



Journal of the Senate

Number 2—Regular Session

Thursday, March 7, 1996

CALL TO ORDER

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

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

Excused: Senator Myers

PRAYER

The following prayer was offered by the Rev. Terry Cranford, Pastor, First Baptist Church, Lake Butler:

Good morning. May we pray together.

Father, we take this moment to stand on the threshold of a new day and thank you for the privilege of being a part of this opportunity that has come our way. I pray that you would speak through this great group to the benefit of our state. May the end result of this 1996 Session prove that we were more concerned with being politically efficient than being politically correct.

I also pray for the citizens of this great state as they prepare for the upcoming primary. I pray that you would direct them with divine wisdom in making their choices and now, Father, through your power may what we accomplish here today promote the freedoms for which our national heroes have died. May our every decision reflect commitment to the precious children and families you have placed in our care in this great state and give insight so that what we accomplish here will not embarrass them. Give us wisdom so that what we do will not disappoint you in your sufficiency. Amen.

PLEDGE

Senate Pages, Carrie Ford of Bryceville and Natasha Walker of Sorrento, led the Senate in the pledge of allegiance to the flag of the United States of America.

CONSIDERATION OF RESOLUTIONS

On motion by Senator Gutman—

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

SR 1896—A resolution condemning Cuba and the Cuban regime.

WHEREAS, on Saturday, February 24, 1996, three small, American, civilian, unarmed airplanes were flying in international waters near the coast of Cuba on a humanitarian mission, and

WHEREAS, the airplanes were no closer than 15 miles to the coast of Cuba and were not in violation of Cuban airspace, and

WHEREAS, two Cuban fighter planes, with direct authorization from Cuban dictator Fidel Castro, intercepted and shot down the two American airplanes, killing four pilots, Carlos Costa, Pablo Morales, Mario De la Pena, and Armando Alejandro, Jr., and

WHEREAS, there was no provocation justifying such an outrageous action by the Cuban government, NOW, THEREFORE,

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

That the Florida Senate condemns Fidel Castro and the Cuban regime for the senseless and barbaric action of shooting down the two unarmed, American civilian airplanes and the assassination of the planes' four occupants, without justification and in violation of fundamental human rights and international law.

BE IT FURTHER RESOLVED that copies of this resolution, with the Seal of the Senate affixed, be presented to the families of the pilots, Carlos Costa, Pablo Morales, Mario De la Pena, and Armando Alejandro, Jr., as an expression of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Gutman, **SR 1896** was read the second time in full and adopted. The vote on adoption was:

Yeas—39 Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Jennings, by two-thirds vote **SB 1126** was withdrawn from the Committee on Transportation; and referred to the Committee on Governmental Reform and Oversight; **SB 342** was withdrawn from the Committees on Ways and Means; and Community Affairs; and referred to the Committees on Community Affairs; and Ways and Means.

On motion by Senator Jennings, by two-thirds vote **SJR 714** and **SB 716** were withdrawn from the Committees on Judiciary; and Rules and Calendar; and referred to the Committees on Criminal Justice; Judiciary; and Rules and Calendar.

On motion by Senator Meadows, by two-thirds vote **SB 1766** was withdrawn from the committees of reference and further consideration.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Jennings, the rules were waived and the Committee on Health and Rehabilitative Services was granted permission to meet at 9:00 a.m. in lieu of 10:00 a.m. as scheduled March 8.

SPECIAL ORDER CALENDAR

SB 240—A bill to be entitled An act relating to education; amending s. 229.591, F.S., relating to the school improvement and education accountability system; creating a state education goal for parental involvement; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendment which was moved by Senator Sullivan and adopted:

Amendment 1—On page 1, line 20, after the period (.) insert: *The State Board of Education shall adopt standards for indicating progress toward this state education goal by January 1, 1997.*

On motions by Senator Sullivan, by two-thirds vote **SB 240** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 834—A bill to be entitled An act relating to education; creating s. 232.271, F.S.; providing for a teacher's authority to remove disruptive students from the classroom; creating s. 232.272, F.S.; establishing a placement review committee; providing an effective date.

—was read the second time by title.

Senator Sullivan moved the following amendment which was adopted:

Amendment 1 (with title amendment)—On page 2, between lines 22 and 23, insert:

Section 3. Section 232.27, Florida Statutes, is amended to read:

232.275 Liability of teacher or principal.—Except in the case of excessive force or cruel and unusual punishment, a teacher or other member of the instructional staff, a principal or the principal's designated representative, or a bus driver shall not be civilly or criminally liable, or named as a defendant in any suit, for any action carried out in conformity with the state board and district school board rules regarding the control, discipline, suspension, and expulsion of students.

(Renumber subsequent section.)

And the title is amended as follows:

On page 1, line 6, after the semicolon (;) insert: amending s. 232.275, F.S.; providing immunity from liability;

Senator Silver moved the following amendment which was adopted:

Amendment 2—On page 2, delete all of lines 17-19 and insert:

- (1) One teacher selected by the school's faculty;
- (2) One member from the school's staff who is selected by the principal; and
- (3) One member of the school advisory council who is not an employee of the school district or the Department of Education, who is selected by the school advisory council.

Senator Hargrett moved the following amendment:

Amendment 3—On page 2, delete all of lines 10-22 and renumber subsequent section.

Senator Dudley moved the following substitute amendment which was adopted:

Amendment 4—On page 2, line 12, delete "shall" and insert: may

On motions by Senator Sullivan, by two-thirds vote **SB 834** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—37 Nays—2

CS for SB 840—A bill to be entitled An act relating to education; amending ss. 232.245, 232.246, 232.425, F.S.; raising the required cumulative grade point average for purposes of the school district comprehensive program for pupil progression, high school graduation, and participation in interscholastic extracurricular activities; restricting access to certain high school courses; providing for satisfaction of certain requirements; revising credit requirements; providing reference to the college-ready high school diploma; correcting cross-references; amending s. 232.2454, F.S.; revising provisions relating to student performance standards; creating s. 232.2466, F.S.; providing for a college-ready high

school diploma; amending s. 231.17, F.S.; requiring mastery in the subject area of mathematics for certain teacher certification; amending s. 240.529, F.S.; requiring standards for preparation of teachers for instruction of higher-level mathematics concepts; amending ss. 229.565, 233.011, F.S.; conforming cross-references; amending s. 240.116, F.S.; providing requirements for student enrollment in dual enrollment courses; requiring the development of standards; amending s. 240.117, F.S., relating to the common placement test for postsecondary education; revising a dual enrollment requirement; amending s. 240.118, F.S.; requiring the recommendation of statutory changes to reduce postsecondary remediation; providing an effective date.

—was read the second time by title.

Senator Turner moved the following amendment which was adopted:

Amendment 1—On page 5, delete all of lines 20-24 and insert: School boards may award a maximum of

Senator Hargrett moved the following amendment which failed:

Amendment 2—On page 11, delete all of lines 3-22 and insert:

Section 4. Section 232.2466, Florida Statutes, is created to read:

232.2466 College-Ready Diploma Program.—

(1) Beginning with the 1996-1997 school year, each school district shall award a differentiated college-ready diploma to each student who exceeds the minimum requirements for graduation by meeting the requirements specified in this section.

(2) To be eligible for the award of the college-ready diploma, a student must:

(a) Meet all the requirements for graduation specified in s. 232.246, including number of credits, courses, grade-point average, and mastery of minimum-performance standards and basic skills.

(b) Before graduation, pass the postsecondary education common placement test prescribed in s. 240.117 by scoring one-half standard deviation or more above the established statewide passing scores in all test areas.

The vote was:

Yeas—19 Nays—20

On motions by Senator Turner, by two-thirds vote **CS for SB 840** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—39 Nays—None

CS for CS for SB 334—A bill to be entitled An act relating to education; authorizing the creation of charter schools and providing purpose; providing for proposals, sponsorship, and contracts; limiting the number of charter schools; providing student eligibility; providing organization as a legal entity and requirements as an employer; providing requirements of charter schools; providing charter requirements; providing causes for nonrenewal or termination of a charter and specifying procedures; providing exemption from certain statutes; providing rights and qualifications of employees; providing funding and transportation of charter school students; providing immunity; providing length of school year; providing facility requirements; providing for initial costs; requiring dissemination of information; prohibiting levy of taxes and issuance of bonds; requiring legislative review; authorizing the creation of charter technical institutes; providing for sponsorships, curriculum to be offered, requirements, and funding of charter technical institutes; amending s. 121.021, F.S.; revising the definitions of "employer" and "covered group" within the Florida Retirement System to include charter schools; amending s. 121.051, F.S.; authorizing optional participation in the system by charter schools and charter technical institutes; amending s. 229.053, F.S.; providing an additional duty of the State Board of Education; providing for severability; providing an effective date.

—was read the second time by title.

Senator Holzendorf moved the following amendment:

Amendment 1—On page 3, line 13, after the period (.) insert: The district school board shall give priority to charter school applicants that will serve students in a school determined by the Commissioner of Education to be critically low performing.

Senator Holzendorf moved the following substitute amendment which was adopted:

Amendment 2—On page 3, line 13, after the period (.) insert: The district school board shall give priority consideration to qualified charter school applicants that would serve students assigned to attend a public school determined to be critically low performing under State Board of Education rules.

Senator Holzendorf moved the following amendment which was adopted:

Amendment 3—On page 4, line 12, delete “must” and insert: may

Senator Holzendorf moved the following amendment:

Amendment 4—On page 4, line 23, after “forth” insert: by the sponsor

Senator Holzendorf moved the following amendment to **Amendment 4** which was adopted:

Amendment 4A—On page 1, line 16, after “sponsor” insert: and the applicant

Amendment 4 as amended was adopted.

Senator Holzendorf moved the following amendment which failed:

Amendment 5—On page 4, delete all of lines 29 and 30 and insert:

(h) The sponsor shall authorize, approve, and monitor the revenues and expenditures of the charter school.

Senator Jones moved the following amendment which was adopted:

Amendment 6—On page 9, between lines 16 and 17, insert:

(f) Upon receipt of the annual report required by paragraph (d), the sponsor shall provide to the State Board of Education, the Commissioner of Education, the President of the Senate, and the Speaker of the House of Representatives an analysis and comparison of the overall performance of charter school students versus comparable public school students in the district as determined by norm-referenced assessment tests currently administered in the school district, and, as appropriate, the Florida Writes Assessment Test, Grade Ten Assessment Test, and the High School Competency Test.

Senator Johnson moved the following amendments which failed:

Amendment 7 (with title amendment)—On page 15, lines 6-31, and on page 16, lines 1-20, delete all of said lines

And the title is amended as follows:

On page 1, line 21, delete “authorizing the creation of charter technical institutes; providing for sponsorships, curriculum to be offered, requirements, and funding of charter technical institutes;”

Amendment 8—On page 15, line 17, delete everything after the period (.) and all of lines 18 and 19 and insert: An applicant may appeal the denial of an application in accordance with the process established in subsection (4).

Amendment 9—On page 13, line 5, after the period (.) insert: However, funding may not be allocated to a charter school when it has an adverse effect on public school funding.

SENATOR DUDLEY PRESIDING

Amendment 10—On page 9, between lines 16 and 17, insert:

(f) A charter may not be issued to any charter school before all the public education needs of the state including, but not limited to, text books, desks, facilities, and safety are adequately addressed.

Amendment 11—On page 3, line 4, before the period (.) insert: only if the proposal is similar to the charter school system established in St. Lucie County

Senator Silver moved the following amendment which was adopted:

Amendment 12—On page 13, delete all of lines 23 and 24 and insert: more than the actual cost of administering the contract between the charter school and the school district.

Senator Forman moved the following amendment which failed:

Amendment 13—On page 8, between lines 26 and 27, insert:

17. A detailed statement that describes how the charter school will meet the general requirements of the Florida School Code and the constitutional requirement for a uniform system of public education.

THE PRESIDENT PRESIDING

Senator Silver moved the following amendment:

Amendment 14—On page 11, delete all of lines 29 and 30 and insert: members as teacher aides in the same manner as district school boards. The qualifications of teachers shall

Senator Sullivan moved the following substitute amendment which was adopted:

Amendment 15—On page 11, line 29, after the period (.) insert: A charter school may not employ an individual to provide instructional services or to serve as a teacher aide if the individual’s certification or licensure as an educator is suspended or revoked by this or any other state.

Senator Jenne moved the following amendment which was adopted:

Amendment 16—On page 10, between lines 24 and 25, insert:

(f) If a charter is not renewed or is terminated, the governing body of the school is responsible for all debts of the charter school. The district may not assume the debt from any contract for services made between the governing body of the school and a third party, except for a debt that is previously detailed and agreed upon in writing by both the district and the governing body of the school and that may not reasonably be assumed to have been satisfied by the district.

(Reletter subsequent paragraph.)

Senator Kurth moved the following amendment which was adopted:

Amendment 17—On page 3, delete all of lines 19-24 and insert: state board must respond to the decision of the district school board no later than 30 days after an appeal is filed by recommending, by majority vote, whether the school board should deny or approve the application. The

RECONSIDERATION OF AMENDMENT

On motion by Senator Kurth, the Senate reconsidered the vote by which **Amendment 17** was adopted. **Amendment 17** was withdrawn.

Senator Kurth moved the following amendment which failed:

Amendment 18—On page 8, line 21, after the comma (,) insert: the number of parents and teachers who have agreed in writing to the conversion, and

Senator Johnson moved the following amendment which failed:

Amendment 19—On page 9, between lines 16 and 17, insert:

(f) The governing body of the charter school shall post a performance bond equal to the total projected operating costs for 1 year of operation of the proposed charter.

Senator Jenne moved the following amendment which failed:

Amendment 20 (with title amendment)—On page 20, between lines 25 and 26, insert:

Section 5. The following procedure shall be used by a school board to request exemption from all or any part of the Florida School Code:

(a) The school board shall develop a written proposal detailing the exact provisions of the code from which they seek exemption, including the processes, materials, and activities that will be implemented in lieu of the provisions from which they seek exemption.

(b) This proposal shall be made available to the public and noticed in a newspaper of general circulation in the area served by the school board at least sixty days prior to a public hearing on the proposal.

(c) The first public hearing shall be held at a time and place convenient to the citizens of the county for which the exemptions are sought, and notice shall be provided with the proposal required by paragraph (b). In addition, a second notice shall be provided 30 days prior to the meeting.

(d) All citizens wishing to speak on the proposal shall be allowed to speak within the general rules for public participation of the school board.

(e) After the first public meeting, the school board shall publish the proposal again as in paragraph (a) with any changes made pursuant to the public hearing.

(f) The amended proposal shall be distributed to the public with pursuant to the distribution described in paragraph (a) at least 30 days prior to a public meeting of the school board that adopts the proposal.

(g) Upon formal adoption, the school board shall submit the request to the State Board of Education, which shall respond to the request within 30 days after filing.

(h) The State Board of Education shall by majority vote accept or deny the request. If the State Board of Education votes to deny the request, it shall specify the reasons in detail and specify the changes that would allow it to approve the request.

(i) If the school board makes the changes suggested by the State Board of Education, the proposal shall be resubmitted. Within 30 days after the resubmission, the State Board of Education shall determine whether the changes substantially comply with their recommendations. If the proposal does meet these suggestions, the proposal shall be approved. If the State Board of Education decides by majority vote that the changes do not meet their suggestion, the school board must begin the process as if no proposal had been made.

(j) The decisions of the State Board of Education are final, subject to judicial review.

(Renumber subsequent sections.)

And the title is amended as follows:

On page 2, line 2, after the first semicolon (;) insert: providing procedures under which a school board may request exemption from part or all of the Florida School Code; requiring a public hearing and notice; requiring the State Board of Education to act on the request within a specified period; providing that a decision of the State Board of Education is subject to judicial review;

The vote was:

Yeas—13 Nays—24

MOTION

On motion by Senator Jennings, the rules were waived and time of recess was extended until final action on **CS for CS for SB 334**.

Senator Jones moved the following amendment which failed:

Amendment 21—On page 5, delete all of lines 1-9 and insert:

(5) **NUMBER OF SCHOOLS.**—The number of charter schools established during each year shall be limited to no more than three charter schools in each school district that has 100,000 or more students, no more than two charter schools in each school district that has 50,000 to 99,999 students, and no more than one charter schools in each school

district that has fewer than 50,000 students. This limitation shall not apply to the conversion of public schools and developmental research schools to charter schools.

Senators Dyer and Dudley offered the following amendment which was moved by Senator Dyer and adopted:

Amendment 22—On page 4, delete all of lines 1-5 and insert: good cause. Good cause for failing to act in accordance with the state board's recommendation arises only if the district school board determines by competent substantial evidence that approving the state board's recommendation would be contrary to law or contrary to the best interests of the

On motions by Senator Sullivan, by two-thirds vote **CS for CS for SB 334** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—35 Nays—4

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, March 7, 1996: SB 240, SB 834, CS for SB 840, CS for CS for SB 334, SB 34, SB 36, SB 38, SB 44, SB 48, SB 1324, SB 1326, SB 1328, SB 1330, SB 1332, SB 1334, SB 1336, SB 1338, SB 1340, SB 1342, SB 1344, SB 1346, SB 1348, SB 1350, SB 1352, SB 1354, SB 1356, SB 1358, SB 1360, SB 1362, SB 1364, SB 1366, SB 1368, SB 1370, SB 1372, SB 1374, SB 1376, SB 1378, SB 1380, SB 1382, SB 1384, SB 1386, SB 1388, SB 1390, SB 1392, SB 1394, SB 1396, SB 1398, SB 1400, SB 1402, SB 1404, SB 1406, SB 1408, SB 1410, SB 1412, SB 1414, SB 1416, SB 1418, SB 1420, SB 1422, SB 1424, SB 1426, SB 1428, SB 1430, SB 1432, SB 1434, SB 1436, SB 1438, SB 1440, SB 1442, SB 1444, SB 1446, SB 1448, SB 1450, SB 1452, SB 1454, SB 1456, SB 1458, SB 1460, SB 1462, SB 1464, SB 1466, SB 1468, SB 1470, SB 1472, SB 1474, SB 1476, SB 1478, SB 1480, SB 1482, SB 1484, SB 1486, SB 1488, SB 1490, SB 1492, SB 1494, SB 1586, SB 1604, SB 1606, SB 1618, SB 1620, SB 1624, SB 1744, SB 1746, SB 1748, SB 1750, SB 1496, SB 1498, SB 1500, SB 1502, SB 1504, SB 1596, SB 1506, SB 1508, SB 1510, SB 1512, SB 1514, SB 1516, SB 1518, SB 1520, SB 1522, SB 1524, SB 1526, SB 1528, SB 1530, SB 1532, SB 1534, SB 1536, SB 1538, SB 1540, SB 1542, SB 1544, SB 1546, SB 1548, SB 1550, SB 1552, SB 1554, SB 1556, SB 1558, SB 1560, SB 1562, SB 1564, SB 1566, SB 1568, SB 1570, SB 1572, SB 1574, SB 1576, SB 1578, SB 1580, SB 1582, SB 1584, SB 1588, SB 1608, SB 1622, SB 1590, SB 1592, SB 1594, SB 1602, SB 1614

Respectfully submitted,
Toni Jennings, Chairman

The Committee on Health Care recommends the following pass: **SB 802** 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 844** with 2 amendments

The Committee on Criminal Justice recommends the following pass: **SB 432** 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 Commerce and Economic Opportunities recommends the following pass: **SB 942**

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

The Committee on Criminal Justice recommends the following pass: SB 792 with 1 amendment

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 518 with 5 amendments

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 122 with 6 amendments

The Committee on Health Care recommends the following pass: SB 676

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 912

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

The Committee on Community Affairs recommends the following pass: SM 522

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

The Committee on Agriculture recommends the following pass: SB 1112 with 1 amendment

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 148 with 2 amendments, SB 220

The Committee on Community Affairs recommends the following pass: SB 100, SB 752

The Committee on Criminal Justice recommends the following pass: SB 810 with 2 amendments, SB 812

The Committee on Governmental Reform and Oversight recommends the following pass: CS for SB 246, CS for SB 444 with 3 amendments, SB 560, SB 650

The Committee on Health Care recommends the following pass: SB 776 with 2 amendments

The Committee on Transportation recommends the following pass: SB 940 with 1 amendment, SB 944

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

The Committee on Executive Business, Ethics and Elections recommends the following pass: SB 964

The Committee on Governmental Reform and Oversight recommends the following pass: SB 894, SB 1002

The Committee on Health Care recommends the following pass: SB 736 with 1 amendment

The Committee on Higher Education recommends the following pass: SB 308, SB 850

The Committee on Transportation recommends the following pass: SB 808 with 1 amendment, SB 832

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

The Committee on Commerce and Economic Opportunities recommends committee substitutes for the following: SB 106, SB 500

The Committee on Criminal Justice recommends committee substitutes for the following: SB 346, Senate Bills 358 and 388

The Committee on Health Care recommends a committee substitute for the following: SB 474

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 Higher Education recommends a committee substitute for the following: SB 198

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Burt—

SB 1690—A bill to be entitled An act relating to the reorganization of the Parole Commission; creating the "Parole Commission Reorganization Act of 1996"; amending s. 20.055, F.S., relating to agency inspector generals; removing reference to the commission as a state agency; amending 20.32, F.S.; providing for the renaming of the commission as the Parole Board and revising its responsibilities; amending s. 186.003, F.S.; redefining "state agency" for purposes of specific provisions relating to state and regional planning to exclude the commission; amending s. 186.005, F.S.; eliminating requirement to designate a planning officer for the commission; amending ss. 39.045, 112.011, 215.3208, 216.0172, 282.502, 322.16, 775.089, 775.16, 775.21, 784.07, 843.01, 843.02, 843.08, 893.11, 921.001, 921.16, 921.20, 940.05, 941.23, 943.325, 944.02, 945.10, 945.47, 947.05, 947.06, 947.11, 947.12, 947.147, 947.16, 947.165, 947.168, 947.174, 947.1746, 947.1747, 947.175, 947.18, 947.185, 947.26, 948.09, 948.10, 949.05, 957.06, 958.045, 960.001, 960.17, F.S.; conforming references thereto; amending s. 255.502, F.S.; redefining "agency" for purposes of the Florida Building and Facilities Act to exclude the commission; amending s. 921.187, F.S.; providing for the court to order split sentence of incarceration under certain circumstances; amending s. 940.03, F.S.; transferring to the Department of Corrections certain responsibilities relating to the processing of applications for clemency; conforming references; amending s. 944.012, F.S.; eliminating obsolete reference to the commission; amending ss. 944.605 and 944.606, F.S.; removing provisions authorizing the commission or the Control Release Authority to provide certain notice of inmate and sex offender release; amending s. 945.091, F.S.; conforming provisions relating to extension of the limits of confinement; amending s. 945.73, F.S.; conforming provisions relating to inmate training program operation; creating s. 945.76, F.S.; requiring the Department of Corrections to submit investigative reports to the Board of Executive Clemency; amending s. 947.002, F.S.; removing provisions relating to the commission chairman; amending s. 947.005, F.S.; conforming or eliminating certain definitions relating to the board and the Control Release Authority; amending s. 947.01, F.S.; renaming the commission as the board; reducing the number of members from six to three; requiring the department to provide administrative support and services to the board; amending s. 947.02, F.S.; conforming references to the renaming of the Parole Commission as the Parole Board; amending s. 947.03, F.S.; permitting board members to remain in office until completion of their terms; amending s. 947.04, F.S.; deleting authority to assign retired commissioners to temporary duty; amending s. 947.07, F.S.; clarifying the board's rulemaking power; amending s. 947.071, F.S.; removing certain types of final orders to be indexed pursuant to chapter 120, F.S.; amending s. 947.10, F.S.; deleting

provision authorizing the appointment of the Secretary of Corrections to the commission; amending s. 947.13, F.S.; limiting the authority of the board to conduct investigations; eliminating reference to Control Release Authority; amending s. 947.1405, F.S.; restricting eligibility for the conditional release program; authorizing the department to conduct inmate interviews and record reviews; amending s. 947.141, F.S.; conforming references; requiring the board to make certain revocation decisions; restricting the board's investigation authority; amending s. 947.146, F.S.; eliminating the Control Release Authority; authorizing the board to manage prison population through the operation of control release; specifying procedures for establishing control release dates; requiring certain control release dates to become void when the inmate population declines; amending s. 947.149, F.S., relating to conditional medical release; conforming references to changes made by the act; amending s. 947.15, F.S.; requiring the submission of certain reports; amending s. 947.172, F.S.; conforming references and requiring the board to recommend a presumptive parole date; amending s. 947.173, F.S.; clarifying the responsibilities of the board and eliminating use of panels; amending s. 947.1745, F.S.; clarifying the responsibilities of the board and eliminating use of panels; amending s. 947.177, F.S.; modifying the notification process for inmate release; providing for certain notice to the sheriff; conforming references; amending s. 947.181, F.S.; conforming references and clarifying the ordering of restitution; providing authority of the board to require application for mental retardation services; amending s. 947.19, F.S.; eliminating use of panels; amending s. 947.20, F.S.; clarifying provisions relating to the adoption of rules; amending s. 947.21, F.S.; clarifying provisions relating to violations of parole; amending s. 947.22, F.S.; providing responsibilities of the board relating to arrest of parole violators; amending s. 947.23, F.S.; conforming references and providing responsibilities of the board relating to hearings with respect to parole violations; reenacting s. 948.06(5), F.S., to incorporate said amendment in a reference; amending s. 947.24, F.S.; conforming references and requiring the department to conduct progress reviews; amending s. 948.001, F.S.; defining "post-incarceration probation"; creating s. 948.035, F.S.; creating the "Post-incarceration Probation Act"; specifying criteria for mandatory post-incarceration probation; requiring the court to determine whether terms and conditions have been violated; authorizing the department to set the terms and conditions of post-incarceration probation; requiring the department to conduct certain record reviews and inmate interviews; specifying certain special conditions of post-incarceration probation; repealing ss. 921.21, 921.22, 947.001, 947.135, 947.177, 958.15, F.S., relating to progress reports from the Department of Corrections to the Parole Commission, determination of exact termination of imprisonment by Parole Commission, the short title of chapter 947, F.S., relating to the Parole Commission, as the Objective Parole Guidelines Act of 1978, the Mutual Participation Program Act of 1976, notification of inmate release by the commission, and mutual participation agreements, respectively; providing effective dates.

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

By Senator Ostalkiewicz—

SB 1692—A bill to be entitled An act relating to nonpublic postsecondary institutions; amending s. 246.011, F.S.; declaring the intent of the Legislature to establish a religious exemption from licensing; amending s. 246.041, F.S.; authorizing the State Board of Independent Colleges and Universities to contract with educational agencies; amending s. 246.083, F.S.; establishing the requirements for a religious exemption from licensing by the board; providing guidelines for religious colleges to qualify for an exemption; providing an effective date.

—was referred to the Committee on Higher Education.

By Senator Ostalkiewicz—

SB 1694—A bill to be entitled An act relating to taxation of intangible personal property; amending s. 199.185, F.S.; increasing the value of property that is exempted from the annual tax of taxpayers who are natural persons; providing an exemption from the annual tax for taxpay-

ers that are not natural persons; excluding accounts receivable from the property subject to taxation; providing an effective date.

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

By Senator Forman—

SB 1696—A bill to be entitled An act relating to local governments; creating s. 218.085, F.S.; providing additional methods for municipalities and counties to provide for transportation funding; providing an effective date.

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

By Senator Horne—

SB 1698—A bill to be entitled An act relating to education; amending s. 234.02, F.S.; establishing safety and health standards for transportation of public school students; providing for use and inspection of school buses; transferring, renumbering, and amending s. 234.041, F.S.; prescribing conditions for use of buses simulating school buses; amending s. 234.101, F.S.; prescribing qualifications for school bus drivers; amending s. 234.301, F.S.; authorizing certain nonpublic schools to purchase transportation-related services under certain conditions pursuant to contracts approved by the Department of Education; transferring, renumbering, and amending s. 234.302, F.S.; providing for school-crossing-guard programs; amending s. 235.04, F.S.; providing for disposal of real property; amending s. 235.055, F.S.; authorizing school boards to use operational funds or other local sources to construct facilities on a leased site; amending s. 235.056, F.S.; providing for lease or lease-purchase contracts for educational facilities and sites; amending s. 235.15, F.S.; removing the requirement that the Division of Applied Technology and Adult Education provide documentation of a need for additional career and adult education programs; amending s. 235.26, F.S.; providing a review procedure for disputes between an inspector and an architect or engineer of record on an educational facility project; amending s. 235.31, F.S.; eliminating review by the Department of Education of certain contracts awarded on an emergency basis; amending s. 235.32; revising provisions concerning construction contracts; repealing s. 234.0515, F.S., relating to transportation of public school students; repealing s. 234.061, F.S., which provides for designation of nontransportation zones; repealing s. 234.091, F.S., which establishes qualifications for school bus drivers; repealing s. 234.112, F.S., which establishes school bus stops; providing an effective date.

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

By Senator Myers—

SB 1700—A bill to be entitled An act relating to nonnative plant control; amending s. 369.251, F.S.; providing legislative findings; exempting removal of invasive, nonnative plants from certain permitting requirements; authorizing private harvest of such plants on public lands; restricting compensation from such harvest; requiring removal of melaleuca trees from certain private lands by a specified date; authorizing removal by local government after that date; authorizing adoption of local ordinances; providing an exemption from local ordinances, permits, and fees; providing an effective date.

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

By Senator Grant—

SB 1702—A bill to be entitled An act relating to abuse of children; creating s. 827.075, F.S.; prohibiting the photographing, videotaping, or filming of children in a clandestine fashion or without the explicit consent of the person being photographed, videotaped, or filmed under certain circumstances; prohibiting possession of such photographs, vid-

eotapes, or film; providing for prima facie evidence of violations; providing an exception; providing a penalty; providing an effective date.

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

By Senator Grant—

SB 1704—A bill to be entitled An act for the relief of Captain Warwick G. Cahill; providing an appropriation to compensate him for damages sustained as a result of the actions of the Department of Business and Professional Regulation; providing an effective date.

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

By Senator Grant—

SB 1706—A bill to be entitled An act relating to high school athletes; creating s. 232.428, F.S.; creating the Florida High School Athletics Foundation assigned to the Department of Education for administrative purposes; providing for establishment of articles of incorporation and bylaws; requiring an annual report; providing for appointment of a board of directors; providing duties; establishing an operating fund; providing an effective date.

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

By Senator Grant—

SB 1708—A bill to be entitled An act relating to health care; amending ss. 458.320, 459.0085, F.S.; requiring maintenance of financial responsibility as a condition of licensure of physicians and osteopathic physicians; providing for payment of any outstanding judgments or settlements pending at the time a physician or osteopathic physician is suspended by the Department of Business and Professional Regulation; repealing alternative method of providing financial responsibility; amending s. 455.245, F.S.; requiring the Agency for Health Care Administration to issue an emergency order suspending the license of a physician or osteopathic physician whom the agency has probable cause to believe has violated s. 458.320 or s. 459.0085, F.S.; providing an effective date.

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

By Senator Grant—

SB 1710—A bill to be entitled An act relating to health insurance; amending s. 627.6515, F.S.; revising disclosure and regulatory filing requirements for group health policies issued or delivered outside this state under which certificates are issued to Florida residents; providing an effective date.

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

By Senators Grant and McKay—

SB 1712—A bill to be entitled An act relating to instructional materials; amending s. 233.34, F.S.; providing for school districts to loan instructional materials to eligible students in nonpublic schools; amending s. 233.38, F.S.; providing for exchanges of textbooks among school districts; amending s. 233.39, F.S.; providing for renovation and repair of textbooks; amending s. 233.47, F.S.; prohibiting school districts from purchasing instructional materials that are religious in nature or content for, or loaning such materials to, students in nonpublic schools; amending s. 233.49, F.S.; providing for textbooks for partially sighted

children; defining eligible nonpublic school students for purposes of loans of instructional materials; providing an effective date.

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

By Senator Forman—

SB 1714—A bill to be entitled An act relating to cruelty to animals; amending s. 828.12, F.S.; making certain types of animal exhibitions a crime; amending s. 828.122, F.S.; redefining the term “baiting”; providing an effective date.

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

By Senator Meadows—

SB 1716—A bill to be entitled An act relating to state procurement of contractual services; amending s. 287.057, F.S.; exempting the purchase of certain services for delinquency prevention and delinquency diversion programs from certain competitive sealed bid requirements; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Governmental Reform and Oversight.

By Senator Harris—

SB 1718—A bill to be entitled An act relating to guardianship; amending s. 744.309, F.S.; providing that certain persons are disqualified from being appointed as a guardian; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Harris—

SB 1720—A bill to be entitled An act relating to the disposition of dead bodies; amending s. 245.06, F.S.; providing for the Anatomical Board of the University of Florida Health Science Center to assume the duties of the Division of Universities of the Department of Education with respect to the disposal of unclaimed dead bodies; requiring that the Anatomical Board be notified of an unclaimed dead body; deleting requirements that a dead body be fingerprinted and embalmed; amending s. 245.07, F.S.; providing that a funeral director or other person licensed under ch. 470, F.S., is not liable for cremating a dead body at the direction of the board of county commissioners; amending s. 245.08, F.S.; providing certain exceptions to the requirement that the Anatomical Board be notified of the death of an indigent person; amending s. 245.09, F.S.; providing for a body to be claimed after delivery to the Anatomical Board; amending s. 245.10, F.S.; prohibiting the Anatomical Board from contracting for delivery of a body after death; amending s. 245.11, F.S.; authorizing the Anatomical Board to accept a body pursuant to an executed will; amending s. 245.12, F.S.; requiring the Anatomical Board to distribute bodies equitably among certain medical institutions and teaching programs; amending s. 245.13, F.S.; authorizing the Anatomical Board to collect fees and enter into contracts; requiring an audit of the board’s financial transactions; requiring a report to the University of Florida; amending s. 245.14, F.S.; requiring the Anatomical Board to inspect the facilities of institutions that receive bodies; amending s. 245.16, F.S.; requiring that a person or organization that conveys a body or parts of bodies into or out of the state receive prior approval of the Anatomical Board; providing an effective date.

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

By Senator Harris—

SB 1722—A bill to be entitled An act relating to the Florida Arts Council; amending s. 265.285, F.S.; requiring an affirmative vote of all

council members present at a meeting for official action; removing the requirement that the council meet at the request of a majority of its members; providing an effective date.

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

By Senator Harris—

SB 1724—A bill to be entitled An act relating to injunctions and restraining orders; providing a limitation on charges for issuing or serving injunctions or restraining orders; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Grant—

SB 1726—A bill to be entitled An act relating to public records; providing an exemption from public records requirements, for a specified period, for certain information submitted by a member of the health care community to the Attorney General's Office in a request for an antitrust no-action letter; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

—was referred to the Committees on Health Care and Judiciary.

By Senator Bronson—

SB 1728—A bill to be entitled An act relating to water management; amending s. 373.016, F.S.; declaring legislative policy and its construction or application; amending s. 373.042, F.S.; requiring water management district governing boards to prepare a prioritized inventory of surface and ground waters for which minimum flows and levels will be established; providing standards for the prioritized establishment of minimum flows and levels of water; amending s. 373.083, F.S.; authorizing governing boards to delegate permit issuance authority to executive directors; amending s. 373.113, F.S.; providing rulemaking standards; creating s. 373.1161, F.S.; providing for permit processing consolidation; creating s. 373.1162, F.S.; directing the Department of Environmental Protection, the water management districts, and the Department of Agriculture and Consumer Services to develop and implement certain management programs for agriculture and forestry; providing criteria and requirements; creating s. 373.120, F.S.; providing for an alternative dispute resolution process; providing procedures, requirements, and limitations; amending s. 373.196, F.S.; revising legislative findings regarding the provision of water supplies; requiring certain cooperative efforts; requiring the water management districts to engage in certain planning, development, research, and regulation activities; amending s. 373.1961, F.S.; requiring water management districts to engage in certain water supply development activities; amending s. 373.223, F.S.; providing criteria that the water management district governing boards must balance when reserving water; amending s. 373.233, F.S.; providing standards for competing applications; amending s. 373.236, F.S.; establishing criteria for 20-year consumptive use permits; amending s. 373.239, F.S.; providing standards for modification and renewal of permits; amending s. 373.403, F.S.; redefining the term "state water quality standards"; amending s. 373.414, F.S.; revising permitting criteria; amending s. 373.59, F.S.; deleting a prohibition against moneys from the Water Management Lands Trust Fund being used to acquire certain rights-of-way; providing that interests in real property acquired by the districts may be used for water supply purposes; amending s. 403.061, F.S.; providing that the department or water management districts may apply certain narrative water quality standards by applying a specified calculation; amending s. 163.3177, F.S.; adding consideration of water resources and availability of water supply to the future land use element of local government comprehensive plans; amending s. 206.606, F.S.; increasing the amount of money to be deposited in the Aquatic Plant Control Trust Fund; amending s. 259.032, F.S.; providing that lands acquired from funds in the Conservation and Recreation Lands Trust Fund may be used for water supply purposes under certain conditions; amending s. 327.28, F.S.; increasing the amount of certain vessel registration fees that are transferred to the Aquatic Plant Control Trust Fund; decreasing

the percentage of the vessel registration fees that may be used for law enforcement and quality control programs; providing an effective date.

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

By Senator Grant—

SB 1730—A bill to be entitled An act relating to eminent domain; amending s. 73.071, F.S.; providing that the jury must determine full compensation in eminent domain actions; providing for consideration of business damages; providing for determining compensation in inverse condemnation proceedings; providing for consideration of mitigation by a property owner; deleting provisions relating to empaneling a new jury; providing for construction of the term "property"; amending ss. 337.25, 337.271, F.S.; correcting cross-references; providing an effective date.

—was referred to the Committees on Judiciary and Transportation.

By Senator Grant—

SB 1732—A bill to be entitled An act relating to health care community antitrust; creating the "Florida Health Care Community Antitrust Guidance Act"; providing that members of the health care community may seek a statement from the Attorney General's office that it will take no antitrust action with respect to proposed business activities; providing an effective date.

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

By Senator Forman—

SB 1734—A bill to be entitled An act relating to guardianship; amending s. 744.102, F.S.; defining "professional guardian"; amending s. 744.108, F.S.; requiring the petition for fees to include information on all prior fees paid or awarded; creating s. 744.1085, F.S.; requiring a professional guardian fiduciary bond; providing minimum amount and guidelines with respect to such bond; providing for applicability of bond provisions to certain employees of professional guardians; amending s. 744.202, F.S.; providing for petition to change venue under specified circumstances; amending s. 744.2025, F.S.; revising provisions relating to change of ward's residence; requiring prior court approval of relocation of the ward to a nonadjacent county; requiring certain notice to the court, and providing for court determination relating to venue, when the ward is relocated to an adjacent county; amending s. 744.309, F.S.; requiring a nonprofit corporate guardian to employ a professional guardian under certain circumstances when the nonprofit corporate guardian charges service fees against the ward's assets; amending s. 744.3145, F.S.; providing for nonapplicability to professional guardians of certain guardian education requirements; creating s. 744.3151, F.S.; prescribing education requirements for professional guardians; creating s. 744.3161, F.S.; requiring registration of professional guardians; providing for fees; defining the offense of unlawfully advertising services as a guardian or professional guardian, and providing civil penalties therefor; amending s. 744.3215, F.S.; providing for right of persons determined incapacitated to be protected against exploitation; amending s. 744.331, F.S.; revising qualifications for members of the examining committee appointed by the court upon filing of petition for determination of incapacity; providing for the examining committee's fees to be paid by the guardian from property of the ward or, if indigent, by the county; amending s. 744.334, F.S.; prescribing contents of a petition for appointment of a professional guardian; amending s. 744.351, F.S.; providing for the court to require use of a financial institution under certain circumstances as an alternative to waiver of the guardian's bond; amending s. 744.367, F.S.; providing guidelines and time limits relating to filing of annual guardianship reports; amending s. 744.3675, F.S.; revising time limit relating to the physician's report included in the annual guardianship plan; amending s. 744.446, F.S.; providing that it is a conflict of interest for the guardian to retain an attorney who is either referred by, or associated with, former counsel for the alleged incapacitated person or ward, and prohibiting the guardian from retaining such attorney; providing that neither an attorney-client relationship nor attorney-client

privilege with the guardian attaches to the attorney's role as representative of the ward's interest; amending s. 744.474, F.S.; providing additional grounds for removal of guardian; amending s. 744.703, F.S.; providing for establishment of an office of public guardian by the chief judge within the judicial circuit by October 1, 1998; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Bankhead—

SB 1736—A bill to be entitled An act resolving the inconsistencies between the amendments to ss. 39.001, 39.076, 39.411, 110.1127, 242.335, 393.0655, 394.457, 397.451, 400.211, 400.512, 402.305, 409.175, 415.504, F.S., as enacted by chapters 95-158, 95-228, and 95-418, Laws of Florida, relating to standards for screening personnel for various positions; amending s. 119.07, F.S., relating to reports of abuse or neglect; deleting a reference made obsolete by amendments enacted by chapter 95-228, Laws of Florida; amending ss. 435.03, 435.04, F.S., relating to screening standards; incorporating amendments made by chapters 95-158 and 95-418, Laws of Florida, relating to abuse, neglect, or exploitation of an elderly person or disabled adult; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Governmental Reform and Oversight.

By Senators Grant, Crist, Beard and Hargrett—

SB 1738—A bill to be entitled An act relating to Hillsborough County; repealing chapter 30820, Laws of Florida, 1955, relating to members of the board of county commissioners serving on the board of the port authority, aviation authority, or welfare board; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Grant, Beard, Hargrett and Crist—

SB 1740—A bill to be entitled An act relating to the Tampa Port Authority; repealing chapter 63-1399, Laws of Florida, relating to notice of specified public hearings; repealing chapter 67-1484, Laws of Florida, relating to ratification of certain port authority promotional expenditures; repealing chapter 70-720, Laws of Florida, relating to submerged lands; repealing chapter 72-567, Laws of Florida, relating to spoil islands; repealing chapter 75-387, Laws of Florida, relating to levy and collection of taxes; 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, Dantzer and Hargrett—

SB 1742—A bill to be entitled An act relating to the Hillsborough County Hospital Authority; providing that the act supersedes chapter 80-510, Laws of Florida, as amended; providing for the appointment of a governing body of the Hospital Authority; providing terms of office; providing for filling vacancies on the Hospital Authority; providing for reimbursement of necessary expenses; requiring a member of the Hospital Authority to disclose certain conflicts and refrain from voting on related matters; providing that the exercise of powers by the Hospital Authority constitutes a public purpose; providing that assets and properties of the Hospital Authority are exempt from assessments and, to the extent allowed by general law, exempt from taxation; prescribing the powers of the Hospital Authority; requiring the Hospital Authority to administer a personnel plan; providing for an employee advisory committee; providing for admissions to a facility established by the Hospital Authority; authorizing the collection of fees; providing for the Hospital Authority to be reimbursed by Hillsborough County for indigent care; authorizing the Hospital Authority to settle accounts receivable and

assign its interest in accounts or judgments; prohibiting the use of ad valorem taxes to fund bonds issued to pay for parking or private office facilities of the Hospital Authority; requiring a periodic audit of the Hospital Authority; providing requirements for the audit; providing procedures for contracting for the audit; requiring the Hospital Authority to report on the recommendations contained in the audit; providing for construction of the act; providing for severability; repealing chapters 80-510, 82-299, 82-300, 84-439, 84-441, 84-450, 91-342, 92-235, and 94-411, Laws of Florida, relating to the Hillsborough County Hospital Authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

Senate Bills 1744-1750 were previously referenced.

By Senator Wexler—

SB 1752—A bill to be entitled An act relating to Palm Beach County; amending chapter 93-367, Laws of Florida; providing for the preservation of certain enumerated employment benefits and emoluments for employees and appointees of the Palm Beach County Sheriff's Office; providing certain duties of the sheriff; 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 1754—A bill to be entitled An act relating to Collier County and the Collier County Water-Sewer District; revising purchasing procedures for the Collier County Water-Sewer District; amending subsection (12) of section 5 of chapter 88-499, Laws of Florida, to require the awarding, letting, or entering into contracts for all or any part or parts of the construction of the system of the Collier County Water-Sewer District in accordance with the Collier County Purchasing Ordinance and the Collier County Purchasing Policy; amending section 16 of chapter 88-499, Laws of Florida; requiring that all contracts of the Collier County Water-Sewer District be awarded, let, or entered into in accordance with the Collier County Purchasing Ordinance and the Collier County Purchasing Policy, notwithstanding anything to the contrary in part II of chapter 153, F.S.; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Kurth—

SB 1756—A bill to be entitled An act relating to the town of Indian River Shores; providing for the relief of Foremost Insurance Company; providing an appropriation to compensate Foremost Insurance Company for specified damages paid in excess of the pro rata portion of damages for which Foremost Insurance Company was responsible; 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 Wexler—

SB 1758—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.05, F.S.; exempting transactions in excess of \$500 from the tax on the sale of coins or currency; amending

s. 212.08, F.S.; exempting sales of gold, silver, or platinum bullion in excess of \$500; providing for emergency rules; providing effective dates.

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

By Senator Wexler—

SB 1760—A bill to be entitled An act relating to motor vehicle operators; creating the “Cristina Elina Garcia Act”; amending s. 316.1932, F.S.; providing that a person who operates a motor vehicle is deemed to have given consent to submit to a field sobriety test under certain circumstances; providing for the use of preliminary breath-testing devices; providing for the inadmissibility of test results; providing for the applicability of such results; providing for mandatory testing under certain circumstances; providing an effective date.

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

By Senator Wexler—

SB 1762—A bill to be entitled An act relating to the judiciary; amending s. 47.122, F.S.; authorizing a stay or dismissal of an action under specified conditions; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Holzendorf—

SB 1764—A bill to be entitled An act relating to violations involving checks; amending s. 832.07, F.S., relating to prima facie evidence of identity with regard to prosecution of bad check charges; removing “race” as a required element of establishing the identity of the person presenting the check; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Meadows—

SB 1766—A bill to be entitled An act relating to local government; amending s. 166.021, F.S.; authorizing municipalities to levy and collect special assessments to fund capital improvements and municipal services; providing for apportioning the costs of such special assessments; providing an effective date.

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

By Senator Latvala—

SB 1768—A bill to be entitled An act relating to drainage districts; amending ss. 298.005, 298.07, 298.11, 298.12, 298.15, 298.16, 298.22, 298.24, 298.25, 298.26, 298.27, 298.28, 298.30, 298.31, 298.32, 298.33, 298.34, 298.35, 298.36, 298.467, 298.55, 298.59, F.S.; and creating s. 298.225, F.S.; providing definitions; providing for the water management plan to be renamed the water control plan; providing for the water control plan to serve the functions of the former plan of reclamation; providing for the jurisdictional water management district to provide certain review responsibilities previously provided by the Department of Environmental Protection; providing for the appointment of certain supervisors by the Governor; providing water control plan adoption and revision requirements; providing an effective date.

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

By Senator Dantzler—

SB 1770—A bill to be entitled An act relating to private school corporations; amending s. 159.27, F.S.; providing that an educational facility includes qualified private school corporations for purposes of financing under the Florida Industrial Development Financing Act; amending s. 623.13, F.S.; providing that the requirement that corporations organized under the Private School Corporation Law of 1959 be financed by private persons and funds does not prohibit financing under the Florida Industrial Development Financing Act or by industrial development authorities; providing an effective date.

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

By Senator Jenne—

SB 1772—A bill to be entitled An act relating to elections; amending s. 99.095, F.S.; requiring persons qualifying for office by means of the petitioning process to pay party assessments; amending s. 103.091, F.S.; providing membership for state executive committee under certain conditions; providing an effective date.

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

By Senator Holzendorf—

SB 1774—A bill to be entitled An act relating to the Florida Food Safety Act; amending s. 500.04, F.S.; providing labeling requirements for certain repackaged food; prohibiting certain retaliatory personnel actions against employees; providing an effective date.

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

By Senator Jenne—

SB 1776—A bill to be entitled An act relating to elections; amending s. 99.095, F.S.; providing that persons qualifying for office by the petitioning process must pay party assessments; amending s. 104.271, F.S.; providing for an assessment of a civil penalty against a person, political party, political committee, or committee of continuous existence or persons associated with such entities for making false or malicious charges against or false statements about a candidate; increasing the amount of such penalty; amending s. 106.03, F.S.; providing additional information to be included on a political committee’s statement of organization; amending s. 106.055, F.S.; requiring a political party, political action committee, or committee of continuous existence to value its in-kind contributions; requiring a candidate to use such valuation in his reports; amending s. 106.08, F.S.; prescribing campaign contribution limitations; prohibiting the Governor or a member of the Legislature from soliciting or accepting contributions during the regular session of the Legislature; providing penalties for violations of s. 106.08, F.S.; amending s. 106.141, F.S.; providing limitation on the amount of unused funds a candidate may return to a political party; amending ss. 106.143, 106.144, F.S.; providing that any person who violates the provisions of those sections is subject to civil penalties; amending s. 106.25, F.S.; providing that a violation of ch. 106, F.S., for purposes of the Florida Elections Commission’s jurisdiction, means the performance of an act prohibited by the chapter or the failure to perform an act required by the chapter unless the performance or failure to perform is the result of excusable neglect; creates s. 106.351, F.S.; requiring the Division of Elections of the Department of State to adjust periodically the limitations on contributions, transfers, and expenditures to reflect increased costs of postage, communications, and advertisements, providing an effective date.

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

By Senator Kurth—

SB 1778—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; defining the terms "profiling system" and "reemployment services"; amending s. 443.091, F.S.; revising benefit eligibility conditions; creating s. 443.241, F.S.; establishing the self-employment assistance program for a limited time period; requiring the Division of Unemployment Compensation to monitor and report on the program; providing an effective date.

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

By Senator Meadows—

SB 1780—A bill to be entitled An act relating to economic development; amending s. 212.02, F.S.; providing a definition; amending s. 212.08, F.S.; exempting solar energy systems from the sales tax; amending s. 288.041, F.S.; revising responsibilities of the Department of Commerce; amending s. 288.0415, F.S.; providing incentives for renewable energy technology industries to locate in enterprise zones; providing limitations; creating s. 288.043, F.S.; creating the Partnership for an Energy Efficient Economy; providing for membership; providing for per diem and travel expenses; providing for meetings; providing powers and duties; creating s. 288.044, F.S.; establishing the Solar Photovoltaic Manufacturing Incentive Program; providing for incentives; providing requirements and criteria; providing procedures; amending s. 288.106, F.S.; including solar industry businesses within the definition of target industry business; amending s. 288.974, F.S.; providing additional powers and duties of the Florida Defense Conversion and Transition Commission; amending s. 290.0065, F.S.; providing an additional requirement of department relating to state designation of enterprise zones; creating s. 290.017, F.S.; providing for establishing renaissance zones for certain purposes; providing for a pilot project; providing criteria; providing duties of the Department of Commerce, or its successor entity, in designating renaissance zones; requiring a report to the Legislature; amending s. 320.08058, F.S.; providing for a Sunshine State license plate; providing duties of the Department of Community Affairs; providing for deposit of proceeds from such license plate into the Economic Development Trust Fund for certain purposes; amending s. 403.953, F.S.; revising eligibility criteria for job siting projects; providing an effective date.

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

By Senator Dantzler—

SB 1782—A bill to be entitled An act relating to utility services; amending s. 180.06, F.S.; prohibiting a municipal or private utility from operating in certain areas without the consent of an existing municipal, county, or private utility; providing an effective date.

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

By Senator Holzendorf—

SB 1784—A bill to be entitled An act relating to the Human Relations Commission; amending s. 760.02, F.S.; changing the name of the Human Relations Commission to the Human Rights Commission; amending s. 760.03, F.S.; authorizing and ratifying investigatory determinations by the executive director of the commission; amending s. 760.04, F.S.; conforming wording to name change; amending s. 760.07, F.S.; establishing guidelines for certain types of discrimination; amending s. 760.11, F.S.; eliminating requirement for registered mail; authorizing referral of complaints to agencies of the United States; amending s. 760.22, F.S.; conforming wording to name change; amending s. 760.29, F.S.; revising guidelines for housing for older persons; providing immunity from liability for monetary damages; amending s. 760.34, F.S.; authorizing the commission to bring actions to enforce the fair housing act; amending s. 760.35, F.S.; revising statute of limitations for actions involving housing discrimination; amending ss. 760.36, 760.60, 110.112, 110.205, 119.07,

553.77, F.S.; conforming wording to name change; ratifying referrals made by the commission; providing an effective date.

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

By Senator Holzendorf—

SB 1786—A bill to be entitled An act relating to the Florida Occupational Safety and Health Act; amending ss. 442.012, 442.014, F.S.; amending the conditions under which employers must have a workplace safety committee; repealing ss. 442.101, 442.102, 442.103, 442.104, 442.105, 442.106, 442.107, 442.108, 442.109, 442.111, 442.112, 442.113, 442.115, 442.116, 442.118, 442.1185, 442.119, 442.121, 442.123, 442.125, 442.126, 442.127, F.S., relating to provisions intended to protect employees and their families from exposure to toxic substances encountered in the course of employment; requiring the Division of Safety of the Department of Labor and Employment Security to adopt by rule the federal hazard-communication standard for use by the state and its political subdivisions; providing an effective date.

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

By Senator Rossin—

SB 1788—A bill to be entitled An act relating to water resources; amending s. 373.0395, F.S.; revising requirements for the water management districts in developing a groundwater basin resource availability inventory; amending s. 373.196, F.S.; providing legislative intent with respect to the duties of the water management districts; amending s. 373.1961, F.S.; providing additional duties of the governing boards of the water management districts; providing additional uses for revenues disbursed for the purpose of developing alternative water supply systems; amending s. 373.250, F.S.; providing certain limitations on the use of reclaimed water; amending s. 403.064, F.S.; limiting certain requirements that the Department of Environmental Protection or a water management district may impose with respect to the reuse of water; providing an effective date.

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

By Senator Rossin—

SB 1790—A bill to be entitled An act relating to arrest powers; amending s. 901.15, F.S., relating to lawful arrest by a law enforcement officer without a warrant; authorizing an officer to make such an arrest if a misdemeanor is committed in the presence of the officer and the offense involves violence, the use of a weapon or firearm, or is concurrent with or incidental to another arrest; clarifying priority over other provisions of law; reenacting s. 570.073(2), F.S., relating to the Office of Agricultural Law Enforcement, to incorporate the amendment to s. 901.15, F.S., in a reference thereto; creating s. 901.145, F.S.; prohibiting a county from creating, after a specified date, an agency whose appointees or employees have arrest powers, unless authorized by the State Constitution or special law; providing an effective date.

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

By Senator Grant—

SB 1792—A bill to be entitled An act relating to financial matters; amending s. 655.037, F.S.; providing prohibitions on activities of certain financial institution-affiliated parties under certain circumstances; authorizing petitions to modify or terminate certain department actions; amending s. 655.045, F.S.; deleting certain report requirements; amending s. 655.059, F.S.; providing additional circumstances under which books and records of financial institutions may be made available for inspection and examination; amending s. 655.922, F.S.; deleting a prohi-

bition against certain financial institutions soliciting funds under certain circumstances; amending s. 655.946, F.S.; clarifying provisions relating to certain insurance coverage placed by financial institutions for certain purposes; amending s. 657.008, F.S.; revising criteria under which foreign credit unions may establish branches in this state; amending s. 657.026, F.S.; providing for optional appointment of an audit committee; clarifying provisions relating to submission of certain reports and notification of certain violations; amending s. 657.038, F.S.; deleting reference to the Florida Credit Union Guaranty Corporation, Inc., for certain purposes; amending s. 657.039, F.S.; revising criteria for extension of credit by a credit union to certain persons; amending s. 657.043, F.S.; revising a definition of risk assets; amending s. 657.053, F.S.; providing a formula for semiannual assessments against state credit unions; deleting a schedule for such assessments; amending s. 658.67, F.S.; clarifying provisions relating to acquisitions of property as security under certain investment powers of financial institutions; amending s. 663.01, F.S.; revising a definition; amending s. 663.07, F.S.; excluding certain financial activities of international banking facilities from total liabilities and total assets under certain circumstances; authorizing the department to require certain international bank agencies or international branches to hold certain assets for certain purposes; repealing s. 655.053, F.S., relating to certain annual reports submitted by the Department of Banking and Finance; providing an effective date.

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

By Senator Bronson—

SB 1794—A bill to be entitled An act relating to rulemaking; amending ss. 120.54, 120.56, F.S.; providing that in an administrative hearing to determine the validity of a rule or proposed rule on the grounds of invalid exercise of delegated legislative authority, the hearing officer may not consider the agency's interpretation of the statute being implemented to be presumptively valid; providing that the rule's or proposed rule's validity must be determined by the evidence and argument presented; providing an effective date.

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

By Senator Holzendorf—

SB 1796—A bill to be entitled An act relating to statutory rape; creating s. 794.051, F.S.; defining statutory rape offenses, and providing criminal penalties therefor; providing second degree felony penalties for commission of sexual intercourse, as defined, with a person who is 15 years of age or younger by a person 18 years of age or older; providing third degree felony penalties for commission of sexual intercourse with an unemancipated person 16 or 17 years of age by a person 21 years of age or older; providing for increased penalties when the victim was under the influence of alcohol or any specified substance; requiring the ranking of enhanced offenses above the offense committed for sentencing purposes; requiring a statutory rapist to pay medical costs of resulting pregnancy and child support; repealing s. 794.05, F.S., relating to carnal intercourse with unmarried person under 18 years of age; amending s. 775.15, F.S., relating to time limitations, to conform references; amending s. 921.0012, F.S., relating to the offense severity ranking chart; classifying specified statutory rape offenses as level 4 or level 5 offenses; creating the "Teen Pregnancy Prevention Act of 1996"; requiring the Governor to appoint a council on teenage pregnancy prevention and services; requiring a report to the Legislature; providing an effective date.

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

By Senator Williams—

SB 1798—A bill to be entitled An act relating to amusement games; amending s. 849.161, F.S.; authorizing the use of certain amusement

games or machines at specified locations; providing that redeemed merchandise is subject to state sales tax; providing an effective date.

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

By Senator Williams—

SB 1800—A bill to be entitled An act relating to disturbing religious and other assemblies; repealing s. 871.03, F.S., relating to peddling goods at a camp meeting; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Meadows—

SB 1802—A bill to be entitled An act relating to education; creating the "Florida Maximum Class Size Goals Act"; providing intent; providing goals relating to class size in certain grade levels; providing for funding; requiring annual reports and a study based on class size reductions; providing an effective date.

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

By Senator Meadows—

SB 1804—A bill to be entitled An act relating to the state lottery; creating the "Lottery Accountability Act of 1996"; amending s. 24.105, F.S., relating to duties of the Department of the Lottery; requiring monthly publication of certain information; creating a study commission to examine the benefits and disadvantages of the state lottery; requiring a report; providing for the return to educational enhancement of lottery funds that have replaced general revenue funds for public education; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Education; Governmental Reform and Oversight; and Ways and Means.

By Senator Jenne—

SB 1806—A bill to be entitled An act relating to allocation of lottery revenues for education; amending s. 24.121, F.S.; providing for use of certain funds for scholarship grants; creating s. 240.4991, F.S.; creating the Lottery Scholarship Grant Program; providing eligibility for receipt of an award and amount of awards; providing funding source; providing an effective date.

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

By Senator Holzendorf—

SB 1808—A bill to be entitled An act relating to education; creating the "Charter Public School Act of Florida"; providing purpose and intent; authorizing district school boards to grant charters; providing eligibility for grant of a charter; providing procedures for creation of charter public schools; providing application requirements; providing procedures and requirements for approval of a charter; providing for public hearings; authorizing waivers from statutes, rules, and collective bargaining agreements; providing funding; providing immunity and liability; providing violations; limiting the number of charter public schools; authorizing programs and standards; requiring adherence to public records and meetings requirements; providing applicability of Florida Statutes; providing an effective date.

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

By Senator Jenne—

SB 1810—A bill to be entitled An act relating to building code enforcement; creating s. 162.23, F.S.; authorizing certain code enforcement officers to issue certain notices to appear under certain circumstances; specifying lack of authority to arrest; providing criteria; amending s. 162.06, F.S.; authorizing counties and municipalities to recover certain costs relating to inspections of code violations; providing an effective date.

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

By Senator Jenne—

SB 1812—A bill to be entitled An act relating to illegal aliens; amending s. 287.012, F.S.; providing that, to be a “qualified bidder” with respect to providing personal property or services, a person must certify that he does not, and will not, employ illegal aliens, as defined; providing an effective date.

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

By Senator Gutman—

SB 1814—A bill to be entitled An act relating to the meat inspection program of the Department of Agriculture and Consumer Services; appropriating moneys to the department to maintain the program for the remainder of fiscal year 1995-1996; providing an effective date.

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

By Senator Meadows—

SB 1816—A bill to be entitled An act relating to local government; creating the Jurisdictional and Services Review Commission; providing for membership; providing for powers and duties of the commission; requiring reports; providing for staff; providing an appropriation; providing for expiration; providing an effective date.

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

By Senator Bronson—

SB 1818—A bill to be entitled An act relating to golf carts; amending s. 320.105, F.S.; amending the exemption of golf carts from requirements for the registration of vehicles and the display of license plates; amending s. 320.08, F.S.; providing for license taxes for certain golf carts; amending s. 316.212, F.S.; allowing golf carts to be operated on golf-cart ways under specified conditions; amending s. 336.045, F.S.; allowing the Department of Transportation to adopt uniform minimum standards for the design, construction, and maintenance of golf-cart ways; providing an effective date.

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

By Senator Bronson—

SB 1820—A bill to be entitled An act relating to motor vehicle equipment requirements; repealing ss. 325.221, 325.222, and 325.223, F.S., relating to legislative findings and intent with respect to reduction of emission and recovery and recycling of chlorofluorocarbons and halons from motor vehicle air conditioners, definition of terms, training and certification requirements with respect to installation and use of refrigerant recycling equipment and establishments and personnel recovering

and recycling used refrigerants from motor vehicle air conditioners, requirements for the sale and distribution of refrigerant and reclaimed refrigerant, certification and renewal fees, and penalties and fees for violation and noncompliance; providing an effective date.

—was referred to the Committees on Transportation and Natural Resources.

By Senator Williams—

SB 1822—A bill to be entitled An act relating to secondhand dealers; amending s. 538.06, F.S.; providing limitations on vehicle title loan transactions; creating s. 538.065, F.S.; providing for the licensure of dealers making title loan transactions; providing fees; providing for regulation by the Department of Banking and Finance; providing guidelines for the operation of title loan businesses; providing grounds for discipline of licensees; providing penalties; prohibiting certain acts; creating s. 538.067, F.S.; providing for the examination of certain records; providing examination fees; creating s. 538.069, F.S.; providing immunity; providing for the issuance of subpoenas; providing powers and duties of the Department of Banking and Finance; providing for the adoption of rules; amending s. 538.09, F.S.; exempting certain secondhand dealers from registering with the Department of Revenue; providing an effective date.

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

By Senator Grant—

SR 1824—Senate Resolution No. ____ A resolution recognizing April as “Early-Intervention Awareness Month” in this state.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 1826—A bill to be entitled An act relating to school system personnel; amending s. 231.40, F.S.; providing that members of a sick leave pool may contribute additional hours to the pool above the maximum permitted when a member of the pool is suffering a medical hardship; providing an effective date.

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

By Senator Hargrett—

SB 1828—A bill to be entitled An act relating to the Department of Revenue; amending s. 213.05, F.S.; requiring the department to notify the President of the Senate and the Speaker of the House of Representatives before it recedes from a written determination that found transactions, income, or property to be tax-exempt; providing powers of the president and speaker with respect to the department’s notice; providing an effective date.

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

By Senator Dudley—

SB 1830—A bill to be entitled An act relating to state lotteries; creating s. 24.1125, F.S.; authorizing the operation of a player-activated machine for dispensing instant lottery tickets as a part of the state lottery; providing certain requirements for a retailer who provides a player-activated machine; providing that a player-activated machine may not dispense prizes; requiring the retailer to post a notice on the player-activated machine; providing a penalty; amending s. 24.116, F.S.; prohibiting a person under a specified age from purchasing a lottery ticket by means of a player-activated machine; amending s. 24.105, F.S.; providing an exception to a prohibition on the use of a terminal or device to dispense coins or currency; providing an exception to a prohibition on

the use of a terminal or device operated solely by the player; providing an effective date.

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

By Senator Dudley—

SB 1832—A bill to be entitled An act relating to the Department of Legal Affairs; expressing legislative intent that the department promote efficiency and develop priorities; providing an effective date.

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

By Senator Dudley—

SB 1834—A bill to be entitled An act relating to telecommunications access; amending s. 427.702, F.S.; prescribing legislative intent with respect to collecting costs of relay services and specialized equipment; amending s. 427.703, F.S.; defining the terms “alternative local exchange telecommunications company” and “provider” and redefining the terms “local exchange telecommunications company,” “surcharge,” and “telecommunications company”; amending s. 427.704, F.S.; revising powers and duties of the Public Service Commission; amending s. 427.705, F.S.; revising certain duties of the administrator of the telecommunications access system; providing an effective date.

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

By Senator McKay—

SB 1836—A bill to be entitled An act relating to the Department of the Lottery; expressing legislative intent that the agency promote efficiency and develop priorities; providing an effective date.

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

By Senator McKay—

SB 1838—A bill to be entitled An act relating to the Department of Labor and Employment Security; requiring repeal of certain rules; providing an effective date.

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

By Senator McKay—

SB 1840—A bill to be entitled An act relating to the Department of Commerce; expressing legislative intent that the agency promote efficiency and develop priorities; providing an effective date.

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

By Senators Grant, Sullivan, Johnson, Horne, Williams, Kirkpatrick, Turner, Brown-Waite, Bankhead and Myers—

SB 1842—A bill to be entitled An act relating to education; amending s. 232.425, F.S., relating to student standards for participation in interscholastic extra curricular student activities; providing intent; providing eligibility requirements for participation by home education students; providing requirements of regulatory organizations; prohibiting certain membership; providing an effective date.

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

By Senator Forman—

SB 1844—A bill to be entitled An act relating to administrative rules; creating s. 120.542, F.S.; providing authorization for agencies which are required to submit performance-based budgets upon satisfactory evaluation, to grant waivers of or variances from rules; prescribing circumstances under which variances or waivers may be granted and procedures therefor; providing an effective date.

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

By Senator Forman—

SB 1846—A bill to be entitled An act relating to health care; providing legislative intent relating to creation of a Department of Health Care Administration; amending s. 20.04, F.S.; providing an exemption for the internal structure of the department; amending s. 20.42, F.S.; abolishing the Agency for Health Care Administration within the Department of Business and Professional Regulation; establishing the Department of Health Care Administration; requiring Senate confirmation of the secretary of the department; providing for appointment of a deputy secretary; transferring all powers, duties and functions, records, personnel, property, and appropriations of the agency to the new department; providing for the continuation of rules; providing for the effect of the act on pending judicial and administrative proceedings; amending s. 408.033, F.S.; modifying authority and responsibilities of local health councils with respect to local and state health planning; abolishing the Statewide Health Council; amending ss. 240.5121, 408.038, 408.039, and 408.0455, F.S., and repealing ss. 186.003(9) and 186.503(9), F.S., to delete references to the Statewide Health Council; amending s. 395.604, F.S.; conforming a cross-reference; amending ss. 457.102, 458.305, 459.003, 460.403, 461.003, 463.002, 464.003, 465.003, 466.003, 467.003, 467.0135, 468.1125, 468.1655, 468.352, 468.503, 478.42, 483.803, 484.002, 484.003, 486.021, 490.003, and 491.003, F.S.; conforming provisions relating to the regulation of health professionals to the transfer of authority provided under the act; directing the statute editors to prepare a reviser's bill; providing effective dates.

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

By Senator Dudley—

SB 1848—A bill to be entitled An act relating to liens; amending s. 713.05, F.S.; providing, with respect to persons in privity, for liens for money owed for labor, services, or materials furnished to improve public property under certain circumstances; amending s. 713.06, F.S.; providing, with respect to persons not in privity, for liens owed for labor, services, or materials furnished to improve public property, under certain circumstances, amending s. 713.08, F.S.; providing additional information that must be included on a claim for lien; amending s. 713.10, F.S.; revising provisions governing the extent of liens on leased property; providing for the interest of the lessor with respect to certain improvements; amending s. 713.135, F.S.; revising provisions relating to the notice of commencement and applicability of lien; providing a penalty for failure to verify that a certified copy of the notice of commencement has been filed with the issuing authority; requiring counties and municipalities to submit affidavits to the Advisory Council on Intergovernmental Relations with respect to building permits; amending s. 468.621, F.S.; providing additional grounds for disciplinary proceedings with respect to building code administrators and inspectors; amending s. 713.18, F.S.; revising provisions relating to the manner of serving notices and other instruments; amending s. 713.20, F.S.; providing the forms for waiver and release of lien upon progress or final payment; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Dudley—

SB 1850—A bill to be entitled An act relating to education; amending s. 228.041, F.S.; revising definitions of the terms “instructional personnel” and “administrative personnel”; providing definitions of the terms

“educational support employees” and “managers”; amending s. 236.685, F.S., relating to educational funding accountability; revising categories of school district employees; providing requirements of the school public accountability report; revising provisions relating to administrative and instructional expenditures; revising annual reporting requirements; providing an effective date.

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

By Senator Dantzler—

SB 1852—A bill to be entitled An act relating to driver’s licenses; amending s. 322.025, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to authorize driver education training courses offered by any person, public or private corporation, firm, organization, school, state agency, or subdivision of state government; providing requirements for such courses; providing for monitoring of such courses by the department; amending s. 322.05, F.S.; prohibiting the department from issuing certain driver’s licenses to persons under 18 years of age under certain circumstances; providing for rules; providing for future repeal; providing an effective date.

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

By Senator Forman—

SB 1854—A bill to be entitled An act relating to public records exemptions; amending s. 337.251, F.S.; providing a public records exemption for proposals submitted for the lease of property for joint public-private development and areas above or below Department of Transportation property; providing that such records shall become public after the time expires for submitting lease proposals; providing for legislative intent; providing for review and repeal; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Hargrett—

SB 1856—A bill to be entitled An act relating to small claims court; creating s. 55.147, F.S.; providing for award of attorney’s fees to the plaintiff upon the entry of a final judgment against the defendant in a small claims proceeding in county court; authorizing the court to suspend or revoke the driver’s license or occupational license of the judgment debtor for so long as such judgment remains unpaid; requiring filing of certain affidavits regarding changes in financial circumstances by the judgment debtor; specifying applicability; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Hargrett—

SJR 1858—A joint resolution proposing the creation of Section 17 of Article X of the State Constitution; authorizing counties and municipalities to adopt curfews for minors, so long as the adopting ordinances meet specified standards.

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

By Senator McKay—

SB 1860—A bill to be entitled An act relating to post-delivery health care for mothers and their newborn infants; amending ss. 627.6406, 627.6574, 641.31, F.S.; requiring certain health insurance policies and health maintenance contracts to provide coverage for post-delivery care for a mother and her newborn infant if they qualify for early discharge from a health care facility; specifying services that must be included; defining the term “early discharge”; requiring the Agency for Health

Care Administration to conduct a study to evaluate the clinical effects of shorter stays in the hospital for maternity care; specifying the subject matter of the study; requiring a report; providing applicability; providing an effective date.

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

By Senator Bankhead—

SB 1862—A bill to be entitled An act relating to legal holidays; creating s. 683.22, F.S.; designating the first Wednesday in May of each year as “Law Day”; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; and Governmental Reform and Oversight.

By Senator Bankhead—

SB 1864—A bill to be entitled An act relating to community development districts; amending s. 190.009, F.S.; revising requirements relating to provision of the disclosure of public financing to prospective purchasers of real property; amending s. 190.012, F.S.; revising and expanding the powers of such districts; amending s. 190.013, F.S.; authorizing, rather than requiring, district boards to adopt water management and control plans under certain circumstances; amending s. 190.033, F.S.; revising the amounts of contracts for which bids are required; providing that commodities or contractual services available only from a single source may be exempted from bid requirements under certain circumstances; providing that perishable items are not required to be bid; amending s. 190.035, F.S.; revising requirements for adoption of rates and charges for recreational facilities; amending s. 190.048, F.S.; revising requirements relating to the required disclosure to purchasers of real estate within a district; creating s. 190.0485, F.S.; requiring such districts to record a notice of establishment; providing for application to existing districts; providing an effective date.

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

By Senator Brown-Waite—

SB 1866—A bill to be entitled An act relating to child abuse, neglect, and abandonment; amending s. 415.504, F.S.; requiring child abuse investigators to inform the subjects of investigations of both the right to an attorney and ways information provided by the subject may be used; amending s. 415.51, F.S.; specifying persons who are entitled to access to records in cases of abuse, neglect, or abandonment of a child; providing an effective date.

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

By Senator Horne—

SB 1868—A bill to be entitled An act relating to recovering moneys owed to the state; providing legislative intent relating to collection mechanisms; amending s. 402.33, F.S.; amending the definition of the term “fee collections”; authorizing the Department of Health and Rehabilitative Services to employ collection agencies, in specified circumstances; providing for agency fees; allowing collection agencies access to departmental files, records, and reports, for collection purposes; providing that information that is already confidential by law must remain confidential; amending s. 409.2562, F.S.; amending procedures relating to the recovery of overpayments of public assistance benefits; providing an effective date.

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

By Senator Horne—

SB 1870—A bill to be entitled An act relating to writs of bodily attachment; amending s. 61.11, F.S.; providing for issuance of a writ of bodily attachment in cases of court-ordered child-support obligation; prescribing contents of the writ; providing responsibilities of the sheriff and clerk of court; providing for enforceability; amending s. 943.05, F.S.; providing responsibility of the Division of Criminal Justice Information Systems within the Department of Law Enforcement relating to information about such writs; providing an effective date.

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

Senate Bills 1872-1894—Not referenced.

SR 1896 was introduced out of order and adopted this day.

Senate Bills 1898-2204—Not referenced.

By Senator Crist—

SB 2206—A bill to be entitled An act relating to the code of ethics; amending s. 112.312, F.S.; redefining the term “gift”; providing an effective date.

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

COMMITTEE SUBSTITUTES

FIRST READING

By Committee on Commerce and Economic Opportunities; and Senators Horne, Dyer and Latvala—

CS for SB 106—A bill to be entitled An act relating to the Unemployment Compensation Law; amending s. 443.036, F.S.; redefining the term “employment” to include language with respect to employees who are shared by two or more employers; providing an effective date.

By Committee on Higher Education and Senators Kirkpatrick and Williams—

CS for SB 198—A bill to be entitled An act relating to the designation of state buildings; designating the Education and Exhibition Center at the Florida Museum of Natural History at the University of Florida as “Powell Hall”; designating a new College of Architecture and Fine Arts multipurpose building at the University of Florida as “The Baughman Center”; designating the College of Architecture, School of Building Construction building at the University of Florida as “M.E. Rinker, Sr. Hall”; authorizing the University of Florida to erect appropriate markers; providing an effective date.

By Committee on Criminal Justice and Senators Horne and Johnson—

CS for SB 346—A bill to be entitled An act relating to mandatory minimum sentences; amending s. 775.0823, F.S.; providing mandatory minimum terms of imprisonment for certain violent offenses against a law enforcement officer or other designated officers and officials; deleting an obsolete reference; amending s. 775.087, F.S.; correcting erroneous cross-references; providing a mandatory minimum term of imprisonment for committing certain offenses while possessing a firearm or destructive device; amending s. 775.0875, F.S.; providing a mandatory minimum term of imprisonment for the offense of taking a law enforcement officer’s firearm; correcting an erroneous cross-reference; amending s. 784.07, F.S.; increasing the mandatory minimum term of imprisonment for committing certain offenses while possessing a firearm; cor-

recting an erroneous cross-reference; amending s. 784.08, F.S.; providing a mandatory minimum term of imprisonment for an aggravated assault or aggravated battery committed against a person of a specified age or older; amending ss. 921.0014, 947.146, F.S., relating to the sentencing guidelines worksheet and the Control Release Authority; conforming cross-references to changes made by the act; providing an effective date.

By Committee on Criminal Justice and Senators Rossin and Burt—

CS for SB’s 358 and 388—A bill to be entitled An act relating to the rights of accused persons; creating the Speedy Trial Reform Act of 1996; amending s. 918.015, F.S.; allowing the Florida Supreme Court discretion in adopting rules that provide for the right of a defendant to a speedy trial; prohibiting a court from discharging a defendant from prosecution unless the court finds a substantive violation of the defendant’s right to a speedy trial; amending s. 39.048, F.S.; deleting provisions that provide for dismissal with prejudice if an adjudicatory hearing for a juvenile offender is not held within a specified time; providing for the release of the juvenile until such adjudicatory hearing is complete; repealing Rule 3.191, Florida Rules of Criminal Procedure, relating to a defendant’s right to a trial within a specified time; repealing Rule 8.090, Florida Rules of Juvenile Procedure, relating to a juvenile’s right to an adjudicatory hearing within a specified time; providing a contingent effective date.

By Committee on Health Care and Senator Bankhead—

CS for SB 474—A bill to be entitled An act relating to human immunodeficiency virus; amending s. 381.004, F.S.; requiring county public health units to maintain and disseminate a list of anonymous testing sites; amending s. 384.25, F.S.; revising requirements for physician and laboratory reporting of human immunodeficiency virus (HIV) infection and acquired immune deficiency syndrome (AIDS); amending s. 384.31, F.S.; requiring certain offering of HIV testing to pregnant women; providing for the patient’s objection; providing for records; limiting liability of the attending practitioner for birth of an HIV-infected child to a patient who objected to testing; providing an effective date.

By Committee on Commerce and Economic Opportunities; and Senators Bronson, Sullivan, Kurth, Grant, McKay, Dyer and Ostalkiewicz—

CS for SB 500—A bill to be entitled An act relating to lotteries; amending s. 849.10, F.S.; providing an exception to the prohibition against printing or publishing lottery tickets or any other matter or thing connected with a lottery drawing; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Architecture and Interior Design	
Appointees: Khuly, Margarita Alejandre, Miami	10/31/99
Manausa, Charles Trent, Tallahassee	10/31/99
Board of Trustees of Lake City Community College	
Appointee: Hart, Cheryl H., Sanderson	05/31/99
Board of Dentistry	
Appointee: Keller, Peter A., Hollywood	10/31/99
Board of Professional Engineers	
Appointees: Anderson, Melvin William, Tampa	10/31/97
Coby, Alvin Gerald, Pensacola	10/31/99

<i>Office and Appointment</i>		<i>For Term</i>	<i>Vote after roll call:</i>			
Board of Directors, Enterprise Florida, Inc.		<i>Ending</i>	Yea—Holzendorf			
Appointee: Tannehill, Joseph King, Panama City		07/01/99	CS for CS for SB 334			
Board of Professional Geologists			Yeas—35			
Appointee: Kwader, Thomas, Tallahassee		10/31/97	Mr. President	Dantzler	Holzendorf	Meadows
Commission on Government Accountability to the People			Bankhead	Diaz-Balart	Horne	Ostalkiewicz
Appointee: Calabro, Dominic Michael, Tallahassee		08/21/97	Beard	Dudley	Jenne	Rossin
Board of Trustees, South Lake County Hospital District			Bronson	Dyer	Jennings	Silver
Appointee: Harris, Richard Earl, Clermont		07/05/99	Brown-Waite	Grant	Jones	Sullivan
State Board of Independent Colleges and Universities			Burt	Gutman	Kirkpatrick	Thomas
Appointees: O'Banner, Mary A., Pembroke Pines		09/30/97	Casas	Harden	Kurth	Turner
Rose, Jane A., Tallahassee		09/30/98	Childers	Hargrett	Latvala	Williams
Atlantic States Marine Fisheries Commission			Crist	Harris	McKay	
Appointee: Blum, John Stanley Allen, Ft. Pierce		09/04/98	Nays—4			
Board of Medicine			Forman	Johnson	Weinstein	Wexler
Appointee: Cerda, James J., Gainesville		10/31/99	SB 834			
Board of Optometry			Yeas—37			
Appointees: Andrews, James W., Pensacola		10/31/99	Mr. President	Diaz-Balart	Jenne	Silver
Fisher, Alan Paul, Lakeland		10/31/99	Bankhead	Dudley	Jennings	Sullivan
Schlofman, Arthur Leonard, Starke		10/31/96	Beard	Dyer	Jones	Thomas
Board of Trustees of the John and Mable Ringling Museum of Art			Bronson	Forman	Kirkpatrick	Turner
Appointee: Ostrau, Amy Sue, Plantation		11/05/97	Brown-Waite	Grant	Kurth	Weinstein
Board of Speech-Language Pathology and Audiology			Burt	Gutman	Latvala	Wexler
Appointee: Trask, George W., Lakeland		10/31/99	Casas	Harden	McKay	Williams
[Referred to the Committee on Executive Business, Ethics and Elections.]			Childers	Hargrett	Meadows	
			Crist	Harris	Ostalkiewicz	
			Dantzler	Horne	Rossin	
			Nays—2			
			Holzendorf	Johnson		

ROLL CALLS ON SENATE BILLS

SB 240				CS for SB 840—Amendment 2			
Yeas—38				Yeas—19			
Mr. President	Diaz-Balart	Jenne	Rossin	Beard	Hargrett	Latvala	Turner
Bankhead	Dudley	Jennings	Silver	Dantzler	Holzendorf	Meadows	Weinstein
Beard	Dyer	Johnson	Sullivan	Dudley	Johnson	Rossin	Wexler
Bronson	Forman	Jones	Thomas	Dyer	Jones	Silver	Williams
Brown-Waite	Grant	Kirkpatrick	Turner	Forman	Kurth	Thomas	
Burt	Harden	Kurth	Weinstein	Nays—20			
Casas	Hargrett	Latvala	Wexler	Mr. President	Casas	Gutman	Jennings
Childers	Harris	McKay	Williams	Bankhead	Childers	Harden	Kirkpatrick
Crist	Holzendorf	Meadows		Bronson	Crist	Harris	McKay
Dantzler	Horne	Ostalkiewicz		Brown-Waite	Diaz-Balart	Horne	Ostalkiewicz
Nays—None				Burt	Grant	Jenne	Sullivan

CS for CS for SB 334—Amendment 20				CS for SB 840			
Yeas—13				Yeas—39			
Dyer	Jones	Rossin	Turner	Mr. President	Diaz-Balart	Horne	Ostalkiewicz
Forman	Kurth	Silver	Weinstein	Bankhead	Dudley	Jenne	Rossin
Jenne	Meadows	Thomas	Wexler	Beard	Dyer	Jennings	Silver
Johnson				Bronson	Forman	Johnson	Sullivan
Nays—24				Brown-Waite	Grant	Jones	Thomas
Mr. President	Casas	Grant	Kirkpatrick	Burt	Gutman	Kirkpatrick	Turner
Bankhead	Childers	Harden	Latvala	Casas	Harden	Kurth	Weinstein
Beard	Crist	Hargrett	McKay	Childers	Hargrett	Latvala	Wexler
Bronson	Dantzler	Harris	Ostalkiewicz	Crist	Harris	McKay	Williams
Brown-Waite	Diaz-Balart	Horne	Sullivan	Dantzler	Holzendorf	Meadows	
Burt	Dudley	Jennings	Williams	Nays—None			

SR 1896

Yeas—39

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

Nays—None

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 5 was corrected and approved.

CO-SPONSORS

Senators Bronson—SB 370; Casas—SCR 708; Forman—SB 370; Grant—SB 970; Gutman—SB 370, SCR 708; Hargrett—SB 1072; Jenne—SB 1048, SB 1206; Kirkpatrick—SB 1096; Latvala—SB 370, SB 1206; Thomas—SB 1096; Williams—SB 220.

RECESS

On motion by Senator Jennings, the Senate recessed at 2:07 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Wednesday, March 13.