



Journal of the Senate

Number 22

Monday, June 1, 1981

BILL ACTION SUMMARY

Monday, June 1, 1981

H 116	Concurred Passed as further amended	S 348	Iden./Sim. House Bill substituted passed, refer to HB 304
H 253	Substituted for C/S SB 934 Passed	S 354	C/S passed as amended
H 280	Substituted for SB 444 Passed	S 375	Passed
H 292	Passed	S 380	Concurred C/S passed as amended
H 304	Substituted for SB 348 Passed	S 412	Passed as amended
H 314	Passed	S 444	Iden./Sim. House Bill substituted passed, refer to CS/HB 280
H 316	Passed as amended	S 459	C/S passed as amended
H 378	Passed	S 462	Passed
H 397	Passed as amended	S 466	Passed
H 423	Passed	S 476	Iden./Sim. House Bill substituted passed, refer to HB 537
H 479	Substituted for SB 580 Passed	S 477	Concurred; Passed as further amended
H 508	Passed	S 510	Concurred; C/S passed as further amended
H 520	Passed as amended	S 514	Iden./Sim. House Bill substituted passed, refer to HB 1070
H 530	Passed	S 516	C/S passed
H 537	Substituted for SB 476 Passed	S 518	Concurred Passed as amended
H 552	Passed as amended	S 557	Iden./Sim. House Bill substituted refer to HB 1164
H 565	Passed as amended	S 568	Refused to concur, requested House to recede
H 599	Substituted for SB 663 Passed as amended	S 572	Passed
H 610	Substituted for SB 789 Passed	S 580	Iden./Sim. House Bill substituted passed, refer to HB 479
H 629	Passed	S 632	Passed as amended
H 632	Passed	S 643	Passed
H 651	Passed as amended	S 649	Passed
H 664	Substituted for SB 860 Passed	S 657	Iden./Sim. House Bill substituted passed, refer to CS/HB 801
H 699	Substituted for SB 1105 Passed	S 663	Iden./Sim. House Bill substituted refer to HB 599
H 730	Passed as amended	S 669	Passed as amended
H 745	Substituted for SB 1061 Passed	S 676	Passed as amended
H 756	Passed	S 708	Passed
H 759	Passed	S 745	Iden./Sim. House Bill substituted refer to CS/HB 927
H 760	Passed as amended	S 759	Passed as amended
H 761	Passed as amended	S 775	Iden./Sim. House Bill substituted refer to HB 1086
H 801	Substituted for SB 657 Passed	S 789	Iden./Sim. House Bill substituted passed, refer to CS/HB 610
H 863	Passed	S 795	Passed as amended
H 867	Passed	S 834	Iden./Sim. House Bill substituted passed, refer to HB 1170
H 896	Passed as amended	S 845	Reconsidered Retained on second reading
H 899	Passed	S 846	Reconsidered Retained on second reading
H 925	Substituted for SB 884 Amendment adopted	S 859	Passed
H 927	Substituted for C/S SB 745 Passed	S 860	Iden./Sim. House Bill substituted passed, refer to HB 664
H 928	Passed	S 884	Iden./Sim. House Bill substituted refer to HB 925
H 932	Substituted for SB 914 Passed	S 914	Iden./Sim. House Bill substituted passed, refer to HB 932
H 997	Passed as amended	S 934	Iden./Sim. House Bill substituted passed, refer to CS/HB 253
H 998	Passed	S 990	Passed
H 1002	Passed	S 1036	Passed
H 1070	Substituted for SB 514 Passed	S 1052	Passed
H 1086	Substituted for SB 775 Passed as amended	S 1061	Iden./Sim. House Bill substituted passed, refer to HB 745
H 1164	Substituted for SB 557 Passed as amended	S 1065	Passed
H 1170	Substituted for SB 834 Passed	S 1077	Iden./Sim. House Bill substituted refer to HB 1171
H 1171	Passed as amended	S 1099	Passed
S 54	Concurred C/S passed as further amended	S 1105	Iden./Sim. House Bill substituted passed, refer to HB 699
S 57	C/S passed	S 1114	Passed
S 74	Concurred Passed as further amended	S 1117	Passed as amended
S 75	Concurred C/S passed as further amended	S 1124	Passed
S 76	Concurred Passed as further amended		
S 100	Concurred Passed as further amended		
S 127	Concurred C/S passed as further amended		
S 163	Passed		
S 219	Concurred C/S passed as amended		
S 223	Concurred C/S passed as further amended		
S 239	Amendments to House amendment adopted Concurred in one amendment; C/S passed as amended		
S 246	Passed as amended		
S 257	Amendments to House amendments adopted Concurred in one amendment Passed as further amended		
S 258	C/S passed as amended		
S 261	Passed		
S 291	Concurred; Passed as further amended		
S 298	C/S passed as amended		
S 328	C/S passed		

The Senate convened at 2 p.m.
and adjourned at 5:03 p.m.

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

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

Excused: Senator Vogt until 2:50 p.m.; Senators Gordon, Johnston, Hair, Jenne, Margolis, Tobiassen, Grizzle, McKnight, Maxwell, Kirkpatrick, McClain, Stuart and Vogt, conferees and alternates on HB 1200, and Senator Skinner, periodically

Prayer by the Rev. Ben Henry Pooley, Pastor, First Baptist Church, Garcon Point:

Our most gracious heavenly Father, we thank you for this day and for the blessings you have bestowed upon us. As this body meets today in this house to make decisions and laws for all the people of the great State of Florida, we ask of you to help them make the right decision in all of the matters confronting them. We ask the guidance of the Holy Spirit in the things they do and say. We thank you for your presence which turns our thoughts toward those things which are best for your people. We thank you for these representatives of the people and we pray that you will give them the strength and the courage to make these necessary decisions in a manner that will not only bless your people but glorify your wonderful name. In Jesus' name we ask it. 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 Local Bill Calendar for Monday, June 1, 1981: HB 314, HB 316, HB 378, HB 423, HB 508, HB 520, HB 530, HB 552, HB 565, HB 629, HB 632, HB 651, HB 730, HB 756, HB 759, HB 760, HB 761, HB 863, HB 869, HB 896, HB 899, HB 928, HB 997, HB 1002, SB 462, SB 1105, SB 1114, SB 1117, SB 1124, SB 1036

The Committee on Rules and Calendar submits the following bills to be placed on the Consent Calendar for Monday, June 1, 1981: CS for SB 57 and SB 229, SB 163, CS for SB 258, SB 261, CS for SB 298, CS for SB 328, SB 348, CS for SB 354, SB 375, SB 412, SB 444, CS for SB 459, SB 466, SB 476, CS for SB 516, SB 557, SB 572, SB 580, SB 632, SB 643, SB 649, SB 657, SB 663, SB 669, SB 676, SB 708, CS for SB 745, SB 759, SB 775, SB 795, SB 834, SB 859, SB 860, SB 884, SB 914, CS for SB 934, SB 990, SB 1052, SB 1061, SB 1065, SB 1099

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Monday, June 1, 1981: SB 246, SB 514, SB 920, SB 285, CS for SB 324, SB 513, SB 38, CS for SB 895, SB 971, CS for CS for SB 302, CS for CS for SB 306, CS for CS for SB 882, SB 485, SB 788, SB 651, CS for SB 866, SB 671, SB 692, SB 1061, HB 487, SB 401, SB 958, SB 868, SB 871, SB 909, SB 1121, SB 819, SB 642, SB 575, SB 483, SB 379, SB 147, CS for SB 344, SB 637, SB 675, SB 653, SB 612, CS for SB 606, CS for SB 589, SB 524, CS for SB 409, SB 822, HB 245, HB 607, SB 935, CS for SB 753, CS for SB 789, SB 1070, CS for SB 854

Senator Gordon reported on the progress of the Conference Committee on HB 1200.

The Committee on Appropriations recommends the following pass: SB 197

The bill was referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Appropriations recommends the following pass: HB 1226 with 3 amendments

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

The Committee on Appropriations recommends the following pass: SB 145, CS for SB 198 with 2 amendments, SB 201, SB 213, SB 275, CS for SB 326, SB 330 with 2 amendments, SB 333, CS for SB 398, SB 465, SB 475, SB 502, SB 528, SB 564, SB 712, CS for SB 841 with 3 amendments, SB 974

The bills were placed on the calendar.

The Committee on Appropriations recommends a committee substitute for the following: SB 905

The bill with committee substitute attached was placed on the calendar.

REQUESTS FOR EXTENSION OF TIME

May 29, 1981

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: SJR 630, SR 1068, SCR 1098, SB 1107, SB 1108, SB 1109, SB 880, HCR 1035, HB 1036, HB 1037, HB 1038, HB 1039, HB 1040

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: SB 184, SB 933, HB 1030

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following: SB 22, SB 159, SB 301, SB 316, SB 436, SB 486, SB 490, HB 895, HB 1029

June 1, 1981

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: SJR 340, SB 504, SB 597, SB 623, SB 627, SB 648, SB 790, SB 839, SB 863, SB 878, SB 950, SJR 959, SB 1066, SB 1073, SB 1075, SB 1102, HB 605

The Committee on Rules and Calendar requests an extension of 10 days for consideration of the following: SB 1, SR 65, SJR 67, SCR 114, SB 158, SJR 364, SJR 372, SB 455, SJR 469, SJR 472, SM 487, SJR 488, SB 716, SB 724, SB 725, SB 736, SB 737, SB 779, CS for SB 780, SB 820, SB 848, CS for SB 849, SB 896, SB 988, SB 1037, SB 1038, SB 1056, SB 1115, SB 1116, SB 1118, HB 654, HCR 1042, HJR 1043, HB 1059, HCR 1183

The Committee on Commerce requests an extension of 15 days for consideration of the following: CS for SB 8, SB 36, CS for SB 37, SB 45, SB 141, SB 171, SB 202, SB 211, SJR 226, SB 248, SB 253, SB 273, SB 278, SB 279, SB 353, SB 376, SB 388, SB 396, SB 410, SB 470, SB 480, SB 491, SB 492, SB 496, SB 533, SB 670, CS for SB 710, SB 930, SB 1079, SB 1081, SB 1084, SB 1088, SB 1092, SB 1103, HB 673, HB 675, HB 676, HB 678, HB 1033

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Hair, the rules were waived and the Committee on Commerce was granted permission to meet June 2 at 5:00 p.m.

On motion by Senator Dunn, by two-thirds vote SCR 305 was removed from the table, the unfavorable report of the Committee on Rules and Calendar to the contrary notwithstanding, and placed on the calendar.

On motion by Senator Frank, the rules were waived and by two-thirds vote HB 341 was withdrawn from the Committee on Education.

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 751, 703 and 561 were withdrawn from the Committee on Appropriations.

On motion by Senator D. Childers, the rules were waived and by two-thirds vote HB 1226 was withdrawn from the Committee on Health and Rehabilitative Services.

On motions by Senator Dunn, by two-thirds vote SB 920 was removed from the special order calendar and HB 190 and Senate Bills 916 and 811 were substituted therefor.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor filed with the Secretary of State on May 30 the following acts which became law without his signature: Senate Bills 300, 416, 449, 463, 464, 474, 506, 555, 556, 576, 598, 609, 617, 646, 668 and 696.

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 concurred in Senate Amendments to House Amendments 1 and 3 and passed CS for SB 124, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment to House Amendment 1 and passed CS for SB 120, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment to House Amendment 1 and passed CS for SB 220, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 1, 2, 3 and 4 and passed SB 117, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment to House Amendment 1; has receded from House Amendment 4 and passed SB 88, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 1 and 2 and passed CS for SB 80, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 1 and 2 and passed SB 81, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendments to House Amendments 2 and 3 and passed SB 116, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment to House Amendment 4; has receded from House Amendment 1 and passed CS for SB 130, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment to House Amendment 1; has receded from House Amendment 3 and passed SB 241, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 1 and 2 and passed CS for SB 216, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 1, 2 and 3 and passed CS for SB 231, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment to House Amendment 1 and passed SB 128, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 2 and 3 and passed SB 78, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 2 and 3 and passed CS for SB 233, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment to House Amendment 1 and passed SB 102, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 1, 2 and 4 and passed SB 269, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendments to House Amendments 1 and 2 and passed SB 98, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 1, 2 and 3 and passed SB 87, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 2 and 4 and passed SB 240, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment to House Amendment 3; has receded from House Amendment 2 and passed CS for SB 137, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 1, 2 and 3 and passed SB 86, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment to House Amendment 2; has receded from House Amendment 4 and passed SB 242, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 1, 2 and 3 and passed SB 132, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 2 and 4, and passed as amended SB 91.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 1, 2 and 3 and passed SB 85, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 1, 2 and 3 and passed SB 92, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment to House Amendment 5; has receded from House Amendment 1 and passed SB 90, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment to House Amendment 4; has receded from House Amendment 2 and passed SB 243, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 2 and 4 and passed as amended SB 244.

Allen Morris, Clerk

The bills contained in the above messages were ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 204, 912, 590, 1104, 426, 582, 101, 838, 613, 373, 927, 31, 156, 255, SB 259, SB 323, SB 592, SB 366, SB 924, SB 747, SB 307, SB 709, SB 953, CS for SB 123, CS for SB 977, CS for CS for SB 103, CS for SB 906, CS for SB 26 and CS for SB 620.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 325.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in the Senate Amendment and passed HB 305, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed HB 1190, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives Burrell and Gustafson as additional alternate conferees on HB 1200.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

CS for SB 239—A bill to be entitled An act relating to legislative review of programs and functions; amending s. 11.61, Florida Statutes; amending s. 11.6105, Florida Statutes, 1980 Supplement; providing legislative intent; repealing various provisions of law relating to the regulation of professions, occupations, businesses, industries, or other endeavors; providing for review of such provisions prior to repeal; providing for periodic review of programs which are continued, reestablished, or created; prescribing criteria to be used in such review; providing for the appointment of a joint committee of the Legislature; prescribing the powers and duties of such committee; providing for the abolition of units of government and reversion of funds; providing for refund of fees; preserving certain causes of action; providing for effect on pending prosecutions, investigations, or disciplinary actions; repealing chapters 76-168, 77-237, and 77-457, Laws of Florida, relating to the Regulatory Reform Act of 1976; repealing various provisions of the Laws of Florida, which repeal various laws

relating to the regulation of professions, occupations, businesses, industries, or other endeavors and which require such laws to be reviewed pursuant to the Regulatory Reform Act of 1976; providing severability; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

House Amendment 1—On page 2, line 2, strike everything after the Enacting Clause and insert the following:

Section 1. Section 11.61, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 11.61, F.S., for present text.)

11.61 Legislative review of regulatory functions.—

(1) This act may be cited as the "Regulatory Sunset Act."

(2) It is the intent of the Legislature:

(a) That no profession, occupation, business, industry, or other endeavor shall be subject to regulation by the state unless such regulation is necessary to protect the public health, safety or welfare from significant and discernible harm or damage and that the police power of the state be exercised only to the extent necessary for that purpose.

(b) That the state shall not regulate a profession, occupation, industry, business, or other endeavor in a manner which will unreasonably and adversely affect the competitive market.

(c) That the Legislature conduct a periodic and systematic review of the need for, and the benefits derived from, a program or function which licenses or otherwise regulates a profession, occupation, business, industry, or other endeavor and, pursuant to such review, terminate, modify, or reestablish a program or function.

(d) That, if a chapter or section of the Florida Statutes scheduled for repeal by this act is subsequently amended or transferred, such subsequent amendment or transfer, unless otherwise expressly provided in the act amending or transferring such chapter or section, shall not affect the scheduled repeal by this act of the provisions of such chapter or section and said chapter or section as amended or transferred shall be repealed on the date specified in this act.

(3) Each appropriate substantive committee shall begin review of a program or function 15 months prior to the date set for repeal of the section or chapter and shall make a recommendation, on or before February 1 prior to such repeal date, for continuation, modification, or repeal of the program or function established by such section or chapter.

(4) Each section and chapter of the Florida Statutes scheduled for repeal by this act shall be reviewed pursuant to this act prior to the date scheduled for repeal of the section or chapter. Any act which, as a result of such review, continues or reestablishes a program or function established by a section or chapter of the Florida Statutes repealed by this act shall schedule the section or chapter of the Florida Statutes establishing such program or function for a subsequent repeal and review pursuant to this act within 10 years after the effective date of the act which continues or reestablishes such program or function.

(5) Any act which creates a program or function which in part regulates the entry into any profession, occupation, business, industry, or other endeavor and which is enacted after the effective date of this act shall schedule the act establishing such program or function for a subsequent repeal and review pursuant to this act within 10 years after the effective date of the act which creates such program or function.

(6) In determining whether to reestablish a program or function, the Legislature shall consider the following criteria:

(a) Would the absence of regulation significantly harm or endanger the public health, safety, or welfare?

(b) Is there a reasonable relationship between the exercise of the police power of the state and the protection of the public health, safety, or welfare?

(c) Is there a less restrictive method of regulation available which would adequately protect the public?

(d) Does the regulation have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

(e) Is the increase in cost more harmful to the public than the harm which could result from the absence of regulation?

(f) Are any facets of the regulatory process designed for the purpose of, and have as their primary effect, the benefit of the regulated entity?

(7) Within 30 days after the date of repeal, by this act, of any section or chapter of the Florida Statutes, the unit of government or the subunit thereof and the personnel positions which are responsible for carrying out only the functions and programs created by such section or chapter shall be abolished, and all unexpended balances of appropriations, allocations, or other funds for such program or function shall revert to the fund from which they were appropriated or, if that fund is abolished, to the General Revenue Fund. A unit or subunit of government may not perform any regulatory activities after the date of repeal of such section or chapter of the Florida Statutes.

(8) Any fees collected pursuant to a program or function subsequently abolished shall be refunded on a pro rata basis by the unit or subunit of government that was abolished, or by the Comptroller pursuant to s. 215.26, Florida Statutes, upon request of the person that paid the fee, if such request is made within 1 year after the abolition of the program or function.

(9) This act shall not affect the right to institute or prosecute any cause of action by or against a unit or subunit of government abolished pursuant to this act if the cause of the action accrued prior to the date the unit or subunit was abolished. Any cause of action pending on the date the unit or subunit is abolished, or instituted thereafter, shall be prosecuted or defended in the name of the state by the Department of Legal Affairs.

(10) Any repeal or amendment of any regulatory statute or rule pursuant to this act shall not affect any prosecution, investigation, or disciplinary action for any act committed before such repeal or amendment.

Section 2. Section 11.6105, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 11.6105, F.S., for present text.)

11.6105 Legislative review of regulatory functions; additional provisions.—

(1) The following provisions of the Florida Statutes are repealed on October 1, 1982 and shall be reviewed by the Legislature pursuant to this act:

(a) Chapter 231, except for sections 231.15, 231.17, 231.24, Florida Statutes, relating to personnel of school systems.

(b) Sections 246.011, 246.021, 246.031, 246.041, 246.051, 246.061, 246.071, 246.081, 246.091, 246.095, 246.101, 246.111, 246.121, 246.131, 246.141, 246.151, Florida Statutes, relating to non-public colleges.

(c) Chapters 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, Florida Statutes, relating to railroads.

(d) Chapter 395, Florida Statutes, relating to hospital licensing and regulation.

(e) Part III of chapter 401, Florida Statutes, relating to medical transportation services.

(f) Section 403.101, Florida Statutes, relating to operators of water purification and waste-water treatment plants.

(g) Chapter 482, Florida Statutes, relating to pest control.

(h) Sections 487.151-487.166, Florida Statutes, relating to pesticide applicators.

(i) Parts I, II, III, V of chapter 624, and chapters 625, 628, 629, except for section 629.401, Florida Statutes, relating to the Insurance Code: administration and general provisions, accounting, investments and deposits, organization and corporate procedures of stock and mutual insurers, and reciprocal insurers.

(j) Part I of chapter 634, Florida Statutes, relating to automobile inspection and warranty associations.

(k) Parts I, II, III, IV, V, and VI of chapter 626, Florida Statutes, relating to the Insurance Code; field representatives and operations; insurance representatives, general lines agents and solicitors, life insurance agents, disability insurance agents, and insurance adjusters.

(l) Chapter 627, Florida Statutes, relating to the Insurance Code; rates and contracts.

(m) Chapter 632, Florida Statutes, relating to the Insurance Code; fraternal benefit societies.

(n) Chapter 641, Florida Statutes, relating to health maintenance organizations and hospital and medical service plans.

(o) Chapter 648, Florida Statutes, relating to bail bondsmen and runners.

(p) Chapter 649, Florida Statutes, relating to automobile clubs.

(q) Chapter 527, Florida Statutes, relating to the sale of liquefied petroleum gas.

(r) Section 768.54, Florida Statutes, relating to limitation of liability and patient's compensation trust fund.

(2) The following provisions of the Florida Statutes are repealed on October 1, 1983 and shall be reviewed by the Legislature pursuant to this act:

(a) Chapter 399, Florida Statutes, relating to elevators.

(b) Sections 409.145, 409.165, 409.175, Florida Statutes, relating to the care of dependent children.

(c) Chapter 483, Florida Statutes, relating to health testing services.

(d) Sections 500.12 and 500.121, Florida Statutes, relating to food manufacturers, processors, and packers.

(e) Sections 500.46, 500.465, 500.466, 500.47, Florida Statutes, relating to drug wholesalers and manufacturers.

(f) Section 502.032, Florida Statutes, relating to milk fat testers.

(g) Chapter 503, Florida Statutes, relating to frozen deserts.

(h) Chapter 513, Florida Statutes, relating to tourist camps.

(i) Sections 534.47-534.53, Florida Statutes, relating to livestock markets.

(j) Chapter 535, Florida Statutes, relating to horse sales, shows, and exhibitions.

(k) Chapter 574, Florida Statutes, relating to sale of leaf tobacco.

(l) Chapter 616, Florida Statutes, relating to public fairs and expositions.

(m) Chapter 637, Florida Statutes, relating to nonprofit corporations and professional service plans.

(n) Chapter 638, Florida Statutes, relating to ambulance service contracts.

(o) Chapter 635, Florida Statutes, relating to Mortgage Guaranty Insurance.

(p) Chapter 642, Florida Statutes, relating to legal expense insurance.

(q) Chapter 651, Florida Statutes, relating to life care contracts.

(r) Chapter 639, Florida Statutes, relating to burial insurance and contracts.

(s) Parts II and III of Chapter 634, Florida Statutes, relating to Home Warranty Associations and Service Warranty Associations.

(t) Sections 381.422, 381.432, 381.442, 381.452, 381.462, 381.472, 381.482, Florida Statutes, relating to migrant labor camps.

(u) Chapter 400, relating to nursing homes and related health care facilities.

(v) Sections 397.071, 397.081, 397.091, 397.092, 397.093, 397.094, 397.095, 397.096, 397.098, 397.099, Florida Statutes, relating to drug abuse treatment and education centers.

(w) Sections 402.301, 402.302, 402.305, 402.306, 402.307, 402.308, 402.309, 402.310, 402.311, 402.312, 402.313, 402.314, 402.315, 402.316, Florida Statutes, relating to child care facilities.

(3) The following provisions of the Florida Statutes are repealed on October 1, 1984 and shall be reviewed by the Legislature pursuant to this act:

(a) Sections 290.011, 290.021, 290.031, 290.041, 290.052, 290.061, 290.072, 290.081, 290.091, 290.101, 290.111, 290.121, 290.131, 290.141, 290.151, 290.161, 290.171, Florida Statutes, relating to the nuclear code.

(b) Section 330.30, Florida Statutes, relating to the licensing of airports.

(c) Sections 413.061-413.068, Florida Statutes, relating to solicitation of funds for the blind.

(d) Part I of chapter 468, Florida Statutes, relating to operators of moving picture machines.

(e) Part II of chapter 468, Florida Statutes, relating to fitting and selling of hearing aids.

(f) Part III of chapter 468, Florida Statutes, relating to speech pathology and audiology.

(g) Part VI of chapter 468, Florida Statutes, relating to occupational therapists.

(h) Part VII of chapter 468, Florida Statutes, relating to radiologic technologists.

(i) Chapter 469, Florida Statutes, relating to plumbing.

(j) Chapter 479, Florida Statutes, relating to outdoor advertising.

(k) Chapter 488, Florida Statutes, relating to commercial driving schools.

(l) Chapter 496, Florida Statutes, relating to solicitation of funds.

(m) Part IV of chapter 553, Florida Statutes, relating to factory-built housing.

(n) Part V of chapter 559, Florida Statutes, relating to consumer collection practices.

(o) Chapter 310, Florida Statutes, relating to pilots, piloting, and pilotage.

(4) The following provisions of the Florida Statutes are repealed on October 1, 1985 and shall be reviewed by the Legislature pursuant to this act:

(a) Chapter 462, Florida Statutes, relating to naturopathy.

(b) Chapter 473, Florida Statutes, relating to public accountancy.

(c) Chapter 474, Florida Statutes, relating to veterinary medical practice.

(d) Chapter 476, Florida Statutes, relating to barbering.

(e) Chapter 477, Florida Statutes, relating to cosmetology.

(f) Chapter 480, Florida Statutes, relating to massage practice.

(g) Chapter 514, Florida Statutes, relating to public bathhouses and swimming or bathing places.

(h) Sections 601.55, 601.56, 601.57, 601.58, 601.59, 601.60, 601.601, 601.61, 601.611, 601.64, 601.641, 601.65, 601.66, 601.67, 601.671, 601.68, 601.69, 601.70, 601.701, 601.72, 601.73, 601.731, Florida Statutes, relating to citrus fruit dealers.

(i) Sections 601.74, 601.75, 601.76, 601.77, 601.78, Florida Statutes, relating to manufacturers of materials used in the processing of citrus fruits.

(j) Sections 633.061, 633.521, 633.524, 633.527, 633.531, 633.534, 633.537, 633.541, 633.547, 633.549, 633.551, 633.554, 633.557, Florida Statutes, relating to fire prevention and control.

(5) The following provisions of the Florida Statutes are repealed on October 1, 1986 and shall be reviewed by the Legislature pursuant to this act:

- (a) Sections 231.15, 231.17, and 231.24, Florida Statutes, relating to certificates to teach.
- (b) Sections 246.201, 246.203, 246.205, 246.207, 246.209, 246.211, 246.213, 246.215, 246.217, 246.219, 246.220, 246.221, 246.223, 246.225, 246.227, 246.229, 246.231, Florida Statutes, relating to independent postsecondary vocational, technical, trade, and business schools.
- (c) Chapter 389, Florida Statutes, relating to acupuncture clinics.
- (d) Chapter 458, Florida Statutes, relating to medical practice.
- (e) Chapter 459, Florida Statutes, relating to osteopathy.
- (f) Chapter 460, Florida Statutes, relating to chiropractic.
- (g) Chapter 461, Florida Statutes, relating to podiatry.
- (h) Chapter 463, Florida Statutes, relating to optometry.
- (i) Chapter 464, Florida Statutes, relating to nursing.
- (j) Chapter 465, Florida Statutes, relating to pharmacy.
- (k) Chapter 466, Florida Statutes, relating to dentistry, dental hygiene, and dental laboratories.
- (l) Part V of chapter 468, Florida Statutes, relating to nursing home administration.
- (m) Part VIII of chapter 468, Florida Statutes, relating to acupuncturists.
- (n) Chapter 484, Florida Statutes, relating to opticians.
- (o) Chapter 486, Florida Statutes, relating to physical therapy.

(6) The following provisions of the Florida Statutes are repealed on October 1, 1988 and shall be reviewed by the Legislature pursuant to this act:

- (a) Sections 320.27, 320.271, 320.273, 320.28, 320.30, 320.31, Florida Statutes, relating to motor vehicle dealers.
- (b) Sections 320.60, 320.61, 320.615, 320.62, 320.63, 320.64, 320.641, 320.642, 320.643, 320.664, 320.67, 320.68, 320.69, 320.694, 320.695, 320.696, 320.697, 320.698, 320.70, 320.71, Florida Statutes, relating to motor vehicle manufacturers, factory branches, distributors, and importers.
- (c) Section 320.77, Florida Statutes, relating to mobile home and recreational vehicle dealers.
- (d) Sections 320.822, 320.8225, 320.823, 320.8231, 320.8232, 320.824, 320.8245, 320.8255, 320.8256, 320.827, 320.8285, 320.830, 320.831, 320.832, 320.8325, 320.833, 320.8335, 320.834, 320.835, 320.836, 320.837, 320.838, 320.839, 320.840, 320.861, 320.862, 320.865, Florida Statutes, relating to mobile home and recreational vehicle manufacturers.
- (e) Chapter 475, Florida Statutes, relating to real estate brokers, salesmen, and schools.
- (f) Chapter 481, Florida Statutes, relating to architecture and landscape architecture.
- (g) Chapter 489, Florida Statutes, relating to contracting.
- (h) Chapter 498, Florida Statutes, relating to land sales practices.
- (i) Chapter 516, Florida Statutes, relating to consumer finance.

(7) The following provisions of the Florida Statutes are repealed on October 1, 1989 and shall be reviewed by the Legislature pursuant to this act:

- (a) Chapter 364, Florida Statutes, relating to telegraph and telephone companies.
- (b) Sections 365.01-365.14, Florida Statutes, relating to private wire services.

(c) Chapter 366, Florida Statutes, relating to public utilities.

(d) Chapter 367, Florida Statutes, relating to water and sewer systems.

(e) Chapter 471, Florida Statutes, relating to engineering.

(f) Chapter 472, Florida Statutes, relating to land surveying.

(g) Part III of chapter 501, Florida Statutes, relating to the Florida Treated Fence Post Act and the Antifreeze Act of 1978.

(8) The following provisions of the Florida Statutes are repealed on October 1, 1990 and shall be reviewed by the Legislature pursuant to this act:

(a) Sections 210.15, 210.16, and 210.161, Florida Statutes, relating to cigarette taxes.

(b) Chapter 350, Florida Statutes, relating to the Florida Public Service Commission.

(c) Chapter 470, Florida Statutes, relating to funeral directing, embalming, and direct disposition.

(d) Chapter 493, Florida Statutes, relating to investigative agencies and deception detectors.

(e) Chapter 509, Florida Statutes, relating to public lodging and food service establishments.

(f) Chapter 517, Florida Statutes, relating to securities transactions.

(g) Chapter 520, Florida Statutes, relating to retail installment sales.

(h) Part IV of chapter 559, Florida Statutes, relating to cemeteries.

(i) Sections 604.15, 604.151, 604.16, 604.17, 604.18, 604.19, 604.20, 604.21, 604.211, 604.22, 604.23, 604.25, 604.27, 604.28, 604.29, 604.30, Florida Statutes, relating to dealers in agricultural products.

(9) The following provisions of the Florida Statutes are repealed on October 1, 1991 and shall be reviewed by the Legislature pursuant to this act:

(a) Chapter 494, Florida Statutes, relating to mortgage brokerage.

(b) Chapter 560, Florida Statutes, relating to the sale of money orders.

(c) Chapter 654, Florida Statutes, relating to savings banks.

(d) Chapter 657, Florida Statutes, relating to credit unions.

(e) Chapters 658, 660, 661, 662, 663, Florida Statutes, relating to the Florida Banking Code.

(f) Chapter 664, Florida Statutes, relating to industrial savings banks.

(g) Chapter 665, Florida Statutes, relating to the Savings Associations Act.

Section 3. Chapters 76-168, 77-237, and 77-457, Laws of Florida; section 28 of chapter 78-155, Laws of Florida; section 2 of chapter 79-116, Laws of Florida; section 6 of chapter 79-194, Laws of Florida; section 17 of chapter 79-200, Laws of Florida; section 25 of chapter 79-202, Laws of Florida; section 7 of chapter 79-211, Laws of Florida; section 6 of chapter 79-225, Laws of Florida; section 7 of chapter 79-226, Laws of Florida; section 2 of chapter 79-227, Laws of Florida; section 2 of chapter 79-228, Laws of Florida; section 6 of chapter 79-229, Laws of Florida; section 6 of chapter 79-230, Laws of Florida; section 5 of chapter 79-231, Laws of Florida; section 14 of chapter 79-238, Laws of Florida; section 42 of chapter 79-239, Laws of Florida; section 42 of chapter 79-240, Laws of Florida; section 42 of chapter 79-243, Laws of Florida; section 17 of chapter 79-272, Laws of Florida; section 19 of chapter 79-273, Laws of Florida; section 5 of chapter 79-275, Laws of Florida; section 8 of chapter 79-302, Laws of Florida; section 3 of chapter 79-330, Laws of Florida; section 32 of chapter 79-347, Laws of Florida; section 18 of

chapter 79-407, Laws of Florida; section 26 of chapter 80-99, Laws of Florida; section 2 of chapter 80-168, Laws of Florida; section 11 of chapter 80-190, Laws of Florida; section 17 of chapter 80-217, Laws of Florida; section 40 of chapter 80-238, Laws of Florida; section 5 of chapter 80-254, Laws of Florida; section 15 of chapter 80-255, Laws of Florida; section 58 of chapter 80-257, Laws of Florida; section 6 of chapter 80-258, Laws of Florida; section 152 of chapter 80-260, Laws of Florida; section 7 of chapter 80-268, Laws of Florida; sections 5 and 6 of chapter 80-289, Laws of Florida; and section 2 of chapter 80-375, Laws of Florida, are hereby repealed.

Section 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 5. This act shall take effect July 1, 1981, or upon becoming a law, whichever occurs later.

House Amendment 2—On page 1 in title, lines 14, 15 and 16, strike all of lines 14 and 15 and “powers and duties of such committee;” on line 16 and insert: deleting provision for a joint committee of the legislature;

Senator Stuart moved the following amendments which were adopted:

Amendment 1 to House Amendment 1—On page 9, lines 21 and 22, strike “(o) Chapter 310, Florida Statutes, relating to pilots, piloting, and pilotage.”

Amendment 2 to House Amendment 1—On page 12, between lines 3 and 4, insert: (a) Chapter 310, Florida Statutes, relating to pilots, piloting, and pilotage.

(Reletter subsequent paragraphs.)

On motions by Senator Stuart, the Senate concurred in House Amendment 1 as amended and House Amendment 2 and the House was requested to concur in the Senate amendments.

CS for SB 239 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Hair, Hill, Lewis

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has refused to recede from House Amendment 4 to Senate Amendment 1 and again requests the Senate to concur.

Allen Morris, Clerk

By the Committee on Ethics & Elections and Representatives Hieber and Woodruff—

HB 116—A bill to be entitled An act relating to elections; amending s. 97.021(9)(a), (18), Florida Statutes; providing definitions; amending s. 99.021(1)(a) and (c), Florida Statutes; providing oath for write-in candidates; amending s. 99.061(1) and (2), Florida Statutes, and adding a new subsection (3) to said section; providing for method of qualifying as a write-in candidate; exempting write-in candidates from filing fees and party assessments; amending s. 99.092(1), Florida Statutes, conforming language; adding a subsection to s. 101.011, Florida Statutes; providing for voting for write-in candidates; amending s. 101.151(3)(a), Florida Statutes; providing specifications for general election ballot; amending s. 101.191(1), Florida Statutes; providing form of general election ballot; adding a subsection to s. 101.251, Florida Statutes; specifying duties of supervisor of elections; amending s. 101.27-

(3), Florida Statutes; providing for write-in votes on voting machines; creating s. 101.445, Florida Statutes; providing for casting write-in votes; amending s. 101.54(1) and (2), Florida Statutes; providing for tabulation and filing of write-in votes; amending s. 101.56, Florida Statutes; providing for securing of write-in ballots; adding a subsection to s. 101.5608, Florida Statutes; providing for separate write-in ballots; amending s. 101.5614(6), Florida Statutes, and adding a new subsection (4) to said section; providing for canvass of write-in votes; creating s. 103.022, Florida Statutes; providing for write-in candidates for President and Vice President; amending s. 104.19, Florida Statutes; prohibiting use of stamps or stickers in casting write-in votes; providing penalties; amending s. 105.031(1) and (3), Florida Statutes; exempting write-in judicial candidates from filing fees; adding a subsection to s. 105.041, Florida Statutes, 1980 Supplement; providing for ballot for write-in judicial candidates; amending s. 105.051(1)(b), Florida Statutes; providing for determination of election of judicial candidates; providing an effective date.

On motion by Senator Thomas, the Senate concurred in House Amendment 4 to Senate Amendment 1.

HB 116 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Scott

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed with amendment—

CS for SB 510—A bill to be entitled An act relating to insurance; creating s. 627.6676, Florida Statutes; requiring insurers writing group, blanket, or franchise policies to continue coverage on certain persons; providing for payment of premiums; providing circumstances for termination; limiting continued coverage to certain persons; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

House Amendment 1—On page 2, line 12, insert a new Section 2 and renumber subsequent sections.

Section 2. Each section within chapter 627, Florida Statutes, which is added or amended by this act, is repealed on July 1, 1982, and shall be reviewed by the Legislature pursuant to s. 11.61, Florida Statutes.

On motion by Senator Hair, the Senate concurred in the House amendment.

CS for SB 510 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

SB 291—A bill to be entitled An act relating to unemployment compensation; amending s. 443.111(5)(c), Florida Statutes, 1980 Supplement; providing for ineligibility for extended benefits; providing an exception; amending s. 443.171(6), Florida Statutes, 1980 Supplement; providing duties of the Division of Employment Security of the Department of Labor and Employment Security; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, strike all of lines 14-17 and insert: Section 1. Paragraph (a) of subsection (2) and paragraph (c) of subsection (5) of section 443.11, Florida Statutes, 1980 Supplement, are amended to read:

443.111 Payment of benefits.—

(2) WEEKLY BENEFIT AMOUNT.—

(a) An individual's "weekly benefit amount" shall be an amount equal to one-half of his average weekly wage, but not less than \$10 or more than \$125. ~~\$105~~ Such weekly benefit amount, if not a multiple of \$1, shall be rounded off to the next higher multiple of \$1. The provisions of this subsection apply only to benefit years beginning on and after *October 1, 1981*. ~~July 1, 1980~~ However, no individual currently eligible for benefits shall be determined ineligible pursuant to this section.

Amendment 2—On page 1 in title, lines 3 and 4, strike "amending s. 443.111(5)(c), Florida Statutes, 1980 Supplement;" and insert: amending s. 443.111(2)(a) and 5(c), Florida Statutes, 1980 Supplement; increasing the maximum weekly benefit amount;

House Amendment 3—On page 1, line 12, after the colon insert:

Section 1. Subsection (1) of section 443.101, Florida Statutes, 1980 Supplement, is amended to read:

443.101 Disqualification for benefits.—An individual shall be disqualified for benefits:

(1)(a) For the week in which he has voluntarily left his employment without good cause attributable to his employer or in which he has been discharged by his employing unit for misconduct connected with his work, if so found by the division.

1.(a) Disqualification for voluntarily quitting shall continue for the full period of unemployment next ensuing after he has left his work voluntarily without good cause and until such individual has become reemployed and has earned wages equal to or in excess of 17 times his weekly benefit amount; "good cause" as used in this subsection shall include only such cause as is attributable to the employer or which consists of illness or disability of the individual requiring separation from his employment. An individual shall not be disqualified under this subsection for voluntarily leaving temporary employment to return immediately when called to employment by the permanent employer who temporarily terminated his employment within the previous 6 calendar months.

2.(b) Disqualification for being discharged for misconduct connected with his work shall continue for the full period of unemployment next ensuing after having been discharged and until such individual has become reemployed and has earned wages not less than 17 times his weekly benefit amount and for not more than 52 weeks which immediately follow such week, as determined by the division in each case according to the circumstances in each case or the seriousness of the misconduct, pursuant to rules of the division enacted for determinations of disqualification for benefits for misconduct.

(b) For any week with respect to which the division finds that his unemployment is due to a suspension for misconduct connected with his work.

(c) For any week with respect to which the division finds that his unemployment is due to a leave of absence, if such leave was voluntarily initiated by such individual.

(Renumber subsequent sections.)

Amendment 4—On page 1 in title, line 2, after the semi-colon insert: amending s. 443.101(1), Florida Statutes, 1980 Supplement, providing additional grounds for disqualification for benefits;

On motions by Senator Peterson, the Senate refused to concur in House Amendment 1 and requested the House to recede, and concurred in House Amendments 2, 3 and 4.

SB 291 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

CS for SB 380—A bill to be entitled An act relating to electric and gas utilities; amending s. 366.82(4), Florida Statutes, 1980 Supplement; removing the requirement for submission by the commission of an annual report under the Florida Energy Efficiency and Conservation Act; adding s. 366.05(9), Florida Statutes, 1980 Supplement; clarifying the commission's authority with regard to electric utilities purchasing energy or power from cogenerators or small power producers; amending s. 403.537(1), Florida Statutes, 1980 Supplement; prescribing time limitations for commission proceedings for determination of the need for a transmission line; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 18, strike everything after the enacting clause and insert:

Section 1. Subsection (9) is added to section 366.05, Florida Statutes, 1980 Supplement, to read:

366.05 Powers.—

(9) The commission may establish guidelines relating to the purchase of power or energy by public utilities from cogenerators or small power producers and may set the rates at which a public utility shall purchase power or energy from a cogenerator or small power producer.

Section 2. Subsection (4) of section 366.82, Florida Statutes, 1980 Supplement, is amended to read:

366.82 Definition; goals; plans; annual reports; energy audits.—

(4) The commission shall require periodic reports from each utility and shall provide the Legislature and the Governor with an annual report by ~~March~~ ~~February~~ 1 of the goals it has adopted and its progress toward meeting those goals. The commission shall also consider the performance of each utility pursuant to ss. 366.80-366.85 and 403.519 when establishing rates for those utilities over which the commission has rate-setting authority.

Section 3. Subsections (7) and (9) of section 403.503, Florida Statutes, are amended and subsections (14), (15), and (16) are added to said section to read:

403.503 Definitions.—

(7) "Electrical power plant" means, for the purpose of certification, any steam or solar electrical generating facility using any process or fuel, including nuclear materials, and shall include associated facilities and those directly associated transmission lines required to connect the electrical power plant to an existing transmission network or rights-of-way to which the applicant intends to connect, except that this term does not include any ~~power plant or steam or solar electrical generating facility plant~~ of less than 50 megawatts in capacity unless the applicant for such a facility elects to apply for certification under this act.

(9) "Board" means the Governor and cabinet sitting as the Siting Board.

(14) "Notice of intent" means that notice filed with the department on behalf of an electric utility prior to submission of an application pursuant to this act, which notifies the department of an intent to file an application.

(15) "Modification" means any change in the certification order after issuance, including a change to the conditions of certification.

(16) "Amendment" means any change in the application for certification made after the initial filing.

Section 4. Subsections (2), (7), and (8) of section 403.504, Florida Statutes, are amended and new subsections (11), (12), and (13) are added to said section, to read:

403.504 Department of Environmental Regulation; powers and duties enumerated.—The Department of Environmental Regulation shall have the following powers and duties in relation to this act:

(2) To prescribe the form and content of the notice of intent and the form, content, and necessary supporting documentation and studies to be prepared by the applicant for electric power plant site certification applications.

(7)(a) To require an application fee for certification not to exceed \$50,000. The application fee shall be paid to the department upon the filing of each application for site certification. The fee shall be fixed by rule on a sliding scale related to the size, type, ultimate site capacity, or increase in generating capacity proposed by the application. A minimum fee of \$5,000 shall be required for each application. All reasonable expenses and costs of the proceeding incurred by the department, the Division of Administrative Hearings, the Public Service Commission, and the Department of Veteran and Community Affairs, the water management districts created pursuant to chapter 373, in whose jurisdiction the facility is to be located, or any other agency from which the department requests special studies pursuant to s. 403.507(1)(d), including those which are associated with the cost of publication of public notices, the preparation and conduct of the hearings, the recording and transcription of the proceedings, and the studies required of the agencies by this act, shall be paid from the application fee. Any sums remaining after the payment of authorized costs shall be refunded to the applicant within 90 days of the issuance or denial of certification or withdrawal of the application. The applicant shall be provided with an itemized accounting of the expenditures.

(b) To require a fee of \$2,500 to be submitted to the department with a notice of intent. The notice of intent fee shall be used, disbursed and refunded in the same manner as the application fee, and shall be a credit toward the application fee.

(8) To prepare a written analysis which shall be filed with the designated hearing officer and served on all parties no later than 8 months after the complete application is filed with the department, and which shall include:

(a) A statement indicating whether the proposed electrical power plant and proposed ultimate site capacity will be in compliance with the department's rules.

(b) The report from the Public Service Commission as required by ss. 403.507 and 403.519.

(c) The report of the Department of Veteran and Community Affairs as required by s. 403.507.

(d) The report from the water management district as required by s. 403.507.

(e)(d) The studies conducted pursuant to s. 403.507.

(f)(e) The comments received by the department from any other agency.

(g)(f) The recommendation of the department as to the disposition of the application and any proposed conditions of certification which the department believes should be imposed.

(11) To notify all affected agencies of the filing of a notice of intent within fifteen days of receipt of the notice and to publish public notice that the department has received such a notice of intent.

(12) To require a certification modification fee from the party petitioning for the modification not to exceed \$5,000,

which shall be submitted to the department with a formal petition for a modification to the department pursuant to s. 403.516(3). Any sums remaining after the proceeding shall be refunded to the petitioner within 90 days after approval or denial of the modification.

(13) To withhold from the application fee established by this section a reasonable sum sufficient to cover costs associated with post-certification review of activities required by any condition of certification. Such sums shall be specified as a part of each condition. Upon completion of any such reviews, any sums remaining shall be refunded to the applicant.

Section 5. Subsection (1) of section 403.506, Florida Statutes, is amended to read:

403.506 Applicability and certification.—

(1) The provisions of this chapter shall apply to any electrical power plant as defined herein, except that the provisions of the Power Plant Siting Act shall not apply to any electrical power plant or steam generating plant of less than 50 megawatts in capacity unless the applicant has elected to apply for certification under this act. No construction of any new electrical power plant or expansion in steam generating capacity of any existing electrical power plant may be undertaken after October 1, 1973, without first obtaining certification in the manner as herein provided, except that this act shall not apply to any such electrical power plant which is presently operating or under construction or which has, upon the effective date of chapter 73-33, Laws of Florida, applied for a permit or certification under requirements in force prior to the effective date of such act.

Section 6. Section 403.5063, Florida Statutes, is created to read:

403.5063 Notice of intent to file application.—

(1) To expedite the processing of the application which may be filed subsequently, the applicant for a proposed power plant may file a notice of intent to file an application with the department.

(2) The department shall establish by rule a procedure by which an applicant, after public notice, may enter into binding written agreements with the department and other affected agencies as to the scope, quantity, and level of information to be provided in the application, as well as the methods to be used in providing such information and the nature of the supporting documents to be included in the application.

Section 7. Subsection (2) of section 403.5065, Florida Statutes, is amended, and subsection (3) is added to said section to read:

403.5065 Appointment of hearing officer; determination of completeness; amendment to the application.—

(2) Within 10 working days of receipt of an application, the department shall file a statement with the Division of Administrative Hearings and with the applicant declaring its position with regard to the completeness, not the sufficiency, of the application. If the department declares the application to be incomplete, then, within 15 working days of the receipt by the department of the application, the applicant shall file with the Division of Administrative Hearings and with the department a statement agreeing with the statement of the department and withdrawing the application or contesting the statement of the department. If the application is not withdrawn, the hearing officer shall schedule a hearing on the statement of completeness. Said hearing shall be scheduled as expeditiously as possible, but no later than 30 days after the receipt of the application by the department. The designated hearing officer shall make his decision within ten (10) days of the hearing. If the designated hearing officer determines that the application was not complete as filed, then the applicant shall withdraw the application. If the hearing officer determines that the application was complete at the time it was filed, then the times provided in this act shall run from the date of the filing of such application.

(3) Any amendment made to the application after filing shall be served on all parties and agencies who have received the initial application.

Section 8. Subsections (1) and (2) of section 403.507, Florida Statutes, are amended to read:

403.507 Reports and studies.—

(1) It shall be the duty of the department to provide copies of the application as filed to the Department of Veteran and

Community Affairs, and the Public Service Commission, and the water management district created by chapter 373, in whose jurisdiction the facility is to be located within 15 days of its receipt by the department. The applicant, at its cost, shall furnish such information, studies, and data as the department may direct.

(a) Within 5 months of receipt of a copy of the complete application, the Department of Veteran and Community Affairs shall present a report as to the compatibility of the proposed electrical power plant with the state comprehensive plan to the department. The Department of Veteran and Community Affairs division shall submit a preliminary report within 60 days of receipt of a copy of the complete application.

(b) The Public Service Commission shall prepare a report as to the present and future need for the electrical generating capacity to be supplied by the proposed electrical power plant. The report may include the comments of the commission with respect to any matters within its jurisdiction. It shall submit its report to the department within 5 months of receipt of a copy of the complete application. The commission shall submit a preliminary report within 60 days of receipt of a copy of the complete application. The applicant, at its cost, shall furnish such information, studies, and data as the department, division, or Public Service Commission may direct.

(c) Within 5 months of receipt of a copy of the complete application the water management district as defined in chapter 373, in whose jurisdiction the proposed electrical power plant is to be located shall prepare a report as to matters within its jurisdiction. The water management district shall submit a preliminary report within 60 days of receipt of a copy of the complete application.

(d) The department may request that any other agency perform studies and prepare reports as to matters within that agency's jurisdiction which may be potentially affected by the proposed electrical power plant. Such studies or reports shall be submitted to the department within five months of receipt of a copy of the complete application by that agency.

(2) As needed to verify or supplement the studies made by the applicant in support of the application, it shall be the duty of the department to conduct, or contract for, studies of the proposed electrical power plant and site, including, but not limited to, the following:

- (a) Cooling system requirements.
- (b) Construction and operational safeguards.
- (c) Proximity to transportation systems.
- (d) Soil and foundation conditions.
- (e) Impact on suitable present and projected water supplies for this and other competing uses.
- (f) Impact on surrounding land uses.
- (g) Accessibility to transmission corridors.
- (h) Environmental impacts.

Section 9. Subsection (3) and paragraph (a) of subsection (4) of section 403.508, Florida Statutes, are amended to read:

403.508 Proceedings, parties, participants.—

(3) A certification hearing shall be held by the designated hearing officer no later than 10 months after the complete application is filed with the department; however, an affirmative determination of need by the Public Service Commission pursuant to s. 403.519 shall be a condition precedent to the conduct of the certification hearing. At the conclusion of the certification hearing, the designated hearing officer shall, after consideration of all evidence of record, submit to the board a recommended order no later than 12 months after receipt of the complete application by the department.

(4)(a) Parties to the proceeding shall include:

1. The applicant.
2. The Public Service Commission.
3. The Department of Veteran and Community Affairs.
4. The water management district, as defined in chapter 373, in whose jurisdiction the proposed electrical power plant is to be located.
5. The department.

Section 10. Section 403.516, Florida Statutes, is amended to read:

403.516 Amendment or Modification of certification.—A certification may be amended or modified after issuance in any one of the following ways:

(1) The board may delegate to the department the authority to amend or modify specific conditions in the certification.

(2) The parties to the certification proceeding may amend or modify the terms and conditions of the certification by mutual written agreement. Upon execution of the agreement by the parties, the provisions of s. 120.57 shall apply to the proceedings for approval or denial of the agreement by the board.

(3) If the parties to the certification proceeding are unable to reach a mutual written agreement on amendment or modification of the terms and conditions of the certification, a petition for modification setting forth:

(a) The proposed amendment or modification,

(b) The factual reasons asserted for the amendment or modification, and

(c) The anticipated effects of the proposed modification on the applicant, the public, and the environment shall be filed with the Division of Administrative Hearings. The provisions of s. 120.57 shall apply to the proceedings for approval or denial of the petition by the board.

(4) As required by s. 403.511(5).

Section 11. Paragraph (c) of subsection (1) of section 403.517, Florida Statutes, is amended to read:

403.517 Supplemental applications for sites certified for ultimate site capacity.—

(1)

(c) Any time limitation in this section or in rules adopted pursuant to this section may be altered by the designated hearing officer upon stipulation between the department and the applicant or for good cause shown by any party. The parties to the proceeding shall adhere to the provisions of chapter 120 in considering and processing such supplemental applications. The department may charge a supplemental application fee not to exceed \$25,000 to cover all reasonable expenses and costs of the review, processing, and proceedings of a supplemental application incurred by the department, the Division of Administrative Hearings, the Public Service Commission, and the Department of Veteran and Community Affairs, the water management district, or of any other agency from which the department requests special studies pursuant to s. 403.507(1)(d) Division of State Planning. Any unused portion of the fee shall be refunded pursuant to s. subsection 403.504(7).

Section 12. Section 403.5311, Florida Statutes, is created to read:

403.5311 Recording of notice of certified corridor route.— Within 60 days after certification of a directly associated transmission line pursuant to ss. 403.501-403.517, or a transmission line corridor pursuant to ss. 403.52-403.536, the applicant shall file, in accordance with s. 28.222, with the clerk of the circuit court for each county through which the corridor will pass, a notice of the certified route. The notice shall consist of maps or aerial photographs in the scale of 1:24,000 which clearly show the location of the certified route, and shall state that the certification of the corridor will result in the acquisition of right-of-way within the corridor. Each clerk shall record the filing in the official record of the county for the duration of the certification or until such time as the applicant certifies to the clerk that all lands required for the transmission line rights-of-way within the corridor have been acquired within such county, whichever is sooner. The recording of this notice shall not constitute a lien, cloud, or encumbrance on real property.

Section 13. Subsection (1) of section 403.537, Florida Statutes, 1980 Supplement, is amended to read:

403.537 Determination of need for transmission line; powers and duties.—

(1) Upon request by an electric utility or upon the commission's own motion, the Florida Public Service Commission shall schedule a public hearing, after notice, to determine the

need for a transmission line regulated by the Transmission Line Siting Act, ss. 403.52-403.536. Such notice shall be published at least 20 days before the date set for the hearing and shall be published in newspapers of general circulation, in the Florida Administrative Weekly, and by giving notice to any persons who have requested to be placed on the commission's mailing list for this purpose. Within ~~21~~ 10 days after receipt of a request for determination by an applicant, the commission shall set a date for the hearing to be held. The hearing shall be held pursuant to s. 350.01 within ~~45~~ 30 days after the filing of the request, and a decision shall be rendered within ~~60~~ 45 days after such filing. In the determination of need, the commission shall take into account the need for electric system reliability and integrity, the need for abundant, low-cost electrical energy to assure the economic well-being of the citizens of this state, the appropriate starting and ending point of the line, and other matters within its jurisdiction deemed relevant to the determination of need. The commission's determination of the need for the transmission line, as defined in s. 403.522(3), shall be binding on all parties to any certification proceeding pursuant to the Transmission Line Siting Act and shall be a condition precedent to the conduct of the certification hearing prescribed therein. Orders entered pursuant to this section shall constitute final agency action.

Section 14. Paragraph (e) of subsection (2) of section 403.524, Florida Statutes, as created by chapter 80-65, Laws of Florida, is hereby repealed.

Section 15. This act shall take effect upon becoming law, except that section 14 shall take effect October 1, 1981.

Amendment 2—On page 1 in title, lines 2-16, strike the entire title and insert: An act relating to energy; adding a subsection to s. 366.05, Florida Statutes, 1980 Supplement, authorizing the Public Service Commission to establish guidelines and set rates for the purchase of power or energy by public utilities from cogenerators or small power producers; amending s. 366.82(4), Florida Statutes, 1980 Supplement, changing the date by which the commission must file an annual report with the Legislature and the Governor; amending s. 403.503(7) and (9), Florida Statutes, and adding subsections (14), (15), and (16), authorizing the certification of small power plants by the Department of Environmental Regulation; providing definitions; amending s. 403.504(2), (7), and (8), Florida Statutes, and adding subsections (11), (12), and (13) thereto, authorizing the department to prescribe the form and content of notice of intent to apply for certification and to charge a fee therefor; requiring the certification fee to cover the costs of additional agencies; requiring the inclusion of the report of the water management district within the analysis of the application; providing additional duties for the department; amending s. 403.506(1), Florida Statutes, authorizing the certification of small power plants; creating s. 403.5063, Florida Statutes, providing procedures for notices of intent; amending s. 403.5065(2), Florida Statutes, and adding a subsection; requiring amendments to applications to be served on certain persons; allowing such amendments to alter certain time requirements; amending s. 403.507(1) and (2), Florida Statutes, requiring the department to provide copies of applications to appropriate water management districts; requiring such districts to submit reports and authorizing the department to request reports from other agencies; amending s. 403.508(3) and (4)(a), Florida Statutes, requiring a determination of need by the Public Service Commission as a condition precedent to certification; amending s. 403.516, Florida Statutes, deleting references to amendments of certifications; amending s. 403.517(1)(c), Florida Statutes, authorizing reimbursement of certain agency expenses from supplemental application fees; creating s. 403.5311, Florida Statutes, requiring utilities to file a notice of certified route with the clerk of the circuit court for each county through which a transmission line certified under either the Power Plant Siting Act or the Transmission Line Siting Act will pass; amending s. 403.537(1), Florida Statutes, 1980 Supplement, changing the timetable for certain procedures in the determination for transmission line needs; repealing s. 403.524(2)(e), Florida Statutes, deleting the exempting of certain transmission lines connecting Florida with another state from the Transmission Line Siting Act; providing an effective date.

On motions by Senator Hair, the Senate concurred in the House amendments.

CS for SB 380 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Peterson, Stuart

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

SB 477—A bill to be entitled An act relating to international banking facilities; amending s. 199.023(9) and (10), Florida Statutes, 1980 Supplement, and adding a new subsection; providing definitions; adding s. 220.62(3), (4), Florida Statutes, 1980 Supplement; defining "international banking facility" and "foreign person"; amending s. 220.63(3), Florida Statutes, and adding subsection (5) to said section; providing a tax deduction for certain income of an international banking facility; amending s. 213.053(4), (6), Florida Statutes, 1980 Supplement; providing exceptions to confidentiality requirements; providing that certain information be made available to the Comptroller; amending s. 199.052(2), Florida Statutes, 1980 Supplement; requiring filing of tax return without regard to liability in certain cases; adding s. 658.68(4), Florida Statutes, 1980 Supplement; excluding certain amounts from the total deposit liability of a bank; amending s. 665.083(1) and (4), Florida Statutes, 1980 Supplement, excluding international banking facility deposits from the general and liquidity reserve requirements; amending s. 687.13, Florida Statutes; providing an exception for international banking transactions from certain provisions relating to interest and usury; requiring an annual report from the Department of Revenue; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 4, strike everything after the enacting clause and insert:

Section 1. Subsection (9) of section 199.023, Florida Statutes, 1980 Supplement, is amended, subsection (10) is amended and renumbered, subsection (11) is renumbered as subsection (12), and a new subsection (10) is added to said section, to read:

199.023 Definitions.—The following terms and phrases when used in this chapter shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

- (9) "Banking organization" means:
 - (a) A bank organized and existing under the laws of this state;
 - (b) A national bank organized and existing as a national banking association pursuant to the provisions of the National Bank Act, 12 U.S.C. s. 21 et seq., and maintaining its principal office in this state;
 - (c) An Edge Act corporation organized pursuant to the provisions of s. 25(a) of the Federal Reserve Act, 12 U.S.C. s. 611 et seq., and maintaining an office in this state;
 - (d) An international bank agency licensed pursuant to the laws of this state; or
 - (e) A federal agency licensed pursuant to ss. 4 and 5 of the International Banking Act of 1978 to maintain an office in this state; or
 - (f) A savings association organized and existing under the laws of this state; or

(g) A federal association organized and existing pursuant to the provisions of the Home Owners' Loan Act of 1933, 12 U.S.C. s. 1461 et seq., and maintaining its principal office in this state.

(10) "International banking facility" means a set of asset and liability accounts, segregated on the books and records of a banking organization, that includes only international banking facility deposits, borrowings, and extensions of credit as those terms are defined pursuant to s. 655.071(2).

(11)(10) "International banking transaction" means the financing of:

(a) The financing of the exportation from, or the importation into, the United States or between jurisdictions abroad of tangible personal property or services;

(b) The financing of the production, preparation, storage, or transportation of tangible personal property or services which are identifiable as being directly and solely for export from, or import into, the United States or between jurisdictions abroad; or

(c) The financing of contracts, projects, or activities to be performed substantially abroad, except those transactions secured by a mortgage, deed of trust, or other lien upon real property located in the state; or

(d) The receipt of deposits or borrowings or the extensions of credit by an international banking facility, except the loan or deposit of funds secured by mortgage, deed of trust, or other lien upon real property located in the state; or

(e) Entering into foreign exchange trading or hedging transactions in connection with the activities described in paragraph (d).

Section 2. Subsection (2) of section 199.052, Florida Statutes, 1980 Supplement, is amended to read:

199.052 Returns.—

(2) No taxpayer subject to the annual tax imposed by this chapter shall be required to file a return or pay a tax thereunder if the aggregate annual tax upon the taxpayer's intangible personal property for any year is less than \$5. However, a banking organization claiming the exemption provided in s. 199.072(4) shall be required to file a return regardless of the organization's tax liability. Agents and fiduciaries shall report for each person for whom they hold intangibles if the aggregate annual tax on each person is more than \$5.

Section 3. Subsection (4) of section 201.23, Florida Statutes, 1980 Supplement, is amended to read:

201.23 Foreign notes and other written obligations exempt.—

(4) The excise taxes imposed by this chapter shall not apply to the documents, notes, evidences of indebtedness, financing statements, drafts, bills of exchange, or other taxable items dealt with, made, issued, drawn upon, accepted, delivered, shipped, received, signed, executed, assigned, transferred, or sold by or to a banking organization, as defined in s. 199.023(9), in the conduct of an international banking transaction, as defined in s. 199.023(11) (10). Nothing in this subsection shall be construed to change the application of paragraph (2)(a).

Section 4. Subsections (4) and (6) of section 213.053, Florida Statutes, 1980 Supplement, are amended to read:

213.053 Confidentiality and information sharing.—

(4) Nothing contained in this section shall prevent the department from publishing statistics so classified as to prevent the identification of particular accounts, reports, declarations, or returns, or prevent the department from disclosing the names and addresses of those taxpayers who are required to file reports, declarations, or returns with the department.

(6) Any information received by the Department of Revenue in connection with the administration of taxes, including, but not limited to, information contained in returns; reports, accounts, or declarations filed by persons subject to tax, shall be made available by the department to the Auditor General or his authorized agent, or the Comptroller or his authorized agent, in the performance of his official duties; however, no information shall be disclosed to the Auditor General or his authorized agent, or the Comptroller or his authorized agent, if such disclosure is prohibited by federal law. The Auditor General and his authorized agent, and the Comptroller and his authorized agent, shall be subject to the same requirements of

confidentiality and the same penalties for violation of the requirements as the department.

Section 5. Subsections (3), (4), and (5) are added to section 220.62, Florida Statutes, 1980 Supplement, to read:

220.62 Definitions.—For purposes of this part:

(3) The term "international banking facility" means a set of asset and liability accounts segregated on the books and records of a banking organization that includes only international banking facility deposits, borrowings, and extensions of credit, as those terms are defined by the Department of Banking and Finance, taking into account all transactions in which international banking facilities are permitted to engage by regulations of the Board of Governors of the Federal Reserve System, as from time to time amended. When providing such definitions, the Department of Banking and Finance shall also consider the public interest, including the need to maintain a sound and competitive banking system, as well as the purpose of this act, which is to create an environment conducive to the conduct of an international banking business in the state.

(4) The term "banking organization" means:

(a) A bank organized and existing under the laws of any state;

(b) A national bank organized and existing as a national banking association pursuant to the provisions of the National Bank Act, 12 U.S.C. ss. 21 et seq.;

(c) An Edge Act corporation organized pursuant to the provisions of s. 25(a) of the Federal Reserve Act, 12 U.S.C. ss. 611 et seq.;

(d) An international bank agency licensed pursuant to the laws of any state;

(e) A federal agency licensed pursuant to ss. 4 and 5 of the International Banking Act of 1978;

(f) A savings association organized and existing under the laws of any state; or

(g) A federal association organized and existing pursuant to the provisions of the Home Owners' Loan Act of 1933, 12 U.S.C. ss. 1461 et seq.

(5) The item "foreign person" means:

(a) An individual who is not a resident of the United States;

(b) A foreign corporation, foreign partnership or foreign trust, as defined in s. 7701 of the Internal Revenue Code, other than a domestic branch thereof;

(c) A foreign branch of a domestic corporation (including the taxpayer);

(d) A foreign government or an international organization or an agency of either; or

(e) An international banking facility.

For purposes of this subsection, the terms "foreign" and "domestic" shall have the same meaning as set forth in s. 7701 of the Internal Revenue Code.

Section 6. Subsection (3) of section 220.63, Florida Statutes, is amended and subsection (5) is added to said section to read:

220.63 Franchise tax imposed on banks and savings associations.—

(3) For purposes of this part, the franchise tax base shall be adjusted federal income, as defined in s. 220.13, less the deduction allowed in subsection (5), and less \$5,000.

(5) There shall be allowed as a deduction from adjusted federal income, to the extent not deductible in determining federal taxable income or subtracted pursuant to s. 220.13(1)-(b)2., the eligible net income of an international banking facility determined as follows:

(a) The eligible net income of an international banking facility shall be the amount remaining after subtracting from the eligible gross income the applicable expenses.

(b) Eligible gross income shall be the gross income derived by an international banking facility from:

1. Making, arranging for, placing or servicing loans to foreign persons; provided, however, that in the case of a foreign person which is an individual, or which is a foreign branch of a domestic corporation (other than a bank or savings association), or which is a foreign corporation or a foreign partnership which is 80 percent or more owned or controlled, either directly or indirectly, by one or more domestic corporations (other than banks or savings associations), domestic partnerships or resident individuals, substantially all the proceeds of the loan are for use outside of the United States;

2. Making or placing deposits with foreign persons which are banks or savings associations or foreign branches of banks or savings associations, including foreign subsidiaries or foreign branches of the taxpayer, or with other international banking facilities; or

3. Entering into foreign exchange trading or hedging transactions in connection with the activities described in this paragraph.

Provided that eligible gross income shall not include any amount derived by an international banking facility from the making, arranging for, placing or servicing of loans, or making or placing of deposits if the loan or deposit of funds is secured by mortgage, deed of trust, or other lien upon real property located in the state.

(c) Applicable expenses shall be any expenses or other deductions attributable, directly or indirectly, to the eligible gross income described in paragraph (b).

Section 7. Section 655.071, Florida Statutes, is created to read:

655.071 *International banking facilities; definitions.—*

(1) "International banking facility" means a set of asset and liability accounts segregated on the books and records of a banking organization, as that term is defined in s. 199.023, that includes only international banking facility deposits, borrowings, and extensions of credit, as those terms are defined by the department pursuant to subsection (2).

(2) The department shall by rule define the terms "deposit," "borrowing," and "extension of credit" as they relate to the activities of international banking facilities. These definitions shall take into account all transactions in which international banking facilities are permitted to engage by regulations of the Board of Governors of the Federal Reserve System, as from time to time amended. When promulgating such rules, the department shall also consider the public interest, including the need to maintain a sound and competitive banking system, as well as the purpose of this act, which is to create an environment conducive to the conduct of an international banking business in the state.

Section 8. Subsection (4) is added to section 658.68, Florida Statutes, 1980 Supplement, to read:

658.68 *Liquidity reserves.—*

(1) Every bank shall maintain a liquidity reserve equal to at least 20 percent of its total deposit liability, less those deposits of public funds for which security has been pledged as provided by law. The liquidity reserve shall be maintained as cash on hand; as cash on demand deposit with other banks, including the total amount of any reserves deposited at a Federal Reserve bank; as cash items in the process of collection; as federal funds sold on a daily basis; or as investments in securities which are direct obligations of the United States or which are fully guaranteed as to principal and interest by the United States. Eligible securities must be owned by the bank free of pledge or encumbrance, and their value will represent their liquidity reserve value. For purposes of this section, the value of eligible securities shall be the par value of securities having a maturity of 1 year or less and the market value of securities having a maturity in excess of 1 year. The value of eligible securities which are owned by the bank free of pledge or encumbrance, and that portion of the value of eligible securities which is in excess of the deposit to which pledged, may be utilized in meeting reserve requirements. The total deposit liability for a given banking day for the purpose of computing the required liquidity reserve for that day shall be the total deposit liability at the close of the preceding banking day.

(4) For purposes of subsection (1), international banking facility deposits shall not be included in the total deposit liability of a bank.

Section 9. Subsections (1) and (4) of section 665.083, Florida Statutes, 1980 Supplement, are amended to read:

665.083 *Regulatory standards.—*

(1) GENERAL RESERVE.—Every association shall set up and maintain adequate reserves satisfactory to the department, in accordance with rules promulgated by the department, for the sole purpose of absorbing losses. Such rules shall require the building up of reserves to no more than 5 percent of all savings accounts, excluding international banking facility deposits, within a period not exceeding 20 years and shall prohibit the payment of dividends or interest on savings accounts from such reserves. However, the department may in its discretion extend such 20-year limitation period by not more than 20 years for any association if it determines that such action is in the interests of the savings account holders therein.

(4) LIQUIDITY.—No association shall invest in any security, other than in liquid assets, or in any loan at any time when its liquid assets are less than 5 percent of its savings liability, without regard to international banking facility deposits, or as may be provided by rule for a lesser amount.

Section 10. Section 687.13, Florida Statutes, is amended to read:

687.13 *International transactions Alien borrowers.—*

(1) The provisions of this chapter, other than s. 687.071, shall not apply to any loan made by any international bank agency or any bank, including an Edge Act corporation, organized under the laws of the United States or this state to borrowers who are neither residents nor citizens of the United States if such loan is clearly related to, and usual in, international or foreign business.

(2) The provisions of this chapter shall not apply to any international banking facility deposit, borrowing, or extension of credit, as those terms are defined by the Department of Banking and Finance pursuant to s. 655.071.

Section 11. The Department of Revenue shall be responsible for monitoring the utilization of tax exemptions and tax deductions authorized pursuant to this act. On or before September 1 of each year, the department shall report to the Comptroller the names and addresses of all persons who have claimed an exemption pursuant to s. 199.072(4), Florida Statutes, or a deduction pursuant to s. 220.63(5), Florida Statutes.

Section 12. Each section within chapters 658 and 665, Florida Statutes, which is added or amended by this act, is repealed on July 1, 1986, and shall be reviewed by the Legislature pursuant to s. 11.61, Florida Statutes.

Section 13. This act shall take effect July 1, 1981.

Amendment 2—On pages 1 and 2 in the title, strike lines 1-30 and 1 and 2 and insert: A bill to be entitled An act relating to international banking facilities; amending s. 199.023 (9) and (10), Florida Statutes, 1980 Supplement, and adding a new subsection, providing definitions; providing exemptions from the intangible personal property tax and the documentary stamp tax for international banking transactions by international banking facilities; amending s. 199.052(2), Florida Statutes, 1980 Supplement, requiring the filing of a return in certain cases; amending s. 201.23(4), Florida Statutes, 1980 Supplement, correcting a cross reference; amending s. 213.053 (4) and (6), Florida Statutes, 1980 Supplement, providing for an exception to the confidentiality of certain records; adding subsections to s. 220.62, Florida Statutes, 1980 Supplement, providing definitions; amending s. 220.63(3), Florida Statutes, and adding a subsection, providing a deduction from taxable income for certain income earned by international banking facilities; creating s. 655.071, Florida Statutes, providing definitions; adding a subsection to s. 658.68, Florida Statutes, 1980 Supplement, excluding international banking facility deposits from the liquidity reserve requirement; amending s. 665.083 (1) and (4), Florida Statutes, 1980 Supplement, excluding international banking facility deposits from the general and liquidity reserve requirements; amending s. 687.13, Florida Statutes, providing an exemption for international banking

facility transactions from usury provisions; requiring the Department of Revenue to report certain information to the Comptroller; providing for repeal and review in accordance with the Regulatory Reform Act of 1976; providing an effective date.

On motions by Senator Anderson, the Senate concurred in the House amendments.

SB 477 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 610 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce and Representative Gallagher—

CS for HB 610—A bill to be entitled An act relating to international banking corporations; amending s. 663.01(1), Florida Statutes, 1980 Supplement, redefining the term "international banking corporation"; amending s. 663.04(2), Florida Statutes, 1980 Supplement, providing for reciprocity; adding a new subsection (7) to s. 663.06, Florida Statutes, 1980 Supplement, limiting the permissible activities of a licensee chartered under the laws of another state; providing for review and repeal in accordance with the Regulatory Reform Act of 1976; providing an effective date.

—was read the first time by title. On motion by Senator Gordon, the rules were waived and the bill was placed on the calendar.

On motion by Senator Gordon, by two-thirds vote CS for SB 789 was placed at the beginning of the special order calendar.

SPECIAL ORDER

On motions by Senator Gordon, CS for HB 610, a companion measure, was substituted for CS for SB 789 and by two-thirds vote was read the second time by title, by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—1

Frank

Vote after roll call:

Yea—Hair, Jenkins, Skinner

SB 789 and CS for SB 789 were laid on the table.

Senator Scott moved that the Senate reconsider the vote by which SJR 845 and SB 846 passed on May 28.

LOCAL BILL CALENDAR

HB 292—A bill to be entitled An act relating to St. Johns County; authorizing the Board of County Commissioners of St. Johns County to grant a nonexclusive franchise for the construction, maintenance, or removal of lines, poles, and facilities within the unincorporated areas of St. Johns County, along any public property of the county for the transmission, distribution, or sale of electricity; providing for the term of such nonexclusive franchise; providing for the payment of a fee to St. Johns County for such right and privilege; prohibiting the passing on of such fees to consumers of St. Johns County; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote HB 292 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 314—A bill to be entitled An act relating to the Tallahassee Leon County Civic Center Authority; authorizing the Division of Alcoholic Beverages and Tobacco, Department of Business Regulation of the State of Florida, to issue a beverage license to the Tallahassee Leon County Civic Center Authority, or its designee, for the operation of a Civic Center complex known as the Donald L. Tucker Civic Center; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote HB 314 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—2

Peterson Trask

HB 397—A bill to be entitled An act abolishing and recreating the Key West Redevelopment Agency; providing that such agency shall exist and function for the purpose of planning, coordinating, financing and otherwise implementing the rehabilitation, revitalization, conservation and redevelopment of lands, and the structures and improvements within the United States Naval Station known as the Harry S. Truman Annex, situated within the corporate territorial limits of the City of Key West; providing for its powers and duties; providing for its governing body and membership thereof; providing an effective date.

—was read the second time by title.

Senator Renick moved the following amendment which was adopted:

Amendment 1—On page 10, strike all of lines 21 and 22 and insert: Section 11. Upon termination of the existence of the Redevelopment Agency, all rights, duties, obligations and property shall revert to the City of Key West.

Section 12. This act shall take effect upon becoming a law.

On motion by Senator Renick, by two-thirds vote HB 397 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 316—A bill to be entitled An act relating to Holmes County, Florida, amending Section 1(b) of chapter 63-769, Laws of Florida; repealing all laws in conflict; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs recommended the following amendments which were moved by Senator Thomas and adopted:

Amendment 1—On page 1, strike everything after the enacting clause and insert: Section 1. Subsection (b) of section 1 of chapter 63-769, Laws of Florida, is amended to read:

Section 1. All moneys hereafter allocated to Holmes County, Florida, under the provisions of chapter 550, Florida Statutes, and commonly known as county racetrack funds, shall be distributed and paid to Holmes County annually, beginning July 1, 1963, and on July 1st of each year thereafter, as follows:

(b)1. From the next available funds, a sum of twenty thousand dollars (\$20,000.00) accruing annually to the credit of Holmes County shall be paid to the board of county commissioners of said county, and by them deposited in a sinking fund to be used exclusively for the payment of principal and interest upon Certificates of Indebtedness which they are hereby authorized to issue pledging such funds, and which Certificates of Indebtedness are to be issued for the sole purpose of erecting and furnishing a new courthouse, and wherein adequate housing shall be provided for free public library services.

2. Once sufficient moneys have been deposited by the Board of County Commissioners of Holmes County, Florida into the sinking fund and/or reserve funds, sufficient to pay off the principal and interest upon the Certificates of Indebtedness issued under paragraph (b)1., the sum of \$20,000 accruing annually to the credit of Holmes County shall be paid to the board of county commissioners of said county, and by them deposited in the general fund to be used for any lawful purpose.

3. Should there be more than sufficient moneys in the sinking fund and/or reserve fund than is required to pay off the Certificates of Indebtedness issued under paragraph (b)1., any excess moneys shall be transferred to the General Fund of Holmes County to be used by the board of county commissioners of said county for any lawful purpose.

Section 2. All laws or parts of laws in conflict herewith are hereby repealed.

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

Amendment 2—In title on page 1, strike all of lines 1-5 and insert: A bill to be entitled An act relating to Holmes County; amending s. 1(b) of chapter 63-769, Laws of Florida; providing for the distribution of racetrack funds accruing to the credit of Holmes County under the provisions of chapter 550, Florida Statutes; providing for use and disposition of said funds in

excess of that needed to retire the courthouse certificates of indebtedness; repealing all laws in conflict; providing an effective date.

On motion by Senator Thomas, by two-thirds vote HB 316 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 378—A bill to be entitled An act relating to the City of Venice, Sarasota County; providing that vendors holding malt beverage off-premises sales licenses under state beverage laws shall be subject to alcoholic beverage zoning ordinances of the City of Venice; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 378 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 423—A bill to be entitled An act relating to the City of Gainesville; providing that certain requirements of s. 163.367 (2), Florida Statutes, relating to conflict of interest, shall not apply in the event that a community redevelopment agency is established pursuant to part III of chapter 163, Florida Statutes, within the corporate limits of the City of Gainesville; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote HB 423 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Consideration of HB 444 was deferred.

HB 508—A bill to be entitled An act relating to Polk County; providing for the issuance of a special alcoholic beverage license to Arrowhead Associates, Inc. for the sale of alcoholic beverages at Grenelafe Resort; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 508 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—2

Peterson Trask

HB 520—A bill to be entitled An act relating to Orange County; adding Section 26A to Chapter 59-1657, Laws of Florida, as amended, relating to the creation and incorporation of the North Orange Memorial Hospital Tax District, Orange County, providing for the revocation and dissolution of North Orange Memorial Hospital Tax District; providing for the payment of all indebtedness of the District; providing the power to the Board of Trustees of said Tax District to dispose of the assets of the Tax District prior to the revocation and dissolution of the Tax District; providing conditions for the disposal of such assets; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs recommended the following amendments which were moved by Senator Jennings and adopted:

Amendment 1—On page 2, strike all lines 8-13 and insert: assets to any entity, provided:

(a) That such entity owns, operates, or maintains a public hospital within the limits of said district, and that such public hospital be operated on a nonprofit basis, and;

Amendment 2—On page 3, between lines 2 and 3, insert: (6) The Board of County Commissioners of Orange County shall succeed to the power of the Board of Trustees of the Tax District as to the enforcement of any contractual arrangements existing or inuring to the citizens of the Tax District and as to the enforcement of any trust or similar agreement entered pursuant to subsections (4) or (5), but the Board of County Commissioners shall not be liable for any obligation of the Tax District arising out of any failure of the Board of Trustees to comply with any provision of this act.

On motion by Senator Jennings, by two-thirds vote HB 520 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 530—A bill to be entitled an act relating to Putnam County Development Authority; amending section 9 of Chapter 61-2727, Laws of Florida, confirming the powers of the authority to issue bonds pursuant to the provisions of Part II, Chapter 159, Florida Statutes; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote HB 530 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 552—A bill to be entitled An act relating to Sarasota and Manatee Counties; amending section 3(f) of chapter 77-651, Laws of Florida; providing for reimbursement for automobile travel expenses for members of the Sarasota-Manatee Airport Authority; providing an effective date.

—was read the second time by title.

Senator Neal moved the following amendment which was adopted:

Amendment 1—On page 2, line 2, add a new section 2 and renumber subsequent sections: The enacting authority for the Sarasota-Bradenton Airport Authority shall stand repealed. All activities conducted by the authority shall be undertaken by the general purpose local government units in which the property of the authority is situate.

On motion by Senator Beard, by two-thirds vote HB 552 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 565—A bill to be entitled An act relating to Sarasota County; reincorporating the Northeast Fire District, describing the district boundaries; providing that the purpose of the district shall be for establishment and maintenance of fire and emergency services; providing for an elective governing body of the district composed of five commissioners and setting forth their authority, terms of office, qualifications, method of removal from office and of filling vacancies in office; prohibiting nepotism and district employment of commissioners; providing for the levy, collection and enforcement of special assessments against and creating liens upon lands in the district in order to raise funds for the purposes of the district; providing for the increase in assessments when necessary, but requiring a referendum approval for any annual increase in excess of 5% requiring a depository and that all funds be disbursed by check; requiring an annual audit and financial report; authorizing the use of the power of eminent domain, the appointment of a fire marshal and the borrowing of money; establishing claims procedure; providing immunity from claims equal to that of other agencies and subdivisions of the state; providing for the defense of claims and payment of judgments for district officers and employees acting within scope of their duties and without bad faith, malice or willful disregard of rights; providing for the expansion of the district after referendum held in district and in proposed new area; providing for assessment and collection of impact fees; providing for the increase in impact fee assessments when necessary but requiring a referendum ap-

proval for any annual increase in excess of 5%; providing a penalty; providing for injunction; providing the district shall have continuing existence; providing a savings clause; providing for effect on conflicting laws; providing for the preservation of existing rights, rules and regulations; providing for a referendum election.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs recommended the following amendments which were moved by Senator Henderson and adopted:

Amendment 1—On page 13, strike all of lines 16-19, and insert: board of commissioners monthly, and the offices of the county tax collector and the county property appraiser shall each receive for the services performed by their offices regarding such special assessments for fire protection benefits one and one half

Amendment 2—On page 2, lines 12 and 13, strike “providing for effect on conflicting laws” and insert: repealing Chapter 63-1911, Laws of Florida, as amended by Chapter 63-1924, Laws of Florida, and Chapter 65-2244, Laws of Florida, as amended by Chapters 67-2044, 69-1582, 71-909, 72-686, 73-619, 75-500, and 79-565, Laws of Florida, relating to the Northeast Fire District.

Senator Henderson moved the following amendment which was adopted:

Amendment 3—On page 22, strike lines 29-31 and insert: Section 14, Chapter 63-1911, Laws of Florida, as amended by Chapter 63-1924, Laws of Florida, and Chapter 65-2244, Laws of Florida, as amended by Chapters 67-2044, 69-1582, 71-909, 72-686, 73-619, 75-500, and 79-565, Laws of Florida, are hereby repealed.

On motion by Senator Henderson, by two-thirds vote HB 565 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 629—A bill to be entitled An act relating to the Lake Worth Drainage District, Palm Beach County; amending Section 3 of Chapter 61-1747, Laws of Florida, revoking the power to pave roads and increasing the legal interest rate for borrowing; amending Section 4 of Chapter 61-1747, Laws of Florida, fixing the date for election of Supervisors; amending Section 7 of Chapter 61-1747, Laws of Florida, fixing the date for the annual landowners meeting and the method of election of the Board of Supervisors; amending Section 8 of Chapter 61-1747, Laws of Florida, providing for the date of reporting taxes; amending Section 9 of Chapter 61-1747, Laws of Florida, fixing the date for certifying taxes; amending Subparagraph 7. of the third unnumbered paragraph of section 11 of Chapter 61-1747, Laws of Florida, as amended, fixing the date for certifying taxes; amending Section 18 of Chapter 61-1747, Laws of Florida, increasing the legal interest rate; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 629 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

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

Nays—None

HB 632—A bill to be entitled An act relating to the South Florida Conservancy District in Palm Beach and Hendry Counties; amending section 2 of chapter 71-380, Laws of Florida, relating to the district restoration tax cap; authorizing the Board of Supervisors to pay interest on district notes or warrants at a rate in compliance with general law; authorizing issuance of restoration bonds at a variable interest rate consistent with general law; amending section 8(a) and (b) of chapter 17258, Laws of Florida, 1935, as amended, relating to the district maintenance tax cap.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 632 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 651—A bill to be entitled An act relating to Brevard County; authorizing Brevard County to sell, lease or otherwise dispose of county owned property within the Gateway Center Industrial Park as defined herein by private sale or transaction; providing an exception to ss. 125.35-125.38, Florida Statutes; declaring private sales and transactions of property in Gateway Center Industrial Park to serve a public purpose; providing an effective date.

—was read the second time by title.

Senator Maxwell moved the following amendments which were adopted:

Amendment 1—On page 1, line 23, strike the northern part of

Amendment 2—On page 1, line 28, insert: *WHEREAS, present sanitary sewage treatment standards as specified by s. 403.086, Florida Statutes, discourage and prohibit further industrial development and expansion in Brevard County; and*

Amendment 3—On page 2, line 1, insert: *WHEREAS, Brevard County cannot presently encourage or permit substantial further industrial development at Gateway Center Industrial Park and other similarly situated potential industrial development sites in Brevard County due to excessive sanitary sewage treatment standards imposed by s. 403.086, Florida Statutes; and*

Amendment 4—On page 2, line 4, insert after “to”: *encourage further industrial development and*

Amendment 5—On page 2, line 6, insert after “Park,”: *and other areas of Brevard County,*

Amendment 6—On page 2, line 10 insert: *Section 1. Notwithstanding the requirements of s. 403.086, Florida Statutes, for a period of three years from the date of enactment of this act, the Department of Environmental Regulation shall not, in*

issuing a permit for a waste water treatment facility in Brevard County, impose effluent limitations and/or waste load allocations requiring treatment more stringent than secondary waste treatment. However, as a condition to issuance of any such permit, the Department shall require the permittee to conduct a program to monitor the discharge of such facility. In the event that such monitoring affirmatively demonstrates at the end of such three year period that the discharge from such facility is causing or contributing to a violation of applicable water quality standards, then the Department shall require such additional waste water treatment facilities as may be reasonable and necessary to remedy such violation; provided that the Department shows that such additional treatment will cause an increase in the quality of water in the receiving body or will prevent further negative degradation of said receiving body.

(Renumber subsequent sections.)

Amendment 7—In title on page 1, line 2, insert after "County;" providing an exception to s. 403.086, Florida Statutes, establishing sanitary sewage treatment standards for Brevard County;

On motion by Senator Maxwell, by two-thirds vote HB 651 as amended was read the third time by title, passed, and certified to the House.

The vote on passage was:

Yeas—39

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

Nays—None

HB 730—A bill to be entitled An act relating to Sarasota County; creating a special park and recreation district located within the incorporated boundaries of the City of North Port, Florida, a political subdivision of the State of Florida, for the area known as Holiday Park Subdivisions, including all additions, as is more particularly set forth below according to the public records of Sarasota County; providing for the administration of the affairs of said district by a board of nine trustees and defining their powers and duties; providing for the qualification of electors in the district and the manner of conducting the first election of trustees and for biennial election of trustees thereafter; providing for removal of trustees and appointment to fill vacancies; providing for the assessment and collection of a recreation district tax assessed against each improved residential parcel of real property within the district; providing that such district tax shall be a lien against each parcel of land so assessed and for the method of collecting such tax; providing for the deposit and disbursement of funds of the district; establishing a fiscal year and providing for publication of annual financial statements; authorizing the trustees of the district to issue bonds and other obligations of the district and to secure the same by pledge of tax revenues and other property of the district, and authorizing the trustees of the district to acquire and dispose of real and personal property for the general purposes of the district; authorizing the trustees of the district to promulgate rules and regulations for the use of facilities of the district; providing for the abolishment of the district; providing conditions precedent to the filing of suit against the district or any of the trustees thereof and relieving individual trustees from personal liability for obligations of the district before this act may take effect; authorizing the trustees to enter into contracts relating to acquisition of certain recreational and other facilities; providing for a referendum.

—was read the second time by title.

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

Amendment 1—On page 7, line 29, strike "taxes. The" and insert: taxes. The offices of the

Amendment 2—On page 8, lines 6-8, strike "considered of the general income of such official nor come under ss. 116.03 and 145.121, Florida Statutes." and insert: personal income of such official but shall be income to his office.

Amendment 3—In title on page 2, strike all of lines 9-14 and insert: relieving individual trustees from personal liability under certain circumstances and providing that the district will indemnify the trustee for reasonable expenses, including attorney's fees, incurred in defending such actions; authorizing the trustees to enter

On motion by Senator Henderson, by two-thirds vote HB 730 was read the third time by title, passed as amended and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 756—A bill to be entitled An act relating to Lee County; providing for the issuance of a special alcoholic beverage license to Timberlakes Limited, a Florida Limited Partnership, for a club and restaurant to be operated at The Forest Country Club and Golf Course; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 756 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—2

Peterson Trask

HB 759—A bill to be entitled An act relating to Lee County; relating to East County Water Control District created under chapter 298, Florida Statutes, and under chapters 63-1549 and 65-1824, Laws of Florida; amending section 1 of chapter 80-525, Laws of Florida, to correct a land description and to extend further the boundaries of the district to include additional lands in Lee County, Florida; amending section 2 of chapter 70-498, Laws of Florida, providing for a quorum at landowners' meetings; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 759 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 760—A bill to be entitled An act relating to Lee County; relating to the Captiva Erosion Prevention District; recreating and re-establishing the district as a beach and shore preservation authority under the provisions of Chapter 161, Florida Statutes; providing for public purpose; providing definitions; defining the boundaries of the district; providing for the election of the district governing board; providing for general powers and authority, including the power to develop and execute plans for beach and shore preservation, to construct, reconstruct, and improve erosion prevention projects, to levy and collect ad valorem taxes on all taxable property within the district; to levy assessments against land specially benefited within the district for such benefits and to issue assessment and general obligation bonds, with referendum approval; repealing Chapter 71-730 and Chapter 76-403, Laws of Florida; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs recommended the following amendment which was moved by Senator Johnston and adopted:

Amendment 1—On page 10, line 14, strike "the costs of the" and insert: such costs of capital projects as may be required by the

On motion by Senator Johnston, by two-thirds vote HB 760 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 761—A bill to be entitled An act relating to Lee County; requiring uniform regulation with respect to elections, qualifying of candidates, and vacancies with respect to Alva Fire Control District, 76-413, Laws of Florida; Bayshore Fire Control District, 76-414, Laws of Florida; Bonita Springs Fire Control District, 65-1828, 69-1242, Laws of Florida; Estero Fire Control District, 76-408, Laws of Florida; Fort Myers Beach Fire Control District, 73-532, 80-528, Laws of Florida; Fort Myers Beach Library, 65-1823, 79-489, Laws of Florida; Fort Myers Shores Fire Control District, 76-409, Laws of Florida; Iona-McGregor Fire Control District, 76-402, Laws of Florida; Lehigh Acres Fire Control District, 63-1546, 70-499, Laws of Florida; Lee County Mosquito Control District, 67-1629, 69-1630, Laws of Florida; Matlacha-Pines Island Fire Control District, 63-1588, 80-522, Laws of Florida; San Carlos Park Fire Control District, 76-411, Laws of Florida; Sanibel Fire Control District, 59-1495, 61-2401, Laws of Florida; South Trail Fire Control District, 76-412, Laws of Florida; Tice Fire Control District, 76-410, Laws of Florida; Lee County Hospital Board, 63-1552, Laws of Florida; Fort Myers Beach Mosquito Control District, Chapter 388, Florida Statutes; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 761 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 863—A bill to be entitled An act relating to the City of Freeport, Walton County, Florida; amending section 3 of chapter 63-1352, Laws of Florida, providing for the appointment of the city clerk and city marshal; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 863 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 867—A bill to be entitled An act relating to Pinellas County; creating the Pinellas County Bingo Licensing Act of 1981; providing legislative findings and intent; providing definitions; providing for the administration and enforcement of the act by the sheriff; providing for licensure; providing exemptions; providing for license applications, approval, issuance, denial and suspension of licenses; providing for renewals; providing for a revocation period; providing for fees; providing requirements with respect to the conduct of bingo games; providing injunctive relief; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote HB 867 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Consideration of HB 869 was deferred.

HB 896—A bill to be entitled An act relating to Santa Rosa County; amending section 2(2) of chapter 80-603, Laws of Florida; adding certain lands to be included in the Holley-Navarre Fire Protection District; providing for a referendum and providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs recommended the following amendment which was moved by Senator Tobiasen and adopted:

Amendment 1—On page 2, line 16, after the word “electors”, insert: of the area affected

On motion by Senator Tobiasen, by two-thirds vote HB 896 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 899—A bill to be entitled An act relating to the West Coast Inland Navigation District, a special tax district of the State of Florida; amending sections 2, 3, 4, 5, 6, 11, 12, 15, 18, and 20 of chapter 61-1590, Laws of Florida, as amended; confirming the membership of the counties of Manatee, Sarasota, Charlotte, and Lee in the district; defining “inland waterway”; authorizing district to act as local sponsor or to participate in certain navigation and beach nourishment projects; repealing authority of district to issue bonds; providing certain procedural changes; directing district to obtain and furnish to the state certain right-of-way; limiting the maximum accessible millage; providing conforming language; authorizing district to contract with a private auditor under certain circumstances; repealing section 8 of chapter 61-1590, Laws of Florida, relating to the authority of the district to issue bonds; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 899 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 928—A bill to be entitled An act relating to Tri-Par Estates Park and Recreation District, Sarasota County; amending sections 3, 4, 5, 6, 11, and 23 of chapter 78-618, Laws of Florida, establishing staggered terms for the trustees and annual elections; qualifications for electors; publication of sample ballots; form of ballot; and acquisition of tangible and personal property.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 928 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Childers, D.	Hair	Jennings
Anderson	Dunn	Henderson	Johnston
Barron	Frank	Hill	Kirkpatrick
Beard	Gordon	Jenkins	Langley
Carlucci	Grizzle	Jenne	Lewis

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

Nays—None

HB 997—A bill to be entitled An act relating to Pinellas County; revising and amending chapter 23483, Laws of Florida, 1945, as amended, relating to the Juvenile Welfare Board; providing for the appointment of board members by the Pinellas County Board of County Commissioners, the Pinellas County District School Board, and the Pinellas County Legislative Delegation; providing expiration dates of terms of current board members; providing length of terms; providing for audit of financial records; establishing procedures for preparation and adoption of annual budgets and millage rates; providing for establishment of surety bond amounts by the board for its members; increasing limitations on the petty cash account; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs recommended the following amendments which were moved by Senator Grizzle and adopted:

Amendment 1—On page 2, strike lines 7-21 and insert: (2) The six vacancies created by subsection (1) shall be filled in the following manner:

(a) The Pinellas County Board of County Commissioners shall appoint one member for a 1-year term commencing August 1, 1981 and two members for a 2-year term commencing August 1, 1981. Thereafter, upon the expiration of the term of any such member or his successors, the vacancy shall be filled by appointment by the board of county commissioners for a 3-year term.

(b) The Pinellas County District School Board shall appoint two members for a 1-year term commencing August 1, 1981 and one member for a 2-year term commencing August 1, 1981. Thereafter, upon the expiration of the term of any such member or his successors, the vacancy shall be filled by appointment by the school board for a 3-year term.

(3) The vacancies created by the expiration of the terms of the members appointed by the Governor shall be filled in the following manner:

(a) The Pinellas County Board of County Commissioners shall appoint two members for a 3-year term commencing January 1, 1985. Thereafter, upon the expiration of the term of any such member or his successors, the vacancy shall be filled by appointment by the board of county commissioners for a 3-year term.

(b) The Pinellas County District School Board shall appoint one member for a term of 3 years commencing January 1, 1985. Thereafter, upon the expiration of the term of such member or his successors, the vacancy shall be filled by appointment by the school board for a 3-year term.

(4) If any of the members of said board

Amendment 2—In title on page 1, strike lines 7-9 and insert: County Commissioners and the Pinellas County District School Board; providing expiration

On motion by Senator Grizzle, by two-thirds vote HB 997 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 998—A bill to be entitled An act relating to Pinellas County; prohibiting the taking of bay scallops from the waters of said county from January 1-August 14; requiring a license to take more than 1 bushel in the shell daily or 1 quart out of the shell daily from August 15-December 31; providing a fee; limiting licensees to 10 bushels in the shell daily or 10 quarts out of the shell daily; providing for a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote HB 998 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 1002—A bill to be entitled An act relating to the Town of Painters Hill, Flagler County; repealing chapter 61-2625, Laws of Florida, abolishing the town and related provisions; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote HB 1002 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 462—A bill to be entitled An act relating to unincorporated areas of Hillsborough County; providing that vendors holding malt beverage off-premises sales licenses under state beverage laws shall be subject to alcoholic beverage zoning regulations of Hillsborough County, Florida; providing an effective date.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote SB 462 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

On motions by Senator Maxwell, the rules were waived and by two-thirds vote HB 699 was withdrawn from the Committees on Natural Resources and Conservation and Rules and Calendar.

On motion by Senator Maxwell—

HB 699—A bill to be entitled An act relating to Seminole County; amending section 12 of chapter 74-612, Laws of Florida, known as the Seminole County Comprehensive Planning Act of 1974; providing that the procedure for the adoption of a specific amendment to an adopted land use element of a comprehensive plan, other than a comprehensive amendment to the land use element of a comprehensive plan, shall be as provided in s. 163.3184(7)(b), Florida Statutes; providing for previously adopted comprehensive plan to control in event of conflict; providing an effective date.

—a companion measure, was substituted for SB 1105 and read the second time by title. On motion by Senator Maxwell, by two-thirds vote HB 699 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 1105 was laid on the table.

SB 1114—A bill to be entitled An act relating to Marion County; creating the Dunnellon Airport Authority; providing for a short title; fixing and establishing the boundaries of the Dunnellon Airport Authority; defining the terms "airport facilities," "authority" and "cost" as used in the act; prescribing the membership of the authority, the authority to sign checks, and reimbursement of expenses; prescribing the powers of the authority; prescribing the terms and conditions under which the authority may issue bonds; providing the authority with the power to fix and revise rates, fees and other charges; prescribing a trust agreement; providing for contribution from the Board of County Commissioners of Marion County; providing for trust funds; prescribing remedies for holders of bonds issued under the terms of this act; providing for the authority to issue refunding bonds; providing severability; providing tax exempt status to the authority; providing for administrative procedures; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 1114 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 1117—A bill to be entitled An act relating to Hillsborough County; establishing a solid waste disposal and resource recovery system within the territorial boundaries of Hillsborough County; providing for the disposal of all solid waste generated or brought within the county; authorizing the financing, acquisition, construction, and operation of solid waste disposal and resource recovery facilities; providing definitions; providing a declaration of policy; authorizing Hillsborough County, the City of Tampa, the City of Temple Terrace, and the City of Plant City to enter into an interlocal agreement or interlocal agreements to effect the financing, acquisition, construction, improvement, operation, and maintenance of a solid waste disposal and resource recovery system by Hillsborough County or one

of the Cities as a lead agency; providing exclusive powers to control the solid waste disposal and resource recovery facilities and the disposition of solid waste; providing for the sale of resources recovered and energy generated by the facilities; authorizing the use of rights-of-way, easements and other similar property rights of the state and its local agencies; providing that an interlocal agreement or interlocal agreements authorized by this act shall, unless stated to the contrary in the event of conflict, supersede any other agreement or agreements among Hillsborough County and specified cities relating to solid waste disposal and the development of energy and recovery of resources therefrom; providing an exemption from Public Service Commission regulation; providing for the application of the Florida Electrical Power Plant Siting Act to the constituent facilities of any solid waste disposal and resource recovery system authorized by this act; prescribing standards with which any solid waste disposal and resource recovery system covered by this act must conform; providing for severability; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 4, lines 26 and 27, strike “or special wastes.” and insert: , special wastes or any byproducts, the sale or reuse of which is intended by the person from whose process they resulted.

Amendment 2—On page 6, line 19, strike “and the development of energy and” and insert: for the development of energy or

Senators McClain and Beard offered the following amendment which was moved by Senator McClain and adopted:

Amendment 3—On page 8, between lines 7 and 8, insert a new subsection (3): (3) The contract for the design, construction and operation of City of Tampa incinerator recovery system shall be awarded after the lead agency evaluates the design proposal and the prices submitted by at least two competing suppliers where possible.

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

Amendment 4—On page 8, lines 20 and 21, strike “, desirable, or convenient”

Amendment 5—On page 12, strike lines 18-23 and insert: (6) To use any rights-of-way, easements, lands under water, or other similar property rights held by the state or any local agency thereof, necessary for the construction, acquisition, improvement, operation or maintenance of such solid waste disposal and resource recovery facilities, and the state hereby consents to

On motion by Senator Frank, by two-thirds vote SB 1117 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	Margolis	Skinner
Anderson	Henderson	Maxwell	Steinberg
Barron	Hill	McClain	Stevens
Beard	Jenkins	McKnight	Stuart
Carlucci	Jenne	Neal	Thomas
Childers, D.	Jennings	Peterson	Tobiassen
Dunn	Johnston	Poole	Trask
Frank	Kirkpatrick	Rehm	Ware
Gordon	Langley	Renick	Winn
Grizzle	Lewis	Scott	

Nays—None

SB 1124—A bill to be entitled An act relating to the City of Munson Island in Monroe County, Florida; abolishing the City of Munson Island and transferring all property and assets to

Monroe County; providing that all debts and obligations be satisfied in accordance with general law; repealing chapter 61-2522, Laws of Florida, which established the City of Munson Island; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Anderson, by two-thirds vote SB 1124 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 1036—A bill to be entitled An act relating to Polk County; prohibiting the operation of pari-mutuel facilities within the county unless approved in a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 1036 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

On motion by Senator Dunn, the rules were waived and SB 1077 was placed at the end of the Consent Calendar.

Senator Stuart presiding

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

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 with amendments—

SB 518—A bill to be entitled An act relating to the Department of State; creating s. 265.290, Florida Statutes, establishing the Coconut Grove Playhouse Trust Fund; providing for administration and for sources of revenue for such fund; providing uses for moneys deposited in the fund; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, strike all of lines 29 and 30 and insert: Section 2. Subsection (4) of section 15.09, Florida Statutes, is created to read:

15.09 Fees.—

(4) All fees collected by the Division of Corporations of the Department of State as authorized by this section shall be deposited in the Corporations Trust Fund.

Section 3. Subsection (3) of section 15.091, Florida Statutes, 1980 Supplement, is amended to read:

15.091 Fees; filing under ch. 679, Uniform Commercial Code.—

(3) ~~(a)~~ Any increase in fees paid to the Department of State as authorized by the ch. 80-224, Laws of Florida, over and above the amount authorized to be collected prior to August 1, 1980, this section shall be deposited into a trust fund to be called the "Bureau of Uniform Commercial Code Special Contingency Trust Fund," the Corporations Trust Fund, which is hereby created, and The Corporations Trust Fund shall be utilized by the Bureau of Uniform Commercial Code Division of Corporations of the Department of State for, but not limited to, any and all of the following purposes:

1. Conversion of present microfilm rolls on Uniform Commercial Code filings and amendments to a unit-record microfiche system.

2. Audit and verification of data maintained by the Bureau of Uniform Commercial Code Division of Corporations pursuant to chapter 679.

~~(b) The fees provided for in subsection (2), shall be deposited into the Bureau of Uniform Commercial Code Special Contingency Trust Fund for fiscal years 1980-1981 and 1981-1982. Thereafter, the fees shall revert to those in effect prior to August 1, 1980, and shall be deposited into the General Revenue Fund, and the special contingency trust fund shall be abolished.~~

Section 4. Section 607.372, Florida Statutes, is created to read:

Section 607.372 Trust Fund.—

There is created within the Division of Corporations of the department a Corporations Trust Fund. All moneys required to be paid to this division shall be collected and deposited in this trust fund. The Legislature shall appropriate from said funds such amounts it deems necessary for the purpose of administering the provisions of this chapter and any other authorized activities and operations of the division. The unencumbered balance in the trust fund at the close of each quarter within the fiscal year shall not exceed \$200,000. Any excess funds shall be transferred to the General Revenue Fund unallocated.

Section 5. This act shall take effect upon becoming law; provided that sections 2, 3 and 4 of this act shall stand repealed on July 1, 1983.

Amendment 2—On page 1, line 28, after the period insert: The Legislature shall appropriate from said funds such amounts it deems necessary for the purpose of administering the provisions of this chapter and any other authorized activities and operations of the Coconut Grove Playhouse.

Amendment 3—On page 1 in the title, line 7, after the semicolon insert: creating s. 607.372, Florida Statutes, establishing the Corporation Trust Fund; providing for administration of said fund;

On motions by Senator Margolis, the Senate concurred in the House amendments.

SB 518 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Carlucci, W. D. Childers

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

CS for SB's 568 and 277—A bill to be entitled An act relating to the Board of Regents; amending s. 240.207(1), Florida Statutes; reducing the number of members; providing that the Commissioner of Education is a member; reducing terms of office; limiting the number of members from each county; providing for postsecondary responsibilities of the State Board of Education; providing circumstances for removal of members; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On pages 1-3, strike everything after the enacting clause and insert: Section 1. Subsection (1) of section 240.207, Florida Statutes, is amended to read:

240.207 Board of Regents; appointments of members; qualifications and terms of office of members, etc.—

(1) The Board of Regents shall consist of *the Commissioner of Education and 12* 10 citizens of this state selected from the state at large, representative of the geographical areas of the state, who shall have been residents and citizens thereof for a period of at least 10 years prior to their appointment, one of whom shall be a member registered as a full-time student in the State University System and who shall have been a resident of this state for at least 5 years prior to appointment in lieu of the 10 years required by other members, and who shall be appointed by the Governor, approved by three members of the Cabinet, and confirmed by the Senate; however, no appointee shall take office until after his appointment has been approved by three members of the Cabinet. The State Board of Education shall develop rules and procedures for review and approval of the appointees. *Beginning July 1, 1981, except for the Commissioner of Education, the* Their terms of office for the members of the Board of Regents shall be 6 9 years, except for the full-time student member, who shall serve for 1 year, and until their successors are appointed and qualified, except in case of an appointment to fill a vacancy, in which case the appointment shall be for the unexpired term, and except as in this section otherwise provided. No member shall be selected from any county to serve with any other member from the same county, *except for those counties which have populations in excess of 900,000, in which case not more than two may be selected with the exception of the student member, who shall be selected at large, and with the exception of the Commissioner of Education.* The Governor shall fill all vacancies, subject to the above approval and confirmation, that may at any time occur therein.

Section 2. This act take shall take effect July 1, 1981.

Amendment 2—On page 1 in title, lines 1-11, strike the entire title and insert: A bill to be entitled An act relating to postsecondary education; amending s. 240.207(1), Florida Statutes; expanding Board of Regents membership; reducing terms of service; providing for regent selection by county population; providing an effective date.

Senator Frank moved that the Senate concur in the House amendments. The motion failed. The Senate refused to concur in the House amendments and requested the House to recede and the action of the Senate was certified to the House.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has amended Senate amendment to House Amendment 1, concurred in same as amended and passed SB 74 as amended—

SB 74—A bill to be entitled An act relating to the board created to advise the Division of Florida Land Sales and Condominiums; amending s. 718.501(2), Florida Statutes; renaming the board; providing for an additional member; providing for

the appointment and removal of council members; providing duties; deleting authority to arbitrate controversies and utilize hearing officers; reviving and readopting s. 718.501(2), Florida Statutes, as amended, notwithstanding the provisions of the Sundown Act; providing for repeal and legislative review pursuant to the Sundown Act; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

House Amendment 1 to Senate Amendment to House Amendment 1—On page 1, strike all of lines 1 and 2 and insert: (b) The council shall meet at the call of its chairman, at the request of a majority of its membership, at the request of the division, or at such times as may be prescribed by its rules, except that the council membership or chairman may call no more than two meetings.

On motion by Senator Steinberg, the Senate concurred in the House amendment.

SB 74 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—W. D. Childers

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 3 and 6; has receded from House Amendment 5; has amended Senate Amendment 1 to House Amendment 4, concurred in same as amended and passed CS for SB 75 as amended and requests the concurrence of the Senate.

Allen Morris, Clerk

CS for SB 75—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 570.543, Florida Statutes; providing that the Florida Consumers' Council serve in an advisory capacity to the department; deleting provision that the Commissioner of Agriculture serve as chairman of the council; providing for appointment of members; providing for the filling of vacancies; providing for the election of a chairman and vice chairman; providing for staff support; providing for removal of council members from office; deleting powers and authority of the council; amending s. 570.544(1), Florida Statutes, renumbering subsections (2)-(9) of said section, and adding a new subsection (2) to said section; deleting provision that director serve as executive secretary to the council; specifying powers of the division; reviving and readopting s. 570.543, Florida Statutes, as amended; providing for future repeal and review by the Legislature; providing an effective date.

House Amendment 1 to Senate Amendment 1 to House Amendment 4—On page 1, strike lines 1-2 and insert: (6) ~~The council shall meet at the call of its chairman, at the request of a majority of its membership, at the request of the division, or at such times as may be prescribed by its rules, except that the council membership or chairman may call no more than two meetings.~~

On motion by Senator Steinberg, the Senate concurred in the House amendment.

CS for SB 75 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—W. D. Childers, Frank

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 2 and 4; has receded from House Amendments 6 and 7; has amended Senate Amendment 3, concurred in same as amended and passed SB 76 as amended and requests the concurrence of the Senate.

Allen Morris, Clerk

SB 76—A bill to be entitled An act relating to the Advisory Council on Veterans' Affairs; amending s. 292.04, Florida Statutes; providing conditions for the removal of council members from office; providing duties of the council; amending s. 292.05 (2)(a), Florida Statutes; authorizing the council to nominate three persons for Director of the Division of Veterans' Affairs; reviving and readopting s. 292.04, Florida Statutes, as amended, notwithstanding the provisions of the Sundown Act; providing for future legislative review and repeal of s. 292.04, Florida Statutes; providing an effective date.

House Amendment 1 to Senate Amendment 1 to House Amendment 3—On page 1, strike line 1, and insert: *The Council shall meet at the call of its chairman, at the request of a majority of its membership, at the request of the division, or at such times as may be prescribed by its rules, except that the council membership or chairman may call no more than two meetings.*

On motion by Senator Steinberg, the Senate concurred in the House amendment.

SB 76 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—W. D. Childers

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has amended House Amendment 3, concurred in the same as amended and passed SB 100 as amended and requests the concurrence of the Senate.

Allen Morris, Clerk

SB 100—A bill to be entitled An act relating to the Medical Advisory Board; amending s. 322.125, Florida Statutes; prescribing qualifications of members; authorizing per diem and traveling expenses for board members; reviving and readopting s. 322.125, Florida Statutes; providing for Sundown repeal and legislative review; providing an effective date.

House Amendment 1 to House Amendment 3—On page 1, strike lines 1 and 2.

On motion by Senator Beard, the Senate concurred in the House amendment.

SB 100 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—W. D. Childers

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has amended House Amendments 1, 2 and 3 and passed as amended—

CS for SB 219—A bill to be entitled An act relating to unemployment compensation; amending s. 443.171(5), Florida Statutes, 1980 Supplement; creating a state Employment Security Advisory Council; specifying membership and terms of office; providing for appointment of members; providing for removal of members; requiring the council to make reports; providing for reimbursement for per diem and travel; reviving and re-adopting s. 443.171(5) notwithstanding the Sundown Act; providing for future review and repeal of s. 443.171(5), Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1 to House Amendment 1—On page 1, line 3 insert between the word "rules" and the period: , but not less than twice a year

Amendment 1 to House Amendment 2—On page 1, lines a and 1 strike the word "cause" on line a and all of line 1 and insert on line a all of lines 11 and 12

(Reletter subsequent paragraphs)

Amendment 1 to House Amendment 3—On page 1 in the title, strike on lines 2 and 3 "and deleting requirement of two meetings a year"

On motion by Senator Anderson, the Senate concurred in the House amendments as amended.

CS for SB 219 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—W. D. Childers

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has refused to recede from House Amendment 1 and again requests the Senate to concur; has amended House Amendments 2 and 3 to—

CS for SB 223—A bill to be entitled An act relating to the Department of Commerce; amending s. 288.347, Florida Statutes; providing for the appointment and removal of members of the Tourism Advisory Council; providing for investigation of complaints and unfavorable reports concerning the council or its members; providing for per diem and traveling expenses; making the council advisory to the Division of Tourism, reviving and readopting s. 288.347, Florida Statutes, as amended, notwithstanding the provisions of the Sundown Act; providing for future review and repeal of said section; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

House Amendment 1 to House Amendment 2—On page 1, strike lines 1-2

House Amendment 1 to House Amendment 3—In title on page 1, line c insert: "and removal" on line 4

On motions by Senator Anderson, the Senate concurred in the House amendments.

CS for SB 223 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—W. D. Childers

The bill was ordered engrossed and then enrolled.

The President presiding

Senator Scott moved that the Senate take up the motion to reconsider the vote by which SJR 845 passed May 28.

The President declared the Senate in informal recess at 3:04 p.m.

The Senate was called to order by the President at 3:12 p.m. A quorum present.

The motion by Senator Scott that the Senate reconsider the vote by which—

SJR 845—A joint resolution proposing the addition of Section 17 to Article VII of the State Constitution relating to local correctional facilities, to allow state full faith and credit bonds to be issued to finance local correctional facilities.

—passed on May 28 was taken up; and the Senate reconsidered.

On motion by Senator Scott, the Senate reconsidered the vote by which SJR 845 was placed on third reading.

On motion by Senator Scott, further consideration of SJR 845 was deferred, the bill being retained on second reading.

The motion by Senator Scott that the Senate reconsider the vote by which—

SB 846—A bill to be entitled An act relating to a special election for the approval or rejection by the electors of a joint resolution relating to local correctional facilities; providing for publication of notice and for procedures; providing an effective date.

—passed on May 28 was taken up; and the Senate reconsidered.

On motion by Senator Scott, the Senate reconsidered the vote by which SB 846 was placed on third reading.

On motion by Senator Scott, further consideration of SB 846 was deferred, the bill being retained on second reading.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES, continued

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

SB 257—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.04(4), Florida Statutes, 1980 Supplement; providing for a registration fee; amending s. 212.08(2), Florida Statutes, 1980 Supplement; providing certain medical exemptions; amending s. 212.10(3), Florida Statutes, which restricts the disposition of credits or personal property belonging to, or debts owed to, a dealer who is delinquent in paying taxes due upon the sale of his business; specifying that any credits, property or debts which exceed the delinquent amount are not subject to such restriction if such dealer has no prior history of sales tax delinquencies; adding s. 212.11(4), Florida Statutes; requiring the filing of a tax return; amending s. 212.12(2), (7), Florida Statutes; imposing a penalty for failing to timely file a return, failing to file a return, or failing to pay the required tax; providing certain methods for determining taxable retail sales under certain circumstances; providing penalties; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 3, after the colon (:) insert: (2)

(b)1. No tax shall be levied on admissions to athletic or other events sponsored held by elementary schools, junior high schools, middle schools, high schools, community colleges, public and private colleges and universities, deaf and blind schools, facilities of the youth services programs of the Department of Health and Rehabilitative Services, and state correctional institutions when only student, faculty, or inmate talent is utilized.

2. No tax shall be levied on dues, membership fees, and admission charges imposed by not-for-profit sponsoring organizations or community or recreational facilities. To receive this exemption, the sponsoring organization or facility must qualify

as a not-for-profit entity under the provisions of s. 501(c)(3) of the United States Internal Revenue Code of 1954, as amended.

3. No tax shall be levied on an admission paid by a student, or on his behalf, to any required place of sport or recreation if the student's participation in the sport or recreational activity is required as a part of a program or activity sponsored by, and under the jurisdiction of, the student's educational institution, provided his attendance is as a participant and not as a spectator.

4. *It is the intent of the Legislature that an amount equal to the sales tax revenues collected on admissions charges to athletic or other events utilizing only student, faculty, or inmate talent sponsored after July 1, 1980, by public and private colleges and universities shall be retained and utilized by such colleges and universities to support women's athletics as provided in s. 240.533(4), Florida Statutes, 1980 Supplement.*

Amendment 2—On page 1 in the title, lines 3 and 4, strike the phrase "amending s. 212.04(4), Florida Statutes, 1980 Supplement;" and insert: amending s. 212.04(2)(b) and (4), Florida Statutes, 1980 Supplement, conforming the provisions of said section to the exemption granted in s. 240.533, Florida Statutes, 1980 Supplement, with respect to admissions to athletic and other events sponsored by public and private colleges and universities;

Amendment 3—On page 1, lines 28 and 29, strike all existing language and insert: Section 1. Paragraph (b) of subsection (2) and subsection (4) of section 212.04, Florida Statutes, 1980 Supplement, is amended to read:

Amendment 4—On page 3, line 25, after the comma (,) insert: *hypodermic needles, syringes,*

Senator Johnston moved the following amendments which were adopted:

Amendment 1 to House Amendment 1—On page 1, strike line 24 and on page 2, lines 2-7

Amendment 1 to House Amendment 2—In title on page 1, line 11, insert: amending s. 240.533(4)(b), Florida Statutes, 1980 Supplement, removing unnecessary language and clarifying the amount of money which public and private colleges and universities must utilize to support women's athletics;

Amendment 1 to House Amendment 3—On page 1, strike lines 4-6 and insert: Section 1. Paragraph (b) of subsection (4) of section 240.533, Florida Statutes, 1980 Supplement, is amended to read:

240.533 Women's intercollegiate athletics.—

(4)

(b) The level of funding and percentage share of an institution's support for women's intercollegiate athletics attained by the 1980-1981 appropriation shall be the minimum level and percentage maintained by each institution. *In addition to the above amount, an amount equal to the sales taxes which would be collected and remitted to the state if the exemption provided in s. 212.04(2)(b) did not apply shall be utilized by each institution to support women's athletics. Provided, further, that the provisions of s. 212.04(2)(b) to the contrary notwithstanding, no tax shall be levied on admissions to athletic or other events held by public and private colleges and universities when only student, faculty, or inmate talent is utilized. Funds previously remitted to the state under the prior provisions of s. 212.04(2)(b) shall be retained and utilized by the schools to support women's athletics.*

Section 2. Paragraph (b) of subsection (2) and subsection (4) of section 212.04, Florida Statutes, 1980 Supplement, is amended to read:

(Renumber subsequent sections.)

On motion by Senator Johnston, the Senate concurred in House Amendment 4, House Amendments 1, 2 and 3 as amended and the House was requested to concur in the Senate amendments.

SB 257 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

CS for SB 54—A bill to be entitled An act relating to the purchase and sale of metals; amending s. 812.049(3), (4), Florida Statutes, 1980 Supplement; adding platinum to the definition of metals and limiting the definition of person dealing in secondhand goods; amending s. 812.051, Florida Statutes, 1980 Supplement; requiring that records of purchases contain additional identification and specific descriptive information; requiring that items purchased which contain certain metals be retained in an unaltered condition in the county and be available for inspection; limiting exemptions; providing the purchase of certain metals from any person under a certain age; requiring the posting of prices for certain metals, the weighing of certain metals in a certain manner, and the displaying of licenses under certain circumstances; providing a penalty; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 24, strike everything after the enacting clause and insert:

Section 1. Section 812.049, Florida Statutes, 1980 Supplement, is amended to read:

812.049 Definitions.—As used in s. ss. 812.051 and 812.052:

- (1) "Junk" means old or scrap metals.
- (2) "Junk dealer" means any person who engages in the business of storing, keeping, buying, or selling junk.
- (3) "Metals" means any item containing any gold or silver, any copper wire which is or can be used for transmission or distribution in a utility or communications system, and any railroad track and accessories. ~~This act shall have no application except to these specific items.~~

(4) "Precious metals" means any item previously sold at retail, containing any gold, silver, or platinum.

(5)(4) "Person dealing in secondhand goods" means every person who engages in the business of buying or selling precious metals of any kind.

(6)(5) "Scrap-metal processor" means a person maintaining and operating machinery and equipment used to process scrap metals to specifications prescribed by, and for sale to, mills and foundries.

(7)(6) "Foundry" means a person who uses, casts, or consumes metals of any kind.

Section 2. Section 812.051, Florida Statutes, 1980 Supplement, is amended to read:

812.051 Records required of junk dealers, scrap-metal processors, persons dealing in secondhand goods, and foundries; holding period for precious metals; prohibiting precious metal purchases from minors.—

(1) Every junk dealer, scrap-metal processor, person dealing in secondhand goods, or foundry shall keep a record of

purchases of all metals as defined in s. 812.049(3) and precious metals as defined in s. 812.049 (4), which record shall contain:

(a) The name and address of each person from whom the metals are purchased, including the signature of the person selling the same, together with the person's driver's license number or other identifying number.

(b) The full name, residence address, home phone number, business phone number, place of employment, age, race, and sex of each person from whom the precious metals are purchased, including the signature of the person selling the same, together with the person's driver's license number and one other identifying number, and either a photograph or thumbprint of the seller.

(c) A general description of the item containing gold or silver or of the type of utility copper wire purchased, and a specific description of any item containing gold, silver, or platinum, which description shall be accurate and as reasonably complete as the nature of the item permits and shall make reference to any permanent marking on the item, including, but not limited to, brand, monogram, or hallmark.

(d) The estimated quantity of metals or precious metals purchased.

(e) The date of the purchase.

(2) The records shall at all times be subject to inspection by all law enforcement officers and shall be preserved for a period of 3 years after purchase.

(3) The records of purchases of precious metals gold or silver, utility copper wire, or railroad track and accessories shall be submitted to the sheriff of the county and the municipal police department of the municipality in which the business is operated within 24 hours after purchase.

(4) The provisions of subsection (3) shall not apply to scrap-metal processors purchasing metals from governmental entities, public utility companies, or railroad companies or from dealers certifying in writing that a report for the metals being purchased has previously been filed as required by this act. Violation of this provision shall be a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5) No articles containing precious metals shall be sold, melted, altered, or otherwise disposed of in any manner by any person dealing in secondhand goods until 15 days have elapsed from the time the sheriff of the county or the municipal law enforcement agency of the municipality in which the business is operated has had the records of purchase supplied to him as required by subsection (3). Said articles may not be transferred to another county during said 15-day period. Said items shall be made available for inspection by any law enforcement officer upon request.

(6) It shall be unlawful for any person dealing in secondhand goods to knowingly buy, take, or receive by way of purchase or exchange any precious metals from any person under the age of 18 years.

(7)(5) The provisions of this section shall apply only to purchases of metals as defined in s. 812.049(3) and precious metals as defined in s. 812.049(4). However, the provisions of this section shall not apply to the purchase of any coin with an intrinsic value less than its numismatic value, or to the purchase of any gold bullion coins, or to the purchase of any gold, silver, or platinum bullion that has been assayed and is properly marked as to its weight and fineness, or to the purchase of any coin which is mounted in any jewelry setting any person whose primary business is dealing in gold or silver coins or to any person primarily engaged in the retail jewelry business if such business is licensed pursuant to law or ordinance.

(8) Any person who violates the provisions of this section is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

Amendment 2—On page 1 in the title, lines 1-20, strike the title and insert: A bill to be entitled An act relating to the purchase and sale of metals; amending s. 812.049, Florida Statutes, 1980 Supplement; defining "metals"; defining "precious metals"; defining "person dealing in secondhand goods"; amending s. 812.051, Florida Statutes, 1980 Supplement; requiring

that records of purchases contain additional information; requiring that purchased items containing precious metals be retained in an unaltered condition in the county and be available for inspection; prohibiting the purchase of precious metals from minors; providing exemptions; providing a penalty; providing an effective date.

On motions by Senator Steinberg, the Senate concurred in the House amendments.

CS for SB 54 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

The bill was ordered engrossed and then enrolled.

On motion by Senator Peterson, the Senate reconsidered the vote by which—

SB 291—A bill to be entitled An act relating to unemployment compensation; amending s. 443.111(5)(c), Florida Statutes, 1980 Supplement; providing for ineligibility for extended benefits; providing an exception; amending s. 443.171(6), Florida Statutes, 1980 Supplement; providing duties of the Division of Employment Security of the Department of Labor and Employment Security; providing an effective date.

—as amended passed this day.

On motion by Senator Peterson, the Senate reconsidered the vote by which the Senate refused to concur in House Amendment 1.

The Senate concurred in House Amendment 1.

SB 291 passed as amended and the action of the Senate was 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
Carlucci	Johnston	Poole	Trask
Childers, D.	Kirkpatrick	Rehm	Vogt
Frank	Langley	Renick	Ware
Gordon	Lewis	Scott	Winn
Grizzle	Margolis	Skinner	
Henderson	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Hair

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 2 and 3; and passed CS for SB 127 as amended; and refused to recede from House Amendments 5 and 6 and again requests the Senate to concur.

Allen Morris, Clerk

CS for SB 127—A bill to be entitled An act relating to the arts; amending s. 265.283(3), Florida Statutes, 1980 Supplement; redefining art; amending s. 265.285, Florida Statutes, 1980 Supplement; changing the name of the Florida Fine Arts Council; placing the council in the Department of State; authorizing the Secretary of State to appoint review panels; providing duties for the panels; providing for accountability of council and panel members; specifying causes for removal of members; amending s. 265.286, Florida Statutes, 1980 Supplement; requiring the Division of Cultural Affairs to adopt certain rules; authorizing the division to award grants in specified proportions of matched and unmatched funds; altering accountability requirements; prohibiting grant awards to panel and council members; providing for separate consideration of grant applications from state-supported institutions and private entities; providing for legislative review; amending s. 11.6115(5)(c), Florida Statutes, 1980 Supplement; changing the date of legislative review; providing an effective date.

On motions by Senator Winn, the Senate concurred in House Amendments 5 and 6.

CS for SB 127 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Hair, Skinner

The bill was ordered engrossed and then enrolled.

CONSENT CALENDAR

By the Committee on Agriculture and Senators McClain and Vogt—

CS for SB's 57 and 229—A bill to be entitled An act relating to the destruction of animals; providing a method to be used in the killing of animals in the custody of an animal shelter; providing a definition; providing an exception; providing for enforcement; providing penalties; providing an effective date.

—was read the first time by title and Senate Bills 57 and 229 were laid on the table.

On motions by Senator McClain, by two-thirds vote CS for SB's 57 and 229 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—32

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

Nays—2

Carlucci Stevens

Vote after roll call:

Yea—Hair

SB 163—A bill to be entitled An act relating to the Florida State Commission on Hispanic Affairs; amending s. 14.25(1),

(2)(e), (f), Florida Statutes; removing the commission's exclusion from the requirements of chapters 216 and 287, Florida Statutes; providing the commission with the independence of operation as prescribed by s. 20.03(10), Florida Statutes; providing that employees of the commission, with the exception of the executive director, be included in the Career Service System; providing an effective date.

—was read the second time by title. On motion by Senator Steinberg, by two-thirds vote SB 163 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	Tobiassen
Beard	Jenne	Peterson	Trask
Carlucci	Jennings	Poole	Vogt
Childers, D.	Johnston	Rehm	Ware
Dunn	Kirkpatrick	Renick	Winn
Frank	Langley	Scott	
Gordon	Lewis	Skinner	
Grizzle	Margolis	Steinberg	

Nays—1

Neal

Vote after roll call:

Yea—Hair

By the Committees on Commerce and Finance, Taxation and Claims—

CS for SB 258—A bill to be entitled An act relating to the sales tax; amending s. 212.08(5)(b), (c), Florida Statutes, 1980 Supplement; providing that industrial machinery and equipment purchased for use by a new or expanding business shall be exempt from sales tax at the time of purchase instead of exempt from sales tax after purchase; providing for temporary tax exemption permits; providing for recapture of the amount of tax exempted in cases when the machinery and equipment purchased did not meet established criteria; expanding the exemption of machinery or equipment purchased for use in the production of electrical or steam energy; making certain restrictions; providing an effective date.

—was read the first time by title and SB 258 was laid on the table.

On motion by Senator Johnston, by two-thirds vote CS for SB 258 was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendments which were moved by Senator Johnston and adopted:

Amendment 1—On page 3, between lines 3 and 4, insert: *c. After the purchase and delivery of all machinery and equipment, the temporary tax exemption permit shall be returned by registered mail or delivered to the department. The department shall have 3 years after the receipt of the temporary tax exemption permit to examine the taxpayer's books and records for the claims of exemption under this permit.*

(Renumber subsequent sections.)

Amendment 2—On page 3, between lines 16 and 17, insert: *5. The exemptions provided in subparagraphs 1. and 2. shall not apply to machinery or equipment purchased or used by electric utility companies, communications companies, phosphate or other solid minerals severance, mining, or processing operations, oil or gas exploration or production operations, printing or publishing firms, any firm subject to regulation by the Division of Hotels and Restaurants of the Department of Business Regulation, or any firm which does not manufacture, process, compound, or produce for sale items of tangible personal property.*

6. For the purposes of the exemptions provided in subparagraphs 1. and 2., these terms shall have the following meanings:

a. "Industrial machinery and equipment" means "section 38 property" as defined in s. 48(a)(1)(A) and (B)(i) of the Internal Revenue Code, provided "industrial machinery and equipment" shall be construed by regulations adopted by the Department of Revenue to mean tangible property used as an integral part of the manufacturing, processing, compounding, or producing for sales items of tangible personal property. Such term includes parts and accessories only to the extent that the exemption thereof is consistent with the provisions of this paragraph.

b. "Productive output" means the number of units actually produced by a single plant or operation in a single continuous 12-month period, irrespective of sales. Increases in productive output shall be measured by the output for 1 year immediately following the completion of installation of such machinery or equipment over the output 11 years immediately preceding said installation. The units used to measure productive output shall be physically comparable between the two periods.

Amendment 3—On page 4, lines 22-24, strike "*prior to the first day of production of steam or electrical energy and delivered no later than 12 months after such date.*" and insert: *or ordered prior to the first day of new fuel mixture production of steam or electrical energy.*

On motion by Senator Johnston, by two-thirds vote CS for SB 258 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Henderson	Maxwell	Steinberg
Anderson	Hill	McClain	Stevens
Barron	Jenkins	McKnight	Stuart
Beard	Jenne	Neal	Thomas
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

SB 261—A bill to be entitled An act relating to state parks; adding s. 258.014(3), Florida Statutes; exempting certain persons from admission fees for state parks; providing an effective date.

—was read the second time by title. On motion by Senator Barron, by two-thirds vote SB 261 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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	
Henderson	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Hair

By the Committee on Health and Rehabilitative Services and Senator D. Childers—

CS for SB 298—A bill to be entitled An act relating to drugs; amending s. 500.16, Florida Statutes, 1980 Supplement; amending s. 500.341(6), Florida Statutes; authorizing the department to issue limited drug permits; authorizing the department to assess fees to applicants for drug permits; establishing a task

force; requiring a report to the Speaker of the House of Representatives and the President of the Senate; providing an effective date.

—was read the first time by title and SB 298 was laid on the table.

On motion by Senator D. Childers, by two-thirds vote CS for SB 298 was read the second time by title.

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

Amendment 1—On page 3, line 3, before the "semicolon" insert: *or one osteopathic physician licensed under chapter 459*

On motion by Senator D. Childers, by two-thirds vote CS for SB 298 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	Hill	McKnight	Stevens
Anderson	Jenne	Neal	Thomas
Beard	Jennings	Peterson	Tobiassen
Childers, D.	Johnston	Poole	Trask
Dunn	Langley	Rehm	Vogt
Frank	Lewis	Renick	Ware
Gordon	Margolis	Scott	Winn
Grizzle	Maxwell	Skinner	
Hair	McClain	Steinberg	

Nays—None

Vote after roll call:

Yea—Carlucci

By the Committee on Governmental Operations and Senators Henderson and Poole—

CS for SB 328—A bill to be entitled An act relating to physical therapy; creating s. 486.015, Florida Statutes, providing legislative intent; amending s. 486.021, Florida Statutes; providing definitions; renumbering and amending s. 486.121, Florida Statutes; providing powers and duties of the Board of Medical Examiners; providing for the establishment of, and providing powers, duties, and membership of, the Physical Therapy Committee; renumbering and amending s. 486.071, Florida Statutes; requiring licensure of physical therapists; amending s. 486.031, Florida Statutes; specifying requirements for licensure; amending s. 486.041, Florida Statutes; specifying procedures for licensure as a physical therapist; amending s. 486.051, Florida Statutes; providing for examinations for licensure as a physical therapist; amending s. 486.061, Florida Statutes; providing for the issuance of licenses to applicants passing examinations; amending s. 486.081, Florida Statutes; providing for licensure of persons without examination; renumbering and amending s. 486.052, Florida Statutes; providing for renewal fees; amending s. 486.102, Florida Statutes; providing registration requirements for physical therapist assistants; amending s. 486.103, Florida Statutes; specifying application procedures for registration as a physical therapist assistant; amending s. 486.104, Florida Statutes; providing for examination of physical therapist assistant applicants; amending s. 486.106, Florida Statutes; providing for issuance of certificates of registration to physical therapist assistants; amending s. 486.107, Florida Statutes; providing for issuance of certificates to persons without examination; renumbering and amending s. 486.105, Florida Statutes; providing for renewal fees for physical therapist assistants; renumbering and amending s. 486.072, Florida Statutes; providing for the disposition of fees; renumbering and amending s. 486.091, Florida Statutes; providing for the refusal, revocation, or suspension of registration or license; renumbering and amending s. 486.101, Florida Statutes; prohibiting false representation and unlawful practice of physical therapy; amending s. 486.151, Florida Statutes; providing penalties for violations; providing for injunctive relief; amending s. 486.161, Florida Statutes; providing exemptions; amending s. 486.171, Florida Statutes; providing that current licenses are valid under certain circumstances; repealing s. 486.141, Florida Statutes, relating to the prohibition

against using fraudulent representation to obtain registration; providing for severability; providing for review and repeal in accordance with the Regulatory Reform Act of 1976; providing an effective date.

—was read the first time by title and SB 328 was laid on the table.

On motions by Senator Henderson, by two-thirds vote CS for SB 328 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

On motion by Senator Trask—

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.

—a companion measure, was substituted for SB 348 and read the second time by title. On motion by Senator Trask, by two-thirds vote HB 304 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Hair

SB 348 was laid on the table.

By the Committee on Governmental Operations and Senator Beard—

CS for SB 354—A bill to be entitled An act relating to masonry contractors; amending s. 489.105(3), (11), Florida Statutes, 1980 Supplement; providing for regulation of masonry contractors by the Construction Industry Licensing Board; defining "masonry contractor"; amending s. 489.103(7), Florida Statutes; providing exemptions; providing an effective date.

—was read the first time by title and SB 354 was laid on the table.

On motion by Senator Beard, by two-thirds vote CS for SB 354 was read the second time by title.

Senator Beard moved the following amendment which was adopted:

Amendment 1—In title on page 1, strike lines 2-8, and insert: An act relating to contractors; amending s. 489.105(3), (11), Florida Statutes, 1980 Supplement; providing for regulation of masonry contractors by the Construction Industry Licensing

Board; defining "masonry contractor"; amending s. 489.103(7), Florida Statutes; providing that part I of chapter 489, Florida Statutes, does not apply to owners of property building or making certain improvements at less than a specified cost; providing an

On motion by Senator Beard, by two-thirds vote CS for SB 354 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

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

Nays—None

Vote after roll call:

Yea—Hair

SB 375—A bill to be entitled An act relating to the Department of Corrections; amending s. 20.315(20), Florida Statutes; removing the provision requiring the department to provide certain services to the Parole and Probation Commission; providing an effective date.

—was read the second time by title. On motion by Senator Carlucci, by two-thirds vote SB 375 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Hair

SB 412—A bill to be entitled An act relating to engineering registration; adding s. 471.003(2)(i), Florida Statutes; providing an exemption from registration for certain plumbing, mechanical, or air conditioning contractors; providing an effective date.

—was read the second time by title.

The Committee on Commerce recommended the following amendments which were moved by Senator Lewis and adopted:

Amendment 1—On page 1, line 17, after the word "plumbing," insert: *electrical*,

Amendment 2—On page 1, line 19, after the word "plumbing," insert: *electrical*,

Amendment 3—On page 1, line 22, strike the period (.) and insert: *, when working on any construction project requiring electric service of less than 600 Amps in residential and less than 800 Amps three phase in commercial or industrial or requiring a plumbing system of less than 125 fixture units, or requiring air conditioning and refrigeration equipment to serve an occupant content of less than 100 persons, or has a value of ten thousand dollars (\$10,000.00) or less.*

Amendment 4—In title on page 1, line 5, after the word "plumbing," insert: *electrical*,

On motion by Senator Lewis, by two-thirds vote SB 412 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Hair

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

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 CS for HB 280 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Insurance and Representative Tygart—

CS for HB 280—A bill to be entitled An act relating to warranty associations; adding a paragraph to s. 634.308(1), Florida Statutes; amending s. 634.308(2)(f) and (3)(b), Florida Statutes; providing an additional ground for the suspension or revocation of a license; requiring the maintenance of a minimum net worth; eliminating the maximum 18-month term of a warranty contract; amending s. 634.312(3), Florida Statutes; providing for the approval of contract forms; providing for review and repeal pursuant to the Regulatory Reform Act of 1976; providing an effective date.

—was read the first time by title. On motion by Senator Langley, the rules were waived and the bill was placed on the calendar.

CONSENT CALENDAR, continued

SB 444—A bill to be entitled An act relating to home warranty associations; amending s. 634.301(6), Florida Statutes; modifying the definition of "premium"; adding s. 634.308(1)(c), Florida Statutes; amending s. 634.308(2)(f) and (3)(b), Florida Statutes; providing an additional ground for the suspension or revocation of a license; requiring the maintenance of a minimum net worth; eliminating the maximum 18-month term of a warranty contract; amending s. 634.312(3), Florida Statutes; providing for the approval of contract forms; providing an effective date.

—was read the second time by title.

Senator Langley moved the following amendment which was adopted:

Amendment 1—On page 1, lines 22-28, strike all underlined language

Pending further consideration of SB 444 as amended, on motion by Senator Langley, CS for HB 280, a companion measure, was substituted for SB 444 and by two-thirds vote read the second time by title. On motion by Senator Langley,

by two-thirds vote CS for HB 280 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 444 was laid on the table.

By the Committee on Health and Rehabilitative Services and Senator McKnight—

CS for SB 459—A bill to be entitled An act relating to health facilities and health services; amending s. 381.494(1)(c), Florida Statutes, 1980 Supplement, and adding s. 381.494(7)(g) and (8), Florida Statutes, 1980 Supplement; providing for the issuance of a certificate of need containing conditions; providing for functions of the statewide health coordinating council; requiring the appointment of a representative task force to develop an expedited review process and make recommendations to the Legislature regarding revisions to the state's certificate-of-need program; requiring recommendations to the Legislature regarding allocation of certain specified federal funds and regarding hospital inspections; requiring the appointment of a representative task force to make recommendations to the Legislature regarding state policy on health reimbursements, planning and regulation in the absence of federal requirements; amending s. 381.507, Florida Statutes, 1980 Supplement; requiring the Department of Health and Rehabilitative Services to prescribe rules and establish a fee schedule for registration and inspection of radiation machines; providing a fee schedule for fiscal year 1981-1982; requiring refund of fees collected for this purpose subsequent to December 3, 1980 and prior to the effective date of this act; providing for severability; providing an effective date.

—was read the first time by title and SB 459 was laid on the table.

On motions by Senator McKnight, by two-thirds vote CS for SB 459 was read the second time by title.

Senator McKnight moved the following amendments which were adopted:

Amendment 1—On page 10, line 7, insert:

Section 4. Subsection (6) is added to section 395.01, Florida Statutes, to read:

(6) *As used in this chapter "JCAH Accredited Intensive Residential Treatment Programs for Children and Adolescents" means a special hospital providing 24 hour care and having the primary functions of diagnosing and treating patients to age 18 with psychiatric disorders to restore them to an optimal level of functioning.*

Section 5. Section 395.05, Florida Statutes, is amended to read:

395.05 Issuance and renewal of license.—Upon receipt of an application for license and the license fee, the licensing agency shall issue a license if the applicant and hospital or ambulatory surgical center facilities meet the requirements established under this law. *Intensive residential treatment programs for children and adolescents which have received accreditation from the Joint Commission on Accreditation of Hospitals and which meet the minimum standards developed by rule by the department for such programs, may be licensed by the department under this part.* New hospitals or hospitals that are in substantial compliance with this chapter and with

the regulations of the Department of Health and Rehabilitative Services may be issued provisional licenses; however, such provisional licenses shall not be granted for a period of more than 1 year. A license, unless sooner suspended or revoked, shall be renewable annually upon payment of that fee prescribed by s. 395.04(2), payable and expendable as set out in s. 395.04, and upon filing by the licensee, and approval by the licensing agency, of an annual report upon such uniform dates and containing such information in such form as the licensing agency prescribes by regulations. Each license shall be issued only for the premises and persons or governmental units named in the application and shall not be transferable or assignable except with the written approval of the licensing agency. Licenses shall be posted in a conspicuous place on the licensed premises.

Section 6. Subsection (3) is added to section 395.07, Florida Statutes, to read:

395.07 Rules and Enforcement.—

(3) *The licensing agency shall promulgate rules with respect to the care and treatment of clients in JCAH Accredited Intensive Residential Treatment Programs for Children and Adolescents and for the safe and healthful development, operation and maintenance of such programs.*

(Renumber subsequent sections.)

Amendment 2—In title on page 2, line 1, after "of this act," insert: adding subsection (6) to s. 395.01; defining "JCAH Accredited Intensive Residential Treatment Programs for Children and Adolescents"; amending s. 395.05, providing requirements for licensing; adding subsection (3) to s. 395.07, providing for promulgation of rules;

On motion by Senator McKnight, by two-thirds vote CS for SB 459 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

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

Nays—None

Vote after roll call:

Yea—Hair

On motions by Senator Johnston, the rules were waived and by two-thirds vote HB 537 was withdrawn from the Committee on Personnel, Retirement and Collective Bargaining.

On motion by Senator Johnston—

CS for HB 537—A bill to be entitled An act relating to the Florida Retirement System; adding subsection (5) to s. 121.0515, Florida Statutes, providing certain members of the special risk class of the system with retirement credit for prior service with an employer under the provisions of chapter 122, Florida Statutes; providing that certain service counted towards attainment of the normal retirement date under the special risk class; providing an effective date.

—a companion measure, was substituted for SB 476 and read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 537 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Renick	Steinberg	Tobiassen	Winn
Scott	Stuart	Trask	
Skinner	Thomas	Vogt	

Nays—None

Vote after roll call:

Yea—Stevens

SB 476 was laid on the table.

SB 466—A bill to be entitled An act relating to electrical standards; amending s. 553.19, Florida Statutes; prescribing minimum electrical standards in the state; providing applicability; providing an effective date.

—was read the second time by title. On motion by Senator Hill, by two-thirds vote SB 466 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Langley, Skinner

By the Committee on Judiciary-Criminal and Senator Jenne—

CS for SB 516—A bill to be entitled An act relating to juveniles; amending s. 39.02(5)(c), (d), Florida Statutes, 1980 Supplement; providing that a child indicted for an offense punishable by death or by life imprisonment shall be tried and handled as an adult on certain offenses; providing for disposition of such child; clarifying language; providing an effective date.

—was read the first time by title and SB 516 was laid on the table.

On motions by Senator Jenne, by two-thirds vote CS for SB 516 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—37

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

Nays—None

On motion by Senator Stuart, the rules were waived and by two-thirds vote HB 1164 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Stuart—

HB 1164—A bill to be entitled An act relating to fire prevention and control; amending s. 633.081(2), Florida Statutes; providing for renewal of fire safety inspector certificates; amending s. 633.34(2), (5), Florida Statutes; providing qualifications for employment as a firefighter; amending s. 633.35(1), (2), Florida Statutes; prescribing the minimum number of

hours for the firefighter training program; limiting the period of time during which an uncertified person may be employed; creating s. 633.351, Florida Statutes; providing circumstances for voiding of a certificate; creating s. 633.353, Florida Statutes; prohibiting falsification of qualifications of employees; providing penalties; repealing ss. 633.36, 633.38(3), Florida Statutes, relating to reimbursement of certain costs; providing an effective date.

—a companion measure, was substituted for SB 557 and read the second time by title.

Senator Stuart moved the following amendments which were adopted:

Amendment 1—On page 2, line 6, strike “and fee”

Amendment 2—On page 2, line 20, strike “, and must comply with s. 112.011(2)(b)” and insert: . *If an applicant has been convicted of a felony, such applicant must be in compliance with s. 112.011(2)(b)*

Amendment 3—On page 3, lines 7 and 8, strike “as defined by the employing agency, or employed as a firefighter” and insert: *Defined by the employing agency*

On motion by Senator Stuart, by two-thirds vote HB 1164 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Langley, Skinner

SB 557 was laid on the table.

SB 572—A bill to be entitled An act relating to the Card Sound Toll Bridge facility; amending s. 1, chapter 79-123, Laws of Florida; requiring the Department of Transportation to pay the toll fees of vehicles traveling on such bridge under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Renick, by two-thirds vote SB 572 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

On motion by Senator Hair, the rules were waived and by two-thirds vote HB 479 was withdrawn from the Committee on Natural Resources and Conservation.

On motion by Senator Hair—

HB 479—A bill to be entitled An act relating to the regulation of boats; adding a subsection to s. 371.021, Florida Stat-

utes, defining "racing shell," "rowing scull," and "racing kayak"; amending s. 371.57(8), Florida Statutes, exempting such vessels from carrying certain lifesaving devices; providing an effective date.

—a companion measure, was substituted for SB 580 and read the second time by title. On motion by Senator Hair, by two-thirds vote HB 479 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—1

McClain

Vote after roll call:

Yea—Carlucci

SB 580 was laid on the table.

SB 632—A bill to be entitled An act relating to state lands; amending s. 253.023, Florida Statutes, 1980 Supplement; providing for priority in acquiring certain lands; deleting provisions which require that money deposited into the Conservation and Recreation Lands Trust Fund in excess of certain amounts for certain fiscal years be transferred to the General Revenue Fund; granting rulemaking authority to the Board of Trustees of the Internal Improvement Trust Fund to further define categories of land for acquisition by the state; amending s. 259.03(2), Florida Statutes; deleting descriptions of types of environmentally endangered lands; amending s. 259.035, Florida Statutes; providing for membership on a committee which selects certain lands for acquisition by the state; amending s. 259.04(1)(c), Florida Statutes; requiring the committee to establish a list of acquisition projects by a certain time; requiring the board of trustees to approve the list in a certain priority within a certain time after receiving it; providing for acquisition of land in the priority approved; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation recommended the following amendment which was moved by Senator Vogt and adopted:

Amendment 1—On page 3, line 11, after the period insert: If the moneys credited to the fund at any time during the fiscal year are not obligated by the end of the subsequent fiscal year, the excess shall be transferred to the General Revenue Fund.

Senator Vogt moved the following amendment which was adopted:

Amendment 2—On page 3, lines 11-20, strike the stricken language and insert: If the moneys credited to the fund at any time during the fiscal year exceed ~~or the balance of the fund at the end of the fiscal year exceeds~~ \$3 million for fiscal year 1979-1980 or 1980-1981, ~~in either case~~, the excess shall be transferred to the General Revenue Fund. If the moneys credited to the fund at any time during the fiscal year ~~exceed or the balance of the fund at the end of the fiscal year exceeds~~ \$20 million for fiscal year 1981-1982 or any fiscal year thereafter, ~~in either case~~ the excess shall be transferred to the General Revenue Fund.

The Committee on Natural Resources and Conservation recommended the following amendment which was moved by Senator Vogt and adopted:

Amendment 3—In title on page 1, line 5, after the semicolon insert: providing for reversion of unobligated funds to General Revenue;

Senator Vogt moved the following amendment which was adopted:

Amendment 4—On page 1, strike lines 5-9 and insert: lands;

On motion by Senator Vogt, by two-thirds vote SB 632 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	McClain	Stevens
Barron	Jenkins	McKnight	Stuart
Beard	Jenne	Neal	Thomas
Carlucci	Jennings	Peterson	Trask
Childers, D.	Johnston	Poole	Vogt
Dunn	Kirkpatrick	Renick	Ware
Frank	Langley	Scott	Winn
Grizzle	Lewis	Skinner	
Hair	Margolis	Steinberg	

Nays—None

SB 643—A bill to be entitled An act relating to postsecondary education; amending s. 240.241(2), Florida Statutes, 1980 Supplement; providing for the exemption of certain specified information generated or received in the course of research within state universities from chapter 119, Florida Statutes; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 643 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—2

Carlucci Margolis

SB 649—A bill to be entitled An act designating the new Journalism Building on the campus of the University of Florida as the "Rae O. Weimer Building"; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 649 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Gordon

Vote after roll call:

Yea—Hair

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 read the second time by title.

The Committee on Commerce recommended the following amendments which were moved by Senator Johnston and adopted:

Amendment 1—On page 5, strike lines 3 and 4 and insert: Section 3. Subsections (2) and (4) of section 607.084, Florida Statutes, are amended to read:

Amendment 2—On page 5, between lines 17 and 18, insert: (4) Except as otherwise provided in this chapter, written notice stating the place, day, and hour of the meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called shall be delivered to each shareholder of record entitled to vote at such meeting not less than 10 or more than 50 days before the date of the meeting, either personally or by first-class mail, by or at the direction of the president, the secretary, or the officer or persons calling the meeting. *If the notice is mailed at least 30 days before the date of the meeting, it may be done by a class of United States mail other than first-class.* If mailed, such notice shall be deemed to be delivered when deposited in the United States mail addressed to the shareholder at his address as it appears on the stock transfer books of the corporation, with postage thereon prepaid.

Amendment 3—On page 8, between lines 22 and 23, insert: Section 10. Section 607.244, Florida Statutes, is amended to read:

607.244 Right of shareholders to dissent.—

(1) Any shareholder of a corporation shall have the right to dissent from any of the following corporate actions:

(a) Any plan of merger or consolidation to which the corporation is a party; or

(b) Any sale or exchange of all or substantially all of the property and assets of the corporation, including a sale in dissolution.

(2) A shareholder may dissent as to less than all the shares registered in his name. In that event, his rights shall be determined as if the shares as to which he has dissented and his other shares were registered in the names of different shareholders.

(3) Unless the articles of incorporation otherwise provide, this section shall not apply:

(a) *To the holders of shares of any class or series of the surviving corporation in a merger if a vote of the holders*

of shares of any class or series of such corporation is not necessary to authorize such a merger.

(b) To the holders of shares of any class or series which, on the date fixed to determine the shareholders entitled to vote at the meeting of shareholders at which a plan of merger or consolidation or a proposed sale or exchange of property and assets is to be acted upon, were either registered on a national securities exchange or held of record by not less than 2,000 shareholders.

(c) To a sale or exchange pursuant to an order of a court having jurisdiction in the premises.

(d) To a sale for cash on terms requiring that all or substantially all of the net proceeds of sale be distributed to the shareholders in accordance with their respective interests within 1 year after the date of sale, *including any 1-year liquidation in accordance with s. 337 of the United States Internal Revenue Code of 1954, as amended.*

(Renumber subsequent sections.)

Amendment 4—On page 10, strike lines 22 and 23 and insert: Section 12. Paragraphs (a) and (b) of subsection (1) of section 607.274, Florida Statutes, are amended to read:

Amendment 5—On page 11, between lines 9 and 10, insert: (b) In an action by a creditor:

1. When the claim of the creditor has been reduced to judgment and an execution thereon returned unsatisfied and it is established that the corporation is insolvent; or

2. When the corporation has admitted in writing that the claim of the creditor is due and owing and it is established that the corporation is insolvent.

Senator Johnston moved the following amendments which were adopted:

Amendment 6—On page 1, lines 18 and 19, and on page 2, lines 1 and 2, strike all of said lines and insert: (a) *To the holders of shares of any class or series of the surviving corporation in a merger if a vote of the holders of shares of such class or series of such corporation is not necessary to authorize such merger.*

Amendment 7—In title on page 1, strike lines 10 and 11 and insert: (4), Florida Statutes; specifying content of court order for holding of shareholders' meeting and specifying mailing provisions for special meetings

Amendment 8—On page 1, line 31, after "(a)." insert: (b)

Amendment 9—In title on page 1, line 26, after the semicolon (;) insert: amending s. 607.244, Florida Statutes; specifying the right of shareholders to dissent.

Pending further consideration of SB 663 as amended, on motion by Senator Johnston, the rules were waived and by two-thirds vote HB 599 was withdrawn from the Committee on Commerce.

On motion by Senator Johnston—

HB 599—A bill to be entitled An act relating to corporations; amending s. 607.011(2)(m), Florida Statutes and adding a new paragraph (n) thereto, authorizing corporations, under general powers, to provide insurance; amending s. 607.014(6), Florida Statutes, 1980 Supplement, authorizing a corporation to indemnify its directors, officers, employees or agents; amending s. 607.084(2), Florida Statutes, relating to court-ordered corporate annual meetings; amending s. 607.111(6), Florida Statutes, relating to facts known by a director obviating the defense of acting in good faith; amending s. 607.131(2), Florida Statutes, requiring notice by first class mail to directors of regular meetings of the board; amending s. 607.141, Florida Statutes, relating to corporate loans to employees and officers; amending s. 607.194(2) and (4), Florida Statutes, providing that amendments may be made along with restated articles of incorporation under certain circumstances; amending s. 607.197(3)(c), Florida Statutes, extending the length of time before the articles of amendment become effective; amending s. 607.-

227(5), Florida Statutes, providing for discretionary rather than mandatory filings of certain documents by corporations surviving a merger; amending s. 607.251, Florida Statutes, relating to voluntary dissolution by incorporators or directors; amending s. 607.267(1)(d), Florida Statutes, relating to articles of dissolution; amending s. 607.274(1)(a) and (2), Florida Statutes, relating to the jurisdiction of the court to liquidate assets and business of a corporation; amending s. 607.311, Florida Statutes, relating to the corporate name of a foreign corporation; amending s. 607.337(3), Florida Statutes, relating to amended applications for authorization to transact business; amending s. 607.344(1)(d) and (2)(b), Florida Statutes, relating to the revocation of authority to transact business; providing an effective date.

—a companion measure, was substituted for SB 663 as amended and read the second time by title.

Senator Johnston moved the following amendments which were adopted:

Amendment 1—On page 4, between lines 2 and 3, insert: (4) Except as otherwise provided in this chapter, written notice stating the place, day, and hour of the meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called shall be delivered to each shareholder of record entitled to vote at such meeting not less than 10 or more than 60 days before the date of the meeting, either personally or by first-class mail, by or at the direction of the president, the secretary, or the officer or persons calling the meeting. *If the notice is mailed at least 30 days before the date of the meeting, it may be done by a class of United States mail other than first-class.* If mailed, such notice shall be deemed to be delivered when deposited in the United States mail addressed to the shareholder at his address as it appears on the stock transfer books of the corporation, with postage thereon prepaid.

Amendment 2—On page 7, between lines 23 and 24, insert: Section 10. Section 607.244, Florida Statutes, is amended to read:

607.244 Right of shareholders to dissent.—

(1) Any shareholder of a corporation shall have the right to dissent from any of the following corporate actions:

(a) Any plan of merger or consolidation to which the corporation is a party; or

(b) Any sale or exchange of all or substantially all of the property and assets of the corporation, including a sale in dissolution.

(2) A shareholder may dissent as to less than all the shares registered in his name. In that event, his rights shall be determined as if the shares as to which he has dissented and his other shares were registered in the names of different shareholders.

(3) Unless the articles of incorporation otherwise provide, this section shall not apply:

(a) To the holders of shares of any class or series ~~shareholders~~ of the surviving corporation in a merger if a vote of the holders of shares of such class or series ~~shareholders~~ of such corporation is not necessary to authorize such merger.

(b) To the holders of shares of any class or series which, on the date fixed to determine the shareholders entitled to vote at the meeting of shareholders at which a plan of merger or consolidation or a proposed sale or exchange of property and assets is to be acted upon, were either registered on a national securities exchange or held of record by not less than 2,000 shareholders.

(c) To a sale or exchange pursuant to an order of a court having jurisdiction in the premises.

(d) To a sale for cash on terms requiring that all or substantially all of the net proceeds of sale be distributed to the shareholders in accordance with their respective interest within 1 year after the date of sale, *including any 1-year liquidation in accordance with s. 337 of the United States Internal Revenue Code of 1954, as amended.*

(Renumber subsequent sections.)

Amendment 3—On page 3, strike lines 19 and 20, and insert: Section 3. Subsections (2) and (4) of section 607.084, Florida Statutes, are amended to read:

Amendment 4—In title on page 1, between lines 29 and 30, insert: amending s. 607.244, Florida Statutes; specifying the right of shareholders to dissent;

Amendment 5—In title on page 1, line 10, after "(2)" insert: and (4).

On motion by Senator Johnston, by two-thirds vote HB 599 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Stuart

SB 663 was laid on the table.

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 read the second time by title.

The Committee on Economic, Community and Consumer Affairs recommended the following amendment which was moved by Senator Anderson and adopted:

Amendment 1—On page 2, line 24, strike the period (.) and insert: and shall provide for the continuation of existing levels of service within affected municipalities.

On motion by Senator Anderson, by two-thirds vote SB 669 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Skinner

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

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

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 1170 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance and Taxation—

HB 1170—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.011, Florida Statutes, 1980 Supplement; providing requirements with respect to short form exemption application; requiring refiling of original application for a percentage of exempt and agricultural property each year; adding subsections (16) and (17) to s. 196.012, Florida Statutes, 1980 Supplement; defining “permanent resident” and “permanent residence” and providing factors to be considered in determination thereof; conforming language thereto; amending s. 196.031(1) and (3)(b) and (d), Florida Statutes, 1980 Supplement, and adding subsection (5); providing for reduction of the homestead exemption in proportion to the number of nonresident owners; specifying property to which homestead exemptions apply; amending s. 196.041, Florida Statutes, relating to extent of homestead exemption; deleting reference to status of government-owned property; repealing s. 196.051, Florida Statutes, relating to definition of “resident” and related terms; adding subsection (4) to s. 196.091, Florida Statutes, relating to exemption for disabled veterans confined to wheelchairs; specifying residency requirement; amending s. 196.101(4), Florida Statutes, relating to exemption for totally and permanently disabled persons; amending s. 196.121(2), Florida Statutes, and adding subsection (3); requiring taxpayers to furnish property appraiser with certain residency information; providing requirements with respect to homestead exemption application forms; amending s. 196.131(2), Florida Statutes; providing penalty for giving false information with respect to homestead exemption claim; amending s. 196.101(5), Florida Statutes, to conform; amending s. 196.151, Florida Statutes; revising procedures with respect to homestead exemption application approval or rejection; amending s. 196.16(1), Florida Statutes, and repealing subsection (4) thereof; revising interest rate on taxes due on property of certain deceased nonresidents which was allowed a homestead exemption; providing for assessment of taxes and interest on property of certain nonresidents granted a homestead exemption; amending s. 196.1975(4)(a) and (7), Florida Statutes, 1980 Supplement, relating to property used by homes for the aged; providing an effective date.

—was referred to the Committee on 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 CS for HB 253 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Energy and Representative Richmond—

CS for HB 253—A bill to be entitled An act relating to building construction; amending s. 553.901, Florida Statutes, 1980 Supplement; authorizing modification and updating of the model energy efficiency code; amending s. 553.902(1)(b) and (3), Florida Statutes, 1980 Supplement; redefining exempted and renovated buildings; amending s. 553.905, Florida Statutes, 1980 Supplement; requiring specified ceiling insulation in certain residential buildings; creating s. 553.912, Florida Statutes; providing standards for air conditioners; repealing s. 553.87, Florida Statutes, 1980 Supplement, relating to requirements regarding future installation of solar water heating and waste heat recovery equipment; repealing s. 553.89, Florida Statutes, relating to lighting efficiency; repealing s. 553.902(1)(d), Florida Statutes, relating to an exemption from thermal efficiency standards for buildings subject to standards established by the United States; providing an effective date.

—was referred to the Committee on Commerce.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Dunn, by two-thirds vote HB 1170 was withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Dunn, the rules were waived and by two-thirds vote HB 927 was withdrawn from the Committee on Natural Resources and Conservation.

On motion by Senator Dunn, the rules were waived and by two-thirds vote HB 664 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Dunn, by two-thirds vote CS for HB 253 was withdrawn from the Committee on Commerce.

CONSENT CALENDAR, continued

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 read the second time by title.

The Committee on Transportation recommended the following amendments which were moved by Senator Carlucci and adopted:

Amendment 1—On page 2, line 28, after the period (.) insert: *However, the provisions of s. 339.30(1)(f), relating to bicycles shall not apply to this system.*

Amendment 2—In title on page 1, strike all of line 7 and insert: Expressway System; exempting provisions of s. 339.30(1)(f), Florida Statutes, as they relate to this bill; providing an effective date.

On motion by Senator Carlucci, by two-thirds vote SB 676 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

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

Nays—None

Vote after roll call:

Yea—Hair

SB 708—A bill to be entitled An act relating to alcoholic beverage licenses; amending s. 561.20(2)(a), Florida Statutes, 1980 Supplement; providing qualifications for special restaurant licenses; restricting package sales under certain restaurant alcoholic beverage licenses; providing an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 708 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

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

Nays—None

On motion by Senator Trask—

CS for HB 927—A bill to be entitled An act relating to saltwater fisheries; creating s. 370.158, Florida Statutes, establishing an advisory committee in Citrus County to make recommendations to the Department of Natural Resources for the promulgation of rules closing or opening certain areas to shrimping and crabbing; providing restrictions on actions of the department with respect to such recommendations; creating s. 370.159, Florida Statutes, establishing boundary lines closing certain areas in waters adjacent to Wakulla County to shrimping and certain areas to crabbing; providing exception for tunnel boats and small bay trawlers to shrimp in certain areas closed to shrimping; providing a penalty; providing for repeal and review in accordance with the Sundown Act; providing an effective date.

—a companion measure, was substituted for CS for SB 745 and read the second time by title. On motion by Senator Trask, by two-thirds vote CS for HB 927 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Hair

SB 745 and CS for SB 745 were laid on the table.

SB 759—A bill to be entitled An act relating to local government financial matters; adding s. 11.45(1)(f), Florida Statutes, 1980 Supplement, and amending paragraph (a) of subsection (3) thereof; providing that each unit of local government required to have an annual audit performed shall also require the preparation of a management letter to accompany the audit; adding s. 218.32(5), (6), Florida Statutes, 1980 Supplement; requiring that such audits and letters and responses thereto be forwarded to the Department of Community Affairs for review; providing duties of the department with respect thereto; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs recommended the following amendment which was moved by Senator Dunn and adopted:

Amendment 1—On page 7, lines 28 and 29, strike "*as defined in s. 218.503 is imminent*" and insert: *is imminent, using relevant criteria in s. 218.503 and other valid indicators of financial distress as may be developed by the department by rule*

On motion by Senator Dunn, by two-thirds vote SB 759 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Hair

SB 775—A bill to be entitled An act relating to education; amending ss. 236.37(3), 236.55, 237.071(3), 237.34(3)(b), Florida Statutes; deleting obsolete statutory references and inserting current statutory references; amending ss. 236.68, 237.151(1), (3)(b), and 237.171(4)(a), Florida Statutes, relating to maximum interest rates on certain government bonds, notes, or indebtedness; amending s. 237.111, Florida Statutes, clarifying language with respect to school budgets; amending s. 237.161(1), (5), Florida Statutes, providing certain purposes for which district school may obtain loans; providing an effective date.

—was read the second time by title.

Senator Stevens moved the following amendment which was adopted:

Amendment 1—On page 7, lines 9 and 10, strike "*school plant*"

Pending further consideration of SB 775, as amended, on motion by Senator Stevens, the rules were waived and the Senate reverted to—

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 HB 1086 and requests the concurrence of the Senate.

Allen Morris, Clerk

HB 1086—A bill to be entitled An act relating to education; amending ss. 236.37(3), 236.55, 237.071(3), and 237.34(3)(b), Florida Statutes, deleting obsolete statutory references and inserting current statutory references; amending ss. 236.68, 237.151(1) and (3)(b), and 237.171(4)(a), Florida Statutes, relating to maximum interest rates on certain government bonds, notes or indebtedness; amending s. 237.111, Florida Statutes, clarifying language with respect to school budgets; amending s. 237.161(1) and (5), Florida Statutes; providing certain purposes for which district school may obtain loans; providing an effective date.

—which was read the first time by title and referred to the Committee on Education.

CONSENT CALENDAR, continued

On motions by Senator Stevens, by two-thirds vote HB 1086, a companion measure, was withdrawn from the Committee on Education and substituted for SB 775. On motion by Senator Stevens, by two-thirds vote HB 1086 was read the second time by title.

Senator Maxwell moved the following amendments which were adopted:

Amendment 1—On page 8, between lines 25 and 26, insert: Section 9. Subsection (2) of section 236.081, Florida Statutes, 1980 Supplement, is amended to read:

236.081 Funds for operations of schools.—The annual allocation from the Florida Education Finance Program to each district for operation of schools shall be determined as follows:

(2) DETERMINATION OF DISTRICT COST DIFFERENTIALS.—The commissioner shall annually compute, prior to August 1 each fiscal year, for each district the current year's district cost differential. The district cost differential shall be calculated by adding each district's price level index as published in the Florida Price Level Index, prepared by the Executive Office of the Governor, for the most recent 3 years and dividing the resulting sum by 3. The result for each district shall be multiplied by 0.008 and to the resulting product shall be added 0.200; the sum thus obtained shall be the cost differential for that district for that year. *However, prior year adjustments relating to fiscal year 80-81 shall not include recalculations of prior distribution of FEFP program dollars based on the application of the District Cost Differential.*

(Renumber subsequent sections.)

Amendment 2—On page 1, after the semi-colon (;) insert: amending s. 236.081(2), Florida Statutes, 1980 Supplement; providing exclusions from prior year adjustments;

On motion by Senator Stevens, by two-thirds vote HB 1086 as amended 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
Carlucci	Johnston	Poole	Trask
Childers, D.	Kirkpatrick	Rehm	Vogt
Dunn	Langley	Renick	Ware
Frank	Lewis	Scott	Winn
Grizzle	Margolis	Skinner	
Henderson	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Hair

SB 775 was laid on the table.

Consideration of SB 795 was deferred.

SB 834—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.011, Florida Statutes, 1980 Supplement; providing requirements with respect to short form exemption application; requiring refiling of original application for a percentage of exempt and agricultural property each year; adding subsections (16) and (17) to s. 196.012, Florida Statutes, 1980 Supplement; defining "permanent resident" and "permanent residence" and providing factors to be considered in determination thereof; conforming language thereto; amending s. 196.031(1) and (3)(b) and (d), Florida Statutes, 1980 Supplement, and adding subsection (5); providing for reduction of the homestead exemption in proportion to the number of nonresident owners; specifying property to which homestead exemptions apply; amending s. 196.041, Florida Statutes, relating to extent of homestead exemption; deleting reference to status of government-owned property; providing that a husband and wife not legally separated shall be presumed to maintain one residence; repealing s. 196.051, Florida Statutes, relating to definition of "resident" and related terms; adding subsection (4) to s. 196.091, Florida Statutes, relating to exemption for disabled veterans confined to wheelchairs; specifying residency requirement; amending s. 196.101(4), Florida Statutes, relating to exemption for totally and permanently disabled persons; amending s. 196.121(2), Florida Statutes, and adding subsection (3); requiring taxpayers to furnish property appraiser with certain residency information; providing requirements with respect to homestead exemption application forms; amending s. 196.131(2), Florida Statutes; providing penalty for giving false information with respect to homestead exemption claim; amending s. 196.101(5), Florida Statutes, to conform; amending s. 196.151, Florida Statutes; revising procedures with respect to homestead exemption application approval or rejection; amending s. 196.161(1), Florida Statutes, and repealing subsection (4) thereof; revising interest rate on taxes due on property of certain deceased nonresidents which was allowed a homestead exemption; providing for assessment of taxes and interest on property of certain nonresidents granted a home-

stead exemption; amending s. 196.1975(4)(a) and (7), Florida Statutes, 1980 Supplement, relating to property used by homes for the aged; providing an effective date.

—was read the second time by title.

Senator Maxwell moved the following amendments which were adopted:

Amendment 1—On page 16, line 28, strike "residence" and insert: home

Amendment 2—On page 8, strike all of lines 26-28

Amendment 3—On page 4, line 17, strike "(3),"

Amendment 4—In title on page 1, lines 22-24, strike on line 22: "providing" and all of lines 23 and 24

Pending further consideration of SB 834 as amended, on motion by Senator Maxwell—

HB 1170—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.011, Florida Statutes, 1980 Supplement; providing requirements with respect to short form exemption application; requiring refiling of original application for a percentage of exempt and agricultural property each year; adding subsections (16) and (17) to s. 196.012, Florida Statutes, 1980 Supplement; defining "permanent resident" and "permanent residence" and providing factors to be considered in determination thereof; conforming language thereto; amending s. 196.031(1) and (3)(b) and (d), Florida Statutes, 1980 Supplement, and adding subsection (5); providing for reduction of the homestead exemption in proportion to the number of nonresident owners; specifying property to which homestead exemptions apply; amending s. 196.041, Florida Statutes, relating to extent of homestead exemption; deleting reference to status of government-owned property; repealing s. 196.051, Florida Statutes, relating to definition of "resident" and related terms; adding subsection (4) to s. 196.091, Florida Statutes, relating to exemption for disabled veterans confined to wheelchairs; specifying residence requirement; amending s. 196.101(4), Florida Statutes, relating to exemption for totally and permanently disabled persons; amending s. 196.121(2), Florida Statutes, and adding subsection (3); requiring taxpayers to furnish property appraiser with certain residency information; providing requirements with respect to homestead exemption application forms; amending s. 196.131(2), Florida Statutes; providing penalty for giving false information with respect to homestead exemption claim; amending s. 196.101(5), Florida Statutes, to conform; amending s. 196.151, Florida Statutes; revising procedures with respect to homestead exemption application approval or rejection; amending s. 196.161(1), Florida Statutes, and repealing subsection (4) thereof; revising interest rate on taxes due on property of certain deceased nonresidents which was allowed a homestead exemption; providing for assessment of taxes and interest on property of certain nonresidents granted a homestead exemption; amending s. 196.1975(4)(a) and (7), Florida Statutes, 1980 Supplement, relating to property used by homes for the aged; providing an effective date.

—a companion measure, was substituted therefor. On motions by Senator Maxwell, by two-thirds vote HB 1170 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—38

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

Nays—None

Vote after roll call:

Yea—Hair

SB 834 was laid on the table.

SB 859—A bill to be entitled An act relating to the uniform commercial code; amending s. 679.105(1)(n), Florida Statutes, relating to the definition of a transmitting utility; amending s. 679.302(1)(a) and (f), Florida Statutes, to clarify the exemption from filing requirements for collateral in possession of the secured party; amending s. 679.312(3)(d) and (7), Florida Statutes, relating to priorities among conflicting security interests; amending s. 679.401(3), Florida Statutes, 1980 Supplement, relating to the continued effectiveness of a filing; adding subsection (5) to s. 680.104, Florida Statutes, 1980 Supplement, providing for effectiveness of certain financing statements of transmitting utilities; providing an effective date.

—was read the second time by title. On motion by Senator Ware, by two-thirds vote SB 859 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	Stuart
Beard	Jenne	Neal	Thomas
Carlucci	Jennings	Peterson	Trask
Childers, D.	Johnston	Poole	Vogt
Dunn	Kirkpatrick	Rehm	Ware
Frank	Langley	Renick	Winn
Gordon	Lewis	Scott	
Grizzle	Margolis	Skinner	

Nays—None

Vote after roll call:

Yea—Hair

SB 860—A bill to be entitled An act relating to public accounting; amending s. 473.317(5), Florida Statutes; authorizing governing bodies of municipalities to negotiate simultaneously with more than one public accountant with respect to audit engagements; providing for review and repeal in accordance with the Regulatory Reform Act of 1976; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations recommended the following amendments which were moved by Senator Rehm and adopted:

Amendment 1—In title on page 1, lines 4-6, strike the word "negotiate" on line 4 and all of lines 5 and 6 and insert: reopen formal negotiation with public accountants with respect to an audit engagement;

Amendment 2—On page 2, strike all of lines 4-9 and insert: (b) *The governing body of a municipality, in negotiating with licensees with respect to an audit engagement, may reopen formal negotiation with anyone of the top three ranked firms.*

Pending further consideration of SB 860 as amended, on motion by Senator Rehm—

HB 664—A bill to be entitled An act relating to public accounting; amending s. 473.317(5), Florida Statutes; authorizing governing bodies of municipalities to negotiate simultaneously with more than one public accountant with respect to audit engagements; providing for review and repeal in accordance with the Regulatory Reform Act of 1976; providing an effective date.

—a companion measure, was substituted therefor and read the second time by title. On motion by Senator Rehm, by two-thirds vote HB 664 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Childers, D.	Henderson	Kirkpatrick
Anderson	Dunn	Hill	Langley
Barron	Frank	Jenkins	Lewis
Beard	Gordon	Jenne	Margolis
Carlucci	Grizzle	Jennings	Maxwell

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

Nays—2

Johnston Skinner

Vote after roll call:

Nay—Hair

SB 860 was laid on the table.

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Poole, the rules were waived and by two-thirds vote SB 529 was withdrawn from the Committee on Appropriations and placed on the 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 925 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Gordon and others—

HB 925—A bill to be entitled An act relating to weapons and firearms; creating s. 790.29, Florida Statutes; creating the State Civil Obedience Act; prohibiting paramilitary training; providing a penalty; providing an exemption; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

CONSENT CALENDAR, continued

On motions by Senator Margolis, the rules were waived and by two-thirds vote HB 925, a companion measure, was withdrawn from the Committee on Judiciary-Criminal and substituted for SB 884. On motion by Senator Margolis, by two-thirds vote HB 925 was read the second time by title.

Senators Langley and Barron offered the following amendment which was moved by Senator Langley and adopted:

Amendment 1—On page 2, line 7, before the period insert: or to prohibit the training or teaching of the use of weapons to be used for hunting, recreation, competition, self defense, or the protection of one's person, or property or any other lawful use.

On motion by Senator Margolis further consideration of HB 925 was deferred.

On motion by Senator Steinberg, the rules were waived and by two-thirds vote HB 932 was withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Steinberg—

HB 932—A bill to be entitled An act relating to tax on special fuels; amending s. 206.91(1), Florida Statutes; revising the information required to be included in monthly reports by special fuel dealers to the Department of Revenue; amending s. 213.053(7), Florida Statutes, 1980 Supplement; authorizing the department to provide information relative to chapter 377, Florida Statutes, to the proper state agency; providing an effective date.

—a companion measure, was substituted for SB 914 and read the second time by title. On motion by Senator Steinberg, by

two-thirds vote HB 932 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Hair

SB 914 was laid on the table.

On motion by Senator Jennings—

CS for HB 253—A bill to be entitled An act relating to building construction; amending s. 553.901, Florida Statutes, 1980 Supplement; authorizing modification and updating of the model energy efficiency code; amending s. 553.902(1)(b) and (3), Florida Statutes, 1980 Supplement; redefining exempted and renovated buildings; amending s. 553.905, Florida Statutes, 1980 Supplement; requiring specified ceiling insulation in certain residential buildings; creating s. 553.912, Florida Statutes; providing standards for air conditioners; repealing s. 553.87, Florida Statutes, 1980 Supplement, relating to requirements regarding future installation of solar water heating and waste heat recovery equipment; repealing s. 553.89, Florida Statutes, relating to lighting efficiency; repealing s. 553.902(1)(d), Florida Statutes, relating to an exemption from thermal efficiency standards for buildings subject to standards established by the United States; providing an effective date.

—a companion measure was substituted for CS for SB 934. On motions by Senator Jennings, by two-thirds vote CS for HB 253 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—37

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

Nays—None

Vote after roll call:

Yea—Hair

CS for SB 934 and SB 934 were laid on the table.

SB 990—A bill to be entitled An act relating to sheriffs; amending s. 30.24, Florida Statutes; providing that a sheriff is entitled to actual and necessary expenses for transporting certain prisoners; authorizing a sheriff to contract with a private transport company for the transportation of prisoners; providing that such transport company is an independent contractor; specifying liability thereof; requiring certain insurance; exempting personnel of such transport company from certain requirements; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 990 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Hair

SB 1052—A bill to be entitled An act relating to drivers' licenses; amending s. 322.01(10), Florida Statutes, modifying the definition of "street or highway" for purposes of regulating the right to operate motor vehicles thereon; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote SB 1052 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

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

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 745 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Burrall (By Request)—

HB 745—A bill to be entitled An act relating to banking; amending s. 658.26(2)(a), Florida Statutes, 1980 Supplement; removing the limitation on the number of branch banks which may be established; 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.

CONSENT CALENDAR, continued

On motions by Senator Winn, by two-thirds vote HB 745, a companion measure, was withdrawn from the Committee on Commerce and substituted for SB 1061. On motions by Senator Winn, by two-thirds vote HB 745 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—39

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

Peterson	Scott	Stuart	Vogt
Poole	Skinner	Thomas	Ware
Rehm	Steinberg	Tobiassen	Winn
Renick	Stevens	Trask	

Nays—None

SB 1061 was laid on the table.

SB 1065—A bill to be entitled An act relating to special assessments of water and sewer districts; adding s. 153.73(14), Florida Statutes; authorizing changes in interest on, and duration of, installment payments on assessments under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote SB 1065 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Skinner

SB 795—A bill to be entitled An act relating to bidding by delinquent contractors; amending s. 337.16, Florida Statutes; declaring legislative intent; precluding bidding by a delinquent contractor; specifying when a contractor is delinquent; providing for revocation or suspension of a delinquent contractor's certificate of qualification; providing for an administrative hearing for reinstatement of such certificate; providing an effective date.

—was read the second time by title.

Senator Neal moved the following amendment which was adopted:

Amendment 1—On page 2, between lines 20 and 21, insert: Section 1. Chapter 75-312, Laws of Florida, is amended to read:

Section 1. Legislative intent.—In enacting this law, it is the declared intention of the Legislature that the historic and scenic values of McGregor Boulevard and its surroundings should be preserved. Any work which is likely to affect such values adversely should be discouraged, and the division should be consulted as the principal authority on historical preservation in all cases where it is suspected that proposed public works may affect the historical and scenic qualities of McGregor Boulevard.

Section 2. Definitions.—As used in this act:

(1) "Road" means McGregor Boulevard which includes State Road 867 which extends from its intersection with U.S. 41 (State Road 45) in Fort Myers south to its intersection with College Parkway in Fort Myers.

(2) "Division" means the Division of Archives, History and Records Management of the Department of State.

(3) "Historic easement" means any easement, restriction, covenant or condition running with the land, designated to preserve, maintain or enhance all or part of the existing state of places of historic, architectural, archeological, or cultural significance.

(4) "Department" means the Department of Transportation.

Section 3. Designation as historic highway.—McGregor Boulevard is hereby designated as a state historic highway. No state or county funds shall be expended by any public body or agency for any of the following purposes:

(1) To cut or remove any palm tree within 15 feet of either side of the paved surface of the road, or to engage in an activity which requires the removal without replacement of such a tree.

(2) To alter the physical dimensions or location of the road except for the addition of primary or secondary roads intersecting the limits of McGregor Boulevard.

(3) To erect, demolish or significantly alter the appearance of any structure, including, but not limited to, walls, fences, sidewalks and curbing, within 20 feet of either side of the paved surface of the road, with the following exceptions:

(a) Bicycle paths and recreational facilities the construction of which does not require the removal of any structure deemed worthy of preservation by the division.

(b) Erections, demolitions, alterations, and restorations undertaken for the purpose of preserving or enhancing the historic or scenic value of the road and its surroundings.

(c) The department shall review all work proposed to be funded in any part with state funds and shall have the authority to issue a permit for any work not contrary to the provisions of this act. Before permitting the emplacement of any sign or the erection, demolition, alteration or restoration of any structure, the department shall consult and obtain the official approval of the division.

(d) Nothing in this section shall be construed to prevent the ordinary maintenance and repair of the road or structures, provided the physical dimensions and location of the road and the appearance of any structure are preserved, nor to prevent any work that is necessary for the public health or safety as determined by the agency having jurisdiction over the portion of the road involved. Nothing in this act shall prohibit the establishment of three-lane traffic or three-lane turn intersections on said road if such can be accomplished without the dislocation of immediately bordering palm trees, or can be accomplished by transplanting said trees to conform with the revised intersection design.

Section 4. Signs.—No signs may be erected within 25 feet of either side of the paved surface of the road, except the following:

(1) Official road signs, including traffic control devices, erected by the Department of Transportation or by the city or county having jurisdiction over the portion of the road involved.

(2) Signs not visible from the road.

(3) Markers indicating points of historical interest erected or approved by the division.

(4) Signs that do not exceed 6 square feet in area advertising the sale or lease of the property upon which they are located.

(5) Signs advertising only the name or nature of the business being conducted upon or the products, facilities, goods or services being sold, supplied, or distributed upon or from the premises where the signs are located, if such signs do not exceed a total of 30 square feet in area for any one business.

The provisions of this section shall not supersede a more restrictive law, ordinance or regulation already in effect or taking effect after this act and shall not include any signs existing before the effective date of this act.

Section 5. Easements.—The division is authorized to obtain by purchase, gift or devise historic easements in property situated along the road whenever and to such extent that the division may determine appropriate for the preservation of the road or of any structure of historic significance along the road. To be considered worthy of protection by the division, property or the protected part thereof need not be of great historic, architectural, archeological, or cultural significance when considered by itself, provided that it makes a significant contribution to the area considered as a whole. Any restriction placed on the use of property situated along the road pursuant to this section shall be reported by the division to the property appraiser of Lee County and shall be taken into consideration when the property is assessed for tax purposes.

Section 6. Nothing in this act shall be construed to permit any public body or agency to take or acquire private property rights abutting said highway without just compensation to the property owner.

Section 7. The division shall provide for the erection of suitable markers on and along the road.

Section 8. No signs, lights, reflectors, or any other objects may be mounted or attached in any way to the trunk or branches of any palm tree within 15 feet of either side of the paved surface of the road.

Section 9. The violation of any provision of this act is declared to be a criminal offense and a misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punishable as provided by law.

Section 10. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 2. This act shall take effect upon becoming a law.

The Committee on Transportation recommended the following amendment which was moved by Senator Neal and adopted:

Amendment 2—On page 2, between lines 20 and 21, insert: Section 2. Subsection (2) of section 337.18, Florida Statutes, is amended to read:

337.18 Surety bonds required; defaults; damage assessments.—

(2) The department shall adopt regulations for the determination of default on the part of any contractor for cause attributable to such contractor. Every contract let by the department for the performance of work shall contain a provision for payment to the department by the contractor of liquidated damages for any such default *due to failure of the contractor to complete the contract work within the time stipulated in the contract or within such additional time as may have been granted by the department.* Such liquidated damages shall be one quarter of 1 percent of the total amount of the contract for each day of such default, but shall not exceed \$200 per day for each day such contractor is in default, *not less than the amounts established in the following schedule:*

Original Contract Amount	Daily Charge per Calendar Day
Up to \$ 50,000	\$ 50
Over \$ 50,000 to \$ 250,000	\$ 100
Over \$ 250,000 to \$ 500,000	\$ 200
Over \$ 500,000 to \$ 2,500,000	\$ 300
Over \$ 2,500,000 to \$ 5,000,000	\$ 400
Over \$ 5,000,000 to \$10,000,000	\$ 600
Above \$10,000,000	\$1,000

Any such liquidated damages paid to the department shall be deposited to the credit of the fund from which payment for the work contracted was authorized.

(Renumber subsequent section.)

Senator Neal moved the following amendment which was adopted:

Amendment 3—In title on page 1, between lines 10 and 11, insert: An act relating to historic highways; amending chapter 75-312, Laws of Florida, providing legislative intent; providing definitions; providing for the designation of McGregor Boulevard as a state historic highway and prohibiting the use of state or county funds for described purposes; authorizing the Department of Transportation to issue permits for certain works on the road; prohibiting the erection of signs; providing easements; providing for markers; prohibiting the attachment of signs, lights, reflectors or other objects on certain trees; providing penalties for violations;

The Committee on Transportation recommended the following amendment which was moved by Senator Neal and adopted:

Amendment 4—In title on page 1, strike line 11 and insert: amending subsection (2) of section 337.18, Florida Statutes; revising the schedule for liquidated damages for contractors in default;

On motion by Senator Neal, by two-thirds vote SB 795 as amended was read the third time by title, passed, ordered engrossed and then certified to the House.

The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Skinner

SB 1099—A bill to be entitled An act relating to funeral directors and embalmers; adding s. 470.024(10), Florida Statutes; authorizing funeral establishments that were operating branch chapels on June 30, 1979 to continue such operation; providing for conditional repeal; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote SB 1099 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
Carlucci	Jennings	Peterson	Tobiasen
Childers, D.	Johnston	Poole	Trask
Dunn	Kirkpatrick	Rehm	Vogt
Frank	Langley	Renick	Ware
Grizzle	Lewis	Scott	Winn
Hair	Margolis	Skinner	

Nays—None

On motions by Senator Johnston, the rules were waived and by two-thirds vote HB 1171 was withdrawn from the Committees on Finance, Taxation and Claims and Judiciary-Civil.

On motion by Senator Johnston—

HB 1171—A bill to be entitled An act relating to civil procedures in certain tax controversies; amending s. 26.012(2)(e), Florida Statutes, 1980 Supplement, providing original jurisdiction in the circuit courts for actions relating to the legality of certain tax assessments; amending ss. 199.062(5)(b), 201.17(3), 212.12(5), and 214.40(1), Florida Statutes; amending s. 206-44(1), Florida Statutes, and adding subsection (3) thereto; amending s. 206.94(1), Florida Statutes, and adding subsection (3) thereto; adding subsection (7) to s. 214.43, Florida Statutes; amending s. 199.052(9)(d), Florida Statutes, 1980 Supplement, and adding paragraph (e) thereto; amending ss. 198.18, 211.33(3)(f) and 624.509(3)(e), Florida Statutes, 1980 Supplement; creating s. 203.07, Florida Statutes; authorizing the Department of Revenue to settle or compromise certain taxes, penalties, and interest; creating s. 213.19, Florida Statutes, relating to the jurisdiction of circuit courts in specific tax matters, administrative hearings and appeals, the time for commencing actions, parties and deposits; creating s. 213.20, Florida Statutes, providing for certain tax actions in circuit court and under the Administrative Procedure Act; creating s.

213.21, Florida Statutes, relating to informal conferences and compromises with respect to certain tax matters; creating s. 213.22, Florida Statutes, providing for technical assistance advisements issued by the Department of Revenue; repealing s. 198.10, Florida Statutes, relating to suits by or against the department and special counsel with respect to estate taxes; repealing s. 198.27, Florida Statutes, 1980 Supplement, relating to agreements with respect to the amount of estate taxes due; repealing s. 199.243, Florida Statutes, relating to actions involving the legality of an intangible personal property tax or penalty; repealing s. 212.15(5), Florida Statutes, relating to the legality of certain sales taxes; repealing s. 214.24, Florida Statutes, relating to closing agreements; repealing s. 214.26, Florida Statutes, relating to actions involving the legality of certain taxes or penalties; providing for the application of the act; providing an effective date.

—a companion measure, was substituted for SB 1077 and read the second time by title.

Senator Johnston offered the following amendment which was adopted:

Amendment 1—On page 14, line 5, strike "215.15" and insert: 212.15

On motion by Senator Johnston, by two-thirds vote HB 1171 as amended was read the third time by title, passed and certified to the House.

The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Beard

SB 1077 was laid on the table.

On motion by Senator Jenkins—

CS for HB 801—A bill to be entitled An act relating to retail theft; adding a paragraph to s. 812.015(1), Florida Statutes, 1980 Supplement, and amending subsection (3), providing a definition; providing that the activation of anti-shoplifting or inventory control devices which operate to detect the removal of merchandise constitutes probable cause for purposes of detention; providing an effective date.

—a companion measure, was substituted for SB 657 and read the second time by title. On motion by Senator Jenkins, by two-thirds vote CS for HB 801 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

SB 657 was laid on the table.

SPECIAL ORDER

SB 246—A bill to be entitled An act relating to tax administration; amending s. 220.03(1)(1) and (2)(c), Florida Statutes, 1980 Supplement; defining the term "Internal Revenue Code" as used in the Florida Tax Code; amending s. 198.35, Florida Statutes, 1980 Supplement; conforming Florida law to the most recent changes in the United States Internal Revenue Code; providing an effective date.

—was read the second time by title.

The Committee on Commerce recommended the following amendment which was moved by Senator Johnston and adopted:

Amendment 1—On page 2, line 20, after the word "law" insert: and shall act retroactively to January 1, 1981

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Johnston and failed:

Amendment 2—On page 1, lines 21-31 and on page 2, lines 1-10, strike Section 1 and renumber subsequent sections accordingly.

Senator Johnston moved the following amendment which was adopted:

Amendment 3—On page 2, line 20, after "law" insert: Provided, however, that no effect shall be given to any amendments made to the Internal Revenue Code by the U. S. Congress after the effective date of this act, regardless of the retroactive effect of any such amendments.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Hair and failed:

Amendment 4—In title on page 1, strike lines 3-6 and insert: s. 198.35, Florida Statutes, 1980

Senator Hair moved the following amendment which was adopted:

Amendment 5—In title on page 1, line 9, after the semi-colon (;) insert: providing for retroactive application;

On motion by Senator Johnston, by two-thirds vote SB 246 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	Hill	McClain	Stuart
Anderson	Jenkins	McKnight	Thomas
Barron	Jenne	Neal	Tobiassen
Beard	Jennings	Peterson	Trask
Carlucci	Johnston	Poole	Vogt
Childers, D.	Kirkpatrick	Rehm	Ware
Dunn	Langley	Renick	Winn
Frank	Lewis	Scott	
Grizzle	Margolis	Steinberg	
Hair	Maxwell	Stevens	

Nays—1

Skinner

On motion by Senator Dunn, the rules were waived and time of adjournment was extended until final action on SB 514.

SB 514—A bill to be entitled An act relating to the Department of State; amending ss. 267.031(1), (3), (4), 267.041(1), 267.051, 267.061, 267.071, 267.081, 267.13, Florida Statutes, and s. 267.072, Florida Statutes, 1980 Supplement; creating s. 267.042, Florida Statutes; specifying powers and duties of the Division of Archives, History, and Records Management; deleting references to specific bureaus of the division; providing duties with respect to archives; providing for adoption of rules; providing a procedure for destruction of records transferred to a

records center by an agency; providing for fees and charges; requiring each agency to designate a records management liaison officer; specifying purposes for which the division may accept gifts and donations; deleting limits on charges for publication; authorizing injunctions and administrative fines against persons who explore for, salvage, or excavate certain objects on state land without permission of the division; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations recommended the following amendments which were moved by Senator Henderson and adopted:

Amendment 1—On page 5, lines 5 and 6, strike “reasonable fee for this service based upon the” and insert: fee for this service based upon the actual

Amendment 2—On page 9, strike all of lines 10-13 and insert: *fees for supplies and services, including but not limited to shipping containers, pickup, delivery, reference and storage. Fees shall be based upon the actual cost of the supplies and services and shall be deposited*

Amendment 3—On page 12, lines 21-23, strike “A report and recommendation of the advisory council has been received and considered by the division. 2.” and insert: ~~A report and recommendation of the advisory council has been received and considered by the division. 2.~~

Amendment 4—On page 12, line 27, strike “3.” and insert: ~~2. 2.~~

Amendment 5—On page 18, line 10, and on page 19, line 2, insert after the word *including*: *state sovereignty*

Pending further consideration of SB 514 as amended on motions by Senator Henderson the rules were waived and by two-thirds vote HB 1070 was withdrawn from the Committees on Governmental Operations and Appropriations.

On motion by Senator Henderson—

HB 1070—A bill to be entitled An act relating to archives, history and records management; amending s. 267.031(1), (3) and (4), Florida Statutes, providing that the Division of Archives, History and Records Management may employ a chief to administer each bureau and may prescribe the qualifications of each such chief; eliminating reference to various bureaus; amending s. 267.041(1), Florida Statutes, relating to the office of the director; creating s. 267.042, Florida Statutes, relating to the duties and responsibilities of the Division of Archives, History and Records Management; authorizing any agencies to turn certain records over to the division; providing for vesting of title; providing for copies; providing for a Florida State Photographic Collection; amending s. 267.051, Florida Statutes, eliminating reference to the Bureau of Archives and Records Management; providing a procedure for the destruction of certain records; authorizing the Florida State Records Center to charge certain fees; amending s. 267.061, Florida Statutes, eliminating reference to the Bureau of Historic Sites and Properties; amending s. 267.071, Florida Statutes, eliminating reference to the Bureau of Historical Museums; authorizing the division to promote and encourage the teaching of Florida's history and heritage in Florida schools; amending s. 267.072, Florida Statutes, 1980 Supplement, eliminating reference to the Bureau of Historical Museums; amending s. 267.081, Florida Statutes, eliminating reference to the Bureau of Publications; amending s. 267.13, Florida Statutes, providing for administrative procedures and fines with respect to certain persons who, without written permission from the division, explore for or excavate objects having historical value; providing for injunctive relief; providing an effective date.

—a companion measure, was substituted for SB 514 and read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 1070 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	Henderson	McClain	Stevens
Barron	Hill	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 514 was laid on the table.

ENROLLING REPORTS

Senate Bills 308, 2, 6, 254, 385, 346, 644, 144, 175, 179, 297, 356, 374, 381, 628, 288, 368, 390, 886, 317, 672, 602, 981, 237, 797, CS for SB 146 and CS for SB 339 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 29, 1981.

Joe Brown, Secretary

Senate Concurrent Resolutions 435 and 1098 have been enrolled and filed with the Secretary of State on May 29, 1981.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 28 was corrected and approved as follows: Page 374, column 2, strike lines 25 through 58 and insert:

By the Committee on Corrections, Probation and Parole and Senators Carlucci, Vogt, Tobiassen, Ware, Poole, Stuart, Jenkins, Lewis, Henderson, Margolis, Skinner, Frank, McClain, Renick, Stevens, Jennings, Neal, Thomas, Peterson, Dunn, Grizzle, Johnston, Gordon, Rehm, Steinberg, Hill, Kirkpatrick, Hair and Jenne—

CS for SB 847—A bill to be entitled An act relating to the issuance of state full faith and credit bonds for financing local correctional facilities; creating ss. 215.601-215.616, Florida Statutes; providing definitions; providing for the issuance of state full faith and credit bonds for the construction or renovation of local correctional facilities upon approval of an amendment to the State Constitution for that purpose; creating the Florida Local Correctional Facilities Advisory Committee; providing for membership; providing for duties, powers, and responsibilities; directing the committee to establish a list of proposed local correctional facilities; providing for criteria for the determination of priorities for such list; providing that the committee shall recommend to the Administration Commission the adoption of certain rules; providing for priority to be given to facilities which will serve more than one local government; providing requirements for staffing and administration; directing the Department of General Services to cause the construction and renovation of certain local correctional facilities; providing for the title of such facilities to be transferred to the local government under certain circumstances; providing that the department may enter into lease purchase or sales agreements with local governments or other appropriate authorities; providing for the confidentiality of certain records; requiring the cooperation of the state and its entities; authorizing the reimbursement to local governments of 80 percent of the cost of certain facilities; authorizing local governments to pledge revenue sharing entitlement funds as the local government's share of required participation; providing that rent payable or payable under lease-purchase or sale agreements shall equal 20 percent of that portion of the principal and interest on the bonds for any such facility; providing that any local government may elect to pay the local share in a lump sum; requiring county recipients to select and designate a site for a state correctional facility; providing legislative intent; providing severability; providing an effective date.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:03 p.m. to convene at 9:00 a.m., June 2.