



Journal of the Senate

Number 6—Regular Session

Thursday, March 11, 1999

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CALL TO ORDER

The Senate was called to order by President Jennings at 1:30 p.m. A quorum present—38:

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

Excused: Senator Grant until 2:40 p.m.

PRAYER

The following prayer was offered by Dr. David Horton, Senior Pastor, Trinity United Methodist Church, Tallahassee:

Gracious God, we pause before beginning the work of this session to express our gratitude for the bounty of your many gifts to us. We are grateful for the material blessings of this broad land. In our spacious state, from the piney woods of North Florida to the coral reefs of the Keys, we celebrate our blessings of a rich diversity that include pastures, groves and prosperous cities and towns—all of this surrounded by a magnificent coast with sandy beaches and lush mangroves. Help us always to be mindful of the fragile nature of all of this and guide us to be good caretakers of our marvelous heritage.

We give thanks, too, for our spiritual heritage of faith and character. We think of those in the life of Florida's history whom we honor because they stood for noble principles in the face of opposition and criticism. May their witness not be lost upon us. For those who have taken the high road, we give thanks.

You, O God, are the source of all wisdom and truth, and we turn to you that you may direct us to wise solutions for difficult problems. Guide, bless and encourage all those in state government as they seek to protect and enrich the lives of the people of Florida. In your holy name, we pray. Amen.

PLEDGE

Senate Pages Katrina Rogers of Jacksonville and Douglas Thornton of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Silver—

By Senator Silver—

SR 2332—A resolution recognizing the dedication of the Dr. Michael M. Krop Senior High School in northeast Miami-Dade County on March 12, 1999.

WHEREAS, construction of the Dr. Michael M. Krop Senior High School began in February of 1997, and the dedication of this state-of-the-art facility will take place on March 12, 1999, and

WHEREAS, the Dr. Michael M. Krop Senior High School, located at 1410 Countyline Road, contains 290,000 square feet of classrooms and offices, as well as an auditorium and sports complex, and will serve approximately 1,300 students in grades 9 and 10, and

WHEREAS, the mission of the Dr. Michael M. Krop Senior High School is to develop a learning community committed to rigorous coursework and high academic standards and to prepare students for multiple career options, with an emphasis on lifelong learning. NOW, THEREFORE,

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

That the Florida Senate recognizes the Dr. Michael M. Krop Senior High School on the occasion of the school's dedication celebration and commends the school for its high standards and contributions to the young people of this state.

—**SR 2332** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Geller, by two-thirds vote **SB 78** and **SB 1304** were withdrawn from the committees of reference and further consideration.

On motion by Senator Forman, by two-thirds vote **SB 720** was withdrawn from the committee of reference and further consideration.

On motion by Senator Saunders, by two-thirds vote **SB 1486** was withdrawn from the committee of reference and further consideration.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Casas, the rules were waived and the meeting of the Committee on Fiscal Policy scheduled for March 12 from 9:00 a.m. until 12:00 noon was cancelled.

MOTIONS

On motion by Senator McKay, a deadline of 5:00 p.m. Monday, March 15, was set for filing amendments to Bills on Third Reading to be considered Tuesday, March 16.

BILLS ON THIRD READING

CS for CS for HB 113—An act to be entitled An act relating to punishment of felons; amending s. 775.087, F.S., relating to felony reclassification and minimum sentence and other penalties for offenders who committed aggravated battery or committed certain acts involving a weapon, firearm, or destructive device during the commission of a felony; conforming terminology to changes made by the act; increasing from 3 to 10 years the minimum prison term for certain felonies or attempted felonies under specified circumstances when the offender possessed a firearm or destructive device during the commission of the offense or flight therefrom; providing exceptions; revising the category of such offenses to include murder, sexual battery, robbery, burglary, arson, aggravated assault or aggravated battery, kidnapping, escape, aircraft piracy, aggravated child abuse, aggravated abuse of an elderly person or disabled adult, unlawful throwing, placing, or discharging of a destructive device or bomb, carjacking, home-invasion robbery, aggravated stalking, and trafficking in cannabis, trafficking in cocaine, capital importation of cocaine, trafficking in illegal drugs, capital importation of illegal drugs, trafficking in phencyclidine, capital importation of phencyclidine, trafficking in methaqualone, capital importation of methaqualone, trafficking in amphetamine, capital importation of amphetamine, trafficking in flunitrazepam, or other specified violation of s. 893.135(1), F.S.; providing for imposition of a 20-year minimum term of imprisonment when, in addition to such circumstances, the firearm or destructive device was discharged while the person was carrying, displaying, using, or threatening or attempting to use the firearm or destructive device; providing for imposition of a minimum term of imprisonment of not less than 25 years and not more than a term of imprisonment of life in prison when, in further addition to such circumstances, the discharging of the firearm or destructive device resulted in infliction of death or great bodily harm upon any person; providing for construction; providing legislative intent with respect to punishment of offenders who possess, carry, display, use, or threaten or attempt to use firearms or destructive devices; providing imposition of the minimum term of imprisonment consecutive to any other term of imprisonment imposed; providing that the minimum term of imprisonment imposed is authorized by law regardless of the maximum sentence that may be imposed for the underlying felony; increasing from 8 to 15 years the minimum prison term for certain felonies or attempted felonies under specified circumstances when, during the commission of the offense, the offender possessed a semiautomatic firearm and its high-capacity detachable box magazine or a machine gun; providing for the category of such offenses to include murder, sexual battery, robbery, burglary, arson, aggravated assault, aggravated battery, kidnapping, escape, aircraft piracy, aggravated child abuse, aggravated abuse of an elderly person or disabled adult, unlawful throwing, placing, or discharging of a destructive device or bomb, carjacking, home-invasion robbery, aggravated stalking, and trafficking in cannabis, trafficking in cocaine, capital importation of cocaine, trafficking in illegal drugs, capital importation of illegal drugs, trafficking in phencyclidine, capital importation of phencyclidine, trafficking in methaqualone, capital importation of methaqualone, trafficking in amphetamine, capital importation of amphetamine, trafficking in flunitrazepam, or other specified violation of s. 893.135(1); providing for imposition of a 20-year minimum term of imprisonment when, in addition to such circumstances, the semiautomatic firearm and its high-capacity detachable box magazine or a machine gun was discharged while the person was carrying, displaying, using, or threatening or attempting to use the semiautomatic firearm and its high-capacity detachable box magazine or a machine gun; providing for imposition of a minimum term of imprisonment of not less than 25 years and not more than a term of imprisonment of life in prison when, in further addition to such circumstances, the discharging of the semiautomatic firearm and its high-capacity detachable box magazine or a machine gun resulted in infliction of death or great bodily harm upon any person; providing for construction; providing legislative intent with respect to punishment of offenders who possess, carry, display, use, or threaten or attempt to use a semiautomatic firearm and its high-capacity detachable box magazine or a machine gun; providing for imposition of the minimum term of imprisonment consecutive to any other term of imprisonment imposed; providing that the minimum term of imprisonment imposed is authorized by law regardless of the maximum sentence that may be imposed for the underlying felony; providing for legislative policy and intent; providing for a report; requiring the state attorney to explain mandatory sentence deviations in writing; requiring state attorneys to submit such writings to its association where it must remain available to the public for at least 10 years; reenacting s. 921.0022(2), F.S., relating to the Criminal Punishment Code offense severity ranking chart, s.

921.0024(1)(b), F.S., relating to Florida Criminal Punishment Code worksheet computations and key, and s. 947.146(3)(b), F.S., relating to Control Release Authority, to incorporate said amendment in references; providing for public service announcements with respect to the penalties provided in the act; providing an effective date.

—as amended March 10 was read the third time by title.

RECONSIDERATION OF AMENDMENT

On motion by Senator Jones, the Senate reconsidered the vote by which **Amendment 4** by Senator Webster was adopted March 10.

Senator Jones moved the following amendment to **Amendment 4** which was adopted by two-thirds vote:

Amendment 4A—On page 1, line 23, after the period (.) insert: *The report must categorize the defendants by age, gender, race, and ethnicity.*

Amendment 4 as amended was adopted by two-thirds vote.

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

Amendment 5—On page 15, delete lines 9-15

Senator Gutman moved the following amendment:

Amendment 6 (with title amendment)—On page 13, between lines 22 and 23, insert:

(4) This section does not apply to a law enforcement officer or to a United States Military Officer who is performing his or her official duties or who is traveling to or from his or her place of employment.

And the title is amended as follows:

On page 4, line 19, after the semicolon (;) insert: providing an exception;

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

Amendment 7 (with title amendment)—On page 13, between lines 22 and 23, insert:

(4) This section does not apply to a law enforcement officer or to a United States Military Officer who is performing his or her lawful duties or who is traveling to or from his or her place of employment to perform his or her lawful duties.

And the title is amended as follows:

On page 4, line 19, after the semicolon (;) insert: providing an exception;

On motions by Senator Webster, **CS for CS for HB 113** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Jones

Vote after roll call:

Yea—Grant

On motion by Senator Jones, consideration of **SB 8** was deferred.

Dyer	Jones	McKay	Sebesta
Forman	Kirkpatrick	Meek	Silver
Geller	Klein	Mitchell	Sullivan
Grant	Kurth	Myers	Thomas
Hargrett	Latvala	Rossin	Webster
Holzendorf	Laurent	Saunders	
Horne	Lee	Scott	

Nays—None

ADOPTION ACT AND REVISER BILLS

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 read the third time by title.

On motion by Senator McKay, **HB 1057** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Grant

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 read the third time by title.

On motion by Senator McKay, **HB 1037** was passed and certified to the House. The vote on passage was:

Yeas—38

Madam President	Burt	Casas	Cowin
Bronson	Campbell	Childers	Dawson-White
Brown-Waite	Carlton	Clary	Diaz-Balart

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.

—as amended March 10 was read the third time by title.

On motion by Senator McKay, **HB 1039** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

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, 403.719, 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 read the third time by title.

On motion by Senator McKay, **HB 1041** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

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 read the third time by title.

On motion by Senator McKay, **HB 1043** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 846—A reviser's bill to be entitled An act relating to the Florida Statutes; amending s. 44.102, Florida Statutes, and repealing ss. 794.03 and 838.15, Florida Statutes, to conform to judicial decisions holding said provisions or parts thereof unconstitutional.

—was read the third time by title.

On motion by Senator McKay, **SB 846** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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 read the third time by title.

On motion by Senator McKay, **HB 1045** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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 read the third time by title.

On motion by Senator McKay, **HB 1047** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

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 read the third time by title.

On motion by Senator McKay, **HB 1049** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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 read the third time by title.

On motion by Senator McKay, **HB 1051** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

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 read the third time by title.

On motion by Senator McKay, **HB 1053** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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 read the third time by title.

On motion by Senator McKay, **HB 1055** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

MOTIONS

On motion by Senator McKay, by two-thirds vote all trust fund bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Tuesday, March 16.

ELECTION OF SENATOR JAMES E. "JIM" KING, JR.

The President recognized Speaker of the House of Representatives John Thrasher and invited him to the rostrum.

By direction of the President, the Secretary read the following certificate from the Secretary of State, certifying to the election of Senator James E. "Jim" King, Jr.

STATE OF FLORIDA
OFFICE OF SECRETARY OF STATE

I, Katherine Harris, Secretary of State of the State of Florida, do hereby certify that the following Member of the State Senate was elected at the Special General Election held on the Ninth day of March, A.D., 1999, as shown by the election returns on file in this office:

SENATE DISTRICT NUMBER

8 James E. "Jim" King, Jr., Jacksonville



GIVEN under my hand and the Great Seal of the State of Florida at Tallahassee, the Capitol, this 10th day of March, A.D., 1999.

Katherine Harris
SECRETARY OF STATE

SPECIAL GUESTS

The President introduced the newly elected Senator from the 8th District, James E. "Jim" King, Jr., his wife, Linda, Lieutenant Governor Frank Brogan and Commissioner of Education Tom Gallagher.

OATH OF OFFICE ADMINISTERED

On motion by Senator Myers that a committee be appointed to escort Senator and Mrs. King to the bar of the Senate for the administration of the oath of office, the President appointed Senators Burt, Cowin, Dyer, Holzendorf, Horne and Latvala.

Senator King was administered the oath of office by The Honorable Charles T. Wells, Justice, Florida Supreme Court.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, March 11, 1999: SB 522, SB 524, SB 526, SB 528, SB 534, SB 536, SB 538, SB 540, SB 542, SB 544, SB 546, SB 548, SB 550, SB 552, SB 554, SB 556, SB 558, SB 560, SB 566, SB 568, SB 570, SB 572, SB 574, SB 576, SB 578, SB 580, SB 582, SB 584, SB 586, SB 588, SB 590, SB 592, SB 594, SB 596, SB 598, SB 600, SB 604, SB 606, SB 608, SB 610, SB 612, SB 614, SB 616, SB 618, SB 620, SB 622, SB 624, SB 626, SB 628, SB 630, SB 634, SB 636, SB 640, SB 642, SB 644, SB 646, SB 648, SB 652, SB 422, SB 430, SB 452, SB 638, SB 650, SB 398, SB 494, SB 514, SB 520, SB 530, SB 532, SB 562, SB 564, SB 602, SB 632, SB 654, SB 656, SB 114, SB 876, SB 248, SB 670

Respectfully submitted,
John McKay, Chairman

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1150 with 1 amendment

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1076

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1214

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1136 with 1 amendment

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1040, SB 1400

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1188 with 1 amendment

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 776 with 1 amendment

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 132

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 700, SB 966 with 2 amendments, SB 1268

The Committee on Fiscal Policy recommends the following pass: SB 904, SB 906

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1144

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 1396 with 1 amendment, SB 1514 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1018

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 246

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

The Committee on Criminal Justice recommends committee substitutes for the following: SB 244, SB 734, SB 912, SB 1484

The bills with committee substitutes attached were referred to the Committee on Fiscal Policy under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1056

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1280

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 946

The Committee on Fiscal Policy recommends a committee substitute for the following: CS for SB 304

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Forman—

SB 1900—A bill to be entitled An act relating to serving people who have disabilities; creating the Office of Disability Coordination within the Executive Office of the Governor; providing for an advisory board; providing for a working group; establishing terms of office and officers; providing for staff; allowing the executive director to employ consultants and enter into contracts; providing for rules, rights, and benefits applicable to office staff; providing duties of the office; requiring entities serving people who have disabilities to give the office access to certain data; requiring the office to make certain data available to interested parties; requiring the office to produce an annual report and transmit it to the Executive Office of the Governor, to legislative leaders, and to entities that deal with people who have disabilities; requiring a review and a report; providing appropriations; providing an effective date.

—was referred to the Committees on Children and Families; Governmental Oversight and Productivity; and Fiscal Policy.

By Senator Clary—

SB 1902—A bill to be entitled An act relating to the Department of Children and Family Services; directing the department secretary to develop comprehensive and interim plans to restructure and reorganize the department's services and programs; providing an expiration date; providing an effective date.

—was referred to the Committee on Children and Families.

By Senator Gutman—

SB 1904—A bill to be entitled An act relating to insurance; amending s. 627.351, F.S.; including surplus lines insurers in the Florida Windstorm Underwriting Association; modifying the makeup of the association's board; providing for assessments; providing for assessment protection; providing for rate approval; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Fiscal Resource.

By Senators Sebesta and Dyer—

SB 1906—A bill to be entitled An act relating to public construction; amending s. 255.20, F.S.; lowering the threshold amount required for competitive awards of local bids and contracts for public construction; revising provisions with respect to exceptions; providing that certain properly licensed contractors or vendors shall have standing to challenge the propriety of a local government's action under certain circumstances; providing for the award of reasonable attorney's fees under certain circumstances; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Governmental Oversight and Productivity; and Fiscal Policy.

By Senator Dawson-White—

SB 1908—A bill to be entitled An act relating to the prevention of HIV and AIDS; creating the Minority HIV and AIDS Task Force within the Department of Health; requiring the task force to develop recommendations on ways to strengthen HIV and AIDS prevention and treatment programs in minority communities; requiring the Secretary of Health to appoint the members of the task force; requiring that the task force include representatives of certain groups and organizations; providing for the members to serve without compensation; requiring a report to the Legislature; providing for the task force to be abolished on a specified date; requiring that the Department of Health develop and implement a statewide HIV and AIDS prevention campaign that is directed to minorities; providing requirements for the campaign; requiring the department to establish positions within the department for regional and statewide coordinators; requiring that the department conduct a Black Leadership Conference on HIV and AIDS by a specified date; providing an appropriation; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; and Fiscal Policy.

By Senator Campbell—

SB 1910—A bill to be entitled An act relating to conflicts of interests in the representation of indigent defendants; amending s. 27.53, F.S.; requiring that the court review an alleged conflict of interest without disclosing confidential information; providing for withdrawal of the public defender unless the court determines that the conflict does not exist or the court is unable to make a determination; requiring each circuit conflict committee to assess the circuit's conflict representation system; requiring that the committees report findings and recommendations to the Legislature; providing an effective date.

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

By Senator Campbell—

SB 1912—A bill to be entitled An act relating to parental involvement in education; amending s. 230.23, F.S., relating to powers and duties of the school board; requiring the adoption of rules regarding parental involvement; creating s. 232.235, F.S.; providing requirements regarding parental involvement in conferences and orientations; providing an effective date.

—was referred to the Committee on Education.

By Senator Campbell—

SB 1914—A bill to be entitled An act relating to the Florida Windstorm Underwriting Association; amending s. 627.351, F.S.; deleting a requirement that certain insureds lose their eligibility for the Florida Windstorm Underwriting Association under certain circumstances; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Fiscal Policy.

By Senator Sebesta—

SB 1916—A bill to be entitled An act relating to civil penalties from traffic violations; requiring any county or municipality that receives more than a specified percentage of its total annual revenue for the prior year from civil penalties collected from traffic violations to deposit such excess revenue into the Highway Safety Operating Trust Fund and the Brain and Spinal Cord Injury Rehabilitation Trust Fund; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; and Fiscal Resource.

By Senator Sebesta—

SB 1918—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.17, F.S.; describing circumstances in which a dealer who has paid the tax imposed by this chapter on tangible personal property or services may take a credit or obtain a refund for tax paid on the unpaid balance due on worthless accounts; providing legislative intent; providing an effective date.

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

By Senator Sebesta—

SB 1920—A bill to be entitled An act relating to transportation planning; amending s. 339.175, F.S.; revising provisions relating to legislative intent regarding, and purposes of, metropolitan planning organizations; providing that the jurisdictional boundary of such an organization is the metropolitan planning area and providing requirements with respect thereto; revising provisions relating to designation of multiple organizations within an area; revising provisions relating to the voting membership of an organization; authorizing approval of noncomplying membership apportionment plans; revising the elements to be considered in the development of long-range transportation plans and transportation improvement programs; deleting duties of the technical advisory committees relating to identification of school safety concerns; revising requirements with respect to the long-range transportation plan and the annual transportation improvement program and development thereof; requiring a metropolitan planning organization to make certain information available for public review; deleting a requirement that the Metropolitan Planning Organization Advisory Council's rules be adopted pursuant to ch. 120, F.S.; clarifying and conforming provisions; amending s. 341.053, F.S.; providing that the Intermodal Development Program shall be administered by the Department of Transportation in cooperation with metropolitan planning organizations and local governments; providing that such an organization, rather than the department, shall review funding requests from rail authorities; providing that such organizations are responsible for submitting intermodal access project funding requests to the department in urbanized areas and providing requirements with respect thereto; amending s. 320.20, F.S.; conforming a reference; providing an effective date.

—was referred to the Committees on Transportation and Fiscal Policy.

By Senator Sebesta—

SB 1922—A bill to be entitled An act relating to the State University System; creating s. 240.6065, F.S.; establishing industrial partnership professorships as a classification of instructional personnel within the State University System; providing that such professorships shall be established by contract; specifying length of term for such contract; providing for contract renewal and specifying length of term of renewal; providing for contract specifications; providing for contribution by sponsoring corporations; specifying percentage of such contribution; providing for credit against the corporate income tax for contributions made by a sponsoring corporation; creating s. 220.192, F.S.; providing a credit against the corporate income tax for contributions made by a corporation sponsoring an industrial partnership professorship; providing for carryover of the credit; amending s. 220.02, F.S.; providing order of credits against the tax; providing an effective date.

—was referred to the Committees on Education and Fiscal Resource.

By Senators Grant, Dyer, Laurent, Holzendorf and Horne—

SB 1924—A bill to be entitled An act relating to the State University System; amending s. 121.35, F.S.; revising eligibility for participation in the optional retirement program for the system; amending s. 240.2093, F.S.; providing a restriction on the issuance of bonds by a direct-support organization; amending s. 240.227, F.S.; defining the term "continuing contract" for purposes of a university president's contracting authority; amending s. 240.289, F.S.; authorizing institutions in the system to accept credit cards and debit cards; authorizing those institutions to

absorb the costs of using such cards; amending s. 240.299, F.S.; providing a restriction on financing agreements by direct-support organizations; amending s. 378.101, F.S.; revising financial restrictions on the Florida Institute of Phosphate Research and the Phosphate Research Trust Fund; amending s. 381.0403, F.S.; transferring the program of statewide medical education from the Board of Regents to the Department of Health; amending s. 413.613, F.S.; requiring reports by institutions receiving funds from the Brain and Spinal Cord Injury Rehabilitation Trust Fund; repealing provisions relating to the program review process; amending s. 471.005, F.S.; redefining the term "engineering"; repealing s. 240.5335, F.S., relating to the Women's Athletics Trust Fund; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; and Fiscal Policy.

By Senator Klein—

SB 1926—A bill to be entitled An act relating to criminal appeals and collateral review; amending s. 924.051, F.S.; providing standards of evidence for the appellate court for purposes of reviewing a claim of insufficient evidence; prohibiting the appellate court from reversing a conviction on the ground of insufficiency of evidence under certain circumstances; providing standards of review for the Supreme Court in determining whether harmless error was committed on appeal; prohibiting the court from presuming that error affected the defendant's substantial rights; providing certain limitations on filing successive motions for collateral relief or other postconviction relief; limiting circumstances under which a postconviction proceeding may be stayed based upon a claim that the defendant has certain mental deficiencies; requiring that the state be notified of defense witnesses; providing that a judgment under appeal or collateral review may be used to enhance or reclassify other sentences or dispositions; amending s. 924.055, F.S., relating to time limitations for postconviction proceedings in capital cases; providing that an improperly filed postconviction motion or petition does not toll the time limitations; providing for severability; providing an effective date.

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

By Senator Silver—

SB 1928—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information held by the Office of the Entertainment Industry Commissioner relating to specified information with respect to the business activities of private persons, partnerships, or corporations in the entertainment industry, when such confidentiality is requested; providing a penalty for violation of the act; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

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

By Senator Silver—

SB 1930—A bill to be entitled An act relating to the promotion and development of Florida's entertainment industry; creating s. 288.125, F.S.; creating the Entertainment Florida Advisory Council within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing purpose, membership, terms, organization, powers, and duties of the council; creating s. 288.1251, F.S.; creating the Office of Entertainment Industry Commissioner; providing procedure for appointment of the Entertainment Industry Commissioner; providing powers and duties of the office; creating s. 288.1252, F.S.; requiring the Office of Tourism, Trade, and Economic Development to adopt rules by which it may make specified expenditures for expenses incurred in connection with the performance of the duties of the Office of the Entertainment Industry Commissioner; requiring approval of such rules by the Comptroller; requiring an annual report; authorizing the acceptance and use of specified goods and services by employees and

representatives of the Office of the Entertainment Industry Commissioner; providing certain requirements with respect to claims for expenses; providing a penalty for false or fraudulent claims; providing for civil liability; amending s. 14.2015, F.S., revising purposes of the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; amending ss. 288.108, 288.90152, F.S.; conforming cross-references; repealing s. 288.051, F.S., which provides a short title; repealing s. 288.052, F.S., relating to legislative findings and intent with respect to the "Florida Film and Television Investment Act"; repealing s. 288.053, F.S., relating to the Florida Film and Television Investment Board; repealing s. 288.054, F.S., relating to the administration and powers of the Florida Film and Television Investment Board; repealing s. 288.056, F.S., relating to conditions for film and television investment by the board; repealing s. 288.057, F.S., requiring an annual report by the board; repealing s. 288.1228, F.S., relating to the direct-support organization authorized by the Office of Tourism, Trade, and Economic Development to assist in the promotion and development of the entertainment industry; repealing s. 288.12285, F.S., relating to confidentiality of identities of donors to the direct-support organization; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Governmental Oversight and Productivity; and Fiscal Policy.

By Senator Sullivan—

SB 1932—A bill to be entitled An act relating to emergency management; amending s. 240.295, F.S.; prescribing duties of the Board of Regents with respect to identifying public hurricane evacuation shelter space on certain campuses; deleting a requirement for the submission of a report; revising a condition precedent to a requirement for specified building construction standards; amending s. 252.38, F.S.; providing a restriction on the appointment of a county emergency management agency director; providing an exception; providing a restriction on the control and supervision of the director; amending s. 252.385, F.S.; revising legislative intent; including certain private facilities within a survey of prospective public hurricane evacuation shelters; including district school boards and community college boards of trustees among those coordinating and implementing such survey; revising completion dates for the retrofitting of specified facilities; exempting the owner or lessee of a shelter scheduled for retrofitting from a requirement to make certain improvements; providing that specified public facilities be made available as public hurricane evacuation shelters; requiring the Department of Management Services to incorporate public hurricane evacuation shelter provisions into lease agreements for state agencies; providing specifications for suitable leased public facilities; amending s. 252.51, F.S.; revising provisions which provide exemption from liability for persons or organizations who permit real estate or premises to be used for sheltering persons during specified emergencies; exempting the state, its political subdivisions, agents, and employees from liability for damages caused by emergency management workers in certain situations; providing exceptions; defining the term "emergency management worker"; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; and Fiscal Policy.

By Senator Brown-Waite—

SB 1934—A bill to be entitled An act relating to security of communications; amending s. 934.02, F.S.; redefining the terms "wire communication," "electronic, mechanical, or other device," and "electronic communication"; amending s. 934.03, F.S.; prohibiting intentional disclosure of certain communications; prescribing circumstances in which a person may aid in intercepting a communication; providing penalties; amending s. 934.09, F.S.; prescribing additional procedures for interception of communications; amending s. 934.10, F.S.; providing an additional defense against civil liability; amending s. 934.23, F.S.; requiring providers of electronic communications or remote computing services to provide certain assistance; providing additional grounds for issuance of a court order; amending s. 934.27, F.S.; providing an additional defense against civil or criminal liability; amending s. 934.31, F.S.; providing duties of officers authorized to install and use pen registers; amending s. 934.34, F.S.; providing for assistance in the use of a per register or trap and trace

device; creating s. 934.35, F.S.; providing guidelines and standards for emergency installation of pen registers and trap and trace devices; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Criminal Justice; and Fiscal Policy.

By Senator Brown-Waite—

SB 1936—A bill to be entitled An act relating to the Department of Law Enforcement; creating s. 943.0543, F.S.; requiring that the department provide qualified entities that provide care, treatment, or other services for children, the elderly, or individuals with disabilities access to criminal history information; requiring compliance with certain federal laws; providing for fees; providing for the disclosure of criminal history records that are not exempt from disclosure under the public records law; requiring the department to establish a database of entities qualified to obtain criminal history information; providing certain exemptions from liability; creating s. 943.0543, F.S.; ratifying the National Crime Prevention and Privacy Compact; requiring that the executive director of the department administer the compact; creating s. 943.0544, F.S.; authorizing the department to develop and operate the Criminal Justice Network; providing for the department to regulate access to the network; authorizing the department to accept services in lieu of fees or other charges; authorizing the department to enter into agreements with private entities for the purpose of managing and disseminating criminal justice information; providing rulemaking authority; amending ss. 943.0585, 943.059, F.S., relating to the court-ordered expunction and sealing of criminal history records; providing that references to s. 907.041, F.S., are general references under the doctrine of incorporation by reference; clarifying certain requirements for a petition to expunge or seal a criminal history record; repealing s. 943.051(5), F.S., relating to the department's authority to contract with other agencies and private entities for the management and dissemination of criminal justice information; authorizing additional positions within the department; providing an effective date.

—was referred to the Committees on Criminal Justice and Fiscal Policy.

By Senator Dyer—

SB 1938—A bill to be entitled An act relating to motor vehicle accidents; amending s. 316.062, F.S.; prescribing duty of a driver of a vehicle involved in an accident to remain at the accident scene and provide information; providing penalties; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Kurth—

SB 1940—A bill to be entitled An act relating to spring training franchise facilities; amending s. 125.0104, F.S.; providing that the additional local option tourist development taxes presently authorized to finance the construction or renovation of a professional sports franchise facility may also be used to finance the acquisition, construction, or renovation of a retained spring training franchise facility; correcting a reference; amending s. 288.1162, F.S.; providing for certification of retained spring training franchise facilities by the Office of Tourism, Trade, and Economic Development; providing a definition; providing certification requirements; providing for use of funds distributed pursuant to s. 212.20, F.S., to such facilities; excluding new and retained spring training franchise facilities from the limitation on the number of sports facilities that may be certified under s. 288.1162, F.S.; amending s. 212.20, F.S.; providing for a monthly distribution of a portion of revenues under ch. 212, F.S., to certified retained spring training franchise facilities for a specified period; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Commerce and Economic Opportunities; and Fiscal Resource.

By Senator Kurth—

SB 1942—A bill to be entitled An act relating to vessels; creating s. 327.901, F.S.; creating the "Vessel Warranty Enforcement Act," also known as the "Vessel Lemon Law"; creating s. 327.902, F.S.; providing legislative intent; creating s. 327.903, F.S.; providing definitions; creating s. 327.904, F.S.; providing for the duty of the manufacturer to conform the vessel to the warranty; creating s. 327.905, F.S.; providing for nonconformity of vessels and engines; creating s. 327.906, F.S.; providing for bad-faith claims; creating s. 327.907, F.S.; providing for dispute settlement procedures; creating s. 327.908, F.S.; providing for dispute eligibility with the Florida New Vessel Arbitration Board; creating s. 327.909, F.S.; creating the Florida New Vessel Arbitration Board; providing for duties and functions; creating s. 327.911, F.S.; providing for compliance and disciplinary actions; creating s. 327.912, F.S.; providing that certain violations are unfair or deceptive trade practices; creating s. 327.913, F.S.; providing for consumer remedies; creating s. 327.914, F.S.; providing for vessel dealer liability; creating s. 327.915, F.S.; providing for the resale of returned vessels; creating s. 327.916, F.S.; providing that certain agreements are void; creating s. 327.917, F.S.; providing for preemption; creating s. 327.918, F.S.; providing a fee; creating s. 327.919, F.S.; providing for rules; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; and Fiscal Policy.

By Senator Kurth—

SB 1944—A bill to be entitled An act relating to boating safety; amending s. 327.02, F.S.; redefining "personal watercraft"; amending s. 327.25, F.S.; classifying all personal watercraft as class A-2 vessels; providing requirements for display of antique vessel registration numbers and decals; amending s. 327.28, F.S.; providing for distribution and use of registration fees therefor; amending s. 327.39, F.S.; revising requirements for operation of a personal watercraft relating to authorized flotation devices, times of operation, reckless or careless operation, and minimum age for operation; prohibiting lease, hiring, or rental to certain persons; providing a penalty; amending s. 327.395, F.S.; requiring all vessel operators to have certain photographic identification; providing a penalty; creating s. 327.49, F.S.; authorizing certain testing of vessels and vessel motors on the waters of the state; amending s. 327.54, F.S.; revising requirements for lease, hiring, or rental of vessels by liveries, relating to prerental or preride instruction, minimum age for rental, safety information and instruction, and limitation of liability; requiring liveries to carry certain insurance coverage; providing a penalty; reenacting s. 327.73(1)(p) and (s), F.S., relating to a penalty for violation of vessel laws, to incorporate the amendments to ss. 327.39 and 327.395, F.S., in references; providing effective dates.

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

By Senator Diaz-Balart—

SB 1946—A bill to be entitled An act relating to mental health and substance abuse services; amending s. 394.66, F.S.; conforming a reference to the renaming of a department; amending s. 394.74, F.S.; authorizing the Department of Children and Family Services to use unit cost methods of payments in contracts for mental health and substance abuse services; amending s. 394.78, F.S.; directing the department to adopt certain rules; directing the department to propose revisions to part IV of chapter 394, F.S., relating to community alcohol, drug abuse, and mental health services; providing for a workgroup; providing an effective date.

—was referred to the Committees on Children and Families; and Fiscal Policy.

By Senator Casas—

SB 1948—A bill to be entitled An act relating to tobacco settlement funds; amending s. 569.21, F.S., specifying guidelines to be applied by the Legislature in expending funds paid to the state as a result of the

settlement of litigation involving the tobacco industry; providing an effective date.

—was referred to the Committee on Fiscal Policy.

By Senator Casas—

SB 1950—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise the laws in order to promote economic development in the state; providing an effective date.

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

Senate Bills 1952—1954 were previously referenced.

By Senator Casas—

SB 1956—A bill to be entitled An act relating to environmental regulation; expressing the legislative intent to revise the laws in order to address environmental issues; providing an effective date.

—was referred to the Committees on Natural Resources and Fiscal Policy.

By Senator Casas—

SB 1958—A bill to be entitled An act relating to human services; expressing the legislative intent to revise the laws in order to address human services issues; providing an effective date.

—was referred to the Committees on Children and Families; and Fiscal Policy.

Senate Bills 1960—1972 were previously referenced.

By Senators Diaz-Balart and Jones—

SB 1974—A bill to be entitled An act relating to building designation; designating the courthouse of the District Court of Appeal for the Third District as the “Thomas H. Barkdull, Jr., District Courthouse”; authorizing the Third District Court of Appeal to erect suitable markers; providing an effective date.

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

By Senator Diaz-Balart—

SB 1976—A bill to be entitled An act relating to the Department of State; amending s. 267.081, F.S.; providing for disposition of moneys received by the Division of Historical Resources of the Department of State from the sale of publications; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Fiscal Policy.

By Senator Diaz-Balart—

SB 1978—A bill to be entitled An act relating to automobile insurance; amending s. 627.739, F.S.; allowing insureds to elect multiple personal injury protection policy limitations and receive appropriate premium reductions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Dyer—

SB 1980—A bill to be entitled An act relating to public records; creating s. 240.554, F.S.; providing an exemption from public records requirements for account information associated with the Florida College Savings Program; authorizing the release of such information to community colleges, colleges, and universities under certain circumstances; requiring that such institutions maintain the confidentiality of the information; providing for future legislative review and repeal; providing a finding of public necessity; providing an effective date.

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

By Senators Dyer, Mitchell and Grant—

SB 1982—A bill to be entitled An act relating to title insurance reserve; amending s. 625.111, F.S.; specifying the components of unearned premium reserve for certain financial statements; providing a formula for releasing unearned premium reserve over a period of years; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Dyer—

SB 1984—A bill to be entitled An act relating to postsecondary education; creating s. 240.553, F.S.; establishing the Florida College Savings Program; providing legislative intent; providing definitions; providing for establishment of the program; providing for deposits in the program and earnings to be exempt from taxation; providing for the program to be administered by the Florida Prepaid College Board; providing duties and powers of the board; providing for the program to be a qualified state tuition program for federal tax purposes; providing requirements for participation agreements; providing for duration of participation agreements; providing for distributions from an account for qualified higher education expenses; providing for refunds; providing a penalty for making a material misrepresentation in an application for a participation agreement; providing for priorities for expending assets; providing an exemption for moneys in a program account from claims of creditors; providing for payroll deduction; providing a disclaimer regarding guarantee of postsecondary admission; providing for program termination; providing for nonlimitation or alteration of rights under the program; requiring an annual report to the Governor and the Legislature; providing restrictions for program implementation; amending s. 222.22, F.S.; exempting moneys in a program account from legal process; amending s. 732.402, F.S.; designating program accounts as exempt property for purposes of probate; providing severability; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; and Fiscal Policy.

By Senator Diaz-Balart—

SB 1986—A bill to be entitled An act relating to weapons and firearms; amending s. 790.06, F.S.; revising the qualifications for obtaining a license to carry a concealed weapon or firearm; prohibiting the Department of State from issuing such a license to any person who has been involuntarily committed to a mental institution under the Baker Act; prohibiting such a license from being issued to a person who has been voluntarily committed to a facility, is mentally ill, and presents a substantial likelihood of harming self or others; authorizing the Department of State to suspend such a license upon notification of a person’s disqualification; amending s. 790.23, F.S.; prohibiting a person from possessing a firearm or electric weapon or device if the person has been involuntarily committed to a mental institution under the Baker Act; prohibiting a person who has been voluntarily committed to a facility, is mentally ill, and presents a substantial likelihood of harming self or others from possessing a firearm or electric weapon or device; amending s. 394.467, F.S.; requiring the court clerk to send a copy of any court order of involuntary placement under the Baker Act to the Agency for Health Care Administration; creating ss. 394.4676, 395.3027, F.S.; requiring that the administrator of a facility licensed under ch. 394 or ch. 395, F.S.,

notify the Agency for Health Care Administration of any patient committed to the facility who is mentally ill and who presents a substantial likelihood of harming self or others; requiring that the agency release such information to the Department of State or the Department of Law Enforcement for the purpose of determining whether a person is qualified to carry a concealed weapon or firearm or to possess a firearm or other weapon or device; providing an effective date.

—was referred to the Committees on Criminal Justice; Health, Aging and Long-Term Care; and Fiscal Policy.

By Senator Sullivan—

SB 1988—A bill to be entitled An act relating to collegiate athletics; directing the University of Miami, the University of South Florida, Florida State University, and the University of Florida to develop and participate in an annual men's collegiate basketball tournament; providing for specified legislative review; authorizing the Legislature to conduct a specified feasibility study; providing an effective date.

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

By Senator Rossin—

SB 1990—A bill to be entitled An act relating to school facilities; amending s. 230.23, F.S.; requiring the annual school budget adopted by a school board to include sufficient funds for certain inspections and capital outlay projects; providing sanctions; amending s. 230.33, F.S.; requiring the annual school budget developed and submitted by a superintendent to include sufficient funds for certain inspections and capital outlay projects; providing sanctions; amending s. 235.185, F.S.; requiring tentative and adopted district facilities work programs to include necessary routine maintenance and repairs and projects necessary to correct or repair unsafe or unsanitary conditions; providing an effective date.

—was referred to the Committees on Education and Fiscal Policy.

By Senator Rossin—

SB 1992—A bill to be entitled An act relating to investment of public funds; amending s. 218.415, F.S.; prescribing guidelines for investments by units of local government; providing for authorized investments; prohibiting investments not authorized by local investment policy; providing for continuing education for local officials responsible for making investments; prescribing a list of authorized investments; providing alternative investment guidelines for entities not adopting a written investment policy; providing for safeguarding securities; authorizing the sale of investments; providing for investment of surplus funds when made pursuant to agreement or contract; providing for preemption of state requirements; prescribing duties of accountants and the Auditor General; creating s. 112.661, F.S.; prescribing limitations and conditions on investments of retirement system or plan assets; creating s. 112.662, F.S.; requiring investment plans to adopt an investment policy; prescribing required elements of the policy; amending s. 28.33, F.S.; prescribing requirements for investment of county funds; amending s. 159.416, F.S.; prescribing requirements for investment of bond proceeds and moneys held for payment of debt service on bonds; amending s. 219.075, F.S.; prescribing requirements for investment of surplus funds by county officers; amending s. 230.23, F.S.; prescribing requirements for investment of school funds not needed for immediate expenditure; amending s. 236.24, F.S.; deleting provisions relating to authorized investment of district school fund moneys; repealing s. 237.161(5), F.S., relating to investment of cash assets by school boards; repealing s. 125.31, F.S., relating to investment of surplus public funds by counties; repealing s. 166.261, F.S., relating to investments by municipalities; repealing s. 218.345, F.S., relating to investments by special districts; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Governmental Oversight and Productivity; and Fiscal Policy.

By Senator Cowin—

SB 1994—A bill to be entitled An act relating to Workforce Development Education; amending s. 239.105, F.S.; defining the term "literacy completion point"; amending s. 239.115, F.S.; providing for adult general education programs to include courses that lead to a literacy completion point; revising performance output measures for adult general education courses of study; authorizing formulas for the distribution of workforce development education performance funds to provide performance exemptions for new programs; amending s. 239.117, F.S.; revising requirements regarding fee schedules for workforce development education; requiring that fees for continuing workforce education be locally determined; providing an effective date.

—was referred to the Committees on Education; Commerce and Economic Opportunities; and Fiscal Policy.

By Senator Cowin—

SB 1996—A bill to be entitled An act relating to agricultural products; amending s. 570.55, F.S.; defining the term "tropical or subtropical fruit" to include Saw Palmetto; amending s. 604.22, F.S.; requiring certain agricultural product transporters to keep certain records; amending s. 812.014, F.S.; providing penalties for the theft of Saw Palmetto berries; providing an effective date.

—was referred to the Committee on Agriculture and Consumer Services.

By Senator Cowin—

SB 1998—A bill to be entitled An act relating to driver's licenses and state identification cards; amending s. 119.07, F.S.; providing that personal information provided by the Department of Highway Safety and Motor Vehicles for use in surveys, marketing, or solicitations may not include social security numbers; repealing s. 322.142(5) and (6), F.S., relating to photographs and other information on driver's licenses and state identification cards; deleting provisions authorizing the Department of Highway Safety and Motor Vehicles to sell copies of photographs and other information on file for use in preventing fraud in certain financial transactions; deleting provisions authorizing the department to establish a fee for providing copies of photographs maintained by the department; providing an effective date.

—was referred to the Committees on Transportation and Fiscal Policy.

By Senator Cowin—

SB 2000—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.29, F.S.; deleting a requirement for appointment based upon race or gender and requiring consideration of those factors in making appointments; providing for the judicial nominating commission of a judicial circuit to include among its members and electors at least one resident from each county within the judicial circuit; providing an effective date.

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Criminal Justice and Senator Campbell—

CS for SB 244—A bill to be entitled An act relating to motor vehicle airbags; providing a short title; providing definitions; requiring any person engaged in the business of purchasing, selling, or installing salvaged airbags to maintain a record of any purchase, sale, or installation of a salvaged airbag; specifying required information; providing for inspection and disclosure of such records; requiring any person who sells or installs a salvaged airbag to disclose to the purchaser that the airbag is

salvaged; prohibiting certain activities; providing penalties; providing an effective date.

By the Committee on Criminal Justice and Senator Mitchell—

CS for SB 246—A bill to be entitled An act relating to offenses committed against or in the presence of minors; amending s. 921.0024, F.S., requiring a sentencing multiplier to be applied when domestic violence is committed in the presence of a minor child; amending s. 901.15, F.S.; providing a preferred arrest policy in the criminal investigation of child abuse; providing immunity for law enforcement for such arrests; providing an effective date.

By the Committees on Fiscal Policy; Ethics and Elections; and Senators Saunders, Carlton, Sebesta, Rossin, Meek, Kirkpatrick, Hargrett and Latvala—

CS for CS for SB 304—A bill to be entitled An act relating to ethics; amending s. 112.312, F.S.; redefining the terms “gift” and “liability”; amending s. 112.3144, F.S.; revising the reporting requirements for full and public disclosure of financial interests; transferring filing administration from the Secretary of State to the Commission on Ethics; modifying the filing location for officers from the Secretary of State to the commission; establishing an automatic fine system for delinquent filers and nonfilers; requiring former officers and employees to file a final disclosure of financial interests no later than 60 days following departure, with certain exceptions; requiring the Commission on Ethics to adopt rules and forms relating to filing amended full and public disclosure of financial interests; amending s. 112.3145, F.S.; redefining the terms “local officer” and “specified state employee”; revising the reporting requirements for limited statutory disclosure of financial interests; transferring filing administration from the Secretary of State to the Commission on Ethics; modifying the filing location for state officers and specified state employees from the Secretary of State to the commission; modifying certification requirements of supervisors of elections with regard to delinquent filers and nonfilers; establishing an automatic fine system for delinquent filers and nonfilers; requiring former officers and employees to file a final statement of financial interests within 60 days after leaving office or employment, with certain exceptions; modifying reporting dates for filing quarterly reports of the names of clients represented before certain agencies for a fee; requiring the Commission on Ethics to adopt rules and forms relating to amended financial disclosure filings; amending s. 112.3148, F.S.; redefining the terms “reporting individual” and “procurement employee”; authorizing the Technological Research and Development Authority to make certain gifts under certain circumstances; modifying the method of valuing gifts; establishing a reimbursement deadline with regard to the valuation of gifts received by reporting individuals; clarifying that the gifts law applies to candidates; extending the gifts law to include nonincumbents elected to office for the period immediately following election but before officially taking office; transferring the filing administration for gift disclosure from the Secretary of State to the Commission on Ethics; amending s. 112.3149, F.S.; redefining the term “procurement employee”; transferring filing administration for honoraria disclosure from the Department of State to the Commission on Ethics; amending s. 112.317, F.S.; authorizing the Commission on Ethics to recommend how restitution may be paid; amending s. 112.324, F.S.; clarifying that the proper sanction authority in the case of a current state legislator who commits an act in violation of the Ethics Code prior to joining the Legislature is vested in the house in which the legislator serves; amending s. 914.21, F.S.; redefining the terms “official proceeding” and “official investigation”; extending the witness-tampering laws to include Commission on Ethics investigations and proceedings; repealing s. 112.3151, F.S., which authorizes the Commission on Ethics to grant extensions of time for filing financial disclosure statements; amending s. 112.317, F.S.; entitling the Attorney General to reimbursement of fees and costs associated with collecting civil and restitution penalties imposed for ethics violations; removing a criminal penalty related to the disclosure of confidential information brought before the commission; amending s. 112.3215, F.S.; redefining the term “lobbyist”; modifying reporting period and dates for filing executive branch lobbying reports; amending fines for late-filed reports; amending time periods related to payment or dispute of fines; providing a procedure for collection of delinquent fines; clarifying that a person registered

as a lobbyist must file expenditure reports until registration is withdrawn or ends; repealing s. 112.322(9), F.S., which requires the Commission on Ethics to report certain delinquent financial disclosure filers to the Department of Community Affairs; amending s. 213.053, F.S.; authorizing the Commission on Ethics to access Department of Revenue information received in connection with the administration of taxes; amending s. 440.442, F.S.; transferring the filing location for public financial reporting by judges of compensation claims from the Secretary of State to the Commission on Ethics; clarifying that the Code of Judicial Conduct governs the reporting of gifts for judges of compensation claims; repealing ss. 839.08, 839.09, 839.091, and 839.10, F.S., which provide criminal penalties for offenses by public officers and employees relating to the purchase of supplies or materials and the bidding for public work; amending s. 112.313, F.S.; clarifying that conflict of interest provisions apply to certain indirect business relationships; extending the prohibition against the use of inside public information to former officers and employees; modifying exemptions to the conflict-of-interest provision of the Ethics Code and the prohibition against doing business with one's own agency; clarifying the conflict-of-interest exemption for elected officers who maintain an employment relationship with a tax-exempt organization; redefining the term “local government attorney”; creating s. 112.3232, F.S.; authorizing the Commission on Ethics to seek immunity for certain witnesses; amending s. 112.324, F.S.; authorizing the Commission on Ethics to investigate alleged ethics violations on its own authority under certain circumstances; appropriating funds to the Commission on Ethics; providing an effective date.

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

CS for SB 734—A bill to be entitled An act relating to state correctional facilities; creating s. 944.115, F.S.; providing legislative intent; requiring the Department of Corrections and private vendors operating state correctional facilities to make smoking-cessation assistance available to inmates; requiring full implementation of the act by a specified date; providing definitions; prohibiting an inmate within a state correctional facility from using tobacco products in prohibited areas; prohibiting employees or visitors from using tobacco products in prohibited areas; providing penalties; authorizing the department to adopt rules; providing an effective date.

By the Committee on Criminal Justice and Senator Latvala—

CS for SB 912—A bill to be entitled An act relating to sentencing; amending s. 775.085, F.S.; reclassifying penalties relating to offenses evidencing prejudice; amending s. 794.023, F.S.; reclassifying offenses involving multiple perpetrators of sexual battery; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senators Forman and Meek—

CS for SB 946—A bill to be entitled An act relating to local government code enforcement; amending s. 125.69, F.S.; providing an exception from certain notice requirements under certain circumstances; requiring owners of property subject to an enforcement proceeding to disclose certain information prior to transfer of such property; creating a presumption of fraud under certain circumstances; authorizing local governing bodies to make certain repairs under certain circumstances; providing for absence of liability for such repairs under certain circumstances; amending s. 162.03, F.S.; specifying the status of special masters; amending s. 162.04, F.S.; revising a definition; amending s. 162.06, F.S.; requiring owners of property subject to enforcement proceedings to provide disclosure and notice to prospective transferors under certain circumstances; providing a rebuttable presumption; providing for continuation of enforcement proceedings under certain circumstances; providing procedures; amending s. 162.09, F.S.; specifying that certain actions taken by a local government do not create continuing obligations or liabilities under certain circumstances; clarifying enforcement of orders imposing certain fines or costs; amending s. 162.12, F.S.; revising prescribed methods for providing certain notices; clarifying the time period for posting certain notices; amending s. 162.23, F.S.; providing an

additional exception to requirements to provide reasonable time to correct violations under certain circumstances; providing an effective date.

By the Committee on Criminal Justice and Senator Casas—

CS for SB 1056—A bill to be entitled An act relating to driving under the influence; amending ss. 316.192, 316.193, 322.271, 322.291, F.S.; providing that any person convicted of driving under the influence must, in addition to any other penalties provided by law, complete a substance abuse education course conducted by a licensed DUI program, including a psychosocial evaluation, and, if referred, substance abuse treatment; providing criteria for temporary reinstatement of driving privileges by the Department of Highway Safety and Motor Vehicles; amending s. 322.292, F.S.; providing criteria for the granting of DUI program licenses and deleting obsolete provisions; providing an effective date.

By the Committee on Criminal Justice and Senator Saunders—

CS for SB 1484—A bill to be entitled An act relating to victim assistance and compensation; amending s. 960.001, F.S.; providing that a victim and state attorney have standing to assert the rights of a crime victim; amending s. 960.03, F.S.; providing definitions; amending s. 960.05, F.S.; prescribing the purposes of the Crime Victims' Services Office in the Department of Legal Affairs; amending s. 960.065, F.S.; prescribing eligibility criteria for awards granted under ch. 960, F.S.; amending s. 960.12, F.S.; increasing the maximum amount of an emergency award; amending s. 960.13, F.S.; prescribing criteria applicable to awards; allowing the department to establish, by rule, maximum award amounts that are lower than the statutory maximums; amending s. 960.14, F.S.; specifying the circumstances in which the department may modify or rescind previous awards for victim compensation; creating s. 960.198, F.S.; allowing the department to award to a victim of domestic violence a sum of money which the victim may use for relocating; providing maximum amounts of such awards; providing prerequisites; providing applicability; providing effective dates.

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:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Citrus Commission	
Appointee: Richey, Daniel R., Vero Beach	05/31/2001
Investment Advisory Council	
Appointee: Grant, Randi K., Cooper City	12/12/1999
Tampa Port Authority	
Appointee: Diaz, Joseph F., Tampa	11/14/2002
Florida Transportation Commission	
Appointee: Kennedy, Art W., Ft. Lauderdale	09/30/2001

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

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 10 was corrected and approved.

CO-SPONSORS

Senators Cowin—CS for SB 908; Forman—SB 1414; Jones—SB 1974; Klein—SB 1822; Latvala—SB 2106; Meek—SB 1340, SB 1788; Myers—SB 234; Sullivan—SB 1352

RECESS

On motion by Senator McKay, the Senate recessed at 3:15 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, March 16.