

employee who works in another state full time may be certified by physicians licensed in that state; correcting a cross-reference; amending s. 121.22, F.S.; increasing the size of the State Retirement Commission from three to five members; amending s. 121.24, F.S.; revising the quorum requirements of the commission; amending s. 121.35, F.S.; deleting the provision that requires 1 academic year of employment or appointment in the State University System for participation in the optional retirement program; providing an effective date.

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

On motion by Senator Constantine, **SB 106** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dockery	Posey
Alexander	Fasano	Pruitt
Argenziano	Garcia	Rich
Aronberg	Geller	Saunders
Atwater	Haridopolos	Sebesta
Baker	Hill	Siplin
Bennett	Jones	Smith
Bullard	King	Villalobos
Campbell	Klein	Webster
Carlton	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Diaz de la Portilla	Miller	

Nays—None

SPECIAL ORDER CALENDAR

CS for SB 804—A bill to be entitled An act relating to the suspension of artificially provided sustenance or hydration from a person in a persistent vegetative state; creating s. 765.405, F.S.; prohibiting the suspension of the sustenance or hydration under certain conditions; authorizing certain parties to petition the court to prevent suspension of the sustenance or hydration; specifying that the act is remedial and providing for its application; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Webster, the rules were waived to allow the following amendment to be considered:

Senator Webster moved the following amendment which failed:

Amendment 1 (462276)(with title amendment)—Delete everything after the enacting clause and insert: Section 1. Section 765.405, Florida Statutes, is created to read:

765.405 Withholding or withdrawing artificially provided sustenance or hydration.—When upon request of a proxy, surrogate, or guardian a court is to decide whether to issue an order or provide other authority for the withholding or withdrawing of artificially provided sustenance or hydration from a person in a persistent vegetative state who has no advance directive, the decision of the court to issue the order or provide the authority must be supported by clear and convincing evidence that the person, while competent and prior to entering into a persistent vegetative state, expressly and unequivocally directed or instructed the withholding or withdrawing of artificially provided sustenance or hydration.

Section 2. The provisions of this act apply to every living person on and after the effective date of this act. Specifically, the provisions of this act apply to all situations in which a person is in a persistent vegetative state on or after the effective date of this act and requires artificially provided sustenance or hydration for survival. It is the intent of the Legislature that this act authorizes an interested party, as determined by the court, to petition a court of competent jurisdiction to decide whether artificially provided sustenance or hydration may be withheld after being withdrawn from a person in a persistent vegetative state on or after the effective date of this act.

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

And the title is amended as follows:

Delete everything before the enacting clause and insert: An act relating to artificially provided sustenance or hydration; creating s. 765.405, F.S.; prescribing evidence to govern court decisions on withholding or withdrawing artificially provided sustenance or hydration from certain persons in persistent vegetative states; providing for application of the act; expressing legislative intent to authorize certain parties to petition a court relating to the withholding of artificially provided sustenance or hydration; providing an effective date.

MOTION

On motion by Senator Pruitt, the rules were waived and time of recess was extended until completion of the Special Order Calendar.

The vote was:

Yeas—16

Mr. President	Fasano	Sebesta
Atwater	Garcia	Villalobos
Baker	Haridopolos	Webster
Constantine	Lawson	Wise
Crist	Posey	
Diaz de la Portilla	Pruitt	

Nays—21

Alexander	Dockery	Margolis
Argenziano	Geller	Miller
Aronberg	Hill	Rich
Bennett	Jones	Saunders
Bullard	King	Siplin
Campbell	Klein	Smith
Carlton	Lynn	Wilson

Vote after roll call:

Yea—Peaden

On motion by Senator Webster, further consideration of **CS for SB 804** was deferred.

On motion by Senator Garcia—

CS for SB 1486—A bill to be entitled An act relating to property insurance; amending s. 627.701, F.S.; providing that the requirement for a hurricane deductible to apply on an annual basis applies to personal lines residential property insurance policies; requiring insurers that provide commercial residential property insurance to offer alternative hurricane deductibles that apply on an annual basis or to each hurricane; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1486** was placed on the calendar of Bills on Third Reading.

On motion by Senator Saunders—

SB 114—A bill to be entitled An act relating to trust funds; creating the Entertainment Industry Financial Incentive Trust Fund; providing for sources of funds and purposes; requiring funds to remain in the trust fund at the end of each fiscal year; providing for future review and termination or re-creation of the fund; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 114** was placed on the calendar of Bills on Third Reading.

On motion by Senator Campbell—