



Journal of the Senate

Number 12—Regular Session

Friday, April 19, 1996

CALL TO ORDER

The Senate was called to order by the President at 9 00 a.m. A quorum present—35:

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

Excused: Senators Horne and Turner, Senators Jenne and McKay at 10:35 a m

PRAYER

The following prayer was offered by Dr. Ronald H. Clark, Senior Pastor, Living Water Church of Tampa, Inc., Tampa:

Father, we bring before you the government of the State of Florida and its leaders. You say in your word that you guide our leaders for our sake so that we may live a quiet and peaceable life in all godliness and honesty

We pray that skillful and godly wisdom would enter the hearts of our legislators, that discretion would watch over them and understanding keep them in all their deliberations

We ask that the upright shall lead us. . . that men and women of integrity shall guide us, but the wicked and violent shall be cut off from our land

We believe that you guide the decisions that are made by our leaders. Therefore, we believe that these leaders are men and women of discernment, understanding and knowledge, in order that the stability of our State shall continue and prosper

Finally, we pray that the office of each Senator be established and made secure by good judgement and as a result of their ruling in mercy and truth, they would be upheld by the people's favor

In the name of Your Anointed One Amen

PLEDGE

Senate Pages, Edward Murray of Orange Park and Sonny Stine of Ocala, led the Senate in the pledge of allegiance to the flag of the United States of America

CONSIDERATION OF RESOLUTIONS

On motion by Senator Johnson, by two-thirds vote **SR 2446** was withdrawn from the Committee on Rules and Calendar

On motion by Senator Johnson—

SR 2446—A resolution recognizing the Week of the Young Child in the State of Florida.

WHEREAS, the National Association for the Education of Young Children (NAEYC), the nation's largest organization of early childhood pro-

fessionals, with more than 70,000 members, has declared April 21 through April 27, 1996, the Week of the Young Child, and

WHEREAS, the purpose of the Week of the Young Child is to focus on the needs of the young child and families and to plan how the people and the community can better meet the needs of all young children and their families, and

WHEREAS this body recognizes that the early childhood years through age 8 lay the foundation for a child's success in school and in later life, NOW, THEREFORE

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

That the week of April 21 through April 27, 1996, is recognized and commemorated as the Week of the Young Child in the State of Florida.

—was taken up out of order and read the second time in full. On motion by Senator Johnson, **SR 2446** was adopted.

On motion by Senator Thomas, by two-thirds vote **SR 2894** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Thomas—

SR 2894—A resolution recognizing the week of April 21-27, 1996, as National Infant Immunization Week

WHEREAS, the President of the United States, Bill Clinton, has proclaimed April 21-27, 1996, as National Infant Immunization Week, and

WHEREAS, approximately one-fourth of Florida's children are not properly immunized against nine childhood diseases and are at risk from serious illness, hospitalization, and even death, and

WHEREAS, the most recent national measles epidemic in 1989-1990 revealed that almost half of the cases occurred among unvaccinated preschool children, resulting in 55,000 illnesses, 11,000 hospitalizations, and 136 deaths, and

WHEREAS, children need to begin their basic series of immunizations at age 2 months and complete the series by age 2 years to cover such childhood diseases as measles, mumps, rubella, diphtheria, pertussis (whooping cough), tetanus, polio, haemophilus influenzae B, and hepatitis B, and

WHEREAS, immunizations are one of the most basic and cost-effective preventive health care services and are so important to ensuring that our children get a healthy start in life, and

WHEREAS, the Leon County Immunization Coalition is sponsoring the Shots By Two program in the greater Tallahassee area to promote children receiving the complete series of necessary immunizations by age 2, NOW THEREFORE,

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

That this body pause in its deliberations to honor the Shots by Two program and the Leon County Immunization Coalition for their outstanding contribution to the children of the greater Tallahassee area and to extend to them its gratitude for attempting to ensure that these young Florida residents receive all necessary immunizations by the age of 2 years

BE IT FURTHER RESOLVED that the week of April 21-27, 1996, be recognized as Florida Infant Immunization Week in the State of Florida

and that the Senate urges all parents to ensure that their children receive the proper immunizations and further encourages parents to support the Shots by Two program promoting the importance of childhood immunizations in our state during this special week and throughout the year

— was taken up out of order and read the second time in full. On motion by Senator Thomas, **SR 2894** was adopted.

On motion by Senator Jones, by two-thirds vote **SR 798** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Jones—

SR 798—A resolution commending Florida Girls State and its sponsor, the American Legion Auxiliary

WHEREAS, Girls State, which culminates in Girls Nation, is the youth citizenship training program conducted annually by the American Legion Auxiliary to give high school juniors practical experience in the processes of government and thus a clear understanding of their approaching citizenship responsibilities, and

WHEREAS, Florida Girls State was founded in 1947 with 176 girls attending, and, in 1995, 300 girls from all over the state attended the 49th annual session, and

WHEREAS, Florida Girls State is held annually in Tallahassee on the Florida State University campus, and

WHEREAS, girls attending this program come from private, parochial, and public schools and represent various racial, religious, and ethnic backgrounds, and

WHEREAS, girls are selected on the basis of their interest in government, potential leadership abilities, community service interests, and scholastic standing, and

WHEREAS, while at Florida Girls State, participants are organized into political parties, elect local and state officials, and conduct legislative sessions in the State Capitol, and

WHEREAS, each of the citizens of Florida Girls State shares in the selection of Florida's representatives to Girls Nation held in Washington, D.C., and

WHEREAS, Girls State and Girls Nation provide, for the American Legion Auxiliary, a chance to impart American ideals, help shape the future of our country, and perpetuate its institutions, NOW, THEREFORE,

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

That Florida Girls State and its sponsor, the American Legion Auxiliary, be commended for their outstanding contributions and congratulated on the upcoming 50th anniversary of Florida Girls State

— was taken up out of order and read the second time in full. On motion by Senator Jones, **SR 798** was adopted.

On motion by Senator Jones, by two-thirds vote **SR 3034** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Jones—

SR 3034—A resolution commending and supporting United Way Success-By-6

WHEREAS, The Legislature recognizes that the first 6 years are the most formative years in a person's life, and

WHEREAS, during the first 6 years, social skills and cognitive abilities are largely determined for the remainder of a person's life, and

WHEREAS, many of society's most critical social problems can be substantially addressed by providing children up to 6 years of age with the opportunities and tools to help them succeed in school and in life, and

WHEREAS, while government has an important responsibility in addressing family and early childhood issues, the business community can play a leadership role in developing collaborative responses to erode the barriers that thwart our children from achieving their full potential, and

WHEREAS business community leadership can provide the impetus and vision to create a more effective, efficient, and accessible service-delivery system that will enable all children to enter school ready to learn, NOW, THEREFORE,

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

That United Way Success-By-6 initiatives present an exciting and unique opportunity for the business community to provide leadership in facilitating systemic change for programs that positively impact the ability of children to succeed in school and in life. The Senate applauds business community support of and participation in United Way Success-By-6 initiatives and believes that these public-private sector collaborations provide the best opportunity to generate changes that must occur for all of our children to be afforded the chance to reach their full potential.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be transmitted to the United Way as a tangible token of the sentiments of the Florida Senate

— was taken up out of order and read the second time in full. On motion by Senator Jones, **SR 3034** was adopted.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Jennings, by two-thirds vote **SB 3096** was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the Local Bill Calendar

On motion by Senator Diaz-Balart, by two-thirds vote **CS for SB 158, CS for SB 264, CS for SB 280, SB 328, CS for SB 746, SB 824, SB 888, SB 1014, CS for SB 1074, SB 1116, SB 1652, SB 1720, CS for SB 1816, CS for SB 2180, CS for SB 2222, SB 2296, SB 2760, SB 2892 and SB 2940** were withdrawn from the Committee on Ways and Means

On motion by Senator Harris, by two-thirds vote **SB 2306** was withdrawn from the committee of reference and further consideration.

On motion by Senator Kurth, by two-thirds vote **SB 832** was removed from the calendar and withdrawn from further consideration.

MOTIONS

On motion by Senator Jennings, the rules were waived and by two-thirds vote **SB 3000** and **SB 3002** were established as the Special Order Calendar for Tuesday, April 23.

MOTION TO INTRODUCE BILL

Senator Jennings moved that the rules be waived and the following bill be introduced notwithstanding the fact that the final day had passed for introduction of bills

A bill to be entitled An act relating to a joint resolution establishing congressional districts

The motion was referred to the Committee on Rules and Calendar

MOTION

On motions by Senator Jennings, by unanimous consent the motion was withdrawn from the Committee on Rules and Calendar and the following bill was introduced notwithstanding the fact that the final day had passed for introduction of bills.

INTRODUCTION AND REFERENCE OF BILL

By Senators Jennings, Jenne, Dudley and Holzendorf—

SJR 3100—A joint resolution establishing congressional districts; providing definitions; dividing the state into congressional districts, pro-

viding for the inclusion of unlisted territory in contiguous districts, providing contiguity for areas specified for inclusion in one district which are entirely surrounded by other districts, providing for the election of representatives to Congress; providing for nomination and election of candidates from congressional districts created in 1996, providing for severability; providing effective dates.

— which was read by title and referred to the Committee on Rules and Calendar

SPECIAL ORDER CALENDAR

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

HB 2285—A bill to be entitled An act relating to the sale of state property, authorizing the Board of Trustees of the Internal Improvement Trust Fund to sell certain state property and give the proceeds of the sale to the University of Florida; providing for use of the proceeds; providing an effective date

—a companion measure, was substituted for **CS for SB 598** and by two-thirds vote read the second time by title On motion by Senator Kirkpatrick, by two-thirds vote **HB 2285** was read the third time by title, passed and certified to the House The vote on passage was:

Yeas—35 Nays—None

Consideration of **CS for SB 766** was deferred

SB 1190—A bill to be entitled An act relating to the emergency “911” telephone number system; amending s. 365 171, F.S., revising language with respect to the exemption from public records requirements for certain information obtained in connection with use of the system, revising and expanding provisions which specify that a telephone company is not liable for damages in connection with provision of assistance to investigative or law enforcement officers, and including public agencies and public safety agencies within such provisions; providing an effective date.

—was read the second time by title.

The Committee on Commerce and Economic Opportunities recommended the following amendment which was moved by Senator McKay and adopted

Amendment 1—On page 1, line 30 through page 2, line 3, delete those lines and insert information may be disclosed to a public safety agency. *The exemption applies only to the name, address, telephone number or personal information about, or information which may identify, any person requesting emergency service or reporting an emergency while such information is in the custody of a public agency or public safety agency providing emergency services*

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

Amendment 2 (with title amendment)—On page 1, line 30 through page 2, line 17, delete those lines and insert information may be disclosed to a public safety agency The exemption applies only to the name, address, or telephone number or personal information about, or information which may identify of any person requesting emergency services or reporting an emergency while such information is in the custody of the public agency or public safety agency providing emergency services which receives the initial “911” telephone call A telephone company shall not be liable for damages to any person resulting from or in connection with such telephone company’s provision of any lawful assistance to any investigative or law enforcement officer of the State of Florida or political subdivisions thereof, of the United States, or of any other state or political subdivision thereof, in connection with any lawful investigation or other law enforcement activity by such law enforcement officer unless the telephone company acted in a wanton and willful manner ~~This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14.~~

And the title is amended as follows

On page 1, lines 7-14, delete those lines and insert use of the system; providing an effective date.

Senator McKay moved the following amendments which were adopted

Amendment 3 (with title amendment)—On page 2, lines 15-17, delete those lines and insert. wanton and willful manner. *The exemptions in this section are This exemption is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119 15 and shall stand repealed on October 2, 2001, unless reviewed and saved from repeal through reenactment by the Legislature s—119.14*

And the title is amended as follows

On page 1, line 13, after the semicolon (;) insert providing for future review and repeal,

Amendment 4 (with title amendment)—On page 2, between lines 17 and 18, insert

Section 2. The Legislature finds that it is a public necessity that information received by the agency receiving a “911” call and an agency providing emergency services as a result of that “911” call be held confidential and exempt when it reveals the name, address, telephone number, or personal information about, or information which may identify the person requesting emergency service or reporting an emergency because if it were otherwise, personal, sensitive information, including medical information, would be revealed to the public The need for emergency services bespeaks a very personal and often traumatizing event To have this information made publicly available is an invasion of privacy. Additionally, to have such information publicly available could jeopardize the health and safety of those needing emergency services in that people, other than emergency service providers, could actually gain access to the scene of the emergency and thereby impede the effective and efficient provision of emergency services Furthermore, there are those persons, who, for personal, private gain and/or for business purposes, would seek to capitalize on individuals in their time of need. Those reporting or needing emergency services should not be subjected to this type of possible harassment. Furthermore, to allow such information to become public could chill the reporting of emergency situations to the detriment of public health and safety

(Renumber subsequent section)

And the title is amended as follows

On page 1, line 13, after the semicolon (;) insert. providing a finding of public necessity;

On motion by Senator McKay, by two-thirds vote **SB 1190** as amended was read the third time by title, passed, ordered engrossed and then certified to the House The vote on passage was:

Yeas—33 Nays—None

The Senate resumed consideration of—

CS for SB 766—A bill to be entitled An act relating to motor vehicle records; amending s. 119 07, F.S.; providing an exemption from public inspection for certain information contained in motor vehicle records; providing a definition of motor vehicle records, subjecting the exemption to review; providing for access by certain entities to such exempt information in motor vehicle records; amending ss. 319 17, 319.25, F.S., limiting access to indexes and records of motor vehicle titles, amending s. 320 05, F.S.; limiting access to motor vehicle registration records; amending s. 322 20, F.S., limiting access to driver’s license records; authorizing the department to perform activities to implement the act; providing an effective date

—with pending **Amendment 1**, as amended, by Senator Dudley which was previously considered April 17

RECONSIDERATION OF AMENDMENT

On motion by Senator Beard, the Senate reconsidered the vote by which **Amendment 1A** was adopted. **Amendment 1A** and **Amendment I** were withdrawn

Further consideration of **CS for SB 766** was deferred

CS for SB 1252—A bill to be entitled An act relating to public records; amending s. 119.07, F.S., providing an exemption from public records requirements for documents used by a municipal utility to prepare and submit certain sealed bids for a specified period, providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was read the second time by title. On motion by Senator Holzendorf, by two-thirds vote **CS for SB 1252** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35 Nays—1

SB 10—A bill to be entitled An act relating to ad valorem taxation, amending s. 193.441, F.S.; providing legislative findings and declaration; creating s. 193.625, F.S., providing for classification and assessment of high-water recharge lands in counties choosing to have a high-water recharge protection tax assessment program; providing that the classification applies only to taxes levied by counties and municipalities adopting a program, providing procedures and requirements, providing for appeals to the value adjustment board, specifying the factors applicable to the classification, providing that counties that choose to have a high-water recharge protection program must adopt an assessment formula by ordinance; providing that land assessed under this program must be used for high-water recharge purposes for at least 10 years; authorizing municipalities within such counties to adopt high-water-recharge assessment ordinances; amending ss. 193.052, 194.011, 194.032, 194.037, 195.073, and 195.096, F.S., relating to filing of returns, procedures of the value adjustment boards, and classification of real property, to conform; providing intent regarding application; providing a short title; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 5, line 9, delete that line.

On motion by Senator Dyer, by two-thirds vote **SB 10** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

The Senate resumed consideration of—

CS for SB 766—A bill to be entitled An act relating to motor vehicle records; amending s. 119.07, F.S., providing an exemption from public inspection for certain information contained in motor vehicle records; providing a definition of motor vehicle records, subjecting the exemption to review, providing for access by certain entities to such exempt information in motor vehicle records; amending ss. 319.17, 319.25, F.S., limiting access to indexes and records of motor vehicle titles, amending s. 320.05, F.S.; limiting access to motor vehicle registration records; amending s. 322.20, F.S.; limiting access to driver's license records, authorizing the department to perform activities to implement the act; providing an effective date.

—which was previously considered this day.

Senator Wexler moved the following amendment:

Amendment 2—On page 4, after line 31, insert

11 For use in connection with any civil, criminal, administrative, or arbitral proceeding in any court or agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgments and orders, or pursuant to order of any court

Senator Weinstein moved the following amendment to **Amendment 2** which was adopted:

Amendment 2A—On page 1, line 2, after "use" insert: *by an attorney licensed to practice law in this state*

Amendment 2 as amended was adopted.

On motion by Senator Beard, by two-thirds vote **CS for SB 766** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—None

MEMORIAL

At 10:02 a.m., to coincide with the time of the bombing of the federal building in Oklahoma City, Oklahoma on this date last year, the President led the Senate in observing 168 seconds of silence in memory of the 168 victims who died.

On motion by Senator Thomas, by two-thirds vote **CS for HB 539** was withdrawn from the Committees on Transportation; Community Affairs, and Ways and Means.

On motion by Senator Thomas—

CS for HB 539—A bill to be entitled An act relating to transportation finance and planning; amending s. 339.12, F.S.; authorizing the Department of Transportation to enter into certain agreements to perform a project phase for a road in the State Highway System under certain circumstances; repealing s. 12 of ch. 90-227, Laws of Florida; eliminating the repeal of ss. 339.12 and 339.121, F.S., relating to aid and contributions by governmental entities for rights-of-way, construction, or maintenance of roads in the State Highway System, and for public transportation projects; providing an effective date.

—a companion measure, was substituted for **CS for SB 438** and read the second time by title. On motion by Senator Thomas, by two-thirds vote **CS for HB 539** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SENATOR DUDLEY PRESIDING

SB 1920—A bill to be entitled An act relating to underground facilities; amending s. 556.105, F.S.; providing for a period of validity for certain information, amending s. 556.107, F.S.; specifying certain non-criminal infractions; providing for citations; providing penalties, providing procedures relating to such non-criminal infractions, providing for hearings; deleting a provision providing for bringing certain enforcement actions, amending s. 556.109, F.S., clarifying a definition of "emergency" for certain purposes, providing an effective date.

—was read the second time by title.

An amendment was considered to conform **SB 1920** to **HB 1119**.

Pending further consideration of **SB 1920** as amended, on motion by Senator Silver, by two-thirds vote **HB 1119** was withdrawn from the Committees on Community Affairs, Governmental Reform and Oversight, and Judiciary.

On motion by Senator Silver—

HB 1119—A bill to be entitled An act relating to underground facilities, amending s. 556.105, F.S.; providing for a period of validity for certain information, amending s. 556.107, F.S.; specifying certain non-criminal infractions, providing for citations; providing penalties, providing procedures relating to such non-criminal infractions; providing for hearings; deleting a provision providing for bringing certain enforcement actions; amending s. 556.108, F.S.; exempting certain maintenance activities from certain notification requirements, providing an exception; amending s. 556.109, F.S.; clarifying a definition of "emergency" for certain purposes; providing an effective date.

—a companion measure, was substituted for **SB 1920** and read the second time by title. On motion by Senator Silver, by two-thirds vote **HB 1119** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35 Nays—None

SB 2606—A bill to be entitled An act relating to the adoption of rules by the Department of Transportation, repealing s. 334.075, F.S., relating to establishing qualifications for employment of drawbridge operators, providing an effective date

—was read the second time by title. On motion by Senator Beard, by two-thirds vote **SB 2606** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33 Nays—None

SB 964—A bill to be entitled An act relating to elections; amending s. 106.143, F.S.; providing conditions for political advertisements; providing additional requirements for specified political advertisements, creating s. 106.1431, F.S.; requiring specific disclosures during telephone calls made in relation to a candidate, ballot proposal, or political organization, providing conditions for telephone solicitations; providing a penalty; creating s. 106.1432, F.S.; requiring the appointment of a registered agent for a person providing political campaign services or products before that person conducts business; requiring the filing of such appointment with the Division of Elections of the Department of State; providing a penalty, creating s. 106.1433, F.S.; requiring disclosure of messages accessible by computer or other medium; providing an effective date.

—was read the second time by title. On motion by Senator Crist, by two-thirds vote **SB 964** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

THE PRESIDENT PRESIDING

On motion by Senator Jenne, the rules were waived and by unanimous consent—

CS for SB 2774—A bill to be entitled An act relating to lobbying; amending s. 11.045, F.S., providing registration requirements; providing for procedures with respect to reporting; providing time requirements with respect to reports; eliminating language permitting reporting statements filed by legislative branch lobbyists to not be filed under certain circumstances; providing for an automatic fine for late-filed reports; providing for appeal of fines; directing the Legislature to adopt rules and procedures with respect to reports; amending s. 112.3215, F.S.; providing additional registration requirements; providing requirements for cancellation, authorizing the commission to set the registration fee by rule for executive branch lobbyists; eliminating language permitting reporting statements filed by executive branch lobbyists to not be filed under certain circumstances; providing time requirements with respect to reports; providing for an automatic fine for late-filed reports; providing for appeal of fines; directing the commission to adopt rules and procedures with respect to reports; providing an effective date.

—was taken up out of order and read the second time by title. On motions by Senator Jenne, by two-thirds vote **CS for SB 2774** was read the third time by title, passed and immediately certified to the House. The vote on passage was

Yeas—35 Nays—None

CS for 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 read the second time by title.

Amendments were considered to conform **CS for SB 1842** to **CS for HB 2505**.

Pending further consideration of **CS for SB 1842** as amended, on motion by Senator Grant, by two-thirds vote **CS for HB 2505** was withdrawn from the Committees on Education; and Ways and Means.

On motion by Senator Grant—

CS for HB 2505—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 a short title, providing intent; providing eligibility requirements for participation by home education students; providing requirements of regulatory organizations, prohibiting certain membership; providing for insurance coverage; providing an effective date.

—a companion measure, was substituted for **CS for SB 1842** and read the second time by title. On motion by Senator Grant, by two-thirds vote **CS for HB 2505** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30 Nays—6

On motion by Senator Diaz-Balart, the rules were waived and by unanimous consent—

SB 2506—A bill to be entitled An act relating to the designation of the State University System Facility Enhancement Challenge Grant Program, amending s. 240.2601, F.S.; designating the program in memory of Alec P. Courtelus; providing an effective date.

—was taken up out of order and read the second time by title.

The Committee on Higher Education recommended the following amendment which was moved by Senator Grant and adopted

Amendment 1 (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (2), (3), (5), and (7) of section 240.2601, Florida Statutes, are amended to read:

240.2601 State University System Facility Enhancement Challenge Grant Program —

(2) There is hereby established the *Alec P. Courtelus* State University System Facility Enhancement Challenge Grant Program for the purpose of assisting the State University System build high priority instructional and research-related capital facilities, including common areas connecting such facilities. The associated foundations that serve the universities shall solicit gifts from private sources to provide matching funds for capital facilities. For the purposes of this act, private sources of funds shall not include any federal, state, or local government funds that a university may receive.

(3) There is established the *Alec P. Courtelus* Capital Facilities Matching Trust Fund for the purpose of providing matching funds from private contributions for the development of high priority instructional and research-related capital facilities, including common areas connecting such facilities, within the State University System. The Legislature shall appropriate funds to be transferred to the trust fund. The Public Education Capital Outlay and Debt Service Trust Fund, Capital Improvement Trust Fund, Division of Sponsored Research Trust Fund, and Contracts and Grants Trust Fund shall not be used as the source of the state match for private contributions. All appropriated funds deposited into the trust fund shall be invested pursuant to the provisions of s. 18.125. Interest income accruing to that portion of the trust fund shall increase the total funds available for the challenge grant program. Interest income accruing from the private donations shall be returned to the participating foundation upon completion of the project. The Board of Regents shall administer the trust fund and all related construction activities.

(5) To be eligible to participate in the *Alec P. Courtelus* Capital Facilities Matching Trust Fund, a state university shall raise a contribution

equal to one-half of the total cost of a facilities construction project from private nongovernmental sources which shall be matched by a state appropriation equal to the amount raised for a facilities construction project subject to the General Appropriations Act.

(7) By September 1 of each year, the Board of Regents shall transmit to the Legislature a list of projects which meet all eligibility requirements to participate in the *Alec P. Courtelis* Capital Facilities Matching Trust Fund and a budget request which includes the recommended schedule necessary to complete each project.

Section 2. The alumni center building on the University of South Florida's Tampa Campus is designated as the "Sam and Martha Gibbons Alumni Center."

Section 3. The Florida Mental Health Institute at the University of South Florida is designated as the "Louis de la Parte Florida Mental Health Institute."

Section 4. The Board of Regents shall erect appropriate identification markers bearing the designations made by sections 2 and 3 of this act

Section 5. This act shall take effect upon becoming a law.

And the title is amended as follows

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the designation of state buildings and programs; amending s. 240.2601, F.S.; designating a university grant program in memory of Alec P. Courtelis; designating the building designed to serve as the alumni center at the University of South Florida the "Sam and Martha Gibbons Alumni Center"; designating the Florida Mental Health Institute at the University of South Florida as the Louis de la Parte Florida Mental Health Institute; directing the Board of Regents to erect appropriate markers, providing an effective date.

WHEREAS, Mr. Alec P. Courtelis, a distinguished leader in education, business, and community affairs, served on the Florida Board of Regents from 1987-1993 and, during that time, initiated the Facility Enhancement Challenge Grant Program, providing state matching funds for private gifts to be used for the construction of university facilities, and

WHEREAS, this challenge grant program has served as a national model for encouraging private giving while significantly enhancing the capital facilities of the State University System, and

WHEREAS, Sam Melville Gibbons has served the citizens of Florida for 44 years in the Florida House of Representatives, the Florida Senate, and the United States Congress as an untiring advocate for education and business and a staunch protector of the economic health and stability of Tampa Bay, Florida, and the nation, and

WHEREAS, Congressman Gibbons played a leadership role in establishing the University of South Florida and its Medical School, and provided invaluable guidance and support through the university's formative years, earning him the designation by alumni and friends as "The Father of USF," and

WHEREAS, a testament to Congressman Gibbons' foresight, tenacity, and leadership, USF today is a comprehensive metropolitan university with four branch campuses, a major health sciences center, and more than 36,000 students, and

WHEREAS, Sam Melville Gibbons and Martha Hanley Gibbons have earned the affection, respect, and gratitude of the citizens of Tampa Bay, Florida, and the nation, and

WHEREAS, the University of South Florida wishes to establish a permanent tribute to Congressman and Mrs. Gibbons and to perpetuate their example of public service to USF's alumni and students, and

WHEREAS, Senator Louis de la Parte, Jr., born on July 27, 1929, in Tampa, Florida, offered his considerable talents to the service of the people of Florida as Special Assistant to the Attorney General, Assistant County Solicitor, Assistant State Attorney, acting Judge for the City of Tampa, member of the Florida House of Representatives, and valued member of the Florida Senate, and

WHEREAS, Senator de la Parte led his beloved Senate in countless ways, wearing the esteemed title of "President of the Senate" with humility, charm, an incredible sense of values, and an abundance of good will, and

WHEREAS, President de la Parte earned national acclaim for innovations such as the introduction of computers to the state budget and the historic 1969 Reorganization Act, which distilled Florida government from a crazy-quilt of some 150 boards, commissions, and subdistricts, into 25 agencies, and

WHEREAS, President de la Parte, who sponsored the first legislation to address juvenile justice challenges, championed an integrated service delivery system for the needs of families in trouble, especially the children, and

WHEREAS, President de la Parte, who was recognized by the University of South Florida with an honorary degree for his role in the establishment of the USF College of Medicine, not only created the Florida Mental Health Institute but returned from private life to lead that important state asset through some turbulent times, and

WHEREAS, Louis de la Parte, Jr., a Favorite Son of Ybor City who is proud of his rich Latino heritage, has never, nor could he ever be, the subject of any negative word, and his every bill, amendment, or written or spoken word has had as its underlying theme improving the day-to-day lives of "regular people," NOW, THEREFORE,

On motion by Senator Diaz-Balart, by two-thirds vote **SB 2506** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was

Yeas—35 Nays—None

INTRODUCTION OF FORMER SENATE PRESIDENT

Senator Grant introduced former Senate President Louis de la Parte and his wife Helen, who were present in the chamber

On motion by Senator Casas, the rules were waived and by unanimous consent—

CS for SB 454—A bill to be entitled An act relating to statutes of limitations, amending s. 95.11, F.S.; providing for the tolling of the statute of limitations and statute of repose with respect to claims of medical malpractice by certain minors; providing an effective date

—was taken up out of order and read the second time by title. On motion by Senator Casas, by two-thirds vote **CS for SB 454** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34 Nays—None

CS for SB's 366 and 2580—A bill to be entitled An act relating to education; requiring school district superintendents and the governing bodies of developmental research schools and state-supported schools to report the identity of certain employees upon termination or resignation from employment; requiring the Department of Education to maintain a database on the information reported; amending s. 231.02, F.S.; requiring fingerprinting and background checks of certain employees of district school systems and other public schools; prohibiting certain individuals from employment in a position requiring direct contact with students; deleting a requirement for the adoption of local policies, deleting the requirement for the Commissioner of Education to provide guidelines regarding standards of good moral character; creating s. 231.045, F.S.; authorizing the Department of Education to periodically check criminal history records on certified educators, repealing s. 231.1712, F.S., relating to fingerprinting of certified instructional personnel upon initial employment; repealing s. 231.1713, F.S., relating to persons not required to be re-fingerprinted or rescreened in order to comply with caretaker screening or fingerprinting requirements; amending s. 231.261, F.S.; increasing the membership of the Education Practices Commission; providing an effective date.

being the Charter of the City of Jacksonville; clarifying the exemptions provided by the charter to designated employees; providing an effective date.

—was read the second time by title.

Senator Bankhead moved the following amendment which was adopted:

Amendment 1—On page 3, line 5, delete “section” and insert: *paragraph*

On motions by Senator Bankhead, by two-thirds vote **SB 3008** 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—34 Nays—None

SB 3010—A bill to be entitled An act relating to Lee County; amending chapter 76-411, Laws of Florida, as amended; amending the Enabling Act of the San Carlos Park Fire Protection and Rescue Service District; providing an effective date.

—was read the second time by title. On motions by Senator Rossin, by two-thirds vote **SB 3010** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—34 Nays—None

SB 3012—A bill to be entitled An act relating to Lee County; amending chapter 30930, Laws of Florida, 1955, as amended, relating to the Sanibel Island Fire Control District; removing certain limitations upon the authority of the board to borrow money, issue revenue anticipation notes, pledge liens and certificate revenue, and use funds; providing an effective date.

—was read the second time by title. On motions by Senator Rossin, by two-thirds vote **SB 3012** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—34 Nays—None

SB 3014—A bill to be entitled An act relating to Lee County, Lehigh Acres Fire Control and Rescue District, amending chapter 63-1546, as amended; extending the boundaries thereof, including additional lands in Lee County, south of State Route 82, providing for a referendum.

—was read the second time by title. On motions by Senator Rossin, by two-thirds vote **SB 3014** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—34 Nays—None

SB 3016—A bill to be entitled An act relating to Indian River County, amending chapter 79-480, Laws of Florida; providing for certain restrictions on the harvesting of shellfish; providing an effective date.

—was read the second time by title. On motions by Senator Kurth, by two-thirds vote **SB 3016** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—34 Nays—None

SB 3018—A bill to be entitled An act relating to St. Lucie County; amending section 2 of chapter 29502, Laws of Florida, 1953, as amended, providing for the board of county commissioners to adopt purchasing regulations in accordance with applicable general law; providing an effective date.

—was read the second time by title. On motions by Senator Kurth, by two-thirds vote **SB 3018** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—34 Nays—None

Consideration of **SB 3048** was deferred.

SB 3050—A bill to be entitled An act relating to Polk County; creating the Polk County Historical Commission; providing its membership and the method of members' selection; providing duties of the commission and other county officers; providing for continuation in office of members of the predecessor commission; repealing ch 84-519, Laws of Florida, which creates the Polk County Historical Commission; providing an effective date.

—was read the second time by title. On motions by Senator Dantzer, by two-thirds vote **SB 3050** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—34 Nays—None

SB 3020—A bill to be entitled An act relating to Palm Beach County, amending chapter 87-450, Laws of Florida, as amended, relating to the Palm Beach County Health Care Act, providing for revisions to the powers of the district; modifying the prohibition against the construction of hospitals by the district; revising provisions relating to funding, millage, budgets, assets, and insurance; revising provisions relating to indigency criteria; providing for the authorization of a lump sum bonus payment program; providing for the authority to implement cooperative agreements with other entities; providing for the establishment of committees; providing for the appointment of members to the district board; providing for the elimination of subdistricts and subdistrict governing boards; providing for the establishment of a management board for hospitals owned by the district and for the appointment of members to said board; providing for the delegation of powers to the management board; providing for the reorganization of district-owned hospitals providing for an annual report to the county commissioners and legislative delegation; providing severability, providing an effective date.

—was read the second time by title. On motions by Senator Wexler, by two-thirds vote **SB 3020** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—34 Nays—None

On motion by Senator Wexler, by two-thirds vote—

SB 3096—A bill to be entitled An act relating to the South Lake Worth Inlet District in Palm Beach County, providing legislative intent, abolishing the South Lake Worth Inlet District; repealing chapter 7080, Laws of Florida, as amended; providing for the disposition of the funds, assets, and property of the district; providing for contracts of the district to remain in effect and for the assumption of indebtedness and liabilities of the district by Palm Beach County; providing for control of the inlet to vest in Palm Beach County; providing for Palm Beach County's use of all powers granted by law; providing for liberal construction; providing for municipalities within district's former boundaries to retain home rule powers; providing for severability; providing an effective date.

—was read the second time by title. On motions by Senator Wexler, by two-thirds vote **SB 3096** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—34 Nays—None

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Friday, April 19, 1996: CS for SB 598, CS for SB 766, SB 1190, CS for SB 1252, SB 10, CS for SB 438, SB 1920, SB 2606, SB 964, CS for SB 1842, CS for SB 368, SB 682, CS for SB 2774, SB 104, SB 828, CS for SB 454, SB 118, SB 2334, SB 1254, SB 2506, CS for SB 1718, SB 1316, SB 1682, SB 688, CS for SB 1210, CS for SB 244, SB 128, CS for SB 360, CS for SB 386, SB 412, SB

742, CS for SB 690, CS for SB 474, SB 1868, SB 324, SB 996, SB 1050, CS for SB 1272, SB 2370, SB 1278

Respectfully submitted,
Toni Jennings, Chairman

The Committee on Rules and Calendar submits the following bills to be placed on the Local Bill Calendar for Friday, April 19, 1996: SB 2918, SB 2944, SB 2946, SB 2958, SB 2994, SB 2996, SB 2998, SB 3006, SB 3008, SB 3010, SB 3012, SB 3014, SB 3016, SB 3018, SB 3048, SB 3050, SB 3020

Respectfully submitted,
Toni Jennings, Chairman

The Committee on Education recommends the following pass SB 218 with 1 amendment, SB 2584 with 1 amendment

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

The Committee on Education recommends the following pass SB 382 with 1 amendment, SB 632 with 1 amendment, SB 2354 with 1 amendment, SB 2520, SB 2578 with 3 amendments

The Committee on Judiciary recommends the following pass: CS for SB 932 with 2 amendments

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

The Committee on Judiciary recommends the following pass SB 28 with 2 amendments, CS for SB 1664 with 1 amendment, CS for SB 1810 with 2 amendments

The bills were placed on the calendar.

The Committee on Natural Resources recommends a committee substitute for the following SB 2954

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

The Committee on Natural Resources recommends a committee substitute for the following: SB 600

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

The Committee on Judiciary recommends a committee substitute for the following: SB 2378

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

The Committee on Natural Resources recommends a committee substitute for the following: SB 950

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

The Committee on Judiciary recommends committee substitutes for the following: SB 1204, SB 1734, SB 1940, SB 2570

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Wexler—

SB 3072—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Ronald William “Billy” Hungerford, a minor, by and through his father and natural guardian, Ronald Edwin Hungerford, and Ronald Edwin Hungerford, individually, to compensate them for losses they sustained as a result of an accident that caused serious personal injuries to Billy Hungerford, a minor, as a result of the negligence of Palm Beach County; providing an effective date

Proof of publication of the required notice was attached.

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

SR 3074 was introduced out of order and adopted April 18

SR 3076 was introduced out of order and adopted April 18.

SCR 3078 was introduced out of order and adopted April 10.

By Senator Harris—

SB 3080—A bill to be entitled An act relating to Charlotte and Sarasota Counties; creating the Englewood Water District; establishing boundaries; providing definitions, providing for election of a board of supervisors to govern said district, establishing powers, authority, and duties of the board; granting to said governing board the authority in the territory defined to construct, acquire, extend, enlarge, reconstruct, improve, maintain, equip, repair, and operate a water system, wastewater system, or wastewater reuse system, or any combination thereof, authorizing the levy and collection of non-ad valorem assessments on property benefited by the construction of such water system, wastewater system, or wastewater reuse system, or combined systems, providing for optional methods of financing the cost of the water system, wastewater system, or wastewater reuse system or combined systems or extensions and additions thereto by the issuance of revenue bonds or assessment bonds or any combination thereof and the fixing and collection of rates and charges on users of such systems; providing for the levy and collection of non-ad valorem assessments on benefited property and the pledge of such assessments for the payment of any revenue bonds, or assessment bonds, providing for the rights, remedies, and security of any of the holders of said bonds; providing penalties; repealing chapter 59-931, Laws of Florida, as amended, relating to the creation and establishment of the Englewood Water District; 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 Bronson—

SB 3082—A bill to be entitled An act relating to Brevard County; amending chapter 71-544, Laws of Florida, as amended; changing the boundaries of Brevard County Recreation District Number Four; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar

By Senator Bronson—

SB 3084—A bill to be entitled An act relating to Brevard County; amending chapter 94-419, Laws of Florida, providing limitations on issuance of licenses; requiring the production of valid licenses upon demand; requiring certain devices on board vessels used for harvesting; providing standards for certain harvesting practices; providing for the disposition of fees; providing a penalty, providing an effective date and an expiration date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

Senate Bills 3086 and 3088—Not referenced

SR 3090 was introduced out of order and adopted April 18

SR 3092 was introduced out of order and adopted April 18

SB 3094—Not referenced

By Senator Wexler—

SB 3096—A bill to be entitled An act relating to the South Lake Worth Inlet District in Palm Beach County, providing legislative intent, abolishing the South Lake Worth Inlet District; repealing chapter 7080, Laws of Florida, as amended, providing for the disposition of the funds, assets, and property of the district; providing for contracts of the district to remain in effect and for the assumption of indebtedness and liabilities of the district by Palm Beach County, providing for control of the inlet to vest in Palm Beach County; providing for Palm Beach County's use of all powers granted by law, providing for liberal construction; providing for municipalities within district's former boundaries to retain home rule powers; providing for severability; providing an effective date

Proof of publication of the required notice was attached

—was referred to the Committee on Rules and Calendar

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Natural Resources and Senator Williams—

CS for SB 600—A bill to be entitled An act relating to mitigation banking; amending s. 373.403, F.S., providing definitions; amending s. 373.414, F.S.; providing that mitigation measures may include onsite mitigation, offsite mitigation, offsite regional mitigation, and the purchase of mitigation credits from mitigation banks, providing instances when the Department of Environmental Protection and the water management districts may accept donation of money as mitigation; amending s. 373.4135, F.S.; providing legislative intent with regard to the use of mitigation banks and offsite regional mitigation, providing that the provisions for establishing mitigation banks apply equally to both public and private entities establishing mitigation banks; providing that offsite regional mitigation may be located outside of the regional watershed of the permitted activity; allowing the use of a combination of the use of mitigation banks, offsite regional mitigation, and other forms of mitigation; prohibiting local governments from denying the use of a mitigation bank or offsite regional mitigation under certain circumstances, creating s. 373.4136, F.S., providing for mitigation bank permits; authorizing the Department of Environmental Protection or the water management districts to require permits for the establishment and use of mitigation banks, providing that a mitigation bank may be established and operated in phrases under certain conditions; providing that the Department of Environmental Protection or the water management districts may authorize the addition of land to a permitted mitigation bank under certain conditions, requiring the Department of Environmental Protection or the water management districts to award mitigation credits to a

proposed mitigation bank or a phase of such mitigation bank; providing criteria for the award of such credits; requiring the Department of Environmental Protection or the water management districts to establish a schedule for the release of mitigation credits in the mitigation bank permit, providing factors the department and the districts shall consider in establishing the schedule; providing that the withdrawal of mitigation credits does not require a processing fee; requiring the Department of Environmental Protection or the water management districts to establish a mitigation service area for each mitigation bank permit, providing criteria for the establishment of mitigation service areas; providing that established mitigation bank service areas shall be accepted by all water management districts, local governments, and the department; specifying the projects eligible to use a mitigation bank; providing that mitigation bank permits pending or approved prior to the effective date of this act are subject to rules and provisions in effect on the effective date of this act unless the applicant elects to be subject to the provisions of this act, authorizing the Department of Environmental Protection and the water management districts to adopt rules; providing an effective date.

By the Committee on Natural Resources and Senators Williams and Dudley—

CS for SB 950—A bill to be entitled An act relating to energy resources; amending s. 211.01, F.S., providing definitions; amending s. 211.027, F.S.; exempting the production of certain oil and gas from the oil production tax and the gas production tax for certain periods; providing an expiration date for the exemptions; amending s. 377.075, F.S.; transferring duties and responsibilities of the Division of Resource Management to the Division of Administrative and Technical Services; providing for a state geologist; providing duties and responsibilities of the state geologist, providing duties and responsibilities of the Florida Geological Survey; creating s. 377.076, F.S.; creating the Big Cypress Swamp Advisory Committee; defining the Big Cypress Swamp; requiring a permit to explore for certain minerals in the swamp; providing for review of permit applications by the committee, providing for membership; providing duties and scope of authority of the committee; amending s. 377.19, F.S., providing definitions, amending s. 377.242, F.S., authorizing the Department of Environmental Protection to issue permits to construct certain wells under certain circumstances, amending s. 377.25, F.S., clarifying a requirement for production pools or drilling units, amending s. 377.26, F.S., providing additional criteria for location of wells, amending s. 377.27, F.S., providing for applicants for drilling permits to define drilling unit areas; providing for permanent markers; providing an effective date

By the Committee on Judiciary and Senator Grant—

CS for SB 1204—A bill to be entitled An act relating to probate, amending s. 709.08, F.S., authorizing certain corporations to serve as an attorney in fact; amending s. 733.707, F.S., defining the term "right of revocation" with respect to the order of payment of expenses and obligations; amending s. 737.111, F.S.; revising language with respect to execution requirements for express trusts, providing for the application of the section; amending s. 737.2041, F.S., relating to trustee's attorney's fee; revising procedures for determining attorney's fees, providing for determining fees for an attorney who is retained for limited services; revising the list of services that constitute ordinary services in a trust administration; deleting an exception from the applicability of presumptive fees for a corporate fiduciary that serves as a trustee or cotrustee; amending s. 737.303, F.S., revising language with respect to the duty of the trustee to inform and account to beneficiaries to require information to the grantor with respect to certain trusts; amending s. 733.817, F.S.; revising provisions of law with respect to the apportionment of estate taxes, providing an effective date

By the Committee on Judiciary and Senator Forman—

CS for 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, 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. 744.3215, 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. 744.454, F.S., providing that a guardian may purchase property or borrow money from the guardian's ward when authorized by the court; amending s. 28.241, F.S.; eliminating a requirement for a county imposing certain public guardian fees to match funds from county general revenue, reenacting s. 25.384(3) F.S., relating to the Court Education Trust Fund, to incorporate said amendment in a reference; amending s. 744.703, F.S., revising staff qualifications for nonprofit corporations eligible for appointment as public guardians; amending s. 744.708, F.S., providing that a chief judge may revise the staff-to-ward ratio for good cause, clarifying the term "professional" with respect to specified provisions relating to public guardians, amending s. 744.474, F.S.; providing additional grounds for removal of guardian, providing an effective date.

By the Committee on Judiciary and Senator Wexler—

CS for SB 1940—A bill to be entitled An act relating to public nuisances; amending s. 60.05, F.S.; allowing the eviction of tenants for public nuisances, amending s. 823.10, F.S., providing procedures, providing an effective date

By the Committee on Judiciary and Senator Johnson—

CS for SB 2378—A bill to be entitled An act relating to domestic or repeat violence, amending s. 61.052, F.S., providing that an injunction for protection against domestic violence arising out of dissolution of marriage shall be issued as a separate order, amending s. 741.281, F.S., providing broader application of section, deleting a requirement for written findings of fact; requiring a statement on the record, amending s. 741.30, F.S.; giving courts the discretion to order attendance at batterers' intervention programs; requiring courts to order attendance in specified circumstances, providing that, with respect to domestic violence, the sheriff who has made service upon the respondent shall notify other law enforcement agencies within a certain time period by electronically transmitting the information; amending s. 741.31, F.S., requiring a court to order a respondent to a batterers' intervention program in certain circumstances; requiring additional information in the report from the Association of Florida Clerks of Court; amending s. 784.03, F.S.; providing that a third or subsequent conviction for battery constitutes a third degree felony, repealing s. 784.035, F.S., relating to an enhanced penalty for battery as domestic violence, amending s. 790.065, F.S., prohibiting the sale of a firearm to any person who has had an injunction for protection against repeat violence entered against him or her or has been convicted of aggravated stalking, amending s. 901.15, F.S., revising provisions with respect to arrest by an officer for domestic violence without a warrant, providing for severability, providing an effective date.

By the Committee on Judiciary and Senator Silver—

CS for SB 2570—A bill to be entitled An act relating to local government; amending s. 286.0115, F.S., prescribing authority, prescribing procedures to be used in quasi-judicial proceedings on local government

land-use matters; providing for permissibility of certain communications; providing an effective date

By the Committee on Natural Resources and Senator Dyer—

CS for SB 2954—A bill to be entitled An act relating to Lake Apopka restoration; creating s. 373.461, F.S.; providing findings and legislative intent; providing that it is the intent of the Legislature to enhance and accelerate the restoration process begun by previous acts of the Legislature relating to the restoration of Lake Apopka, providing that acquisition of agricultural lands impacting Lake Apopka would serve the public interest, providing intent regarding the development of a process to limit the discharge of phosphorus into the lake and the cost-sharing of such a process; providing definitions, providing for the construction of stormwater-management facilities; providing for cost-sharing by the state, the St. Johns River Water Management District, and the Zellwood Drainage and Water Control District, providing for the responsibilities of the St. Johns River Water Management District and the Zellwood Drainage and Water Control District; granting the St. Johns River Water Management District the power of eminent domain over certain specified lands, providing for the purchase of certain lands under certain conditions, providing that certain existing consent or settlement agreements are not affected and will remain in effect, providing that existing water-quality standards are not altered; providing an effective date

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable James A. Scott, President

I am directed to inform the Senate that the House of Representatives has passed HB 983, HB 2285; has passed as amended CS for HB 341, HB 985, HB 1857, HB 2205 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Upchurch and others—

HB 983—A bill to be entitled An act relating to the City of St. Augustine, St. Johns County; contracting the municipal boundaries to exclude certain property, providing that the area excluded from the City of St. Augustine shall no longer be subject to the laws and regulations in force in the City of St. Augustine, providing that the excluded property be subject to all laws, ordinances, and regulations in force in St. Johns County; providing that the area excluded may continue to receive municipal utilities; providing for apportionment of municipal debt, providing an effective date

Proof of publication of the required notice was attached

(Substituted for **SB 2994** on the Local Bill Calendar this day)

By Representative Casey—

HB 2285—A bill to be entitled An act relating to the sale of state property, authorizing the Board of Trustees of the Internal Improvement Trust Fund to sell certain state property and give the proceeds of the sale to the University of Florida, providing for use of the proceeds; providing an effective date

(Substituted for **CS for SB 598** on the Special Order Calendar this day)

By the Committee on Education and Representative Morse and others—

CS for HB 341—A bill to be entitled An act relating to education; amending s. 230.23, F.S., revising provisions relating to control of pupils; amending s. 232.26, F.S., requiring principals to consider certain recom-

mendations when referring a student for discipline; providing for student expulsion or assignment to a second chance school for false accusations against school personnel; amending s. 232.27, F.S., providing teacher authority to undertake actions in managing student behavior; providing teacher responsibility for control of students, amending s. 234.02, F.S.; establishing safety and health standards for transportation of public school students; amending s. 234.101, F.S.; prescribing qualifications for school bus drivers; providing school district duties, creating s. 232.271, F.S.; providing for a teacher's authority to remove disruptive students from the classroom, requiring certain teachers to complete professional development classes under certain circumstances, creating s. 232.272, F.S.; establishing a placement review committee; creating s. 232.273, F.S.; requiring adoption of standards for use of reasonable force; amending s. 232.28, F.S.; revising provisions relating to authority of school bus drivers to maintain order, providing school district duties, providing an effective date

(Substituted for **SB 682** on the Special Order Calendar this day.)

By Representative Upchurch and others—

HB 985—A bill to be entitled An act relating to the Cities of St. Augustine and St. Augustine Beach, St. Johns County, contracting the municipal boundaries of the City of St. Augustine to exclude that portion of the right-of-way of Pope Road lying within the City of St. Augustine; providing that the area excluded from the City of St. Augustine shall no longer be subject to the laws and regulations in force in the City of St. Augustine, annexing the right-of-way of Pope Road lying Eastwardly of State Road 3 and that portion of Anastasia State Recreation Area lying Southerly of the North right-of-way line of Pope Road as extended Eastwardly to the waters of the Atlantic Ocean into the City of St. Augustine Beach, providing that the annexed property be subject to all laws, ordinances, and regulations in force in St. Augustine Beach; providing that this act shall not affect the status of Pope Road as a county road; providing an effective date

Proof of publication of the required notice was attached.

(Substituted for **SB 2996** on the Local Bill Calendar this day)

By Representative Arnall and others—

HB 1857—A bill to be entitled An act relating to the Consolidated City of Jacksonville and the City of Atlantic Beach; excluding certain described areas, commonly known as "Johnson Island," the "Radio Station," "Dutton Island," and the "Marsh" from the territory of the Consolidated City of Jacksonville and annexing such areas to the City of Atlantic Beach; providing for referendums

Proof of publication of the required notice was attached.

(Substituted for **SB 2998** on the Local Bill Calendar this day)

By Representative Constantine and others—

HB 2205—A bill to be entitled An act relating to Orange County, providing for the issuance of special alcoholic beverage vendor licenses to entities located within an entertainment/resort complex located in Orange County and providing the conditions therefor, providing a definition; providing for fees, providing for applicability of other provisions of law; providing an effective date.

Proof of publication of the required notice was attached.

(Substituted for **SB 2918** on the Local Bill Calendar this day)

ROLL CALLS ON SENATE BILLS

SB 10

Yeas—37

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

Nays—None

SB 104

Yeas—33

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

Nays—None

CS for SB's 368 and 2580

Yeas—34

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

Nays—None

Vote after roll call

Yea—Gutman

CS for SB 454

Yeas—34

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

Nays—None

Vote after roll call

Yea—Dantzler

CS for SB 766

Yeas—37

Mr. President	Diaz-Balart	Jennings
Bankhead	Dyer	Johnson
Beard	Forman	Jones
Bronson	Grant	Kirkpatrick
Brown-Waite	Gutman	Kurth
Burt	Harden	Latvala
Casas	Hargrett	McKay
Childers	Harris	Meadows
Crist	Holzendorf	Myers
Dantzler	Jenne	Ostalkiewicz

Nays—None

Vote after roll call:

Yea—Dudley

SB 828

Yeas—34

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

Nays—None

SB 964

Yeas—37

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

Nays—None

SB 1190

Yeas—33

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

Nays—None

Vote after roll call.

Yea—Crist

CS for SB 1252

Yeas—35

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

Nays—1

Latvala

SB 2506

Yeas—35

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

Nays—None

SB 2606

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Childers, Dyer, Silver

CS for SB 2774

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Silver

ROLL CALLS ON HOUSE BILLS

CS for HB 341

Yeas—33

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

Nays—None

CS for HB 539

Yeas—38

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

Nays—None

HB 1119

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Hargrett

HB 2285

Yeas—35

Mr President	Beard	Brown-Waite	Casas
Bankhead	Bronson	Burt	Childers

Crist	Hargrett	Kirkpatrick	Rossin
Dantzler	Harris	Kurth	Sullivan
Dudley	Holzendorf	Latvala	Thomas
Dyer	Jenne	McKay	Weinstein
Forman	Jennings	Meadows	Wexler
Grant	Johnson	Myers	Williams
Harden	Jones	Ostalkiewicz	

Nays—None

CS for HB 2505

Yeas—30

Mr. President	Crist	Hargrett	Myers
Bankhead	Diaz-Balart	Harris	Ostalkiewicz
Beard	Dudley	Jennings	Rossin
Bronson	Dyer	Johnson	Sullivan
Brown-Waite	Forman	Kirkpatrick	Thomas
Burt	Grant	Kurth	Williams
Casas	Gutman	Latvala	
Childers	Harden	Meadows	

Nays—6

Dantzler	Jones	Weinstein	Wexler
Holzendorf	Silver		

ROLL CALLS ON LOCAL BILLS

The following roll call was taken on **HB 2205, SB 2944, SB 2946, SB 2958, HB 983, HB 985, HB 1857, SB 3006, SB 3008, SB 3010, SB 3012, SB 3014, SB 3016, SB 3018, SB 3050, SB 3020** and **SB 3096** which passed this day.

Yeas—34

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

Nays—None

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 18 was corrected and approved

CO-SPONSORS

Senator Ostalkiewicz—CS for SB 1842

RECESS

On motion by Senator Jennings, the Senate recessed at 11:55 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9.00 a.m., Tuesday, April 23