



# Journal of the Senate

Number 4

Tuesday, April 10, 1979

The Senate was called to order by the President at 9:00 a.m.  
A quorum present—40:

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtel	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

Prayer by Thomas Kennedy, pastor, Forest Heights Baptist Church:

O Lord, thank you for this day of life and opportunity.

And dear Lord, beneath whose all-seeing eyes our lives shall pass, help me in my deeds and intents that I may exhibit courtesy and honor. Let me be true and just in my dealings. Give me courage to halt low and mean thoughts from having a place in my mind. May my motives be pure for others to see and my word be my bond. Permit me grace in my judgment of others and respect for my fellowman. And may the mind of Christ guide each of us throughout the day.

In this journey of life, I remember  
His eagerness to minister and not be ministered unto,  
His sympathy with suffering of every kind,  
His bravery in face of His own suffering,  
His simplicity,  
His self-discipline,  
His complete reliance upon Thee, His Father in Heaven.

Lord, I pray as though all depends upon You and may I live as though my petitions depend on me.

God Bless this body as they labor to be good stewards of this favored state you have entrusted to us. Amen.

The Senate pledged allegiance to the flag of the United States of America.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, April 10, 1979.

SB 272	CS for SB 253	SB 213	SB 220
SB 73	SB 9	SB 214	SB 221
SB 123	SB 266	SB 215	SB 222
SB 157	SB 328	SB 216	SB 223
SB 238	SB 85	SB 217	SB 224
SB 338	CS for SB 40	SB 218	
SB 404	SB 398	SB 219	

Respectfully submitted,  
*Dempsey J. Barron, Chairman*

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 54, SB 340

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

The Committee on Commerce recommends the following pass: SB 423

The bill was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 198 with 2 amendments

The Committee on Corrections, Probation and Parole recommends the following pass: SB 142 with 2 amendments

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

The Committee on Corrections, Probation and Parole recommends the following pass: SB 410 with 2 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 275

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 126 with 1 amendment

The Committee on Judiciary-Criminal recommends the following pass: SB 360

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass:

SB 151 with 4 amendments      SB 261      SB 356

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

The Committee on Commerce recommends the following pass: SB 229 with 1 amendment

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

The Committee on Corrections, Probation and Parole recommends the following pass: SB 114 with 5 amendments

The Committee on Economic, Community and Consumer Affairs recommends the following pass:

SB 181      SB 195 with 4 amendments      SB 358

The Committee on Health and Rehabilitative Services recommends the following pass: SB 171 with 1 amendment

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 339

The Committee on Agriculture recommends the following pass:

SJR 350 with 1 amendment      SB 409      SB 362

The Committee on Judiciary-Criminal recommends the following pass: SB 368 with 4 amendments

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

The Committee on Commerce recommends the following pass:  
SB 128 with 6 amendments SB 129 with 3 amendments

The Committee on Agriculture recommends the following pass: SB 397

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

The Committee on Corrections, Probation and Parole recommends the following pass: SB 228 with 1 amendment

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 561 with 2 amendments

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

The Committee on Commerce recommends the following pass:  
SB 582, SB 331 with 3 amendments

The Committee on Rules and Calendar recommends the following pass: HB 349 with 1 amendment

The Committee on Corrections, Probation and Parole recommends the following pass: SB 37 with 2 amendments, SB 343

The Committee on Economic, Community and Consumer Affairs recommends the following pass:

SB 141 SB 365 SB 267 with 1 amendment

The Committee on Judiciary-Criminal recommends the following pass:

SB 369 SB 330 with 2 amendments  
SB 313 with 1 amendment SB 497  
SB 49 with 1 amendment SB 314  
SB 323 with 1 amendment

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

The Committee on Agriculture recommends a Committee Substitute for the following: SB 81

The bill with Committee Substitute attached was referred to the Committee on Commerce under the original reference.

The Committee on Transportation recommends a Committee Substitute for the following: SB 139 and SB 202

The bill with Committee Substitute attached were referred to the Committee on Economic, Community and Consumer Affairs under the original reference for SB 202.

The Committee on Corrections, Probation and Parole recommends a Committee Substitute for the following: SB 431

The Committee on Economic, Community and Consumer Affairs recommends a Committee Substitute for the following: SB 162

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

The Committee on Education recommends a Committee Substitute for the following: SB 209

The bill with Committee Substitute attached was referred to Ways and Means Subcommittee E under the original reference.

The Committee on Commerce recommends a Committee Substitute for the following: SB 165

The Committee on Commerce recommends a Committee Substitute for the following: SB 254

The Committee on Commerce recommends a Committee Substitute for the following: SB 164

The Committee on Economic, Community and Consumer Affairs recommends a Committee Substitute for the following: SB 120

The Committee on Education recommends a Committee Substitute for the following: SB 378

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: CS for SB 252 (As offered by the Committee on Corrections, Probation and Parole)

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 227

The Committee on Transportation recommends a Committee Substitute for the following: SB 377

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the calendar.

The Committee on Rules and Calendar recommends the following not pass: SCR 2

The Committee on Commerce recommends the following not pass: CS for SB 103

The Committee on Judiciary-Criminal recommends the following not pass: SB 170

The bills contained in the foregoing reports were laid on the table.

#### BILLS REFERRED TO SUBCOMMITTEE

The following have been referred to Ways and Means Subcommittee D which will report to the full committee within 30 days: SJR 300, SB 604

The following have been referred to Ways and Means Subcommittee E which will report to the full committee within 30 days: SB 161, SB 303, SB 304, SB 305, SB 521

#### Committee Appointment

The President announced the appointment of Senator Maxwell to Subcommittee B of the Committee on Ways and Means on April 6.

On motion by Senator Vogt, the rules were waived by unanimous consent and the Senate reverted to Introduction for the purpose of introducing the following bill out of order:

#### INTRODUCTION

By Senators Vogt and Henderson—

SB 802—A bill to be entitled An act relating to environmental land and water management; amending s. 380.031(16), Florida Statutes, and adding subsections (18) and (19) to said section; providing definitions; creating s. 380.045, Florida Statutes; authorizing the Governor to appoint a resource planning and management committee for an area under study by the state land planning agency as an area of critical state concern; providing for membership and objectives of such committee; amending s. 380.05, Florida Statutes; providing for recommendations by the state land planning agency relative to areas of critical state concern; providing for adoption of principles for guiding development of such areas under certain conditions; prescribing contents of rules designating areas of critical state concern; providing for redesignation of an area under certain circumstances and for modification of boundaries; providing certain criteria to be considered in designating such areas; providing for submission of land development regulations to the state land planning agency by local govern-

ments; providing for consideration of and conformance to local comprehensive plans; providing for approval or disapproval of such regulations by the state land planning agency; providing for submission of regulations by the state land planning agency to the commission; providing for the termination of the designation of an area of critical state concern under certain circumstances; providing for amendment or rescission of certain regulations by local governments; providing for judicial proceedings in certain instances; providing for repeal of rules designating such areas; requiring the state planning agency to assist in securing financial assistance to areas of critical state concern; creating ss. 380.0551 and 380.0552, Florida Statutes; providing for designation of the Green Swamp Area and the Florida Keys Area as areas of critical state concern; providing for adoption of certain portions of the Florida Administrative Code relating thereto and for repeal thereof; providing an exception; providing an effective date.

—which was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 21, 47, 80, 98, 109, 127, 136, 152, 167, 179, 233, 262 and 321 were withdrawn from the Committee on Ways and Means.

On motion by Senator Spicola, by two-thirds vote SB 620 was removed from the calendar and indefinitely postponed.

On motion by Senator Spicola, the rules were waived and by two-thirds vote SB 355 was withdrawn from the Committee on Judiciary-Criminal.

On motions by Senator Hill, by two-thirds vote SB 326 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Hair, the rules were waived and by two-thirds vote Senate Bills 456 and 503 were withdrawn from the Committee on Governmental Operations and referred to the Committee on Judiciary-Civil.

On motion by Senator Jenne, by two-thirds vote SB 447 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Dunn, the rules were waived and the Committee on Governmental Operations was granted permission to consider SB 168 this day and time of adjournment was extended until final consideration of SB 727.

On motion by Senator Vogt, the rules were waived and by two-thirds vote SB 629 was withdrawn from the Committee on Natural Resources and Conservation.

Senator Barron moved that the rules be waived and reviser's bills not be printed. The motion was adopted by two-thirds vote.

Senator Peterson announced that Ways and Means Subcommittee B and the Committee on Education would meet jointly on April 11 at 1:00 p.m. in Room A for the purpose of reviewing the teacher education policy and quality of community college graduates.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has passed SB 83.

*Allen Morris, Clerk*

The bill contained in the above message was ordered enrolled.

On motion by Senator Barron, the rules were waived by unanimous consent and the Senate reverted to Introduction for the purpose of introducing the following resolution out of order:

**INTRODUCTION**

By Senator Barron—

SR 752—A resolution commending the Bay County Rutherford High School chapter of the Distributive Education Clubs of America.

—which was read the first time by title. On motion by Senator Barron SR 752 was read the second time in full and adopted. The vote was:

Yeas—36

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McKnight	Steinberg
Barron	Grizzle	Myers	Stuart
Carlucci	Hair	Neal	Thomas
Chamberlin	Henderson	Peterson	Tobiassen
Childers, W. D.	Hill	Poole	Trask
Dunn	Holloway	Scarborough	Vogt
Fechtcl	Jenne	Scott	Williamson
Frank	MacKay	Skinner	Winn

Nays—None

Vote after roll call:

Yea—D. Childers

Senator Barron presented Rita White, Johnna Long and Richard Grider, who spoke to the Senate about goals of the Bay County Rutherford High School chapter of Distributive Education Clubs of America which recently received the Phillips Petroleum Free Enterprise Award for the outstanding chapter in Florida. Senator Barron also introduced Mrs. Wally Holmes, club director; Robert Wade and James White, father of Rita White.

**Special Order**

SB 272—A bill to be entitled An act relating to community colleges; requiring that a specified portion of athletic scholarships awarded by public community colleges be awarded to persons who graduated from public or nonpublic secondary schools in the state; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote SB 272 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Gordon	McKnight	Tobiassen
Anderson	Gorman	Myers	Trask
Barron	Grizzle	Neal	Vogt
Carlucci	Henderson	Peterson	Ware
Chamberlin	Holloway	Poole	Winn
Childers, W. D.	Jenne	Scott	
Fechtcl	McClain	Steinberg	

Nays—10

Dunn	Johnston	Skinner	Thomas
Frank	MacKay	Spicola	
Hair	Maxwell	Stuart	

Votes after roll call:

Yeas—D. Childers, Hill and Williamson

SB 73—A bill to be entitled An act relating to bridge designation; designating the bridge on the Sunny Isles Causeway which spans the Intracoastal Waterway at State Road 826 in Dade County as the Milton Littman Memorial Bridge; providing for the erection of appropriate signs and markers; providing an effective date.

—was read the second time by title. On motion by Senator Steinberg, by two-thirds vote SB 73 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtcl	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

Nays—None

**SB 123**—A bill to be entitled An act relating to water resources; amending s. 373.0693(9)(c) and (10)(b), Florida Statutes; prohibiting the abolition of the Big Cypress Basin and prohibiting the inclusion thereof in the Okeechobee Basin; providing an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 123 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtcl	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

Nays—None

**SB 157**—A bill to be entitled An act relating to criminal proceedings; requiring courts to advise persons pleading guilty or nolo contendere that such pleas may affect their immigration status; providing that defendants need not disclose their legal status; providing procedure for vacating judgments; providing an effective date.

—was read the second time by title.

Senator Dunn moved the following amendment which failed:

**Amendment 1**—On page 1, strike lines 12 through 30, and insert: Section 1. The State of Florida shall provide free legal counsel for any person who is accused of a felony or a misdemeanor.

Senator Chamberlin moved the following amendment which was adopted:

**Amendment 2**—On page 1, lines 22 through 30, strike paragraph (2)

Senator McClain moved the following amendment which was adopted:

**Amendment 3**—On page 1, lines 19 through 21, strike "The defendant shall not be required at the time of the plea to disclose to the court his legal status in the United States."

Senator Steinberg moved that further consideration of SB 157 as amended be deferred, and the motion failed.

On motion by Senator Winn, the Senate reconsidered the vote by which the foregoing motion by Senator Steinberg failed.

Further consideration of SB 157 as amended was deferred.

**SB 238**—A bill to be entitled An act relating to navigable meandered freshwater lakes; repealing s. 253.151, Florida Statutes, as amended, relating to the establishment of boundary

lines of submerged lands located under navigable meandered freshwater lakes; providing an effective date.

—was read the second time by title.

On motion by Senator McKnight, further consideration of SB 238 was deferred.

**SB 338**—A bill to be entitled An act relating to nonpublic postsecondary institutions; amending ss. 246.213(2), 246.215, 246.217(1), 246.220 and 246.223(1), Florida Statutes; specifying minimum educational standards for independent postsecondary vocational, technical, trade, and business schools; requiring a notarized application for licensure; authorizing requirement of surety bonds or insurance under certain circumstances; specifying information to be included in annual reports of accredited schools; providing for conditional repeal; providing an effective date.

—was read the second time by title.

The Committee on Education offered the following amendment which was moved by Senator Maxwell and adopted:

**Amendment 1**—On page 4, line 4, insert after the word "catalog," a printed contract

On motion by Senator Maxwell, by two-thirds vote SB 338 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Gorman	McClain	Steinberg
Anderson	Grizzle	McKnight	Stuart
Barron	Hair	Myers	Thomas
Carlucci	Henderson	Neal	Tobiassen
Chamberlin	Hill	Peterson	Trask
Childers, D.	Holloway	Poole	Vogt
Childers, W. D.	Jenne	Scarborough	Ware
Fechtcl	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn
Gordon	Maxwell	Spicola	

Nays—None

Vote after roll call:

Yea—Dunn

**SB 404**—A bill to be entitled An act relating to the Secondary Level Examination Program; amending s. 229.814(5), Florida Statutes, 1978 Supplement; expanding the specific areas of advanced instruction offered to qualified students in the program; providing for the distribution of funds to boards providing instructional services; requiring the provision of advanced instructional services in certain locales; providing an effective date.

—was read the second time by title. On motion by Senator MacKay, by two-thirds vote SB 404 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Grizzle	McKnight	Stuart
Anderson	Hair	Myers	Thomas
Barron	Henderson	Neal	Tobiassen
Chamberlin	Hill	Peterson	Trask
Childers, D.	Holloway	Poole	Vogt
Childers, W. D.	Jenne	Scarborough	Ware
Fechtcl	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn
Gordon	Maxwell	Spicola	
Gorman	McClain	Steinberg	

Nays—None

Vote after roll call:

Yea—Dunn

By the Committee on Corrections, Probation and Parole and Senator Skinner—

CS for SB 253—A bill to be entitled An act relating to parole; amending s. 947.03(1), (2), Florida Statutes; providing for terms of commissioners; amending s. 947.04(1), Florida Statutes, 1978 Supplement; providing for selection of the chairman and prescribing his duties and responsibilities; amending s. 947.06, Florida Statutes, 1978 Supplement; providing for regularly scheduled commission meetings; specifying the activities which require a majority vote of the commission; providing for the appointment of panels for the purpose of granting parole; prescribing the nature of the forum at which all matters relating to the granting, denying, or revoking of parole are to be decided; amending s. 947.095(2), Florida Statutes, 1978 Supplement; authorizing the administrator for parole grant and work-release or his designee to make a parole recommendation when the concurrence of two hearing examiners is not reached; amending s. 947.16(1), Florida Statutes, 1978 Supplement; prohibiting parole eligibility for certain offenders serving Florida sentences concurrently with sentences in other jurisdictions; amending s. 947.165(2), Florida Statutes, 1978 Supplement; providing for review of objective parole guidelines before January 1, 1980; amending s. 947.172(2), Florida Statutes, 1978 Supplement; providing for a panel of commissioners to act in certain circumstances; providing for the chairman to act with such panel under certain circumstances; requiring full commission action in certain circumstances; amending s. 947.173(2), Florida Statutes, 1978 Supplement; providing for review of presumptive parole release dates by a panel of commissioners; amending s. 947.174(1), (4), (6), Florida Statutes, 1978 Supplement; eliminating the biennial interview requirement for persons serving a Florida sentence in a non-Florida jurisdiction; providing for work-release recommendation by the department or a hearing examiner panel; providing for establishment of effective parole release dates by a panel of commissioners; amending s. 947.19(3), (4), Florida Statutes, 1978 Supplement; providing for review of conditions of parole by a panel of commissioners; amending s. 947.23, Florida Statutes, 1978 Supplement; requiring preliminary hearing on parole violations; prescribing procedures for such preliminary hearings and for hearings on parole violations; authorizing the issuance of subpoenas and subpoenas duces tecum; requiring a parolee at a hearing to be furnished certain information and to be informed of certain rights; prescribing circumstances and procedure for waiver of a hearing or of certain rights; prescribing duties of the commissioner or commissioners conducting a hearing; repealing s. 947.135(2), Florida Statutes, which provides definitions for purposes of the Mutual Participation Program Act of 1976; providing an effective date.

—was read the first time by title and SB 253 was laid on the table.

On motion by Senator Skinner, by two-thirds vote CS for SB 253 was read the second time by title.

Senator Gordon moved the following amendments which were adopted:

Amendment 1—On page 7, lines 27-31, strike entire paragraph

Amendment 2—On page 2 in title, strike all of lines 3 and 4 and insert: circumstances; amending s.

Senator Skinner moved the following amendments which were adopted:

Amendment 3—On page 6, lines 15-17, strike "and if the sentence of the court of such other jurisdiction would prevent his release from the facility regardless of a Florida parole." and insert: until such time as he is returned to Florida to serve the remainder of his Florida sentence.

Amendment 4—On page 8, lines 29-30, strike "This subsection does not apply to persons serving a Florida sentence in a non-Florida jurisdiction."

Amendment 5—On page 14, after line 11, insert a new Section 12 and renumber the remaining sections accordingly:

Section 12. Subsection (2) of s. 921.16, Florida Statutes, 1978 Supplement, is amended to read:

921.16 When sentences to be concurrent and when consecutive.—

(2) A county court or circuit court of this state may direct that the sentence imposed by such court be served concurrently with a sentence imposed by a court of another state or of the United States. In such case, the *Department of Corrections* ~~Department of Offender Rehabilitation~~ may designate the correctional institution of the other jurisdiction as the place for reception and confinement of such person and may also designate the place in Florida for reception on confinement of such person in the event that confinement in the other jurisdiction terminates before the expiration of the Florida sentence. Any prisoner so released to another jurisdiction shall *not* be eligible for consideration for parole by the Florida Parole and Probation Commission, *until such time as he is returned to Florida to serve the remainder of his Florida sentence without the necessity of confinement in Florida if the prisoner is otherwise eligible for parole. However, as a condition of parole under this subsection, the prisoner shall not return to Florida without the approval of the Parole and Probation Commission.*

Senators McClain, Trask and Spicola offered the following amendment which was moved by Senator McClain and failed:

Amendment 6—On page 5, lines 1-4, strike all underlined language and reinsert stricken language on line 4

Senator Skinner moved the following title amendments which were adopted:

Amendment 7—On page 1, line 24, strike "certain"

Amendment 8—On page 2, lines 9-12, strike "eliminating the biennial interview requirement for persons serving a Florida sentence in a non-Florida jurisdiction;"

Amendment 9—On page 2, line 31, after the semi-colon insert: amending s. 921.16(2), Florida Statutes, 1978 Supplement; prohibiting parole eligibility for offenders serving Florida sentences concurrently with sentences in other jurisdictions until such time as they are returned to Florida;

On motion by Senator Skinner, by two-thirds vote CS for SB 253 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—21

Mr. President	Henderson	Maxwell	Thomas
Anderson	Hill	Scarborough	Vogt
Barron	Holloway	Skinner	Winn
Chamberlin	Jenne	Spicola	
Fechtcl	Johnston	Steinberg	
Hair	MacKay	Stuart	

Nays—13

Carlucci	Grizzle	Peterson	Ware
Childers, D.	McClain	Poole	
Frank	McKnight	Tobiassen	
Gorman	Neal	Trask	

Votes after roll call:

Yea—W. D. Childers, Dunn, Williamson

SB 9—A bill to be entitled An act relating to beach erosion; amending s. 161.141, Florida Statutes; amending s. 161.161, Florida Statutes, 1978 Supplement; amending ss. 161.181, 161.191, 161.211, Florida Statutes; providing for publicly financed beach erosion control projects; conforming the roles of the Department of Natural Resources and the Board of Trustees of the Internal Improvement Trust Fund to the requirements of chapter 75-22, Laws of Florida; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendments which were moved by Senator Scott and adopted:

**Amendment 1**—On page 5, line 27, after the period insert: *Erosion control lines shall not be required for an inlet sand transfer project resulting from maintenance or improvement of inlets or the creation of new inlets unless such transfer is for the sole purpose of constructing an authorized beach erosion control project which requires the contribution of state or local funds.*

**Amendment 2**—On page 1 in title, line 7, after the word "projects;" insert: providing exceptions for private inlet maintenance and improvement work from establishing erosion control lines;

On motion by Senator Scott, by two-thirds vote SB 9 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gorman	McKnight	Stuart
Anderson	Grizzle	Myers	Thomas
Barron	Hair	Neal	Tobiassen
Carlucci	Henderson	Peterson	Trask
Chamberlin	Hill	Poole	Vogt
Childers, D.	Holloway	Scarborough	Ware
Childers, W. D.	Jenne	Scott	Williamson
Fechtcl	Johnston	Skinner	Winn
Frank	Maxwell	Spicola	
Gordon	McClain	Steinberg	

Nays—None

Votes after roll call:

Yeas—Dunn, MacKay

**SB 266**—A bill to be entitled An act relating to trusts; creating ss. 737.308, 737.309, Florida Statutes; providing that a trustee distribute trust income no less frequently than annually unless otherwise directed or permitted by the trust instrument; providing for retroactive operation; providing that a trustee not be required to obtain title insurance or proof of marketable title prior to the sale of trust real property; providing an effective date.

—was read the second time by title.

Senator Johnston moved the following amendments which were adopted:

**Amendment 1**—On page 1, line 18, after the word "a" insert: will or

**Amendment 2**—On page 1, line 18, after the word "instrument" insert: granting income to the grantor's or testator's spouse for life with a general power of appointment in the spouse

On motion by Senator Johnston, by two-thirds vote SB 266 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gordon	McClain	Stuart
Anderson	Gorman	McKnight	Thomas
Barron	Grizzle	Neal	Tobiassen
Carlucci	Hair	Poole	Trask
Chamberlin	Henderson	Scarborough	Vogt
Childers, D.	Hill	Scott	Ware
Childers, W. D.	Holloway	Skinner	Williamson
Fechtcl	Jenne	Spicola	Winn
Frank	Johnston	Steinberg	

Nays—None

Votes after roll call:

Yeas—Dunn, MacKay, Peterson

**SB 328**—A bill to be entitled An act relating to motor vehicles; amending s. 325.14(2), Florida Statutes, 1978 Supple-

ment; permitting the owner of a vehicle not previously registered in the State of Florida to drive such vehicle to an inspection station and to a tag agency; providing an effective date.

—was read the second time by title. On motion by Senator Gorman, by two-thirds vote SB 328 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gorman	McClain	Stuart
Anderson	Grizzle	McKnight	Thomas
Barron	Hair	Myers	Tobiassen
Carlucci	Henderson	Neal	Trask
Chamberlin	Hill	Peterson	Vogt
Childers, D.	Holloway	Poole	Ware
Childers, W. D.	Jenne	Scarborough	Williamson
Fechtcl	Johnston	Skinner	Winn
Frank	MacKay	Spicola	
Gordon	Maxwell	Steinberg	

Nays—None

Votes after roll call:

Yea—Dunn, Scott

**SB 85**—A bill to be entitled An act relating to criminal prosecutions; adding a subsection to s. 794.022, and creating s. 827.045, Florida Statutes, permitting the video-taping of the testimony of certain minors in cases involving sexual battery or child abuse, respectively; permitting the defendant to be present; repealing Rule 3.190(j), Florida Rules of Criminal Procedure, insofar as the rule conflicts with the act; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 85 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gorman	McKnight	Stuart
Anderson	Grizzle	Myers	Thomas
Barron	Hair	Neal	Tobiassen
Carlucci	Henderson	Peterson	Trask
Chamberlin	Hill	Poole	Vogt
Childers, D.	Holloway	Scarborough	Ware
Childers, W. D.	Jenne	Scott	Williamson
Fechtcl	Johnston	Skinner	Winn
Frank	MacKay	Spicola	
Gordon	McClain	Steinberg	

Nays—None

Vote after roll call:

Yea—Dunn

By the Committee on Judiciary-Criminal and Senators Scott and Poole—

**CS for SB 40**—A bill to be entitled An act relating to law enforcement officers; providing that such officers may refuse to disclose certain personal information in criminal cases or proceedings preliminary thereto; providing an effective date.

—was read the first time by title and SB 40 was laid on the table.

On motion by Senator Scott, by two-thirds vote CS for SB 40 was read the second time by title.

Senator Gordon moved the following amendment which failed:

**Amendment 1**—On page 1, lines 10 and 11, strike "law enforcement officer of the state or of any political subdivision thereof" and insert: witness

On motion by Senator Scott, by two-thirds vote CS for SB 40 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Grizzle	Myers	Thomas
Anderson	Henderson	Neal	Tobiassen
Carlucci	Hill	Peterson	Trask
Chamberlin	Holloway	Poole	Vogt
Childers, D.	Jenne	Scarborough	Ware
Childers, W. D.	Johnston	Scott	Williamson
Fechtel	MacKay	Skinner	Winn
Frank	Maxwell	Spicola	
Gordon	McClain	Steinberg	
Gorman	McKnight	Stuart	

Nays—None

Vote after roll call:

Yea—Dunn

Senator Scarborough presiding

SB 398—A bill to be entitled An act relating to the Florida Probate Code; amending s. 731.111, Florida Statutes; prescribing the time within which the Department of Revenue must file a claim against the estate of a decedent; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 398 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Anderson	Gorman	MacKay	Steinberg
Barron	Grizzle	Maxwell	Stuart
Chamberlin	Hair	McKnight	Thomas
Childers, D.	Henderson	Peterson	Trask
Childers, W. D.	Hill	Scarborough	Vogt
Fechtel	Jenne	Skinner	Williamson
Frank	Johnston	Spicola	Winn

Nays—2

McClain Scott

Vote after roll call:

Yea—Dunn

On motion by Senator Ware, consideration of SB 213 was deferred.

SB 214—A reviser's bill to be entitled An act relating to the Florida Statutes; amending s. 20.29, Florida Statutes, and ss. 20.19(3)(c), (14)(a), (15) and 20.21(2), Florida Statutes (1978 Supplement), and repealing ss. 20.24(3)-(5), 20.261(4), and 20.28(1)-(3), Florida Statutes, and ss. 20.18(7), (8), (10)-(13), 20.19(16)-(21), (23), 20.21(3)-(8), and 20.23(4)-(14), Florida Statutes (1978 Supplement), to delete transitory provisions relating to governmental reorganization which have expired, have had their effect, or have served their purpose and which no longer need to be included in the Florida Statutes; also deleting a redundant provision and a provision which has been repealed by implication.

—was read the second time by title.

The Committee on Rules and Calendar offered the following amendment which was moved by Senator Ware and adopted:

Amendment 1—On pages 8 and 9, strike all of lines 27-29, and on page 9, strike all of lines 1-19 and insert: 20.29 Department of Citrus.—The State Citrus Commission, created under chapter 601, is continued and renamed the Department of Citrus.

(1) The head of the Department of Citrus is the board, established by s. 601.04, and said board is hereby named the "Florida Citrus Commission."

(2) Members of the board shall continue to be appointed by the Governor in accordance with the qualifications and terms established in s. 601.04, from the citrus districts established in s. 601.00.

(3) Each person holding office as a member of the Florida Citrus Commission when this chapter becomes effective shall continue in office for the remainder of his term. Thereafter, confirmation by the Senate shall be required for appointment to or removal from the board.

(2)(4) All of the powers, duties, and functions of the Florida Citrus Commission are continued in the board, as head of the department. The board shall derive all of its powers, duties, and functions from chapter 601.

(3)(5) All of the personnel, records, property, and unexpended balances of appropriations and other funds are continued with the Department of Citrus as presently held.

Pending further consideration of SB 214 as amended, on motion by Senator Ware, the rules were waived and by two-thirds vote HB 650 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Ware—

HB 650—A reviser's bill to be entitled An act relating to the Florida Statutes; amending s. 20.29, Florida Statutes, and ss. 20.19(3)(c), (14)(a), (15) and 20.21(2), Florida Statutes (1978 Supplement), and repealing ss. 20.24(3)-(5), 20.261(4), and 20.28(1)-(3), Florida Statutes, and ss. 20.18(7), (8), (10)-(13), 20.19(16)-(21), (23), 20.21(3)-(8), and 20.23(4)-(14), Florida Statutes (1978 Supplement), to delete transitory provisions relating to governmental reorganization which have expired, have had their effect, or have served their purpose and which no longer need to be included in the Florida Statutes; also deleting a redundant provision and a provision which has been repealed by implication.

—a companion measure, was substituted for SB 214 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 650 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Chamberlin	Henderson	Myers	Trask
Childers, D.	Hill	Neal	Vogt
Childers, W. D.	Holloway	Peterson	Ware
Dunn	Jenne	Scarborough	Williamson
Fechtel	Johnston	Scott	Winn
Frank	MacKay	Skinner	

Nays—None

SB 214 was laid on the table.

SB 215 was taken up and on motion by Senator Ware, by two-thirds vote HB 646 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Ware—

HB 646—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 13.9982(2)(h), 13.9988(2)(a), 20.18(5)(a), 112.044(2)(d), 222.15(2), 232.07(5), 232.17(2)(f), 409.255(2), 443.11(1)(b), 443.13(1), 446.011, 446.021(2), 446.031(1), 446.075, 447.02(3), 447.04(2)(a), 447.06(1), 447.12, 447.16, 447.205(1), (3), (4), 449.04, 450.271, 450.28(2), 450.41, and 944.551(1), Florida Statutes, ss. 20.17, 20.315(10)(a), 120.57(1)(a), 215.19(1)(b), 230.66(2)(a), 440.02(8), 440.13(3)(b)-(c), 440.25(3)(d), 440.44(2), (6), 440.48, 440.59, 443.03(16), 443.07(4)(b)-(e), (5)(b), 443.12(1), (7), (8), 443.15(2)(a), 446.041(1), (2)(a), (c), (3), 446.101(2)(g), 450.061(2), and 553.19(6), Florida Statutes (1978 Supplement), and s. 20.171, Florida Statutes (1978 Supplement), enacted as ss. 2 and 3 of chapter 78-201, Laws of Florida, and reenacting s. 443.16(2)(a), (d), Florida Statutes, and ss. 443.06(6), 443.07(3)(b), (c), (4)(a), 443.12(9), (10), and 443.15(3)(f), Florida Statutes (1978 Supplement); conforming such sections to chapter 78-201, Laws of Florida, which created the Department of Labor and Employment Security, transferred the Divisions of Labor and Employ-

ment Security and the Public Employees Relations Commission and the Industrial Relations Commission from the Department of Commerce to the Department of Labor and Employment Security, and renamed the Board of Review as the Unemployment Appeals Commission and transferred it from the Department of Commerce to the Department of Labor and Employment Security; deleting transfer provisions which have had their effect; making a grammatical correction; and incorporating implied amendments resulting from the creation of the Board of Review by chapter 77-399, Laws of Florida.

—a companion measure, was substituted for SB 215 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 646 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Anderson	Gordon	MacKay	Skinner
Barron	Gorman	Maxwell	Spicola
Carlucci	Grizzle	McClain	Steinberg
Chamberlin	Hair	McKnight	Stuart
Childers, D.	Henderson	Myers	Trask
Childers, W. D.	Hill	Neal	Vogt
Dunn	Holloway	Peterson	Ware
Fechtcl	Jenne	Scarborough	Williamson
Frank	Johnston	Scott	Winn

Nays—None

SB 215 was laid on the table.

SB 216 was taken up and on motion by Senator Ware, by two-thirds vote HB 645 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Ware—

HB 645—A reviser's bill to be entitled An act relating to the Florida Statutes; amending s. 350.28(1), Florida Statutes (1978 Supplement); removing a penalty provision made obsolete by enactment of chapter 78-88, Laws of Florida, which repealed the authority of the Florida Public Service Commission to regulate railroad safety.

—a companion measure, was substituted for SB 216 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 645 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Anderson	Gordon	MacKay	Skinner
Barron	Gorman	Maxwell	Spicola
Carlucci	Grizzle	McClain	Steinberg
Chamberlin	Hair	McKnight	Stuart
Childers, D.	Henderson	Myers	Trask
Childers, W. D.	Hill	Neal	Vogt
Dunn	Holloway	Peterson	Ware
Fechtcl	Jenne	Scarborough	Williamson
Frank	Johnston	Scott	Winn

Nays—None

SB 216 was laid on the table.

SB 217 was taken up and on motion by Senator Ware, by two-thirds vote HB 644 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Ware—

HB 644—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 298.01(1), 298.02(1), 298.07(1),(2),(4), 298.11(5), 298.12(2), 298.13, 298.17, 298.20, 298.23, 298.24, 298.25, 298.27(1), 298.30, 298.32(2), 298.33(1), 298.35, 298.36(3), (4), 298.401(1), (2), 298.41(2), 298.467, 298.52(1), 298.55(1), 298.57, 298.59, 298.62, 298.63, 298.65(1), 298.66, 298.70, 298.71, 298.72, 298.73, 298.76, 298.77(1),(2), and 373-1962(3), Florida Statutes; conforming such sections to chapter 78-153, Laws of Florida, which changed the names of "water-management districts" and "drainage districts" under chapter 298, Florida Statutes, to "water control districts," and other-

wise improving their clarity and facilitating their correct and proper interpretation.

—a companion measure, was substituted for SB 217 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 644 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Anderson	Gordon	Maxwell	Spicola
Barron	Gorman	McClain	Steinberg
Carlucci	Grizzle	McKnight	Stuart
Chamberlin	Hair	Myers	Trask
Childers, D.	Henderson	Neal	Vogt
Childers, W. D.	Hill	Peterson	Ware
Dunn	Jenne	Scarborough	Williamson
Fechtcl	Johnston	Scott	Winn
Frank	MacKay	Skinner	

Nays—None

SB 217 was laid on the table.

SB 218 was taken up and on motion by Senator Ware, by two-thirds vote HB 643 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Ware—

HB 643—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 468.151, 468.152, 478.34(1), 550.011, 550.025, 550.08(1), 550.082(1), 550.083(1), 550.084, 550.181(3), 550.29, 550.291(1), 550.32, 550.37(4), (13), 550.39(1), 550.41(1), (4)-(8), 550.43, 550.45, 551.031, 551.15(1), 562.44, and 719.501(2), Florida Statutes, and ss. 468.160, 550.03, 550.055(2), 550.07, 550.33(2)(a), 551.12, 561.01(2), 561.19(2), 561.29(6), 561.42(4), and 718.501(2)(a), Florida Statutes (1978 Supplement), to conform to the reorganization of the Department of Business Regulation by ch. 78-131, Laws of Florida.

—a companion measure, was substituted for SB 218 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 643 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Anderson	Gorman	McClain	Stuart
Barron	Grizzle	McKnight	Trask
Carlucci	Hair	Neal	Vogt
Chamberlin	Henderson	Peterson	Ware
Childers, D.	Hill	Scarborough	Williamson
Childers, W. D.	Jenne	Scott	Winn
Fechtcl	Johnston	Skinner	
Frank	MacKay	Spicola	
Gordon	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Dunn

SB 218 was laid on the table.

SB 219 was taken up and on motion by Senator Ware, by two-thirds vote HB 642 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Ware—

HB 642—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 116.161, 238.01(4), 379.03, 394.851(2), 397.12, 402.07(3), 402.181(1), 570.071, 775.13(5)(d), 903.03(2)(a), 917.215(2), 921.161(2), 921.18, 921.20, 921.21, 921.22, 921.231(1),(4), 922.11(2), 941.23(2),(3), 941.57, 944.02(1),(2),(4), 944.023(1), 944.025(1), 944.026(2), 944.05(3), 944.06(3), 944.063(1), 944.064(3), 944.08(1), 944.09(1), 944.091, 944.10(1), 944.11, 944.13, 944.14, 944.15, 944.16, 944.17, 944.18, 944.19(1), 944.23, 944.24(2), 944.25, 944.28(1), 944.293, 944.30, 944.31, 944.32, 944.36, 944.37, 944.38(1), 944.39, 944.43, 944.44, 944.49(1), (3), 944.50, 944.512(3), 944.52, 944.551(1), 944.57, 945.01(2),(3), 945.025(1), 945.031, 945.04, 945.045, 945.061, 945.065(1)-(3), 945.081, 945.09(1), 945.091(1)(a), 945.10, 945.12(1),(2), 945.13(1), 945.14(2), 945.16(2), 945.161, 945.17, 945.-

19, 945.20, 945.21(1)(g), 945.26(1), 945.27, 947.10, 948.01(2),(6), 949.08, 951.01, 951.02, 951.06(1), 951.07, 951.17, 951.18, 951-23(2), (3), and 951.24(3),(9), Florida Statutes; ss. 20.04(3), (5), 39.09(3)(d), 39.111(6)(c), 39.12(3),(4), 120.54(3), 320-06(8), 322.16(1)(c), 394.459(9)(a), 790.001(8)(d), 843.01, 843-02, 921.16(2), 944.275(1), 944.291(1), 944.47(1)(a), 945.25(1), 945.30, 947.005(2),(3), 947.01(2), 947.13(2), 947.135(2)(a), 947.16(1), 947.175(2), and 959.116(1),(4), Florida Statutes (1978 Supplement); s. 23.152(3)(a), Florida Statutes (1978 Supplement), enacted as s. 3(3)(a), chapter 78-420, Laws of Florida; s. 947.172(4), Florida Statutes (1978 Supplement), enacted as s. 21, chapter 78-417, Laws of Florida; and s. 958.03(1), Florida Statutes (1978 Supplement), enacted as s. 3(1), chapter 78-84, Laws of Florida; replacing references to the "Department of Offender Rehabilitation" with "Department of Corrections" and references to the "Secretary of Offender Rehabilitation" with "Secretary of Corrections" to conform to chapter 78-53, Laws of Florida, which changed the names of the department and its secretary.

—a companion measure, was substituted for SB 219 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 642 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	McClain	Steinberg
Anderson	Gorman	McKnight	Stuart
Barron	Grizzle	Myers	Trask
Carlucci	Hair	Neal	Vogt
Chamberlin	Henderson	Peterson	Ware
Childers, D.	Hill	Poole	Williamson
Childers, W. D.	Jenne	Scarborough	Winn
Dunn	Johnston	Scott	
Fechtel	MacKay	Skinner	
Frank	Maxwell	Spicola	

Nays—None

SB 219 was laid on the table.

SB 220 was taken up and on motion by Senator Ware, by two-thirds vote HB 647 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Ware—

HB 647—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 14.071(1), 23.122(7), 23.123, 30.31(1), 110.022(3), 114.05(2), 239.58(6), 287.29(6), 287.38, 318.141(1), 406.02(1)(b), 465.131, 494.04(4), 500.46(2),(5), 552.092(2),(3), 775.13(4), 784.07(1)(a), 790.052(1), 790.08(7), 790.164(2)(a),(c), 843.08, 870.04, 893.09(1), 893.14, 901.33, and 934.07, Florida Statutes, and ss. 27.255(2), 39.031(2)(a),(3), 110.051(3), 517.12(6), 843.01, 843.02, and 943.04(2)(a), Florida Statutes (1978 Supplement), and s. 23.152(3)(a), Florida Statutes (1978 Supplement), enacted as s. 3(3)(a) of chapter 78-420, Laws of Florida; replacing references to the "Department of Criminal Law Enforcement" with "Department of Law Enforcement" and references to the "Division of Law Enforcement" with "Division of Criminal Investigation" to conform with the changes in the names of these agencies made by chapter 78-347, Laws of Florida, and otherwise improving clarity.

—a companion measure, was substituted for SB 220 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 647 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Trask
Chamberlin	Henderson	Neal	Vogt
Childers, D.	Hill	Peterson	Ware
Childers, W. D.	Holloway	Poole	Williamson
Dunn	Jenne	Scarborough	Winn
Fechtel	Johnston	Scott	
Frank	MacKay	Skinner	

Nays—None

SB 220 was laid on the table.

SB 221 was taken up and on motion by Senator Ware, by two-thirds vote HB 651 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Ware—

HB 651—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 210.01(9),(10),(16), 210.02(6), 210.04(6), 210.06(4), 210.07(1)(a),(3),(4), 210.08, 210.11, 210-12(1), 210.14(1), 210.18(2),(4)(a),(7), 210.19, 210.20(1),(2), 561.051(1), 561.65(2), 562.12(2), 562.14(1),(2), 562.20(1),(2), 562.24, 562.27(4),(6), 562.34(5), 562.37, 562.38, 562.41(1),(2), (4),(5), 564.03(2)-(4), 564.035, 568.10, 568.14, 616.265(1),(3), 832.06(1), and 849.06(3), Florida Statutes, and ss. 210.05(2), 210.09(2),(4)(b), 561.11(2), 561.29(1), and 562.11(3), Florida Statutes (1978 Supplement), to conform them to ss. 4-7 of ch. 77-421, Laws of Florida, which changed the name of the Division of Beverage to the Division of Alcoholic Beverages and Tobacco, and to otherwise improve clarity.

—a companion measure, was substituted for SB 221 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 651 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gorman	McClain	Steinberg
Anderson	Grizzle	McKnight	Stuart
Barron	Hair	Myers	Trask
Carlucci	Henderson	Neal	Vogt
Chamberlin	Hill	Peterson	Ware
Childers, D.	Holloway	Poole	Williamson
Childers, W. D.	Jenne	Scarborough	Winn
Fechtel	Johnston	Scott	
Frank	MacKay	Skinner	
Gordon	Maxwell	Spicola	

Nays—None

Vote after roll call:

Yea—Dunn

SB 221 was laid on the table.

SB 222 was taken up and on motion by Senator Ware, by two-thirds vote HB 648 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Ware—

HB 648—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 213.05, 310.171, 420.101(4), 420.111, 424.10, 615.18, 618.221, 619.04, 621.05, 621.07, 631-262(4), 656.061(1), 659.05(1), and 659.15, Florida Statutes, and ss. 214.23 and 628.431(2)(e), Florida Statutes (1978 Supplement), to conform them to the repeal of chapter 608, Florida Statutes, relating to corporations, and its replacement by chapter 607, Florida Statutes, the Florida General Corporation Act.

—a companion measure, was substituted for SB 222 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 648 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	MacKay	Skinner
Anderson	Gorman	Maxwell	Spicola
Barron	Grizzle	McClain	Steinberg
Carlucci	Hair	McKnight	Stuart
Chamberlin	Henderson	Myers	Trask
Childers, D.	Hill	Neal	Vogt
Childers, W. D.	Holloway	Peterson	Ware
Fechtel	Jenne	Scarborough	Williamson
Frank	Johnston	Scott	Winn

Nays—None

Vote after roll call:

Yea—Dunn

SB 222 was laid on the table.

SB 223 was taken up and on motion by Senator Ware, by two-thirds vote HB 652 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Ware—

**HB 652**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 231.02, 232.13, 245.13(2), 252.36(7), 381.411(1), 384.04, 393.13(3)(d),(j),(l),(m),(7), 400-407(1), 413.031(1)(a),(3), 458.22(1)(b), 553.11(1), 893.04(1)(f), 959.022(2)(c),(f), 959.06(2), 959.10, 959.185, 959.21, 959.25, and 959.28, Florida Statutes, to conform them to the reorganization of the Department of Health and Rehabilitative Services effected by chapter 75-48, Laws of Florida; repealing s. 397-031(5), Florida Statutes, relating to administration of drug abuse programs across division lines of authority, and s. 483-041(7), Florida Statutes, relating to the Clinical Laboratory Advisory Council of the Division of Health, to further conform to such reorganization.

—a companion measure, was substituted for SB 223 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 652 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gorman	McClain	Stuart
Anderson	Grizzle	McKnight	Thomas
Barron	Hair	Myers	Trask
Carlucci	Henderson	Neal	Vogt
Chamberlin	Hill	Peterson	Ware
Childers, D.	Holloway	Scarborough	Williamson
Childers, W. D.	Jenne	Scott	Winn
Fechtcl	Johnston	Skinner	
Frank	MacKay	Spicola	
Gordon	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Dunn

SB 223 was laid on the table.

SB 224 was taken up and on motion by Senator Ware, by two-thirds vote HB 653 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Ware—

**HB 653**—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing the Massage Practice Act, ss. 480.011, 480.012, 480.013, 480.014, 480.015, 480.016, 480.017, 480.018, 480.019, 480.0195, 480.021, 480.022, 480.023, 480.024, 480.025, 480.026, 480.027, 480.028, and 480.029, Florida Statutes, as created by s. 1, chapter 77-261, Laws of Florida, in order to give effect to the implied repeal of these sections by the enactment of a new Massage Practice Act, chapter 78-436, Laws of Florida.

—a companion measure, was substituted for SB 224 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 653 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Grizzle	McClain	Steinberg
Barron	Hair	McKnight	Stuart
Carlucci	Henderson	Myers	Thomas
Chamberlin	Hill	Neal	Tobiasen
Childers, D.	Holloway	Peterson	Trask
Childers, W. D.	Jenne	Scarborough	Vogt
Fechtcl	Johnston	Scott	Ware
Frank	MacKay	Skinner	Williamson
Gorman	Maxwell	Spicola	Winn

Nays—None

Vote after roll call:

Yea—Dunn

SB 224 was laid on the table.

On motion by Senator Hair, the rules were waived and the Committee on Judiciary-Civil was granted permission to meet at 1:00 p.m. instead of 2:00 p.m. Thursday, April 12, Room B.

#### ENROLLING REPORT

SB 83 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 6, 1979.

*Joe Brown, Secretary*

#### CO-INTRODUCERS

Senator Jenne—SB 365; Senator Peterson—SB 126 and SB 567; Senator Stuart—SB 504; Senators Fechtel, Anderson and Henderson—SB 552; Senator Fechtel—SB 555; Senators Henderson, Anderson and Winn—SB 567; Senator Scarborough—SB 568; Senator Gordon—Senate Bills 486, 487 and 609; Senator Maxwell—CS for SB 378; Senators Neal, Poole, Ware, Anderson and McClain—SB 582; Senators Barron, Dunn, Henderson, Johnston, MacKay, Scott, Ware and Poole—SB 592; Senators Chamberlin, Hill, McKnight and Steinberg—SB 101; Senator Henderson—SB 486; Senator Scarborough—SB 272; Senator Dunn—SB 541 and SB 589

The President presiding

#### CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 9 and 5 were corrected and approved.

On motion by Senator Barron, the Senate adjourned at 11:35 a.m. to convene at 8:30 a.m., April 12, 1979, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.