



# Journal of the Senate

Number 23

Tuesday, June 2, 1981

## BILL ACTION SUMMARY

Tuesday, June 2, 1981

H 37	Passed
H 146	Passed as amended
H 153	Passed
H 205	Passed
H 392	Amendment failed Passed
H 511	Passed
H 1099	Passed
H 1195	Passed as amended
S 417	Concurred Passed as further amended
S 650	Concurred Passed as further amended
S 970	Passed as amended
S 1046	Passed
S 1093	Passed as amended

The Senate met from 9 a.m. until 12 noon and from 2 p.m. until 3 p.m.

## INTRODUCTION AND REFERENCE OF BILLS

### First Reading

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

## 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 CS for HB 342 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Appropriations and Representatives Moffitt, Sadowski and Sheldon—

CS for HB 342—A bill to be entitled An act relating to public counsel; amending and renumbering ss. 350.061, 350.0611, 350.0612, and 350.0613, Florida Statutes; providing for appointment of public counsel to represent the general public before rate or rule hearings of the Insurance Commissioner or the Department of Insurance; providing for appointment of insurance actuaries; transferring s. 350.0614, Florida Statutes, relating to compensation and expenses; providing an effective date.

—was referred to the Committee on Appropriations.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 291 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Martin—

HB 291—A bill to be entitled An act relating to Alachua County; providing for regulation of certain transmission lines; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1228 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Appropriations and Representative Morgan and others—

HB 1228—A bill to be entitled An act relating to educational facilities construction and funding; amending, creating and repealing various sections in chapter 235, Florida Statutes, and Florida Statutes, 1980 Supplement, expanding the definitions of educational capital outlay terms, renaming the Office of Educational Facilities Construction, and reorganizing certain responsibilities of the office, the State Board of Education, and the Commissioner of Education; modifying certain standards relating to safety, sanitation, sites, facilities design, construction techniques, new construction, day labor projects, and the State Uniform Building Code; developing a new formula for the allocation of the Public Education Capital Outlay and Debt Service Trust Fund for new construction and for maintenance, renovation, remodeling, and repair; providing for priority lists for postsecondary education; creating a new Special Facility Construction Account; deleting a needs formula at the state level and a priority expenditure list required by the state; creating a new financial reporting procedure for the Public Education Capital Outlay and Debt Service Trust Fund; creating a new budget request system; amending s. 215.61(3), Florida Statutes, relating to capital outlay bonds, to provide that certain estimates shall be used to determine fiscal sufficiency; amending s. 215.79, Florida Statutes, relating to the maturity and redemption of refunding bonds; amending ss. 240.295(1) and (2)(d), 240.327 and 240.531(5), Florida Statutes, and repealing s. 240.297, Florida Statutes, relating to university and community college facilities, to conform; providing appropriations for specified capital outlay projects from the Public Education Capital Outlay and Debt Service Trust Fund, the General Revenue Fund, and the Capital Improvement Fee Trust Fund; repealing sections 9, 10, and 11 of chapter 80-414, Laws of Florida, relating to review and repeal of chapter 235, Florida Statutes; providing for repeal and legislative review; providing an effective date.

—was referred to the Committee on Appropriations.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed HB 1092 and HB 1119 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulatory Reform—

HB 1092—A bill to be entitled An act relating to the Regulatory Reform Act of 1976 and its subsequent amendments; amending chapters 79-190, 79-287, 80-186, 80-198, 80-255, 80-295, 80-325, 80-352, 80-378, 80-387, 80-392, and 80-406, Laws of Florida; repealing section 62 of chapter 80-406, Laws of Florida; correcting scribes' errors; clarifying technical or directory language of intent; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Ethics and Elections and Representative Patterson—

HB 1119—A bill to be entitled An act relating to elections; creating s. 104.045, Florida Statutes, relating to vote selling; providing a penalty; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 91 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Easley and Evans-Jones—

HB 91—A bill to be entitled An act relating to traffic control; adding subsection (17) to s. 316.130, Florida Statutes, prohibiting persons who are not totally or partially blind or otherwise incapacitated from carrying a white cane or walking stick in a certain manner; providing an exception; requiring drivers to stop for certain pedestrians; providing a penalty; amending subsection (4) of s. 316.655, Florida Statutes, adding s. 316.130(17) as having a specific penalty included therein; providing an effective date.

—was referred to the Committee on Transportation.

*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 747 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Health and Rehabilitative Services and Representative Hollingsworth and others—

CS for HB 747—A bill to be entitled An act relating to cancer therapeutic research; amending s. 402.36, Florida Statutes, expanding the scope of the controlled substances therapeutic research act; authorizing the patient qualification review board to permit qualified patients to obtain unconventional therapies for the control and cure of cancer; increasing the membership of the board; authorizing the distribution of cannabis under the act by additional types of pharmacies; requiring practitioners using unconventional therapies to prescribe or administer such therapies in accordance with certain protocols; providing for rules governing the distribution of such materials; exempting practitioners under the act from obtaining a federal investigational new drug number for such materials; requiring a practitioner to notify the patient of certain information about such materials and requiring the patient to sign a written release; providing for rules; providing for inspections and a license fee upon manufacturers of such materials; providing an effective date.

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

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed HB 1013, HB 1080, HB 1217 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Corrections, Probation & Parole—

HB 1013—A bill to be entitled An act relating to corrections; amending s. 944.291, Florida Statutes, providing that inmates released by reason of gain-time allowances shall not be under further supervision by the Department of Corrections or the Parole and Probation Commission; providing for the application of such release from further supervision to persons presently supervised; amending s. 959.116(4), Florida Statutes, to conform; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By the Committee on Community Affairs—

HB 1080—A bill to be entitled An act relating to the Local Government Comprehensive Planning Act of 1975; amending s. 163.3167(2), (3), (4), (5), and (6), Florida Statutes, extending to January 1, 1982, the deadline date for the implementation of certain plans required under the act; repealing s. 163.3167(7), Florida Statutes, deleting the extension of time provisions with respect to the completion of certain requirements under the act; providing an effective date.

—was referred to the Committee on Economic, Community and Consumer Affairs.

By the Committee on Finance & Taxation—

HB 1217—A bill to be entitled An act relating to the Florida Corporate Income Tax; adding subsection (9) to s. 220.02, Florida Statutes, 1980 Supplement; providing for application of credits against the corporate income or franchise tax; 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 HB 1000 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative D. L. Jones and others—

HB 1000—A bill to be entitled An act relating to Pinellas County; making it unlawful to take certain sardine-like fish with a purse seine, purse gill net, lampara net or any similar net, seine or device, within 10 miles of the mean high water mark of the Gulf of Mexico, for any purpose other than for use as bait; providing exceptions; requiring clean up of fish kills; providing for licenses and bonds; providing penalties; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 353 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Messersmith—

HB 353—A bill to be entitled An act relating to public lodging and food service establishments; amending s. 509.141, Florida Statutes, providing procedures for ejection of a guest of a public lodging establishment for nonpayment of rent and for ejection of a guest of a public food service establishment for nonpayment of food, beverages or services; providing a penalty for failure to leave upon receipt of certain notice; providing for enforcement; providing for review and repeal in accordance with the Regulatory Reform Act of 1976; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed CS for HB 546 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries and Licensing and Representative Williams—

CS for HB 546—A bill to be entitled An act relating to pari-mutuel permits; amending s. 550.33(1) and (2)(a), Florida Statutes, 1980 Supplement, relating to the issuance and revocation of quarter horse permits; adding subsection (9) to s.

550.33, Florida Statutes, 1980 Supplement, relating to the conversion or transfer of quarter horse permits; providing an effective date.

—was referred to the Committee on Commerce.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended House Bills 689 and 544 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Tourism & Economic Development—

**HB 689**—A bill to be entitled An act relating to public lodging and public food service establishments; amending paragraph (a) of subsection (2) of s. 509.032, Florida Statutes, requiring a minimum of two annual inspections of nontransient public lodging establishments; reviving and readopting chapter 509, Florida Statutes, as amended, notwithstanding the Regulatory Reform Act of 1976, as amended; providing for legislative review; amending s. 509.141, Florida Statutes, providing procedures for ejection of a guest of a public lodging establishment for nonpayment of rent and for ejection of a guest of a public food service establishment for nonpayment of food, beverages or services; providing a penalty for failure to leave upon receipt of certain notice; providing for enforcement; providing for review and repeal in accordance with the Regulatory Reform Act of 1976; providing an effective date.

—was referred to the Committee on Commerce.

By Representative Liberti—

**HB 544**—A bill to be entitled An act relating to personnel of the school system; amending s. 231.17(2)(a), Florida Statutes, 1980 Supplement, to provide that the State Board of Education shall promulgate certain criteria for certification of trade and industrial teachers; providing for review and repeal in accordance with the Regulatory Reform Act of 1976; providing an effective date.

—was referred to the Committee on Education.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed by the required constitutional three-fifths vote of the membership of the House HJR 580 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**HJR 580**—A joint resolution proposing an amendment to Section 12 of Article I of the State Constitution relating to searches and seizures.

—was referred to the Committee on Rules and Calendar.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1016 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

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

**HB 1016**—A bill to be entitled An act relating to veterans; creating s. 295.0155, Florida Statutes, providing for legislative intent; creating s. 295.016, Florida Statutes, providing that it is the policy of the state to provide educational opportunity at state expense for dependent children of the servicemen who died or suffered 100 percent disability in the Iranian Rescue Mission; amending s. 295.02, Florida Statutes, providing for use of funds; providing an effective date.

—was referred to the Committee on Governmental Operations.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed HB 815 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Thompson—

**HB 815**—A bill to be entitled An act relating to bridge designation; designating the Carrabelle River Bridge on U.S. Highway 98 in Franklin County as the Tillie Miller Bridge; providing for appropriate markers to be erected by the Department of Transportation; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Transportation.

*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 363 and HB 806 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Judiciary and Representatives Fontana and Silver—

**CS for HB 363**—A bill to be entitled An act relating to judgments; amending s. 55.03(1), Florida Statutes, 1980 Supplement; increasing the rate of interest on unpaid judgments or decrees; providing an effective date.

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

By Representative L. J. Smith and others—

**HB 806**—A bill to be entitled An act relating to public lodging and food service establishments; amending s. 509.221(9), Florida Statutes, and adding a subsection, to require employees to have examinations for certain diseases upon initial employment and thereafter at the discretion of the Division of Hotels and Restaurants of the Department of Business Regulation; including requiring certain employees of public and non-public schools to have examinations; providing for repeal and review in accordance with the Regulatory Reform Act of 1976; providing an effective date.

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

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1012 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Select Committee on Health Care Cost Containment and Planning—

**HB 1012**—A bill to be entitled An act relating to hospital regulation; adding subsection (6) to s. 395.01, Florida Statutes; defining "JCAH Accredited Intensive Residential Treatment Programs for Children and Adolescents"; amending s. 395.03, Florida Statutes; providing that a single office within the Department of Health and Rehabilitative Services shall license and inspect hospitals and ambulatory surgical centers; providing for inspections to insure compliance with law; providing limitations; providing that the department shall coordinate inspections made by state agencies; providing for use of the most recent life safety code; providing requirements for licensing; adding subsection (3) to s. 395.07, Florida Statutes; providing for promulgation of rules; providing for review and repeal in accordance with the Regulatory Reform Act of 1976; providing an effective date.

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

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1093 and CS for HB 559 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulatory Reform—

**HB 1093**—A bill to be entitled An act relating to professional regulation; amending s. 474.207, Florida Statutes, 1980 Supplement, modifying provisions related to licensure by examination to clarify such provisions; amending ss. 474.214, 474.215, and 489.127, Florida Statutes, as amended by chapter 80-406, Laws of Florida, to clarify that it was not the intent of the Legislature to repeal certain provisions of said sections as inadvertently indicated in the directory and amendatory language of sections 35, 36, and 58 of said chapter; reenacting s. 310.093, Florida Statutes, relating to rulemaking by the Board of Pilot Commissioners; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Education, K-12 and Representative Rosen—

**CS for HB 559**—A bill to be entitled An act relating to immunization of school children; amending s. 232.032 Florida Statutes, 1980 Supplement; modifying the list of communicable diseases for which immunizations are required; providing for immunization by local county health units; requiring certification of immunization on forms provided by the Department of Health and Rehabilitative Services; providing for scoliosis screening in nonpublic schools; providing for permanent records; modifying exemptions from immunization; exempting school authorities and employees from certain liability; providing responsibility of parents; requiring annual reports to the county health unit; authorizing declaration of a communicable disease emergency, under certain conditions; providing for temporary exclusion of nonimmunized children from school during such emergency; authorizing schools to refuse admittance or attendance without certification of immunization, according to a schedule provided in the act; exempting adult education classes; providing an effective date.

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

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed HB 157 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Ewing and others—

**HB 157**—A bill to be entitled An act relating to condominiums; amending s. 718.111(9)(b), Florida Statutes, 1980 Supplement; requiring hazard insurance policies to insure specified items of the individual units; providing an effective date.

—was referred to the Committee on Commerce.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed HB 1150 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Criminal Justice and Representative Martinez—

**HB 1150**—A bill to be entitled An act relating to trespass upon grounds or facilities of public schools; amending s. 228.091(1)(b) and (2)(b), Florida Statutes; providing that trespassing upon grounds or facilities of public schools is a second degree misdemeanor; providing that trespassing upon grounds or facilities of public schools after being directed to leave is a first degree misdemeanor; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 829 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Natural Resources and Representative Thomas—

**CS for HB 829**—A bill to be entitled An act relating to pollution control; amending s. 403.201(2), Florida Statutes, relating to variances granted by the Department of Environmental Regulation from the provisions of the Florida Air and Water Pollution Control Act, to provide special notice procedures; authorizing the department to dispense with the hearing in certain cases; amending s. 403.061(7), Florida Statutes, 1980 Supplement, providing that rules of the Department of Environmental Regulation shall not be more stringent than secondary waste treatment; providing exceptions; providing for point source monitoring programs; providing for more stringent standards under certain circumstances; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 439 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Mitchell—

**HB 439**—A bill to be entitled An act relating to taxation of motor fuel and special fuel; revising the Florida Special Fuel Use Tax Act of 1980, transferring it to chapter 207, Florida Statutes, and providing that the use tax shall also be imposed on motor fuel; amending and renumbering ss. 206.971-206.973, Florida Statutes, 1980 Supplement; revising the short title and definitions; revising the description of commercial motor vehicles to which the act applies; amending and renumbering s. 206.974, Florida Statutes, 1980 Supplement; providing for registration of motor carriers with the Department of Revenue rather than the Public Service Commission; requiring identifying devices and regulating their use; providing for emergency and trip permits, and annual permits for certain carriers, and regulating their use; providing for fees; providing for equalized fees and taxes; amending and renumbering s. 206.975, Florida Statutes, 1980 Supplement; providing procedures for calculation and payment of the tax; providing a credit for tax paid at time of purchase in Florida; authorizing the department to require bond; amending and renumbering s. 206.983, Florida Statutes, 1980 Supplement; providing for penalties and interest; amending and renumbering s. 206.977, ss. 206.98-206.982, and ss. 206.984-206.986, Florida Statutes, 1980 Supplement, to conform; providing for retention of records; transferring s. 206.987, Florida Statutes, 1980 Supplement; amending and renumbering ss. 206.988, 206.989, 206.979, 206.99, and 206.991, Florida Statutes, 1980 Supplement, to conform; requiring notice by motor carrier of change in address; amending and renumbering s. 206.992, Florida Statutes, 1980 Supplement; providing authority of the Department of Revenue, Department of Agriculture and Consumer Services, Department of Highway Safety and Motor Vehicles, and Department of Transportation to inspect vehicles, make arrests, and seize property; creating s. 207.024, Florida Statutes; requiring state agencies to cooperate with the Department of Revenue; amending and renumbering ss. 206.994 and 206.995, Florida Statutes, 1980 Supplement, to conform; providing for confidentiality of information; providing for deposit of taxes and fees and renaming the trust fund; creating s. 207.028, Florida Statutes; providing for development of a form on which both registration and the fuel use report can be accomplished; repealing ss. 206.976, 206.978, and 206.993, Florida Statutes, 1980 Supplement, relating to exemption for fuel purchased in state, credits or refunds for tax erroneously or illegally collected, and availability of records and files to the public; amending ss. 4 and 5 and repealing s. 7 of chapter 80-415, Laws of Florida; deleting provisions relating to the International Registration Plan replacing reciprocal agreements and deleting the deadline for phase-in of participation in the

plan; deleting provisions relating to authorization of implementation of participation in the plan; repealing s. 3 of chapter 80-415, Laws of Florida, and redesignating and reenacting s. 206.87(4)(e), Florida Statutes, relating to tax exemption for special fuel used by motor vehicles engaged in interstate travel on the highways of another state; amending s. 212.08(4), Florida Statutes, 1980 Supplement; including motor fuel and special fuel taxed under chapter 207, Florida Statutes, in the sales tax exemption; amending s. 213.053(1) and (7), Florida Statutes, 1980 Supplement; providing that information received by the Department of Revenue under chapter 207 is confidential; providing an exception; adding paragraph (d) to s. 320.01(26), Florida Statutes, amending s. 320.06(1)(d), Florida Statutes, and adding paragraph (e), and amending s. 320.08(3)(d) and (4)(f), Florida Statutes, and adding a new paragraph (4)(a); providing a registration period beginning December 1 for certain trucks, truck-tractors, semitrailers, and automobiles for hire; providing for a 6-month transitional registration period; allowing semiannual registration for certain trucks; providing an effective date.

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

*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 480 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committees on Appropriations and Retirement, Personnel & Collective Bargaining—

CS for HB 480—A bill to be entitled An act relating to retirement; adding paragraph (e) to s. 112.05(2), Florida Statutes, 1980 Supplement, and amending subsection (4)(a) thereof; providing a graduated supplementary cost-of-living adjustment for certain retired state officers and employees; increasing the number of hours for which certain retired persons may be re-employed without losing benefits; amending s. 112.362(6), Florida Statutes, 1980 Supplement; to delete the requirement that general revenue funds be used to pay a portion of the minimum benefits; amending s. 121.052(4)(a), Florida Statutes, 1980 Supplement, and adding new paragraphs (d), (e), and (f) to said subsection; providing increased employer contribution rates for certain classifications of the Elected State Officers' Class; amending s. 121.071(2), Florida Statutes; providing increased employer contribution rates; adding a new subsection (4) to s. 121.101, Florida Statutes, 1980 Supplement; providing a graduated supplementary cost-of-living adjustment for certain retired members of the Florida Retirement System and other existing state-supported retirement systems; adding paragraph (c) to s. 238.171(3), Florida Statutes; providing a graduated supplementary cost-of-living adjustment for certain incapacitated teachers receiving allowances from the state; adding subsection (4) to s. 291.325, Florida Statutes; providing a supplementary cost-of-living adjustment for persons receiving Confederate pensions; providing appropriations; amending ss. 121.091(9)(b), 122.16(2)(a) and 238.181(2)(a), Florida Statutes, 1980 Supplement, increasing the number of hours that may be worked without penalty by certain retired persons; providing that retirees exceeding statutory limitations on employment after retirement shall be entitled to regular retirement benefits; providing an effective date.

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

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 971, HB 1158, HB 1145, HB 1201, and HB 147 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Sheldon—

HB 971—A bill to be entitled An act relating to investment of county funds; amending s. 28.33, Florida Statutes, providing that interest, in certain cases, be paid to the depositor; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committee on Natural Resources—

HB 1158—A bill to be entitled An act relating to the rights of members of the Miccosukee and Seminole Indian Tribes and other Indians; amending s. 285.09, Florida Statutes, granting year-round hunting and fishing rights to the Miccosukee and Seminole Indian Tribes in their respective reservations and in the Big Cypress Preserve; granting subsistence hunting and fishing rights and frogging rights for food and commercial purposes to the Miccosukee Tribe in its reservation and in a leased area, subject to restriction by the Game and Fresh Water Fish Commission; amending s. 285.10, Florida Statutes, permitting Indians to exercise such rights without payment of licensing or permitting fees; requiring possession of identification cards when exercising such rights; amending s. 285.15, Florida Statutes, allowing the Board of Trustees of the Internal Improvement Trust Fund to grant to the Miccosukee and Seminole Indian Tribes and other Indians, rights to hunt, fish and frog for personal consumption and for commercial purposes on lands under its jurisdiction and right of access to and use of such lands; amending s. 285.17, Florida Statutes, creating a special improvement district within an area leased to the Miccosukee Tribe; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By the Committee on Commerce and Representatives Lewis and Gallagher—

HB 1145—A bill to be entitled An act relating to deposits of public funds; amending s. 18.10(1), Florida Statutes, 1980 Supplement; changing cross-references; amending s. 18.101(1), Florida Statutes; changing a cross-reference; designating chapter 18, Florida Statutes, as part I of said chapter and creating part II of said chapter; providing a short title; providing definitions; requiring that public deposits be secured; providing for collateral to secure public deposits; providing mutual responsibility of all public depositories; providing for payment of losses; providing for withdrawal from the public deposit security program; empowering the Treasurer to require additional collateral; listing securities eligible as collateral; requiring reports of public depositories; exempting public depositors from liability; providing for rules; amending s. 215.50(3), Florida Statutes, 1980 Supplement; changing a cross-reference; amending s. 136.01, Florida Statutes, 1980 Supplement; authorizing banks or savings associations to accept county public deposits; amending ss. 136.03, 136.04, and 136.08, Florida Statutes; changing references from "banks" to "depositories"; amending s. 658.60(1), Florida Statutes, 1980 Supplement; changing a cross-reference and deleting superfluous language; amending s. 660.27(3), Florida Statutes, 1980 Supplement; authorizing the Treasurer to accept a safekeeping receipt from another bank, trust company, or savings association to secure the obligations of a trust company; repealing ss. 18.11, 18.14 and 136.07, Florida Statutes, and ss. 18.12, 18.13 and 136.02, Florida Statutes, as amended, relating to deposit of public funds; providing an appropriation; providing an effective date.

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

By the Committee on Tourism and Economic Development—

HB 1201—A bill to be entitled An act relating to community revitalization; adding a subsection to s. 163.340(21), Florida Statutes, to define enterprise zone; amending s. 163.355, Florida Statutes, to include enterprise zones within provisions of the Community Redevelopment Act of 1969, relating to the redevelopment of slum and blighted areas; amending ss. 220.02(7)(a) and (8)(a), 220.03(1)(i), (m), (n), (p) and (s), 220.181(1)(a), (2) and (3), 220.182(10), (11) and (12), and 220.183(1)(c) and (2), Florida Statutes, 1980 Supplement, of the Florida Income Tax Code, relating to job creation, economic revitalization, and community contribution tax incentive credits, to conform references; amending ss. 159.26, 159.27(5) and (19), 196.012(14)(b), and 288.606(2)(a), Florida Statutes, 1980 Supplement, to conform; providing an effective date.

—was referred to the Committee on Economic, Community and Consumer Affairs.

By Representative Brantley—

HB 147—A bill to be entitled An act relating to insurance; amending s. 627.702(7), Florida Statutes, 1980 Supplement, amending provisions authorizing property insurers to repair or replace damaged property at their own expense; creating a new section s. 627.706, Florida Statutes, 1980 Supplement, requiring property insurers to make available coverage for insurable sinkhole losses; providing an effective date.

—was referred to the Committee on Commerce.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed HB 396 and HB 1091 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Allen—

HB 396—A bill to be entitled An act relating to regulation of boats; amending s. 371.051(2) and (3), Florida Statutes, 1980 Supplement; providing for issuance of registration certificates and identification numbers for commercial vessels by tax collectors; providing procedures and fees; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By the Committee on Regulatory Reform—

HB 1091—A bill to be entitled An act relating to the historic preservation boards of trustees; reviving and readopting ss. 266.01-266.07, 266.101-266.106, 266.110-266.115, 266.201-266.206, 266.301, and 266.401, Florida Statutes, notwithstanding the provisions of Sundown Act; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Governmental Operations.

*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 550, HB 571, CS for HB 617, HB 816, HB 1143 and HB 1174 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Select Committee on Juvenile Justice and Representative S. McPherson and others—

CS for HB 550—A bill to be entitled An act relating to juveniles; amending s. 228.093(3)(a), Florida Statutes, providing that school and school law enforcement reports and records kept with respect to juveniles shall be open to inspection upon court order; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Representative Ogden—

HB 571—A bill to be entitled An act relating to turnpike projects; amending s. 340.091, Florida Statutes, authorizing the Department of Transportation to grant concessions for certain amusement devices along turnpike projects; eliminating language directing the Florida Department of Citrus, in acting as an advisory body to the Department of Transportation, to act in a described manner; eliminating language preventing the Department of Transportation from permitting any person from selling Florida citrus fruits at more than one turnpike plaza; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Natural Resources and Representative Hattaway and others—

CS for HB 617—A bill to be entitled An act relating to game and freshwater fish; amending s. 372.6645, Florida Statutes,

relating to the prohibition against the sale, or offering for sale, in this state of alligator products; providing definitions; authorizing the Game and Fresh Water Fish Commission to issue permits and make rules for selling alligator products; providing a \$100 permit fee to be deposited in the State Game Trust Fund; providing a penalty; prohibiting sale of stuffed baby alligators or similar species; prohibiting sale of products manufactured from the hide of any crocodile, alligator or other reptilian species which have been declared to be endangered by the United States Fish and Wildlife Service or the Game and Fresh Water Fish Commission; amending s. 372.72(2), Florida Statutes, eliminating the deposit of certain fines, penalties, or forfeitures in the Endangered and Threatened Species Reward Trust Fund; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Representative Mills and others—

HB 816—A bill to be entitled An act relating to planning and budgeting; adding subsection (9) to s. 216.031, Florida Statutes, 1980 Supplement, requiring budget entities to submit certain information on energy usage to the Legislature in budget requests; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Retirement, Personnel and Collective Bargaining—

HB 1143—A bill to be entitled An act relating to trust and agency investment matters; amending s. 215.45, Florida Statutes, establishing the authorized sales price for sales under call options; creating s. 215.455, Florida Statutes, authorizing the loan of securities; adding paragraphs (l) and (m) to s. 215.47(1), Florida Statutes, 1980 Supplement, and adding paragraph (i) to subsection (2), amending subsection (3), and adding subsection (6) to said section; authorizing the investment of public funds in prime commercial paper and bankers acceptances; increasing the percentage of funds which can be invested in common stocks; revising the criteria for investment in common stock; authorizing the use of options in selling or purchasing portfolio securities; authorizing repurchase agreements and reverse repurchase agreements; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Finance, Taxation and Claims.

By the Committee on Regulatory Reform and Representative Sadowski—

HB 1174—A bill to be entitled An act relating to legislative review; amending s. 11.611, Florida Statutes, relating to the sundown review of advisory bodies, boards, and commissions; providing intent; requiring legislative review of advisory bodies, boards, and commissions; providing eligibility requirements for funding of advisory bodies; limiting funding for advisory bodies not specifically created by statute; requiring certain information with respect to advisory bodies in agencies' budget requests; providing a schedule for legislative review of advisory bodies, boards, and commissions; changing the date of scheduled sunset review of certain advisory bodies; amending s. 20.03(7), Florida Statutes, redefining "council"; repealing s. 11.6115, Florida Statutes, 1980 Supplement, abolishing conflicting sundown schedules; providing an effective date.

—was referred to the Committee on Governmental Operations.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed CS for HB 199, CS for HB 702, HB 1087 and HB 1088 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Natural Resources and Conservation and Representative Carlton and others—

**CS for HB 199**—A bill to be entitled An act relating to water conservation; creating the Water Conservation Act of 1981; creating s. 381.2612, Florida Statutes; providing that, after January 1, 1983, certain water-using devices installed in new buildings, or in certain additions or renovations to existing buildings, must meet specified efficiency standards; providing for standards of safety and sanitation; providing exceptions; defining "local enforcement agency"; providing a penalty; providing an effective date.

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

By the Committee on Education, Higher and Representative Carpenter—

**CS for HB 702**—A bill to be entitled An act relating to post-secondary 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.

—was referred to the Committee on Education.

By the Committee on Education, K-12 and Representative Brown—

**HB 1087**—A bill to be entitled An act relating to compulsory school attendance; amending s. 232.01(1)(b), Florida Statutes, 1980 Supplement, clarifying that the acceptance of transfer of academic credit from nonpublic schools does not authorize the state or a school district to oversee or control the curriculum or academic programs of such schools; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Insurance—

**HB 1088**—A bill to be entitled An act relating to liquefied petroleum gas; amending s. 527.01, Florida Statutes, 1980 Supplement, relating to definitions, to include "installation of carburetion equipment" and to revise the categories included in the term "qualifier" for purposes of examination and licensure under chapter 527; amending s. 527.02, Florida Statutes, 1980 Supplement, to revise license fees; requiring a competency examination for licensure to engage in installation of carburetion equipment; amending s. 527.04, Florida Statutes, increasing the bond required for issuance of a license; amending ss. 527.05, 527.07, 527.08, 527.09, 527.10, 527.12, 527.13, 527.14 (1), 527.15, and 527.16(1), (2), and (5), Florida Statutes, and ss. 527.06, 527.0605, 527.061, and 527.062(1) and (4), Florida Statutes, 1980 Supplement, and repealing s. 527.18, Florida Statutes, relating to the powers of the department; reviving and readopting chapter 527, Florida Statutes, notwithstanding the provisions of the Regulatory Reform Act of 1976; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Commerce.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed HB 781, HB 1076, HB 1099 and HB 789 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Mitchell—

**HB 781**—A bill to be entitled An act relating to the retirement system for school teachers; amending s. 238.171(1) and (2), Florida Statutes, to change restrictions on the eligibility for monthly allowances for certain incapacitated teachers and superintendents; providing an effective date.

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

By the Committee on Education, K-12—

**HB 1076**—A bill to be entitled An act relating to education; creating s. 236.0873, Florida Statutes, providing allocations for school volunteer programs; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By the Committee on Criminal Justice—

**HB 1099**—A bill to be entitled An act relating to sheriffs; amending s. 30.24, Florida Statutes; providing for actual and necessary expenses for return of prisoners from out of state; authorizing sheriffs to contract for the transportation of prisoners; requiring liability insurance for prisoner transportation companies; exempting prisoner transport personnel from training and bond requirements; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Representative C. R. Smith—

**HB 789**—A bill to be entitled An act relating to adult education; creating s. 228.072, Florida Statutes, the Florida Adult General Education Act; providing intent, purpose, and definitions; providing for financial and technical assistance; authorizing use of facilities; providing an effective date.

—was referred to the Committees on Education and Appropriations.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 752, CS for HB 1068 and HB 1115 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Nuckolls—

**HB 752**—A bill to be entitled An act relating to drivers' licenses; amending s. 322.25(6), Florida Statutes, 1980 Supplement, requiring the court to report convictions involving illegal possession of controlled substances in motor vehicles to the Department of Highway Safety and Motor Vehicles; adding a subsection to s. 322.27, Florida Statutes, requiring the revocation of the driving privilege of a person convicted of illegal possession of a controlled substance in a motor vehicle while in the operation or control of the vehicle; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By the Committees on Appropriations and Judiciary and Representative Richmond and others—

**CS for HB 1068**—A bill to be entitled An act relating to time sharing; creating chapter 721, Florida Statutes, consisting of ss. 721.01 through 721.26, Florida Statutes; creating the "Florida Real Estate Time Sharing Act"; providing legislative purposes; providing for the scope of the act; providing for the effect of the act with respect to time share estates which were created prior to the effective date of the act; providing definitions; requiring contracts for the purchase of time share periods; requiring public offering statements; providing a fee; requiring escrow accounts, surety bonds and nondisturbance instruments; providing for reservation agreement; providing for cancellation; providing requirements with respect to advertising materials; requiring the keeping of certain records by sellers; providing regulations with respect to management; providing for the discharge of a managing entity; providing for assessments for common expenses; providing for liens with respect to overdue assessments; providing for the transfer of a seller's interest to a third party; providing for exchange programs; providing for a trust fund; requiring sellers to be licensed; providing for purchasers remedies; prohibiting partition except by contract; providing that time share plans shall not be considered

securities providing for insurance; providing for zoning and building; providing for regulation by the Division of Florida Land Sales and Condominiums of the Department of Business Regulation; providing penalties and providing for enforcement; amending ss. 498.019 and 498.049(4), Florida Statutes, changing the name of the Florida Land Sales and Condominiums Trust Fund to the Florida Land Sales Trust Fund; amending s. 718.501(3)(c), Florida Statutes, and creating s. 718.509, Florida Statutes, creating the Florida Condominiums Trust Fund; providing for the review and repeal of provisions relating to chapter 498, Florida Statutes, in conformance with the Regulatory Reform Act of 1976; and repealing ss. 718.111(9)(b), Florida Statutes, relating to condominium associations, to prohibit associations from insuring more than common elements of the building; providing an effective date.

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

By the Committee on Judiciary and Representative Richmond—

HB 1115—A bill to be entitled An act relating to land sales practices; amending s. 498.005(5), Florida Statutes; redefining "disposition"; amending s. 498.007 (4) and (6), Florida Statutes; providing circumstances for suspension or revocation of registrations; specifying accounting methods to be adopted by the division; amending s. 498.017(1), (2), (4), (5), (8), (9), Florida Statutes, and adding a new subsection (10) to said section; specifying fees; amending s. 498.023(1), (2), and (3), Florida Statutes; prohibiting certain offers or dispositions; requiring the purchase contract and public offering statement to contain a 7-day cancellation clause; specifying rights of purchaser after disposition by telephone; creating s. 498.024, Florida Statutes; providing for filing and approval of a reservation program; providing for establishment of escrow accounts; providing for refund and release of escrow moneys; providing for disclosure of sales price; providing for right of rescission; providing penalties for failure to comply with requirements; amending s. 498.025(1), (2), and (3), Florida Statutes; clarifying exemptions; adding an exemption for sales of portions of lots; providing for additional exemptions; amending s. 498.027(1)(b) and (f), Florida Statutes; providing conditions for the disposition of portions of platted lots; amending s. 498.029(1), Florida Statutes; requiring that a delay in approval be for a specified period of time; amending s. 498.031, Florida Statutes; requiring the division to investigate certain matters; amending s. 498.033, Florida Statutes, 1980 Supplement; revising procedures for registration of subdivided lands; providing an alternative method of registration; requiring that financial statements be accompanied by certain documents; requiring registrants to comply with the terms of any encumbrance; adding a new paragraph (i) to s. 498.037(1), Florida Statutes, requiring certain disclosure in the Florida offering statement if the subdivision does not obtain certain approval; amending s. 498.039, Florida Statutes; requiring certain assurances, sinking funds, escrow accounts, or trust accounts; requiring reports; amending s. 498.041, Florida Statutes; providing procedures for renewal of registration; amending s. 498.045(2), (9), and (10), Florida Statutes; specifying fees for registration of salesmen and brokers; increasing civil penalties for certain violations by salesmen or brokers; amending s. 498.047(4), Florida Statutes; deleting reference to the registration of subdividers, salesmen, and brokers; amending s. 498.049(1) and (4), Florida Statutes; providing additional grounds for suspension or revocation of registration; authorizing other remedies; providing joint and several liability; providing a right of contribution; amending s. 498.051(1), Florida Statutes, and adding subsection (3) to said section; providing for cease and desist orders; specifying affirmative action to be taken pursuant to a cease and desist order; amending s. 498.053, Florida Statutes; providing for issuance of show cause orders; amending s. 498.063, Florida Statutes; providing a saving clause; repealing s. 498.043, Florida Statutes, relating to annual reports; providing for repeal and legislative review; providing an effective date.

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

*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 50, CS for HB 325 and HB 484 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Natural Resources and Representative Spaet and others—

CS for HB 50—A bill to be entitled An act relating to state parks and preserves; amending s. 258.165(2)(a), Florida Statutes, 1980 Supplement, including Dumfoundling Bay to the northern Dade County line within the Biscayne Bay Aquatic Preserve; excluding Dumfoundling Bay as an outstanding Florida Water; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By the Select Committee on Juvenile Justice and Representatives Tygart and Grant—

CS for HB 325—A bill to be entitled An act relating to juveniles; amending s. 39.071, Florida Statutes, removing the requirement that the court appoint counsel with respect to certain insolvent children; providing for appointment of counsel for limited purposes; providing a court order to parents or legal guardians to obtain counsel and punishment for failure to follow order; providing counsel after refusal of order and punishment of civil contempt; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Representative Lippman—

HB 484—A bill to be entitled An act relating to long-term care facilities; creating s. 400.322, Florida Statutes, authorizing such facilities to maintain emergency medication kits in which may be stored medicinal drugs to be administered under emergency conditions; amending s. 400.427(2), Florida Statutes, 1980 Supplement, relating to property and personal affairs of residents, to provide for development of procedures for implementation of bonding requirements; providing for a report to the Legislature; providing for rules; providing for review and repeal in accordance with the Regulatory Reform Act of 1976; declaring phenylalanine restricted formula prescription legend drug; providing dispensing procedure; providing an effective date.

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

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed CS for HB 823 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Transportation and Representative Mann—

CS for HB 823—A bill to be entitled 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; providing an effective date.

—was referred to the Committee on Transportation.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1199 and CS for HB's 285 and 308 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on House Administration and Representative T. McPherson—

**HB 1199**—A bill to be entitled An act relating to the House of Representatives; appropriating moneys from the General Revenue Fund to provide additional staff for the members of the House of Representatives and staff salary increases; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By the Committee on Insurance and Representatives Clements and Hattaway—

**CS for HB's 285 and 308**—A bill to be entitled An act relating to insurance; repealing subsection (6) of s. 626.241, Florida Statutes, and amending subsection (7) thereof; modifying the scope of examination of certain adjusters; amending s. 626.869(1), Florida Statutes, removing a current restriction providing that only insurance company employees may obtain limited licenses as adjusters; providing for the review and repeal of parts I-V of chapter 626, Florida Statutes, in accordance with the Regulatory Reform Act of 1976; providing an effective date.

—was referred to the Committee on Commerce.

*The Honorable W. D. Childers, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 862 and CS for HB 490 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Ready—

**HB 862**—A bill to be entitled An act relating to motor vehicle licensing; adding subsection (5) to s. 320.03, Florida Statutes, 1980 Supplement; requiring that private license tag agencies be appointed and approved by the tax collector, or the county manager in certain consolidated county governments; requiring that such agencies operate under an approved contract; requiring such agencies to post bond and secure an occupational license; authorizing such agencies to collect fees; providing for approval of fee schedules; providing that charging of excess fees may constitute grounds for suspension of license to operate; providing for application to existing agencies; amending s. 320.03(3)(f), Florida Statutes, providing that those antique trucks with a net weight of 3,001 pounds to 5,000 pounds may qualify for the antique truck tag; providing an effective date.

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

By the Committee on Natural Resources and Representatives Lewis and A. E. Johnson—

**CS for HB 490**—A bill to be entitled An act relating to environmental control; adding subsection (9) to s. 403.021, Florida Statutes, providing legislative intent with respect to the "Florida Air and Water Pollution Control Act"; adding a new subsection (26) to s. 403.061, Florida Statutes, 1980 Supplement, directing the Department of Environmental Regulation to develop certain standards and criteria related to waters used for deep water shipping; creating s. 403.816, Florida Statutes, relating to dredging permits; providing for maintenance dredging permits for up to 25 years; exempting permits for maintenance dredging from certain permitting requirements; amending s. 376.11(3), Florida Statutes, 1980 Supplement, and adding paragraph (e) to subsection (5) of said section; providing for use of interest earned from the Florida Coastal Protection Trust Fund for acquisition of spoil disposal sites; establishing priorities for acquisition; requiring local matching funds; limiting application of the act to specified ports; repealing the restrictions on protection of manatees

relating to commercial vessels entering or leaving port waters; providing an effective date.

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

The Senate was called to order by the President at 9:00 a.m. A quorum present—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	Tobiassen
Dunn	Johnston	Poole	Trask
Frank	Kirkpatrick	Rehm	Vogt
Gordon	Langley	Renick	Ware
Grizzle	Lewis	Scott	Winn

Excused: Senator Maxwell for the afternoon session; 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 Senator Peterson:

Gracious Father, as we approach thy throne of grace, we honor thy name and ask for your guidance. Here in the last days of this session of the Legislature show us the way to do thy will for the people of Florida. Show us how to get along with each other for the people of Florida. Show us to do what will be ultimately the right thing to do. Forgive us where we fail thee; strengthen us so that we may do better. We ask all these things in Christ's name. Amen.

Senator Henderson introduced John E. Mathews, III, and his wife Gail and requested them to convey greetings and best wishes from the Senate to his father, former Senate President John E. Mathews, Jr., and mother, Gwen.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, June 2, 1981: CLAIM BILLS: SB 970, SB 1046, SB 1093, HB 37, HB 146, HB 153, HB 205, HB 392, HB 511, HB 1195 EDUCATION BILLS: CS for SB 905, CS for SB 407, HB 20, HB 63, HB 64, SB 1007, CS for SB 208, SB 541, CS for CS for SB 583, SB 751, SB 937, SB 965, HB 662, SB 712, CS for SB 798, SB 997, SB 735, SB 222, SB 275, SB 830 Revised listing of bills carried over from Special Order of Monday, June 1, 1981: SB 920, HB 190, CS for SB 916, CS for SB 811, 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, 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, SB 1070, CS for SB 854, CS for SB 512

Respectfully submitted,  
*Edgar M. Dunn, Jr., Chairman*

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 327, SB 454, SB 494, CS for SB 583, SB 603, CS for SB 689

The bills with committee substitutes attached were placed on the calendar.

## EXECUTIVE BUSINESS

The Honorable W. D. Childers  
President, The Florida Senate

May 28, 1981

Dear Mr. President:

The following executive appointments were referred to the Senate Committee on Executive Business for action pursuant to Rule 12.7(a) of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
1. Army National Guard, Florida, Brigadier General Appointee: Ensslin, Jr., Robert F.	Pleasure of Governor	21. Tampa-Hillsborough County Expressway Authority, Members Appointees: Culbreath, H. L. Valenti, Frank S.	7/ 1/82 7/ 1/84
2. Board of Building Codes and Standards, Member Appointee: Jarvis, Paul D.	4/ 5/85	22. Florida State Fair Authority, Member Appointee: Blanchard, G. Robert	7/ 1/82
3. Board of Chiropractic, Member Appointee: Posner, Russell M.	8/ 1/82	23. Firefighters Standards and Training Council, Member Appointee: Wright, Jr., John C.	Pleasure of State Fire Marshal
4. Civil Service Board of the County of Escambia, Member Appointee: Varazo, Nick C.	2/ 9/85	24. Game and Fresh Water Fish Commission, Member Appointee: Bostick, Jr., William Guy	1/ 4/86
5. Central Florida Community College, Board of Trustees, Member Appointee: McKoy, Sandra C.	5/31/82	25. Harbor Master, Port of Key West, Monroe County Appointee: Crusoe IV, Edwin E.	2/ 8/82
6. Chipola Junior College, Board of Trustees, Member Appointee: Parrish, Mildred L.	5/31/85	26. Statewide Health Coordinating Council, Chairman Appointee: Ferguson, Jr., Emmet F.	9/30/83
7. Gulf Coast Community College, Board of Trustees, Members Appointees: Griffin, Frank C. King, Robert E. Sowell, Helen M.	5/31/85 5/31/85 5/31/85	27. Florida Housing Finance Agency, Members Appointees: Hargrett, James T. Parker, Larry Ryland	11/13/82 11/13/84
8. Indian River Community College, Board of Trustees, Member Appointee: Bryan, Sr., Ben L.	5/31/85	28. Board of Massage, Members Appointees: Canfield, Charles E. Drake, Alvin H. Eoff, B. Richard Genwright, Sr., James S.	1/ 1/84 1/ 1/85 1/ 1/81 and 1/ 1/85 1/ 1/84
9. Lake City Community College, Board of Trustees, Member Appointee: Rivers, W. S.	5/31/85	29. State Board of Naturopathic Examiners, Member Appointee: Geldner, R. Wilson	7/15/83
10. Miami-Dade Community College, Board of Trustees, Member Appointee: D'Alemberte, Talbot	5/31/83	30. Board of Pilot Commissioners, Member Appointee: Moran, Jr., Edmond J.	6/30/84
11. North Florida Junior College, Board of Trustees, Member Appointee: Stone, Thomas E.	5/31/85	31. Port Everglades Commission, Members Appointees: Berkowitz, Maurice Kearns, Thomas N. Loconto, Phyllis Finney Shaw, Charles R.	11/16/82 11/16/82 11/20/84 11/20/84
12. St. Petersburg Junior College, Board of Trustees, Member Appointee: Gregory, Thomas H.	5/31/83	32. Historic Broward County Preservation Board of Trustees, Member Appointee: Cunningham, Betty Jo Moffitt	11/1/81
13. Construction Industry Licensing Board, Members Appointees: Barganier Selma S. Hill, Huelan	2/18/84 2/18/83	33. Historic St. Augustine Preservation Board of Trustees, Member Appointee: Lockwood, Norma K.	8/31/82
14. Board of Cosmetology, Members Appointees: Daniels, Jo Kinsey, Elizabeth	1/ 1/82 1/ 1/85	34. Public Employees Relations Commission, Member Appointee: Brooks, Thomas W.	1/1/85
15. Florida School for the Deaf and the Blind Board of Trustees, Member Appointee: Turner, Edgar Malone	11/19/84	36. Board of Real Estate, Members Appointees: Babcock, Jr., Howard C. Ladell, Brian James	3/5/84 3/5/85
16. Board of Dentistry, Member Appointee: Levy, Joan R.	2/ 7/85	37. Sumter County Recreation and Water Conservation and Control Authority, Members Appointees: Graham, Thomas William Nichols, J. H.	12/1/83 11/9/82
17. Education Practices Commission, Members Appointees: Dunlap, Mildred Searles Juarez, Helen D. Lowry, Sr., A. Leon	10/ 1/81 10/ 1/83 10/ 1/81	38. West Florida Regional Planning Council, Region One, Member Appointee: Barr, Jimmy	10/1/83
18. Education Standards Commission, Members Appointees: Espey, John R. Katzenmeyer, William G.	10/ 1/83 10/ 1/81	39. Apalachee Regional Planning Council, Region Two, Member Appointee: Costin, James E.	10/1/83
19. Florida Elections Commission, Members Appointees: Nunez-Portuondo, Ricardo Withers, Isaac C.	12/10/81 12/10/83	40. North Central Florida Regional Planning Council, Region Three, Member Appointee: Milliron, Jr., Roy F.	10/1/82
20. Environmental Regulation Commission, Member Appointee: Barley, Jr., George M.	7/ 1/83	41. Northeast Regional Planning Council, Region Four, Member Appointee: Hines, W. M.	10/1/83

<i>Office and Appointment</i>	<i>For Term Ending</i>
42. Withlacoochee Regional Planning Council, Region Five, Member Appointee: Childers, Richard Douglas	10/1/82
43. East Central Regional Planning Council, Region Six, Member Appointee: Rebaza, Celina Maria Mees	10/1/82
44. Central Florida Regional Planning Council, Region Seven, Member Appointee: Harrison, Charles W.	10/1/82
45. Tampa Bay Regional Planning Council, Region Eight, Member Appointee: Malchon, Jeanne	10/1/83
46. South Florida Regional Planning Council, Region Eleven, Member Appointee: Pinder, J. J.	10/1/82
47. State Retirement Commission, Members Appointees: Galbreath, David C. Heatherly, Sara F. Smith, John R.	12/31/83 12/31/83 12/31/83
48. St. Johns River Water Management District Governing Board, Member Appointee: Owen, Jr., Idwal H.	7/1/83
49. Alafia River Basin Board of the Southwest Florida Water Management District, Member Appointee: Odiorne, Patricia B.	6/30/81
50. Crystal River-Homasassa River Basin Board of the Southwest Florida Water Management District, Member Appointee: Black, Charles A.	6/30/83
51. Hillsborough River Basin Board of the Southwest Florida Water Management District, Members Appointees: Courtney, Robert J. Sargeant, John B.	6/30/82 6/30/83
52. Manasota Basin Board of the Southwest Florida Water Management District, Member Appointee: Harrison, J. Lynn	6/30/83
53. Peace River Basin Board of the Southwest Florida Water Management District, Member Appointee: Ryals, James L.	6/30/83
54. Pithlachascootee River Basin Board of the Southwest Florida Water Management District, Member Appointee: Gallagher, John J.	6/30/82
55. Withlacoochee River Basin Board of the Southwest Florida Water Management District, Members Appointees: Hunt, Norvell W. Walker, Sr., Wyatt M. Wells, Leo D.	6/30/82 6/30/83 6/30/81

As required by Rule 12.7(a), the committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the committee, by a separate vote as to each appointee, respectfully advises and recommends:

- (1) That the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate.
- (2) That Senate action on said appointments be taken prior to the adjournment of the 1981 Regular Session.

(3) That there is no necessity known to the committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
Committee on Executive Business

*George Stuart, Jr., Chairman*      *Gwen Margolis*  
*Patrick K. Neal, Vice Chairman*      *Richard Renick*  
*Tom Lewis*      *Sherrill Skinner*

Senator Stuart moved that the report be adopted and the Senate confirm the appointments identified in the foregoing report to the offices and for the terms indicated, in accordance with the recommendations of the committee. The motion was adopted by the following vote:

**Yeas—36**

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

**Nays—None**

The Honorable W. D. Childers  
President, The Florida Senate

May 28, 1981

Dear Mr. President:

The following executive appointments were referred to the Senate Committee on Executive Business for action pursuant to Rule 12.7(a) of the Rules of the Florida Senate:

*Office and Appointment*

*For Term Ending*

35. Florida Public Service Commission, Members Appointees: Leisner, Susan Wagner Nichols, Katie	1/ 1/82 1/ 1/85
---	--------------------

As required by Rule 12.7(a), the committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the committee, by a separate vote as to each appointee, respectfully advises and recommends:

- (1) That the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate.
- (2) That Senate action on said appointments be taken prior to the adjournment of the 1981 Regular Session.
- (3) That there is no necessity known to the committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
Committee on Executive Business

*George Stuart, Jr., Chairman*      *Gwen Margolis*  
*Patrick K. Neal, Vice Chairman*      *Richard Renick*  
*Tom Lewis*      *Sherrill Skinner*

Senator Stuart moved that the report be adopted and the Senate confirm the appointments identified in the foregoing report to the office and for the terms indicated, in accordance

with the recommendations of the committee. The motion was adopted by the following vote:

Yeas—37

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

Nays—1

Carlucci

The Honorable W. D. Childers  
President, The Florida Senate

May 28, 1981

Dear Mr. President:

The following executive appointments were referred to the Senate Committee on Executive Business for action pursuant to Rule 12.7(a) of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>
1. Career Service Commission, Member Appointee: Ledbetter, Beverly Anne	11/22/84
2. State Community College Coordinating Board, Student Member Appointee: Melvin, David H.	9/15/80
3. Education Standards Commission, Member Appointee: Marshall, J. Stanley	10/ 1/82
4. State Board of Independent Post-Secondary Vocational, Technical, Trade, and Business Schools, Member Appointee: DeWitt, William R.	7/ 1/81
5. Prison Industry Commission, Members Appointees: Biggins, Clarice F. Danese, Tracy Heyns, Alfred Terrence Toms, G. E. Verner, Hoyt	12/15/82 12/15/84 12/15/83 12/15/83 12/15/85
6. West Florida Regional Planning Council, Region One, Member Appointee: Williams, Bill	10/ 1/83
7. Apalachee Regional Planning Council, Region Two Member Appointee: Odom, Howard	10/ 1/83
8. Oklawaha River Basin Board of the St. Johns River Water Management District, Member Appointee: McPherson II, Rex V.	6/30/82

As required by Rule 12.7(a), the committee caused to be conducted an inquiry into the qualifications, experience and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the committee, by a separate vote as to each appointee, respectfully advises and recommends:

- (1) That the Senate take no action to confirm the appointments of J. Stanley Marshall, Rex V. McPherson II, and Bill Williams to the office and for the term indicated, because the committee finds that they have tendered their resignations.

- (2) That the Senate fail to consider the appointment of David H. Melvin to the office and for the term indicated, because the committee determined that the term of office for this appointment had expired.

- (3) That the Senate take no action to confirm the appointments of Clarice F. Biggins, Tracy Danese, Alfred Terrence Heyns, G. E. Toms, and Hoyt Verner as members of the Prison Industry Commission for the terms indicated, because the committee finds that the Prison Industry Commission is abolished effective October 1, 1981.

- (4) That the Senate take no action to confirm the appointment of Beverly Anne Ledbetter as a member of the Career Service Commission for the term indicated, because the committee finds that she does not meet the statutory requirement of a layperson with at least five years experience in business, industry, or labor at the management level or in a recognized profession.

- (5) That the Senate take no action to confirm the appointment of William R. DeWitt as a member of the State Board of Independent Post-Secondary Vocational, Technical, Trade, and Business Schools for the term indicated, because the committee finds that he held another office which was a dual-office and prohibited under the Constitution of the State of Florida, and has not provided this committee with a copy of his resignation from the other office.

- (6) That the Senate take no action to confirm the appointment of Howard Odom as a member of the Apalachee Regional Planning Council, Region Two for the term indicated, because the committee finds that he is not attending meetings of the council.

- (7) That Senate action on said appointments be taken prior to adjournment of the 1981 Regular Session.

- (8) That there is no necessity known to the committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
Committee on Executive Business

<i>George Stuart, Jr., Chairman</i>	<i>Gwen Margolis</i>
<i>Patrick K. Neal, Vice Chairman</i>	<i>Richard Renick</i>
<i>Tom Lewis</i>	<i>Sherrill Skinner</i>

On motion by Senator Stuart, the report was adopted and the Senate took no action to confirm or fail to confirm, as indicated in the Committee's report, the appointments identified in the report, to the offices and for the terms indicated, in accordance with the recommendations of the Committee. The vote was:

Yeas—39

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

Nays—None

The Honorable W. D. Childers  
President, The Florida Senate

May 28, 1981

Dear Mr. President:

The executive appointment of Marjorie Head to the office of Member, Education Standards Commission, for a term ending October 1, 1982, was referred to the Senate Executive Business Committee for action pursuant to Rule 12.7(a) of the Rules of the Florida Senate.

As required by Rule 12.7(a), the committee caused to be conducted an inquiry into the qualifications, experience, and

general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry the committee held public hearings at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the committee respectfully advises and recommends that, in accordance with s. 114.05(1)(d), Florida Statutes, the Senate vote to refuse to confirm the appointment of Marjorie Head to the Office of Member, Education Standards Commission; that the Senate vote be taken prior to adjournment of the 1981 Regular Session; and that there is no necessity known to the committee for the deliberations on the appointment to be held in executive session.

Respectfully submitted,  
Committee on Executive Business

*George Stuart, Jr., Chairman*      *Gwen Margolis*  
*Patrick K. Neal, Vice Chairman*      *Richard Renick*  
*Tom Lewis*      *Sherrill Skinner*

On motion by Senator Stuart, the Senate accepted the recommendation of the Committee and refused to confirm and rejected the appointment of Marjorie Head to the office and for the term indicated. The vote was:

Yeas—34

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

Nays—4

Anderson	Frank	Jenne	Stuart
----------	-------	-------	--------

The Honorable W. D. Childers      May 28, 1981  
President, The Florida Senate

Dear Mr. President:

Please find enclosed the Final Report from Special Master D. Stephen Kahn in the suspension matter of Raymond Bruner, Clerk of the Circuit Court of Jackson County, Florida.

This report is to be included in the final report of this committee to the full Senate.

Sincerely,  
Committee on Executive Business  
*George Stuart, Jr.*  
Chairman

#### SPECIAL MASTER'S FINAL REPORT

IN THE FLORIDA SENATE  
TALLAHASSEE, FLORIDA

RE: EXECUTIVE ORDER NO. 80-57  
SUSPENSION OF RAYMOND BRUNER, CLERK  
CIRCUIT COURT OF JACKSON COUNTY, FLORIDA

#### FACTS:

The Governor of Florida suspended Raymond Bruner from his office of Clerk of the Circuit Court of Jackson County, Florida effective June 27, 1980 and alleged in the Suspension Order certain facts constituting malfeasance and misfeasance in office. The Order alleged in detail that between 1973 and 1979, Clerk Bruner showed a continuing and intentional course of conduct involving improper sexual advances on at least thirteen female applicants for employment and female employees of his office.

On July 2, 1980, Philip D. Lewis, President of the Florida Senate, appointed me Special Master to conduct the required inquiry and make recommendations to the Senate on whether to reinstate or remove Mr. Bruner from office.

Pursuant to Senate Rule 12.7, I held a pre-trial hearing on September 22, 1980 in Tallahassee and set the final hearing on the merits for December 8-10, 1980.

On December 2, 1980, I received an official copy of the resignation of Raymond Bruner, which resignation was made effective June 27, 1980, to coincide with the effective date of the Suspension Order.

The Governor accepted Mr. Bruner's resignation, a copy of which I am attaching to this report for inclusion in the Journal.

The intended effect of the resignation was to resolve against Mr. Bruner all pending issues of his right and title to office, back pay and emoluments during the period of the suspension through and terminating with the election and qualification of his successor who was elected at the General Election November, 1980, and who was commissioned by the Governor and entered office on January 6, 1981.

After filing a court challenge and the subsequent lifting of a brief First District Court of Appeal stay of the Governor's Suspension Order, Mr. Bruner dismissed his further appeal to the Florida Supreme Court where he had attempted to challenge the Governor's suspension authority under the particular facts in this case.

#### RECOMMENDATIONS:

It is my opinion that Mr. Bruner has, by his unqualified resignation and dismissal of all judicial appeals, completely divested himself of any and all interest in his former office as of June 27, 1980 at 1:39 p.m., and that the office was thereby vacated.

Accordingly, under Article IV, Section 7 of the Florida Constitution, I recommend that:

- 1) the Florida Senate adopt this report which will have the effect of validating the constitutional removal from office of Raymond Bruner, and
- 2) take no further action as there are no remaining issues to be resolved by the Senate.

Respectfully submitted,  
*D. Stephen Kahn*  
Special Master

Dated: April 16, 1981

I, RAYMOND R. BRUNER, do hereby tender my resignation from the office of Clerk of the Circuit Court in and for Jackson County, Florida. My resignation from such office is effective at 1:39 p.m., June 27, 1980.

*Raymond R. Bruner*

Received by the Office of the Governor  
on December 2, 1980.

*Joe Willis*  
Assistant General Counsel

Resignation accepted effective 1:39 p.m., June 27, 1980

*Bob Graham*  
Governor

On motion by Senator Stuart, the report of the Special Master was adopted and the Senate took no further action on the Executive Order of Suspension of Raymond Bruner, Clerk of the Circuit Court of Jackson County, Florida. The vote was:

Yeas—34

Mr. President	Carlucci	Frank	Henderson
Barron	Childers, D.	Grizzle	Hill
Beard	Dunn	Hair	Jenne

Jennings      McClain      Renick  
 Johnston      McKnight      Scott  
 Kirkpatrick      Neal      Steinberg  
 Langley      Peterson      Stevens  
 Lewis      Poole      Stuart  
 Margolis      Rehm      Thomas

Nays—None

The Honorable W. D. Childers  
 President, The Florida Senate

May 28, 1981

Dear Mr. President:

The following executive appointment was referred to the Senate Committee on Executive Business for action pursuant to Rule 12.7(a) of the Rules of the Florida Senate:

*Office and Appointment*

Transportation, Secretary of  
 Appointee: Varn, Jacob D.

Pleasure of Governor

As required by Rule 12.7(a), the committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry the committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearing, the committee, by a separate vote as to the appointee, respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointee, to the office and for the term indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointment be taken prior to the adjournment of the 1981 Regular Session.
- (3) That there is no necessity known to the committee for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
 Committee on Executive Business

*George Stuart, Jr., Chairman      Gwen Margolis*  
*Patrick K. Neal, Vice Chairman      Richard Renick*  
*Tom Lewis      Sherrill Skinner*

Senator Stuart moved that the report be adopted and the Senate confirm the appointment identified in the foregoing report to the office and for the term indicated, in accordance with the recommendations of the committee.

Senator Gordon moved that consideration of the report be deferred. The motion failed. The motion by Senator Stuart was adopted and the Senate confirmed the appointment of Jacob D. Varn as Secretary of Transportation. The vote was:

Yeas—37

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

Nays—3

Gordon      Margolis      McKnight

The Honorable W. D. Childers  
 President, The Florida Senate

May 28, 1981

Dear Mr. President:

The following executive appointment was referred to the Senate Committee on Executive Business for action pursuant to Rule 12.7(a) of the Rules of the Florida Senate:

*Office and Appointment*

Environmental Regulation, Secretary of  
 Appointee: Tschinkel, Victoria Jean

*For Term*  
*Ending*

Pleasure of Governor

As required by Rule 12.7(a), the committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry the committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearing, the committee, by a separate vote as to the appointee, respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointee, to the office and for the term indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointment be taken prior to the adjournment of the 1981 Regular Session.
- (3) That there is no necessity known to the committee for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
 Committee on Executive Business

*George Stuart, Jr., Chairman      Gwen Margolis*  
*Patrick K. Neal, Vice Chairman      Richard Renick*  
*Tom Lewis      Sherrill Skinner*

Senator Stuart moved that the report be adopted and the Senate confirm the appointment identified in the foregoing report to the office and for the term indicated, in accordance with the recommendations of the committee. The motion was adopted by the following vote:

Yeas—36

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

Nays—1

Peterson

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Winn, the rules were waived and by two-thirds vote CS for SB 921 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Winn, by two-thirds vote SB 653 was removed from the special order calendar and indefinitely postponed.



constructive possession of specified contraband on the grounds of any state correctional institution; providing exceptions; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 1, line 23, after (1)(a) insert: *Except through regular channels as authorized by the officer in charge of the correctional institution,*

On page 2, line 1, insert: *institution*

On page 2, strike lines 16 and 17

**Amendment 2**—On page 1 in the title, strike lines 3-11 and insert the following: system; amending s. 944.47, Florida Statutes, limiting a restriction upon the taking or sending of food or clothing upon the grounds of a state correctional institution; providing that it is unlawful for any inmate or any person while upon the grounds of any state correctional institution to be in actual or constructive possession of any contraband, except as authorized by the officer in charge of such institution; repealing s. 944.43, Florida Statutes, removing conflicting provisions relating to possession of weapons by state prisoners; providing an effective date.

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

SB 417 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Anderson	Henderson	Maxwell	Stevens
Barron	Hill	McClain	Stuart
Beard	Jenkins	McKnight	Thomas
Carlucci	Jenne	Neal	Tobiassen
Childers, D.	Jennings	Peterson	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 passed with amendments—

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

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 1, line 20, after “and” insert: for purposes of sections 218.32 and 218.33 means

**Amendment 2**—On page 1, line 22, strike “municipality, or special district” and on line 17, after “each” insert: municipality, special district, or

**Amendment 3**—On page 1, strike lines 23-31, and on page 2, strike lines 1-8 and renumber subsequent section.

**Amendment 4**—In title on page 1, lines 5-8, strike “authorizing state agencies to require data to be furnished by local government upon request of the Department of Banking and Finance;”

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

SB 650 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—W. D. Childers

The bill was ordered engrossed and then enrolled.

On motion by Senator Dunn, by two-thirds vote HB 1099 was withdrawn from the Committee on Judiciary-Criminal.

On motion by Senator Dunn, by unanimous consent—

**HB 1099**—A bill to be entitled An act relating to sheriffs; amending s. 30.24, Florida Statutes; providing for actual and necessary expenses for return of prisoners from out of state; authorizing sheriffs to contract for the transportation of prisoners; requiring liability insurance for prisoner transportation companies; exempting prisoner transport personnel from training and bond requirements; providing an effective date.

—was taken up out of order.

On motions by Senator Dunn, by two-thirds vote HB 1099 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	Jenne	Peterson	Trask
Carlucci	Jennings	Rehm	Vogt
Childers, D.	Johnston	Renick	Ware
Dunn	Langley	Scott	Winn
Frank	Lewis	Skinner	
Grizzle	Margolis	Steinberg	
Hair	Maxwell	Stevens	

Nays—None

**SPECIAL ORDER**

**CLAIM BILLS**

**SB 970**—A bill to be entitled An act for the relief of Patricia Anne Burke; providing an appropriation to compensate her for the loss of her husband, Correctional Officer Richard J. Burke, whose death occurred while performing his official duties in Florida State Prison; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 1, line 29, and on page 2, line 3, strike "\$100,000" and insert: \$50,000

On motion by Senator Carlucci, by two-thirds vote SB 970 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	Stevens
Anderson	Hill	McClain	Stuart
Barron	Jenkins	McKnight	Thomas
Beard	Jenne	Neal	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, Peterson

**SB 1046**—A bill to be entitled An act for the relief for the Town of Hillsboro Beach; providing an appropriation; providing an effective date.

—was read the second time by title. On motion by Senator Stevens, by two-thirds vote SB 1046 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**SB 1093**—A bill to be entitled An act for the relief of Wanda L. McDermon; providing an appropriation to compensate her for the loss of her husband, Florida Highway Patrol Trooper Robert Patrick McDermon, whose death occurred while performing his official duties; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 1, lines 27 and 31, strike "\$100,000" and insert: \$50,000

On motion by Senator Carlucci, by two-thirds vote SB 1093 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	Hair	Lewis	Steinberg
Anderson	Henderson	Margolis	Stevens
Beard	Hill	McClain	Stuart
Carlucci	Jenkins	Peterson	Tobiassen
Childers, D.	Jenne	Poole	Trask
Dunn	Jennings	Rehm	Vogt
Frank	Johnston	Renick	Ware
Gordon	Kirkpatrick	Scott	Winn
Grizzle	Langley	Skinner	

Nays—None

**HB 37**—A bill to be entitled An act for the relief of Donald C. Williams; providing an appropriation to compensate him for personal injuries and resulting losses occurring as a result of the negligence of the Department of Transportation; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote HB 37 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 146**—A bill to be entitled An act relating to Palm Beach County; providing relief for James G. Andrews; providing for an appropriation by the board of county commissioners to compensate him for personal injuries received as a result of the negligence of Palm Beach County; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Johnston:

**Amendment 1**—On page 2, line 7, strike "\$125,000" and insert: \$250,000

Senator Lewis moved the following substitute amendment which was adopted:

**Amendment 2**—On page 2, line 7, strike "\$125,000" and insert: \$220,000

On motion by Senator Lewis, by two-thirds vote HB 146 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Carlucci, Peterson

**HB 153**—A bill to be entitled An act for the relief of Robert Loudamy, a minor, and his mother, Carol J. Hofacket; providing an appropriation to compensate them for the personal injuries sustained by Robert Loudamy due to the negligence of the Department of Agriculture and Consumer Services; providing an effective date.

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

Yeas—35

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

Nays—None

HB 205—A bill to be entitled An act for the relief of Daniel Robert Knowles; providing an appropriation to compensate him for injuries received in a collision with a Department of Transportation vehicle; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 205 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
Beard	Jenne	Neal	Tobiassen
Carlucci	Jennings	Peterson	Trask
Childers, D.	Johnston	Poole	Vogt
Dunn	Kirkpatrick	Rehm	Ware
Frank	Langley	Renick	Winn
Grizzle	Lewis	Scott	
Hair	Margolis	Skinner	
Henderson	Maxwell	Steinberg	

Nays—None

HB 392—A bill to be entitled An act for the relief of Finley and Jean McMillan, husband and wife; providing an appropriation to compensate them for damages sustained as a result of the revocation of a marina permit; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Johnston and failed:

Amendment 1—On page 2, lines 17 and 23, strike "\$50,325.12" and insert: \$40,325

On motion by Senator Johnston, by two-thirds vote HB 392 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 511—A bill to be entitled An act relating to Pinellas County; providing for the relief of James R. Mabry; authorizing and directing the Comptroller to compensate James R. Mabry for his injuries due to the negligence of the board; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 511 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Carlucci

HB 1195—A bill to be entitled An act relating to Charlotte County; authorizing and requiring the Board of County Commissioners of Charlotte County to compensate Wanda Jensen Mulligan for property damages and personal injuries suffered in an accident involving a malfunctioning traffic signal owned by the county; providing an effective date.

—was read the second time by title.

Senator Henderson moved the following amendment which was adopted:

Amendment 1—On page 2, line 24, and on page 3, line 7, strike "\$25,000" and insert: \$15,000

On motion by Senator Henderson, by two-thirds vote HB 1195 as amended was read the third time by title, passed and 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	Tobiassen
Dunn	Johnston	Poole	Trask
Frank	Kirkpatrick	Rehm	Vogt
Gordon	Langley	Renick	Ware
Grizzle	Lewis	Scott	Winn

Nays—None

On motion by Senator Dunn, the rules were waived and the Senate recessed at 11:59 a.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—32:

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

The President announced the appointment of Senators Scott, Maxwell, Peterson, Johnston, Gordon and Dunn as a committee to confer with six members of the House of Representatives, appointed by the Speaker, to determine the posture of the two houses on the matter of the budget.

Senator Barron moved that the Senate stand in recess to reconvene at the call of the president and in the event the Senate had not reconvened by 3:00 p.m., the Senate would adjourn to reconvene at 9:00 a.m., June 3. The motion was adopted.

On motion by Senator Barron, all bills remaining on the special order calendar this date were carried over as the special order calendar for June 3.

#### CORRECTION AND APPROVAL OF JOURNAL

The Journal of June 1 was corrected and approved as follows:

Page 415, column 2, from bottom, at end of line 22 insert: 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.

Pursuant to the motion by Senator Barron, the Senate adjourned at 3:00 p.m. to reconvene at 9:00 a.m., June 3.