties of the Special District Information Program of the Department of Community Affairs; amending s. 189.418, F.S., revising the implementing and reporting requirements applicable to a special district; amending s. 189.419, F.S.; requiring that special districts submit additional reports and providing for action to be taken against special districts for noncompliance; amending s. 215.322, F.S., relating to acceptance of credit cards by state agencies, units of local government, and the judicial branch; defining the term “unit of local government”; amending s. 218.31, F.S.; defining and redefining terms for purposes of local governmental financial management and reporting; amending s. 218.32, F.S.; revising financial reporting requirements for local governmental entities; creating s. 218.321, F.S.; providing for preparation of financial statements by local governmental entities; amending s. 218.33, F.S., relating to uniform fiscal years and accounting practices; conforming terminology; amending s. 218.335, F.S.; providing for local governmental entities to charge interest; amending s. 218.34, F.S.; providing that special districts may consider carry-over funds when making special district appropriations; amending s. 218.37, F.S.; revising and providing duties of the Division of Bond Finance; amending s. 218.38, F.S.; revising the information required relating to bond issues; amending s. 218.501, F.S.; revising the purpose of the Local Government Financial Emergency Act; amending s. 218.502, F.S.; providing for a definition of the term “local governmental entity”; amending s. 218.503, F.S.; revising procedures for determining and handling financial emergencies of a local governmental entity; amending s. 218.504, F.S., relating to cessation of state action; conforming terminology; authorizing the Department of Transportation to collect program data from counties and municipalities; providing an effective date.

—was read the second time by title.

Senator Meadows moved the following amendment which was adopted:

Amendment 1—On page 18, line 26, strike “its adoption” and insert: *the first meeting of the district’s governing body*

Senator Bankhead moved the following amendment which was adopted:

Amendment 2—On page 36, between lines 17 and 18, insert:

Section 22. Paragraph (ee) is added to subsection (3) of section 119.07, Florida Statutes, 1994 Supplement, to read:

119.07 Inspection, examination, and duplication of records, exemptions.—

(3)

(ee) *The audit report of a legislative auditor prepared for or on behalf of a county or municipality is a public record when it becomes final. As used in this paragraph, the term, “legislative auditor” means an auditor who reports directly to the governing body of a county or*

municipality. Audit work papers and a legislative auditor’s notes are not public records and are exempt from the provisions of subsection (1) and s. 24(a) of Art. 1 of the State Constitution. However, work papers necessary to support the computations in a final audit report must be made available for public inspection.

Section 23. The exemption from the public records law provided in section 22 of this act is necessary to ensure that the audit process is not compromised before a final audit is completed and to ensure that legislative auditors are not intimidated from making notes to assist them in performing their duties.

(Renumber subsequent sections.)

On motion by Senator Meadows, by two-thirds vote **CS for SB 1328** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39 Nays—None

RECONSIDERATION

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

CS for SB 1328—A bill to be entitled An act relating to financial affairs of local governments; amending s. 11.45, F.S.; revising definitions; requiring audit reports of additional entities; requiring the Auditor General to notify the Governor and Legislative Auditing Committee when a local governmental entity is in, or is about to enter, a state of financial emergency; providing goals and objectives for the local government financial reporting system; amending s. 166.241, F.S., providing that municipalities may consider carry-over funds when making appropriations; amending s. 189.4035, F.S.; reducing the distribution of the official list of special districts; amending s. 189.4085, F.S.; deleting the requirement that special districts submit certain bond information to the Department of Community Affairs; amending s. 189.412, F.S.; revising duties of the Special District Information Program of the Department of Community Affairs; amending s. 189.418, F.S.; revising the implementing and reporting requirements applicable to a special district; amending s. 189.419, F.S.; requiring that special districts submit additional reports and providing for action to be taken against special districts for noncompliance; amending s. 215.322, F.S., relating to acceptance of credit cards by state agencies, units of local government, and the judicial branch; defining the term “unit of local government”; amending s. 218.31, F.S.; defining and redefining terms for purposes of local governmental financial management and reporting; amending s. 218.32, F.S.; revising financial reporting requirements for local governmental entities; creating s. 218.321, F.S.; providing for preparation of financial statements by local governmental entities; amending s. 218.33, F.S., relating to uniform fiscal years and accounting practices; conforming terminology; amending s. 218.335, F.S.; providing for local governmental entities to charge interest; amending s. 218.34, F.S.; providing that special districts may consider carry-over funds when making special district appropriations; amending s. 218.37, F.S.; revising and providing duties of the Division of Bond Finance; amending s. 218.38, F.S.; revising the information required relating to bond issues; amending s. 218.501, F.S.; revising the purpose of the Local Government Financial Emergency Act; amending s. 218.502, F.S.; providing for a definition of the term “local governmental entity”; amending s. 218.503, F.S.; revising procedures for determining and handling financial emergencies of a local governmental entity; amending s. 218.504, F.S., relating to cessation of state action; conforming terminology; authorizing the Department of Transportation to collect program data from counties and municipalities; providing an effective date.

—passed as amended this day.

On motion by Senator Bankhead, by two-thirds vote the Senate reconsidered the vote by which **CS for SB 1328** was read the third time.

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

On motion by Senator Bankhead, by two-thirds vote **CS for SB 1328** 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

REPORTS OF COMMITTEES

SB 916—A bill to be entitled An act relating to transportation; amending s. 165, ch. 92-152, Laws of Florida, relating to the Transportation Efficiency Act of 1992; providing an exemption to s. 369.251, F.S.; providing for the issuance of a permit for the cultivation of Australian pine to the Town of Gulf Stream, Palm Beach County; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources recommended the following amendment which was moved by Senator Rossin and adopted:

Amendment 1—On page 1, lines 23 and 24, strike “*issue a permit*” and insert: *allow*

On motion by Senator Rossin, by two-thirds vote **SB 916** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39 Nays—None

SB 1004—A bill to be entitled An act relating to public construction; amending s. 287.084, F.S.; including construction services within the services that may receive a preference in competitive bidding 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. On motion by Senator McKay, by two-thirds vote **SB 1004** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—27 Nays—12

SENATE REUNION

President Scott requested that former Senate Presidents Randolph Hodges, Mallory Horne, Dempsey Barron, Philip Lewis, W. D. Childers, Curtis Peterson, John Vogt, Bob Crawford, Gwen Margolis, Ander Crenshaw and Pat Thomas join him at the rostrum.

By the direction of the President, the Secretary read the names of former Senators who had passed away since the last reunion: George C. Dayton, Paul Revere Kickliter, Judge Woodrow Melvin, Sr., Judge John S. Rawls, Houston W. Roberts and David Elmer Ward; and former Sergeant at Arms, LeRoy Adkison.

The following former members of the Senate in attendance for the 1995 Senate Reunion were welcomed by the President:

Tom Adams, Dick Anderson, Lynwood Arnold, Dempsey J. Barron, C. W. “Bill” Beaufort, Tom C. Brown, Doyle E. Carlton, Jr., Don C. Childers, Bob Crawford, Ander Crenshaw, J. Emory Cross, Richard T. Crotty, Timothy D. Deratany, Edgar M. Dunn, Jr., Vince Fechtel, Jr., George Firestone, Thomas M. Gallen, Edmond J. Gong, Bill Gorman, Tom Greene, Bill Gunter, Horry Hair, Mattox Hair, Warren S. Henderson, Cliff Herrell, Randolph Hodges, Mallory E. Horne, Beth Johnson, Robert M. “Bob” Johnson, Thomas H. Johnson, Curt Kiser, Richard H. Langley, Gerald A. Lewis, Philip D. Lewis, Hal Y. Maines, Franklin B. Mann, Gwen Margolis, Clark Maxwell, Jr., Robert W. McKnight, Tom McPherson, Carrie P. Meek, Kenneth M. Myers, T. Truett Ott, Curtis Peterson, Kenneth A. Plante, Van B. Poole, Richard “Dick” Renick, Cliff S. Reuter, J. B. Rodgers, Jr., Bob Saunders, Henry B. Saylor, Robert L. “Bob” Shevin, Gary Siegel, Sherrill “Pete” Skinner, Tom Slade, Bruce Smathers, Javier Souto, Paul B. Steinberg, John W. Vogt, John T. Ware and George A. Williamson.

The following special guests were also welcomed:

Leila Cofield, Bess Miles, Shirley Gwynn and Jackie Sharkey, former Senate staff; George Inman, former reading clerk; Mrs. Barbara Brannen, widow of Senator Bob Brannen; Mrs. Vivian Hill, widow of Senator John A. Hill; Mrs. Margie Johnson, widow of Senator Dewey M. Johnson; Sandra Johnson, daughter of Senator Dewey M. Johnson; and Mrs. Helen Rawls, widow of Judge John S. Rawls.

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 12, 1995: CS for SB 2248, CS for SB 1070, CS for SB 1328, SB 916, SB 1004, CS for SB 288, CS for SB 72, SB 576, CS for SB 182, SB 548, SB 1758, SB 530, SB 578, SB 750, CS for SB 34, CS for SB 552, CS for SB 106, SB 624, SB 654, SB 572, SB 554

Respectfully submitted,
Toni Jennings, Chairman

The Committee on Transportation recommends the following pass: SB 1748 with 1 amendment

The bill was referred to the Committee on Commerce and Economic Opportunities under the original reference.

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1526 with 1 amendment, SB 2262 with 1 amendment, SB 2422 with 1 amendment, SB 2688

The Committee on Criminal Justice recommends the following pass: SB 2926

The Committee on Executive Business, Ethics and Elections recommends the following pass: SB 1720

The Committee on Governmental Reform and Oversight recommends the following pass: SB 2852 with 1 amendment, SB 2858 with 2 amendments

The Committee on Transportation recommends the following pass: SB 2662 with 1 amendment

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

The Committee on Executive Business, Ethics and Elections recommends the following pass: SB 1484

The Committee on Health and Rehabilitative Services recommends the following pass: SB 262 with 1 amendment

The Committee on Higher Education recommends the following pass: SB 2314 with 2 amendments

The Committee on Transportation recommends the following pass: SB 2746

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

The Committee on Community Affairs recommends the following pass: SB 2224 with 1 amendment

The bill was referred to the Committee on Executive Business, Ethics and Elections under the original reference.

The Committee on Transportation recommends the following pass: SB 1684 with 1 amendment

The bill was referred to the Committee on Governmental Reform and Oversight under the original reference.

The Committee on Transportation recommends the following pass: SB 1900

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

The Committee on Health and Rehabilitative Services recommends the following pass: SB 2382

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 2096 with 1 amendment, SB 2186 with 1 amendment

The Committee on Community Affairs recommends the following pass: SB 1590 with 1 amendment

The Committee on Governmental Reform and Oversight recommends the following pass: SB 706, SB 1390 with 1 amendment, CS for SB 2074

The Special Master on Claims recommends the following pass: SB 830, SB 986, SB 988, SB 1056, SB 1412

The Committee on Transportation recommends the following pass: SB 1356 with 1 amendment

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

The Committee on Governmental Reform and Oversight recommends the following pass: SB 1334 with 3 amendments

The Committee on Transportation recommends the following pass: SB 1060 with 2 amendments

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

The Committee on Governmental Reform and Oversight recommends the following pass: SB 2276 with 1 amendment

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 2036 with 2 amendments

The Committee on Community Affairs recommends the following pass: SB 506, CS for SB 1404 with 5 amendments

The Committee on Criminal Justice recommends the following pass: SB 870, SB 2212 with 1 amendment, SB 2922

The Committee on Governmental Reform and Oversight recommends the following pass: SB 732, SB 1338 with 1 amendment, CS for SB 1392, SB 1420, CS for SB's 1946 and 2812 with 5 amendments, SB 2950 with 2 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 682, SB 1756 with 2 amendments, SB 2616, SB 2726 with 1 amendment

The Committee on Higher Education recommends the following pass: SB 1488 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1544, SB 1596

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

The Committee on Community Affairs recommends the following pass: SB 1556

The Committee on Criminal Justice recommends the following pass: SB 1054

The Committee on Health and Rehabilitative Services recommends the following pass: SB 2402

The Committee on Higher Education recommends the following pass: SB 1636 with 1 amendment, SB 2462

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

The Committee on Judiciary recommends committee substitutes for the following: SB 1036, SB 1714

The bills with committee substitutes attached were referred to the Committee on Commerce and Economic Opportunities under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 2684

The Committee on Judiciary recommends a committee substitute for the following: SB 1040

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 2582

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 1436

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

The Committee on Education recommends a committee substitute for the following: SB 544

The Committee on Higher Education recommends committee substitutes for the following: SB 1938, SB 2598

The Committee on Judiciary recommends committee substitutes for the following: Senate Bills 956, 1500 and 2364, SB 1552

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

The Committee on Judiciary recommends committee substitutes for the following: SB 502, SB 1694

The bills with committee substitutes attached were placed on the calendar.

BILLS REFERRED TO SUBCOMMITTEE

April 11, 1995

The following have been referred to the Subcommittee on Finance and Taxation which will report to the full committee within 21 days: Senate Bills 456, 1782, 1830, 1660, 458, 878, 880, 882

Mario Diaz-Balart, Chairman
Committee on Ways and Means

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Dantzler—

SB 2934—A bill to be entitled An act relating to ecosystem management; creating the Hillsborough River Basin Ecosystem Management Act; establishing a team to devise an ecosystem-management program and plan in cooperation with state, regional, and local agencies; requiring a report on regulatory alternatives and incentives; providing for an environmental education program and staff training; authorizing the establishment of voluntary pollution-prevention pilot projects; encouraging affected local governments to adopt comprehensive plan amendments consistent with the ecosystem-management plan; directing the Southwest Florida Water Management District to develop minimum flows and levels in the Hillsborough River Basin; providing for monitoring and reports; providing an appropriation; providing an effective date.

—was referred to the Committees on Natural Resources; and Ways and Means.

By Senator Latvala—

SR 2936—A resolution commending the American Advertising Federation.

—was referred to the Committee on Rules and Calendar.

By Senator Grant—

SB 2938—A bill to be entitled An act relating to social and economic assistance; amending s. 409.026, F.S.; requiring the Department of Health and Rehabilitative Services to develop an identification card for recipients of assistance benefits; requiring the department to impose sanctions against certain benefit recipients; amending s. 409.185, F.S.; providing for reduced benefits in certain situations; specifying exemptions from reductions in benefits; providing for appeal; providing that payments under the program of Aid to Families with Dependent Children may not be increased in specified circumstances; creating s. 409.2595, F.S.; requiring the Department of Revenue to make evaluations of the child support enforcement program; amending 409.924, F.S.; providing for the family transition program to apply statewide; deleting provisions relating to a demonstration project; amending s. 409.934, F.S.; deleting provisions relating to a demonstration project; amending s. 409.938, F.S.; prescribing sanctions for failure to maintain immunizations of children in families receiving aid under the Aid to Families with Dependent Children program; creating s. 409.95, F.S.; providing a condition for continued eligibility to receive benefits; creating s. 409.951, F.S.; requiring minors who are recipients of assistance benefits to reside with a parent or guardian in specified circumstances; repealing s. 409.925, F.S., which refers to the family transition program demonstration program; repealing s. 409.928, F.S., which provides for review of the demonstration project; repealing s. 409.936, F.S., which provides for a report with respect to the demonstration project; directing the Department of Health and Rehabilitative Services to apply for any federal waivers necessary to implement the act; providing an effective date.

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

By Senator Myers—

SB 2940—A bill to be entitled An act relating to access for children to medical services; creating the "Florida Children's Medical Assurance Act"; providing legislative intent; requiring the Institute for Child Health Policy of the State University System to conduct a study and prepare a report to the Governor and the Legislature; prescribing the contents of the study; creating a citizens' advisory committee; providing for committee membership; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; and Ways and Means.

By Senator Myers—

SB 2942—A bill to be entitled An act relating to dissolution of marriage; creating s. 61.125, F.S.; providing that there is a presumption that joint custody is in the best interests of a child when his parents dissolve their marriage; defining terms; providing for orders of custody and for modification of orders; amending s. 61.13, F.S.; prescribing the order of preference in awarding custody of children in dissolution of marriage; creating s. 61.165, F.S.; providing for offers of judgment and demand for judgment in proceedings under ch. 61, F.S.; providing for award of attorney's fees and costs; providing applicability to proceedings for modification of a custody or parental responsibility order; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Burt—

SB 2944—A bill to be entitled An act relating to corrections; amending s. 68.07, F.S.; prohibiting name change for petitioners with suspended civil rights; amending s. 95.11, F.S., relating to limitations on actions; prescribing a 30-day time limitation with respect to court actions by inmates challenging disciplinary proceedings conducted by the Department of Corrections; amending s. 112.19, F.S., relating to death benefits for law enforcement, correctional, and correctional probation officers; removing requirement that death must occur within a specified period as a condition for eligibility for benefits; adding provisions relating to death benefits for firefighters; repealing s. 112.191, F.S., relating to death benefits for firefighters; amending ss. 112.08 and 175.201, F.S., to conform cross-references; amending s. 117.10, F.S.; providing that correctional probation officers are notaries public while on duty; amending s. 282.1095, F.S.; adding a sixth member to the Joint Task Force on State Agency Law Enforcement Communications; amending and renumbering s. 381.695, F.S.; correcting cross-references; amending s. 776.07, F.S.; redefining the term "guard" as "correctional officer"; amending s. 843.04, F.S.; redefining the term "guards" as "correctional officers"; amending s. 843.08, F.S.; providing that falsely personating an officer of the Department of Corrections or a correctional probation officer is a felony; amending s. 921.16, F.S.; providing for imposing a sentence concurrently with another jurisdiction; providing for the sheriff to forward commitment papers and other documents; providing for coterminous sentence with a sentence in another jurisdiction; providing for prevention of interference with inmate program participation approved by another jurisdiction; amending s. 922.11, F.S.; redefining the term "guards" as "correctional officers"; amending s. 943.10, F.S.; defining the term "auxiliary correctional probation officer"; amending s. 943.1397, F.S.; providing for officer certification examination procedures; amending s. 946.006, F.S.; providing for workers' compensation coverage of inmates in work programs to be provided by the private-sector employer; creating s. 944.06, F.S.; providing for reimbursing department employees for damage to personal vehicles; amending s. 944.39, F.S.; redefining the term "guard" as "correctional officer"; amending s. 944.095, F.S.; providing legislative intent for siting additional correctional facilities; deleting reference to obsolete study; amending s. 944.516, F.S.; providing for transfer of inmate fund balances of less than \$1 to Inmate Welfare Trust Fund; amending s. 944.703, F.S.; providing for applicability of the Transition Assistance Release Program Act to all inmates released from the custody of the department; amending s. 944.704, F.S.; requiring the department to provide transition assistance officers at major correctional institutions; amending s. 944.706, F.S.; removing references to release assistance; providing for transition assistance; amending s. 944.707, F.S.; revising provisions relating to the provision to the Department of Labor and Employment Security of information on releasees; creating s. 945.03, F.S.; providing definitions; providing for the adoption of department rules prohibiting hiring of employee relatives; amending s. 948.09, F.S.; authorizing certain expenditures by the department from monthly costs of supervision payments for purposes of correctional probation officers' training and equipment; providing for restitution payments by department of not less than \$10; amending s. 948.15, F.S.; providing for probation services to be provided by entities under the supervision of the governing body of the county or the court; requiring certain entities that provide probation services to register with the governing body of the county; amending s. 951.12, F.S.; redefining the term "guard" as "correctional officer"; amending s. 951.19, F.S.; redefining the term "guards" as "correctional officers"; amending s. 951.23, F.S.; pro-

viding for collection of inmate information; providing for inmate immigration status information; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Reform and Oversight; Community Affairs; and Ways and Means.

By Senator Johnson—

SB 2946—A bill to be entitled An act relating to charitable, non-profit, or veterans' organizations; creating s. 849.0932, F.S.; authorizing charity casino fund raisers under certain circumstances; providing for licensing by the Division of Administration of the Department of Business and Professional Regulation; providing powers and duties of the division; providing for fees; providing requirements of games-of-chance suppliers; providing that admission fees be collected in a room apart from the room where the fund raiser is conducted; providing for required statements; providing a limitation on the types of games which may be conducted and on the value of prizes; prohibiting certain persons from attending a fund raiser; restricting the location of fund raisers; providing penalties; providing for a conditional repeal; providing an effective date.

—was referred to the Committees on Regulated Industries; and Ways and Means.

By Senator Hargrett—

SB 2948—A bill to be entitled An act relating to protective services for abused and neglected children; requiring the Criminal Justice Standards and Training Commission to assess the training curriculum of personnel who work with families and children affected by family violence and abuse and develop standards and investigative procedures; requiring the Department of Health and Rehabilitative Services to fully implement the family services response system provided under part III of ch. 415, F.S.; amending s. 415.5017, F.S.; providing requirements for the department upon receiving a report alleging child abuse or neglect; amending s. 415.5018, F.S.; requiring law enforcement agencies to assume a lead in conducting criminal investigations involving child abuse or neglect; repealing s. 415.503(6), (16), (18), F.S., relating to confirmed reports, proposed confirmed reports, and unfounded reports of child abuse and neglect; amending s. 415.504, F.S.; requiring a law enforcement agency to request assistance from the department's district staff if a child is the victim of abuse and the alleged perpetrator is the child's parent or guardian; deleting requirements with respect to classifying reports of child abuse and neglect as a proposed confirmed report or an unfounded report; deleting requirements for including such reports in the central abuse registry and tracking system; providing for the court to notify the department when a child's parent or guardian is convicted of, or pleads guilty or nolo contendere to certain offenses; providing for the department to make such information part of the central abuse registry and tracking system; amending s. 415.505, F.S.; deleting requirements for the department to classify a report of child abuse or neglect; amending s. 415.51, F.S.; deleting the procedure under which the department is required to search its central abuse registry and tracking system for the existence of a confirmed report and provide such information to authorized agencies or persons; amending ss. 39.001, 39.076, 110.1127, 119.07, 242.335, 393.0655, 394.457, 397.451, 400.512, 402.305, 409.175, 415.50175, 447.208, 447.401, 464.018, F.S., relating to screening personnel for purposes of employment or disciplinary actions and the release of certain confidential information; deleting references to reports of child abuse or neglect in the department's central abuse registry and tracking system and conforming cross-references to changes made by the act; providing an effective date.

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

By Senator Burt—

SB 2950—A bill to be entitled An act relating to public officers' and employees' performance bonds; amending ss. 11.42, 11.47, 18.01, 19.14, 20.23, 25.191, 25.251, 27.255, 28.09, 30.09, 30.21, 35.21, 35.26, 48.021, 48.29, 98.015, 115.03, 117.01, 125.901, 154.09, 240.268, 240.38, 242.343, 250.10, 266.0003, 266.0013, 266.0023, 266.0033, 266.0053, 266.0063, 523.22, 561.051, 570.09, 570.11, 582.055, F.S.; eliminating bond requirements for the Auditor General, auditors employed by the Auditor General, the

Treasurer, the Commissioner of Agriculture, the comptroller of the Department of Transportation, the clerk of the Supreme Court, the marshal of the Supreme Court, investigators employed by a state attorney, clerks ad iterim, sheriffs, deputy sheriffs, the clerk of a district court of appeal, the marshal of a district court of appeal, special process servers, supervisors of elections, elected officers' deputies, notaries public, independent special districts that provide children's services, trustees of public health trusts, university police officers, community college police, campus police of the Florida School for the Deaf and the Blind, the Adjutant General, members of the historic preservation boards, certain inspectors, the director and employees of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, and employees of the Department of Agriculture and Consumer Services; repealing ss. 17.01, 28.01, 28.02, 28.03, 28.04, 28.05, 30.01, 30.02, 30.03, 30.04, 30.05, 30.06, 137.01, 137.03, 137.04, 137.05, 137.06, 198.07(2), 213.04, 219.03, 229.501, 230.23(10)(h), 237.191, 252.55(5), 266.0043(4), 281.09, 284.41(3), 321.08, 354.03, 523.11, 570.073(4), 582.055(4), 744.709, F.S., relating to performance bonds for the Comptroller, clerks of the circuit court, sheriffs, deputy sheriffs, tax collectors, property appraisers, county commissioners, agents of the Department of Revenue, deputies of county officers, the Commissioner of Education, school employees, school board officials and employees, Florida wing of the Civil Air Patrol, members of the Historic Palm Beach County Preservation Board of Trustees, officers and agents of the capitol police, the Insurance Commissioner and Treasurer, officers and employees of the Department of Highway Safety and Motor Vehicles, special officers for carriers, inspectors of naval stores, officers and employees of the Department of Agriculture and Consumer Services, and public guardians; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Ways and Means.

By Senator Grant—

SB 2952—A bill to be entitled An act relating to insurance; amending s. 627.419, F.S.; prohibiting certain coverage in insurance contracts under certain circumstances; amending s. 627.428, F.S.; prohibiting the use of multipliers on attorneys fees under certain circumstances; amending s. 627.6472, F.S.; including certain motor vehicle insurers in the definition of insurer or health insurer for certain purposes; amending s. 627.727, F.S.; providing an exception for certain required liability insurance; deleting a requirement that insurers offer certain limits of uninsured motorist coverage; amending s. 627.7275, F.S.; requiring the grant of a credit against certain new policy premiums for premiums paid on certain canceled policies; amending s. 627.728, F.S.; requiring advance notice of certain renewal premiums; amending s. 627.7295, F.S.; specifying the minimum time period within which a new policy or binder may not be canceled; amending s. 627.736, F.S.; requiring certain notice of insurers after an accident; providing an exception; authorizing insurers to offer medical payments policies; providing limitations; specifying physicians eligible to report on certain mental and physical examinations; prohibiting certain causes of action for providing certain information; providing an exception; authorizing an insurer to issue certain policies limiting payment of medical benefits under certain circumstances; authorizing certain injured persons to receive health care services from any licensed health care provider; providing for limitation of reimbursement or payment of medical benefits; requiring personal injury protection insurers to provide certain notice; providing for future repeal and review; amending s. 627.739, F.S.; providing for application of a deductible amount; providing for receipt of certain benefits after a deductible is met; prohibiting the use of pretext interviews unless specific criteria are met; providing definitions; providing guidelines for the use of disclosure authorization forms in connection with insurance transactions; providing limitations and conditions on the disclosure of certain privileged and personal information about an individual; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Ways and Means.

By Senator Grant—

SB 2954—A bill to be entitled An act relating to insurance; amending s. 627.7275, F.S.; requiring the grant of a credit against certain new policy premiums for premiums paid on certain canceled policies; amending s. 627.728, F.S.; clarifying a definition; amending s. 627.7295, F.S.; specifying the minimum time period within which a new policy or binder may

not be canceled; amending s. 627.736, F.S.; requiring certain notice of insurers after an accident; providing an exception; limiting certain charges by providers of health services; clarifying provisions specifying when certain payments are overdue; specifying physicians eligible to report on certain mental and physical examinations; authorizing certain injured persons to receive health care services from any licensed health care provider; providing for limitation of reimbursement or payment of medical benefits; requiring personal injury protection insurers to provide certain notice; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Ways and Means.

By Senator Sullivan—

SB 2956—A bill to be entitled An act relating to condominiums; amending s. 718.112, F.S.; deleting the requirement that the bylaws of a condominium association contain a provision allowing recall of a member of the board of administration without cause; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

By Senator Myers—

SB 2958—A bill to be entitled An act relating to the confidentiality of medical records and related business information; providing for access to confidential medical records and business information by the Institute for Child Health Policy for purposes of conducting a study of children's access to medical services; providing that such information in the hands of the institute remains confidential and exempt from s. 119.07(1), F.S., and Section 24(a) of Art. I of the State Constitution; providing that the exemption from the public records law is subject to review under the Open Government Sunset Review Act; specifying the need for such exemption; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Harden—

SB 2960—A bill to be entitled An act relating to defense conversion and military base reuse; amending s. 288.980, F.S.; revising the limitation on the amount of each grant that the Department of Commerce may award; revising the amount of local match required; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; and Ways and Means.

By Senator McKay—

SB 2962—A bill to be entitled An act relating to fuel tax administration; amending s. 206.01, F.S.; providing definitions; amending s. 206.02, F.S.; providing for application for licensure; amending s. 206.021, F.S.; requiring certain information for application for licensure for transporting fuel; providing a prohibition; providing criminal penalties; amending s. 206.05, F.S., relating to bond requirements; increasing the fuel tax base for calculating bond requirements; creating s. 206.051, F.S.; providing bonding requirements for importers; creating s. 206.052, F.S.; authorizing, under certain circumstances, the export of tax-free fuels by a licensed exporter; creating s. 206.054, F.S.; providing for interstate enforcement agreements concerning licensing provisions; amending s. 206.09, F.S.; requiring certain information on monthly reports filed by carriers transporting fuel; amending s. 206.12, F.S., relating to retention of records; requiring records to contain certain information; providing applicability; amending s. 206.14, F.S.; requiring person to make records available to the Department of Revenue upon request; creating s. 206.199, F.S.; requiring persons transporting fuel via pipeline, marine vessel, or barge to have certain information in their possession; amending s. 206.20, F.S.; providing record requirements for persons engaged in transporting fuel over public highways as a private or common carrier; making it illegal to transport taxable fuel within this state upon which tax has not been paid; providing an exception; providing criminal penalties; amending s. 206.204, F.S.; requiring records of persons transporting fuel over the navi-

gable waters of this state to include certain information; amending s. 206.205, F.S.; providing criminal penalties for certain violations; applying forfeiture provisions to such violations; amending s. 206.23, F.S.; requiring that all fuel taxes be separately stated; prohibiting a dealer from advertising that fuel taxes will be absorbed; providing criminal penalties; providing for payment of tax, penalty, and interest; amending s. 206.404, F.S.; providing additional licensing requirements for retail dealers; amending s. 206.41, F.S.; consolidating the state excise taxes on motor fuel into one section; creating s. 206.416, F.S.; providing for a change in state destination for fuel sold for shipment in this state; amending s. 206.43, F.S.; authorizing a licensed wholesaler, under certain circumstances, to submit tax to its supplier by electronic funds transfer by a specified periodic deadline; providing procedures in cases of nonpayment; amending s. 206.435, F.S.; requiring payment of taxes on inventory by a specified date; amending s. 206.48, F.S.; requiring certain reports of importers and exporters; amending ss. 206.60, 206.605, F.S., pertaining to the county gas tax and the municipal gas tax; providing conforming language; amending s. 206.86, F.S.; providing definitions; amending s. 206.87, F.S.; providing for the imposition of state diesel fuel taxes; deleting exemptions; creating s. 206.872, F.S.; identifying persons liable for payment of state diesel fuel taxes; creating s. 206.873, F.S.; providing for a backup tax on diesel fuel; creating s. 206.8735, F.S.; authorizing the Department of Revenue to inspect fuel; creating s. 206.874, F.S.; providing for exemptions from diesel fuel taxes; creating s. 206.8741, F.S.; providing for the dyeing and marking of tax-exempt diesel fuel; creating s. 206.8745, F.S.; providing for credits and refunds of paid diesel fuel taxes; amending s. 206.90, F.S.; providing bonding requirements for certain licensees; amending ss. 206.9915, 206.9925, 206.9931, 206.9935, 206.9941, 206.9942, F.S., relating to the taxes on fuel and other pollutants, to conform; revising the method of imposition of the taxes for coastal protection and water quality on petroleum products; revising the method of imposition of the tax for inland protection; amending ss. 10, 11, 12, ch. 94-146, Laws of Florida; revising provisions relating to deduction of administrative costs for fuel taxes, to conform; amending ss. 207.001, 207.002, 207.003, 207.004, 207.005, 207.011, 207.013, 207.014, 207.019, F.S., relating to the tax on the operation of commercial motor vehicles, to conform; amending s. 212.02, F.S.; defining "diesel fuel" for purposes of the tax on sales, use, and other transactions; repealing s. 212.05(1)(g), F.S., relating to the tax on the sale of fuel; creating s. 212.0501, F.S.; requiring persons who purchase diesel fuel for use in a business to register as a dealer and remit use tax thereon; providing exemptions; providing for distribution of certain proceeds; amending s. 336.021, F.S.; changing the point of collection for the 9th-cent local diesel fuel tax; providing for distribution of the proceeds; restricting application of that section to procedures and requirements for levy of the 9th-cent fuel tax by counties and distribution and use of the proceeds thereof; revising the allowance for services and expenses; revising distribution provisions; revising dates of imposition; amending s. 336.025, F.S.; changing the point of collection of the 6th-cent local diesel fuel tax; providing for distribution of the proceeds; restricting application of the section to procedures and requirements for levy of the local option fuel taxes by counties and distribution and use of the proceeds thereof; revising the allowance for services and expenses; revising distribution provisions; revising dates of imposition; amending s. 336.026, F.S., changing the point of collection of the State Comprehensive Enhanced Transportation System Tax; amending ss. 206.026, 206.03, 206.04, 206.06, 206.065, 206.07, 206.08, 206.095, 206.13, 206.18, 206.27, 206.42, 206.425, 206.44, 206.49, 206.59, 206.62, 206.625, 206.626, 206.64, 206.875, 206.879, 206.89, 206.91, 206.92, 206.94, 206.97, 212.08, 212.60, 212.62, 212.65, 212.66, 212.67, F.S.; providing conforming language; repealing ss. 212.637, 212.64, F.S., relating to the exempt sale of diesel fuel; providing for the cancellation of certain licenses; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Economic Opportunities; and Ways and Means.

By Senator Turner—

SR 2964—A resolution recognizing the week of April 23 through April 29, 1995, as Teenage-Pregnancy-Prevention Awareness Week.

—was referred to the Committee on Rules and Calendar.

By Senators Weinstein and Rossin—

SCR 2966—A concurrent resolution relating to creation of the Joint Commission on Legislative Efficiency and Effectiveness.

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

By Senator Grant—

SR 2968—A resolution commending Lee Roy Selmon for his outstanding accomplishments in academics, athletics, and business.

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SB 2970—A bill to be entitled An act relating to the Town of Lady Lake; providing for the issuance of a special alcoholic beverage license to an entity operating within the commercial district of a retirement community within the Town of Lake Lake; providing restrictions; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Wexler—

SB 2972—A bill to be entitled An act providing relief for the estate of Angel Antonio Rodriguez, for Justa Rodriguez, as surviving spouse of Angel Antonio Rodriguez, and for Lourdes Rodriguez, as a surviving minor child of Angel Antonio Rodriguez; directing the Loxahatchee Groves Water Control Management District in Palm Beach County to provide an appropriation to compensate them for losses they sustained as a result of an accident that caused the death of Angel Antonio Rodriguez and that was due to the negligence of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Ways and Means.

By Senator Dantzer—

SB 2974—A bill to be entitled An act relating to the Sebring Airport Authority, Highlands County; authorizing the authority to contract with other governmental entities and operate airports, airfields, and related facilities and services; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SB 2976—A bill to be entitled An act relating to the Oklawaha Basin Recreation and Water Conservation and Control Authority, Lake County; amending chapter 29222, Laws of Florida, 1953, as amended; changing the name of the Oklawaha Basin Recreation and Water Conservation and Control Authority to the Lake County Water Authority; increasing the number of members of the governing board from three to five and requiring that one member reside in each of the county commission districts of Lake County; changing the termination of terms of governing board members to the first Tuesday of January the year following the election of the county commissioner from whose district such member resides; providing that board members may not serve as director of the authority; changing the number of members of the governing board required to constitute a quorum; providing a transition schedule; providing for referenda with respect to election and continued existence of the board; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Kurth—

SB 2978—A bill to be entitled An act relating to Brevard County; authorizing the appointment of special police officers by the Brevard County School Board for the protection and safety of school personnel, property, and students within the school district; authorizing such officers to make arrests anywhere in the school district for violations of law occurring on the property of the school board; providing for powers, duties, qualifications, bonding, and compensation of such special police officers; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Jenne—

SB 2980—A bill to be entitled An act relating to the Hendry County Hospital Authority, Hendry County; amending chapter 67-1446, Laws of Florida, as amended; providing that members of the governing body of the authority shall be elected rather than appointed; providing for terms of office; providing for filling of vacancies; providing for reimbursement of expenses; providing for office location and staff; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Holzendorf—

SB 2982—A bill to be entitled An act relating to the City of Homestead; providing for the relief of Joaquin and Maria Martins, parents and natural guardians of Brian Martins; providing an appropriation to compensate them for damages sustained by their son, Brian Martins, as a result of medical malpractice at James Archer Smith Memorial Hospital; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Ways and Means.

By Senator Johnson—

SB 2984—A bill to be entitled An act relating to the South Lake County Hospital District in Lake County; amending chapter 88-466, Laws of Florida; revising provisions relating to members and officers of the South Lake County Hospital District Board of Trustees; revising powers of the district board of trustees; authorizing the levy of ad valorem taxes to pay for principal of and interests on promissory notes and mortgages, and to pay for the acquisition, construction, maintenance, operation, equipment, and administration of facilities owned, leased, or operated by specified not-for-profit corporations; reducing the maximum tax levy of 1 mill for operations and 1 mill for ambulance and hospital emergency room services into a total maximum tax levy of 1 mill for operation and ambulance and emergency room services; extending the current rate of assessment through the year 1998; restricting the rate of assessment to 1 mill beginning with the tax year 1999; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Grant, Crist, Beard, Hargrett and Dantzer—

SB 2986—A bill to be entitled An act relating to the Tampa Sports Authority; amending s. 2, ch. 82-306, Laws of Florida; providing duty of the authority with respect to promoting sports and recreation facilities; amending s. 4, ch. 82-306, Laws of Florida; redefining the term "cost," for

purposes of ch. 82-306, Laws of Florida, to include promotional costs; amending s. 5, ch. 82-306, Laws of Florida; prescribing powers of the authority with respect to promoting its facilities and licensing property for the construction of facilities; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Gutman—

SB 2988—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Eduardo Alonso; providing an appropriation to compensate him for injuries and damages sustained as a result of the negligence of Metropolitan Dade County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Ways and Means.

By Senator Kirkpatrick—

SB 2990—A bill to be entitled An act relating to the Gainesville-Alachua County Regional Airport Authority; amending chapter 86-469, Laws of Florida, as amended; changing the membership, terms, organization, and quorum of the authority; eliminating annual reporting requirements; providing for the privatization of airport operations; removing budget approval by the city commission; deleting obsolete provisions; affirming that the City of Gainesville has no power to operate or maintain the airport and airport facilities; providing for the conveyance of title to the authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Dudley—

SB 2992—A bill to be entitled An act relating to Lee County; amending chapter 27676, Laws of Florida, 1951, as amended; expanding the boundaries of the Fort Myers Beach Fire Control District; providing a referendum.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Harris—

SB 2994—A bill to be entitled An act relating to the Sarasota County Public Hospital Board; amending chapter 26468, Laws of Florida, 1949, as amended, to provide that the members of the Hospital Board shall be entitled to reimbursement for the amount of actual expenses incurred by them in the performance of their duties; providing that the board may invest funds in negotiable direct obligations of Federal Agencies or Government Sponsored Enterprises which meet certain criteria; providing that podiatrists and psychologists shall be eligible to apply for membership on the hospital staff; providing that the powers of the Hospital Board as authorized may be exercised notwithstanding anticompetitive effect; amending chapter 83-525, Laws of Florida, to provide that the term "operations of the hospital" does not include certain shared service arrangements of Sarasota Memorial Hospital; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Forman—

SB 2996—A bill to be entitled An act relating to South Broward Hospital District, Broward County; providing for the relief of Tina Kirkham, a minor; directing the South Broward Hospital District d.b.a. Memorial

Hospital to appropriate funds to be paid to Susan Ryan and Josephine Kakara, as legal guardians of the person and property of Tina Kirkham, a minor, to compensate her for the death of her mother due to the negligence of the hospital; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Ways and Means.

By Senator Dudley—

SB 2998—A bill to be entitled An act relating to Lee County; reenacting and amending ch. 74-522, Laws of Florida, as amended; limiting circumstances under which the sheriff may suspend or dismiss an employee; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Bronson—

SB 3000—A bill to be entitled An act relating to the North Brevard County Hospital District, amending chapter 28924, Laws of Florida, 1953, as amended; providing for the hospital board to participate in the provision of health care services and cooperation with other hospitals and health care providers to the extent permitted by the Constitution and general laws of the State of Florida; expanding the area and definition of health care facilities and services which may be maintained and provided by said district; placing restrictions on the use of funds derived from the prior or future assessment of ad valorem or other taxes on property located within said district to support such joint participation, facilities, or services if located or provided beyond the district boundaries; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Dudley—

SB 3002—A bill to be entitled An act relating to Lee County; amending chapter 76-414, Laws of Florida, as amended; increasing the maximum rate of ad valorem taxes that may be levied to provide funds for the Bayshore Fire Protection and Rescue Service District; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator McKay—

SB 3004—A bill to be entitled An act relating to Manatee County; amending section 15 of chapter 84-474, Laws of Florida, as amended; increasing the rates of special assessments that may be charged by the Whitfield Fire Control District; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Dudley—

SB 3006—A bill to be entitled An act relating to Collier County; establishing and organizing a municipality to be known and designated as the City of Pelican Bay in said county; defining territorial boundaries; providing for government, jurisdiction, elections, administrative code, procedure, powers, franchises, immunities, privileges, and means for exercising the same; prescribing the general powers to be exercised by said city; providing prohibitions; providing procedures for filling vacancies in office; providing for a city council, mayor, vice mayor, city manager, and city attorney; providing for initial election; providing for compensation; providing for ordinances; providing for budget adoption;

providing for independent financial audits; providing for amendments to city charter; providing for referendum petitions; providing severability; providing for a referendum; providing a schedule; providing for county ordinances and services during transition period; providing effective dates.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Jones—

SB 3008—A bill to be entitled An act relating to Monroe County; amending chapter 69-1191, Laws of Florida, as amended; revising provisions relating to the Utility Board of the City of Key West; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Brown-Waite, Jennings, Harris, Holzendorf, Johnson and Kurth—

SR 3010—A resolution recognizing the 100th Year of Women in State Legislatures and the many contributions that the women who serve or have served in the Florida Legislature have made to our legislative process.

—was referred to the Committee on Rules and Calendar.

By Senator Bronson—

SB 3012—A bill to be entitled An act relating to municipalities in Brevard County; providing legislative findings and intent; authorizing municipalities within Brevard County to levy transportation improvement and maintenance fees or charges on an equitable basis subject to referendum; specifically recognizing and ratifying the validity of any such fees or charges previously enacted by municipal ordinance and authorized through referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SB 3014—A bill to be entitled An act relating to Lake County; ratifying the merging of the Northwest Lake County Hospital District and the Northeast Lake County Hospital District pursuant to chapter 189, F.S., into an independent special district to be known as the North Lake County Hospital District; creating a board of trustees of the district; providing the qualifications and duties of the members of the board; providing the method for election of the board; authorizing the board to provide funding to hospitals which provide indigent health care; requiring the board to levy a tax to fund such services; providing procedures for the tax levy; requiring an annual financial report and audit from the medical provider receiving the tax funds; authorizing the board to expend its funds for the district; requiring the board to periodically file financial statements of the district; authorizing the board to accept certain funds; repealing obsolete laws relating to the district and predecessor districts; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

SR 3016—Not referenced.

By Senator Grant—

SB 3018—A bill to be entitled An act relating to insurance; amending s. 215.555, F.S.; prescribing legislative intent with respect to the Florida Hurricane Catastrophe Fund; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Ways and Means.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary and Senator Myers—

CS for SB 502—A bill to be entitled An act relating to confidentiality of communications between a domestic violence advocate and a domestic violence victim; creating s. 90.5036, F.S.; providing for confidentiality under the Florida Evidence Code of communications between a domestic violence advocate and a victim; amending s. 415.605, F.S.; requiring domestic violence centers applying for certification to file with the Department of Health and Rehabilitative Services a list of persons who provide services at the center who may claim a privilege to refuse to disclose such communications; providing an effective date.

By the Committee on Education and Senators Johnson, Turner, Meadows, Latvala, Holzendorf and Sullivan—

CS for SB 544—A bill to be entitled An act relating to educational facilities; amending s. 235.002, F.S.; revising legislative intent with respect to the Educational Facilities Act; amending s. 235.19, F.S.; revising requirements for a school board in planning and selecting sites for educational facilities; amending s. 235.193, F.S.; revising requirements for coordinating planning between school boards and local governing bodies; revising requirements for a school board in providing notice to the local governing body of a proposed acquisition or lease of educational facilities; providing development standards with respect to the expansion of a school site; creating s. 235.194, F.S.; requiring school boards to submit a general educational facilities report and an educational plan survey to local governments within the school district; amending s. 235.26, F.S.; requiring the state Board of Education to propose amendments to the requirements for public shelters in the Uniform Building Code; exempting educational facilities in specified evacuation zones from requirements for public shelters; requiring the Department of Community Affairs to prepare a statewide emergency shelter plan; requiring the Advisory Council on Intergovernmental Relations to review certain exemptions from building codes, permits, and fees provided for the construction of educational facilities; amending s. 235.34, F.S.; authorizing a school board to expend funds for certain additional infrastructure; requiring a local government to assure that a board is reimbursed for infrastructure costs incurred by the board beyond its proportionate share; amending s. 163.3174, F.S.; requiring local planning agencies to involve district and community college school boards in local planning; amending s. 163.3177, F.S.; requiring that the future land use element of a comprehensive plan include public schools as an allowable use by a specified date; amending s. 163.3180, F.S.; providing requirements for a local government that extends the concurrency requirement to public schools; reviving and re-adopting ss. 235.002, 235.19, 235.193, 235.26, 235.34, F.S., as amended, notwithstanding the repeal scheduled in ch. 85-116 and 86-1, Laws of Florida; providing an effective date.

By the Committee on Judiciary and Senators Wexler, Kirkpatrick and Dantzer—

CS for SB's 956, 1500 and 2364—A bill to be entitled An act relating to child support; creating s. 61.13016, F.S.; providing for suspension of driver's license and motor vehicle registration by court order; providing procedures; amending s. 322.058, F.S.; requiring the Department of Highway Safety and Motor Vehicles to suspend a driver's license and motor vehicle registration under certain conditions; providing procedures; providing for reinstatement of driver's license and motor vehicle registration; creating s. 409.2565, F.S.; authorizing the Department of Revenue to make available for publication the names of delinquent support obligors and related information; amending s. 409.2598, F.S.; authorizing the department to petition the court to order the denial or suspension of vessel registrations; creating s. 327.031, F.S.; requiring the Department of Environmental Protection to allow applicants for vessel registrations to be screened by the department; requiring the department to deny or suspend a license when ordered by the court; requiring the Department of Revenue to study child-support-enforcement procedures and report its findings and recommendations to the Legislature; requiring the Department of Banking and Finance to withhold repayment of motor vehicle impact fees from delinquent child-support obligors; requiring transfer of such fees to the Department of Revenue; amending s. 322.245, F.S.; providing for notice of delinquency and intent to suspend

driver's license and motor vehicle registration to be given by depository and clerk of traffic court; repealing s. 287.059(2)(b), F.S., which provides an exemption from the requirement for approval by the Attorney General of private attorney services procured by the Department of Revenue for child support enforcement; providing an effective date.

By the Committee on Judiciary and Senator Dudley—

CS for SB 1036—A bill to be entitled An act relating to construction contracts; amending ss. 255.05, 713.05, 713.06, 713.08, F.S.; providing for the payment of unpaid finance charges due under a claimant's contract; amending s. 713.135, F.S.; prescribing duties of authority issuing building permits to lienors; requiring counties and municipalities to submit an affidavit concerning issuance of building permits and requiring the owner to sign the building permit application; amending s. 713.20, F.S.; providing conditions and forms for the execution of a waiver or release of a lien; amending s. 713.31, F.S.; providing a penalty for filing a fraudulent lien; amending s. 713.35, F.S.; providing a penalty for making false statements relating to subcontractors, sub-subcontractors, or suppliers; providing an effective date.

By the Committee on Judiciary and Senators Dudley, Johnson, Latvala, Forman, Holzendorf, Brown-Waite and Crist—

CS for SB 1040—A bill to be entitled An act relating to mobile home parks; amending s. 723.071, F.S.; revising notice and procedural requirements for the negotiation of the sale of parks; deleting an exception for a transfer from a corporation to an affiliate; amending s. 723.037, F.S.; revising notice requirements for rental increases, service reductions, or rule changes; providing retroactive application of amendments to s. 723.037, F.S.; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senators Ostalkiewicz, Grant, Myers and McKay—

CS for SB 1436—A bill to be entitled An act relating to proceedings that involve juveniles; creating s. 39.4015, F.S.; creating the "Family Bill of Rights Act"; requiring the Department of Health and Rehabilitative Services to obtain a court order before taking a child into custody; requiring an affidavit stating that the child is in immediate danger; defining the term "immediate danger"; providing penalties; amending s. 39.402, F.S.; modifying provisions that allow a child to be placed in a shelter prior to a court hearing; providing that a protective investigator or law enforcement officer may take a child into custody without a court order due to a medical emergency or if the child is subject to immediate harm or danger; providing that a law enforcement officer may take a child into custody without a court order if the child is a runaway or truant from school; requiring the court to hold an emergency hearing on the continued removal of the child; providing for the court to issue an emergency order authorizing the removal of a child from the home; requiring the court to hold a shelter hearing within a specified time following issuance of the emergency order; requiring that a child's parent or guardian be notified before the shelter hearing; authorizing the court to issue a show-cause order or impose sanctions or dismiss a case if the department fails to prepare to present its case within a specified time; amending s. 39.4031, F.S., relating to case plans; deleting a cross-reference to conform to changes made by the act; amending s. 39.404, F.S.; deleting a time limitation on holding a child in custody to conform to changes made by the act; amending s. 39.408, F.S.; revising the time within which an arraignment hearing must be held; providing that clear and convincing evidence is required to establish a child's dependency; conforming a cross-reference to changes made by the act; amending s. 39.409, F.S.; providing for the child's parent or guardian to be awarded attorney's fees and costs upon dismissal of a case alleging dependency; amending s. 415.5017, F.S.; requiring department staff to audio-record or videotape all interviews with a child who is the subject of a report alleging abuse; authorizing a child's parent or guardian to audio-record or videotape certain activity related to the department's response to such report without the knowledge or consent of the department; amending ss. 415.504, 415.505, F.S.; modifying the manner in which reports of abuse or neglect may be given, received, and investigated; requiring that notice of additional rights be provided to the subject of an investigation; requiring the department to show cause prior to a court order authorizing the department to examine and interview a child; providing for a legal representative of the child's

parent or guardian to be present during the examination and interview; amending s. 415.51, F.S.; providing for the name of a person reporting child abuse or neglect and a copy of the department's file on the case to be released to certain alleged perpetrators upon order of the court; amending s. 933.18, F.S.; deleting a provision authorizing a law enforcement officer to remove a child from a private dwelling; amending ss. 39.01, 39.038, F.S., relating to definitions and the release of a child from custody; conforming cross-references to changes made by the act; repealing s. 39.401, F.S., relating to authorization for the department to take into custody a child who is alleged to be dependent; repealing s. 415.506, F.S., relating to authorization for a law enforcement officer or agent of the department to take a child into protective custody; providing an effective date.

By the Committee on Judiciary and Senator Dudley—

CS for SB 1552—A bill to be entitled An act relating to condominiums and cooperatives; amending s. 718.103, F.S.; redefining the term "residential condominium"; amending ss. 718.111 and 719.104, F.S.; revising language with respect to financial reports and commingling of funds for condominiums and cooperatives; amending s. 718.112, F.S., relating to bylaws; revising language with respect to unit owner meetings and annual budgets for condominiums; amending s. 718.1255, F.S.; revising language with respect to mandatory nonbinding arbitration; creating s. 718.404, F.S.; providing for mixed-use condominiums; amending s. 718.502, F.S.; providing reference to mixed-use condominiums with respect to the provision of law concerning filing prior to sale or lease; providing for disclosure of all aspects of the offering; amending s. 718.616, F.S.; providing for compliance with municipal ordinances; amending s. 719.1035, F.S.; providing for the recording of required cooperative documents; amending s. 718.113, F.S.; adding window film to provisions relating to hurricane protection compliance; amending s. 718.3026, F.S.; exempting certain persons from contract requirements; amending s. 719.06, F.S.; revising mandatory requirements for cooperatives relating to voting, shareholder meetings, and annual budgets; directing the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation to conduct a study of laws governing condominiums and cooperatives; providing an effective date.

By the Committee on Judiciary and Senator Grant—

CS for SB 1694—A bill to be entitled An act relating to probate and trust; amending s. 733.6171, F.S.; changing the method of calculation and determining the amount of fees for attorneys for personal representatives; disallowing certain attorney's fees if the request for the fee is substantially unreasonable; amending s. 737.204, F.S.; adding procedures to review fees payable to trustees and other employees in trust administration; providing for notice; creating s. 737.2041, F.S.; providing for procedures to determine attorney's fees in trust administrations similar to the procedure and rate structure in probate; amending s. 689.075, F.S.; providing that a trust is not invalid because the settlor is the sole trustee if the trust instrument meets the execution requirements for express trusts; amending s. 731.201, F.S.; providing that a trustee is an interested person in the administration of the grantor's estate; amending s. 733.212, F.S.; providing for service of notice of administration on certain people; amending s. 733.306, F.S.; limiting the period for bringing a claim or cause of action against certain types of trusts, trustees, or beneficiaries; amending s. 733.607, F.S.; providing for payments from a trustee of a trust to the personal representative of a decedent's estate under certain conditions; amending 733.707, F.S.; providing liability of certain trusts for payment of the expenses of administration of a deceased's estate and of claims of creditors against a deceased's estate to the extent that the estate is insufficient to pay them; creating s. 737.111, F.S.; providing execution requirements for express trusts; amending s. 737.303, F.S.; prescribing a trustee's duty to account for the administration of a trust to certain defined beneficiaries; creating s. 737.3054, F.S.; providing a trustee's duty to pay expenses and obligations of a settlor's estate; creating s. 737.308, F.S.; providing for notice of trust; providing powers of trustees; amending s. 737.403, F.S.; providing for certain court-authorized transactions by a trustee; repealing s. 737.3056, F.S., relating to a trustee's duty to pay expenses of a settlor's estate; repealing s. 737.3057, F.S., relating to a trustee's duty to notice creditors; providing an effective date.

By the Committee on Judiciary and Senators Johnson, Dudley, Rossin, Casas, Forman, Meadows, Silver, Crist, Wexler, Weinstein, Myers, Dyer, Turner, Holzendorf, Beard, Gutman, Sullivan, Jenne, Burt, Kirkpatrick, Jones, Bronson and Thomas—

CS for SB 1714—A bill to be entitled An act relating to certain corporations that operate residential communities in this state; amending ss. 617.0601, 617.0701, 617.0721, and 617.0831, F.S.; providing for the inapplicability of provisions of those sections to mandatory homeowners' associations; amending s. 617.301, F.S.; defining the term "homeowners' association" and other terms used in ss. 617.301-617.312, F.S.; amending s. 617.302, F.S.; providing the purposes, scope, and applicability of provisions relating to homeowners' associations; amending s. 617.303, F.S.; providing for association powers and duties, meetings of boards of directors, notice of meetings, official records, budgets, and financial reporting; providing for the inapplicability of ss. 617.1601-617.1604, F.S., in specified circumstances; amending s. 617.305, F.S.; providing for obligations of association members and for the levy of fines and the suspension of use rights; granting rights of legal action in specified circumstances; providing requirements for a quorum; providing for appointing a receiver if a quorum cannot be assembled; amending s. 617.306, F.S.; providing for meetings of association members; establishing the proportion that constitutes a quorum if the bylaws do not prescribe a quorum requirement; providing for regular meetings and special meetings, and for adjournment and continuation of meetings at a later date; providing for the right to vote by proxy; establishing requirements for the content of notices of meetings; providing requirements for elections; creating s. 617.307, F.S.; providing for the transition of control of a homeowners' association from the developer to other members; creating s. 617.308, F.S.; providing for assessments and charges and for description of certain relevant materials in the governing documents; providing for the inapplicability of this section under specified conditions; creating s. 617.309, F.S.; providing standards and procedures for agreements entered into by an association; creating s. 617.31, F.S.; providing standards for and restrictions upon recreational leaseholds; prohibiting escalation clauses; providing for the inapplicability of the section under specified conditions; creating s. 617.311, F.S.; providing for alternative dispute resolution; allowing courts to order mediation or arbitration; creating s. 617.312, F.S.; providing that a declaration of covenants survives and is enforceable as to a parcel after the parcel is sold to pay delinquent taxes or special assessments or is foreclosed upon; amending s. 689.26, F.S.; providing that purchasers are subject to association membership requirements and must receive copies of the governing documents before the sale; allowing the prospective purchaser to waive the right to disclosure; providing that a prospective parcel owner must be given a separate disclosure summary and specifying a format for the disclosure summary; providing applicability; providing an effective date.

By the Committee on Higher Education and Senators Jones and Forman—

CS for SB 1938—A bill to be entitled An act relating to educational assessment; naming the "Robert H. McCabe CLAST and Other Skills Act"; providing intent; amending s. 229.053, F.S., relating to the powers of the State Board of Education; requiring additional duties; amending s. 231.17, F.S., relating to the certification of teachers; providing for alternative assessments of minimum competency; amending s. 240.107, F.S., relating to the college-level communication and computation skills examination; deleting a reporting requirement; providing for alternative assessments of academic proficiency; amending s. 240.311, F.S., relating to the powers of the State Board of Community Colleges; deleting reference to test information; amending s. 240.324, F.S., relating to the community college accountability process; deleting reference to performance rates on academic skills tests; amending ss. 240.404, 240.412, F.S.; deleting reference to participation in the college-level communication and skills testing program; repealing s. 240.437(2)(f), F.S., relating to the College Level Academic Skills Test; providing an effective date.

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

CS for SB 2582—A bill to be entitled An act relating to child welfare; amending s. 39.001, F.S.; revising guidelines for employment screening required by the Department of Juvenile Justice and the Department

of Health and Rehabilitative Services for personnel in child or youth programs; amending s. 39.076, F.S.; revising provisions relating to such screening; amending s. 39.411, F.S.; providing for use of court records to provide disqualification; amending s. 110.1127, F.S.; providing for employment screening of persons in positions of special trust or responsibility; providing for exemptions from disqualification; amending s. 242.335, F.S.; providing for personnel screening at the Florida School for the Deaf and the Blind; amending s. 393.063, F.S.; modifying a definition; amending s. 393.0655, F.S.; providing for screening of direct service providers; amending s. 394.455, F.S.; modifying definitions; amending s. 394.457, F.S.; providing for screening of mental health personnel; amending s. 397.311, F.S.; modifying definitions; amending s. 397.451, F.S.; providing for background checks of service provider personnel who have direct contact with unmarried minor clients or clients who are developmentally disabled; removing provisions relating to confidentiality of personnel background check information; amending s. 400.211, F.S., relating to certification of persons employed as nursing assistants in adult congregate living facilities; providing for denial, suspension, or revocation by the Department of Business and Professional Regulation of such certification based on a finding of guilt of a specified offense, or a confirmed report of abuse or neglect of a vulnerable adult; amending s. 400.414, F.S., relating to denial, revocation, or suspension of adult congregate living facilities licensees; removing a provision relating to disciplinary action against a licensee based on a confirmed report of child abuse or neglect by a facility or an employee; revising provisions relating to exemptions from disqualification; amending s. 400.462, F.S.; modifying a definition; amending s. 400.512, F.S.; providing for screening of home health agency personnel, nurse registry personnel, and sitters, companions, and homemakers registered with the Agency for Health Care Administration; amending s. 402.302, F.S.; modifying a definition; amending s. 402.305, F.S.; providing for screening of child care facilities personnel; amending s. 402.3055, F.S.; deleting provisions for processing of fingerprints relating to renewal of child care licenses and child care personnel; amending s. 402.313, F.S.; making technical changes; amending s. 402.319, F.S.; modifying penalties; amending s. 409.175, F.S.; redefining "screening" and providing for screening of family foster homes, residential child-care agencies, child-placing agencies, summer day camps, and summer 24-hour camps; amending s. 415.503, F.S.; revising definitions with respect to part IV of chapter 415, F.S., relating to protective services for abused and neglected children; amending s. 415.504, F.S.; providing for mandatory reports of child abuse, abandonment, or neglect or reports of child deaths; substituting references to the central abuse registry and tracking system with references to the central abuse hotline; providing for preservation of specified records pertaining to a child; prohibiting use of central abuse hotline information for employment screening purposes; amending s. 415.505, F.S., relating to child protective investigations; amending s. 415.51, F.S.; revising guidelines relating to access to information in cases of child abuse, abandonment, or neglect; creating ch. 435, F.S., relating to background screening for employment and background security checks required by law for employment; providing applicability and definitions; prescribing level 1 screening standards and level 2 screening standards; providing responsibilities and duties of specified employees and employers and guidelines relating to provision of screening information to the Florida Department of Law Enforcement; providing for termination or replacement of positions of specified new employees on probationary status who are disqualified as a result of screening; requiring affidavits signed under penalty of perjury from specified employers with respect to screening of personnel hired after July 1, 1995; providing notice and guidelines relating to exclusion from employment as a result of screening; providing exemptions from disqualification; providing alternative responsibility to the employer or employee for payment for processing of fingerprints and state criminal records checks; providing for confidentiality of personnel background check information; providing for sharing of personnel information among employers; providing for penalties; providing for rescreening; amending s. 464.018, F.S.; revising and conforming provisions relating to disciplinary action against nurses; amending s. 447.208, F.S.; revising and conforming provisions relating to certain appeals heard by the Public Employees Relations Commission, based on allegations of child abuse or neglect; prohibiting classification by the Department of Health and Rehabilitative Services of child abuse reports; providing for a specified joint protocol for transferring certain screening responsibility to the Department of Law Enforcement; providing an effective date.

By the Committee on Higher Education and Senator Harris—

CS for SB 2598—A bill to be entitled An act relating to student financial aid; amending s. 240.402, F.S.; authorizing the State Board of Education to specify by rule the minimum acceptable scores on certain tests required for a student to qualify for a scholarship from the Florida Undergraduate Scholars' Fund; amending ss. 240.4063, 240.6074, F.S.; directing the State Board of Education to specify by rule repayment terms for certain scholarship loans; deleting a requirement that loans must be repaid within 10 years; amending s. 240.4021, F.S.; requiring a student to enroll in a technical certificate or associate in science degree program to earn a Florida Gold Seal scholarship; amending s. 239.217, F.S.; revising requirements for eligibility for the Florida gold seal vocational endorsement; providing for correction of deficiencies; amending s. 240.498, F.S.; requiring the adoption of rules by the Board of Directors of the Florida Education Fund for student selection in the law school and pre-law programs; providing an effective date.

By the Committee on Education and Senator Latvala—

CS for SB 2684—A bill to be entitled An act relating to educational facilities; amending s. 235.011, F.S., relating to definitions; clarifying the term "board"; deleting the term "office"; adding the term "public education capital outlay funded projects"; amending s. 235.014, F.S.; transferring functions of the Office of Educational Facilities to the Department of Education and revising and deleting certain functions; creating s. 235.017, F.S.; requiring boards to ensure facility compliance; amending s. 235.02, F.S.; revising provisions relating to use of buildings and grounds; amending s. 235.054, F.S.; deleting certain office approval and revising provisions relating to purchase appraisal; deleting repeal of section; amending s. 235.055, F.S.; revising conditions relating to the construction of facilities on leased property; amending s. 235.056, F.S., relating to lease and lease-purchase of educational facilities and sites; revising provisions relating to approval and compliance with building and safety codes; amending s. 235.06, F.S.; revising provisions relating to inspection of property for compliance with safety and sanitation standards; amending s. 235.14, F.S., relating to emergency drills; amending s. 235.15, F.S., relating to educational plant survey; revising requirements for the conduct of surveys; providing certification requirements prior to release of funds; amending s. 235.155, F.S., relating to exception to recommendations in survey; amending s. 235.16, F.S., relating to educational plant construction plans, to conform; amending s. 235.19, F.S.; revising provisions relating to site planning and selection; revising responsibility relating to traffic control and safety devices; amending s. 235.193, F.S.; requiring certain coordination of planning with local governing bodies; amending s. 235.195, F.S., relating to cooperative development and use of facilities, to conform; amending s. 235.198, F.S., relating to cooperative development and use of satellite facilities, to conform; amending s. 235.199, F.S., relating to requirements for funding of vocational education facilities, to conform; amending s. 235.211, F.S.; providing procedures for contracting for construction of facilities; providing requirements for construction and program management entities; revising provisions relating to construction techniques and selection process requirements; authorizing the purchase of certain architectural services; amending s. 235.26, F.S., relating to the State Uniform Building Code for Public Educational Facilities Construction, to conform; deleting standards relating to an energy performance index; deleting enforcement by the office; providing for board approval and duties; deleting provisions relating to fallout shelters; revising provisions relating to emergency shelters; requiring a statewide emergency shelter plan; amending s. 235.31, F.S.; revising provisions relating to awarding of contracts; providing definition of "emergency"; amending s. 235.321, F.S.; revising requirements for change orders; amending s. 235.33, F.S.; revising provisions relating to data filed after acceptance of a project; amending s. 235.41, F.S., relating to capital outlay budget request, to conform; amending s. 235.42, F.S., relating to allocation of funds, to conform; amending s. 235.435, F.S., relating to allocation of funds for comprehensive educational plant needs; specifying allocations for fiscal years; requiring certain maintenance of effort; conforming provisions; providing for allocation from the Public Education Capital Outlay and Debt Service Trust Fund to district school boards; deleting provisions relating to the Increased Utilization Account; requiring district school boards to identify fund source; restricting use of funds; amending s. 236.25, F.S.; increasing authorized district school board capital outlay millage levy; amending s. 216.301, F.S.; revising provisions relating to reversion of unexpended balance; amending s. 240.209,

F.S., relating to Board of Regents' powers and duties; increasing the Capital Improvement Trust Fund fee; providing for application of revenues to capital outlay purposes; amending s. 240.319, F.S., relating to powers and duties of community college district boards of trustees; authorizing the incurrence of debt; amending s. 240.35, F.S.; providing for an increase in the capital improvement fee and authorizing bonding; creating s. 255.0516, F.S.; providing requirements for bid protests by school boards; amending s. 287.055, F.S., relating to purchase of professional services; revising provisions relating to public notice of plans intended for reuse; authorizing the disposal of described real property used by Florida Agricultural and Mechanical University to house nursing students and other described property; providing for use of proceeds; amending ss. 201.24, 230.23, and 404.056, F.S., to conform; reenacting ss. 228.053(9)(e) and 236.081(1)(i) and (4)(c)3., F.S., relating to funds for the operation of schools, to incorporate the amendment to s. 236.25, F.S., in references thereto; repealing ss. 235.018, 235.196, and 235.222, F.S., relating to delegation of review and approval authority, community educational facilities, and repayment of loans; saving ss. 235.001, 235.002, 235.01, 235.011, 235.014, 235.02, 235.04, 235.05, 235.055, 235.056, 235.06, 235.09, 235.14, 235.15, 235.155, 235.16, 235.18, 235.19, 235.193, 235.195, 235.198, 235.199, 235.211, 235.212, 235.26, 235.30, 235.31, 235.32, 235.321, 235.33, 235.34, 235.40, 235.42, 235.435, 235.44, 236.25(2), and 237.162, F.S., from repeal; providing legislative intent; creating s. 235.0155, F.S.; providing for prototype designs of facilities; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 1196, SB 1230, SB 1232, SB 1234 and SB 1280, which became law without his signature on April 11, 1995.

APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Miami-Dade Community College Appointee: Fine, Martin, Miami	05/31/99
Board of Dentistry Appointee: Genco, Hilda Herrera, Tampa	10/31/98
Board of Employee Leasing Companies Appointees: Cooley, Steven Thomas, Bradenton Landrum, Henry Britton, Jr., Pensacola	10/31/98 10/31/98
Florida Housing Finance Agency Appointees: Bennett, Clark Driskell, Palm Beach Gardens Hussey, William Davis, Orlando Mayes, Carl Herman, Margate Ramsey, William Jay, Ruskin	11/13/98 11/13/98 11/13/98 11/13/98
Florida Commission on Human Relations Appointee: Richman, Gerald F., Miami Beach	09/30/98
State Board of Independent Colleges and Universities Appointee: Laird, Sharon R., Jacksonville	09/30/97
Board of Optometry Appointee: Lewis, John Braxton, Bradenton	10/31/98
Historic Palm Beach Preservation Board of Trustees Appointees: Campbell, Doak S. III, Delray Beach Ellington, Charlie Lovett, West Palm Beach	06/30/98 06/30/98
Florida Transportation Commission Appointees: Nunis, Richard A., Windermere Vause, J. Lee, Tallahassee	09/30/98 09/30/98
Referred to the Committee on Executive Business, Ethics and Elections.	
Governing Board of the Southwest Florida Water Management District Appointees: Allen, James L. III, Bushnell Roo, Virginia S., Tampa	03/15/99 03/01/98

<i>Office and Appointment</i>	<i>For Term Ending</i>
Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District Appointee: Baynard, Patsy Yeates, St. Petersburg	03/01/96
Governing Board of the Suwannee River Water Management District Appointee: Demott, Herbert George, Monticello	03/01/99

Referred to the Committees on Natural Resources; and Executive Business, Ethics and Elections.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable James A. Scott, President

I am directed to inform the Senate that the House of Representatives has passed HB 29, CS for HB 103, HB 215, HB 221, HB 239, HB 269, HB 277, HB 321, HB 517, HB 519, HB 529, HB 685, HB 749, HB 813, HB 889, HB 891, HB 1187, HB 1357, HB 1445, HB 1451, HB 1645, HB 2129, HB 2197, HB 2209, HB 2215, HB 2217, HB 2219, HB 2221; has passed as amended CS for HB 5, CS for HB 149, HB 187, HB 339, HB 483, HB 727, HB 741; has passed as amended by the required constitutional three-fifths vote of the membership HJR 383 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Constantine and others—

HB 29—A bill to be entitled An act relating to public meetings; amending s. 286.011, F.S., which requires that meetings of a board or commission of any state or local agency at which official acts are to be taken must be open to the public; requiring notice of such meetings; providing a penalty for conduct outside the state which constitutes a knowing violation of said section; amending s. 910.005, F.S.; providing state criminal jurisdiction for such conduct; creating s. 910.16, F.S.; providing venue for public meetings law violations; providing an effective date.

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

By the Committee on Judiciary and Representative Posey—

CS for HB 103—A bill to be entitled An act relating to service of witness subpoenas; amending s. 48.031, F.S.; prescribing method of service in certain criminal cases; providing an effective date.

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

By Representative Morse and others—

HB 215—A bill to be entitled An act relating to physician assistants; amending s. 458.347, F.S.; revising provisions regulating physician assistant programs for, and certification of, certain unlicensed physicians who are foreign medical school graduates; increasing penalties applicable to physician assistants relating to violations of the practice act or certain other provisions regulating the practice of medicine; amending s. 459.022, F.S., relating to physician assistants for osteopathic physicians; providing penalties applicable to physician assistants relating to violations of the practice act or certain other provisions regulating the practice of osteopathy; amending s. 409.906, F.S.; correcting a cross reference; providing an effective date.

—was referred to the Committees on Health Care; and Ways and Means.

By Representative Bradley—

HB 221—A bill to be entitled An act relating to postsecondary education; amending s. 240.209, F.S.; requiring the Board of Regents to develop standards for the role of student advocate at each university; requiring review of plans; providing an effective date.

—was referred to the Committees on Higher Education; and Ways and Means.

By Representative Stafford and others—

HB 239—A bill to be entitled An act relating to restitution of crime victims; amending s. 775.089, F.S.; imposing liability for court costs and attorney's fees upon defendant when civil enforcement of restitution order is necessary; providing for review at such time of the defendant's financial resources by the criminal court; reenacting ss. 39.022(4)(c) and 960.001(1)(h), F.S., relating to jurisdiction and guidelines for fair treatment of victims and witnesses in the criminal justice and juvenile justice systems, to incorporate said amendment in references; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Governmental Operations and Representative Lawson—

HB 269—A bill to be entitled An act relating to the confidentiality of information maintained by the Department of Business and Professional Regulation; amending s. 550.0251, F.S., which provides an exemption from public records requirements for information obtained in connection with investigations relating to pari-mutuel industry regulation; revising the exemption and saving it from repeal; providing for future review and repeal; amending s. 550.2415, F.S., which provides an exemption from public records requirements for information relating to drug tests of racing animals; saving such exemption from repeal; providing for future review and repeal; amending s. 561.501, F.S.; removing an exemption from public records requirements for records of compromises of the surcharge on sale of alcoholic beverages for on-premise consumption; providing an effective date.

—was referred to the Committee on Regulated Industries.

By the Committee on Governmental Operations and Representative Lawson—

HB 277—A bill to be entitled An act relating to confidentiality of professional golf hall of fame audit information; amending s. 288.1168, F.S., which provides an exemption from public records requirements for information resulting from audits of such facility by the Department of Revenue; saving such exemption from repeal; directing the department to prepare a summary of such audit which is not exempt; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

By the Committee on Governmental Operations and Representative Lawson—

HB 321—A bill to be entitled An act relating to confidentiality of home health agency personnel screening information; amending s. 400.512, F.S., which provides an exemption from public records requirements for certain information obtained in connection with screening home health agency, nurse registry, and sitter, companion, or homemaker service personnel; revising the exemption and saving it from repeal; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Governmental Operations and Representative Lawson—

HB 517—A bill to be entitled An act relating to confidentiality of taxpayer information shared under the Registration Information Sharing and Exchange Program; reenacting s. 213.0535(5), F.S., which provides an exemption from public records requirements for such information which is confidential by law; saving such exemption from repeal; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Governmental Operations and Representative Lawson—

HB 519—A bill to be entitled An act relating to confidentiality of information relating to persons supplying certain information to the Department of Revenue; reenacting s. 213.30(3), F.S., which provides an exemption from public records requirements for the identity of persons who supply information relating to a violation of tax laws; saving such exemption from repeal; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Governmental Operations and Representative Lawson—

HB 529—A bill to be entitled An act relating to confidentiality of records relating to the contract audit program of the Department of Revenue; amending s. 213.28, F.S., which provides for applicability of confidentiality requirements to certified public accountants who contract with the department; saving such exemption from repeal; revising an exemption from public records requirements for certain information obtained from the Internal Revenue Service and saving the exemption from repeal; deleting an increased penalty provision; providing an effective date.

—was referred to the Committee on Ways and Means.

By Representative Heyman and others—

HB 685—A bill to be entitled An act relating to advisory bodies; amending s. 233.0664, F.S.; providing for the Secretary of Juvenile Justice to be a member of the Drug Abuse Resistance Education Board of Directors; amending s. 943.031, F.S.; providing for the Secretary of Juvenile Justice rather than the Secretary of Health and Rehabilitative Services to serve as a member of the Florida Violent Crime Council; amending s. 943.06, F.S.; providing for the Secretary of Juvenile Justice and the executive director of the Department of Highway Safety and Motor Vehicles to serve as members of the Criminal Justice Information Systems Council; amending s. 943.1755, F.S.; revising the membership of the policy board for the Florida Criminal Justice Executive Institute; deleting an obsolete provision requiring the board to submit a report; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Representative Morse—

HB 749—A bill to be entitled An act relating to road designations; designating a portion of West Flagler Street in Miami as "Benjamin Leon Way"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Governmental Operations and Representative Lawson—

HB 813—A bill to be entitled An act relating to confidentiality of meetings and records of the Agency for Health Care Administration; amending s. 455.2173, F.S., which provides exemptions from public meeting and records requirements for meetings of agency members or boards

held to create or review licensure examination questions, and records of such meetings; revising said exemptions and saving them from repeal; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Governmental Operations and Representative Lawson—

HB 889—A bill to be entitled An act relating to the confidentiality of information held by public tourism entities; amending ss. 288.121, 288.1224, and 288.815, F.S., which provide exemptions from public records requirements for the identity of respondents to, and trade secrets obtained pursuant to, marketing or advertising research projects conducted by the Division of Tourism, the Florida Commission on Tourism, and the Office of the Executive Director of the Florida International Affairs Commission; revising said exemptions and saving them from repeal; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

By the Committee on Governmental Operations and Representative Lawson—

HB 891—A bill to be entitled An act relating to confidentiality of information relating to economic development agencies; amending ss. 288.1226, 288.809, 288.906, 288.9517, and 288.9616, F.S., which provide exemptions from public records requirements for the identity of donors and prospective donors to the Florida Tourism Industry Marketing Corporation, the Florida International Affairs Foundation, Enterprise Florida, Inc., and the Enterprise Florida Capital Partnership, and for the identity of donors, prospective donors, and inventors who contribute to the Enterprise Florida Innovation Partnership; revising said exemptions and saving them from repeal; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

By Representative P. R. Wallace—

HB 1187—A bill to be entitled An act relating to miscellaneous commissions; repealing provisions of chapter 13, F.S., which establish and relate to the Commission on Interstate Cooperation; repealing s. 13.09, F.S., which declares the Council of State Governments to be a joint agency of this and other states; repealing provisions of chapter 13, F.S., which establish and provide for the duties of the Florida Legislative Law Revision Council; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Rules and Calendar.

By Representative Futch—

HB 1357—A bill to be entitled An act relating to defamation; repealing s. 836.04, F.S.; relating to defamation of a woman, imputing to her a want of chastity; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Governmental Operations and Representative Lawson—

HB 1445—A bill to be entitled An act relating to confidentiality of information held by Statewide and District Human Rights Advocacy Committees; amending ss. 402.165 and 402.166, F.S., which provide exemptions from public records and meeting requirements for specified information obtained by such committees and meetings of such committees relating to such information; revising such exemptions and saving them from repeal; providing an effective date.

—was referred to the Committee on Judiciary.

By Representative Crist—

HB 1451—A bill to be entitled An act relating to offenses related to public roads; repealing s. 861.07, F.S.; relating to criminal penalties for the obstruction of wagon roads by the felling of trees; repealing s. 861.08, F.S.; relating to criminal penalties for the obstruction of county and settlement roads; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Representative Bradley and others—

HB 1645—A bill to be entitled An act relating to vocational rehabilitation of persons with disabilities; amending s. 413.445, F.S.; revising guidelines for perfection of certain notices of liens for vocational and related services which are filed by the Division of Vocational Rehabilitation of the Department of Labor and Employment Security; providing an effective date.

—was referred to the Committees on Judiciary; and Ways and Means.

By the Committee on Governmental Operations and Representative Lawson—

HB 2129—A bill to be entitled An act relating to confidentiality of public hospital records and meetings; amending and renumbering s. 119.16, F.S., which provides an exemption from public records and public meeting requirements for certain public hospital records and meetings of public hospital governing boards; saving such exemptions from repeal; revising the records and meetings to which such exemptions apply; providing exemptions for meetings at which certain confidential records are discussed and for records generated at exempt meetings; requiring that transcripts be made of closed meetings; removing a condition under which public records and meeting exemptions cease; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Governmental Operations and Representative Lawson—

HB 2197—A bill to be entitled An act relating to confidentiality of records of the Agency for Health Care Administration; amending s. 408.061, F.S., which provides exemptions from public records requirements for information submitted by health care facilities and providers and health insurers; saving the exemptions for specific provider contract reimbursement information and certain other proprietary business information from repeal; defining "proprietary business information"; revising the exemption for patient records obtained by the agency and saving it from repeal; authorizing the agency to release confidential information and requiring the receiving entity to retain its confidentiality; repealing s. 408.05(6), F.S., which provides for confidentiality of information maintained by the State Center for Health Statistics, and s. 408.061(14), F.S., which specifies that information filed with the agency not made confidential is open to public inspection; amending ss. 408.02 and 408.704, F.S., to conform; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Ethics and Elections; and Representative Upchurch and others—

HB 2209—A bill to be entitled An act relating to municipal elections; amending s. 166.021, F.S.; authorizing amendment of a special law or municipal charter for the purpose of changing election dates and qualifying periods for candidates, including any changes in terms of office necessitated thereby, without referendum; creating s. 100.3605, F.S.; providing for application of the Florida Election Code to municipal elections in the absence of an applicable special act, charter, or ordinance provision; prohibiting the adoption of a charter or ordinance provision which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities; providing for change

of qualifying periods and election dates by ordinance and for the orderly transition of office; providing an effective date.

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

By the Committee on Governmental Operations and Representative Lawson—

HB 2215—A bill to be entitled An act relating to confidentiality of records and meetings of emergency medical review committees; repealing s. 401.425(8), F.S., which provides an exemption from public records requirements for records relating to quality assurance activities; amending s. 401.425, F.S.; transferring said exemption to subsection (5) of said section, revising said exemption, and saving it from repeal; providing an exemption from public meeting requirements for meetings of such committees which relate to quality assurance activities; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Governmental Operations and Representative Lawson—

HB 2217—A bill to be entitled An act relating to confidentiality of information relating to disciplinary proceedings involving providers of funeral and cemetery services; amending s. 497.131, F.S., which provides an exemption from public meeting requirements for proceedings of probable cause panels, and exemptions from public records requirements for complaints and investigatory information; revising said exemptions and saving them from repeal; providing for future review and repeal; repealing the exemption from public records requirements for reports of cases dismissed prior to a finding of probable cause; reenacting s. 497.119(3), F.S., relating to mediation, to incorporate the amendment to s. 497.131, F.S., in a reference thereto; providing an effective date.

—was referred to the Committee on Governmental Reform and Oversight.

By the Committee on Governmental Operations and Representative Lawson—

HB 2219—A bill to be entitled An act relating to state government; amending s. 20.171, F.S.; renaming the Division of Labor, Employment, and Training of the Department of Labor and Employment Security as the Division of Jobs and Benefits; amending ss. 232.17, 288.047, 443.181, 443.211, 443.221, 446.011, 446.021, 446.032, 446.041, 446.045, 446.052, 446.061, 446.071, 446.075, 446.091, 446.20, 446.41, 447.02, 447.04, 447.06, 447.12, 447.16, 447.305, 450.012, 450.061, 450.121, 450.132, 450.161, and 450.28, F.S., to conform; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

By the Committee on Governmental Operations and Representative Lawson—

HB 2221—A bill to be entitled An act relating to confidentiality of records and meetings of the Florida Health Care Purchasing Cooperative; amending s. 408.001, F.S., which provides exemptions from public records requirements for personal or medical information concerning individuals and information used to protect a business advantage held by the cooperative; revising said exemptions and saving them from repeal; providing an exemption from public meeting requirements for meetings of the governing board of the cooperative during which confidential records are discussed, and an exemption from public records requirements for records of such meetings; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Ethics and Elections; and Representative Constantine and others—

CS for HB 5—A bill to be entitled An act relating to access to local public officials; creating s. 286.0115, F.S.; providing a definition; providing for access to public officials; authorizing investigations and receipt of information; requiring disclosure of ex parte communication; authorizing local rules or procedures; providing an effective date.

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

By the Committee on Insurance and Representative Arnall and others—

CS for HB 149—A bill to be entitled An act relating to life insurance; creating ss. 627.4555 and 627.5045, F.S.; limiting conditions under which individual and industrial life insurance contracts may be canceled for nonpayment of premiums; requiring insurers to mail a notice of possible lapse to the owners of such insurance contracts where the policy owner or the insured are 64 years of age or older; requiring insurers to mail a secondary notice of possible lapse to a specified secondary addressee; requiring insurers to notify policy applicants and policyholders of right of secondary notice; creating s. 627.4556, F.S.; requiring that optional automatic policy loan provisions be deemed to be elected unless affirmatively not elected by an applicant for a life insurance policy; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Representative Feren and others—

HB 187—A bill to be entitled An act relating to the Code of Ethics for Public Officers and Employees; amending s. 112.317, F.S.; providing for costs plus reasonable attorney's fees incurred by a public officer or employee against whom a complaint is lodged under the act under certain circumstances; providing an effective date.

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

By Representative Villalobos and others—

HB 339—A bill to be entitled An act relating to sanitation of schools; amending s. 232.36, F.S.; requiring each school cafeteria to post its annual sanitation certificate and its most recent sanitation inspection report; deleting obsolete language; providing an effective date.

—was referred to the Committee on Education.

By Representative Mackenzie and others—

HB 483—A bill to be entitled An act relating to vacancies in nomination; amending s. 100.111, F.S.; prohibiting a person who has qualified as a candidate for public office from qualifying as a candidate to fill a vacancy in nomination for any other office to be filled at that same general election; providing an exception for candidates for Lieutenant Governor; providing an effective date.

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

By Representative Miller and others—

HB 727—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.732, F.S.; including motor vehicles used as public school transportation in the definition of "motor vehicle" for insurance purposes; amending s. 627.733, F.S.; excluding certain school buses from the requirement to maintain certain financial security; providing an effective date.

—was referred to the Committees on Education; Banking and Insurance; and Ways and Means.

By Representative Mackenzie and others—

HB 741—A bill to be entitled An act relating to building designations; directing the Board of Regents to rename the University Tower at the Fort Lauderdale campus of Florida Atlantic University in honor of former Governor Reubin O'D. Askew; designating the equine-reproduction facility of the equine teaching hospital of the College of Veterinary Medicine at the University of Florida as the Delia Houser McGehee, II, Equine-Reproduction Facility; authorizing the University of Florida to erect appropriate markers; designating the Physical Therapy Educational Building of the Health Science Center at the University of Florida as the Ruth K. and Shepard Broad Physical Therapy Educational Building; authorizing the University of Florida to erect appropriate markers; designating the new fine arts building on the Caples Campus of the University of South Florida at Sarasota as the Betty Isermann Fine Arts Building; authorizing the erection of markers; designating the St. Lucie Regional Service Center as the Dr. Clem C. Benton Building; directing the Department of Management Services to erect suitable signs; designating a building on the campus of the University of North Florida as the Dorothy S. Dorion Physical Fitness Center; authorizing the University of North Florida to erect appropriate markers; providing an effective date.

—was referred to the Committees on Higher Education; and Governmental Reform and Oversight.

By Representative Bronson and others—

HJR 383—A joint resolution proposing an amendment to Section 5 of Article XI of the State Constitution relating to approval of constitutional amendments.

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

RETURNING MESSAGES—FINAL ACTION

The Honorable James A. Scott, President

I am directed to inform the Senate that the House of Representatives has passed SB 164 and CS for SB 1920.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

ROLL CALLS ON SENATE BILLS

SB 916

Yeas—39

Mr. President	Diaz-Balart	Jenne	Ostalkiewicz
Bankhead	Dudley	Jennings	Rossin
Bear	Dyer	Johnson	Silver
Bronson	Forman	Jones	Sullivan
Brown-Waite	Grant	Kirkpatrick	Thomas
Burt	Gutman	Kurth	Turner
Casas	Harden	Latvala	Weinstein
Childers	Hargrett	McKay	Wexler
Crist	Harris	Meadows	Williams
Dantzler	Holzendorf	Myers	

Nays—None

SB 1004

Yeas—27

Mr. President	Crist	Harris	McKay
Bankhead	Dantzler	Horne	Myers
Bear	Dudley	Jennings	Ostalkiewicz
Bronson	Dyer	Johnson	Rossin
Brown-Waite	Gutman	Kirkpatrick	Sullivan
Burt	Harden	Kurth	Williams
Childers	Hargrett	Latvala	

Nays—12

Casas	Holzendorf	Meadows	Turner
Diaz-Balart	Jenne	Silver	Weinstein
Forman	Jones	Thomas	Wexler

CS for SB 1070

Yeas—39

Mr. President	Diaz-Balart	Jenne	Ostalkiewicz
Bankhead	Dudley	Jennings	Rossin
Beard	Dyer	Johnson	Silver
Bronson	Forman	Jones	Sullivan
Brown-Waite	Grant	Kirkpatrick	Thomas
Burt	Harden	Kurth	Turner
Casas	Hargrett	Latvala	Weinstein
Childers	Harris	McKay	Wexler
Crist	Holzendorf	Meadows	Williams
Dantzler	Horne	Myers	

Nays—None

CS for SB 1328

Yeas—39

Mr. President	Diaz-Balart	Jenne	Ostalkiewicz
Bankhead	Dudley	Jennings	Rossin
Beard	Dyer	Johnson	Silver
Bronson	Forman	Jones	Sullivan
Brown-Waite	Grant	Kirkpatrick	Thomas
Burt	Gutman	Kurth	Turner
Casas	Harden	Latvala	Weinstein
Childers	Hargrett	McKay	Wexler
Crist	Holzendorf	Meadows	Williams
Dantzler	Horne	Myers	

Nays—None

CS for SB 1328—After Reconsideration

Yeas—37

Mr. President	Diaz-Balart	Jennings	Rossin
Bankhead	Dyer	Johnson	Silver
Beard	Forman	Jones	Sullivan
Bronson	Gutman	Kirkpatrick	Thomas
Brown-Waite	Harden	Kurth	Turner
Burt	Hargrett	Latvala	Weinstein
Casas	Harris	McKay	Wexler
Childers	Holzendorf	Meadows	
Crist	Horne	Myers	
Dantzler	Jenne	Ostalkiewicz	

Nays—None

CS for SB 2248

Yeas—37

Mr. President	Dudley	Johnson	Silver
Bankhead	Dyer	Jones	Sullivan
Beard	Forman	Kirkpatrick	Thomas
Bronson	Grant	Kurth	Turner
Brown-Waite	Harden	Latvala	Weinstein
Casas	Hargrett	McKay	Wexler
Childers	Harris	Meadows	Williams
Crist	Horne	Myers	
Dantzler	Jenne	Ostalkiewicz	
Diaz-Balart	Jennings	Rossin	

Nays—None

SB 2800

Yeas—40

Mr. President	Bronson	Casas	Dantzler
Bankhead	Brown-Waite	Childers	Diaz-Balart
Beard	Burt	Crist	Dudley

Dyer	Holzendorf	Kurth	Silver
Forman	Horne	Latvala	Sullivan
Grant	Jenne	McKay	Thomas
Gutman	Jennings	Meadows	Turner
Harden	Johnson	Myers	Weinstein
Hargrett	Jones	Ostalkiewicz	Wexler
Harris	Kirkpatrick	Rossin	Williams

Nays—None

EXPLANATION OF VOTE

Pursuant to Senate Rule 1.39, I am disclosing that Item 619 in SB 2800 may indirectly inure to the special private gain of the company in which I own an interest and by which I am employed.

As permitted by Senate Rule and law, and once disclosed, it is my duty to vote on the General Appropriations Bill.

Mario Diaz-Balart, 37th District

Pursuant to Senate Rule 1.39, I am disclosing that Item 619 in SB 2800 may indirectly inure to the special private gain of a client of the law firm in which I am a partner.

As permitted by Senate Rule and law, and once disclosed, it is my duty to vote on the General Appropriations Bill.

James A. Scott, 31st District

Pursuant to Senate Rule 1.39, I am disclosing that Item 619 in SB 2800 may indirectly inure to the special private gain of my employer.

As permitted by Senate Rule and law, and once disclosed, it is my duty to vote on the General Appropriations Bill.

Daryl L. Jones, 40th District

Pursuant to Senate Rule 1.39, I am disclosing that Item 150 in SB 2800 may inure to the special gain of the Pinellas County School Board of which my spouse is an elected member.

As permitted by the Senate Rule and law, and once disclosed, it is my duty to vote on the General Appropriations Bill.

Jack Latvala, 19th District

SB 2802

Yeas—40

Mr. President	Diaz-Balart	Horne	Myers
Bankhead	Dudley	Jenne	Ostalkiewicz
Beard	Dyer	Jennings	Rossin
Bronson	Forman	Johnson	Silver
Brown-Waite	Grant	Jones	Sullivan
Burt	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams

Nays—None

APPOINTMENT OF JOINT SELECT COMMITTEE

The President announced the appointment of a Joint Select Committee on Collective Bargaining to conduct a public hearing at which the affected parties shall be required to explain their positions with respect to issues at impasse, as provided in section 447.403, Florida Statutes, and matters pertaining thereto. The committee will expire May 5 and will report to the President and the Speaker. The Senate joint select committee members were announced as follows: Senator Harden, Co-Chair; Senators Dudley, Kirkpatrick and Meadows.

ENROLLING REPORTS

SB 1082, SB 1784, SB 1788, SB 1854 and CS for SB 1920 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 12, 1995.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 6 was corrected and approved.

CO-SPONSORS

Senator Childers—CS for SB 2030; Senator Crist—SB 2968; Senator Forman—SB 548, CS for SB 1038, SB 1670; Senator Gutman—SB 498, SB 1424, SB 1836, SB 2442, SB 2640; Senator Harden—CS for SB 1038; Senator Horne—CS for SB 1038, SB 1774; Senator Latvala—SB 848, SJR 2304; Senator Myers—CS for SB 1038; Senator Rossin—SB 468, SB 1032, SB 1456; Senator Thomas—SB 2932; Senator Turner—SB 682, SB 1774, SB 2334; Senator Williams—CS for SB 2030

RECESS

On motion by Senator Jennings, the Senate recessed at 11:51 a.m. for the purpose of holding committee meetings and conducting other Senate business until 9:30 a.m., Thursday, April 13.

SENATE PAGES

April 10-14

Kenneth Beard, Tallahassee; Summer Blair, Clearwater; Clark Blakely, Jacksonville; Mendell Davis, Land O'Lakes; David Erne, Orlando; Alicia D. Fessenden, Palm Harbor; Pat Frawley, Fort Lauderdale; Jason Hart, Jacksonville; Evan Jenne, Fort Lauderdale; John Kenyon, Tallahassee; Judson D. LaCapra, Miami; Ian McCarthy, Tallahassee; Michelle Moore, Clearwater; Fraenda J. Satchel, Mulberry; Todd Shipley, Destin; David Sindler, Sorrento; Brett Stuart, Destin