



Journal of the Senate

Number 6

Wednesday, April 22, 1981

INTRODUCTION AND REFERENCE OF BILLS

First Reading

The following bills are offered for introduction. This constitutes first reading as provided in Article III, Section 7 of the Constitution and the bills are referred as indicated.

By Senator Jenkins—

SB 657—A bill to be entitled An act relating to retail theft; amending s. 812.015(3), Florida Statutes, 1980 Supplement, providing that the activation of certain devices which operate to detect the removal of merchandise constitutes probable cause for purposes of detention; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Hill—

SB 658—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091(3), Florida Statutes, 1980 Supplement, authorizing school districts to offer early retirement benefits to certain employees; providing an appropriation; providing an effective date.

—was referred to the Committees on Education; Personnel, Retirement and Collective Bargaining; and Appropriations.

By Senator Hill—

SB 659—A bill to be entitled An act relating to education; amending s. 229.814(1), Florida Statutes, relating to high school equivalency diplomas, to provide that persons shall not be eligible to take the General Education Development (GED) examination until they are 18 years of age, with specified exceptions; providing an effective date.

—was referred to the Committee on Education.

By Senator Vogt—

SB 660—A bill to be entitled An act relating to tax on sales, use and other transactions; adding subsection (20) to s. 212.02, Florida Statutes, 1980 Supplement; defining "factory-built building"; amending s. 212.06(1)(b), Florida Statutes; providing that persons who manufacture such buildings for their own use in the performance of contracts for construction or improvement of real property shall pay tax only on the cost of materials used in such manufacture; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senator Tobiassen—

SB 661—A bill to be entitled An act relating to public records; amending s. 119.07(3)(k), Florida Statutes, 1980 Supplement; providing that all personnel and internal investigation information of law enforcement agencies shall be exempt from public disclosure requirements; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Tobiassen—

SB 662—A bill to be entitled An act relating to postsecondary education; creating ss. 240.255 and 240.344, Florida Statutes, requiring the Board of Regents and the boards of trustees of

community colleges to permit certain full-time administrative and instructional personnel in the public schools to take free courses at institutions in the State University System and the State Community College System; providing an effective date.

—was referred to the Committees on Education; Personnel, Retirement and Collective Bargaining; and Appropriations.

By Senator Johnston—

SB 663—A bill to be entitled An act relating to corporations; amending s. 607.011(2), Florida Statutes; authorizing a corporation to provide certain life insurance for its benefit; clarifying language relating to pension and incentive plans; amending s. 607.014(6), Florida Statutes, 1980 Supplement; clarifying provision relating to indemnification; amending s. 607.084(2), Florida Statutes; specifying content of court order for holding of shareholders' meeting; amending s. 607.111(6), Florida Statutes; correcting a cross-reference; amending s. 607.131(2), Florida Statutes; specifying type of mail to be used for notice of special meetings of the board of directors; amending s. 607.141, Florida Statutes; clarifying a reference to the board of directors; amending s. 607.194(2), (4), Florida Statutes; providing procedures for adoption of restated articles of incorporation; amending s. 607.197(3)(c), Florida Statutes; specifying effective date of certain articles of amendment; amending s. 607.227(5), Florida Statutes; making filing of articles of merger with county recording officer permissive; amending s. 607.251, Florida Statutes; providing procedures for voluntary dissolution; amending s. 607.267(1)(d), Florida Statutes; clarifying reference to liabilities and obligations; amending s. 607.274(1)(a), Florida Statutes; clarifying power to liquidate; amending s. 607.311, Florida Statutes; prohibiting a foreign corporation from filing an application for authority under certain circumstances; amending s. 607.337(3), Florida Statutes; specifying effect of amended application for authority; amending s. 607.344(1)(d), (2)(b), Florida Statutes; providing circumstances for revocation of authority of a foreign corporation to transact business, providing an effective date.

—was referred to the Committee on Commerce.

By Senator Hair—

SB 664—A bill to be entitled An act relating to life insurance; creating s. 627.4585, Florida Statutes; providing definitions; authorizing insurers to impose adjustable interest rates on loans made on life insurance policies issued on or after October 1, 1981; providing for the determination of the maximum adjustable rate; requiring certain disclosures to the policyholder; prohibiting certain termination of policies; permitting the applicability of the act to policies issued prior to October 1, 1981, under certain conditions; amending s. 627.458(1)(a), Florida Statutes; conforming language; amending s. 627.459, Florida Statutes; prescribing the interest rate on repayment of indebtedness on policies issued on or after October 1, 1981 before such policies may be reinstated; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Gordon—

SB 665—A bill to be entitled An act relating to farm labor registration; amending ss. 450.28(2), 450.30(1) and (3), 450.31, 450.32(1), 450.33(1), (6), (7), (8), and (9), 450.35, 450.36, 450.37, and 450.38, Florida Statutes; providing for regulation of farm labor registration by the Division of Employment Security of the Department of Labor and Employment Security; authorizing the division to require submission of fingerprints;

providing additional grounds for denial, revocation, or suspension of certification and for refusal to renew certification; providing additional duties of farm labor contractors; providing a civil penalty; providing injunctive relief; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Hair—

SB 666—A bill to be entitled An act relating to insurance; amending s. 625.121(4)-(10), Florida Statutes, and adding new subsections (5) and (11); changing the minimum standards for valuation of certain life insurance policies and annuity contracts; providing standards for interest rates used in determining such standards; changing provisions relating to the calculation of reserves for certain life insurance policies; amending s. 627.476, Florida Statutes, 1980 Supplement; changing nonforfeiture provisions for life insurance policies; providing for determination of cash surrender value of certain life insurance policies; exempting certain life insurance policies from provisions relating to adjusted premiums, equivalent uniform amount, and mortality tables; providing for calculation of adjusted premiums of new life insurance policies; providing for calculation of nonforfeiture net level premiums, adjusted premiums and present values, expense allowances, recalculated nonforfeiture net level premiums, and nonforfeiture interest rates, and providing the operative date for such calculations; providing for determination of minimum values for certain policies which provide for future premium determination; providing for determination of cash surrender values on certain policies; changing the types of policies exempt from nonforfeiture provisions; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Winn—

SB 667—A bill to be entitled An act relating to public lodging and food service establishments; amending s. 509.221(9), Florida Statutes, and adding a subsection, to require employees to have examinations for certain diseases upon initial employment and thereafter at the discretion of the Division of Hotels and Restaurants of the Department of Business Regulation; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services, and Commerce.

By Senator Maxwell—

SB 668—A bill to be entitled An act relating to Brevard County; relating to water conservation in Brevard County and its municipalities; prohibiting the installation of tank-type water closets requiring more than 14 quarts of water per flush in all new construction; prohibiting such installations in renovations of or additions to existing buildings except when compliance will require substantial modifications of the present plumbing system; providing for the publication of acceptable water conservation devices; providing for the granting of variances; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Anderson—

SB 669—A bill to be entitled An act relating to transportation; authorizing any county which provides both county and municipal services as authorized under ss. 10, 11, or 24, Art. VIII of the State Constitution of 1885 to preempt regulation by municipalities in the county of taxicabs, jitneys, and mass transit systems operating solely within the county; providing that municipalities, except those in such counties, which were regulating and licensing taxicabs and jitneys on July 1, 1980, shall retain such powers unless they are transferred to the county by general law or county charter; authorizing chartered counties to regulate taxicabs and jitneys in the unincorporated areas of the county and in municipalities that did not regulate such vehicles on July 1, 1980; requiring persons operating a taxicab to equip it with a properly functioning fare meter or map of zone rates and to post a schedule of fares; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; and Transportation.

By Senator Anderson—

SB 670—A bill to be entitled An act relating to railroads; repealing ss. 351.002(3), 351.004, 351.005, 351.006, 351.009(2), (3), Florida Statutes, as created by chapter 80-289, Laws of Florida, relating to the regulation of railroad rates by the Florida Public Service Commission; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Anderson—

SB 671—A bill to be entitled An act relating to savings associations; correcting a scrivener's error in chapter 80-257, Laws of Florida, which occurred in the 1980 regular session of the Legislature; amending s. 665.0201(5), Florida Statutes, 1980 Supplement, to provide certain factors that the Department of Banking and Finance must consider when acting on an application for a new association; amending s. 665.028(1), Florida Statutes, 1980 Supplement; to set out certain information that must be contained in a branch office application; providing certain factors that the department must consider when acting on a branch office application; deleting certain language held invalid; providing for conditional repeal; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Margolis—

SB 672—A bill to be entitled An act relating to dental service plan corporations; creating part III of chapter 637, Florida Statutes; authorizing the creation of dental service plan corporations under the supervision of the Department of Insurance; providing for the incorporation of such dental service plans; providing that contracts between such corporations and subscribers to the dental service plans are subject to approval by the department; providing for the contractual liability of such corporations; providing that such corporations be licensed and regulated by the department; requiring such corporations to maintain certain working capital; providing for review and mediation of complaints; requiring department approval of proposed amendments to the charter, bylaws, or contracts of the corporation and of proposed rate changes; providing for reports and fees; authorizing examinations of such corporations and requiring the Department of Insurance to examine such corporations under certain circumstances; requiring certain employees or representatives of dental service plan corporations to be licensed; providing that funds may be invested only in specified securities; prohibiting persons or corporations who are not licensed by the Department of Insurance from using the phrase "dental service plan" or otherwise holding themselves out as dental service plan corporations; providing for the dissolution of dental service plan corporations; providing for revocation of licenses; providing for referral by the Department of State of certain corporate charters or certificates of incorporation for consent of the Department of Insurance; grandfathering in certain dental service plan corporations in existence before the passage of this act; providing penalties; providing for review and repeal pursuant to the Regulatory Reform Act of 1976; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Margolis—

SB 673—A bill to be entitled An act relating to sexual battery; amending s. 794.011(2), Florida Statutes, reducing the penalty from a capital felony to a life felony for the commission by an adult of sexual battery upon a person 11 years of age or younger or for injury by an adult of the sexual organs of such person in an attempt to commit sexual battery; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Lewis—

SB 674—A bill to be entitled An act relating to state uniform traffic control; repealing s. 316.211, Florida Statutes, relating to required protective headgear and eye-protective devices for motorcycle riders; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Beard—

SB 675—A bill to be entitled An act relating to the sale of property by the Department of Transportation; adding s. 337.25(7), Florida Statutes; providing that a deposit shall accompany an offer to purchase any real property available for sale by the department; providing for return of such deposit under specified circumstances; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Carlucci—

SB 676—A bill to be entitled An act relating to the Jacksonville Transportation Authority; amending s. 349.04(1)(a), (c), and (d), Florida Statutes, to authorize the construction and operation of bicycle paths within the Jacksonville Expressway System; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Langley—

SB 677—A bill to be entitled An act relating to public health; creating s. 381.4985, Florida Statutes, providing that state law concerning certificates of need for health facilities shall not apply to certain counties; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator Winn—

SB 678—A bill to be entitled An act relating to the Department of Natural Resources; creating the Office of Civilian Conservation in the department; establishing the Florida Conservation Corps under the charge of the Office of Civilian Conservation; authorizing the department to adopt rules governing the corps; providing for camps and work programs of the corps; authorizing the department to act on behalf of the corps; providing an appropriation; providing for future repeal; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation, and Appropriations.

By Senator Childers, D.—

SB 679—A bill to be entitled An act relating to pharmacy; amending s. 465.003(4), Florida Statutes, authorizing oral prescriptions by the agent of the prescribing practitioner; adding a subsection to s. 465.007, Florida Statutes, 1980 Supplement, providing the title for licensed pharmacists; providing for repeal and review in accordance with the Regulatory Reform Act of 1976; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator Johnston—

SB 680—A bill to be entitled An act relating to motor vehicle title certificates; amending s. 319.31, Florida Statutes, requiring title certificates to include information as required by the Department of Highway Safety and Motor Vehicles; requiring such certificates to contain a place for the buyer's name; prohibiting the notarization of title transfers or the acceptance for transfer by an agent of the state under certain circumstances; defining the term "private or casual sale"; providing an effective date.

—was referred to the Committees on Transportation; and Finance, Taxation and Claims.

By Senator Johnston—

SB 681—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.09(5), Florida Statutes, 1980 Supplement; providing for disposition of certain revenues from daily license fees and taxes; amending s. 550.13, Florida Statutes, 1980 Supplement; deleting the provision requiring that certain amounts be transferred from the Pari-mutuel Tax Collection Trust Fund to the General Revenue Fund; requiring the Department of Business Regulation to review each year the balance in the Pari-mutuel Wagering Trust Fund and to transfer cer-

tain amounts from such fund to the General Revenue Fund by a certain date; repealing s. 215.22(6), Florida Statutes, relating to income of a revenue nature received by the Division of Pari-mutuel Wagering from which deductions are made for deposit to the General Revenue Fund; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Vogt—

SB 682—A bill to be entitled An act relating to homestead exemption; amending s. 196.031(3)(e), Florida Statutes, 1980 Supplement; removing the 5-year residency requirement for eligibility for increased homestead exemptions; providing an effective date.

—was referred to the Committee on Finance, Taxation and Claims.

By Senator Johnston—

SB 683—A bill to be entitled An act relating to the severance tax; amending s. 253.023(2), Florida Statutes, 1980 Supplement; providing a limit to amounts credited to the Conservation and Recreation Lands Trust Fund each fiscal year; amending s. 211.07(1), (2), Florida Statutes; changing the day of the month on or before which certain taxes are due and certain information must be filed; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Gordon—

SB 684—A bill to be entitled An act relating to tax refunds; redesignating s. 195.106(1)(c), Florida Statutes, and adding a new paragraph (c) to said subsection; providing for payment of interest on certain tax refunds; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Beard—

SB 685—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.05, Florida Statutes, requiring positive proof of identification as a prerequisite to inspection of registration records; requiring the Department of Highway Safety and Motor Vehicles to keep certain records for a specified period of time; providing that certain firms, institutions, and agencies may obtain information by means of telecommunications; providing an effective date.

—was referred to the Committees on Transportation and Governmental Operations.

By Senator Gordon—

SB 686—A bill to be entitled An act relating to school districts; amending s. 230.01, Florida Statutes; implementing a proposed amendment to Section 4, Article IX of the State Constitution; providing that counties with a population of greater than 350,000 may be divided into two or more school districts; providing that such a division may occur only upon approval of a school board resolution by a majority of the electors of the county voting in a special county-wide election; providing that the cost of such an election shall be borne by the school district; providing that the resolution shall prescribe boundaries for the new school districts and provide for the assumption of the assets and liabilities of the county school district; providing for the election of seven school board members for each new school district; allowing the subsequent employment of superintendents of schools as provided by general law; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Dunn—

SB 687—A bill to be entitled An act relating to the Florida Revenue Sharing Act of 1972; amending s. 218.245(2)(b), Florida Statutes; deleting the provision by which the sales tax collected within a municipality is derived by a proportion based

on county population; renumbering s. 218.26(2), (3), (4), Florida Statutes, and adding a new subsection (2) to said section; providing for determining the amount to be distributed from the Revenue Sharing Trust Fund for Counties and the Revenue Sharing Trust Fund for Municipalities; providing for an increase in the amount distributed from such funds each year based upon the annual growth in general state revenue; requiring appropriations; providing for a minimum amount to be distributed from each fund; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Dunn—

SB 688—A bill to be entitled An act relating to state government; creating s. 14.27, Florida Statutes; creating the Florida Productivity Improvement Investment Trust Fund; providing legislative intent; providing for grants to agencies to improve agency productivity; providing grant application procedures; providing limitations and restrictions on grants; providing for allocation of cost savings; providing an appropriation to the trust fund; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator Dunn—

SB 689—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.052(4)(a), Florida Statutes, 1980 Supplement, and adding a new paragraph (d) thereto, increasing the required contributions with respect to certain members of the Elected State Officers' Class of the Florida Retirement System; amending s. 121.071(2), Florida Statutes, increasing required contribution rates with respect to regular members of the system; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

By Senator Childers, D.—

SB 690—A bill to be entitled An act relating to health and rehabilitative services; amending s. 402.22(1)(d), (2), (3), (4), (5) and (7), Florida Statutes, 1980 Supplement; providing that educational programs for students in residential care facilities of the Department of Health and Rehabilitative Services may be provided by a community college; providing for funding; providing for funding of the program provided for the Okeechobee School for Boys by the Indian River Community College; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services, Education and Appropriations.

By Senator Dunn—

SB 691—A bill to be entitled An act relating to immunity of witnesses; amending s. 914.04, Florida Statutes; providing for immunity from use of compelled testimony; providing exceptions; providing for an order to testify; providing procedures for granting immunity before courts, grand juries, statewide grand juries, state attorneys, the Legislature and committees thereof; providing an effective date.

—was referred to the Committees on Judiciary-Civil and Rules and Calendar.

By Senator Anderson—

SB 692—A bill to be entitled An act relating to financial institutions; creating s. 655.034, Florida Statutes, providing for injunctions; amending s. 655.045(3)(b), Florida Statutes, 1980 Supplement, deleting reference to periodic examinations; providing an implementation schedule for semiannual fees paid by credit unions to the Department of Banking and Finance; amending s. 658.18(2)(b), Florida Statutes, 1980 Supplement, providing that unexpended organization funds may be transferred to undivided profits upon issuance of a charter; amending s. 658.19, Florida Statutes, 1980 Supplement, deleting the requirement that each stock subscriber file a sworn statement that he subscribes in his own right; providing that the name and address of proposed key officers must be filed with the application only if known; deleting the requirement that certain persons file with the department a complete set of finger-

prints; amending s. 658.42(1), Florida Statutes, 1980 Supplement, requiring that the board of directors of each constituent bank approve a plan of merger; amending s. 658.67(7)(a), Florida Statutes, 1980 Supplement; authorizing investment up to specified percentages of capital accounts; amending s. 663.05(1)(e), Florida Statutes, 1980 Supplement, requiring that an application for a license by an international banking corporation must show the total amount of its capital accounts and must include a detailed financial statement as of a date within 180 days prior to the application, which may be extended to 240 days within the discretion of the department; amending s. 665.0201(3)(e), (f) and (g), Florida Statutes, 1980 Supplement, deleting the requirement that certain persons file with the department a complete set of fingerprints; amending s. 665.027(1), Florida Statutes, 1980 Supplement, eliminating the 60-day delay prior to opening a savings association for business; amending s. 662.02(2), Florida Statutes, 1980 Supplement, redefining "bank services"; amending s. 662.06, Florida Statutes, 1980 Supplement, permitting bank service corporations to serve all financial institutions; repealing s. 665.034(3), Florida Statutes, deleting the requirement that certain persons file with the department a complete set of fingerprints; providing for review and repeal in accordance with the Regulatory Reform Act of 1976; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Neal—

SB 693—A bill to be entitled An act relating to Manatee County; amending chapter 25996, Laws of Florida, 1949, as amended; creating the Whitfield Zoning District; providing for a zoning board; providing for membership; providing powers and duties of said board; providing for public notice of public meetings; authorizing the board to sit as a Board of Adjustment; providing for judicial review of decisions of the board; repealing chapter 74-529, Laws of Florida, relating to the zoning district; repealing chapter 76-418, Laws of Florida, relating to the bird and wildlife sanctuary in the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 327 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Veterans Affairs and Representative Boles and others—

HB 327—A bill to be entitled An act relating to veterans' affairs; amending ss. 292.05(2) and (5), 292.07, and 292.11(2), Florida Statutes; revising provisions of law relating to qualifications and salary of the Director of the Division of Veterans' Affairs of the Department of Veteran and Community Affairs; removing the legislative authorization for appointment of an assistant director of the division; providing for an annual, rather than semiannual, division report to the Governor, the House Speaker, and the Senate President; revising provisions of law relating to appointment, duties, and salaries of veterans' affairs officers; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed HB 304 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Criminal Justice—

HB 304—A bill to be entitled An act relating to forest protection; amending s. 590.02(4)(a) and (b), Florida Statutes,

1980 Supplement, expanding arrest powers of special officers of the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Committee on Agriculture.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 305 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Criminal Justice and Representative M. E. Hawkins—

HB 305—A bill to be entitled An act relating to drug abuse prevention and control; amending s. 893.147(1), Florida Statutes, 1980 Supplement, providing that it is unlawful to possess or use drug paraphernalia for certain purposes related to controlled substances in violation of law; providing a penalty; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1028 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Drage and others—

HCR 1028—A concurrent resolution recognizing the impressive career and accomplishments of an extraordinary American, United States Navy Captain John W. Young, astronaut.

—was referred to the Committee on Rules and Calendar.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 20 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative G. Hodges and others—

HB 20—A bill to be entitled An act relating to the district school system; adding paragraph (g) to s. 236.081(1), Florida Statutes, 1980 Supplement, relating to computation of the basic amount to be included for operation of schools, to provide that certain districts may calculate full-time equivalent students differently for small, isolated schools under certain circumstances; providing an effective date.

—was referred to the Committees on Education and Appropriations.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 19 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Tourism & Economic Development and Representative Kutun and others—

CS for HB 19—A bill to be entitled An act relating to the sales and use tax; amending s. 212.04(2)(b), Florida Statutes, 1980 Supplement, exempting admissions to the National Football League championship game from the sales tax; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 338 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Ethics & Elections—

HB 338—A bill to be entitled An act relating to elections; amending s. 104.061(2), Florida Statutes, relating to campaign items which may be given away; amending s. 106.011(11), Florida Statutes, relating to campaign fund raisers; amending s. 106.021(1)(a), Florida Statutes, relating to filing the appointment of campaign treasurer of a political committee; amending s. 106.025, Florida Statutes, relating to campaign fund raisers and other testimonial affairs; amending s. 106.03(1), (3), and (4), Florida Statutes, and adding a new subsection thereto, relating to registration of political committees; amending s. 106.04(4)(a), Florida Statutes, relating to reporting requirements for committees of continuous existence; amending s. 106.07(1), (2), (3), (4), and (5), Florida Statutes, relating to reporting requirements for candidates and political committees; amending s. 106.141(6) and (7), Florida Statutes, 1980 Supplement, and adding new subsections (4) and (9) thereto, relating to disposition by candidates of surplus funds; amending s. 106.142, Florida Statutes, relating to the definition of political advertisement; amending s. 106.143(1), Florida Statutes, relating to political advertisement disclaimers; amending s. 106.15(2), (3), and (4), Florida Statutes, relating to the prohibited use of state-owned aircraft or motor vehicles, and the prohibited use of services of state employees, in campaigns; amending s. 106.17, Florida Statutes, relating to political polls; amending s. 106.29(1), Florida Statutes, relating to reports by political parties; creating s. 111.012, Florida Statutes, relating to testimonials for public officeholders; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 288, HB 492, HB 279 and HB 467 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Transportation—

HB 288—A bill to be entitled An act relating to drivers' licenses; adding subsections to s. 322.01, Florida Statutes, defining "court" and "conviction" to include federal courts and federal traffic convictions; amending s. 322.27(3)(e), Florida Statutes, including federal traffic convictions within the point system for the suspension or revocation of drivers' licenses; amending s. 316.645, Florida Statutes, to include offenses committed under the provisions of chapter 322; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Community Affairs and Representative Dyer—

HB 492—A bill to be entitled An act relating to water supply and distribution facilities; amending s. 403.1834(1) and (4), Florida Statutes, and adding subsection (8) to said section, authorizing the issuance of state bonds to finance or refinance construction of water supply and distribution facilities; defining facilities for which such bonds may be issued; authorizing issuance of state bonds to refinance construction of air and water pollution control and abatement and solid waste disposal facilities; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By the Committee on Insurance—

HB 279—A bill to be entitled An act relating to certain casualty insurance and medical malpractice insurance; amending s. 627.351(7)(a), (b), (d), and (g), Florida Statutes, 1980 Supplement, relating to the temporary joint underwriting association

and the temporary joint underwriting plan to eliminate their temporary nature; providing for review and repeal in accordance with the Regulatory Reform Act of 1976; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Ethics & Elections—

HB 467—A bill to be entitled An act relating to elections; amending s. 97.051(1), Florida Statutes, relating to the oath of registration; amending s. 97.061(2), Florida Statutes, relating to special registration for electors requiring assistance; amending s. 97.063(1)(c), (2), (3), (4), (5) and (7), Florida Statutes, providing for absentee voter registration of overseas citizens; amending s. 97.0631, Florida Statutes, providing for notice of elections to overseas citizens; amending s. 97.064(1), Florida Statutes, providing for voter registration of previously registered overseas citizens; amending s. 97.072(2), Florida Statutes, 1980 Supplement, relating to replacement of registration identification card; amending s. 98.081(1), Florida Statutes, 1980 Supplement, relating to removal of names from registration books; amending s. 98.271(1), Florida Statutes, 1980 Supplement, relating to the oath of deputy supervisors of elections; amending ss. 101.141(6) and 101.151(8), Florida Statutes, providing that the Department of State is to mail to each supervisor of elections the format of the ballot to be used in the county for primary and general elections, respectively; amending s. 101.27(6), Florida Statutes, relating to the Department of State approving ballots; amending s. 101.692(3), Florida Statutes, relating to postcard application for ballot; amending s. 101.694(3), Florida Statutes, providing authority for the Division of Elections to prescribe additional specifications for absentee ballot envelopes; amending s. 101.72, Florida Statutes, relating to the number of voting booths or compartments to be provided; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed HB 130 and HB 355 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Lippman & others—

HB 130—A bill to be entitled An act relating to murder; amending s. 782.04, Florida Statutes; providing that the unlawful killing of a human being when committed by a person engaged in the perpetration of, or the attempt to perpetrate, an escape is first degree murder; providing that when a person is killed, in the perpetration of an escape or attempted escape, by a person other than the person engaged in the perpetration of the escape or attempted escape, the person perpetrating the escape or attempted escape is guilty of second degree murder; providing penalties; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By the Committee on Agriculture & General Legislation—

HB 355—A bill to be entitled An act relating to the Florida Citrus Code; amending s. 601.15(9)(b), Florida Statutes, 1980 Supplement, extending application of the excise tax collection provisions of the section to include all citrus excise taxes in chapter 601, Florida Statutes; deleting obsolete language; amending s. 601.55(1) and (2), Florida Statutes, 1980 Supplement, clarifying language relating to citrus fruit dealer's license classifications; eliminating the present delinquent renewal classification; providing for "repeat applications" for licenses; specifying license terms; adding subsection (4) to s. 601.56, Florida Statutes, providing that certain license applications shall not be processed or denied under certain conditions and providing for notification; amending s. 601.57(7), Florida Statutes, 1980 Supplement, relating to conditional citrus fruit dealers' licenses; amending s. 601.58, Florida Statutes, providing for the handling of approved application; requiring notice of temporary or conditional nature of licenses on the face thereof; clarifying the nature of application disapproval; amending s. 601.67(3), Florida Statutes, providing for license suspension upon failure to

comply with an order to pay a fine; providing a 60-day suspension period; providing for continuation of suspension against a subsequent license; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

The Senate was called to order by the President at 9:00 a.m.
A quorum present—37:

Mr. President	Hill	McClain	Stuart
Anderson	Jenkins	McKnight	Thomas
Beard	Jenne	Neal	Tobiassen
Carlucci	Jennings	Peterson	Trask
Childers, D.	Johnston	Rehm	Vogt
Dunn	Kirkpatrick	Renick	Ware
Frank	Langley	Scott	Winn
Gordon	Lewis	Skinner	
Grizzle	Margolis	Steinberg	
Henderson	Maxwell	Stevens	

Excused: Senators Barron, Hair and Poole

Prayer by Senator Jenkins:

Our Father, as we gather here together on this auspicious occasion we acknowledge that there is a higher power, and more wisdom than is contained in this room today. Father, we pray that you will grant us in part a portion of this divine wisdom as we determine laws of the land that come up this session. Father, we are so reliable on you in our daily lives as well as those that govern over us. We pray now that there will be a special blessing today on the secretaries and others that are honored in the chamber. We are so thankful for the opportunity that is ours to serve in this capacity. We pray all this in thy Holy Name. Amen.

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

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 22, 1981: SB 11, SB 234, SB 31, SB 254, SB 262, SCR 325, SB 151, SB 280, SB 297, SB 382, SB 259, SB 50, SB 49, SB 68, SB 144, SB 334, SB 346, SB 323, SB 186, SB 320, SB 373, SB 152, SB 189, SB 270, SB 271, CS/SB 380, SB 307, CS/SB 228, SB 237, SB 291

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Corrections, Probation and Parole recommends the following pass: SB 440

The Committee on Education recommends the following pass: SB 275 with 3 amendments, SB 381

The Committee on Finance, Taxation and Claims recommends the following pass: SB 145

The Committee on Governmental Operations recommends the following pass: SB 34 with 2 amendments, SB 147, SB 163, SB 318, SB 330 with 2 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 308

The Committee on Judiciary-Civil recommends the following pass: SB 655

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 493

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 394 with 3 amendments

The Committee on Judiciary-Civil recommends the following pass: SB 292 with 1 amendment

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

The Committee on Commerce recommends the following pass: SB 39 with 1 amendment, SB 238, SB 246 with 1 amendment, SB 247 with 2 amendments, SB 249 with 2 amendments, SB 250, SB 256, SB 257 with 1 amendment, SB 284 with 4 amendments, SB 477

The Committee on Transportation recommends the following pass: SB 73 with 2 amendments

The bills contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Commerce recommends the following pass: SB 401

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 393

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

The Committee on Transportation recommends the following pass: SB 379 with 3 amendments

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

The Committee on Agriculture recommends the following pass: SB 432 with 2 amendments

The Committee on Transportation recommends the following pass: SB 385

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

The Committee on Governmental Operations recommends the following pass: SB 333

The bill was referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.

The Committee on Commerce recommends the following pass: SB 161 with 1 amendment, SB 181, SB 237, SB 255 with 2 amendments, SB 291

The Committee on Corrections, Probation and Parole recommends the following pass: SB 417 with 2 amendments, SB 441 with 2 amendments, SB 442, SB 443 with 5 amendments

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 267

The Committee on Finance, Taxation and Claims recommends the following pass: SB 38 with 1 amendment, SB 317, SB 501 with 1 amendment, SB 39, SB 246 with 2 amendments, SB 247, SB 249, SB 256, SB 257, SB 284, SB 534

The Committee on Health and Rehabilitative Services recommends the following pass: SB 41, SB 426

The Committee on Judiciary-Civil recommends the following pass: SB 30 with 2 amendments, SB 288 with 2 amendments, SB 439 with 1 amendment, SB 456, SB 475, SB 650 with 1 amendment

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 136 with 1 amendment

The Committee on Transportation recommends the following pass: SB 427

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

The Committee on Commerce recommends the following not pass: SB 218

The Committee on Economic, Community and Consumer Affairs recommends the following not pass: SB 260

The Committee on Finance, Taxation and Claims recommends the following not pass: SB 193

The Committee on Governmental Operations recommends the following not pass: SB 62

The Committee on Judiciary-Civil recommends the following not pass: SB 170, SB 532

The Committee on Transportation recommends the following not pass: SB 445

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

The Committee on Judiciary-Civil recommends a committee substitute for the following: SB 654

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

The Committee on Economic, Community and Consumer Affairs recommends committee substitutes for the following: SB 252, SB 302

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

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 424

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 328

The bill with committee substitute attached was referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 326

The bill with committee substitute attached was referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 198

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

The Committee on Agriculture recommends a committee substitute for the following: SB 72

The Committee on Commerce recommends committee substitutes for the following: SB 228, SB 337

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 13

The Committee on Education recommends committee substitutes for the following: Senate Bills 178, 377, and 527; SB 338

The Committee on Governmental Operations recommends committee substitutes for the following: SB 146, SB 290

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 182, SB 298, SB 339

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

REPORTS OF SELECT SUBCOMMITTEE TO STANDING COMMITTEE

The Select Subcommittee on Reviser Bills of the Rules and Calendar Committee recommends favorably the following proposed Reviser Bills which have been introduced by the individual members of the select subcommittee, Senators Scott, Hair and Ware: RB 81-1—Department of Veteran and Community Affairs, RB 81-2—Municipal Firefighters' Pension Trust Funds, RB 81-3—State Planning and Budgetary Reorganization, RB 81-4—Industrial Relations Commission and Judges of Industrial Claims, RB 81-5—Sunset Repeals and Other Future Repeal

The Select Subcommittee on Reviser Bills of the Rules and Calendar Committee makes no recommendation regarding the following proposed reviser bills: RB 6—Judicial Hearings, RB 8—Motor Carriers and Freight Forwarders

The bills have been introduced by individual members of the select subcommittee "by request".

The Select Subcommittee on Reviser Bills of the Rules and Calendar Committee recommends favorably with 1 amendment: RB 81-7—General Reviser's Bill

Appointment to Standing Subcommittees

The President announced the appointment of Senator Skinner as a member of Appropriations Subcommittees A, B and C.

REQUESTS FOR EXTENSION OF TIME

April 16, 1981

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: SB 352

April 17, 1981

The Committee on Commerce requests an extension of 15 days for consideration of the following: SB 36, CS/SB 37, SB 42, SB 45, SB 46, SB 53, SB 71, SB 113, SB 141, SB 171, SB 187, SB 202, SB 209, SB 211, SJR 226, SB 248, SB 253, SB 258, SB 278, SB 279, SB 314, SB 321, SB 353, SB 354, SB 362, SB 367, SB 376, SB 378, SB 388, SB 396, SB 410, SB 412, SB 423

The Committee on Education requests an extension of 15 days for consideration of the following: SB 47, SB 105, SB 108, SB 153, SB 154, SCR 160, SB 206, SB 245, SB 263, SB 268, SB 277, SB 295, SB 296, SB 299, SB 312, SB 313, SB 315, SB 331, SB 332, SB 345, SB 357, SB 358, SB 360, SB 384, SB 407, SB 414, SB 413, SB 418, SJR 419, SB 425

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following: SB 22, SB 159, SB 293, SB 301, SB 316, SB 319, SB 436, SB 458, SB 485, SB 486, SB 490, SB 499, SB 519, SB 543, SB 547, SB 570, SB 578

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: SB 8, SB 14, SB 23, SB 35, SB 82, SB 118, SB 129, SB 199, SB 335, SB 344, SB 359, SB 389, SB 395, SB 403, SB 405, SB 406

The Committee on Rules and Calendar requests an extension of 14 days for consideration of the following: SB 1, SR 40, SR 65, SJR 67, SCR 114, SB 158, SB 300, SCR 305, SJR 340, SJR 372, SB 416

The Special Master-Claims requests an extension of 15 days for consideration of the following: SB 55, SB 140, SB 184, SB 365

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: SB 9, SB 15, SB 25, SB 29, SB 61, SB 273, SB 336, SB 398, SB 400, SB 453, SB 479, SB 545

April 20, 1981

The Committee on Agriculture requests an extension of 15 days for consideration of the following: SB 70, SB 57, SB 229, SB 370, SB 421, SB 422

The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: SB 63, SB 73, CS for SB 110, CS for SB 112, SJR 157, SJR 164, SB 200, SB 238, SB 251, SB 341, SB 467, SB 477, SB 520, SB 574, SB 639, SB 250

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: SB 96, SB 194, SB 195, SB 225, SB 286, SB 324, SB 368, SB 371, SB 408, SB 409, SB 448, SB 465, SB 503, SB 513, SB 142

The Committee on Rules and Calendar requests an extension of 14 days for consideration of the following: SCR 435, SB 449, SB 455, SB 461, SB 462, SB 463, SB 464, SJR 469, SJR 472, SB 474, SM 487, SJR 488, SB 506

The Special Master-Claims requests an extension of 15 days for consideration of the following: SB 431, SB 505

The Committee on Transportation requests an extension of 15 days for consideration of the following: SB 451, SB 483, SB 484, SB 494, SB 497, SB 515

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: SB 17, SB 48, SB 60, SB 64, SB 106, SB 66, SB 135, SB 149, SB 162, SB 165, SB 173, SB 176, SB 183, SB 188, SB 196, SB 272, SB 281, SB 342, SB 347, SB 349, SB 383, SB 391, SB 392, SB 415, SB 420, SB 438, SB 452, SB 459, SB 460, SB 508

April 21, 1981

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: SB 369, SB 433, SB 434, SB 457, SB 500, SB 502, SB 514

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: SB 44, SB 56, SB 69, SB 107, SB 282, SB 309, SB 311, SB 329, SB 343, SB 390, SB 428, SB 429, SB 450, SB 509, SB 512, SB 516, SB 517

April 22, 1981

The Committee on Education requests an extension of 15 days for consideration of the following: SB 447, SB 489, SB 498

The Committee on Rules and Calendar requests an extension of 14 days for consideration of the following: SJR 27, SJR 364, SCR 538, SCR 539, SR 540

The Committee on Commerce requests an extension of 15 days for consideration of the following: SB 180, CS for SB 306, SB 387, SB 437, SB 444, SB 446, SB 466, SB 470, SB 471, SB 473, SB 478, SB 480, SB 481, SB 491, SB 492, SB 496, SB 504, SB 507, SB 510, SB 511, SB 533, SB 544

Margolis	Poole	Steinberg	Tobiassen
Maxwell	Renick	Stevens	Trask
McKnight	Scott	Stuart	Ware
Peterson	Skinner	Thomas	Winn

Nays—None

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: Senate Bills 214 and 352, HB 75

On motion by Senator Trask all Senators voting in the affirmative were recorded as co-introducers of SCR 435.

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

Mr. MacDonald entertained the Senate at the piano with a selection by Bach, medleys of Gershwin tunes and a composition by Alan Harkey, a member of the Senate staff. Following his performance, Mr. MacDonald was invited by the presiding officer to the rostrum where Senator Trask presented to him a copy of SCR 435.

INTRODUCTION AND REFERENCE OF BILLS

By Senator Barron—

SR 815—A Senate resolution honoring secretaries for their contributions to business, industry, education, and government.

—which was read the first time by title. On motion by Senator Johnston, SR 815 was read the second time in full and adopted. The vote on adoption was:

Yeas—33

Mr. President	Henderson	Maxwell	Stuart
Anderson	Jenkins	McKnight	Thomas
Barron	Jenne	Neal	Tobiassen
Beard	Jennings	Peterson	Trask
Carlucci	Johnston	Rehm	Ware
Childers, D.	Kirkpatrick	Renick	Winn
Dunn	Langley	Scott	
Frank	Lewis	Steinberg	
Grizzle	Margolis	Stevens	

Nays—None

Vote after roll call:

Yea—McClain

Senator Ware introduced "The Sunshine Kids" of St. Petersburg, a group of singers, ranging in age from 10 to 18, who performed for the Senate. The group, which represents 26 Pinellas County schools, was chartered in 1976 "to foster the musical education of young people, to stimulate their interest in and enjoyment of music through participation in group musical activities and productions, and to promote community involvement in children's musical theater".

"The Sunshine Kids" were accompanied by their director, Janet M. Carr.

Senator Ware presiding

Senator Trask introduced Robert MacDonald, artist-in-residence and professor of piano at Florida Southern College.

On motion by Senator Trask, the rules were waived and by two-thirds vote SCR 435 was withdrawn from the Committee on Rules and Calendar.

On motions by Senator Trask—

SCR 435—A concurrent resolution commending Robert MacDonald for his contributions to the fine arts.

—was taken up out of order by unanimous consent, read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—32

Anderson	Dunn	Henderson	Johnston
Barron	Frank	Hill	Kirkpatrick
Carlucci	Gordon	Jenkins	Langley
Childers, D.	Grizzle	Jennings	Lewis

Senator Gordon introduced Roy Kenzie of the Miami Downtown Improvement Authority who showed a series of slides relative to Miami's inner city.

By the Committee on Appropriations—

SB 900—A BILL, TO BE ENTITLED AN ACT MAKING APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIOD BEGINNING JULY 1, 1981 AND ENDING JUNE 30, 1982, TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY—BUILDINGS AND IMPROVEMENTS, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT; SUSPENDING SECTIONS 216.292, 240.209, 253.025, AND 943.22, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

—was read the first time by title.

On motions by Senator Johnston, the rules were waived and by two-thirds vote SB 900 was set as a special and continuing order of business for Friday, April 24, 1981.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Johnston, the rules were waived and by two-thirds vote CS for SB 198 was withdrawn from the Committee on Rules and Calendar.

On motions by Senator Vogt, by two-thirds vote Senate Bills 94 and 95 were removed from the calendar and indefinitely postponed.

On motions by Senator Henderson, the rules were waived and by two-thirds vote SB 66 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator McClain, the rules were waived and by two-thirds vote Senate Bills 195 and 461 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Scott, the rules were waived and by two-thirds vote SB 69 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Beard, by two-thirds vote SB 109 was removed from the calendar and indefinitely postponed.

On motions by Senator Frank, the rules were waived and by two-thirds vote Senate Bills 452 and 498 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Anderson, by two-thirds vote SB 217 was removed from the calendar and indefinitely postponed.

On motion by Senator Anderson, by two-thirds vote SB 115 was removed from the calendar and referred to the Committee on Commerce.

On motion by Senator Hill, SB 763 was withdrawn prior to introduction.

On motions by Senator Langley, the rules were waived and by two-thirds vote SB 71 was withdrawn from the committee of reference and indefinitely postponed.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

Appointments Subject to Confirmation by the Senate

The Secretary of State on April 15, 1981, 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:

Jo Daniels, Tallahassee, Board of Cosmetology, for a term ending January 1, 1985

Elizabeth Kinsey, Miami, Board of Cosmetology, for a term ending January 1, 1985

[Referred to the Committee on Executive Business]

The Secretary of State on April 21, 1981, filed amended certificates subject to confirmation by the Senate for the following:

James H. Kimbrough, Brooksville, Member of the Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1984

A. R. Updike, Jr., Lake Wales, Member of the Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1984

Donald R. Crane, Jr., St. Petersburg, Member of the Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1984

Bruce A. Samson, Tampa, Member of the Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1984

SPECIAL ORDER

SB 11—A bill to be entitled An act relating to historic preservation; authorizing the President of the Senate and the Speaker of the House of Representatives to allocate space in the Florida Historic Capitol; creating the position of the capitol curator within the Department of State; providing the duties of the capitol curator; authorizing the Department of State to promulgate rules; providing that the maintenance, repair, and security of the building and grounds of the Historic Capitol shall be the responsibility of the Department of General Services; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 21, after "255.249" insert: and s. 272.04

On motion by Senator Thomas, by two-thirds vote SB 11 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

Anderson	Jenkins	Maxwell	Steinberg
Beard	Jenne	McClain	Stevens
Carlucci	Jennings	McKnight	Stuart
Childers, D.	Johnston	Peterson	Thomas
Frank	Kirkpatrick	Rehm	Tobiassen
Grizzle	Langley	Renick	Vogt
Henderson	Lewis	Scott	Ware
Hill	Margolis	Skinner	Winn

Nays—None

SB 234—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and

11.2425, Florida Statutes; adopting the Florida Statutes 1981 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 1981 shall be effective immediately upon publication; providing that general laws enacted during the 1979 regular and June 1979 special legislative sessions and prior thereto and not included in the Florida Statutes 1981 are repealed; providing that general laws enacted during the November 1979 special session, the 1980 regular session, the June 1980 special sessions, the November 1980 special session, and the 1981 regular session are not repealed by this adoption act.

(accompanied by Volumes 1, 2 and 3, Florida Statutes, 1979)

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 234 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Anderson	Jenne	McKnight	Thomas
Beard	Jennings	Peterson	Tobiassen
Carlucci	Johnston	Rehm	Trask
Childers, D.	Kirkpatrick	Renick	Vogt
Dunn	Langley	Scott	Ware
Frank	Lewis	Skinner	Winn
Grizzle	Margolis	Steinberg	
Hill	Maxwell	Stevens	
Jenkins	McClain	Stuart	

Nays—None

Senator Trask presiding

SB 31—A bill to be entitled An act relating to counterfeit controlled substances; prohibiting the sale of substances falsely represented as controlled substances; prohibiting the sale, manufacture, delivery, and possession of counterfeit or mislabeled controlled substances; prohibiting the possession, sale, manufacture, and delivery of devices intended to be used in mislabeling controlled substances or in falsely labeling substances as controlled substances; providing penalties; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Criminal recommended the following amendments which were moved by Senator Beard and adopted:

Amendment 1—On page 2, strike all of lines 11 through and including line 20 and renumber subsequent subsections.

Amendment 2—In title on page 1, lines 7-11, strike the words: "prohibiting the possession, sale, manufacture, and delivery of devices intended to be used in mislabeling controlled substances or in falsely labeling substances as controlled substances;"

On motion by Senator Beard, by two-thirds vote SB 31 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

Anderson	Jenkins	Maxwell	Skinner
Beard	Jenne	McClain	Steinberg
Carlucci	Jennings	McKnight	Stevens
Childers, D.	Johnston	Neal	Stuart
Frank	Kirkpatrick	Peterson	Thomas
Grizzle	Langley	Rehm	Tobiassen
Henderson	Lewis	Renick	Vogt
Hill	Margolis	Scott	Winn

Nays—None

SB 254—A bill to be entitled An act relating to law enforcement; prohibiting any person from injuring or killing a police dog under certain conditions; providing a penalty; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Criminal recommended the following amendment which was moved by Senator Jenkins and adopted:

Amendment 1—On page 1, line 17, strike the words: "or attempts to inflict"

On motion by Senator Jenkins, by two-thirds vote SB 254 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Anderson	Hill	Maxwell	Steinberg
Beard	Jenkins	McClain	Stevens
Carlucci	Jenne	McKnight	Stuart
Childers, D.	Jennings	Neal	Thomas
Dunn	Johnston	Peterson	Tobiassen
Frank	Kirkpatrick	Rehm	Trask
Gordon	Langley	Renick	Vogt
Grizzle	Lewis	Scott	Ware
Henderson	Margolis	Skinner	Winn

Nays—None

On motion by Senator Gordon, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 204, 265 and 26 were withdrawn from the Committee on Appropriations.

On motion by Senator Gordon, by two-thirds vote SB 501 was removed from the calendar and referred to the Committee on Appropriations.

SPECIAL ORDER, continued

SB 262—A bill to be entitled An act relating to fishing and hunting licenses: adding a paragraph to s. 372.57(4), Florida Statutes, 1980 Supplement, and adding a new subsection (10) to said section, providing for hunting and fishing license reciprocity between Florida and Georgia for persons who are more than 65 years of age; providing an effective date.

—was read the second time by title. On motion by Senator Carlucci, by two-thirds vote SB 262 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Beard	Jenne	McKnight	Stuart
Carlucci	Jennings	Neal	Thomas
Childers, D.	Johnston	Peterson	Tobiassen
Frank	Kirkpatrick	Rehm	Trask
Gordon	Langley	Renick	Vogt
Grizzle	Lewis	Scott	Ware
Henderson	Margolis	Skinner	Winn
Hill	Maxwell	Steinberg	
Jenkins	McClain	Stevens	

Nays—1

Anderson

SCR 325—A concurrent resolution confirming an agreement entered into by the Florida Department of Environmental Regulation and the States of Georgia and Alabama.

—was read the second time in full. On motion by Senator Thomas SCR 325 was adopted and certified to the House. The vote on adoption was:

Yeas—34

Anderson	Dunn	Hill	Johnston
Beard	Gordon	Jenkins	Kirkpatrick
Carlucci	Grizzle	Jenne	Langley
Childers, D.	Henderson	Jennings	Lewis

Margolis	Rehm	Stevens	Vogt
Maxwell	Renick	Stuart	Ware
McClain	Scott	Thomas	Winn
McKnight	Skinner	Tobiassen	
Peterson	Steinberg	Trask	

Nays—None

On motions by Senator Anderson, by two-thirds vote CS for HB 19 was withdrawn from the Committees on Commerce; and Finance, Taxation and Claims.

On motion by Senator Anderson—

CS for HB 19—A bill to be entitled An act relating to the sales and use tax; amending s. 212.04(2)(b), Florida Statutes, 1980 Supplement, exempting admissions to the National Football League championship game from the sales tax; providing an effective date.

—a companion measure, was substituted for SB 151. On motions by Senator Anderson by two-thirds vote CS for HB 19 was read the second time by title, and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Anderson	Hill	McClain	Stevens
Beard	Jenkins	McKnight	Stuart
Carlucci	Jenne	Neal	Thomas
Childers, D.	Jennings	Peterson	Tobiassen
Dunn	Johnston	Rehm	Trask
Frank	Kirkpatrick	Renick	Vogt
Gordon	Langley	Scott	Ware
Grizzle	Lewis	Skinner	Winn
Henderson	Margolis	Steinberg	

Nays—None

SB 151 was laid on the table.

SB 280—A bill to be entitled An act relating to special process servers; amending s. 48.021(2), (3), Florida Statutes; providing that special process servers serve at the pleasure of the sheriff; providing that special process servers may only serve process in the county in which the sheriff who appointed them resides; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Civil recommended the following amendment which was moved by Senator Langley and failed:

Amendment 1—On page 1, line 16, strike "may shall" and insert: shall

On motion by Senator Beard, by two-thirds vote SB 280 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Anderson	Hill	Maxwell	Stevens
Beard	Jenkins	McClain	Stuart
Carlucci	Jenne	McKnight	Thomas
Childers, D.	Jennings	Neal	Tobiassen
Dunn	Johnston	Peterson	Trask
Frank	Kirkpatrick	Rehm	Vogt
Gordon	Langley	Renick	Ware
Grizzle	Lewis	Skinner	Winn
Henderson	Margolis	Steinberg	

Nays—None

Vote after roll call:

Yea—Scott

SB 297—A bill to be entitled An act relating to parole; amending s. 947.16(3), Florida Statutes; authorizing a judge to retain jurisdiction to review a Parole Commission release order in a case where a person is convicted of burglary of a dwelling or burglary of a structure or conveyance in which a human being is present; providing an effective date.

—was read the second time by title.

The Committee on Corrections, Probation and Parole recommended the following amendments which were moved by Senator Carlucci and adopted:

Amendment 1—On page 3, line 22, strike “appealable.” and insert: *appealable, and the commission shall take no further action during the pendency of the retained jurisdiction except that those inmates whose parole release order has been vacated by the court shall be reinterviewed within 90 days of the expiration of the court's retained jurisdiction or earlier by order of the court retaining jurisdiction.*

Amendment 2—In title on page 1, line 8, insert after the semicolon: providing for reinterview when a judge vacates the parole release order;

On motion by Senator Carlucci, by two-thirds vote SB 297 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Anderson	Hill	Maxwell	Stevens
Beard	Jenkins	McClain	Thomas
Carlucci	Jenne	McKnight	Tobiasen
Childers, D.	Jennings	Neal	Trask
Dunn	Johnston	Rehm	Vogt
Frank	Kirkpatrick	Renick	Ware
Gordon	Langley	Scott	Winn
Grizzle	Lewis	Skinner	
Henderson	Margolis	Steinberg	

Nays—None

Vote after roll call:

Yea—Peterson, Stuart

SB 382—A bill to be entitled An act relating to the Objective Parole Guidelines Act of 1978; amending s. 947.002(5), Florida Statutes; providing intent as to assignment of hearing examiners; repealing s. 947.005(4), Florida Statutes, which defines “hearing examiner panel”; amending s. 947.095, Florida Statutes; providing for assignment of hearing examiners instead of hearing examiner panels; providing authority for hearing examiners; amending s. 947.16(1), Florida Statutes; providing that certain interviews be conducted by a hearing examiner; amending s. 947.172(1), (2), Florida Statutes; providing that presumptive parole release dates be determined by a hearing examiner; amending s. 947.174, Florida Statutes; providing that a hearing examiner schedule and conduct certain hearings to review parole release dates; providing that a hearing examiner conduct certain interviews to establish effective parole release dates; providing an effective date.

—was read the second time by title. On motion by Senator Carlucci, by two-thirds vote SB 382 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Anderson	Hill	McClain	Stuart
Beard	Jenkins	McKnight	Thomas
Carlucci	Jenne	Neal	Tobiasen
Childers, D.	Jennings	Peterson	Trask
Dunn	Johnston	Rehm	Vogt
Frank	Kirkpatrick	Renick	Ware
Gordon	Lewis	Scott	Winn
Grizzle	Margolis	Skinner	
Henderson	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Langley, Stevens

SB 259—A bill to be entitled An act relating to the Department of Revenue; amending s. 20.21, Florida Statutes, 1980 Supplement; creating the Division of Information Systems and Services; outlining the responsibilities of the Division of Information Systems and Services; revising the functions of the Division of Collection and Enforcement, the Division of Administration, and the assistant executive director; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations recommended the following amendment which was moved by Senator Thomas and adopted:

Amendment 1—On page 3, line 7, strike “July 1, 1981” and insert: upon becoming law

On motion by Senator Thomas, by two-thirds vote SB 259 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Anderson	Hill	Maxwell	Steinberg
Beard	Jenkins	McClain	Stevens
Carlucci	Jenne	McKnight	Stuart
Childers, D.	Jennings	Neal	Thomas
Dunn	Johnston	Peterson	Tobiasen
Frank	Kirkpatrick	Rehm	Trask
Gordon	Langley	Renick	Vogt
Grizzle	Lewis	Scott	Ware
Henderson	Margolis	Skinner	Winn

Nays—None

SB 50—A bill to be entitled An act relating to parole; amending s. 947.16(3), Florida Statutes; correcting obsolete references; requiring the Parole and Probation Commission to solicit original sentencing trial court judges' written opinions prior to parole; providing for disposition of the matter if no opinion is offered; providing that such opinions are nonbinding; providing an effective date.

—was read the second time by title.

The Committee on Corrections, Probation and Parole recommended the following amendments which were moved by Senator Steinberg and adopted:

Amendment 1—On page 3, line 25, strike “attempted to secure” and insert: *secured*

Amendment 2—On page 3, line 31, strike “if” and insert: when

On motion by Senator Steinberg, by two-thirds vote SB 50 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Anderson	Jenkins	McClain	Stevens
Beard	Jenne	McKnight	Stuart
Carlucci	Jennings	Neal	Thomas
Childers, D.	Johnston	Peterson	Tobiasen
Dunn	Kirkpatrick	Rehm	Trask
Gordon	Langley	Renick	Vogt
Grizzle	Lewis	Scott	Ware
Henderson	Margolis	Skinner	Winn
Hill	Maxwell	Steinberg	

Nays—None

SB 68—A bill to be entitled An act relating to motor vehicles; amending s. 320.10, Florida Statutes; exempting from the annual license tax for the operation of motor vehicles or mobile homes, any such motor vehicle or mobile home owned and operated by any member of the United States Armed Forces who is not a resident of Florida and who is stationed in the state in compliance with military or naval orders; providing for issuance of license plates, revalidation stickers, or mobile home stickers for such motor vehicles or mobile homes and prescribing the fee therefor; conforming certain language to the definition of “motor vehicle”; providing a retroactive effective date.

—was read the second time by title.

Senator Beard moved the following amendment which was adopted:

Amendment 1—On page 3, between lines 14 and 15 insert: Section 2. Section 371.63, Florida Statutes, is amended to read:

371.63 Legislative declaration.—All boats registered as provided herein, except live aboard vessels assessed as tangible personal property, are hereby declared to be motor vehicles and shall be taxed and certified as motor vehicles; however, Nothing in this chapter section shall be construed to prohibit any municipality that expends money for the patrol, regulation, and maintenance of any lakes, rivers, or waters in such municipality from regulating such boats resident in such municipalities and charging a license fee therefor. All moneys received from such fee shall be expended for the patrol, regulation, and maintenance of the lakes, rivers, and waters of such municipality.

(Renumber subsequent section.)

Senator Dunn moved the following amendment which was adopted:

Amendment 2—On page 2, line 22, between "Association," and "the" insert: any vehicle operated by local chapters of Radio Emergency Associated Citizens Team (REACT),

Senator Dunn moved the following amendment which was adopted:

Amendment 3—In title on page 1, line 15, after the semicolon insert: amending s. 371.63, Florida Statutes; exempting boats from the definition of a motor vehicle and from being taxed and certified as motor vehicles;

Senator Dunn moved the following amendment which was adopted:

Amendment 4—In title on page 1, line 15, after the ; insert: exempting any vehicle operated by local chapters of Radio Emergency Associated Citizens Team (REACT);

On motion by Senator Beard, by two-thirds vote SB 68 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Anderson	Jenkins	McClain	Stuart
Beard	Jenne	McKnight	Thomas
Carlucci	Jennings	Neal	Tobiassen
Childers, D.	Johnston	Peterson	Trask
Dunn	Kirkpatrick	Rehm	Vogt
Frank	Langley	Renick	Ware
Grizzle	Lewis	Scott	Winn
Henderson	Margolis	Steinberg	
Hill	Maxwell	Stevens	

Nays—None

SB 49—A bill to be entitled An act relating to crimes involving weapons; amending s. 790.001(3)(a), (13), Florida Statutes, 1980 Supplement, and adding subsection (15) to said section; defining "switchblade"; including switchblade in definitions of "weapon" and "concealed weapon" for purposes of crimes involving weapons; providing an effective date.

—was read the second time by title.

Senators Langley, Jenne and Steinberg offered the following amendment which was moved by Senator Langley:

Amendment 1—On page 2, strike all of line 4 and insert: Section 2. Subsection (4) is added to section 790.01, Florida Statutes, 1980 Supplement, to read:

790.01 Carrying concealed weapons.—

(4) Any person convicted under subsections (1) and (2) shall be sentenced to a minimum of 30 days in jail. Adjudication of guilt shall not be withheld and sentence shall not be suspended or deferred.

Section 3. This act shall take effect October 1, 1981.

Senator Dunn moved the following amendment to Amendment 1 which was adopted:

Amendment 1A—On page 1, line 13, strike "and" and insert: or

Senator Johnston announced that all bills remaining on special order for this day would be on the special order calendar for Tuesday, April 28.

CO-INTRODUCERS

Senators Kirkpatrick and Vogt—SB 39; Senators Langley, Lewis, Poole, Rehm, Stevens and Tobiassen—SB 238; Senators D. Childers and McClain—SB 335; Senator Kirkpatrick—SB 280; Senator McKnight—SB 374; Senator Jennings—SB 529; Senator Renick—Senate Bills 614 and 629; Senator Trask—SB 632; Senators Skinner, Beard, Stuart—SB 643; Senator Henderson—SB 811; Senator Anderson—Senate Bills 299, 313, 425, 350 and 154

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 15 was corrected and approved.

The Journal of April 14 was corrected and approved as follows:

Page 97, column 2, strike lines three and four and insert: and amount of a decedent's estate to which a surviving spouse

On motion by Senator Johnston, the rules were waived and all bills passed this day were ordered immediately certified to the House.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:00 noon to reconvene at 9:00 a.m. April 24, 1981.