



Journal of the Senate

Number 10

Thursday, April 30, 1981

BILL ACTION SUMMARY

Thursday, April 30, 1981

The Senate took action as indicated on the following bills:

- S 13 C/S passed; YEAS 25 NAYS 12
- S 30 Passed as amended; YEAS 33 NAYS 4
- S 41 Passed; YEAS 28 NAYS 4; Immediately certified
- S 52 Adopted; YEAS 29 NAYS 11
- S 146 C/S passed; YEAS 39 NAYS 0
- S 228 Reconsidered; Amendments reconsidered & Withdrawn C/S passed; YEAS 35 NAYS 0
- S 320 Reconsidered; passed as further amended; YEAS 38 NAYS 0
- S 338 C/S read first and second times; Amendment pending
- S 350 Passed as amended; YEAS 31 NAYS 0
- S 366 Passed; YEAS 32 NAYS 5
- S 368 Passed; YEAS 38 NAYS 0
- S 405 Passed as amended; YEAS 37 NAYS 0
- S 406 Passed; YEAS 38 NAYS 0
- S 408 Passed; YEAS 37 NAYS 0
- S 439 Passed as amended; YEAS 39 NAYS 0
- S 441 Passed as amended; YEAS 37 NAYS 1
- S 507 Passed; YEAS 38 NAYS 0
- S 538 Adopted; YEAS 39 NAYS 0
- S 650 Passed as amended; YEAS 34 NAYS 1
- S 1060 Adopted; YEAS 34 NAYS 0

The following local bills were passed on local bill roll call—Yeas—39 Nays—None: SB 300, SB 416, SB 449, SB 463, SB 464, SB 474, SB 506, SB 555, SB 556, SB 576, SB 598, SB 609, SB 617, SB 622 as amended, SB 645, SB 646 as amended, SB 668, SB 693 and SB 696.

The Senate convened at 9:00 a.m. and adjourned at 12 noon.

The Senate was called to order by the President at 9:00 a.m. A quorum present—38:

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

Excused: Senator Jenkins until 9:45 a.m., Senator Henderson until 10:30 a.m.

Prayer by the Rev. Rudolph W. McKissack, Pastor of Bethel Baptist Institutional Church, Jacksonville:

O Lord most Holy, O God most mighty, we do thank you for this day and for the bountiful blessings you have bestowed upon us. We thank you for your wise providence and for your love and for your grace that is sufficient for all of our needs. We thank you for this body who believes in the power of God, who believes in the efficacy of prayer that as we commune with thee with bowed heads and humble hearts that thou are taking over our minds so that wisdom will come from above, love will flow from heart to heart, breast to breast. We thank you for your presence for when thou art near our thoughts are about people. We thank you,

O God, because thou hast given us the spirit of loving people, using things so that whatever we do here might be for the betterment of mankind. We praise your name for these thoughtful men and women who will be thinking about countless people all over this state and land so that they might have life and breath, justice, mercy; so that your providence, Heavenly Father, will take charge and we live in spite of the necessities and difficulties of life. Give each heart your spirit; each mind your wisdom; so that all that is done shall be done for thy glory and when this session is over each can walk out with a satisfied heart that they have done all to please thee, O great and mighty God. Bless us now henceforth and forevermore we do pray in Jesus' name. Amen.

The President introduced Israeli Consul General Joel Aron who addressed the Senate. Consul General Aron was born in Germany and moved to Israel in 1937. He completed his studies at the University of Michigan; served with Israel Mission for 4 years; acted as deputy general for Administration of Foreign Service and served as minister of the embassy of Israel. Presently he lives in Atlanta and has served as the Israeli Consul General since 1977.

The President appointed Senators Frank and Margolis to escort Consul General Aron to the Governor's office.

Votes Recorded

Senator Poole was recorded as voting yea on the following bills which passed April 22: Senate Bills 11, 234, 31, 254, 262, 280, 297, 332, 259, 50, 68, SCR 325 and CS for HB 19.

REPORT OF THE SPECIAL JOINT COMMITTEE TO INVESTIGATE A COMPLAINT AGAINST THE ETHICS COMMISSION UNDER CH. 112, F.S.

TO: *The Honorable W. D. Childers*
President, The Florida Senate

The Honorable Ralph H. Haben, Jr.
Speaker, The Florida House of Representatives

DATE: April 29, 1981

The Special Joint Committee to Investigate a Complaint Against the Ethics Commission under Chapter 112, Florida Statutes, was formed under the provisions of Section 112.324(6), Florida Statutes, to investigate a complaint against the Florida Ethics Commission.

A Complaint dated November 21, 1980, and amended on February 9, 1981 was filed by Gabriel A. Bury of Lakeland, Florida.

The Committee met on April 29, 1981, pursuant to notice duly published in the Calendar of both houses. Complainant was so advised by letter dated April 22, 1981, sent to the address listed on his Complaint.

A Chairman was elected and staff outlined a proposed agenda for the meeting.

After testimony from Complainant, the attorney for the Florida Ethics Commission and others; and after discussion and consideration, upon motion of Senator Carlucci, the Committee voted unanimously to dismiss the complaint for failure to establish probable cause to believe that the Ethics Commission members or staff have violated Part III, Chapter 112, Florida Statutes.

The Complaint is hereby dismissed.

Respectfully submitted,

Sen. Mattox Hair, Chairman *Rep. Sidney Martin*
Sen. Joe Carlucci *Rep. A. M. Fontana*
Sen. Gerald S. Rehm *Rep. Peter M. Dunbar*

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Local Bill Calendar for Thursday, April 30, 1981: SB 300, SB 416, SB 449, SB 463, SB 464, SB 474, SB 506, SB 555, SB 556, SB 576, SB 598, SB 609, SB 617, SB 622, SB 645, SB 646, SB 668, SB 693

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, April 30, 1981: SB 366, SB 405, SB 406, SM 52, SB 350, SB 13, SB 41, CS for SB 146, SB 650, SB 507, SB 408, SB 441, SB 439, SB 368, SB 30, CS for SB 338, CS for SB 294, SB 204, CS for SB 337, CS for SB 339

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Governmental Operations recommends the following pass: SB 571 with 2 amendments

The bill was referred to the Committee on Agriculture under the original reference.

The Committee on Agriculture recommends the following pass: SB 610 with 1 amendment, HB 355

The Committee on Education recommends the following pass: SB 206, SB 447, SB 522, SB 541 with 6 amendments

The Committee on Governmental Operations recommends the following pass: SB 235, SB 236, SB 401, SB 518, SB 557 with 3 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 624

The Committee on Judiciary-Civil recommends the following pass: SB 772 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: SB 678

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 476 with 1 amendment, SB 482 with 2 amendments, SB 454 with 6 amendments

The Committee on Transportation recommends the following pass: SB 676 with 2 amendments

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

The Committee on Governmental Operations recommends the following pass: SB 561 with 2 amendments

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

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 355 with 1 amendment

The bill was referred to the Committee on Education under the original reference.

The Committee on Commerce recommends the following pass: SB 367 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: SB 567 with 1 amendment

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

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 201 with 2 amendments

The bill was referred to the Committee on Governmental Operations under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass: SB 581 with 2 amendments

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 669 with 1 amendment

The bill was referred to the Committee on Transportation under the original reference.

The Committee on Agriculture recommends the following pass: HB 434, HB 304

The Committee on Commerce recommends the following pass: SB 209, SB 652

The Committee on Education recommends the following pass: SB 295 with 1 amendment, SB 299 with 5 amendments, HB 63, HB 64

The Committee on Governmental Operations recommends the following pass: SB 637, SB 653

The Committee on Health and Rehabilitative Services recommends the following pass: SB 391 with 2 amendments, SB 521, HB 136

The Committee on Judiciary-Civil recommends the following pass: SB 479 with 3 amendments, SB 800

The Committee on Natural Resources and Conservation recommends the following pass: SB 635 with 4 amendments

The Committee on Transportation recommends the following pass: SB 575, SB 674 with 2 amendments

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

The Committee on Commerce recommends the following not pass: SB 378, SB 638

The Committee on Economic, Community and Consumer Affairs recommends the following not pass: SB 547

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

Special Master-Claims recommends the following not pass: SB 55, SB 365

The bills were referred to the Committee on Finance, Taxation and Claims under the original reference, pursuant to Rule 4.8.

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 460

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

The Committee on Education recommends a committee substitute for the following: SB 245

The Committee on Governmental Operations recommends a committee substitute for the following: SB 558

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 589, SB 631

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

Bills Re-referred Pursuant to Rule 4.6

SB 1036 by Senator Trask re-referred to the Committee on Commerce.

EXTENSIONS OF TIME

April 29, 1981

The Committee on Education requests an extension of 15 days for consideration of the following: SB 583, SB 594, SB 600, SB 601, SB 608, SB 619, SB 643

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: SB 1, SR 40, SR 65, SJR 67, SCR 114, SB 158, SB 300, SCR 305, SJR 372, SB 416

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

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: SB 548, SB 587, SB 595

April 30, 1981

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: SB 449, SB 455, SB 463, SB 464, SJR 469, SJR 472, SB 474, SM 487, SJR 488, SB 506, SR 647

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 545, SB 691, HB 338, HB 467

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Johnston, the rules were waived and by two-thirds vote SB 477 was withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Thomas, the rules were waived and by two-thirds vote SB 999 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator McKnight, the rules were waived and by two-thirds vote SB 961 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Carlucci, the rules were waived and by two-thirds vote SB 991 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Dunn, the rules were waived and by two-thirds vote SB 696 was withdrawn from the Committee on Rules and Calendar and placed on the local bill calendar.

On motions by Senator Tobiassen, the rules were waived and by two-thirds vote Senate Bills 369, 945, 1040 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator D. Childers, the rules were waived and the Committee on Health and Rehabilitative Services was granted permission to consider SB 595 at the meeting this day.

On motion by Senator Anderson, the rules were waived and by two-thirds vote SB 907 was also referred to the Committee on Commerce.

On motion by Senator Jenne, the rules were waived and by two-thirds vote SB 549 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Langley, the rules were waived and by two-thirds vote SB 766 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 308, 585, 358 and 591 were withdrawn from the Committee on Appropriations.

On motion by Senator Barron, the rules were waived and the Select Committee on Admissions was granted permission to meet May 4 from 9:00 a.m. until 1:00 p.m.

On motions by Senator Kirkpatrick, the rules were waived and by two-thirds vote SR 1060 was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed at the beginning of the special order calendar.

Senator Beard moved that the rules be waived and the following bill be introduced notwithstanding the fact that the final day had passed for introduction of bills:

A bill to be entitled An act relating to transportation; amending s. 20.23, Florida Statutes; reorganizing the Department of Transportation; authorizing the appointment of a deputy secretary; providing an effective date.

The motion was referred to the Committee on Rules and Calendar.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had transmitted to the office of the Secretary of State SB 634 which he had approved on April 27.

MATTERS ON RECONSIDERATION

On motion by Senator Tobiassen, the rules were waived and the Senate immediately reconsidered the vote by which—

SB 320—A bill to be entitled An act relating to the State University System; amending s. 240.287, Florida Statutes; requiring each university to invest funds deposited outside of the State Treasury; requiring earnings from such investments to be used for student scholarships and loans unless otherwise provided by the Board of Regents; providing an effective date.

—as amended passed April 28.

Senator Tobiassen moved the following amendment which was adopted:

Amendment 6—In title on page 1, line 3, strike "August 31" and insert: December 31

SB 320 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote was:

Yeas—38

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

Nays—None

On motion by Senator Peterson, the rules were waived and the Senate immediately reconsidered the vote by which—

CS for SB 228—A bill to be entitled An act relating to unemployment compensation; amending s. 443.151(4)(d), Florida Statutes, 1980 Supplement; authorizing the Division of Employment Security of the Department of Labor and Employment Security and the Unemployment Appeals Commission to prescribe rules governing the manner in which appealed claims may be presented; providing an effective date.

—as amended passed on April 28.

On motion by Senator Peterson, the Senate reconsidered the vote by which CS for SB 228 was read the third time.

On motions by Senator Maxwell, the Senate reconsidered the vote by which Amendments 1 and 2 were adopted.

By permission, Amendments 1 and 2 were withdrawn.

On motion by Senator Peterson, by two-thirds vote CS for SB 228 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

LOCAL BILL CALENDAR

SB 300—A bill to be entitled An act relating to Lake County; creating the South Lake County Aviation District and the South Lake County Aviation Authority; providing membership and terms; providing powers, including power of eminent domain; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote SB 300 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 416—A bill to be entitled An act relating to the City of Palm Bay, Brevard County; extending the corporate boundaries to include certain rights-of-way; allowing the City of Palm Bay to exercise jurisdiction over those rights-of-way subject to rights, duties and powers vested in the State of Florida; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 416 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Beard	Dunn	Grizzle
Anderson	Carlucci	Frank	Hair
Barron	Childers, D.	Gordon	Hill

Jenkins	Margolis	Rehm	Thomas
Jenne	Maxwell	Renick	Tobiassen
Jennings	McClain	Scott	Trask
Johnston	McKnight	Skinner	Vogt
Kirkpatrick	Neal	Steinberg	Ware
Langley	Peterson	Stevens	Winn
Lewis	Poole	Stuart	

Nays—None

SB 449—A bill to be entitled An act relating to DeSoto County; repealing chapter 78-499, Laws of Florida, relating to the creation of the Fort Ogden Fire Protection and Rescue Service District; providing an effective date.

—was read the second time by title. On motion by Senator Neal, by two-thirds vote SB 449 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 463—A bill to be entitled An act relating to the Hillsborough County Port District; providing that the Tampa Port Authority is the sole agency in the port district with the power to issue industrial development bonds pertaining to port and maritime industrial development within the port district; providing an exception; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote SB 463 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 464—A bill to be entitled An act relating to the Tampa Sports Authority, City of Tampa, Hillsborough County; amending s. 4(j), chapter 65-2307; Laws of Florida, as amended; authorizing the Tampa Sports Authority to contract for use of any part of its facilities by private users for any lawful purpose, when such use will not interfere with the operation of any of the facilities for sports and recreational purposes; providing an effective date.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote SB 464 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dunn	Jenkins	Lewis
Anderson	Frank	Jenne	Margolis
Barron	Gordon	Jennings	Maxwell
Beard	Grizzle	Johnston	McClain
Carlucci	Hair	Kirkpatrick	McKnight
Childers, D.	Hill	Langley	Neal

Peterson
Poole
Rehm
Renick

Scott
Skinner
Steinberg
Stevens

Stuart
Thomas
Tobiasen
Trask

Vogt
Ware
Winn

Scott
Skinner
Steinberg

Stevens
Stuart
Thomas

Tobiasen
Trask
Vogt

Ware
Winn

Nays—None

SB 474—A bill to be entitled An act relating to Glades County; authorizing the Board of County Commissioners to use surplus gas tax funds for the paving of residential streets within city limits; providing an effective date.

—was read the second time by title. On motion by Senator Neal, by two-thirds vote SB 474 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President
Anderson
Barron
Beard
Carlucci
Childers, D.
Dunn
Frank
Gordon
Grizzle

Hair
Hill
Jenkins
Jenne
Jennings
Johnston
Kirkpatrick
Langley
Lewis
Margolis

Maxwell
McClain
McKnight
Neal
Peterson
Poole
Rehm
Renick
Scott
Skinner

Steinberg
Stevens
Stuart
Thomas
Tobiasen
Trask
Vogt
Ware
Winn

Nays—None

SB 506—A bill to be entitled An act relating to a unique highway median; designating the grassed and landscaped median of U. S. Highway 19, in the City of Weeki Wachee, Hernando County, as a unique median; providing definitions; prohibiting the use of Department of Transportation and county funds for certain landscape changes and landscape replacements in such median; making maintenance funding a responsibility of the City of Weeki Wachee; authorizing the Department of Transportation to erect markers; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 506 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President
Anderson
Barron
Beard
Carlucci
Childers, D.
Dunn
Frank
Gordon
Grizzle

Hair
Hill
Jenkins
Jenne
Jennings
Johnston
Kirkpatrick
Langley
Lewis
Margolis

Maxwell
McClain
McKnight
Neal
Peterson
Poole
Rehm
Renick
Scott
Skinner

Steinberg
Stevens
Stuart
Thomas
Tobiasen
Trask
Vogt
Ware
Winn

Nays—None

SB 555—A bill to be entitled An act relating to Brevard County; amending s. 12(k), chapter 67-1145, Laws of Florida; providing that special assessments under the Brevard County Public Works Act not paid within 60 days after the confirmation thereof shall be payable with interest at a rate not to exceed 18 percent; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 555 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President
Anderson
Barron
Beard
Carlucci
Childers, D.
Dunn

Frank
Gordon
Grizzle
Hair
Hill
Jenkins
Jenne

Jennings
Johnston
Kirkpatrick
Langley
Lewis
Margolis
Maxwell

McClain
McKnight
Neal
Peterson
Poole
Rehm
Renick

Nays—None

SB 556—A bill to be entitled An act relating to Brevard County; creating the Brevard County Water Study Commission and an ad hoc subcommittee; providing membership and organization; specifying duties of the commission and the subcommittee; requiring reports to the Brevard County Legislative Delegation and the study commission; providing for repeal of the act; providing an effective date.

—was read the second time by title. On motion by Senator Maxwell, by two-thirds vote SB 556 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President
Anderson
Barron
Beard
Carlucci
Childers, D.
Dunn
Frank
Gordon
Grizzle

Hair
Hill
Jenkins
Jenne
Jennings
Johnston
Kirkpatrick
Langley
Lewis
Margolis

Maxwell
McClain
McKnight
Neal
Peterson
Poole
Rehm
Renick
Scott
Skinner

Steinberg
Stevens
Stuart
Thomas
Tobiasen
Trask
Vogt
Ware
Winn

Nays—None

SB 576—A bill to be entitled An act relating to Brevard County; amending section 2 of chapter 80-456, Laws of Florida, relating to the Melbourne-Tillman Drainage District, to delete provisions for expiration of the act; providing an effective date.

—was read the second time by title. On motion by Senator Maxwell, by two-thirds vote SB 576 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President
Anderson
Barron
Beard
Carlucci
Childers, D.
Dunn
Frank
Gordon
Grizzle

Hair
Hill
Jenkins
Jenne
Jennings
Johnston
Kirkpatrick
Langley
Lewis
Margolis

Maxwell
McClain
McKnight
Neal
Peterson
Poole
Rehm
Renick
Scott
Skinner

Steinberg
Stevens
Stuart
Thomas
Tobiasen
Trask
Vogt
Ware
Winn

Nays—None

SB 598—A bill to be entitled An act relating to Pinellas County; prohibiting the use of nets or seines except cast nets for the taking of food fish from the salt waters of Pinellas County within 50 yards of any bridge, dock, pier, causeway, or jetty or within 50 yards of certain uplands; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote SB 598 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President
Anderson
Barron
Beard
Carlucci
Childers, D.
Dunn
Frank
Gordon
Grizzle

Hair
Hill
Jenkins
Jenne
Jennings
Johnston
Kirkpatrick
Langley
Lewis
Margolis

Maxwell
McClain
McKnight
Neal
Peterson
Poole
Rehm
Renick
Scott
Skinner

Steinberg
Stevens
Stuart
Thomas
Tobiasen
Trask
Vogt
Ware
Winn

Nays—None

SB 609—A bill to be entitled An act relating to Alachua County; describing certain additional lands lying within Alachua County as being included within the Greater Gainesville Area and designating such area as a reserve area for future enlargement of the corporate limits of the City of Gainesville; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 609 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 617—A bill to be entitled An act relating to the Cape Canaveral Hospital District, Brevard County; amending section 4(10) and (11)(a) of chapter 59-1121, Laws of Florida, as amended; redefining the maximum rate of interest for bonds which may be issued by the Hospital Board; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 617 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 622—A bill to be entitled An act relating to Pinellas County; amending s. 26, chapter 75-489, Laws of Florida; providing legislative intent; amending s. 27, chapter 75-489, Laws of Florida; adopting uniform building codes and life safety codes for the county; amending s. 28, chapter 75-489, Laws of Florida, as amended; requiring proposed amendments to and local variations in codes be referred to a Board of Adjustment and Appeals for study and recommendations; requiring an extraordinary vote by the Pinellas County Construction Licensing Board to reject recommendations of a Board of Adjustment and Appeals; amending s. 31(2), chapter 75-489, Laws of Florida, as amended; providing for appeals to a Board of Adjustment and Appeals by persons aggrieved by rulings of five officials; authorizing fire officials to request code interpretations by Board of Adjustment and Appeals; amending s. 32, chapter 75-489, Laws of Florida, as amended; providing that code interpretations made by a Board of Adjustment and Appeals are final administrative actions and are subject to judicial review; providing an effective date.

—was read the second time by title.

Senator Rehm moved the following amendment which was adopted:

Amendment 1—In title on page 1, line 18, strike the word "five" and insert: fire

On motion by Senator Rehm, by two-thirds vote SB 622 as amended was read the third time by title, passed, orderd engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 645—A bill to be entitled An act relating to Escambia County; prohibiting any person, firm, or corporation from using any net in certain salt waters of Escambia County or near the entrances to such waters; providing an exception; providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote SB 645 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 646—A bill to be entitled An act relating to the school board of Dixie County; repealing chapter 71-488, Laws of Florida, which provides for compensation and travel expenses for members of the school board; providing an effective date.

—was read the second time by title.

Senator Skinner moved the following amendment which was adopted:

Amendment 1—In title on page 1, line 4, strike the word "compensation" and insert: compensation

On motion by Senator Skinner, by two-thirds vote SB 646 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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.

—was read the second time by title. On motion by Senator Maxwell, by two-thirds vote SB 668 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

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.

—was read the second time by title. On motion by Senator Neal, by two-thirds vote SB 693 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 696—A bill to be entitled An act relating to the City of Daytona Beach; providing for annexation of the Madison Heights area in Volusia County; providing for municipal powers over the annexed territory; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote SB 696 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SPECIAL ORDER

SR 1060—A resolution requesting the Governor to seek assistance from the President of the United States in apprehending those who traffic in illegal drugs in Florida.

—was read the second time in full. On motion by Senator Kirkpatrick, SR 1060 was adopted. The vote on adoption was:

Yeas—34

Mr. President	Hill	Neal	Stuart
Anderson	Jenkins	Peterson	Thomas
Barron	Jenne	Poole	Tobiassen
Beard	Jennings	Rehm	Trask
Carlucci	Kirkpatrick	Renick	Vogt
Frank	Langley	Scott	Ware
Gordon	Margolis	Skinner	Winn
Grizzle	McClain	Steinberg	
Hair	McKnight	Stevens	

Nays—None

Vote after roll call:

Yea—Dunn, Lewis

SB 366—A bill to be entitled An act relating to airports owned and operated by a county; amending s. 125.021, Florida Statutes; providing that a lien for certain charges and fees attaches to any aircraft owned or operated by a person owing such charges and fees; deleting the exclusion of persons under periodic payment contracts from penalties for removing or attempting to remove aircraft after service or posting of notice of a lien; providing an effective date.

—was read the second time by title. On motion by Senator Renick, by two-thirds vote SB 366 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Grizzle	Maxwell	Skinner
Anderson	Hair	McClain	Steinberg
Barron	Hill	McKnight	Stuart
Beard	Jenne	Neal	Thomas
Carlucci	Jennings	Peterson	Tobiassen
Dunn	Kirkpatrick	Poole	Trask
Frank	Langley	Rehm	Vogt
Gordon	Margolis	Renick	Winn

Nays—5

Jenkins	Scott	Stevens	Ware
Lewis			

SB 405—A bill to be entitled An act relating to state-owned tangible personal property; amending s. 273.055(1), Florida Statutes; removing the requirement that the Executive Office of the Governor approve the disposal of certain state-owned tangible personal property; 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 1, line 28, hyphen through “subject to approval of the Division of Motor Pool”

On motion by Senator Thomas, by two-thirds vote SB 405 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	Childers, D.	Hair	Jennings
Anderson	Frank	Hill	Johnston
Barron	Gordon	Jenkins	Kirkpatrick
Beard	Grizzle	Jenne	Langley

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

Nays—None

SB 406—A bill to be entitled An act relating to public records; amending s. 119.07(1)(b), Florida Statutes, 1980 Supplement; providing for charges for duplicating public records; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote SB 406 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Senator Stuart presiding

SM 52—A memorial to the Congress of the United States making application to the Congress to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States to more effectually protect the lives of unborn human offspring.

—was read the second time in full. On motion by Senator McClain, SM 52 was adopted and certified to the House. The vote on adoption was:

Yeas—29

Mr. President	Hill	Neal	Thomas
Barron	Jenkins	Peterson	Tobiassen
Beard	Jennings	Poole	Trask
Carlucci	Kirkpatrick	Rehm	Vogt
Childers, D.	Langley	Scott	Ware
Dunn	Lewis	Skinner	
Hair	Maxwell	Stevens	
Henderson	McClain	Stuart	

Nays—11

Anderson	Grizzle	Margolis	Steinberg
Frank	Jenne	McKnight	Winn
Gordon	Johnston	Renick	

Explanations of vote on SM 52

I originally co-sponsored SM 52 which is a call for a Constitutional Convention on the subject of abortion.

When opinions from eminent legal scholars were brought to my attention, and when equally eminent scholars' opinions were not forthcoming to dispute these contentions, that existing law did not dictate that a Constitutional Convention could be confined to one subject and could in an unprecedented manner become a wholesale assault on the constitution, I withdrew my co-sponsorship of SM 52.

My position on the subject of abortion remains unchanged, where justification exists such as in the usually accepted cases of rape, incest, imminent physical danger to the mother, and with proper legal safeguards I deem abortions acceptable. As a member of the Senate Rules Committee I voted to send SM 52 to the floor of the Senate because I felt that the public had a right to have a subject of this importance fully debated by the entire Senate membership.

Although my opposition to abortion on demand is constant, I cannot consider voting for a Constitutional Convention on this subject until assurances can be given by qualified persons that such a convention can be confined to one question.

Richard R. Renick, 39th District

My affirmative vote for Senate Memorial 52 was made after serious consideration for the unabridged right of the citizens to call for a Constitutional Convention. Even though I voted for it, I have concerns that a Constitutional Convention can be held to one issue. In addition I have strong feelings that there are many times that the right of a woman to have an abortion is justified.

Senator Tom Lewis, District 27

As Presiding Officer of the Senate during deliberations of SM 52, I was prohibited from engaging in floor debate by rules of parliamentary law. I have therefore asked that my remarks be inserted into the Journal.

It has been said that, "Against human nature one cannot legislate. One can only try to educate . . ." I am committed to that proposition with regards to the legal, moral and social beliefs I have concerning abortion. My religious beliefs, however, present me with a paradox. Resolution of this paradox has been very difficult.

Although SM 52 is an attempt to legislate, it is also a call for consideration—a consideration I believe to be broad enough to include my personal beliefs with regard to special considerations of abortion cases involving rape, incest and mortality of the mother.

Additionally, this issue may be before us again in the form of a ratification request.

I can only hope that the designers of any amendment to our constitution will look beyond personal feelings to the individual needs and morality of our society.

My vote on SM 52 is one of the most difficult I have had to make.

George Stuart, 14th District

Pursuant to rule 5.5, I wish to explain my vote on SM 52, cast today.

The vote is one of the most troublesome which I have had to make in my career in the Senate. It had been my announced intention to oppose the memorial.

Issues of this type should be a matter of personal choice rather than state action. Moreover, I have not been comfortable with a process of calling a constitutional convention for the sole purpose of considering an amendment to "more effectively protect the lives of unborn human offspring". My reading of Article V of the Constitution of the United States is that the original writers of our constitution did not contemplate conventions held for the exclusive purpose of proposing amendments addressing only one issue.

The debate on the issue today was extremely good in my mind. I concluded during the debate that the likelihood of a "runaway convention" was extremely remote. Moreover, I came to conclude that the issue of protection of human life was of a higher order either than the constitutional issue, the social issues with respect to the consequences of unwanted births, or the civil rights issues with respect to the mother's control of her body.

The issue, in my mind, has to be framed solely on the question of when human life begins. I cannot answer that question adequately for myself, but it is clear to me, from recent scientific developments, that the essence of human life must begin very early in the gestation period.

The record of my vote is confused because of the quorum call which I thought was called immediately before the vote. Nonetheless, my position on the issue is correctly stated in the record. Because of the specter of a constitutional convention undoing the works of our only previous constitutional convention, I believe that almost any other legal procedure would be preferable to the constitutional convention, and I would more comfortably support action by the Congress of the various legislatures in addressing this issue.

Because the vote was an extremely close decision, in my mind (between the conflicting merits of protecting human life and

preventing the unnecessary involvement of government in moral questions), I shall of course reserve the option of opposing any amendment which might be proposed by the convention which may be held for the purpose of addressing unborn life.

Patrick Neal, 24th District

The President presiding

On motions by Senator Maxwell, the rules were waived and by two-thirds vote SCR 538 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Maxwell, 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, the resolution retaining Number 538:

INTRODUCTION AND REFERENCE OF BILLS

By Senators Maxwell, McKnight, Trask and Peterson—

SR 538—A resolution commending the basketball team of Florida Southern College.

—which was read the first time by title. On motion by Senator Maxwell, SR 538 was read the second time in full and adopted. The vote on adoption was:

Yeas—39

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

Nays—None

The President appointed Senators Maxwell, McKnight, Peterson and Trask as a committee to escort Dr. Robert Davis, President, Hal Wissel, head basketball coach and Hal Smeltzly, athletic director of Florida Southern College to the rostrum. Dr. Davis addressed the Senate briefly and was presented with copies of SR 538.

SPECIAL ORDER, resumed

SB 350—A bill to be entitled An act relating to crimes committed on school property or at school sponsored activities; amending s. 231.06, Florida Statutes; prescribing penalties for certain crimes committed on school property or at school sponsored activities; providing an effective date.

—was read the second time by title.

Senators Langley and Jenne offered the following amendments which were moved by Senator Langley and adopted:

Amendment 1—On page 2, line 3, after the period (.) insert: *Except that if the defendant and victim are both students subject to the discipline of the school and the crime is aggravated assault, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

Amendment 2—On page 1, line 29, after “or s. 775.084.” insert: *Except that if the defendant and victim are both students subject to the discipline of the school and the crime is battery, a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

On motion by Senator Langley, by two-thirds vote SB 350 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

By the Committee on Economic, Community and Consumer Affairs and Senators Beard, Carlucci and Frank—

CS for SB 13—A bill to be entitled An act relating to the acquisition of property for low-income housing; requiring governmental boards or commissions to give notice prior to authorizing the acquisition of an interest in property for the purpose of providing such housing; specifying manner of giving such notice; voiding authorization if notice requirements are not complied with; amending s. 421.05(1), Florida Statutes, 1980 Supplement; permitting an officer of a city to serve as a commissioner of a housing authority; providing an effective date.

—was read the first time by title and SB 13 was laid on the table.

On motions by Senator Beard, by two-thirds vote CS for SB 13 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—25

Mr. President	Henderson	McClain	Tobiassen
Beard	Jenkins	Neal	Trask
Carlucci	Jennings	Peterson	Vogt
Childers, D.	Kirkpatrick	Poole	Ware
Dunn	Langley	Scott	
Frank	Lewis	Stevens	
Hair	Maxwell	Thomas	

Nays—12

Anderson	Hill	Margolis	Renick
Gordon	Jenne	McKnight	Steinberg
Grizzle	Johnston	Rehm	Stuart

SB 41—A bill to be entitled An act relating to medical examiners; repealing certain local laws which create the office of medical examiner and provisions thereunder; repealing chapter 31063, Laws of Florida, 1955, relating to Orange County; repealing chapter 31269, Laws of Florida, 1955, relating to Sarasota County; repealing chapter 59-1242, Laws of Florida, as amended by chapter 67-1307, Laws of Florida, relating to Duval County; repealing chapter 59-1381, Laws of Florida, relating to Indian River County; repealing chapter 61-2640, Laws of Florida, relating to Palm Beach County; repealing chapter 63-1142, Laws of Florida, relating to Brevard County; repealing chapter 27439, Laws of Florida, 1951, as amended by chapter 65-1315, Laws of Florida, relating to Broward County; repealing chapter 67-1704, Laws of Florida, relating to Martin County; providing an effective date.

—was read the second time by title.

Senator Vogt moved the following amendment which failed:

Amendment 1—On page 2, line 8, strike “63-1142,”

On motion by Senator Steinberg, by two-thirds vote SB 41 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Dunn	Henderson	Jennings
Anderson	Frank	Hill	Johnston
Beard	Grizzle	Jenkins	Margolis
Childers, D.	Hair	Jenne	Maxwell

McClain	Poole	Scott	Stuart
McKnight	Rehm	Steinberg	Trask
Neal	Renick	Stevens	Ware

Nays—4

Langley	Thomas	Tobiassen	Vogt
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Vote after roll call:

Nay—Peterson

On motion by Senator Steinberg, the rules were waived and SB 41 was ordered immediately certified to the House.

By the Committee on Governmental Operations and Senator Henderson—

CS for SB 146—A bill to be entitled An act relating to the security of state property; amending s. 287.43, Florida Statutes; authorizing political subdivisions and municipalities to enact and enforce ordinances on the violation of certain rules of the Department of General Services; providing an effective date.

—was read the first time by title and SB 146 was laid on the table.

On motions by Senator Henderson, by two-thirds vote CS for SB 146 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—39

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

Nays—None

SB 650—A bill to be entitled An act relating to local governments; amending s. 218.31(1), Florida Statutes; providing definition; adding s. 218.32(5), Florida Statutes, 1980 Supplement; authorizing state agencies to require data to be furnished by local government upon request of the Department of Banking and Finance; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Civil recommended the following amendments which were moved by Senator Hair and failed:

Amendment 1—On page 1, line 19, strike “including” and insert: including

Amendment 2—On page 2, lines 2-4, strike “an addendum to the annual report of that unit of local government. Upon receipt of the addendum” and insert: the annual report of that unit of local government. Upon the receipt of the annual report

Senator Hair moved the following amendment which was adopted:

Amendment 3—On page 2, strike lines 2-7 and insert: the data thus identified by the agency, if obtainable, be included in an addendum to the annual report of that unit of local government. Upon receipt of the addendum, the department shall promptly furnish a copy to the agency requesting the data; providing, however, that the provisions of section 218.32 (1) and (3), Florida Statutes, shall not be applicable to this subsection.

Section 3. This act shall take effect on July 1,

On motion by Senator Hair, by two-thirds vote SB 650 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

Mr. President	Henderson	McKnight	Stuart
Anderson	Hill	Neal	Thomas
Barron	Jenne	Poole	Tobiassen
Beard	Jennings	Rehm	Trask
Childers, D.	Kirkpatrick	Renick	Vogt
Dunn	Langley	Scott	Ware
Frank	Lewis	Skinner	Winn
Grizzle	Margolis	Steinberg	
Hair	McClain	Stevens	

Nays—1

Johnston

Vote after roll call:

Yea—Carlucci, Peterson

SB 507—A bill to be entitled An act relating to emergency telephones installed in elevators; amending s. 365.01(2), Florida Statutes, 1980 Supplement; excluding emergency telephones installed in elevators from regulation under the laws relating to private wires; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote SB 507 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Stuart

SB 408—A bill to be entitled An act relating to state parks and preserves; repealing s. 258.15, Florida Statutes, relating to St. Michael's Cemetery in Pensacola; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote SB 408 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 441—A bill to be entitled An act relating to the Department of Corrections; repealing s. 945.09(3), Florida Statutes,

which subsection provides for reception and evaluation of a prisoner in the area where he was committed or incarcerated; 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 Hill and adopted:

Amendment 1—On page 1, strike lines 13-14 and insert: Section 2. Paragraph (b) of subsection (1) of s. 944.026, Florida Statutes, is hereby repealed.

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

Amendment 2—In title on page 1, strike line 7 and insert: repealing s. 944.026(1)(b), Florida Statutes, which provides for decentralization of intake and evaluation function of the corrections system; providing an effective date.

On motion by Senator Hill, by two-thirds vote SB 441 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	Henderson	McClain	Stuart
Anderson	Hill	McKnight	Thomas
Barron	Jenkins	Neal	Tobiassen
Beard	Jenne	Peterson	Trask
Carlucci	Jennings	Poole	Vogt
Childers, D.	Johnston	Rehm	Ware
Dunn	Kirkpatrick	Renick	Winn
Frank	Lewis	Scott	
Grizzle	Margolis	Steinberg	
Hair	Maxwell	Stevens	

Nays—1

Langley

Vote after roll call:

Nay to Yea—Langley

SB 439—A bill to be entitled An act relating to minors; creating s. 743.066, Florida Statutes; removing the disability of nonage of certain minors adjudicated as adults for specified purposes; 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 Hill and adopted:

Amendment 1—On page 1, line 16, strike the "period" and insert: except in regard to medical services relating to abortion and sterilization.

On motion by Senator Hill, by two-thirds vote SB 439 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 368—A bill to be entitled An act relating to the Florida Resource Recovery and Management Act; amending s. 403.703

(16), Florida Statutes, 1980 Supplement; revising the definition of "initial cover" for purposes of said act; providing an effective date.

—was read the second time by title. On motion by Senator Renick, by two-thirds vote SB 368 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Scott

Senator Trask presiding

SB 30—A bill to be entitled An act relating to alcoholism; amending s. 396.102(1), (2), Florida Statutes; authorizing the head of a treatment resource or his designee and certain peace officers to petition a court for commitment of a person as an alcoholic; requiring the court to issue a summons to the person whose commitment is sought; amending s. 396.105, Florida Statutes; authorizing certain peace officers to petition a court for commitment of a person as an habitual abuser; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 3, strike all of lines 4-15 and insert: (1) Upon the petition of any treatment resource, spouse, guardian, peace officer of the county or municipality where the person resides or is found, or next of kin, a person determined by the court to be an habitual abuser may be committed by the court, after notice and hearing as provided in this chapter, to outpatient treatment for not more than 120 days or to inpatient treatment for not more than 60 days, or both, subject to recommitment pursuant to s. 396.102(4). For the purpose of this section, "habitual abuser" means any person who has been treated for alcoholism under the provisions of s. 396.072, s. 396.082, s. 396.092, or s. 396.102 three or more times during the 12 months prior to the hearing.

(2) Any person who leaves prior to the completion of an alcohol treatment program at a treatment resource after being admitted pursuant to the provisions of s. 396.072, s. 396.082, s. 396.092, or s. 396.102 four or more times during the 12 months prior to the hearing is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. The court may suspend all or part of the term of

Amendment 2—In title on page 1, line 12, after "abuser;" insert: making it a criminal offense for a person to leave an alcohol treatment program in certain situations; providing a penalty; authorizing the court to suspend penalty; making it a criminal offense to be found intoxicated in a public place within 6 months after completion of a treatment program; providing a penalty;

Point of Order

Senator Gordon raised a point of order that SB 30 as amended had substantial fiscal impact and should be referred to the Committee on Appropriations pursuant to Rule 4.8.

Senator Barron, at the request of the Presiding Officer, advised that the bill did not have determinable fiscal impact and based on precedents suggested that the point was not well taken.

The Presiding Officer so ruled.

The President presiding

On motion by Senator Beard, by two-thirds vote SB 30 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—4

Dunn	Jenne	Johnston	Steinberg
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Vote after roll call:

Yea—Hair

By the Committee on Education and Senator Maxwell—

CS for SB 338—A bill to be entitled An act relating to teacher certification; amending s. 231.17(2), (3), (7), Florida Statutes, 1980 Supplement; deleting the requirement that the teacher competency test include listening skill items; extending the date for acquisition for certain teaching competencies, providing for conditions under which temporary teaching certificates may be issued; providing for a year-long supervised teaching program; providing for persons certificated prior to this act; providing an effective date.

—was read the first time by title and SB 338 was laid on the table.

On motion by Senator Maxwell, by two-thirds vote CS for SB 338 was read the second time by title.

Senators Lewis, Maxwell and Peterson offered the following amendment which was moved by Senator Lewis:

Amendment 1—On page 5, between lines 7 and 8 insert: (8) *The State Board shall adopt rules prescribing criteria for a comprehensive written examination for determining eligibility of applicants for certification as non-degreed vocational teachers.*

Senator Frank announced cancellation of the Committee on Education meeting scheduled for May 1.

CO-INTRODUCERS

Senators Jenkins and Hair—CS for SB 13; Senator Kirkpatrick—SB 108; Senator Ware—SB 335; Senators Jenne, Steinberg, Skinner—SB 578; Senator Skinner—SB 811

Senator Beard withdrew as co-introducer of SM 52

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 28 was corrected and approved as follows:

Page 177, column 1, line 7, strike "272" and insert: 271

The Journal of April 22 was further corrected and approved as follows:

Page 119, column 2, from bottom, between lines 7 and 8 insert: Vote after roll call: Yea—Scott

Page 120, column 1, between lines 28 and 29 insert: Vote after roll call: Yea—Peterson, Stuart

—and between lines 9 and 10 from bottom, insert: Vote after roll call: Yea—Langley, Stevens

The Journal of April 15 was further corrected and approved as follows:

Page 107, column 1, strike line 28 and insert: *viving and readopting ch. 509, Florida Statutes, as amended not-*

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

Page 93, column 2, line 20, strike "—was" and insert: *—which was read the first time by title and*

Page 95, column 2, at end of line 32 insert: *the number of electors as shown on the public counters;*

Page 98, following all roll calls insert: *Vote after roll call: Yea—Poole*

Senator Barron moved that the Senate stand in recess until Tuesday, May 5 for the purpose of holding committee meetings and conducting other Senate business. The motion was adopted.

Pursuant to the motion by Senator Barron, the Senate recessed at 12:01 p.m. to convene at 9:00 a.m. May 5, 1981.