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## Review of Florida Legislation

The Editors

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# REVIEW OF FLORIDA LEGISLATION

## PREFACE

The *Review of Florida Legislation* is an annual publication of the *Florida State University Law Review* offering articles examining significant legislation enacted during the preceding legislative session, as well as important issues yet to be addressed by the Florida Legislature. Its purpose is two-fold: articles reviewing recent enactments are designed as a resource for those seeking the measure's legislative history and possible intent; and second, articles proposing changes to current law are aimed at policy makers and lawmakers as a framework for evaluating possible legislative action.

This edition of the *Review of Florida Legislation* is dedicated to the memory of the late Governor Lawton Chiles. Governor Chiles was a frequent contributor to this edition, writing four introductions on various topics during his tenure as governor. Last year, Governor Chiles introduced this edition by speaking for Florida's children and urging the state to meet the medical, safety and educational needs of our youngest citizens. This year's edition opens with a dedication to Governor Chiles by former Governor Buddy MacKay.

Legislative Editor S. Elysha Luken has compiled a slate of articles that address several important and timely legal issues. The *Review* begins with an article that considers the legal issues surrounding children born into marriages where the husband is not the father and proposes a statutory revision to chapter 742, *Florida Statutes*, to address the needs of such "quasi-marital" children. This article is followed by a critical examination of Florida's recent enactment of revisions to Articles 2A and 8 of the Uniform Commercial Code (UCC), and provides commentary on expected future revisions to the UCC. The next article chronicles the many legislative permutations of Florida's early release from prison programs since the 1970s and warns of an impending prison overcrowding crisis unless the goals and resources of the criminal justice system are reevaluated. The next article discusses last year's legislative foray into growth management and surveys the newly enacted state policy to coordinate residential development with the construction of new schools. Finally, one of this edition's two student articles discusses the implications of the recently enacted Jimmy Ryce Involuntary Civil Commitment for Sexually Violent Predators' Treatment and Care Act, and the other addresses the revised APA standard for agency rulemaking authority in light of the recent decision in *St. Johns River Water Management District v. Consolidated-Tomoka Land Co.*

Many have cooperated to make this year's legislative edition possible. First, we thank the authors who have brought this edition to fruition through their scholarly contributions. Second, we thank the Florida State University Student Government, whose continuing funding permits the distribution of complimentary copies of this edition to law students and members of the Florida Legislature. Third, our members are to be commended for the many hours spent checking citations and sources for accuracy and veracity. Finally, we extend our thanks to our

Office Manager, Lou Wright, and our undergraduate assistant Daniel Wardeh. For nearly twelve years, Lou has served as the heart and soul of the *Review*, providing continuity to an endeavor that would otherwise lose its history as our membership changes. Each one of us is truly grateful for Lou's essential guidance and support.

**The Editors**