



# Journal of the Senate

Number 2

Wednesday, April 9, 1980

The Senate was called to order by the President at 9:00 a.m.  
A quorum present—39:

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

Excused: Senator Tobiassen at 11:30 a.m.; Senator Hill

Prayer by Dr. Lenton A. Turner, pastor, First Baptist Church, Zephyrhills:

Almighty Father, we pause in this moment, amidst the tremendous pressures and demands of this life, to acknowledge who you are and who we are.

Father, you are the creator and we are the creation; you are perfect and we are imperfect; you are strong, we are weak; you are gracious, kind, and loving, we are selfish, self-seeking, and filled with pride. We need forgiveness, you are forgiving.

Yet, Father, your word tells us that you have made us just a little lower than the angels. We are made in your image. Like you we can give and receive love. Each of us is a unique creation of yours.

I pray for each member of this Senate. Father, build a wall of protection around each member, his or her marriage, and his or her family. Protect them against the evil that seeks to destroy each one. Give each Senator the wisdom to see the total ramifications of each decision he or she makes.

Father, the yesterday of our lives has been etched on the pages of history, the tomorrow of our lives is only a blank page; all we have is our today. So with a blank parchment before us and a quill filled with ink, help us to write carefully today's page of our lives. For tomorrow the ink will be dry and it cannot be erased except by your power of forgiveness.

We offer this prayer in the name of your Son, Jesus Christ, who will one day be the greatest governmental leader of all time. Amen.

By permission the following certificate was received:

**Certificate of Judicial Manpower**

**SUPREME COURT OF FLORIDA**

No. 58,841

IN RE: CERTIFICATE OF JUDICIAL MANPOWER FOR DISTRICT COURTS OF APPEAL, CIRCUIT COURTS, AND COUNTY COURTS, AS REQUIRED BY ARTICLE V, SECTION 9, FLORIDA CONSTITUTION.

[March 18, 1980]

PER CURIAM.

In relevant part, article V, section 9 of the Florida Constitution provides:

If the supreme court finds that a need exists for increasing . . . the number of judges . . . it shall, prior to the next regular session of the legislature, certify to the legislature its findings and recommendations concerning such need.

For the reasons set forth below, this Court certifies a need for the following new judicial positions, effective August 1, 1980, for the continued, effective operation of the courts of this state.

	DISTRICT COURT	CIRCUIT COURT	COUNTY COURT
First Appellate District	2		
Fourth Judicial Circuit		1	
Seventh Judicial Circuit		1	1 (Volusia)
Ninth Judicial Circuit		1	
Tenth Judicial Circuit		1	
Fifteenth Judicial Circuit			1 (Palm Beach)
Seventeenth Judicial Circuit		3	2 (Broward)
Eighteenth Judicial Circuit			1 (Brevard)
Nineteenth Judicial Circuit		1	
<b>TOTALS</b>	<b>2</b>	<b>8</b>	<b>5</b>

Five of the circuit court positions certified were identified in the Court's 1979 certification as likely to be required this year, if projected population and caseload growth patterns continued. They did.

Requests were received from the appellate districts for five district court judgeships, and from the judicial circuits for twenty-two circuit court and eight county court judgeships. These requests were carefully analyzed by the state courts administrator, the chief justice, and the full Court, using essentially the process by which the Court determined the number of new judgeships to certify last year at this time. See *In re: Certificate of Judicial Manpower for Circuit and County Courts as Required by Article V, Section 9, Florida Constitution*, 370 So.2d 363 (Fla. 1979). It will be noted that the Court's recommendation certifies to the legislature twenty less judicial positions than have been requested.

Although not all requests have been met, a phenomenon is discernible which will affect future judgeship certifications. There has been a steady growth in the number of case filings per judge at the circuit level, as the following figures demonstrate.

1973 -	980 cases per judge
1974 -	1,283 cases per judge
1975 -	1,325 cases per judge
1976 -	1,298 cases per judge
1977 -	1,445 cases per judge
1978 -	1,677 cases per judge
1979 -	1,827 cases per judge

While "filings per judge" is not, by itself, a meaningful statistic for certification, it does tend to indicate that the availability of judicial positions has not kept pace with the litigation explosion in Florida. It further suggests that changes in the duties and responsibilities of judicial officers which occur with major law reform efforts, such as recent criminal and juvenile law reforms, should be weighed for their impact on the judiciary.

Our recommendations for new circuit court positions are conservative, and they are predicated to some extent on the prospect of legislative action during the 1980 regular session (i) to repeal the 125-day limit on the use of retired judges, and (ii) to increase the jurisdictional limit for civil proceedings in county courts. Should these measures fail, the number of judges now certified will be inadequate to maintain reasonably current dockets in several judicial circuits.

#### FINDINGS

*First Appellate District.* Effective October 1, 1979, the Industrial Relations Commission was abolished and all pending and future appeals from workmen's (workers') compensation cases were assigned to the First District Court of Appeal. The court was given two new judgeship positions to cope with this new responsibility, neither of which was filled until November 1979.

The caseload of this court has increased beyond all expectations, both in the area of workers' compensation, and in all other categories. With respect to the former, the court received 1,105 unresolved cases from the IRC on October 1, 1979, and has received an average of seventy-eight additional compensation cases in each successive month. We note that, whatever diminution may occur in workers' compensation appeals, additional duties will devolve on the court as a result of the adoption on March 11 of the jurisdictional amendment to the constitution.

Case filings in other areas, principal among which is administrative law, have steadily grown, to the point that the court is now receiving a projected annual average of 461 cases per judge, not including rehearing requests and motions. The court's backlog of cases on December 31, 1979, was 2,162 cases. The chief judge, despite demanding administrative burdens, currently attempts to maintain a full calendar of cases.

We noted in our certification last year that appellate judges cannot adequately bear the initial responsibility for review of more than 250 cases per judge, annually. Even with the two new judgeships, the caseload per judge in this district will be well above acceptable levels. We hope that retired district court judges will be able to assist this court, and that adequate staffing is provided for their needs, until the trend of new filings is confirmed over a longer period of time, at which time it may be necessary to add more permanent judgeships.

Based on a need for the chief judge to assume full-time, or near full-time, administrative responsibilities, and in light of both the continued growth in the number and complexity of appeals in this appellate district and the additional writing responsibilities placed on district court judges by the March 11 amendment to the constitution, we certify the need for two additional district court judges.

*Fourth Circuit.* The dominant factors considered by the Court in certifying the need of one additional circuit judge in the Fourth Judicial Circuit (Duval, Clay and Nassau Counties), despite a request for two, are (i) the growth of litigation in the outlying areas of the circuit (Clay and Nassau Counties), (ii) the constitutional limitations on the assignment of additional duties for four, non-lawyer county court judges in the circuit, (iii) the lack of available, assignable retired circuit court judges, and (iv) an increase in felony filings which has required continued assignments of a county court judge to circuit court duties in that area.

*Seventh Circuit.* The dominant factors considered by the Court in certifying the need for one additional circuit judge and one additional county court judge in the Seventh Judicial Circuit (Volusia, Putnam, Flagler and St. Johns Counties), despite a request for two circuit court judges and one county court judge, are (i) the continuing caseload growth in Putnam and St. Johns Counties, (ii) the increase in criminal matters in Volusia County, and (iii) one of the highest caseload filing incidence in the state.

*Ninth Circuit.* The probable need for one additional circuit court judge here was perceived in 1979. The dominant factors considered by the Court in certifying the need for one additional circuit court judge in the Ninth Circuit (Orange and Osceola Counties) despite a request for two, are (i) the inability to service continually growing circuit court caseloads, and (ii) the unavailability of retired judges.

*Tenth Circuit.* The probable need for one additional circuit court judge here was perceived in 1979. The dominant factors considered by the Court in certifying the need for one additional circuit judge in the Tenth Judicial Circuit (Polk, Highlands and Hardee Counties), despite a request for two judges, are (i) rapidly expanding caseloads and growing backlogs in the juvenile division, (ii) the unavailability of county court judges for temporary assignments to the circuit court, and (iii) the second highest caseload incidence in the state.

*Fifteenth Circuit.* The dominant factor considered by the Court in certifying the need for one additional county court judge in the Fifteenth Judicial Circuit (Palm Beach County) was an ever-growing population and county court case load.

*Seventeenth Circuit.* The probable need for two additional circuit court judges here was perceived in 1979. The dominant factors considered by the Court in certifying the need for three additional circuit judges and two additional county court judges in the Seventeenth Judicial Circuit (Broward County), despite a request for eleven circuit court and three county court judgeships, are the same as last year, plus the special condemnation situation which exists in Broward County.

This circuit has requested three of the eleven additional circuit judges predicated exclusively on projected judicial requirements for condemnation proceedings now commencing and projected to continue for six or seven years. We are unwilling to certify the need for permanent judgeship positions for a nonpermanent need. Our recommendation for the creation of three permanent judgeships takes into account this special consideration, including the fact that condemnation proceedings will temporarily increase the caseload and jury trials in this circuit.

Growth in Broward County, which apparently is the second fastest growing county in the United States, is expected to continue, and the need for additional judicial manpower has been thoroughly documented. Retired judges cannot be made available to provide the necessary continuity of manpower which this circuit now needs. Accordingly, we certify the need for three new, permanent, circuit court judgeships at this time. In the event that condemnation matters become too burdensome or further growth in the county continues, the Court may well be required to certify the need in successive years for additional judgeships.

*Eighteenth Circuit.* The dominant factors considered by the Court in certifying the need for one additional county court judge in the Eighteenth Judicial Circuit (for Brevard County), despite a request for two, are (i) the extensive travel times required to service the wide geographical area covered by the circuit, and (ii) the explosion of population and caseloads in lower Brevard County.

*Nineteenth Circuit.* The probable need for one additional circuit court judge here was perceived in 1979. The dominant factors considered by the Court in certifying the need for one additional circuit court judge in the Nineteenth Judicial Circuit (St. Lucie, Martin, Okeechobee, and Indian River Counties), despite a request for two, are the same as last year, namely (i) travel times required to service the jurisdiction of the circuit, and (ii) an expansion in population, caseload, and complex litigation resulting from the permanent growth which has taken place in lower Martin County.

In addition to these identified peculiar circumstances within these circuits, each judgeship request is statistically justified in that the ability of judicial officers in these circuits to perform thoroughly, expeditiously, and fairly their total judicial duties is to some degree presently impaired by the volume of matters now commanding their attention.

#### CERTIFICATION

Therefore, in accordance with article V, section 9, Constitution of Florida, we certify the need for the additional district, circuit and county court judgeships indicated above, for a total of fifteen new judicial positions for the appellate and trial courts of the state. This Court certifies that these judicial officers are necessary, and we recommend that they be made permanent by law and funded by the state.

As a final point of consideration we note that 1980 is an election year, so that the possibility of either elective or appointive judgeship positions is present. If vacancies are to be filled by elections in the fall, none of the judicial manpower we have certified will be available until January, 1981, that is,

one full year from the time the needs of these courts were determined. We recommend, therefore, the creation of all judicial positions as of August 1, 1980 (following the close of the qualification period for elective state offices), and to avoid personal hardships and uncertainty for applicants we recommend that the seats created be removed from the elective process in 1980.

ENGLAND, C. J., ADKINS, BOYD, OVERTON, SUNDBERG, ALDERMAN AND McDONALD, JJ., Concur

Case of Original Jurisdiction

#### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for April 9, 1980:

CS for SB 299      CS for SB 345      CS for SB 209

Respectfully submitted,

*Dempsey J. Barron, Chairman*

The Committee on Ways and Means recommends the following pass: CS for SB 345

The bill was placed on the calendar.

The Committee on Transportation recommends a Committee Substitute for the following: CS for SB 299

The bill with Committee Substitute attached was placed on the calendar.

#### MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

##### Appointments Subject to Confirmation by the Senate

The Secretary of State on April 4, 1980, certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Ronald J. Bannister, Jacksonville, Member of the Board of Accountancy, for term ending December 26, 1983

Louis W. Dooner, Quincy, Member of the Board of Accountancy, for term ending December 26, 1983

William W. McAbee, Pensacola, Member of the Board of Accountancy, for term ending December 26, 1981

Ramon A. Rodriguez, Fort Lauderdale, Member of the Board of Accountancy, for term ending December 26, 1980

Noble L. Sissle, Jr., Tampa, Member of the Board of Accountancy, for term ending December 26, 1981

Richard Bernard Skor, Miami, Member of the Board of Accountancy, for term ending December 26, 1982

Jacob V. Stuart, Orlando, Member of the Board of Accountancy, for term ending December 26, 1982

Robert H. Burke, Jr., Winter Park, Member of the Board of Architecture, for term ending December 17, 1983

Paul A. Donofro, Marianna, Member of the Board of Architecture, for term ending December 17, 1983

Estelle G. Galbreath, Jacksonville, Member of the Board of Architecture, for term ending December 17, 1982

Norman M. Giller, Miami Beach, Member of the Board of Architecture, for term ending December 17, 1981

Miguel Gonzalez-Pando, Coral Gables, Member of the Board of Architecture, for term ending December 17, 1980

H. Dean Rowe, Tampa, Member of the Board of Architecture, for term ending December 17, 1981

Jeffrey E. Schaefer, Orange Park, Member of the Board of Architecture, for term ending December 17, 1982

Sheldon Schlesinger, Hollywood, Member of the Board of Trustees of Broward Community College, for term ending May 31, 1983

Stewart R. Kester, Lighthouse Point, Member of the Historic Broward County Preservation Board of Trustees, for term ending November 1, 1979

Gilbert L. Porter, Miami, Member of the Career Service Commission, for term ending November 11, 1982

Richard E. Sapp, Green Cove Springs, Member of the Career Service Commission, for term ending November 22, 1983

Bill Williams, Pensacola, Member of the Career Service Commission, for term ending November 22, 1982

Linden K. Cannon, Jr., Crystal River, Member of the Board of Trustees of Central Florida Community College, for term ending May 31, 1983

Byron E. Clark, Tampa, Member of the Board of Chiropractic, for term ending August 1, 1983

Earnestine Cooper, Delray Beach, Member of the Board of Chiropractic, for term ending August 1, 1983

Joel M. Grossman, Winter Park, Member of the Board of Chiropractic, for term ending August 1, 1981

Ronald L. Harris, Perrine, Member of the Board of Chiropractic, for term ending August 1, 1981

Anna B. Lentz, Bradenton, Member of the Board of Chiropractic, for term ending August 1, 1982

Michael E. Nathanson, Key West, Member of the Board of Chiropractic, for term ending August 1, 1982

Harold P. Smith, Jacksonville, Member of the Board of Chiropractic, for term ending August 1, 1983

Randall Jenkins, Inverness, Member of the Board of Trustees of Citrus County Hospital Board, for term ending July 8, 1982

Ida S. Baker, Fort Myers, Member of the State Community College Coordinating Board, for term ending September 15, 1982

John R. Blue, Bradenton, Member of the State Community College Coordinating Board, for term ending September 15, 1980

Ric Cooper-Nurse, Lauderdale Lakes, Member of the State Community College Coordinating Board, for term ending September 15, 1980

Standish L. Crews, Vero Beach, Member of the State Community College Coordinating Board, for term ending September 15, 1981

Robert E. Hudson, Palatka, Member of the State Community College Coordinating Board, for term ending September 15, 1983

W. Richard Johnston, St. Petersburg, Member of the State Community College Coordinating Board, for term ending September 15, 1983

Jack Kassewitz, Coral Gables, Member of the State Community College Coordinating Board, for term ending September 15, 1981

Raymer F. Maguire, Jr., Orlando, Member of the State Community College Coordinating Board, for term ending September 15, 1983

Margaret L. Blake Roach, Fort Lauderdale, Member of the State Community College Coordinating Board, for term ending September 15, 1982

Marjorie P. Sangaree, Chipley, Member of the State Community College Coordinating Board, for term ending September 15, 1980

Jose P. Bared, Miami, Member of the Construction Industry Licensing Board, for term ending February 18, 1984

Thomas P. Carlos, Miami, Member of the Construction Industry Licensing Board, for term ending February 18, 1983

James D. Cronley, Pensacola, Member of the Construction Industry Licensing Board, for term ending February 18, 1983

G. E. Daniel, Pinellas Park, Member of the Construction Industry Licensing Board, for term ending February 18, 1984

- Robert F. Dove, Tallahassee, Member of the Construction Industry Licensing Board, for term ending February 18, 1983
- John Fix, Stuart, Member of the Construction Industry Licensing Board, for term ending February 18, 1984
- John L. Hooker, Miami, Member of the Construction Industry Licensing Board, for term ending February 18, 1983
- John Henry Jones, Kissimmee, Member of the Construction Industry Licensing Board, for term ending February 18, 1983
- Terance W. McLaughlin, Orlando, Member of the Construction Industry Licensing Board, for term ending February 18, 1983
- Glenn H. McNabb, Tampa, Member of the Construction Industry Licensing Board, for term ending February 18, 1983
- Louis P. Samuels, Daytona Beach, Member of the Construction Industry Licensing Board, for term ending February 18, 1984
- Donald W. Stobs, Miami, Member of the Construction Industry Licensing Board, for term ending February 18, 1984
- David H. Ziperson, Hialeah Gardens, Member of the Construction Industry Licensing Board, for term ending February 18, 1984
- Katiuska L. Diaz, Miami, Member of the State Board of Cosmetology, for term ending January 1, 1984
- Sharon E. Murphy, Pensacola, Member of the State Board of Cosmetology, for term ending January 1, 1984
- Sarah E. Booth Brown, Daytona Beach, Member of the Board of Trustees of Daytona Beach Community College, for term ending May 31, 1983
- G. Robert Fox, Deland, Member of the Board of Trustees of Daytona Beach Community College, for term ending May 31, 1983
- Rupert Quentin Bliss, Jacksonville, Member of the Board of Dentistry, for term ending February 7, 1984
- William R. Dannahower, Fort Pierce, Member of the Board of Dentistry, for term ending February 7, 1983
- Frank de Varona, Miami, Member of the Board of Dentistry, for term ending February 7, 1983
- Joan R. Levy, Plantation, Member of the Board of Dentistry, for term ending February 7, 1981
- Chris C. Scures, Orlando, Member of the Board of Dentistry, for term ending February 7, 1983
- Donald Spence, Pensacola, Member of the Board of Dentistry, for term ending February 7, 1982
- Richard T. Wiess, DeFuniak Springs, Member of the Board of Dentistry, for term ending February 7, 1982
- Sarah Wiedetz, Tampa, Member of the Board of Dentistry, for term ending February 7, 1981
- Jody Tharp Hendry, Fort Myers, Member of the Board of Trustees of Edison Community College, for term ending May 31, 1983
- Vernon E. Peeples, Punta Gorda, Member of the Board of Trustees of Edison Community College, for term ending May 31, 1982
- Raul Amieva, Hialeah, Member of the Electrical Contractors' Licensing Board, for term ending December 17, 1982
- William M. Carter, Daytona Beach, Member of the Electrical Contractors' Licensing Board, for term ending December 17, 1983
- Eugene C. Cornelius, Miami, Member of the Electrical Contractors' Licensing Board, for term ending December 17, 1981
- K. L. Dunworth, Fort Lauderdale, Member of the Electrical Contractors' Licensing Board, for term ending December 17, 1981
- Robert Newton Heath, Pensacola, Member of the Electrical Contractors' Licensing Board, for term ending December 17, 1982
- Ernest Isaac, Jr., Jacksonville, Member of the Electrical Contractors' Licensing Board, for term ending December 17, 1983
- Lawrence Pasetti, Tampa, Member of the Electrical Contractors' Licensing Board, for term ending December 17, 1982
- Eugene R. Simpson, Maitland, Member of the Electrical Contractors' Licensing Board, for term ending December 17, 1983
- Patricia D. Terrell, Saint Petersburg, Member of the Electrical Contractors' Licensing Board, for term ending December 17, 1981
- Amado J. Acosta, Miami, Member of the Board of Engineers, for term ending December 20, 1982
- Eugene N. Bechamps, Coral Gables, Member of the Board of Engineers, for term ending December 20, 1981
- Emily W. Black, Gainesville, Member of the Board of Engineers, for term ending December 20, 1982
- William B. Bradley, Miami, Member of the Board of Engineers, for term ending December 20, 1983
- Walter G. Ebert, Winter Haven, Member of the Board of Engineers, for term ending December 20, 1983
- Robert D. Kersten, Maitland, Member of the Board of Engineers, for term ending December 20, 1981
- Edward A. Lobnitz, Orlando, Member of the Board of Engineers, for term ending December 20, 1983
- Allen H. Seckinger, Tampa, Member of the Board of Engineers, for term ending December 20, 1983
- W. D. Frederick, Jr., Orlando, Chairman of the Environmental Regulation Commission, for term ending July 1, 1983
- Cecil Wayne Cone, Jacksonville, Member of the Commission on Ethics, for term ending July 1, 1981
- Thomas H. Gregory, St. Petersburg, Member of the Commission on Ethics, for term ending July 1, 1981
- Joel K. Gustafson, Fort Lauderdale, Member of the Commission on Ethics, for term ending July 1, 1981
- Bobbie McFee James, Delray Beach, Member of the Commission on Ethics, for term ending July 1, 1979
- Bobbie McFee James, Delray Beach, Member of the Commission on Ethics, for term ending July 1, 1981
- C. Tom Rainey, Miami, Member of the Everglades Recreational Planning Board, to serve at the Pleasure of the Governor
- George H. Culverhouse, Jr., Fort Pierce, Member of the Florida State Fair Authority, for term ending July 1, 1981
- Nancy H. Dance, Flagler Beach, Member of the Florida State Fair Authority, for term ending July 1, 1983
- Norman C. Edwards, Fort Lauderdale, Member of the Florida State Fair Authority, for term ending July 1, 1983
- E. W. Hopkins, Pensacola, Member of the Florida State Fair Authority, for term ending July 1, 1981
- Marie Nickels, Miami, Member of the Florida State Fair Authority, for term ending July 1, 1983
- G. E. Toms, Miami Lakes, Member of the Florida State Fair Authority, for term ending July 1, 1980
- Eugene C. Hedges, Pompano Beach, Member of the Firefighters Standards and Training Council, to serve at the Pleasure of the State Fire Marshal
- C. Ben Holleman, West Palm Beach, Member of the Firefighters Standards and Training Council, to serve at the Pleasure of the State Fire Marshal
- Ervin A. Kempf, Fort Walton Beach, Member of the Firefighters Standards and Training Council, to serve at the Pleasure of the State Fire Marshal

- William F. Schultz, Sarasota, Member of the Firefighters Standards and Training Council, to serve at the Pleasure of the State Fire Marshal
- Fred W. Turner, Tallahassee, Member of the Firefighters Standards and Training Council, to serve at the Pleasure of the State Fire Marshal
- Betty P. Cook, Callahan, Member of the Board of Trustees of Florida Junior College at Jacksonville, for term ending May 31, 1981
- Peggy C. Friedmann, Jacksonville, Member of the Board of Trustees of Florida Junior College at Jacksonville, for term ending May 31, 1983
- Leonard L. Mosby, Jr., Jacksonville, Member of the Board of Trustees of Florida Junior College at Jacksonville, for term ending May 31, 1983
- Sarah P. Sova, Callahan, Member of the Board of Trustees of Florida Junior College at Jacksonville, for term ending May 31, 1983
- Elton K. Caicedo, Miami, Member of the Board of Funeral Directors and Embalmers, for term ending August 1, 1983
- Robert L. Creal, Saint Petersburg, Member of the Board of Funeral Directors and Embalmers, for term ending August 1, 1981
- George E. Feaster, Largo, Member of the Board of Funeral Directors and Embalmers, for term ending August 1, 1982
- Ronald T. Giddens, Jacksonville, Member of the Board of Funeral Directors and Embalmers, for term ending August 1, 1981
- Mildred King, Brandon, Member of the Board of Funeral Directors and Embalmers, for term ending August 1, 1982
- Robert E. Ramsdell, Orlando, Member of the Board of Funeral Directors and Embalmers, for term ending August 1, 1983
- Fred B. Turner, Jr., Pensacola, Member of the Board of Funeral Directors and Embalmers, for term ending August 1, 1983
- C. Tom Rainey, Miami, Member of the Game and Fresh Water Fish Commission, for term ending January 5, 1985
- J. David Bidwell, Wewahatchka, Member of the Board of Trustees of Gulf Coast Community College, for term ending May 31, 1983
- W. Carey Johnson, Boca Grande, Harbor Master for the Port of Boca Grande, Lee County, for term ending November 21, 1981
- William Hardee Kavanaugh, Fernandina Beach, Harbor Master for the Port of Fernandina, for term ending December 5, 1981
- Walter W. Ergle, Fort Pierce, Harbor Master for the Port of Fort Pierce, for term ending September 26, 1981
- Lawrence J. Sweett, New Smyrna Beach, Harbor Master for the Port of New Smyrna Beach, Volusia County, for term ending February 19, 1981
- Emory Gay Hobbs, Panama City, Harbor Master for the Port of Panama City, for term ending July 1, 1981
- Ronald K. Cacciatore, Tampa, Member of the Board of Trustees of Hillsborough Community College, for term ending May 31, 1983
- Robert W. DeGuenther, Tampa, Member of the Hillsborough County Civil Service Board, for term ending July 3, 1983
- William R. McClelland, Dover, Member of the Hillsborough County Civil Service Board, for term ending July 2, 1983
- Robert R. Scott, Tampa, Member of the Hillsborough County Civil Service Board, for term ending July 2, 1983
- Sandra H. Wilson, Tampa, Member of the Hillsborough County Civil Service Board, for term ending July 2, 1981
- Gabriel Cazares, Clearwater, Member of the Florida Commission on Human Relations, for term ending September 30, 1983
- Cynthia Moore Chestnut, Gainesville, Member of the Florida Commission on Human Relations, for term ending September 30, 1982
- Elvira M. Dopico, Miami, Member of the Florida Commission on Human Relations, for term ending September 30, 1983
- Robert R. Joyce, Jr., Sanford, Member of the Florida Commission on Human Relations, for term ending September 30, 1982
- Melvin L. Levitt, Key West, Member of the Florida Commission on Human Relations, for term ending September 30, 1982
- Reese Marshall, Jacksonville, Member of the Florida Commission on Human Relations, for term ending September 30, 1983
- Marion Bowman, Saint Leo, Member of the State Board of Independent Colleges and Universities, for term ending August 18, 1982
- Richard T. Dillon, Saint Petersburg, Member of the State Board of Independent Colleges and Universities, for term ending March 19, 1982
- Clinton D. Hamilton, Fort Lauderdale, Member of the State Board of Independent Colleges and Universities, for term ending August 18, 1982
- Donald C. Jones, Jacksonville, Member of the State Board of Independent Colleges and Universities, for term ending August 25, 1982
- Valarie Greene King, Daytona Beach, Member of the State Board of Independent Colleges and Universities, for term ending August 24, 1981
- Standish L. Crews, Vero Beach, Member of the Board of Trustees of Indian River Community College, for term ending May 31, 1983
- Ida Morgan, Fort Pierce, Member of the Board of Trustees of Indian River Community College, for term ending May 31, 1983
- C. R. Gardner, Jacksonville, Member of the Jacksonville Port Authority, for term ending September 30, 1983
- W. O. Birchfield, Jacksonville, Member of the Jacksonville Transportation Authority, for term ending May 31, 1982
- James E. Deaton, Jacksonville, Member of the Jacksonville Transportation Authority, for term ending June 1, 1983
- Anne Grimes, Jacksonville, Member of the Jacksonville Transportation Authority, for term ending August 4, 1983
- A. Emma Carrero Cates, Key West, Member of the Historic Key West Preservation Board of Trustees, for term ending October 31, 1982
- William J. Martin, Marathon, Member of the Historic Key West Preservation Board of Trustees, for term ending October 31, 1982
- Ben H. Floyd, Cross City, Member of the Board of Trustees of Lake City Community College, for term ending May 31, 1982
- J. Garland Wynn, Jr., Groveland, Member of the South Lake County Hospital District Board of Trustees, for term ending July 5, 1981
- Dan W. Abernathy, Auburndale, Member of the Board of Landscape Architecture, for term ending March 4, 1983
- J. Burnie Caine, Jacksonville, Member of the Board of Land Surveyors, for term ending December 6, 1982
- Broward P. Davis, Tallahassee, Member of the Board of Land Surveyors, for term ending December 6, 1982
- Barney A. Herrick, Orlando, Member of the Board of Land Surveyors, for term ending December 6, 1981
- Lewis Hall Kent, St. Petersburg, Member of the Board of Land Surveyors, for term ending December 6, 1983
- James P. Shiskin, Miami, Member of the Board of Land Surveyors, for term ending December 6, 1983
- Marjory J. Peters, Bradenton, Member of the Board of Trustees of Manatee Junior College, for term ending May 31, 1983

- Edward J. Brogan, Tampa, Member of the Florida Board of Massage, for term ending January 1, 1982; resigned December 27, 1979
- J. C. Boyd, Pensacola, Member of the Board of Medical Examiners, for term ending August 1, 1982
- B. M. Cole, Orlando, Member of the Board of Medical Examiners, for term ending August 1, 1981
- Richard T. Conard, Bradenton, Member of the Board of Medical Examiners, for term ending August 1, 1982
- Richard J. Feinstein, Miami, Member of the Board of Medical Examiners, for term ending August 1, 1982
- Alberto M. Hernandez, Miami, Member of the Board of Medical Examiners, for term ending August 1, 1982
- Robert Katims, Miami, Member of the Board of Medical Examiners, for term ending August 1, 1983
- John N. Sims, Fort Pierce, Member of the Board of Medical Examiners, for term ending August 1, 1983
- Jeraldine W. Smith, Tallahassee, Member of the Board of Medical Examiners, for term ending August 1, 1981
- Raul J. Valdes-Fauli, Miami, Member of the Board of Medical Examiners, for term ending August 1, 1983
- Dana V. Wallace, Hollywood, Member of the Board of Medical Examiners, for term ending August 1, 1981
- Robert N. Webster, Tallahassee, Member of the Board of Medical Examiners, for term ending August 1, 1981
- Maria C. Hernandez, Miami, Member of the Board of Trustees of Miami-Dade Community College, for term ending May 31, 1983
- Cary A. Hardee, II, Madison, Member of the Board of Trustees of North Florida Junior College, for term ending May 31, 1983
- Bryant J. Russell, Perry, Member of the Board of Trustees of North Florida Junior College, for term ending May 31, 1983
- Homer C. Starling, Jr., Monticello, Member of the Board of Trustees of North Florida Junior College, for term ending May 31, 1983
- Thomas E. Stone, Madison, Member of the Board of Trustees of North Florida Junior College, for term ending May 31, 1981
- Sandra Spiegel Bauman, Miami, Member of the Board of Nursing, for term ending August 1, 1981
- Lila K. Choulat, Jacksonville, Member of the Board of Nursing, for term ending August 1, 1983
- Berta D. Cruz, North Bay Village, Member of the Board of Nursing, for term ending August 1, 1982
- Helene Finston Denny, St. Petersburg, Member of the Board of Nursing, for term ending August 1, 1983
- Mary F. (Mern) Henry, Valparaiso, Member of the Board of Nursing, for term ending August 1, 1982
- Barbara S. Ladd, Pensacola, Member of the Board of Nursing, for term ending August 1, 1981
- Robert P. Lawton, Sarasota, Member of the Board of Nursing, for term ending August 1, 1983
- Joe M. Richards, Fort Myers, Member of the Board of Nursing, for term ending August 1, 1982
- Jessie Trice, Miami, Member of the Board of Nursing, for term ending August 1, 1983
- Margaret Rose Bevilacqua, Madeira Beach, Member of the Board of Nursing Home Administrators, for term ending December 13, 1981
- Kenneth B. Cohen, Hollywood, Member of the Board of Nursing Home Administrators, for term ending December 13, 1980
- Alan S. Graubert, Miami Lakes, Member of the Board of Nursing Home Administrators, for term ending December 13, 1983
- O. W. Hartsfield, Tallahassee, Member of the Board of Nursing Home Administrators, for term ending December 13, 1980
- Bryan Charles Hugo, Longwood, Member of the Board of Nursing Home Administrators, for term ending December 13, 1981
- Fred A. Lane, DeLand, Member of the Board of Nursing Home Administrators, for term ending December 13, 1982
- Marc Lichtman, Miami, Member of the Board of Nursing Home Administrators, for term ending December 13, 1982
- Josephine Marie Melican, Jacksonville, Member of the Board of Nursing Home Administrators, for term ending December 13, 1983
- Rubin E. Padgett, Tampa, Member of the Board of Nursing Home Administrators, for term ending December 13, 1983
- James M. Proctor, Tallahassee, Member of the Board of Nursing Home Administrators, for term ending December 13, 1981
- Yohel Socarras-Blancard, Miami, Member of the Board of Nursing Home Administrators, for term ending December 13, 1982
- Archie N. Anderson, Ponce De Leon, Member of the Board of Trustees of Okaloosa-Walton Junior College, for term ending May 31, 1982
- Teddy R. DeShazo, DeFuniak Springs, Member of the Board of Trustees of Okaloosa-Walton Junior College, for term ending May 31, 1982
- C. J. Knowles, Leesburg, Member of the Board of the Oklawaha Basin Recreation and Water Conservation and Control Authority in Lake County, for term ending July 13, 1983
- Albert B. Marshall, Umatilla, Member of the Board of Oklawaha Basin Recreation and Water Conservation and Control Authority, for term ending July 13, 1981
- Bobby G. Ray, Clermont, Member of the Board of the Oklawaha Basin Recreation and Water Conservation and Control Authority, for term ending July 13, 1980
- Michael E. Budd, Miami, Member of the Board of Opticianry, for term ending December 26, 1983
- Paul E. Elliott, Lakeland, Member of the Board of Opticianry, for term ending December 26, 1982
- Freddie L. Franklin, Crawfordville, Member of the Board of Opticianry, for term ending December 26, 1982
- Helen Jones, Leesburg, Member of the Board of Opticianry, for term ending December 26, 1983
- Leonard Lowinger, Miami, Member of the Board of Opticianry, for term ending December 26, 1981
- Eddie L. Mills, Saint Petersburg, Member of the Board of Opticianry, for term ending December 26, 1983
- Louis E. Shortridge, Jr., Jacksonville, Member of the Board of Opticianry, for term ending December 26, 1981
- F. J. Altieri, Pensacola, Member of the Board of Optometry, for term ending December 28, 1983
- Wm. T. Barrett, Naples, Member of the Board of Optometry, for term ending December 28, 1983
- Frances R. Chambers, Miami, Member of the Board of Optometry, for term ending December 28, 1981
- C. Linden Davidson, Winter Haven, Member of the Board of Optometry, for term ending December 28, 1981
- George A. Pena, Homestead, Member of the Board of Optometry, for term ending December 28, 1983
- Edward K. Walker, Tallahassee, Member of the Board of Optometry, for term ending December 28, 1983
- Luis Barroso, Winter Park, Member of the Board of Osteopathic Medical Examiners, for term ending January 29, 1984
- James D. Godwin, Panama City, Member of the Board of Osteopathic Medical Examiners, for term ending January 29, 1983
- Newton Greene, Hollywood, Member of the Board of Osteopathic Medical Examiners, for term ending January 29, 1984
- Alice M. King, Sebring, Member of the Board of Osteopathic Medical Examiners, for term ending January 29, 1983

Rose Deeb Kitchen, Tallahassee, Member of the Board of Osteopathic Medical Examiners, for term ending January 29, 1982

Morton T. Smith, Miami Beach, Member of the Board of Osteopathic Medical Examiners, for term ending January 29, 1982

Willard F. Findling, Atlantis, Member of the Board of Trustees of Palm Beach Junior College, for term ending May 31, 1983

Stephen Abramson, West Palm Beach, Member of the Florida Pari-Mutuel Commission, for term ending June 30, 1983

James L. Lewis, Jacksonville, Member of the Florida Pari-Mutuel Commission, for term ending June 30, 1981

C. D. Newbern, Tampa, Member of the Florida Pari-Mutuel Commission, for term ending June 30, 1982

Leon G. van Wert, Daytona Beach, Chairman of the Florida Pari-Mutuel Commission, for term ending June 30, 1983

Billy Vessels, Coral Gables, Member of the Florida Pari-Mutuel Commission, for term ending June 30, 1982

Lorenzo E. Coffie, New Port Richey, Member of the Board of Trustees of Pasco-Hernando Community College, for term ending May 31, 1983

Lois R. Linville, Zephyrhills, Member of the Board of Trustees of Pasco-Hernando Community College, for term ending May 31, 1983

Geo. P. Mason, Jr., Lake Placid, Member of the Peace River Basin Board of the Southwest Florida Water Management District, for term ending June 30, 1982

J. H. Brick, Pensacola, Member of the Board of Trustees of Pensacola Junior College, for term ending May 31, 1983

Richard C. Fulford, Gulf Breeze, Member of the Board of Trustees of Pensacola Junior College, for term ending May 31, 1983

John Thomas Griffin, Jr., Pensacola, Member of the Board of Trustees of Pensacola Junior College, for term ending May 31, 1983

William A. Timmons, Milton, Member of the Board of Trustees of Pensacola Junior College, for term ending May 31, 1982

Lionel M. Cobo, Key West, Member of the Board of Pharmacy, for term ending August 1, 1981

Nellie Redd Gillespie, Tallahassee, Member of the Board of Pharmacy, for term ending August 1, 1983

Monroe W. Mack, Tampa, Member of the Board of Pharmacy, for term ending August 1, 1983

Karen M. Margulies, Hollywood, Member of the Board of Pharmacy, for term ending August 1, 1981

Jerry Elaine Neudorfer, Fort Lauderdale, Member of the Board of Pharmacy, for term ending August 1, 1983

Curtis M. Warren, DeFuniak Springs, Member of the Board of Pharmacy, for term ending August 1, 1982

W. Tom Bice, Lake Wales, Member of the Board of Trustees of Polk Community College, for term ending May 31, 1981

Beverly B. Burnsed, Lakeland, Member of the Board of Trustees of Polk Community College, for term ending May 31, 1983

Bobby F. McKown, Winter Haven, Member of the Board of Trustees of Polk Community College, for term ending May 31, 1983

William H. Adams, III, Jacksonville, Commissioner for the Promotion of Uniformity of Legislation in the United States, for term ending June 5, 1983

Edward I. Cutler, Tampa, Commissioner for the Promotion of Uniformity of Legislation in the United States, for term ending June 5, 1983

Joshua Morse, Tallahassee, Commissioner for the Promotion of Uniformity of Legislation in the United States, for term ending June 5, 1983

Jean Kavanaugh Parker, Tallahassee, Member of the Public Employees Relations Commission, for term ending December 31, 1979

Jean Kavanaugh Parker, Tallahassee, Member of the Public Employees Relations Commission, for term ending January 1, 1981

Michael M. Parrish, Tallahassee, Member of the Public Employees Relations Commission, for term ending January 1, 1982

Virginia H. Bishop, Lake City, Member of the Board of Real Estate, for term ending March 5, 1982

Arthur N. Hamel, Fort Myers, Member of the Board of Real Estate, for term ending March 5, 1983

Edward C. Johnson, Pompano Beach, Member of the Board of Real Estate, for term ending March 5, 1983

Brian James Ladell, Clearwater, Member of the Board of Real Estate, for term ending March 5, 1981

Julie L. Jett, Cape Coral, Member of the Board of Regents, for term ending August 31, 1979

John D. Bailey, St. Augustine, Member of the Historic St. Augustine Preservation Board, for term ending August 31, 1983

Mark E. Fretwell, St. Augustine, Member of the Historic St. Augustine Preservation Board, for term ending January 14, 1982

Julio Grabiell, Coral Gables, Member of the Historic St. Augustine Preservation Board, for term ending August 24, 1983

Henry W. McMillan, St. Augustine, Member of the Historic St. Augustine Preservation Board, for term ending August 12, 1982

Robert W. Pickens, Crescent City, Member of the Board of Trustees of St. Johns River Community College, for term ending May 31, 1983

Guy Andrews, Starke, Member of the Board of Trustees of Santa Fe Community College, for term ending May 31, 1983

Clarence T. Ayers, Gainesville, Member of the Board of Trustees of Santa Fe Community College, for term ending May 31, 1983

Donna L. Gruen, Starke, Member of the Board of Trustees of Santa Fe Community College, for term ending May 31, 1981

Stephan Pierre Mickle, Gainesville, Member of the Board of Trustees of Santa Fe Community College, for term ending May 31, 1983

Ruth E. Handley, Sebring, Member of the Board of Trustees of South Florida Junior College, for term ending May 31, 1983

Peggy E. Shackelford, Wauchula, Member of the Board of Trustees of South Florida Junior College, for term ending May 31, 1981

Aurelia M. Cole, Clermont, Member of the Board of Trustees of South Lake County Hospital District, for term ending July 5, 1983

George E. Hovis, Clermont, Member of the South Lake County Hospital District Board of Trustees, for term ending July 5, 1983

Marjorie G. McQuaig, Montverde, Member of the Board of Trustees of South Lake County Hospital District, for term ending July 5, 1981

E. A. Moherek, Clermont, Member of the South Lake County Hospital District Board of Trustees, for term ending July 5, 1983

William V. Relyea, Clermont, Member of the South Lake County Hospital District Board of Trustees, for term ending July 5, 1983

Harold Roberts, Clermont, Member of the South Lake County Hospital District Board of Trustees, for term ending July 5, 1983

Lois J. Delevoe, Fort Lauderdale, Member of the State Retirement Commission, for term ending December 31, 1982

John L. Cody, III, Fort Lauderdale, Member of the Florida Student Financial Assistance Commission, for term ending June 30, 1982

Mark S. Levine, Tallahassee, Member of the Florida Student Financial Assistance Commission, for term ending June 30, 1982

Maria T. Plasencia, Tallahassee, Member of the Florida Student Financial Assistance Commission, for term ending June 30, 1982

Stella O. Ward, Tallahassee, Member of the Florida Student Financial Assistance Commission, for term ending June 30, 1981

Harriet M. Wilson, Tallahassee, Member of the Board of Trustees of Tallahassee Community College, for term ending May 31, 1983

Victor E. DiMaio, Tampa, Member of the Historic Tampa/Hillsborough County Preservation Board of Trustees, for term ending November 1, 1982

Daniel W. Masters, Temple Terrace, Member of the Historic Tampa/Hillsborough County Preservation Board of Trustees, for term ending November 1, 1982

James M. Burnett, Brandon, Member of the Tampa Port Authority, for term ending November 15, 1980

Robert L. Cromwell, Tampa, Member of the Tampa Port Authority, for term ending November 15, 1983

Delois Baskin, Miami, Member of the Unemployment Appeals Commission, for term ending July 1, 1983

Jeanette Glover Bronson, Orlando, Member of the Board of Trustees of Valencia Community College, for term ending May 31, 1983

E. Howard Acree, Jacksonville, Member of the Board of Veterinary Medicine, for term ending August 1, 1983

David B. Aronson, Pensacola, Member of the Board of Veterinary Medicine, for term ending August 1, 1981

Eduardo Garcia, Tampa, Member of the Board of Veterinary Medicine, for term ending August 1, 1982

Christobal M. Gonzalez-Mayo, Miami, Member of the Board of Veterinary Medicine, for term ending August 1, 1981; deceased January 15, 1980

Judith W. Solger, Chipley, Member of the Board of Veterinary Medicine, for term ending August 1, 1981; resigned January 22, 1980

Helen N. Williams, Avon Park, Member of the Board of Veterinary Medicine, for term ending August 1, 1982

W. G. Young, Titusville, Member of the Board of Veterinary Medicine, for term ending August 1, 1983

Charles B. Fitzpatrick, Inverness, Member of the Board of Trustees of the Citrus County Hospital Board, for term ending July 7, 1980

Irene H. Burnett, Merritt Island, Member of the Board of Trustees of Brevard Community College, for term ending May 31, 1983

Henry G. Bachara, Jacksonville, Member of the Construction Industry Licensing Board, for term ending February 18, 1984

Charles H. Bromley, Boca Raton, Member of the Construction Industry Licensing Board, for term ending February 18, 1984

Ronald L. Smith, Fort Myers, Member of the Construction Industry Licensing Board, for term ending February 18, 1984

Jeff D. Ragan, Bradenton, Member of the State Board of Cosmetology, for term ending January 1, 1984

Isabella P. Grimes, Pensacola, Member of the Civil Service Board of the County of Escambia, for term ending February 15, 1983

Irving R. Eyster, Islamorada, Member of the Historic Key West Preservation Board of Trustees, for term ending October 17, 1983

John Worthen Higgins, Key West, Member of the Historic Key West Preservation Board of Trustees, for term ending November 21, 1983

M. H. Pritchett, Lake Butler, Member of the Board of Trustees of Lake City Community College, for term ending May 31, 1983

Charles H. Cox, Winter Park, Member of the Board of Landscape Architecture, for term ending March 4, 1982

Frank M. Hancock, Palatka, Member of the Board of Trustees of St. Johns River Community College, for term ending May 31, 1982

[Referred to the Committee on Executive Business]

Barbara A. Greadington, Tallahassee, Member of the Parole and Probation Commission, for term ending October 6, 1983

Kenneth W. Simmons, Tallahassee, Member of the Parole and Probation Commission, for term ending October 6, 1985

[Referred to the Committees on Corrections, Probation and Parole and Executive Business]

A. Sidney Broward, Jr., Jacksonville, Member of the Jacksonville Port Authority, for term ending September 30, 1982

Alvin H. Drake, Tallahassee, Member of the Florida Board of Massage, for term ending January 1, 1981

James B. Hall, South Daytona Beach, Member of the Ponce De Leon Port Authority, Volusia County, for term ending February 1, 1983

Malcolm K. Smith, Holly Hill, Member of the Ponce De Leon Port Authority, Volusia County, for term ending February 1, 1983

Martin F. Stuck, New Smyrna Beach, Member of the Ponce De Leon Port Authority, Volusia County, for term ending February 1, 1983

Sonny Wright, Miami, Member of the Board of Real Estate, for term ending August 27, 1983

[Referred to the Committees on Economic, Community and Consumer Affairs and Executive Business]

Betty P. Parrish, Titusville, Member of the Board of Trustees of Brevard Community College, for term ending May 31, 1983

John H. Payne, Fort Lauderdale, Member of the Board of Trustees of Broward Community College, for term ending May 31, 1983

C. H. Barton, Bonifay, Member of the Board of Trustees of Chipola Junior College, for term ending May 31, 1983

Roger L. Laney, Jr., Chipley, Member of the Board of Trustees of Chipola Junior College, for term ending May 31, 1983

Benjamin Pete, Greenwood, Member of the Board of Trustees of Chipola Junior College, for term ending May 31, 1983

Marjorie P. Sangaree, Chipley, Member of the Board of Trustees of Chipola Junior College, for term ending May 31, 1983

T. Woodie Smith, Panama City, Member of the Board of Trustees of Gulf Coast Community College, for term ending May 31, 1983

James Y. Wilson, Lake City, Member of the Board of Trustees of Lake City Community College, for term ending May 31, 1983

Jimmy R. Peacock, Clermont, Member of the Board of Trustees of Lake-Sumter Community College, for term ending May 31, 1983

W. Max Clark, Crestview, Member of the Board of Trustees of Okaloosa-Walton Junior College, for term ending May 31, 1983

A. L. Nabors, Shalimar, Member of the Board of Trustees of Okaloosa-Walton Junior College, for term ending May 31, 1983

John Goldsmith, Temple Terrace, Member of the Board of Regents, for term ending September 1, 1980

Janice Chapin Brockus, Pinellas Park, Member of the Board of Trustees of St. Petersburg Junior College, for term ending May 31, 1983

Richard Johnston, St. Petersburg, Member of the Board of Trustees of St. Petersburg Junior College, for term ending May 31, 1983

James W. Agee, Sanford, Member of the Board of Trustees of Seminole Community College, for term ending May 31, 1983

Beverly P. Freeman, Maitland, Member of the Board of Trustees of Seminole Community College, for term ending May 31, 1983

Charles D. Stidham, Lake Placid, Member of the Board of Trustees of South Florida Junior College, for term ending May 31, 1983

[Referred to the Committees on Education and Executive Business]

Nevin G. Smith, Tallahassee, Secretary of Administration, to serve at the Pleasure of the Governor

[Referred to the Committees on Governmental Operations and Executive Business]

James W. York, Tallahassee, Executive Director of the Department of Law Enforcement, to serve at the Pleasure of the Governor and Cabinet

[Referred to the Committees on Judiciary-Criminal and Executive Business]

Edwin B. Browning, Jr., Madison, Member of the Environmental Regulation Commission, for term ending July 1, 1983

A. Sterling Hall, Bradenton, Member of the Environmental Regulation Commission, for term ending July 1, 1983

R. L. Parks, Miami, Member of the Environmental Regulation Commission, for term ending July 1, 1983

W. Fred Bond, Pensacola, Member of the Northwest Florida Water Management District, for term ending July 1, 1981

Henry C. Lane, Pensacola, Member of the Northwest Florida Water Management District, for term ending July 1, 1983

R. L. Price, Jr., Graceville, Member of the Northwest Florida Water Management District, for term ending July 1, 1983

Davage J. Runnels, Jr., Fort Walton Beach, Member of the Northwest Florida Water Management District, for term ending July 1, 1983

William C. Smith, Tallahassee, Member of the Northwest Florida Water Management District, for term ending July 1, 1983

Marion O. Tidwell, Milton, Member of the Northwest Florida Water Management District, for term ending July 1, 1983

Lynne C. Capehart, Gainesville, Member of the St. Johns River Water Management District, for term ending July 1, 1983

John V. D'Albora, Jr., Cocoa, Member of the Saint Johns River Water Management District, for term ending July 1, 1983

Claude O. Godwin, Titusville, Member of the Saint Johns River Water Management District, for term ending July 1, 1983

Frances Sharp Pignone, Orlando, Member of the Saint Johns River Water Management District, for term ending July 1, 1983

John R. Tripson, Vero Beach, Member of the Saint Johns River Water Management District, for term ending July 1, 1983

James W. Campbell, Plant City, Member of the Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1982

Bruce A. Samson, Tampa, Member of the Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1980

Jeanne Bellamy, Coral Gables, Member of the Governing Board of the South Florida Water Management District, for term ending July 1, 1983

Robert K. Butler, Okeechobee, Member of the Governing Board of the South Florida Water Management District, for term ending July 1, 1983

Charles L. Crumpton, Miami Shores, Member of the Governing Board of the South Florida Water Management District, for term ending July 1, 1983

Stanley W. Hole, Naples, Member of the Governing Board of the South Florida Water Management District, for term ending July 1, 1983

John L. Hundley, Pahokee, Member of the Governing Board of the South Florida Water Management District, for term ending July 1, 1983

Terry M. Kelly, Lake City, Member of the Suwannee River Water Management District, for term ending July 1, 1983

Hilda S. Kressman, Trenton, Member of the Suwannee River Water Management District, for term ending July 1, 1983

James O. Parker, Mayo, Member of the Suwannee River Water Management District, for term ending July 1, 1983

Wallace S. Townsend, Live Oak, Member of the Suwannee River Water Management District, for term ending July 1, 1983

[Referred to the Committees on Natural Resources and Conservation and Executive Business]

William E. Powers, Jr., Tallahassee, Chairman of the Public Employees Relations Commission, for term ending January 1, 1984

[Referred to Ways and Means Subcommittee E and the Committees on Ways and Means and Executive Business]

**SPECIAL ORDER**

By the Committee on Transportation—

CS for CS for SB 299—A bill to be entitled An act relating to motor vehicle dealers, manufacturers, importers, distributors, factory representatives, and factory branches; amending s. 320.131(1), Florida Statutes; providing for issuance of temporary motor vehicle tags; amending s. 320.27(1), (3), (4), (6), (9), (10), Florida Statutes, and adding subsection (12) to said section; providing definitions; specifying required application information; providing for license certificate and record-keeping procedures; providing for denial, suspension, or revocation of licenses; providing for surety bonds and civil fines for motor vehicle dealers; amending ss. 320.61(1), 320.62, Florida Statutes; deleting provisions relating to licensure of factory representatives; providing renewal procedures and fees; requiring delinquent licensees to cease engaging in business; creating s. 320.312, Florida Statutes; providing for maintenance of records by the Department of Highway Safety and Motor Vehicles; amending s. 320.8255(1), Florida Statutes; creating s. 320.8256, Florida Statutes; providing for inspection of recreational vehicles by persons approved by the department; providing for legislative review; repealing s. 320.60(4), Florida Statutes, as amended, relating to definition of "factory representative"; reviving and readopting, notwithstanding the Regulatory Reform Act of 1976, as amended, ss. 320.27—320.31 and ss. 320.60—320.70, Florida Statutes, as amended; providing a retroactive effective date.

—was read the first time by title and CS for SB 299 and SB 299 were laid on the table.

On motions by Senator Holloway, by two-thirds vote CS for CS for SB 299 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

**Yeas—38**

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

**Nays—None**

By the Committee on Commerce—

CS for SB 345—A bill to be entitled An act relating to motor carriers and freight forwarders; amending various provisions of chapter 323, Florida Statutes; providing definitions; specifying fees; prohibiting any motor carrier from operating in this state without a certificate of public convenience and necessity from the Florida Public Service Commission unless specifically exempted; providing for notice of application; requiring persons wishing to intervene in proceedings with respect to an application to file a formal protest; specifying circumstances for hearing; specifying burden of proof; authorizing the commission to grant emergency temporary authority to any motor carrier; removing restrictions on certification of charter carriers; prohibiting the sale, assignment, or transfer of portions of certificates and restricting the transfer of certificates apart from that of the holder's business; removing provisions which prohibit a motor carrier from holding dual or multiple authority without the commission's approval; providing authority of certain chartered counties and municipalities to regulate and license taxicabs; removing provisions requiring master taxi permits; providing regulation of taxicabs; substantially revising procedures for the approval of motor carrier rates by the commission; providing factors to be considered; removing exemption of construction aggregate haulers from rate regulation; removing time restrictions upon the dormancy of certificates and rights; authorizing the commission to revoke certificates or impose penalties or both; authorizing the commission to prescribe equipment for certain vehicles; authorizing the commission to collect a regulatory fee from carriers based on gross operating revenue; changing disposition of moneys collected; granting various powers to commission investigators and requiring them to be bonded; requiring interstate vehicles certified by the Interstate Commerce Commission to pay road taxes to the commission rather than the Department of Banking and Finance; removing exemptions for intramunicipal transportation; granting exemptions to various other types of vehicles; altering the qualifications for transportation brokerage licenses; specifying fees for such licenses; specifying standards for certification of freight forwarders; removing restrictions upon contracts between freight forwarders and motor carriers; changing restrictions upon carrier operations by freight forwarders; providing for the expiration of certain permits; requiring certain carriers operating under permits to obtain certificates by a certain date; reviving and readopting, notwithstanding the Regulatory Reform Act of 1976, as amended, ss. 323.01, 323.011, 323.02, 323.03, 323.032, 323.041, 323.042, 323.052, 323.053, 323.06, 323.07, 323.08, 323.10, 323.11, 323.12, 323.13, 323.14, 323.15, 323.16, 323.17, 323.18, 323.21, 323.22, 323.24, 323.25, 323.28, 323.29, 323.31, 323.35, 323.36, 323.51, 323.52, 323.53, 323.54, 323.55, 323.56, 323.57, 323.58, 323.59, 323.60, 323.61, 323.62, 323.63, 323.65, 323.66, and 323.68, Florida Statutes, as amended; repealing s. 323.05, Florida Statutes, relating to permits to operate motor vehicles; repealing s. 323.054, Florida Statutes, relating to applicability of municipal ordinances; repealing s. 323.09, Florida Statutes, relating to prohibitions and penalties; repealing s. 323.26, Florida Statutes, relating to operation by railroad as motor carrier; repealing s. 323.64, Florida Statutes, relating to eligibility to be a freight forwarder; repealing s. 323.67, Florida Statutes, relating to use of motor carriers by freight forwarders; providing a retroactive effective date.

—was read the first time by title and SB 345 was laid on the table.

On motion by Senator W. D. Childers, by two-thirds vote CS for SB 345 was read the second time by title.

Senator W. D. Childers moved the following amendments which were adopted:

Amendment 1—Page 41, line 18, through page 46, line 26, strike all of sections 18, 19, and 20 and insert:

Section 18. Section 323.15, Florida Statutes, is amended to read:

323.15 Road tax; advance deposits; lien for taxes; enforcement of lien; records; statements; etc.—

(1) There shall be collected on or before January 31 of each year, from every motor carrier for each motor vehicle controlled by such motor carrier which travels over the public highways of this state, a road tax as follows:

(a) One hundred dollars for each bus with a capacity of more than 21 passengers, for each truck with 4 or more axles,

for each vehicle registered by or leased to a holder of a certificate authorizing the transportation of road aggregates, and for each tractor, except those trucks and tractors operated exclusively within 25 miles of their places of domicile and those controlled by carriers whose authority from the commission is limited to the transportation of household goods or mobile homes.

(b) Fifty dollars for each bus with a capacity of not more than 21 passengers, for each tractor controlled by holders of a permit issued pursuant to or continued in effect by this part, and for each truck of 3 axles.

(c) Forty dollars for each truck or tractor operated and controlled by carriers whose authority from the commission is limited to the transportation of household goods or mobile homes.

(d) Twenty-five dollars for each bus with a capacity of 12 passengers or less.

(e) Fifteen dollars for each truck or tractor regardless of the number of axles which operates exclusively within 25 miles of its place of domicile, except aggregate carriers, and for each truck with 2 axles wherever it operates.

(f) Ten dollars for each truck or tractor controlled by a motor carrier holding a certificate of registration issued pursuant to s. 323.28, authorizing the operation in Florida of motor vehicles under exemptions provided by the Interstate Commerce Act.

(2) Motor carriers shall receive as evidence of payment of the road tax an identifying device as prescribed by the commission, which shall be displayed upon the vehicle for which the tax was paid. The identifying device is nontransferable from one vehicle to another except pursuant to the rules and regulations of the commission.

(3) The road tax shall be applicable to all motor carriers required by this part to obtain a certificate or permit from the commission, whether or not the said certificate or permit has been secured by the said motor carrier.

(4) The road tax collected shall be only for the remaining portion of the year from when the motor vehicle is placed in service by the motor carrier as follows:

(a) If the annual tax is \$100 and the motor vehicle is placed in service between January 1 and July 1, then \$100 is to be paid; if between July 1 and December 31, \$50.

(b) If the annual tax is \$50 and the motor vehicle is placed in service between January 1 and July 1, then \$50 is to be paid; if between July 1 and December 31, \$25.

(5) Pursuant to the rules and regulations of the commission, a motor carrier may lease vehicles to another motor carrier without the payment of additional road tax, provided that when the tax that has been paid on the vehicle is less than that required when the vehicle is controlled by the lessee, then the lessor may surrender his road tax plate or other identifying device and upon payment of the additional amount receive the required plate.

(6) The road tax provided for in this section shall be in lieu of all other taxes and fees of every kind, character, and description, state, county, or municipal, including excise and license taxes levied or imposed against such motor carriers, against the operation of such business and facilities thereof, or against their property, except ad valorem taxes levied upon the property other than motor vehicles of such motor carriers, the gasoline tax and motor vehicles fuel tax, the motor vehicle license tax now or hereafter provided for by law, the sales tax imposed by chapter 212, the income tax imposed by chapter 220, and other fees now or hereafter provided for by this chapter 323.

(7) The books and records of any all motor carrier carriers operating under a certificate shall be at all times open to inspection of the commission or any agent by it appointed for such purpose. The commission shall keep a true and accurate list of all motor carriers to whom certificates shall be issued with the post-office address of each.

Section 19. Section 323.16, Florida Statutes, is amended to read:

323.16 Disposition of moneys collected.—The commission shall keep a separate account of all moneys collected under s. 323.15, and said moneys shall be placed in the State Treasury to be credited as follows:

(1) Thirty-five percent of such funds shall be deposited in the Florida Public Service Regulatory Trust Fund, as created by s. 350.78, for use by the commission in the administration of this chapter ~~part~~.

(2) Two percent of such funds shall be credited to the Revenue Sharing Trust Fund for municipalities.

(3) The remainder of such fund shall be placed in the State Treasury to the credit of the Revenue Sharing Trust Fund for counties, subject to distribution as provided in this act.

(Renumber subsequent sections.)

Amendment 2—On page 78, line 5, after “323.14,” insert: 323.15,

Amendment 3—On page 78, lines 11-13, strike “Section 323.15, Florida Statutes, as it exists on June 30, 1980, is hereby revived and readopted but shall be superseded by section 18 of this act on January 1, 1981.”

Amendment 4—On page 78, lines 18-21, strike all of said lines and insert: Section 48. This act shall take effect July 1, 1980, and if it becomes a law after that date, this act shall operate retroactively to July 1, 1980.

Amendment 5—On page 78 between lines 17 and 18, insert: Section 47. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

(Renumber subsequent sections.)

Amendment 6—On page 13, line 14, strike “(5) (4)” and insert: (4)

Amendment 7—On page 57, line 4, strike “(21)” and insert: (24)

Senators Neal and McKnight offered the following amendment which was moved by Senator Neal and adopted:

Amendment 8—On page 19, between lines 16-17, insert a new subsection to read:

(10) REMOVAL OF RESTRICTIONS.—

(a) *The commission may, on its own motion, or upon the petition of any person, in its discretion, based upon a finding that a provision of a certificate issued under this section may unreasonably restrict the method or scope of transportation authorized, initiate a proceeding to remove such provision from said certificate.*

(b) *Notice of such proceedings shall be issued by the commission to the affected certificate holder and shall be further issued as provided in s. 323.03(3). Any certificated motor carrier may file a written protest stating the grounds therefor within 20 days after the date of publication of the notice. If such notice describes the specific restriction intended to be removed as well as the authority currently issued, certificated carriers having standing to protest shall be limited to those asserting that they are currently servicing any part of the route, or territory involved in the restriction, of, if other than a passenger carrier, that they are transporting the commodities such restriction affects. Any affected certificate holder having standing and filing a timely protest may participate as a party. Any person, other than a motor carrier, asserting an interest as a consumer of transportation services may also participate as a party upon the filing of a notice of intervention with the commission within 45 days of publication.*

(c) *Upon the filing of a timely protest stating the grounds therefor, the commission shall hold a public hearing, providing notice thereof to all parties. The commission may conclude the proceeding without a public hearing if no timely protest is received. Upon a finding based upon evidence adduced at such hearing that the removal of the restriction is consistent with the public convenience and necessity or that the restriction*

*unreasonably interferes with the useful and efficient utilization of transportation facilities of any kind, the commission shall amend the certificate to eliminate the restriction.*

(d) *The word “restriction” encompasses any form of limitation as to persons or property transported, capacity or method of transport, limitations as to routes, territory or points served and limitations as to schedules, terminals, domiciles or offices, whether stated by way of express limitation or by affirmative description of authority that circumscribes or omits the subject matter.*

Senators Stuart, Barron, W. D. Childers, Gordon, McClain, Trask, Frank, Vogt, Poole, Peterson, Williamson, Don Childers, Jenne, Dunn, MacKay, Johnston, Fectel, Gorman and Skinner offered the following amendment which was moved by Senator Stuart and adopted:

Amendment 9—On page 77, between lines 24 and 25, insert: Section 44. Any provision of this act to the contrary notwithstanding, the Public Service Commission shall exercise no regulatory authority over carriers of persons, and such carriers may operate in this state without any authorization from the commission, except as provided in section 323.05.

Renumber subsequent sections.

On motion by Senator Barron, the Senate reconsidered the vote by which Amendment 9 was adopted:

Senator Barron moved the following amendment to Amendment 9 which was adopted:

Amendment 9A—On page 1, line 9, strike “323.05” and insert: 8 of this act

Amendment 9 as amended was adopted.

Senator Barron moved the following amendment which was adopted:

Amendment 10—On page 25, after line 20, insert a new section 8:

Section 8. No motor carrier may operate any motor vehicle for the transportation of persons within this state for hire without first having obtained a permit from the Public Service Commission, which shall be issued to such carrier upon a demonstration that the carrier can provide safe transportation, and that the carrier is fit to operate as a business affected with the public interest.

Renumber subsequent sections.

Senators MacKay, Dunn, McKnight and Chamberlin offered the following amendment which was moved by Senator MacKay and adopted:

Amendment 11—On pages 15 and 16, strike lines 7 through 31 on page 15, and lines 1 through 20 on page 16 and insert:

(4) ISSUANCE OF CERTIFICATE.—A certificate shall be issued to any qualified applicant therefor, authorizing the whole or any part of the operations covered by the application, if it is found that the applicant is able properly to perform the service proposed and to conform to the provisions of this chapter and the requirements and rules thereunder of the commission, and that the proposed service, to the extent to be authorized by the certificate, is or will be consistent with ~~required~~ by the present or future public convenience and necessity. In determining whether such certificate shall be granted, the commission, among other things, must specifically consider, and in a contested proceeding make affirmative findings concerning, each of the following elements:

(a) ~~Whether existing transportation services of all kinds is adequate to meet the reasonable public needs.~~

(b) ~~The present necessity for the certificate in relation to the volume of existing or projected future traffic over such route or in such territory.~~

(a) ~~(c)~~ The financial ability of the applicant to furnish adequate, continuous, and uninterrupted service at the times required therefor, and to meet the financial obligations of the service which the carrier proposes to perform.

(d) The effect on existing transportation facilities and service of all kinds, and particularly whether the granting of such certificate will or may seriously impair essential public service as provided by existing motor carriers.

(b) (e) The fitness of the applicant properly to perform the proposed service and to conform to provisions of this part and the rules of the commission.

(f) The feasibility of the transportation proposed.

(5) **BURDEN OF PROOF.**—In any proceeding under this section, the applicant shall have the burden of proving all of the prerequisites to the issuance of the certificate that relate to his fitness to properly perform the proposed service and his financial ability to furnish that service.

(5) **TERRITORY ALREADY SERVED.**—When application is made by a motor carrier for a certificate to operate as a carrier in a territory or on a line already served by a certificate holder, the commission shall grant same only when the existing certificate holder or holders serving such territory fail to provide service and facilities which may reasonably be required by the commission.

The vote was:

Yeas—20

Chamberlin	Grizzle	McKnight	Stuart
Childers, D.	Henderson	Myers	Thomas
Dunn	Jenne	Neal	Tobiassen
Fechtcl	Johnston	Poole	Vogt
Gordon	MacKay	Steinberg	Williamson

Nays—19

Mr. President	Childers, W. D.	Maxwell	Skinner
Anderson	Frank	McClain	Trask
Barron	Gorman	Peterson	Ware
Beard	Hair	Scarborough	Winn
Carlucci	Holloway	Scott	

Senators MacKay, Dunn and McKnight offered the following amendment which was moved by Senator MacKay and adopted:

Amendment 12—On page 32, line 10 through line 30 on page 36, strike all of Section 12 and insert:

Section 13. Section 322.08, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 323.08, F.S., for present text.)

Section 323.08 Rates; procedure for fixing and changing.—

(1) Motor carriers operating under certificates may establish rates or tariffs as provided in this section to allow the motor carrier reasonable earnings. A copy of rates, tariffs, and any changes to such rates or tariffs shall be filed with the commission within 30 days after their effective date.

(2) Upon receiving notice of a rate filing or tariff filing, the commission shall review such filing to determine if the rate is excessive, inadequate, or unfairly discriminatory. In making that determination the commission may consider the following factors:

(a) The efficiency, sufficiency, and adequacy of the facilities and equipment provided.

(b) The cost of the services provided.

(c) The value and quality of the services provided.

(d) Intrastate revenues and expenses.

(e) Operating ratio.

(f) Cost of capital.

(g) Money honestly and prudently invested.

(h) Energy conservation and the efficient utilization of alternate resources.

(3) Rates shall be deemed excessive if they are likely to produce a profit from intrastate business that is unreasonably

high in relation to the risk involved, or if expenses are unreasonably high in relation to services rendered.

(4) Rates shall be deemed inadequate if they are clearly insufficient to cover projected expenses and could have the predatory effect of eliminating competition.

(5) One rate shall be deemed unfairly discriminatory if in relation to another rate charged by the same motor carrier, it clearly fails to reflect equitably the difference in expected expenses.

(6) In receiving the rate filing or tariff filing, the commission may require the motor carrier to provide all information necessary to evaluate the reasonableness of the filing according to the criteria listed in subsection (2).

(7) If the commission initially determines that a rate filing or tariff filing is excessive, inadequate, or unfairly discriminatory, the commission shall notify the motor carrier. Within 30 days after receipt of such notice, the motor carrier shall file with the commission all information which the motor carrier believes proves the reasonableness of the rate or tariff change. In all such instances the motor carrier shall carry the burden of proof. If the commission finds that a rate filing or tariff filing is excessive, inadequate, or unfairly discriminatory, the commission shall order that a new rate or tariff be filed by the motor carrier.

(8) Motor carriers shall individually file rate changes and tariff changes. Two or more motor carriers may not act in concert through a rate bureau or otherwise with respect to filing rate changes or tariff changes. However, a rate bureau may exist as a clearinghouse for the purpose of publishing rates and furnishing rate, revenue, and expense statistics to its members. The prohibition contained in the subsection is supplemental to any prohibition against combinations restricting trade or commerce in chapter 542 or other provisions of law.

(9) Within 30 days after the effective date of this act the commission shall commence a review of the rates of all regulated motor carriers in effect at the time. If, after the review, the commission finds on a preliminary basis that the rate may be excessive, inadequate, or unfairly discriminatory, the commission shall so notify the carrier. Upon being so notified, the carrier shall within 60 days file with the commission all information which the carrier believes proves the reasonableness, adequacy, and fairness of the rate. In such instances, the carrier shall carry the burden of proof. In the event the commission finds that a rate is excessive, inadequate, or unfairly discriminatory, the commission may order that a new rate schedule be thereafter filed by the carrier and further specifying the manner in which noncompliance shall be corrected.

Senators Dunn, Stuart, MacKay, Scott, McKnight, Neal, Gordon and Vogt offered the following amendment which was moved by Senator Dunn and adopted:

Amendment 13—On page 36, lines 11-19, strike all of said lines and insert: (10) Motor carrier rate bureaus may publish tariffs that are individually set and facilitate interlining and jointline rates for through movements for carriers actually participating in these movements, but shall otherwise abide by chapter 542, and other laws of this state.

Senator Steinberg moved the following amendment which was adopted:

Amendment 14—On page 56, line 18, insert a new subsection (20) and renumber subsequent subsections:

(20) Passenger transportation for compensation on a semi-fixed or corridor route between fixed terminals not on a regularly scheduled basis, for a per person zone or trip fare, in motor vehicles commonly known as jitneys having a maximum seating capacity of 20, when operating solely within a single county under authority of a county ordinance containing regulatory and licensing standards.

Senator Ware moved the following amendment which failed:

Amendment 15—On page 25, between lines 20 and 21, insert new section and renumber:

Section 9. Bond and insurance coverage required: No motor carrier may transport persons within this state without first

having obtained and maintaining bodily injury liability insurance coverage in the minimum amount of 10,000 dollars per passenger seat and property damage coverage in the minimum amount of \$50,000.00 dollars. Such carrier shall also post bond in an appropriate amount as determined by the commission by rule.

Senator Fechtel moved the following amendment which failed:

**Amendment 16**—On page 28, line 4, strike section 9,

Senator Neal moved the following amendments which were adopted:

**Amendment 17**—On page 9, lines 15-18, strike all of said lines and insert: (16) "Road building and construction aggregates" includes, but is not limited to, sand, gravel, limerock, limestone, slag, pumice, granite, stone, crushed rock, shell, clay, and fill dirt.

**Amendment 18**—On page 34, lines 17 and 18, strike all of said lines and insert: (b) Motor common carriers holding authority for the transportation of road building and construction aggregates.

**Amendment 19**—On page 9, line 19, strike "(16)" and insert: (17)

**Amendment 20**—On page 34, line 13, strike "~~(a)~~ common" and insert: (a) Common

**Amendment 21**—On page 34, line 12, strike "~~the following~~" and insert after "to" the following:

Senator Gordon moved the following amendments which were adopted:

**Amendment 22**—On page 39, lines 28 and 29, on line 28 strike "commission" and on line 29 the word "commission" and insert: *Department of Highway Safety and Motor Vehicles*

**Amendment 23**—On page 40, line 11, strike the word "commission" and insert: *department* ~~commission~~

**Amendment 24**—On page 41, lines 6 and 8, strike the word "commission" and insert the word *department*

On motions by Senator Thomas, the Senate reconsidered the vote by which Amendments 22, 23 and 24 were adopted.

The question recurred on Amendments 22, 23 and 24 which were adopted.

Senator Anderson moved the following amendment which was adopted:

**Amendment 25**—On page 53, lines 29-31 and on page 54, lines 1 and 2, strike all of said lines and insert: (1) Persons operating motor vehicles wholly within the corporate limits of any municipality and the adjoining suburban territory, ~~where such business of carriage is regulated by the legislative body of such municipality as provided in ss. 323.053 and 323.054.~~

(Renumber subsequent subsections.)

Senator McKnight moved the following amendment which was adopted:

**Amendment 26**—On page 57, between lines 12 and 13, insert: (25) *Transportation by a motor vehicle which is:*

(a) *Subsequent to a movement of property whose transportation is exempt under subsection (20) of this section;*

(b) *In a single movement or in one or more of a series of movements in the general direction of the general area in which such a motor vehicle is based or in the general direction of the general area of the origin from which the preceding exempt movement was made;*

(c) *At a rate, fare, or charge at least equal to the lowest rate, fare, or charge for that same transportation filed and put into effect by any certificated common carrier; and*

(d) *Registered with the commission.*

The vote was:

Yeas—34

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

Nays—3

McClain	Peterson	Poole
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Vote after roll call:

Nay to Yea—Poole

Senator Williamson moved the following amendments which were adopted:

**Amendment 27**—On page 39, strike lines 20, 21, 22, 23, 24 and 25 and renumber subsequent sections

**Amendment 28**—On page 78, line 14, after "323.09," insert: 323.12,

**Amendment 29**—On page 77, line 28, and on page 78, line 5, strike "323.12,"

Senator Neal moved the following amendment which was adopted:

**Amendment 30**—On pages 1 and 2 in title, lines 31 through 2, strike "removing exemption of construction aggregate haulers from rate regulation;"

Senator Anderson moved the following amendment which was adopted:

**Amendment 31**—On page 2 in title, line 16, strike "removing" and insert: expanding

Senator W. D. Childers moved the following amendment which was adopted:

**Amendment 32**—On page 2 in title, lines 7-10, strike "authorizing the commission to collect a regulatory fee from carriers based on gross operating revenue; changing disposition of moneys collected;"

Senator Stuart moved the following amendment which was adopted:

**Amendment 33**—On page 2 in title, line 29, after the semicolon (;) insert: prohibiting the commission from exercising any authority over carriers of passengers; authorizing such carriers to operate without authorization from the commission;

Senator MacKay moved the following amendment which was adopted:

**Amendment 34**—On page 1 in title, line 16, after "carrier;" insert: providing for the permitting of passenger carriers within the state;

Senator Williamson moved the following amendments which were adopted:

**Amendment 35**—On page 3 in title, line 15, after the word "penalties;" insert: repealing s. 323.12, Florida Statutes, relating to speed laws;

Amendment 36—On page 3 in title, line 3, strike "323.12,"

On motion by Senator W. D. Childers, by two-thirds vote CS for SB 345 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—29

Mr. President	Fechtel	Jenne	Thomas
Anderson	Frank	Johnston	Tobiassen
Barron	Gordon	MacKay	Vogt
Beard	Gorman	McKnight	Williamson
Carlucci	Grizzle	Neal	Winn
Chamberlin	Hair	Poole	
Childers, W. D.	Henderson	Steinberg	
Dunn	Holloway	Stuart	

Nays—7

Maxwell	Peterson	Skinner	Ware
McClain	Scarborough	Trask	

Votes after roll call:

Yea—Don Childers, Myers, Scott

By the Committee on Economic, Community and Consumer Affairs—

CS for SB 209—A bill to be entitled An act relating to private employment agencies; reviving, readopting, and amending ss. 449.01, 449.015, 449.02, 449.021, 449.022, 449.023, 449.025, 449.026, 449.03, 449.04, 449.05, 449.06, 449.07, 449.08, 449.10, 449.11, 449.17, Florida Statutes, notwithstanding the Regulatory Reform Act of 1976, as amended; providing for regulation of private employment agencies by the Department of State; providing definition; providing exemptions; specifying powers and duties of the departments; providing for issuance of a license to an agency upon application and for denial, suspension, or revocation of license; providing a penalty for failure to obtain a license; providing for establishment of fees and for civil penalties in an amount not to exceed \$1,000 per violation; specifying qualifications of applicants for license; providing for filing and posting of fee schedules; requiring an applicant to provide cashier's check or bond in specified amounts; requiring maintenance of specified records; prohibiting registration fees; requiring issuance of a receipt; providing circumstances for refund; requiring delivery of a contract; prohibiting specified types of interference with employment; requiring the agency to give notice of labor disputes; requiring talent field agencies and employers to provide specified information; prohibiting an agency from sending an applicant to an employer engaged in illegal activities; providing penalties; creating a trust fund and providing for deposit of moneys therein; providing for an advisory council; repealing ss. 449.024, 449.09, 449.13, 449.14, 449.141, 449.15, 449.16, Florida Statutes, relating to employee licenses, nurses registries, revocation of license, injunctions, legal representation, denial of license, and criminal penalties; providing for future repeal and review of chapter 449, Florida Statutes; providing a retroactive effective date.

—was read the first time by title and SB 209 was laid on the table.

On motion by Senator Thomas, by two-thirds vote CS for SB 209 was read the second time by title.

The Committee on Ways and Means offered the following amendment which was moved by Senator Skinner and failed:

Amendment 1—On page 6, lines 3 and 4, strike "(1) Any private employment agency that is compensated solely by employers;"

By permission, Amendment 2 by the Committee on Ways and Means was withdrawn.

The Committee on Ways and Means offered the following amendment which was moved by Senator Thomas and adopted:

Amendment 3—On page 10, line 18, strike "\$400." and insert: \$200.

On motion by Senator Thomas, by two-thirds vote CS for SB 209 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Hair

On motion by Senator Barron, the rules were waived and by two-thirds vote the following bills were placed on the special order calendar for Tuesday, April 15: Senate Bills 220, 221, 222, 223, 224, 18, 66, 53, 315, 69, 141, 56, 95, CS for SB 236, Senate Bills 173, 215 and 132.

On motion by Senator Barron, the rules were waived and by two-thirds vote the following bills were placed on the special order calendar for consideration at 2:00 p.m. this day: SB 63, CS for SB 211, Senate Bills 285, 153, 34, 29; CS for SB 170 and SB 60.

On motions by Senator Barron, the rules were waived and the Committee on Commerce was granted permission to meet Thursday, April 10, from 9:00 a.m. until 12:00 noon and 2:00 p.m. until 5:00 p.m. and Friday, April 11, from 9:00 a.m. until 12:00 noon for the purpose of considering matters relating to pari-mutuels.

Senator MacKay moved that the rules be waived and all bills passed this day be immediately certified to the House. The motion failed. The vote was:

Yeas—21

Mr. President	Grizzle	McKnight	Thomas
Chamberlin	Hair	Myers	Vogt
Childers, D.	Henderson	Neal	Williamson
Dunn	Jenne	Poole	
Frank	Johnston	Steinberg	
Gordon	MacKay	Stuart	

Nays—16

Barron	Fechtel	McClain	Skinner
Beard	Gorman	Peterson	Trask
Carlucci	Holloway	Scarborough	Ware
Childers, W. D.	Maxwell	Scott	Winn

On motion by Senator Barron, the Senate recessed at 11:52 a.m. to reconvene at 2:00 p.m.

#### AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—38:

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

**SPECIAL ORDER**

SB 63—A bill to be entitled An act relating to mobile home parks; creating ss. 83.795-83.797, Florida Statutes; prohibiting infringement upon the right of mobile home owners to peaceably assemble at reasonable times and in a reasonable manner in common areas or recreation areas; prohibiting infringement upon the right of a mobile home owner to invite public officers or candidates for public office to appear and speak in common areas or recreation areas at reasonable times and in a reasonable manner; providing for injunctive relief; providing an effective date.

—was read the second time by title. On motion by Senator Chamberlin, by two-thirds vote SB 63 was read the third time by title, passed and certified to the House. The vote on passage was:

**Yeas—36**

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

**Nays—None**

SB 285—A bill to be entitled An act relating to actions for libel; amending ss. 770.02 and 836.08, Florida Statutes, to modify civil and criminal procedural requirements with respect to publication of corrections, apologies, or retractions; providing an effective date.

—was read the second time by title. On motion by Senator Poole, by two-thirds vote SB 285 was read the third time by title, passed and certified to the House. The vote on passage was:

**Yeas—36**

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

**Nays—None**

SB 153—A bill to be entitled An act relating to the Driver License Examining Office at 7439 Wilson Boulevard in the City of Jacksonville; directing the Department of Highway Safety and Motor Vehicles to name the building which houses such office in honor of Mr. Cecil Kemp; directing the department to erect a suitable marker; providing an effective date.

—was read the second time by title. On motion by Senator Carlucci, by two-thirds vote SB 153 was read the third time by title, passed and certified to the House. The vote on passage was:

**Yeas—38**

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

**Nays—None**

SB 34—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending the introductory paragraph and subsections (1) and (3) of s. 570.23, Florida Statutes; increasing the membership of the State Agricultural Advisory Council; providing an effective date.

—was read the second time by title. On motion by Senator Skinner, by two-thirds vote SB 34 was read the third time by title, passed and certified to the House. The vote on passage was:

**Yeas—37**

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

**Nays—None**

Consideration of SB 29 was deferred.

By the Committee on Education and Senator Peterson—

CS for SB 170—A bill to be entitled An act relating to the district school system; amending s. 232.01(1)(d), Florida Statutes, as amended; removing the compulsory attendance exemption for students who are married and, under certain circumstances, for students who are unmarried parents; providing that married students, pregnant students, and unmarried parents may voluntarily be assigned to certain programs; adding s. 232.06(5), Florida Statutes; providing an unmarried parent exemption from compulsory attendance; providing an effective date.

—was read the first time by title and SB 170 was laid on the table.

On motions by Senator Peterson, by two-thirds vote CS for SB 170 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

**Yeas—35**

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

**Nays—1**

Frank

By the Committee on Judiciary-Civil and Senator McKnight—

CS for SB 211—A bill to be entitled An act relating to the Fictitious Name Statute; amending s. 865.09, Florida Statutes, including solicitations within the definition of "business"; providing a fictitious business name statement form which requires certain information; increasing the penalty for failure to comply with the fictitious name law; authorizing the Department of Legal Affairs to bring proceedings against violating businesses; providing that certain use of a fictitious name constitutes material misrepresentation; providing an effective date.

—was read the first time by title and SB 211 was laid on the table.

On motion by Senator McKnight, by two-thirds vote CS for SB 211 was read the second time by title.

Senator Williamson moved the following amendments which were adopted:

**Amendment 1**—On page 4, lines 28-31, and on page 5, lines 1 and 2, strike all of said lines and insert: until this law is complied with. ~~and further that any person violating this law may have information filed against him, by anyone aggrieved or believed to be aggrieved, before the proper court and charged with a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. In addition to the penalty thus,~~

**Amendment 2**—On page 1 in title, strike lines 7 and 8 and insert: information; removing criminal penalties for failure

On motion by Senator McKnight, by two-thirds vote CS for SB 211 as amended was read the third time by title and failed to pass. The vote was:

Yeas—10

Anderson	Hair	Peterson	Winn
Chamberlin	Jenne	Steinberg	
Dunn	McKnight	Stuart	

Nays—23

Barron	Frank	McClain	Thomas
Beard	Gordon	Myers	Trask
Carlucci	Gorman	Poole	Vogt
Childers, D.	Grizzle	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Williamson
Fechtcl	Maxwell	Skinner	

SB 60—A bill to be entitled An act relating to elections; amending ss. 98.271(1), 99.097(4), (5), 101.34, 101.341, 102.-021(1), Florida Statutes; providing that the supervisor of elections rather than the board of county commissioners shall compensate inspectors, clerks, deputy election supervisors, and deputy sheriffs with respect to election duties; providing for reimbursement or payment to supervisors of elections for verification of signatures on petitions; removing the prohibition against county employees other than employees of the supervisor of elections accepting employment or consideration from persons or entities involved in the purchase, repair, or sale of voting equipment; requiring certain employees of supervisors of elections to have approval of the supervisor of elections before accepting employment from a person or entity involved in such activities; providing penalties; providing an effective date.

—was read the second time by title.

Senator Maxwell moved the following amendment which was adopted:

**Amendment 1**—On page 3, line 8, after the period insert: *In no event shall such reimbursement of costs be deemed or applied as extra compensation for the supervisor.*

On motion by Senator Vogt, by two-thirds vote SB 60 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

## INTRODUCTION

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

By Senator Thomas—

SR 661—A resolution honoring Miss Kimberly Karmel Ganey, the 1980 Florida Honey Queen.

—which was read the first time by title. On motion by Senator Thomas SR 661 was read the second time in full and unanimously adopted.

The following senators were recorded as co-introducers of SR 661: Anderson, Barron, Beard, Carlucci, Chamberlin, D. Childers, W. D. Childers, Dunn, Fechtcl, Frank, Gordon, Gorman, Grizzle, Hair, Henderson, Holloway, Jenne, Johnston, Lewis, MacKay, Maxwell, McClain, McKnight, Myers, Peterson, Poole, Scarborough, Scott, Skinner, Steinberg, Stuart, Trask, Vogt, Ware, Williamson and Winn.

On motion by Senator Barron, the rules were waived and the Committee on Agriculture was granted permission to meet April 10 at 12:00 noon to consider SB 454.

## CO-INTRODUCERS

Senator Poole—Senate Bills 93 and 366; Senator McKnight—SB 503; Senator MacKay—SB 427; Senator Winn—SB 129

Senator MacKay—Withdrew as co-introducer of SB 505

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 8 was corrected and approved.

On motion by Senator Barron, the Senate adjourned at 2:51 p.m.