



# Journal of the Senate

Number 3—Regular Session

Friday, March 5, 1999

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## CALL TO ORDER

The Senate was called to order by President Jennings at 9:00 a.m. A quorum present—36:

Madam President	Cowin	Jones	Mitchell
Bronson	Dawson-White	Kirkpatrick	Myers
Brown-Waite	Diaz-Balart	Klein	Rossin
Burt	Dyer	Kurth	Saunders
Campbell	Forman	Latvala	Scott
Carlton	Geller	Laurent	Sebesta
Casas	Hargrett	Lee	Silver
Childers	Holzendorf	McKay	Sullivan
Clary	Horne	Meek	Webster

Excused: Senators Grant and Thomas

## PRAYER

The following prayer was offered by Dr. Robert McMillan, Pastor, Bradfordville Baptist Church, Tallahassee:

Almighty God, our Father, we pause at the outset of a busy day to acknowledge your greatness, power and glory, and to seek both your guidance and your wisdom in the deliberations of the day.

Grant us, our God, the wisdom, courage and conviction we need as we seek to lead our beloved state in paths that are beneficial for all our citizens.

We offer our prayers today, also, on behalf of the families of these your servants, especially during these days of separation. Keep them all in your care and preserve them from all ill. Amen.

## PLEDGE

Senate Pages Pamella Lynne Perry and Precious Williams of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Campbell, by two-thirds vote **SB 968** was withdrawn from the committees of reference and further consideration.

## MOTIONS

On motion by Senator Childers, a deadline of 5:00 p.m. Monday, March 8, was set for filing amendments to Bills on Third Reading to be considered Tuesday, March 9.

## BILLS ON THIRD READING

**CS for SB 314**—A bill to be entitled An act relating to elections; providing a short title; amending s. 106.011, F.S.; modifying definitions of the terms "political committee," "contribution," "expenditure," and "political advertisement"; amending s. 106.021, F.S.; placing restrictions on certain endorsements; amending s. 106.03, F.S.; providing additional requirements for registration of political committees and committees of continuous existence; amending s. 106.04, F.S.; requiring committees of continuous existence to update certain registration information; prohibiting committees of continuous existence from making certain expenditures; providing additional reporting requirements for campaign finance reports of certain committees of continuous existence; amending s. 106.07, F.S.; providing additional reporting requirements for campaign treasurer reports of certain political committees; amending s. 106.08, F.S.; revising the contribution limit for statewide candidates; revising the restrictions on contributions by a political party; limiting the amount of contributions to a political party; providing a penalty; reenacting ss. 106.04(2), 106.075(2), 106.087(1)(a), 106.19(1), 106.29(6), F.S.; conforming cross-references to incorporate changes made by the act; prohibiting campaign contributions for election to a federal office from being used for election to certain other offices; providing an effective date.

—as amended March 4 was read the third time by title.

Senator Geller moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (with title amendment)**—On page 26, between lines 6 and 7, insert:

Section 10. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 1, following the semicolon (;) insert: providing for severability;

On motion by Senator Latvala, **CS for SB 314** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

Madam President	Cowin	Kirkpatrick	Mitchell
Brown-Waite	Dawson-White	Klein	Myers
Burt	Dyer	Kurth	Rossin
Campbell	Forman	Latvala	Saunders
Carlton	Geller	Laurent	Sebesta
Casas	Hargrett	Lee	Silver
Childers	Holzendorf	McKay	Sullivan
Clary	Jones	Meek	

Nays—5

Bronson	Horne	Scott	Webster
Diaz-Balart			

On motion by Senator Webster, consideration of **CS for SB 194** was deferred.

## SPECIAL ORDER CALENDAR

On motion by Senator Dyer—

**SB 34**—A bill to be entitled An act relating to the West Volusia Hospital Authority; providing for the relief of Jose Alberto Cruz, Jr., a minor, and his parents and natural guardians, Nelida Cruz and Jose Alberto Cruz, Sr., for injuries and damages caused by the hospital's negligence; providing an effective date.

—was read the second time by title.

The Committee on Health, Aging and Long-Term Care recommended the following amendment which was moved by Senator Dyer and adopted:

**Amendment 1 (with title amendment)**—On page 2, line 16, after “purpose.” insert: After payment of statutory attorney fees, and costs, the balance shall be paid into the existing Special Needs Trust Fund established for Jose A. Cruz, Jr.

And the title is amended as follows:

On page 1, line 7, after the semicolon (;) insert: specifying use of the funds;

Pursuant to Rule 4.19, **SB 34** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Forman—

**SB 6**—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Ana Quintana-Marquez and Juan Marquez, her husband, for injuries and damages sustained as a result of a collision with a Metro-Dade police car; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 6** was placed on the calendar of Bills on Third Reading.

On motion by Senator Silver—

**SB 22**—A bill to be entitled An act relating to the relief of the children of Elionne Joseph; requiring Dade County to compensate her children for her death as a result of the negligence of the Dade Metro Police; providing an effective date.

—was read the second time by title.

The Committee on Comprehensive Planning, Local and Military Affairs recommended the following amendment which was moved by Senator Silver:

**Amendment 1 (with title amendment)**—On page 2, delete lines 8-17 and insert:

Section 2. Metropolitan Dade County is authorized and directed to appropriate the sum of \$1,300,000 from funds of the county not otherwise encumbered, to be paid to the Estate of Elionne Joseph as relief for the losses sustained by Ms. Joseph's surviving children.

Section 3. The financial officer of Metropolitan Dade County is directed to draw a warrant in favor of the Estate of Elionne Joseph in the sum of \$1,300,000.

And the title is amended as follows:

On page 1, line 26 through page 2, line 2, delete those lines and insert:

WHEREAS, prior to trial, the parties reached an agreement to settle the matter for the total amount of \$1,500,000, and

WHEREAS, on October 9, 1998, the parties entered into a stipulation of settlement, and

WHEREAS, on November 18, 1998, a consent judgment was entered approving the stipulation of settlement, and

WHEREAS, Metropolitan Dade County will pay the limit of \$200,000 under section 768.28, Florida Statutes, and

WHEREAS, Metropolitan Dade County has agreed to support a claim bill for the remaining amount of \$1,300,000, under the settlement agreement, NOW, THEREFORE,

The Committee on Fiscal Resource recommended the following substitute amendment which was moved by Senator Silver and adopted:

**Amendment 2 (with title amendment)**—On page 2, delete lines 8-17 and insert:

Section 2. Metropolitan Dade County is authorized and directed to appropriate the sum of \$1,300,000 from funds of the county not otherwise encumbered, to be paid to the guardianship of Elionne Joseph's three surviving children and the restricted depository as relief for the losses sustained.

Section 3. The financial officer of Metropolitan Dade County is directed to draw a warrant in the sum of \$1,300,000 in favor of the guardianship of Elionne Joseph's three surviving children and the restricted depository.

And the title is amended as follows:

On page 1, line 26 through page 2, line 2, delete those lines and insert:

WHEREAS, prior to trial, the parties reached an agreement to settle the matter for the total amount of \$1,500,000, and

WHEREAS, on October 9, 1998, the parties entered into a stipulation of settlement, and

WHEREAS, on November 18, 1998, a consent judgment was entered approving the stipulation of settlement, and

WHEREAS, Metropolitan Dade County will pay the limit of \$200,000 under section 768.28, Florida Statutes, and

WHEREAS, Metropolitan Dade County has agreed to support a claim bill for the remaining amount of \$1,300,000, under the settlement agreement, NOW, THEREFORE,

Pursuant to Rule 4.19, **SB 22** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Jones—

**SB 46**—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Martha Sosa; providing for an appropriation to compensate her for injuries and damages sustained as a result of the negligence of Metropolitan Dade County; providing an effective date.

—was read the second time by title.

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

**Amendment 1 (with title amendment)**—On page 2, delete lines 22 and 23 and insert: appropriated and to draw a warrant in the sum of \$900,000 payable to Martha Sosa for injuries

And the title is amended as follows:

On page 2, delete lines 8-14 and insert:

WHEREAS, after a reduction for the comparative negligence assigned to Ms. Sosa, the total recovery due her from Metropolitan Dade County was \$1,674,000, and

WHEREAS, after the jury verdict, the parties entered into mediation and settled the case for the total amount of \$1,000,000 on September 14, 1998, and

WHEREAS, Metropolitan Dade County has paid the limit of \$100,000 under section 768.28, Florida Statutes, and

WHEREAS, Metropolitan Dade County has agreed to support a claim bill for the remaining amount of \$900,000, under the settlement agreement, NOW, THEREFORE,

Senator Jones moved the following amendment which was adopted:

**Amendment 2 (with title amendment)**—On page 2, between lines 25 and 26, insert:

Section 3. The governmental entity responsible for payment of the warrant shall pay to the Florida Agency for Health Care Administration the amount due under section 409.910, Florida Statutes, prior to disbursing any funds to the claimant. The amount due to the agency shall be equal to all unreimbursed medical payments paid by Medicaid up to the date that this bill becomes a law.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 7, after the semicolon (;) insert: providing for reimbursement of all unreimbursed medical payments made by Medicaid up to the date that this bill becomes a law;

Pursuant to Rule 4.19, **SB 46** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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On motion by Senator Holzendorf—

**SB 14**—A bill to be entitled An act relating to the Department of Transportation; providing for the relief of Trey Anthony ALLS for injuries sustained as a result of departmental negligence; providing an effective date.

—was read the second time by title.

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

**Amendment 1 (with title amendment)**—On page 2, line 24 through page 3, line 2, delete those lines and insert: the credit of the Department of Transportation solely for use in Trey Alls' care. The department shall disburse the funds in accordance with the Stipulated Settlement Agreement and Release and Indemnification Agreement that was attached as exhibit A to the court order entered by Judge Michael R. Weatherby on August 5, 1998, in the case of Trey Anthony Alls, a Minor, by and through Joseph F. Duszlak, as guardian of the property of TREY ANTHONY ALLS, and HEATHER C. ALLS, individually, v. State of Florida, Department of Transportation.

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

And the title is amended as follows:

On page 1, line 5 through page 2, line 16, delete those lines and insert: result of an automobile accident; providing an effective date.

WHEREAS, on June 1, 1994, a vehicle on the Main Street Bridge in Jacksonville, Florida, crossed over into the opposite lane of traffic and struck a car in which 18-month-old Trey Alls was a passenger, and

WHEREAS, as a result of this accident, Trey has sustained severe traumatic brain injuries and profound cognitive impairment, has become profoundly developmentally disabled, nonambulatory, and unable to participate in any self care, and is permanently and totally disabled and will require attendant care for the remainder of his life, and

WHEREAS, a life-care plan has been prepared detailing Trey's future needs, the life-care plan has been costed out by an economist, and the present monetary value of Trey's economic losses has been set at an amount in excess of \$3 million, and

WHEREAS, suit was brought in the Circuit Court in and for Duval County, Florida, against the State of Florida, Department of Transportation, and

WHEREAS, the department desires to provide for the future care of Trey Alls for the remainder of his life, and

WHEREAS, the department and the representatives of Trey Alls have agreed to and entered into a stipulated settlement agreement, in order to resolve the claims of Trey Alls without the necessity of a jury trial, and

WHEREAS, pursuant to the stipulated settlement agreement, the parties have agreed to settle this case for the total sum of \$1,975,000, and

WHEREAS, the parties acknowledge and agree that \$200,000 is to be paid by the department pursuant to Florida's sovereign immunity statute, and

WHEREAS, the parties further acknowledge and agree that the remaining sum of \$1,775,000 is payable by the department pursuant to a legislative claim bill, NOW, THEREFORE,

Senator Holzendorf moved the following amendment which was adopted:

**Amendment 2 (with title amendment)**—On page 3, before line 1, insert:

Section 4. The governmental entity responsible for payment of the warrant shall pay to the Florida Agency for Health Care Administration the amount due under section 409.910, Florida Statutes, prior to disbursing any funds to the claimant. The amount due to the agency shall be equal to all unreimbursed medical payments paid by Medicaid up to the date that this bill becomes a law.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 5, after the semicolon (;) insert: providing for reimbursement of all unreimbursed medical payments made by Medicaid up to the date that this bill becomes a law;

Pursuant to Rule 4.19, **SB 14** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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On motion by Senator Laurent—

**SB 20**—A bill to be entitled An act relating to the Florida Department of Transportation; providing for the relief of Patricia D. Baker; providing for an appropriation to compensate her for injuries and damages sustained as a result of the negligence of the Florida Department of Transportation; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 3, delete lines 15-23 and insert: \$443,223.66 to a new category titled "Relief: Patricia D. Baker" as relief for injuries and damages sustained.

Section 3. The Comptroller is directed to draw his warrants in favor of Patricia D. Baker in the aggregate sum of \$443,223.66 upon funds in the Department of Transportation in the State Treasury, and the State Treasurer is directed to pay that amount out of those funds, as follows: The sum of \$263,223.66 is to be paid by July 1, 1999, which includes \$105,313.42 toward the unpaid amount of the final judgment in favor of Patricia D. Baker, plus \$21,574.39 in reasonable costs and fees and \$136,335.85 in reasonable attorney's fees; and an additional \$180,000 is to be paid in nine equal annual installments of \$20,000 apiece beginning July 1, 2000, and continuing through July 1, 2008.

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

Pursuant to Rule 4.19, **SB 20** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Campbell—

**SB 24**—A bill to be entitled An act relating to the City of Delray Beach; providing for the relief of the estate of Charlie Brown, Jr., for damages sustained as a result of the city's negligence in misplacing evidence relating to an accident that critically injured him; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 24** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rossin—

**SB 26**—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Robert Rosado for injuries sustained due to the negligence of the county; providing an effective date.

—was read the second time by title.

The Committee on Comprehensive Planning, Local and Military Affairs recommended the following amendment which was moved by Senator Rossin and failed:

**Amendment 1 (with title amendment)**—On page 2, line 15, delete "\$145,407" and insert: \$117,674

And the title is amended as follows:

On page 2, between lines 6 and 7, insert:

WHEREAS, Mr. Rosado has been compensated by a collateral source in the amount of \$27,732, and

Senator Rossin moved the following amendment which was adopted:

**Amendment 2 (with title amendment)**—On page 2, line 15, delete "\$145,407" and insert: \$111,560.13

And the title is amended as follows:

On page 2, delete line 4 and insert: entered a verdict, awarding \$225,297 to Mr. Rosado, and

WHEREAS, Mr. Rosado has been compensated by a collateral source in the amount of \$27,732, and

Pursuant to Rule 4.19, **SB 26** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Myers—

**SB 32**—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Jennifer Eubanks-Black, David Black, John Eubanks, and Ivy Dawn Eubanks, for injuries and damages sustained due to the negligence of the county; providing an effective date.

—was read the second time by title.

Senator Myers moved the following amendment which was adopted:

**Amendment 1 (with title amendment)**—On page 2, line 28 through page 3, line 2, delete those lines and insert:

Section 2. *Palm Beach County is authorized and directed to appropriate from funds of the county not otherwise appropriated and to draw a warrant in the sum of \$259,259.25 payable to Jennifer Eubanks-Black to compensate her for damages sustained as a result of the negligence of Palm Beach County.*

Section 3. *Palm Beach County is authorized and directed to appropriate from funds of the county not otherwise appropriated and to draw a warrant in the sum of \$43,209.88 payable to John Eubanks to compensate him for damages sustained as a result of the negligence of Palm Beach County.*

Section 4. *Palm Beach County is authorized and directed to appropriate from funds of the county not otherwise appropriated and to draw*

*a warrant in the sum of \$43,209.88 payable to Ivy Dawn Eubanks to compensate her for damages sustained as a result of the negligence of Palm Beach County.*

Section 5. *Palm Beach County is authorized and directed to appropriate from funds of the county not otherwise appropriated and to draw a warrant in the sum of \$4,320.99 payable to David Black to compensate him for damages sustained as a result of the negligence of Palm Beach County.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, between lines 20 and 21, insert:

WHEREAS, the \$350,000 settlement amount will be apportioned as follows: for Jennifer Eubanks-Black in the amount of \$259,259.25; for John Eubanks in the amount of \$43,209.88; for Ivy Dawn Eubanks in the amount of \$43,209.88; and for David Black in the amount of \$4,320.99, and

Pursuant to Rule 4.19, **SB 32** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**SB 48**—A bill to be entitled An act relating to the City of Clearwater; providing for the relief of Paul W. Gilfoyle, through his guardian Anne-Marie Cherokee Lindsey, for damages sustained in a collision with a police car driven by a city patrolman; providing an effective date.

—was read the second time by title.

The Committee on Fiscal Resource recommended the following amendment which was moved by Senator Sullivan:

**Amendment 1**—On page 1, line 13, delete "and driven by patrolman Alan Whitaker,"

On motion by Senator Sullivan, further consideration of **SB 48** with pending **Amendment 1** was deferred.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Friday, March 5, 1999: SB 34, SB 6, SB 22, SB 46, SB 14, SB 20, SB 24, SB 26, SB 32, SB 48, SB 40, SB 4, SB 8

Respectfully submitted,  
John McKay, Chairman

The Committee on Agriculture and Consumer Services recommends the following pass: SB 898 with 2 amendments

**The bill was referred to the Committee on Banking and Insurance under the original reference.**

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 668

**The bill was referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.**

The Committee on Children and Families recommends the following pass: SB 370

The Committee on Ethics and Elections recommends the following pass: SB 210 with 2 amendments

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

The Committee on Agriculture and Consumer Services recommends the following pass: SB 924 with 1 amendment

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 112, SB 240

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 976 with 1 amendment, SB 1022 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1004

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

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The Committee on Children and Families recommends the following pass: SB 928 with 2 amendments

The Committee on Ethics and Elections recommends the following pass: SJR 208 with 2 amendments

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

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The Committee on Ethics and Elections recommends the following pass: SB 866

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 64 with 1 amendment

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 1020 with 2 amendments

The Committee on Transportation recommends the following pass: SB 996

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

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The Committee on Agriculture and Consumer Services recommends the following not pass: SB 868

**The bill was laid on the table.**

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The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 214

The Committee on Criminal Justice recommends a committee substitute for the following: SB 292

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.**

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The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 940

The Committee on Criminal Justice recommends committee substitutes for the following: Senate Bills 54 and 902, SB 738

The Committee on Education recommends a committee substitute for the following: SB 698

The Committee on Natural Resources recommends a committee substitute for the following: SB 908

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

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 108

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

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The Committee on Education recommends a committee substitute for the following: SB 802

**The bill with committee substitute attached was referred to the Committee on Governmental Oversight and Productivity under the original reference.**

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The Committee on Health, Aging and Long-Term Care recommends a committee substitute for the following: SB 704

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

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The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: CS for SB 888

The Committee on Criminal Justice recommends committee substitutes for the following: SB 174, SB 744

The Committee on Judiciary recommends a committee substitute for the following: SB 264

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

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Criminal Justice and Senators Lee and Silver—

**CS for SB's 54 and 902**—A bill to be entitled An act relating to criminal law; creating s. 90.4051, F.S.; prohibiting consideration of evidence of a defendant's voluntary intoxication to determine the existence of a mental state that is an element of a crime; creating s. 775.0852, F.S.; requiring that an enhanced penalty be imposed if the victim of a felony is related by lineal consanguinity to the defendant or is the defendant's legal guardian; providing an effective date.

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By the Committee on Commerce and Economic Opportunities; and Senator McKay—

**CS for SB 108**—A bill to be entitled An act relating to unemployment compensation; amending s. 1, ch. 97-29, Laws of Florida; extending for an additional year a temporary reduction in certain contribution rates for specified employers; amending s. 443.101, F.S.; clarifying provisions relating to disqualification for benefits; amending s. 443.111, F.S.; extending for a specified period a temporary increase in the maximum weekly and yearly benefit amounts for unemployment compensation benefits; specifying benefit years; amending s. 443.231, F.S.; providing an extension for the Florida Training Investment Program; providing an effective date.

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By the Committee on Criminal Justice and Senator Grant—

**CS for SB 174**—A bill to be entitled An act relating to elections; providing a short title; providing a statement of legislative intent; amending s. 104.271, F.S.; expanding applicability of the prohibition against making false or malicious charges against, or false statements about, candidates; eliminating the requirement of actual malice in the prohibition against making false statements about candidates and providing for personal liability with respect thereto; clarifying and providing penalties; providing an effective date.

By the Committee on Commerce and Economic Opportunities; and Senator Silver—

**CS for SB 214**—A bill to be entitled An act relating to empowerment zones; creating s. 290.0491, F.S.; creating the “Florida Empowerment Zone Act”; defining terms; providing legislative intent; providing for administration by the Department of Community Affairs; providing an appropriation; providing requirements for eligibility; providing an effective date.

By the Committee on Judiciary—

**CS for SB 264**—A bill to be entitled An act relating to filing of records; amending s. 28.07, F.S.; authorizing filing of official records at branch offices of the clerk of the circuit court; amending s. 28.222, F.S.; providing for time of filing of official records and availability of Official Records register; providing an effective date.

By the Committee on Criminal Justice and Senator Bronson—

**CS for SB 292**—A bill to be entitled An act relating to county and municipal jails; amending s. 951.21, F.S.; providing that the gain-time awarded to county prisoners by the board of county commissioners is optional; deleting a provision requiring that the allowances awarded to county prisoners for meritorious conduct be awarded according to the policy of the Department of Corrections and limiting such awards; amending s. 951.23, F.S.; providing that it is a second-degree misdemeanor for a prisoner to knowingly and willfully refuse to obey certain rules governing prisoner conduct; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Kurth—

**CS for SB 386**—A bill to be entitled An act relating to grant proposals for community centers; authorizing the Department of Community Affairs to administer a grant program for funding the acquisition, renovation, or construction of community centers; authorizing counties, municipalities, and certain nonprofit corporations to apply for such grants; requiring that a grant recipient provide certain matching funds; providing for preference to be given to certain projects; providing requirements for grant recipients; providing for a review panel to review grant applications; providing for membership of the review panel and terms of office; requiring the review panel to annually recommend grant recipients to the Secretary of Community Affairs; providing that the department may not allocate a project grant unless the funds are appropriated by the Legislature; authorizing the Department of Community Affairs to adopt rules; providing an effective date.

By the Committee on Education and Senator Forman—

**CS for SB 698**—A bill to be entitled An act relating to public school curricula; amending s. 233.061, F.S.; including a secular character-development program in required public school instruction in the elementary schools; amending s. 233.0612, F.S.; deleting a provision encouraging school boards to institute such programs; providing an effective date.

By the Committee on Health, Aging and Long-Term Care; and Senators Forman and Grant—

**CS for SB 704**—A bill to be entitled An act relating to public records exemptions; creating s. 744.7081, F.S.; providing an exemption from public records requirements for certain records provided to or held by the Statewide Public Guardianship Office; providing for review and repeal; providing a statement of public necessity; providing an exemption from public records requirements for certain information obtained by the Statewide Public Guardianship Office or a court; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Criminal Justice and Senator Campbell—

**CS for SB 738**—A bill to be entitled An act relating to arrests; amending s. 901.02, F.S., relating to issuance of arrest warrants; providing that a warrant is issued at the time it is signed by the magistrate; providing that the court may issue a warrant for the defendant's arrest under specified circumstances when a complaint has been filed charging the commission of a misdemeanor only and the summons issued to the defendant is returned unserved; creating s. 901.36, F.S.; prohibiting a person who has been arrested or lawfully detained by a law enforcement officer from giving a false name or otherwise falsely identifying himself or herself to the law enforcement officer or county jail personnel; providing penalties; providing for an increased penalty if a person is adversely affected by the unlawful use of the person's name or other identification; permitting the adversely affected person to obtain court orders to correct public records under specified circumstances; authorizing issuance of such court orders by the sentencing court; providing for restitution orders; providing an effective date.

By the Committee on Criminal Justice and Senator Campbell—

**CS for SB 744**—A bill to be entitled An act relating to restitution; amending s. 775.089, F.S.; specifying retention of jurisdiction by courts to enforce restitution under certain circumstances; providing an effective date.

By the Committee on Education and Senator McKay—

**CS for SB 802**—A bill to be entitled An act relating to education; amending s. 231.40, F.S.; providing for payment into pretax annuities for accumulated sick leave to certain employees of district school systems; limiting the amount of pay certain employees of district school systems may receive for unused sick leave upon termination of employment; amending s. 231.481, F.S.; limiting the amount of pay certain employees of district school systems may earn for unused vacation leave upon termination of employment; amending s. 240.343, F.S.; providing for community college district boards of trustees to adopt rules allowing payment for unused sick leave into pretax annuities; limiting the amount of pay certain employees of community college districts may receive for unused sick leave upon termination of employment; providing an effective date.

By the Committees on Commerce and Economic Opportunities; Fiscal Resource; and Senator Horne—

**CS for CS for SB 888**—A bill to be entitled An act relating to tax administration; repealing s. 198.12, F.S., and amending ss. 198.13, 198.23, 198.26, 198.32, 198.33, 198.39, F.S.; discontinuing the use of unnecessary estate tax returns for small estates that owe no tax; amending s. 199.106, F.S.; granting a credit against the intangibles tax to natural persons for an identical tax paid in another state; creating s. 201.165, F.S.; granting a credit against the documentary stamp tax for an identical tax paid in another state; amending s. 212.02, F.S.; amending the definition of the term “retail sale” with respect to materials that are incorporated into repaired motor vehicles, airplanes, or boats; amending ss. 212.04, 212.12, F.S., and creating s. 213.757, F.S.; increasing the criminal penalties for willful violations of certain tax provisions; amending s. 212.08, F.S.; amending the exemption for electricity and steam used for manufacturing; revising provisions which specify application of tax to the sale of a motor vehicle in this state to a resident of another state; revising the time within which the purchaser must license the vehicle in his or her home state; providing construction regarding removal of the vehicle from this state; amending s. 212.11, F.S.; conforming a cross-reference; amending s. 213.27, F.S.; authorizing the Department of Revenue to enter into contracts with private vendors to develop an automated case-tracking system; amending s. 213.67, F.S.; authorizing the Department of Revenue to reduce the amount of an administrative garnishment which is subject to a freeze to the amount equal to the delinquent amount; amending ss. 220.151, 220.21, 220.221, 220.222, F.S.; authorizing the Department of Revenue to accept electronic or telephonic corporate income tax returns in lieu of written paper returns; creating s. 166.235, F.S.; providing procedures for purchasers to obtain

refund of or credit for public service taxes collected in error; providing transitional provisions; providing an effective date.

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By the Committee on Natural Resources and Senators Latvala, Laurent, Carlton, Saunders and Kirkpatrick—

**CS for SB 908**—A bill to be entitled An act relating to the Florida Forever Program; creating s. 259.202, F.S.; creating the Florida Forever Act; providing legislative findings; prohibiting the use of certain funds in the Conservation and Recreation Lands and Water Management Lands Trust Funds for land acquisition; providing for the proceeds of bond sales to be deposited into the Florida Forever Trust Fund; providing for the distribution and use of funds; providing project criteria for land acquisition under the Florida Forever Program; requiring increased priority for the acquisition of lands providing protection of certain threatened or endangered species; providing procedures for determining the priority of projects; restricting the use of funds from the Florida Forever Trust Fund by the Division of Forestry within the Department of Agriculture and Consumer Services; establishing procedures for the disposition of lands; authorizing alternate uses of acquired lands; providing a limitation on alternate uses; encouraging and requiring the use of alternatives to fee simple acquisition of lands; requiring increased priority for a project if matching funds are available; requiring increased priority if the project is priced below appraised value; creating s. 259.2021, F.S.; creating the Florida Forever Commission to approve the expenditure of certain funds; requiring the development of goals; requiring a report; amending s. 201.15, F.S.; authorizing the use of revenues for the debt service on bonds; revising the distribution of proceeds from the excise tax on documents; amending s. 253.027, F.S.; revising the criteria for expenditures for archaeological property to include lands on the acquisition list for the Florida Forever Program; amending s. 253.034, F.S., relating to uses of state-owned lands; authorizing additional uses of state lands under specified circumstances; conforming cross-references to changes made by the act; amending s. 259.032, F.S.; authorizing the Florida Forever Commission to allocate funds for land acquisition; emphasizing protection of endangered and threatened species; conforming a cross-reference; conforming provisions; requiring the adoption of a management plan within a specified period after the acquisition of a parcel under the Florida Forever Program; providing a restriction on funding for an agency with overdue management plans; providing a formula and funding source for funding management, maintenance, capital improvements, and payments in lieu of taxes; providing funds for the control of exotic species; providing funds for lake restoration from the State Game Trust Fund; specifying eligible lands; providing for the distribution of funds; revising the criteria and eligibility for payments in lieu of taxes; limiting the total consecutive years of such payments; providing for the deletion of certain property from an acquisition list; deleting obsolete provisions; amending s. 259.035, F.S.; revising procedures for the Land Acquisition and Management Advisory Council to propose projects to be funded from the Florida Forever Trust Fund; providing a cross-reference; amending s. 338.250, F.S.; providing for certain mitigation funds to be used in coordination with funds from the Florida Forever Trust Fund; amending s. 373.59, F.S.; requiring a report to the Florida Forever Commission; providing a process for releasing funds for water resource development and land acquisition projects; deleting provisions authorizing the use of specified funds for debt service on bonds issued pursuant to s. 373.584, F.S.; requiring payment of debt service before other uses of funds; providing due dates for required management plans; revising the criteria and eligibility for payments in lieu of taxes; requiring that payments be made in consecutive years; amending s. 380.503, F.S.; providing definitions; amending s. 380.504, F.S.; revising the membership of the Florida Communities Trust within the Department of Community Affairs; conforming outdated provisions; amending s. 380.507, F.S.; authorizing the development of rules; amending ss. 420.5092, 420.9073, F.S., relating to affordable housing programs; conforming cross-references to changes made by the act; repealing s. 373.584, F.S., relating to revenue bonds; providing that the repeal of s. 373.584, F.S., does not impair the validity of certain bonds outstanding on the effective date of the act; requiring reinstatement of payments in lieu of taxes in specified circumstances; providing an educational program; providing an effective date.

By the Committee on Criminal Justice and Senator Brown-Waite—

**CS for SB 932**—A bill to be entitled An act relating to Department of Corrections; amending s. 944.10, F.S.; limiting the services that may be provided by the department when it contracts with governmental entities for planning and designing buildings, parks, roads, and other projects; providing an effective date.

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By the Committee on Comprehensive Planning, Local and Military Affairs—

**CS for SB 940**—A bill to be entitled An act relating to eminent domain; creating s. 73.015, F.S.; requiring presuit negotiation before an action in eminent domain may be initiated under ch. 73, F.S., or ch. 74, F.S.; providing requirements for the condemning authority; requiring the condemning authority to give specified notices; requiring a written offer of purchase and appraisal and specifying the time period during which the owner may respond to the offer before a condemnation lawsuit may be filed; providing procedures; allowing a business owner to claim business damage within a specified time period; providing circumstances under which the court must strike a business-damage defense; providing procedures for business-damage claims; providing for non-binding mediation; requiring the condemning authority to pay reasonable costs and attorney's fees of a property owner; allowing the property owner to file a complaint in circuit court to recover attorney's fees and costs, if the parties cannot agree on the amount; providing that certain evidence is inadmissible in specified proceedings; amending s. 73.092, F.S.; deleting provisions relating to attorney's fees for business-damage claims; amending ss. 127.01, 166.401, F.S.; restricting the exercise by counties and municipalities of specified eminent domain powers granted to the Department of Transportation; repealing ss. 337.27(2), 337.271, 348.0008(2), 348.759(2), 348.957(2), F.S., relating to limiting the acquisition cost of lands and property acquired through eminent domain proceedings by the Department of Transportation, the Orlando-Orange County Expressway Authority, or the Seminole County Expressway Authority, or under the Florida Expressway Authority Act, and relating to the notice that the Department of Transportation must give to a fee owner at the inception of negotiations to acquire land; amending s. 479.15, F.S.; preempting certain county and municipal regulation of outdoor advertising signs located adjacent to the state highway system; providing an effective date.

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By the Committee on Criminal Justice and Senator Brown-Waite—

**CS for SB 1468**—A bill to be entitled An act relating to statewide drug control; providing definitions; providing legislative intent and findings with respect to the need to address the problem of substance abuse in this state and the development of a state drug-control strategy; creating the Office of Drug Control within the Executive Office of the Governor; providing for the office to be headed by a director appointed by the Governor, subject to Senate confirmation; providing purpose and duties of the Office of Drug Control; requiring the director of the Office of Drug Control to report annually to the Governor and Legislature; creating the Statewide Drug Policy Advisory Council within the Executive Office of the Governor; providing for membership of the advisory council; providing for terms of office; providing for payment of per diem and travel expenses; providing duties of the advisory council; requiring that the advisory council make recommendations to the Governor and Legislature for developing and implementing a state drug-control strategy; requiring that the advisory council make recommendations for funding programs and services; providing other duties of the advisory council; authorizing the chairperson of the advisory council to appoint workgroups; requiring an annual report; amending s. 397.821, F.S., relating to juvenile substance abuse impairment prevention and early intervention councils; conforming provisions to changes made by the act; repealing ss. 397.801(1), 397.811(2), F.S., relating to the Statewide Coordinator for Substance Abuse Impairment Prevention and Treatment; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

GUBERNATORIAL 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:

Table with 3 columns: Office and Appointment, Appointee, For Term Ending. Includes Greater Orlando Aviation Authority, Education Practices Commission, Education Standards Commission, Board of Funeral Directors and Embalmers, Florida Transportation Commission.

[Referred to the Committee on Gubernatorial Appointments and Confirmations.]

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed HB 1037, HB 1041, HB 1043, HB 1045, HB 1047, HB 1049, HB 1051, HB 1053, HB 1055, HB 1057; has passed as amended HB 1039 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Rules and Calendar; and Representative Arnall—

HB 1037—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 11.149, 11.242, 11.46, 15.182, 20.19, 20.22, 20.23, 20.315, 20.316, 27.0055, 27.365, 27.702, 28.101, 34.201, 39.01, 39.0132, 39.3031, 39.503, 39.821, 49.011, 50.011, 50.031, 50.051, 63.0427, 63.162, 72.011, 90.4025, 90.953, 92.53, 97.1031, 101.62, 101.65, 104.047, 106.082, 110.112, 110.123, 112.19, 112.191, 112.215, 112.3135, 112.3143, 112.352, 112.361, 120.57, 120.595, 120.81, 121.011, 121.021, 121.046, 121.051, 121.091, 121.125, 121.40, 122.03, 125.0104, 154.503, 161.36, 163.01, 163.03, 163.360, 166.231, 175.021, 175.071, 185.06, 186.001, 186.003, 186.006, 186.505, 199.023, 206.97, 206.9915, 212.06, 212.08, 212.12, 212.20, 213.05, 213.053, 215.32, 215.58, 215.96, 216.0315, 216.136, 216.181, 216.236, 216.237, 216.346, 218.21, 218.65, 220.02, 228.053, 228.055, 228.0565, 229.593, 230.2305, 231.261, 232.246, 233.17, 235.05, 235.2197, 235.435, 236.08107, 236.1228, and 236.685, Florida Statutes; reenacting and amending s. 117.05(5), Florida Statutes; and reenacting ss. 90.503(1), 112.313(9), 197.222(1), and 206.59(4), Florida Statutes, pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally

omitted from republication in the acts of the Legislature during the amendatory process.

—was referred to the Committee on Rules and Calendar.

By the Committee on Rules and Calendar; and Representative Arnall—

HB 1041—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 403.086, 403.0872, 403.08851, 403.703, 403.705, 403.706, 403.708, 403.715, 403.718, 403.7199, 403.726, 403.788, 403.9415, 404.056, 408.05, 408.061, 408.062, 408.08, 408.7042, 408.904, 409.145, 409.1685, 409.1757, 409.2355, 409.2564, 409.2576, 409.821, 409.905, 409.908, 409.910, 409.9116, 409.912, 411.202, 411.222, 411.232, 411.242, 414.065, 414.105, 415.102, 415.1055, 415.107, 419.001, 420.0004, 420.507, 420.525, 420.9072, 421.10, 421.33, 430.502, 435.03, 435.04, 440.02, 440.021, 440.14, 440.15, 440.185, 440.25, 440.38, 440.385, 440.49, 440.51, 442.20, 443.036, 443.041, 443.111, 443.141, 443.151, 443.171, 443.191, 446.22, 446.25, 455.01, 455.5651, 455.5653, 455.5654, 455.607, 455.621, 455.667, 458.311, 458.320, 459.0085, 459.018, 462.14, 466.014, 468.1655, 468.1695, 468.307, 468.505, 468.605, 469.005, 471.045, 473.302, 479.01, 481.222, 483.23, 483.825, 487.048, 489.103, 489.1136, 489.131, 489.133, 489.140, 489.141, 489.519, 489.531, 494.00421, 497.255, 500.03, 501.022, 501.0575, 501.608, 509.032, 509.302, 514.031, 517.021, 517.12, 550.1625, 550.2625, 550.375, 553.06, 553.141, 553.503, 553.506, 553.512, 553.73, 553.74, 559.807, 560.129, 561.1105, 561.20, 578.28, 585.74, 585.91, 589.101, 590.11, 593.111, 601.04, 601.155, 608.402, and 616.242, Florida Statutes; and reenacting ss. 415.1102, 440.191(1), and 483.811(6), Florida Statutes, pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

—was referred to the Committee on Rules and Calendar.

By the Committee on Rules and Calendar; and Representative Arnall—

HB 1043—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 618.08, 620.78, 620.782, 620.783, 620.7851, 620.786, 620.788, 620.7885, 620.7887, 624.01, 624.123, 624.408, 624.439, 624.461, 624.502, 624.5092, 624.610, 625.52, 626.041, 626.101, 626.9541, 626.9543, 626.973, 627.0612, 627.162, 627.4147, 627.5515, 627.6617, 627.6699, 627.7295, 627.733, 627.848, 627.912, 627.9407, 628.461, 628.4615, 628.6013, 628.6016, 628.6017, 628.721, 629.401, 631.0515, 631.112, 631.57, 631.914, 633.161, 633.72, 641.2018, 641.20185, 641.30, 641.31071, 641.459, 641.495, 641.51, 641.512, 641.515, 658.2953, 658.90, 660.29, 663.16, 671.105, 678.1021, 678.5031, 694.14, 697.05, 704.05, 713.01, 713.32, 718.103, 718.111, 719.106, 719.618, 721.84, 723.085, 734.1025, 741.01, 742.107, 743.0645, 743.065, 744.641, 744.704, 765.113, 766.1115, 766.207, 766.304, 766.316, 772.102, 773.02, 773.05, 775.0877, 784.07, 784.075, 790.0655, 794.024, 810.14, 812.014, 828.27, 901.15, 914.16, 914.17, 918.16, 921.0022, 921.0024, 922.095, 943.0435, 943.0585, 943.059, 943.14, 944.10, 944.606, 944.801, 948.01, 948.03, 948.08, 957.04, 960.003, 984.03, 984.226, 985.04, 985.203, 985.227, 985.231, 985.304, 985.31, 985.3141, 985.317, 985.401, 985.404, 985.41, 985.413, and 985.414, Florida Statutes; reenacting and amending ss. 641.3007 and 985.23, Florida Statutes; and reenacting ss. 624.610(3), 626.321(1), 626.730, 626.939, 743.07, 794.011, 831.31, 907.041(4), 925.037(5), 984.03(41), and 985.311(3), Florida Statutes, pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally



omitted from republication in the acts of the Legislature during the amendatory process.

—was referred to the Committee on Rules and Calendar.

By the Committee on Rules and Calendar; and Representative Arnall—

**HB 1045**—A reviser’s bill to be entitled An act relating to the Florida Statutes; repealing ss. 11.42(3)(b)2., 88.011, 88.012, 88.021, 88.031, 88.0405, 88.041, 88.051, 88.0515, 88.061, 88.065, 88.081, 88.091, 88.101, 88.105, 88.111, 88.121, 88.131, 88.141, 88.151, 88.161, 88.171, 88.181, 88.191, 88.193, 88.211, 88.221, 88.231, 88.235, 88.241, 88.251, 88.255, 88.261, 88.271, 88.281, 88.291, 88.295, 88.297, 88.311, 88.321, 88.331, 88.341, 88.345, 88.351, 88.371, 201.131, 212.055(6), 231.1713, 231.601, 240.1201(10)(j), 240.605(5)(c), 253.025(7)(e)4., 259.032(12)(b)3., 287.057(22), 287.073(5), 290.0065(8), 290.0301, 290.0311, 290.032, 290.033, 290.034, 290.035, 290.036, 290.0365, 290.037, 290.038, 290.039, 290.0395, 327.25(13), 372.672(4), 375.041(3)(b), 376.319, 402.3015(10), 403.7195, 487.201, 487.202, 487.203, 487.204, 487.205, 487.206, 487.207, 550.09511(5), 616.261(2), 620.56, 620.565, 620.57, 620.575, 620.58, 620.585, 620.59, 620.595, 620.60, 620.605, 620.61, 620.615, 620.62, 620.625, 620.63, 620.635, 620.64, 620.645, 620.65, 620.655, 620.66, 620.665, 620.67, 620.675, 620.68, 620.685, 620.69, 620.695, 620.70, 620.705, 620.71, 620.715, 620.72, 620.725, 620.73, 620.735, 620.74, 620.745, 620.75, 620.755, 620.76, 620.765, 620.77, 627.09155, and 957.04(8), Florida Statutes, pursuant to s. 11.242, Florida Statutes; all of which provisions have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the Florida Statutes 1999 only through a reviser’s bill duly enacted by the Legislature.

—was referred to the Committee on Rules and Calendar.

By the Committee on Rules and Calendar; and Representative Arnall—

**HB 1047**—A reviser’s bill to be entitled An act relating to the Florida Statutes; repealing ss. 61.181(2)(b)3., 95.11(5)(c), 186.007(5)(c), 206.045(1) and (2), 213.053(7)(k), 230.2306(1)(c), 232.246(6)(c), 239.505(12), 253.7821(2), 255.554, 288.90152, 290.009(4), 316.0747(2), 318.1451(5), 320.073, 322.292(5), 325.217(3), 327.25(12)(d), 339.2405(7)(a)6., 344.29, 369.313(3), 372.025(2)(b) and (d), 373.1965, 373.197(3), 374.976(4), 374.9785, 376.30711(7), 380.05(22)(b), 381.0056(7)(a), 381.0403(5)(b), 381.731(3), 393.002(8), 393.21, 400.702, 402.3026(3), 402.45(11), 403.08735(2), 403.4131(10), 403.7043(5), 403.7061(5), 403.714(2), 403.7191(3)(a), (b), (4)(c), and (8), 403.7192(2)(c), 403.7199(6), 403.722(5)(c) and (d), 409.1673(4)(b), 409.1674, 409.9125, 410.0245(1)(c), 411.222(3)(b), 413.605(5), 414.065(11)(b), 427.705(9), 440.151(1)(e), 446.045(3), 466.004(7), 467.209, 468.354(3)(b), 484.045(3), 509.215(6)(c), 550.09514(2)(e), 560.118(2)(c), 560.122, 590.026(6)(a), 593.114(3), 626.8414(2), 627.311(4)(q), 627.914(6), 636.005(4), 636.013, 636.014, 636.066(2), 678.101, 713.135(2), 721.301(2), 741.31(6), 753.003, 760.85, 760.851, 760.852, 760.853, 796.02, and 985.06(5), Florida Statutes, pursuant to s. 11.242, Florida Statutes; deleting provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded.

—was referred to the Committee on Rules and Calendar.

By the Committee on Rules and Calendar; and Representative Arnall—

**HB 1049**—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 40.011, 45.031, 50.051, 75.11, 83.56, 98.095, 99.021, 101.051, 101.111, 101.47, 101.49, 102.167, 105.031, 106.087, 125.411, 157.31, 196.111, 200.065, 236.32, 255.05, 298.301, 298.77, 372.312, 538.08, 538.24, 568.13, 591.29, 695.031, 709.08, 713.20, 713.22, 713.23, 718.116, 727.111, 765.303, 812.014, 849.38, 921.241, 921.242, and 932.66, Florida Statutes, to revise references to dates reading “19...”

in forms in the Florida Statutes in anticipation of the approaching millennium.

—was referred to the Committee on Rules and Calendar.

By the Committee on Rules and Calendar; and Representative Arnall—

**HB 1051**—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 20.19, 20.22, 121.021, 121.055, 121.091, 121.35, 210.31, 212.02, 228.0565, 230.23005, 298.301, 322.056, 325.2135, 373.71, 403.0752, 440.442, 447.603, 455.217, 455.507, 455.511, 455.541, 455.561, 455.621, 455.631, 455.687, 481.329, 489.1195, 489.518, 489.553, 493.6305, 501.925, 517.021, 608.4381, 608.4384, 620.202, 620.205, 624.425, 626.321, 626.7355, 626.741, 626.792, 626.9325, 627.70161, 628.721, 631.929, 634.312, 651.114, 667.006, 686.602, 686.604, 686.605, 686.606, 686.611, 686.613, 721.84, 916.303, 921.0024, and 985.03, Florida Statutes, to conform to the directive in s. 1, ch. 93-199, Laws of Florida, to remove gender-specific references applicable to human beings from the Florida Statutes without substantive change in legal effect.

—was referred to the Committee on Rules and Calendar.

By the Committee on Rules and Calendar; and Representative Arnall—

**HB 1053**—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 11.50, 40.022, 61.13, 61.20, 90.503, 90.6063, 98.093, 110.205, 112.061, 120.80, 125.0109, 125.901, 154.205, 154.245, 166.0445, 186.901, 189.415, 194.013, 196.1975, 205.1965, 215.3208, 216.0172, 216.136, 218.65, 222.21, 228.093, 228.121, 229.8075, 229.832, 230.2305, 230.33, 231.02, 231.381, 232.0315, 232.2481, 232.36, 236.145, 236.602, 238.01, 239.301, 240.5121, 240.514, 240.705, 245.08, 252.35, 252.355, 252.36, 255.565, 284.40, 287.057, 287.155, 288.9620, 288.975, 290.009, 314.05, 316.613, 316.6135, 318.14, 321.19, 322.055, 322.20, 364.510, 370.0605, 370.16, 372.57, 372.6672, 373.309, 376.30, 376.3071, 377.712, 380.05, 380.0555, 381.731, 381.733, 383.0113, 383.335, 383.336, 390.0112, 393.002, 393.063, 393.064, 393.065, 393.066, 393.067, 393.0673, 393.0675, 393.071, 393.075, 393.11, 393.13, 393.15, 393.31, 393.32, 393.502, 393.503, 394.453, 394.457, 394.4615, 394.4781, 394.480, 394.66, 395.002, 395.1027, 395.1055, 395.1065, 395.4025, 397.311, 397.753, 397.754, 397.801, 400.0061, 400.0065, 400.0067, 400.0069, 400.0075, 400.0089, 400.021, 400.022, 400.179, 400.211, 400.23, 400.401, 400.431, 400.434, 400.4415, 400.462, 400.471, 400.914, 402.04, 402.06, 402.07, 402.12, 402.16, 402.165, 402.166, 402.167, 402.17, 402.18, 402.181, 402.19, 402.20, 402.24, 402.27, 402.28, 402.3015, 402.3026, 402.3115, 402.33, 402.35, 402.40, 402.45, 402.49, 402.50, 402.55, 403.061, 403.081, 403.085, 403.086, 403.088, 403.703, 403.7841, 403.786, 403.813, 403.851, 403.852, 403.855, 403.856, 403.858, 403.859, 403.861, 403.862, 403.8635, 403.864, 406.02, 408.033, 408.05, 408.061, 408.20, 408.301, 408.302, 409.166, 409.352, 409.901, 409.910, 409.911, 409.9112, 409.91151, 409.912, 409.914, 409.915, 409.916, 409.919, 409.942, 410.0245, 410.502, 411.224, 411.242, 411.243, 413.031, 415.104, 415.1113, 420.621, 421.10, 427.012, 430.015, 430.04, 435.02, 435.05, 435.08, 440.151, 442.005, 443.036, 446.205, 446.23, 446.25, 446.603, 446.604, 450.191, 450.211, 455.674, 458.3165, 458.331, 459.015, 461.013, 466.023, 467.009, 467.0125, 468.1685, 470.021, 470.025, 470.0301, 487.0615, 489.503, 489.551, 499.003, 499.004, 499.02, 499.022, 499.039, 499.051, 499.601, 499.61, 500.12, 501.001, 509.013, 509.032, 509.251, 509.291, 513.01, 561.121, 561.17, 561.19, 561.29, 570.42, 576.045, 585.15, 585.21, 624.424, 627.429, 627.6418, 627.6613, 627.736, 636.052, 641.22, 641.23, 641.261, 641.3007, 641.405, 641.406, 641.411, 641.412, 641.443, 641.454, 641.455, 651.021, 651.117, 713.77, 741.01, 741.29, 741.32, 742.08, 742.107, 744.474, 765.110, 766.105, 766.1115, 766.305, 766.314, 768.28, 768.76, 775.0877, 775.16, 784.081, 790.157, 790.256, 796.08, 817.505, 873.01, 877.111, 893.02, 893.04, 893.11, 893.12, 893.15, 893.165, 895.09, 938.23, 944.012, 944.024, 944.17, 944.602, 944.706, 945.025, 945.10, 945.12, 945.35, 945.41, 945.47, 945.49, 947.13, 947.146, 947.185, 948.01, 949.02, 951.27, 958.12, and 960.003, Florida Statutes, pursuant to the directive of the Legislature in s. 1, ch. 98-224, Laws of Florida, to make specific changes in terminology to conform the Florida Statutes to the name change of the Department of Health and Rehabilitative Services

and the divestiture of programs of the former department to other departments or agencies and to make further changes as necessary to conform the Florida Statutes to the organizational changes effected by previous acts of the Legislature.

—was referred to the Committee on Rules and Calendar.

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By the Committee on Rules and Calendar; and Representative Arnall—

**HB 1055**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 121.021, 121.051, 121.052, 121.053, 121.055, 121.091, and 121.122, Florida Statutes, pursuant to the directive in s. 17, ch. 98-413, Laws of Florida, to change "Elected State and County Officers' Class" to "Elected Officers' Class" wherever the same appears in chapter 121.

—was referred to the Committee on Rules and Calendar.

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By the Committee on Rules and Calendar; and Representative Arnall—

**HB 1057**—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes; adopting the Florida Statutes 1999 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 1999 shall be effective immediately upon publication; providing that general laws enacted during the 1997 regular session and prior thereto and not included in the Florida Statutes 1999 are repealed; providing that general laws enacted during the November 1997 special session, the 1998 regular session, and the 1999 regular session are not repealed by this adoption act.

—was referred to the Committee on Rules and Calendar.

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By the Committee on Rules and Calendar; and Representative Arnall—

**HB 1039**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 238.06, 240.1161, 240.1201, 240.147, 240.156, 240.20941, 240.2605, 240.275, 240.283, 240.285, 240.311, 240.319, 240.3195, 240.324, 240.331, 240.3315, 240.383, 240.4063, 240.408, 240.414, 240.4145, 240.498, 240.514, 240.551, 240.6054, 240.632, 242.3305, 246.041, 250.46, 252.939, 253.025, 255.05, 259.032, 259.101, 260.016, 270.10, 280.09, 280.11, 281.05, 281.06, 281.07, 281.08, 282.003, 282.005, 282.101, 282.20, 282.22, 282.3031, 282.3041, 282.310, 284.31, 287.059, 287.0595, 287.064, 287.09431, 287.133, 287.151, 287.16, 288.039, 288.041, 288.052, 288.1066, 288.108, 288.1169, 288.1185, 288.770, 288.776, 288.853, 288.905, 288.9512, 288.9605, 288.9607, 288.9620, 290.0058, 290.0065, 290.009, 295.07, 295.085, 295.09, 295.14,

296.33, 298.225, 316.003, 316.072, 316.0747, 316.1955, 316.2126, 316.2399, 316.302, 318.13, 318.14, 318.21, 319.33, 320.03, 320.055, 320.08056, 320.08058, 320.0848, 320.1325, 322.12, 322.121, 322.292, 322.34, 322.57, 323.001, 325.202, 325.212, 327.25, 327.28, 331.303, 331.305, 331.308, 334.03, 336.01, 337.023, 337.407, 338.22, 338.221, 338.222, 338.223, 338.225, 338.227, 338.228, 338.229, 338.231, 338.232, 338.239, 339.0805, 339.135, 341.321, 348.0005, 348.242, 349.21, 350.031, 350.0605, 354.01, 364.509, 366.072, 368.061, 370.06, 370.0605, 370.063, 370.0821, 370.12, 370.14, 370.142, 370.1535, 370.154, 372.023, 372.561, 372.57, 372.573, 372.661, 373.036, 373.0691, 373.213, 373.246, 373.414, 373.421, 373.4592, 373.59, 373.591, 374.976, 374.983, 375.041, 376.3071, 376.3072, 376.3078, 376.30781, 376.82, 378.901, 380.0555, 380.20, 380.205, 380.22, 381.0014, 381.0035, 381.004, 381.0065, 381.0068, 381.0203, 381.732, 381.733, 382.003, 382.356, 388.4111, 388.46, 390.0111, 390.0112, 393.063, 393.067, 394.4787, 395.002, 395.605, 400.0067, 400.051, 400.063, 400.417, 400.4174, 400.4256, 400.426, 400.427, 400.447, 400.471, 400.6085, 400.618, 400.6196, 402.161, 402.3055, 402.3057, 402.308, and 402.3115, Florida Statutes; reenacting and amending ss. 341.051(5) and 397.405, Florida Statutes; and reenacting ss. 240.2011, 266.0016, 295.11(2), 320.0848(9) and (10), 320.20(2), 328.17(1), 351.03, 351.034, 351.35, 351.36, 351.37, 354.01, 354.02, 354.03, 354.04, 354.05, 354.07, 361.025, 373.197(2), (3), 376.30711(2)(b), (c), and 377.703(3)(b), (c), (d), (e), (h), (i), (j), (k), (l), and (m), Florida Statutes, pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

—was referred to the Committee on Rules and Calendar.

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 4 was corrected and approved.

## Session Interrupted by Capitol Building Evacuation

During the consideration of **SB 48**, an electrical power failure and mandatory evacuation of the Capitol occurred and the Senate was unable to complete its business for the day. Before the Chamber was evacuated, the President accepted the motions necessary to recess the Senate for the day and to reconvene on Tuesday, March 9.

## RECESS

On motion by Senator Childers, the Senate recessed at 10:56 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Tuesday, March 9.