



# Journal of the Senate

Number 11

Thursday, February 11, 1982

## BILL ACTION SUMMARY

Thursday, February 11, 1982

H	21	Substituted for SB 57; Passed as amended
H	91	Substituted for SB 43; Passed
S	7	Passed as amended
S	19	Passed
S	25	Passed; Motion to reconsider over under Rule
S	42	C/S passed as amended
S	43	Iden./Sim. House Bill substituted; refer to HB 91
S	44	Passed as amended
S	57	Iden./Sim. House Bill substituted; refer to HB 21
S	58	Passed as amended
S	62	Passed as amended
S	80	Passed as amended
S	573	Passed
S	82	Passed
S	83	Passed
S	100	Passed as amended
S	103	Passed as amended; Immediately certified
S	126	Passed
S	136	Passed as amended
S	140	C/S passed as amended
S	141	Passed as amended
S	143	Passed
S	146	C/S passed
S	152	C/S passed
S	159	Passed as amended
S	164	C/S passed as amended
S	175	Passed as amended
S	194	Passed
S	221	Passed
S	241	C/S passed as amended
S	244	Passed as amended
S	273	C/S passed as amended
S	314	C/S passed
S	325	Passed
S	339	Passed
S	353	Passed as amended
S	377	Passed
S	383	Passed as amended
S	450	Passed as amended
S	1010	Adopted

## 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 adopted HM 522 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Bell and others—

HM 522—A memorial to the Congress of the United States, urging Congress to reenact the Clean Air Act in its present form.

—was referred to the Committee on Rules and Calendar.

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

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

Excused: Senator Steinberg at 10:00 a.m.; Senator Barron from 9:00 a.m. until 11:00 a.m.

Prayer by Dr. Robert M. McMillan, Pastor, First Baptist Church, Tallahassee:

Our God, we must tire you with our words and our much asking. We confess that often we exhaust ourselves with our much talking. But we are thankful that you look into the human heart and understand our deepest longings.

Our God, our very act of standing here, reverently in prayer, hopefully says much more to you than mere words. We do ask you to help us so discipline our thoughts that we may never divorce them from the human needs for which we were elected to serve in government.

Please help us to understand that it is no shame nor weakness in our humanness, that we invoke your help, but only slight embarrassment that, before each other, we thus bare our proud souls to say, "God Help Us!". Amen.

## REPORTS OF COMMITTEES

The Committee on Agriculture recommends the following pass: SB 811 with 1 amendment

The Committee on Education recommends the following pass: SB 778

The Committee on Governmental Operations recommends the following pass: SB 670

The Committee on Judiciary-Criminal recommends the following pass: SB 543 with 3 amendments

## INTRODUCTION AND REFERENCE OF BILLS

### First Reading

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

By Senators Skinner and Kirkpatrick—

SB 1014—A bill to be entitled An act relating to Bradford County; amending chapter 27413, Laws of Florida, 1951, authorizing the Board of Trustees of Bradford County Hospital Corporation to transfer the capital facilities of Bradford County Hospital to a nonprofit corporation; providing for dissolution of the Board of Trustees; providing for reestablishment of the Board of Trustees; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 365, SB 589, SB 694, SB 531 with 2 amendments

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 897

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 392 with 3 amendments, SB 592 with 3 amendments, SB 689

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 727 with 2 amendments

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

The Committee on Agriculture recommends the following pass: SB 440 with 3 amendments, SB 680, SB 775 with 1 amendment, SB 828

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 213, SB 573 with 1 amendment, SB 634, SB 773

The Committee on Education recommends the following pass: SB 185 with 2 amendments, SB 810

The Committee on Governmental Operations recommends the following pass: SB 257, SB 682, SB 688 with 1 amendment

The Committee on Health and Rehabilitative Services recommends the following pass: SB 734, SB 835

The Committee on Judiciary-Civil recommends the following pass: CS for SB 162, SB 438, SB 505 with 2 amendments, SB 535 with 1 amendment, SB 857 with 2 amendments

The Committee on Judiciary-Criminal recommends the following pass: HB 21 with 6 amendments, SB 702 with 2 amendments, SB 713 with 2 amendments, SB 724, SB 387 with 1 amendment, SB 384 with 2 amendments, SB 656, SB 691, SB 726

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 708

The Committee on Transportation recommends the following pass: SB 511, SB 590 with 2 amendments

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

The Committee on Judiciary-Civil recommends the following not pass: SB 508

The bill was laid on the table.

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 165

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 722

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

The Committee on Commerce recommends a committee substitute for the following: SB 704

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 593

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

The Committee on Appropriations recommends a committee substitute for the following: SB 117

The Committee on Governmental Operations recommends a committee substitute for the following: SB 649

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 772

The Committee on Appropriations recommends a committee substitute for the following: CS for CS for SB 69, 432, 312, 351, 39 and 285

The Committee on Commerce recommends committee substitutes for the following: SB 75, SB 686, SB 757

The Committee on Governmental Operations recommends a committee substitute for the following: SB 892

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 842

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

#### Bills Referred To Subcommittee

SB 723 has been referred to State Employees Group Health Self Insurance, a select subcommittee composed of Senator Jenne, chairman; Senators Don Childers, and Stevens, which will report to the full Committee on Health and Rehabilitative Services within 20 days.

#### REQUESTS FOR EXTENSION OF TIME

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The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: SB 389, SB 471, SB 721

The Committee on Education requests an extension of 15 days for consideration of the following: SB 523, SB 545, SB 566, HB 372, SB 556

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: SB 583, SB 621, SB 622, SB 630, SB 653

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The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: SB 507, SB 572, SB 598, SB 605, SB 626, SB 627, SB 635

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: SJR 127, SB 586, SB 600, SB 601, SCR 618, SCR 623, SB 628

The Special Master for Claims requests an extension of 15 days for consideration of the following: SB 467

The Committee on Transportation requests an extension of 15 days for consideration of the following: SB 227, SB 301, SB 306, SB 330, SB 435, SB 443, SB 479, SB 488, SB 489

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The Committee on Education requests an extension of 15 days for consideration of the following: SB 584, SB 602, SB 603, SB 610, SB 648, SB 650, SB 657, SB 659

On motion by Senator Gordon, by two-thirds vote SR 1010 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator McKnight—

SR 1010—A resolution welcoming to this state the American Blind Bowling Association.

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

Yeas—37

Mr. President	Hill	McClain	Stevens
Anderson	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	
Hair	Margolis	Skinner	
Henderson	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Gersten, Gordon

The President invited to the rostrum Richard Black of the American Blind Bowling Association who addressed the Senate. The President presented a copy of SR 1010 to Mr. Black.

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Gordon, the rules were waived and by two-thirds vote SB 240 was withdrawn from the Committee on Appropriations.

On motion by Senator Gordon, by two-thirds vote SB 98 was removed from the calendar and referred to the Committee on Appropriations.

On motion by Senator Peterson, the rules were waived and Subcommittee A of the Appropriations Committee was granted permission to extend time of adjournment of the meeting February 15 until completion of the agenda.

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

**Appointments Subject to Confirmation by the Senate:**

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

<i>Office and Appointee</i>	<i>For Term Ending</i>
Board of Architecture, Member Giller, Norman M., Miami Beach	12/17/85
Board of Building Codes and Standards, Member Wallace, Howard K., Jr., Gainesville	1/30/83
Florida Elections Commission, Member Huckshorn, Robert J., Boca Raton	12/5/85
Board of Land Surveyors, Member Herrick, Barney A., Orlando	12/6/85

*For Term Ending*

<i>Office and Appointee</i>	<i>For Term Ending</i>
Board of Massage, Member Bosetti, Anthony, Ft. Lauderdale	1/1/86
Jacksonville Port Authority, Duval County, Member Martin, James E., Jr., Jacksonville	9/30/85
Board of Directors, Prison Enterprises, Education and Rehabilitation, Inc., Chairman Eckerd, Jack, Clearwater	9/30/82

[Referred to the Committee on Executive Business.]

**SPECIAL ORDER**

Consideration of CS for SB 140 was deferred.

SB 19—A bill to be entitled An act relating to crimes involving weapons; amending s. 790.001(3)(a), (13), Florida Statutes, and adding subsection (15) to said section; defining "switchblade"; including switchblade in definitions of "weapon" and "concealed weapon" for purposes of crimes involving weapons; providing an effective date.

—was read the second time by title. On motion by Senator Steinberg, by two-thirds vote SB 19 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Gersten, Neal, Rehm

On motion by Senator Steinberg, by unanimous consent—

SB 126—A bill to be entitled An act relating to parole; amending s. 947.16(3), Florida Statutes; correcting obsolete references; requiring the Parole and Probation Commission to solicit original sentencing trial court judges' written opinions prior to parole; providing for disposition of the matter if no opinion is offered; providing that such opinions are nonbinding; providing an effective date.

—was taken up out of order. On motions by Senator Steinberg, by two-thirds vote SB 126 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Gersten

By the Committee on Economic, Community and Consumer Affairs—

CS for SB 140—A bill to be entitled An act relating to railroads and other common carriers; reviving and readopting, notwithstanding the Regulatory Sunset Act, various provisions of chapters 351 and 354, Florida Statutes, as amended; amending s. 351.03, Florida Statutes; providing for the erection and maintenance of warning signs; providing for emitting audible warnings; requiring motorists and railroad companies to exercise reasonable care at railway-highway crossings; providing for the placing of visual warning devices during certain hours; amending s. 351.08, Florida Statutes; providing for reinstatement of certain employees; amending s. 338.21, Florida Statutes; providing procedures for repair of specified crossings; providing for enforcement of lien; providing for attorney's fees; amending s. 354.01, Florida Statutes; requiring special officers to be certified; amending s. 354.05, Florida Statutes; requiring revocation of commission of a special officer who is decertified; amending s. 354.07, Florida Statutes; providing that action on bond of special officer is not exclusive remedy; providing for exercise of right of eminent domain by railroad companies; allowing to stand repealed as scheduled by the Regulatory Sunset Act ss. 351.001-351.01, 351.031-351.033, 351.035-351.07, 351.09-351.30, Florida Statutes, relating to regulation and duties of railroad companies, and s. 354.06, Florida Statutes, relating to fees paid to sheriff; providing for legislative review; providing an effective date.

—was read the first time by title and SB 140 was laid on the table.

On motion by Senator Stuart, by two-thirds vote CS for SB 140 was read the second time by title.

Senator Stuart moved the following amendments which were adopted:

**Amendment 1**—On page 2, lines 21 and 22, strike "emit an audible warning" and insert: sound a horn or whistle warning

**Amendment 2**—On page 4, line 29, after the word "expense" insert: , unless the maintenance has been provided for in another manner by contractual agreement entered into prior to October 1, 1982

Senator Peterson moved the following amendment which was adopted:

**Amendment 3**—On page 7, between lines 5 and 6, insert new sections 8, 9, 10, 11 and 12, and renumber remaining sections:

**Section 8.** Section 351.001 is amended to read as follows:

351.001 Legislative Intent.—The Legislature finds and declares that there is a need to improve the flow of commerce, to conserve energy, and to improve rail service to the public by the promotion of a safe, adequate, economical, viable, and efficient rail transportation system; ~~the encouragement of to encourage~~ competition in transportation; ~~and the elimination of to eliminate~~ outdated and unnecessary rules and regulations; ~~and to avoid dual jurisdiction between the Interstate Commerce Commission and the Public Service Commission over intrastate rail matters, but to ensure that there is not a regulatory void or lack of state regulatory authority over rail traffic which is "market dominant" within the meaning of the Interstate Commerce Act, as amended by the Staggers Rail Act of 1980 (P.L. 96-448). It is the further legislative intent that the Public Service Commission be certified by the Interstate Commerce Commission pursuant to 49 U.S.C. s. 11501.~~

**Section 9.** Section 351.003 is amended to read as follows: [Substantial rewording of section. See s. 351.003, F.S., for present text.]

351.003 Powers of the commission.—In addition to any other powers conferred by law, the Florida Public Service Commission shall have the following powers:

1. To the extent that federal law has preempted the State of Florida from jurisdiction over intrastate rail transportation, the commission shall exercise jurisdiction over intrastate rail rates and practices in accordance with the standards and procedures of 49 U.S.C. s. 11501 et seq., the Interstate Commerce Act, as amended by the Staggers Rail Act of 1980 (P.L. 96-448).

2. The commission shall adopt all rules necessary to implement the provisions of Chapter 351, Florida Statutes, relating to the duties of railroads, and of this act.

Section 10. Notwithstanding the provisions of the Regulatory Sunset Act, s. 351.009, Florida Statutes, shall not stand repealed on October 1, 1982, as scheduled by such act, and shall continue in full force and effect as set forth herein:

351.009 Fees.—Every railroad company shall pay to the Commission a fee for any application, said fee to be set by rule of the commission. The fee shall be deposited in the Florida Public Service Regulatory Trust Fund and, to the extent practicable, shall be generally related to the cost of processing the application, with the following limitations:

- (1) The fee to curtail or change rail service shall not exceed \$200.
- (2) The fee for increased rates shall not exceed \$1,000.
- (3) The fee for initial rate filings shall not exceed \$200.
- (4) The fee for all other applications shall not exceed \$250.

Section 11. This act shall not be construed to change or invalidate any rate being charged or collected prior to October 1, 1982. However, no such rate may be changed on or after October 1, 1982, except in accordance with the terms of this act.

Section 12. Sections 351.001, 351.003, and 351.009, are repealed on October 1, 1983, and shall be reviewed by the Legislature pursuant to Section 11.61, Florida Statutes.

The vote was:

Yeas—23

Mr. President	Hill	Neal	Stevens
Beard	Jennings	Peterson	Tobiassen
Carlucci	Kirkpatrick	Poole	Trask
Childers, D.	Langley	Rehm	Vogt
Frank	Lewis	Scott	Ware
Grizzle	Maxwell	Skinner	

Nays—15

Anderson	Hair	Johnston	Renick
Dunn	Henderson	Margolis	Stuart
Gersten	Jenkins	McClain	Thomas
Gordon	Jenne	McKnight	

On motion by Senator Stuart the Senate reconsidered the vote by which Amendment 1 was adopted.

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

**Amendment 1A**—On page 1, line 1, strike the word "a" and insert: an audible

Amendment 1 as amended was adopted.

Senator Stuart moved the following amendments which were adopted:

**Amendment 4**—On page 7, strike line 10 and insert: readopted, except that sections 351.002, 351.004-351.008, and 351.01,

**Amendment 5**—In title on page 1, line 9, strike "emitting audible warnings" and insert: the sounding of horn or whistle warnings

Senator Peterson moved the following amendment which was adopted:

**Amendment 6**—In title on page 1, strike lines 28 and 29 and insert: amending ss. 351.001, 351.003, 351.009, Florida Statutes; providing legislative intent; providing powers of the Florida Public Service Commission; providing for certain application fees; providing for repeal and review of ss. 351.001, 351.003, 351.009, Florida Statutes; relating to certain powers and fees of the Florida Public Service Commission; allowing to stand repealed as scheduled by the Regulatory Sunset Act ss. 351.002, 351.004-351.008, 351.01.

On motion by Senator Stuart, by two-thirds vote CS for SB 140 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Hair

By the Committee on Judiciary-Criminal and Senator Jenne—

CS for SB 42—A bill to be entitled An act relating to burglary; renumbering s. 810.011(2)-(7), Florida Statutes, and adding a new subsection (2) to said section; defining "dwelling" for purposes of the laws relating to burglary; amending s. 810.02, Florida Statutes; specifying that burglary of a conveyance is a first degree felony if the offender is armed; providing that the burglary of an unoccupied conveyance is a second degree felony if the conveyance is a dwelling; providing an effective date.

—was read the first time by title and SB 42 was laid on the table.

On motion by Senator Jenne, by two-thirds vote CS for SB 42 was read the second time by title.

Senator Jenne moved the following amendment which was adopted:

Amendment 1—On page 1, strike all of lines 22-25 and insert: "Dwelling" means any building or conveyance of any kind, either temporary or permanent, mobile or immobile, which has a roof over it, and is designed to be occupied by people lodging therein at night, together with the curtilage thereof.

On motion by Senator Jenne, by two-thirds vote CS for SB 42 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

On motion by Senator Dunn the schedule for Monday, February 15, was amended to permit the Commerce Committee to meet from 10:00 a.m. until 12:30 p.m.

On motion by Senator Jenne, the rules were waived and by two-thirds vote HB 91 was withdrawn from the Committee on Judiciary-Criminal.

On motion by Senator Jenne—

HB 91—A bill to be entitled An act relating to murder; amending s. 782.04(4), Florida Statutes; prescribing the ele-

ments of murder in the third degree; providing an effective date.

—a companion measure, was substituted for SB 43 and read the second time by title. On motion by Senator Jenne, by two-thirds vote HB 91 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Hill, Peterson, Scott, Stuart

SB 43 was laid on the table.

SB 44—A bill to be entitled An act relating to murder; amending s. 782.04, Florida Statutes; providing that the unlawful killing of a human being when committed by a person engaged in the perpetration of, or the attempt to perpetrate, an escape is first degree murder; providing that when a person is killed, in the perpetration of an escape or attempted escape, by a person other than the person engaged in the perpetration of the escape or attempted escape, the person perpetrating the escape or attempted escape is guilty of second degree murder; providing penalties; providing an effective date.

—was read the second time by title.

Senator Beard moved the following amendments which were adopted:

Amendment 1—On page 1, line 25, and on page 2, line 16 and on page 2, line 29 between the words "any arson" insert: *trafficking offense prohibited by s. 893.135(1)*,

Amendment 2—In title on page 1, strike lines 3-13 and insert: Florida Statutes; adding escape and any trafficking offense prohibited by s. 893.135(1), Florida Statutes, to the list of actions which if a person perpetrates or attempts to perpetrate such an action and a human being is killed the person is guilty of murder; providing

On motion by Senator Jenne, by two-thirds vote SB 44 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	Maxwell	Skinner
Anderson	Henderson	McClain	Stevens
Beard	Hill	McKnight	Stuart
Carlucci	Jenne	Neal	Thomas
Childers, D.	Jennings	Peterson	Tobiassen
Dunn	Johnston	Poole	Trask
Frank	Kirkpatrick	Rehm	Vogt
Gersten	Langley	Renick	Ware
Grizzle	Lewis	Scott	

Nays—None

SB 450—A bill to be entitled An act relating to crime prevention and control; establishing a pilot program for high intensity crime prevention for certain counties to be designated by the Attorney General and the Executive Director of the Florida Department of Law Enforcement; prescribing units for the program; establishing the duration of the program; providing an appropriation; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 2, strike all of lines 12-19 and insert:

(4) Private Sector Involvement Unit, which will involve and educate government officials, law enforcement, criminal and juvenile justice agencies, local school districts, private sector business and professional organizations, and individual citizens.

**Section 4. Duration.**—The High Intensity Crime Prevention Program shall be implemented as soon as funding is provided, and shall continue until completion, which shall be 60 days, not including evaluation measures. To the extent possible, all programs developed under this act shall be designed in a manner that will facilitate their replication in other areas of the state.

**Amendment 2**—On page 2, line 23, strike "\$211,445" and insert: \$171,000

On motion by Senator Gordon, by two-thirds vote SB 450 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	Grizzle	Margolis	Skinner
Anderson	Hair	Maxwell	Stevens
Beard	Henderson	McClain	Stuart
Carlucci	Jenne	McKnight	Thomas
Childers, D.	Jennings	Neal	Tobiassen
Dunn	Johnston	Peterson	Trask
Frank	Kirkpatrick	Poole	Vogt
Gersten	Langley	Rehm	Ware
Gordon	Lewis	Renick	

Nays—None

Vote after roll call:

Yea—Hill

On motion by Senator Beard—

**HB 21**—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; authorizing detention of trespassers pending arrival of a law enforcement officer; providing an effective date.

—a companion measure, was substituted for SB 57 and read the second time by title.

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

**Amendment 1**—On page 1, strike lines 17-19 and insert:

**Section 1.** Section 228.091, Florida Statutes, is amended to read:

**Amendment 2**—On page 1, between lines 22 and 23, insert:

(a)1. Is not a student, officer, or employee of a public school;

2. Does not have legitimate business on the campus, or any other authorization, license or invitation to enter or remain upon school property; or

3. Is not a parent, guardian, or person who has legal custody of a student enrolled at such school; or

**Amendment 3**—On page 2 between lines 6 and 7, insert:

(a)1. Is not a student, officer, or employee of a public school;

2. Does not have legitimate business on the campus, or any other authorization, license, or invitation to enter or remain upon school property; or

3. Is not a parent, guardian, or person who has legal custody of a student enrolled at such school; or

**Amendment 4**—On page 2, strike lines 23-31, and on page 3, strike lines 1-5, and on page 2, between lines 22 and 23 insert:

(3) *The chief administrative officer of a school, or any employee thereof designated by him to maintain order on such campus or facility, who has probable cause to believe a person is trespassing upon school grounds in violation of this section, may take such person into custody, and detain him in a reasonable manner for a reasonable length of time pending arrival of a law enforcement officer. Such taking into custody and detention by an authorized person shall not render that person criminally or civilly liable for false arrest, false imprisonment, or unlawful detention. In the event a trespasser is taken into custody, a law enforcement officer shall be called to the scene immediately after the person is taken into custody.*

(4)(3) Any law enforcement peace officer may arrest either on or off the premises and without warrant any person he has probable cause for believing has committed the offense of trespass upon the grounds of a public school facility. Such arrest shall not render the law enforcement peace officer criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

**Section 2.** This act shall take effect July 1, 1982.

**Amendment 5**—On page 1, line 23, and on page 2, line 12 after the word "school" insert: *and who has no lawful purpose to be on such premises;*

**Amendment 6**—In title on page 1, strike lines 4-7 and insert: 228.091, Florida Statutes; redefining the elements of the crime of trespass upon the grounds of a public school facility; providing that trespassing upon

On motion by Senator Beard, by two-thirds vote HB 21 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Hair

SB 57 was laid on the table.

**SB 58**—A bill to be entitled An act relating to state uniform traffic control; amending s. 316.1935(1), Florida Statutes; providing that unlawfully fleeing or eluding a police officer while operating a motor vehicle is a third degree felony; providing an effective date.

—was read the second time by title.

Senator Langley moved the following amendment which was adopted:

**Amendment 1**—On page 1, line 26, after the period "." insert: *Notwithstanding the provisions of s. 776.05, nothing in this section shall be so construed as to give the right of the use of deadly force to apprehend a person who was directed to stop because he had committed, or the law enforcement officer has reasonable cause to believe he had committed, a violation of any provision of chapter 316 or s. 860.01(1).*

On motion by Senator Langley, by two-thirds vote SB 58 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Maxwell	Peterson	Skinner	Tobiassen
McClain	Poole	Stevens	Trask
McKnight	Renick	Stuart	Vogt
Neal	Scott	Thomas	Ware

Nays—None

Vote after roll call:

Yea—Rehm

On motion by Senator Beard, the rules were waived and SB 103 after being engrossed was ordered immediately certified to the House.

SB 83—A bill to be entitled An act relating to attempts, solicitations, and conspiracies; amending s. 777.04(4), Florida Statutes; increasing the penalty for attempts, solicitations, and conspiracies to commit a burglary that would be a first degree felony; providing an effective date.

—was read the second time by title. On motion by Senator Jenne, by two-thirds vote SB 83 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

SB 100—A bill to be entitled An act relating to drug abuse prevention and control; amending s. 893.05(1), Florida Statutes, and adding subsection (4) to said section; prohibiting certain persons from prescribing or dispensing certain materials containing methaqualone or certain forms of methaqualone; providing a penalty; providing an effective date.

—was read the second time by title.

Senator Jenne moved the following amendments which were adopted:

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

Section 1. Paragraph (d) is added to subsection (1) of section 893.03, Florida Statutes, and paragraph (c) of subsection (2) of said section is amended, to read:

893.03 Standards and schedules.—The substances enumerated herein are controlled by this chapter. The controlled substances listed or to be listed in Schedules I, II, III, IV, and V are included by whatever official, common, usual, chemical, or trade name designated. The provisions of this act shall not be construed to include within any of the schedules herein contained any excluded nonprescription drugs listed within the purview of 21 C.F.R. s. 1308.22, styled "Excluded Substances."

(1) SCHEDULE I.—A substance in Schedule I has a high potential for abuse and has no currently accepted medical use in treatment in the United States and in its use under medical supervision does not meet accepted safety standards except for such uses provided for in s. 402.36. The following substances are controlled in Schedule I:

(d) Notwithstanding the aforementioned fact that Schedule I substances have no currently accepted medical use, the legislature recognizes certain substances which are currently accepted for certain limited medical uses in treatment in the United States but have a high potential for abuse. Accordingly, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of methaqualone, including its salts, isomers, optical isomers, salts of their isomers, and salts of these optical isomers, is controlled in Schedule I.

Nays—1

Henderson

Vote after roll call:

Yea—Hair

Consideration of SB 62 was deferred.

SB 73—A bill to be entitled An act relating to controlled substances; creating s. 893.105, Florida Statutes; providing for testing, weighing, and photographing of seized controlled substances; authorizing destruction of seized substances; providing an effective date.

—was read the second time by title. On motion by Senator Jenne, by two-thirds vote SB 73 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

SB 103—A bill to be entitled An act relating to controlled substances; amending s. 893.135, Florida Statutes; providing that any person who agrees, conspires, combines, or confederates with another person to traffic in specified controlled substances is guilty of a felony of the first degree; providing that such person be punished as if he had actually committed such prohibited act; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 5, line 5, after the period "." insert: Nothing in this subsection shall be construed to prohibit a separate conviction and sentence for a violation of this subsection and any violation of subsection (1).

Amendment 2—In title on page 1, line 10, after the semicolon ";" insert: providing that this subsection shall not be construed to preclude a separate sentence and conviction for conspiracy and the crime which is the object of the conspiracy;

On motion by Senator Beard, by two-thirds vote SB 103 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

(2) SCHEDULE II.—A substance in Schedule II has a high potential for abuse and has a currently accepted but severely restricted medical use in treatment in the United States, and abuse of the substance may lead to severe psychological or physical dependence. The following substances are controlled in Schedule II:

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including their salts, isomers, optical isomers, salts of their isomers, and salts of their optical isomers:

1. Amphetamine.
2. Methamphetamine.
3. Phenmetrazine.
4. Methylphenidate.
5. Methaqualone.
- 5.6. Amobarbital.
- 6.7. Secobarbital.
- 7.8. Pentobarbital.
- 8.9. Phenylacetone.

Section 2. Paragraphs (a), (c), and (d) of subsection (1) of section 893.13, Florida Statutes, are amended to read:

893.13 Prohibited acts; penalties.—

(1)(a) Except as authorized by this chapter and chapter 500, it is unlawful for any person to sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance. Any person who violates this provision with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), or (2)(b) is guilty of a felony of the second degree, punishable as provided in ss. 775.082, 775.083, and 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c), (3), or (4) is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. A controlled substance named or described in s. 893.03(5) is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(c) Except as authorized by this chapter, it is unlawful for any person over the age of 18 years to deliver any controlled substance to a person under the age of 18 years. Any person who violates this provision with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (2)(a), or (2)(b) is guilty of a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (1)(d), (2)(c), (3), or (4) is guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Imposition of sentence shall not be suspended or deferred, nor shall the person so convicted be placed on probation.

(d) It is unlawful for any person to bring into this state any controlled substance unless the possession of such controlled substance is authorized by this chapter or unless said person is licensed to do so by the appropriate federal agency. Any person who violates this provision with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (2)(a), or (2)(b) is guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (1)(d), (2)(c), (3), or (4) is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. A controlled substance named or described in s. 893.03(5) is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 3. Paragraph (e) of subsection (1) of section 893.135 is amended to read:

893.135 Trafficking; mandatory sentences; suspension or reduction of sentences.—

(1) Except as authorized in this chapter or in chapter 500 and notwithstanding the provisions of s. 893.13:

(e) Any person who knowingly sells, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, 200 grams or more of methaqualone or of any mixture containing methaqualone, as described in s. 893.03(1)(d) ~~s. 893.03(2)(e)~~, is guilty of a felony of the first degree, which felony shall be known as "trafficking in methaqualone." If the quantity involved:

1. Is 200 grams or more, but less than 5 kilograms, such person shall be sentenced to a mandatory minimum term of imprisonment of 3 calendar years and to pay a fine of \$50,000.

2. Is 5 kilograms or more, but less than 25 kilograms, such person shall be sentenced to a mandatory minimum term of imprisonment of 5 calendar years and to pay a fine of \$100,000.

3. Is 25 kilograms or more, such person shall be sentenced to a mandatory minimum term of imprisonment of 15 calendar years and to pay a fine of \$250,000.

Section 4. This act shall take effect July 1, 1982.

Amendment 2—In title on page 1, strike everything before the enacting clause and insert: An act relating to controlled substances; adding paragraph (d) to s. 893.03(1), Florida Statutes, and amending subsection (2)(c) of said section; transferring methaqualone from a Schedule II to a Schedule I substance; amending s. 893.13(1)(a), (c), and (d), Florida Statutes, increasing one and conforming other applicable penalty provisions; amending s. 893.135(1)(e), Florida Statutes; conforming other applicable penalty provisions; providing an effective date.

On motion by Senator Jenne, by two-thirds vote SB 100 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	Grizzle	Margolis	Scott
Anderson	Henderson	Maxwell	Stevens
Beard	Hill	McClain	Stuart
Carlucci	Jenne	McKnight	Thomas
Childers, D.	Jennings	Neal	Tobiassen
Dunn	Johnston	Peterson	Trask
Frank	Kirkpatrick	Poole	Vogt
Gersten	Langley	Rehm	Ware
Gordon	Lewis	Renick	

Nays—None

Vote after roll call:

Yea—Hair

SB 141—A bill to be entitled An act relating to the Department of Law Enforcement; adding s. 943.054(4), Florida Statutes; authorizing the department to exchange criminal history records with the Florida Board of Bar Examiners and to accept fingerprints of Florida Bar applicants; amending s. 943.058, Florida Statutes; authorizing courts to order the sealing of nonjudicial criminal history records; providing that criminal history records of the department sealed pursuant to court order are nonpublic records; providing that a court order sealing such records shall not be construed to require that the records be surrendered to the court; providing for court ordered expunction of criminal history records under certain conditions; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 4, line 4, after the word “under” insert: this section,

On motion by Senator Jenne, by two-thirds vote SB 141 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Hair

By the Committee on Judiciary-Criminal—

CS for SB 146—A bill to be entitled An act relating to arrests; amending s. 901.15, Florida Statutes; authorizing a law enforcement officer to arrest without a warrant a person whom the officer reasonably believes has committed a misdemeanor outside his presence, if specified conditions exist; authorizing a law enforcement officer to arrest without a warrant for a violation of s. 316.1935, Florida Statutes, under certain circumstances; deleting the provision authorizing a law enforcement officer to make an arrest without a warrant upon probable cause that a person has committed a battery upon the person’s spouse; providing an effective date.

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

On motions by Senator Jenne, by two-thirds vote CS for SB 146 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Grizzle

Vote after roll call:

Yea—Hair

SB 325—A bill to be entitled An act relating to venue; creating s. 910.006, Florida Statutes; providing that it is not necessary to allege venue in an indictment or information; providing an effective date.

—was read the second time by title. On motion by Senator Jenne, by two-thirds vote SB 325 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Dunn	Henderson	Kirkpatrick
Anderson	Frank	Hill	Langley
Beard	Gersten	Jenne	Lewis
Carlucci	Gordon	Jennings	Margolis
Childers, D.	Grizzle	Johnston	McClain

McKnight	Rehm	Stevens	Trask
Neal	Renick	Stuart	Vogt
Peterson	Scott	Thomas	Ware
Poole	Skinner	Tobiassen	

Nays—None

Vote after roll call:

Yea—Hair

SB 377—A bill to be entitled An act relating to assault and battery; amending s. 784.07, Florida Statutes; providing definitions; providing enhanced penalties for assault or battery on an emergency medical technician or paramedic; providing an effective date.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote SB 377 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Hair

SB 7—A bill to be entitled An act relating to pedestrian traffic control; adding s. 316.130(17), Florida Statutes; making it a traffic infraction to jump or dive from a public bridge; providing an effective date.

—was read the second time by title.

Senators Stevens and Langley offered the following amendment which was moved by Senator Langley and adopted:

Amendment 1—On page 1, lines 13-14, strike everything after “a” and all of line 14 and insert: *bridge owned or controlled by any public entity.*

On motion by Senator Stevens, by two-thirds vote SB 7 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—29

Mr. President	Jenne	McKnight	Stevens
Anderson	Jennings	Neal	Stuart
Beard	Johnston	Peterson	Thomas
Carlucci	Kirkpatrick	Poole	Tobiassen
Dunn	Langley	Rehm	Trask
Frank	Margolis	Renick	
Gersten	Maxwell	Scott	
Hill	McClain	Skinner	

Nays—6

Childers, D.	Henderson	Vogt	Ware
Grizzle	Lewis		

Vote after roll call:

Yea—Hair

SB 353—A bill to be entitled An act relating to the disposition of dead bodies; amending s. 245.15, Florida Statutes, relating to the cremation of dead bodies deemed of no further value to medical or dental science; providing an effective date.

—was read the second time by title.

The Committee on Health and Rehabilitative Services recommended the following amendment which was moved by Senator Stevens and adopted:

**Amendment 1**—On page 1, between lines 15 and 16, insert: as determined by the Division of Universities,

Senator Stevens moved the following amendment:

**Amendment 2**—On page 1, line 9, insert: Section 1. Section 245.07, Florida Statutes, is amended to read:

245.07 Bodies to be kept 48 hours before use; unfit, excess number of bodies, procedure.—All bodies received by the Division of Universities shall be retained in receiving vaults for a period of not less than 48 hours before allowing their use for medical science; if at any time more bodies are made available to the division than can be used for medical science under its jurisdiction, or if a body shall be deemed by the division to be unfit for anatomical purposes, the division may notify, in writing, the county commissioners of the county where such person died, who shall direct some person to take charge of such body and cause it to be buried or cremated in accordance with the already existing rules, laws and practices for disposing of such unclaimed bodies within the confines of the said county.

(Renumber subsequent sections.)

Further consideration of SB 353 was deferred.

**SB 143**—A bill to be entitled An act relating to elections; amending s. 106.03(3)(a), (b), Florida Statutes; providing procedure for registration of political committees; amending s. 106.07(4)(d), (5), Florida Statutes; providing for reporting of proceeds from campaign fund raisers; deleting provision requiring candidates to file certain reports; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 143 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Beard, Hair

On motion by Senator Carlucci, by unanimous consent—

**SB 221**—A bill to be entitled An act relating to parole and probation; repealing ss. 949.10-949.12, Florida Statutes, relating to subsequent felony arrest as evidence of parole or probation violation, temporary and final revocation proceedings, and bail for persons whose parole or probation has been temporarily revoked; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Carlucci, by two-thirds vote SB 221 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Peterson	Renick	Stevens	Tobiassen
Poole	Scott	Stuart	Trask
Rehm	Skinner	Thomas	Vogt

Nays—None

By the Committee on Judiciary-Criminal and Senator McClain—

**CS for SB 152**—A bill to be entitled An act relating to trials; amending s. 932.61, Florida Statutes; providing for jury trials; repealing ss. 932.62, 932.63, 932.64, 932.65, 932.66, Florida Statutes, relating to transfer of a county or municipal charge to a court providing trial by jury; providing an effective date.

—was read the first time by title and SB 152 was laid on the table.

On motions by Senator McClain, by two-thirds vote CS for SB 152 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—36

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

Nays—None

Consideration of SB 159 was deferred.

**SB 82**—A bill to be entitled An act relating to probation; adding s. 948.06(3), Florida Statutes; providing procedures for judicial hearings regarding probation violations; providing an effective date.

—was read the second time by title. On motion by Senator Jenne, by two-thirds vote SB 82 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Hill

**SB 175**—A bill to be entitled An act relating to court jurisdiction with respect to parole and probation; amending s. 947.16(3), Florida Statutes; providing for a replacement judge to act in place of the original sentencing judge in cases of retained jurisdiction under certain circumstances; providing an effective date.

—was read the second time by title.

The Committee on Corrections, Probation and Parole recommended the following amendment which was moved by Senator Jenne and adopted:

**Amendment 1**—On page 2, lines 3, 7, 11, 19, strike "third" and insert: *half third*

The Committee on Corrections, Probation and Parole recommended the following amendment which was moved by Senator Jenne:

**Amendment 2**—On page 2, lines 16-17, strike “ss. 944.27, 944.271, and 944.29” and insert: s. 944.275 ss. 944.27, 944.271, and 944.29

Senator Jenne moved the following substitute amendment which was adopted:

**Amendment 3**—On page 2, strike lines 16 and 17 and insert:

(b) Gain-time as provided for by law in ss. 944.27, 944.271, and 944.29 shall accrue; except that an offender over whom

Senator Jenne moved the following amendment which was adopted:

**Amendment 4**—On page 2, strike line 22 and insert: commission, within 30 days of the final parole interview the time requirements of s.

The Committee on Corrections, Probation and Parole recommended the following amendment which was moved by Senator Jenne and adopted:

**Amendment 5**—In title on page 1, line 3, strike “and probation”

On motion by Senator Jenne, by two-thirds vote SB 175 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Hair

By the Committee on Corrections, Probation and Parole—

CS for SB 241—A bill to be entitled An act relating to parole revocation; amending s. 947.22, Florida Statutes; providing that a member of the Parole and Probation Commission or the commission's duly authorized representative may sign warrants for the retaking of a paroled prisoner; authorizing the commission, a commissioner, or the commission's duly authorized representative to determine whether to admit the alleged parole violator to bail; amending s. 947.23, Florida Statutes; providing for a preliminary hearing within 30 days of arrest; authorizing one or more commissioners or the commission's duly authorized representative to issue certain process and to conduct final revocation hearings on the alleged parole violation; allowing the alleged parole violator the right to waive the final revocation hearing; providing for the preparation of findings of fact from the final revocation hearing; authorizing the commission or two commissioners to order parole revoked and to make a written statement of the evidence relied on and the reasons for revoking the parole in certain circumstances; providing an effective date.

—was read the first time by title and SB 241 was laid on the table.

On motion by Senator Carlucci, by two-thirds vote CS for SB 241 was read the second time by title.

Senator Carlucci moved the following amendment which was adopted:

**Amendment 1**—On page 7, strike lines 18-21 and insert: good conduct, as provided for by law s. 944.27, earned up to the date of his release on parole. Nothing herein shall deprive the prisoner of his right to gain-time or commutation of time for good conduct, as provided by law s. 944.27,

On motion by Senator Carlucci, by two-thirds vote CS for SB 241 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	Grizzle	Margolis	Skinner
Anderson	Henderson	Maxwell	Stevens
Beard	Hill	McClain	Stuart
Carlucci	Jenne	Neal	Thomas
Childers, D.	Jennings	Peterson	Tobiasen
Dunn	Johnston	Poole	Trask
Frank	Kirkpatrick	Rehm	Vogt
Gersten	Langley	Renick	Ware
Gordon	Lewis	Scott	

Nays—None

Vote after roll call:

Yea—Hair

SB 244—A bill to be entitled An act relating to the Parole and Probation Commission; amending s. 947.02, Florida Statutes; providing a procedure for appointment of commissioners; providing for a Parole and Probation Qualifications Committee; specifying duties of the committee; providing for recommendation of persons to fill vacancies on the commission; authorizing the Governor and Cabinet to make appointments based on the recommendations or to reject the recommendations; providing that laws relating to public records and public meetings apply to the committee; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 2, lines 7 and 8, strike “, including, but not limited to, written and oral examinations”

On motion by Senator Carlucci, by two-thirds vote SB 244 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Hair, Jenne, Thomas, Trask

SB 194—A bill to be entitled An act relating to driver licenses; amending s. 322.264, Florida Statutes; excluding persons convicted of certain offenses from the definition of habitual traffic offender; providing an effective date.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote SB 194 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Gordon	Johnston	Neal	Stuart
Grizzle	Langley	Peterson	Tobiassen
Henderson	Lewis	Poole	Trask
Hill	Margolis	Rehm	Vogt
Jenne	Maxwell	Renick	Ware
Jennings	McKnight	Scott	

Nays—None

Vote after roll call:

Yea—Hair, Stevens, Thomas

SB 25—A bill to be entitled An act relating to taxation; repealing s. 197.013, Florida Statutes, relating to prepaying in installments ad valorem taxes on real property; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote SB 25 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Hair	Kirkpatrick	Poole
Anderson	Henderson	Langley	Scott
Beard	Hill	Lewis	Skinner
Carlucci	Jenkins	Maxwell	Stevens
Childers, D.	Jenne	McKnight	Tobiassen
Dunn	Jennings	Neal	Trask
Gersten	Johnston	Peterson	Vogt

Nays—10

Frank	Margolis	Renick	Ware
Gordon	McClain	Stuart	
Grizzle	Rehm	Thomas	

Vote after roll call:

Yea to Nay—McKnight

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

CS for SB 314—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; requiring the department to study paperwork and report to the Legislature; providing an effective date.

—was read the first time by title and SB 314 was laid on the table.

On motions by Senator Grizzle, by two-thirds vote CS for SB 314 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—36

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

Nays—None

SB 80—A bill to be entitled An act relating to electrical standards; amending s. 553.19, Florida Statutes; prescribing minimum electrical standards in the state; providing applicability; providing an effective date.

—was read the second time by title.

Senators Kirkpatrick and Hill offered the following amendment which was moved by Senator Kirkpatrick and adopted:

Amendment 1—On page 1, line 15, strike the period “.” and insert: *with the exception of Article 210-8, Ground Fault Circuit Protection.*

On motion by Senator Hill, by two-thirds vote SB 80 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 339—A bill to be entitled An act relating to the Florida Housing Finance Agency; amending s. 420.509(5), Florida Statutes; providing procedures for validation of bonds of the agency; providing for publication of notice; providing an effective date.

—was read the second time by title. On motion by Senator Stuart by two-thirds vote SB 339 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 383—A bill to be entitled An act relating to powers of the Public Employees Relations Commission concerning mediation; amending s. 447.207(5), Florida Statutes; deleting mediators from the positions for which the commission establishes qualifications and maintains a list of qualified persons; providing an effective date.

—was read the second time by title.

The Committee on Personnel, Retirement and Collective Bargaining recommended the following amendment which was moved by Senator Hill and adopted:

Amendment 1—On page 1, lines 16-18, strike following word “as” all through line 18 and insert: mediators and special masters and shall maintain lists of such qualified persons. *Special masters shall not be who are not employees of the commission.*

On motion by Senator Hill, by two-thirds vote SB 383 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 136—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.1975(7), Florida Statutes; increasing the amount of exempt assessed valuation for any apartment or unit of a home for the aged which meets certain specifications, to conform with the homestead tax exemption; removing the age requirement for occupants thereof; 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 Maxwell:

Amendment 1—On page 1, line 19, insert: (2) A "home for the aged" shall be defined as a facility where no less than 75% of the occupants are over the age of 62 years. Licensing by the Department of Health and Rehabilitative Services shall not be required for tax exemption hereunder if a home for the aged applicant requires its residents to be ambulatory, furnishes no medical facilities, nursing services, or dining services to its residents, and is exempt from the payment of income taxes to the United States for income derived from the operation of the home.

Senator Frank moved the following substitute amendment which was adopted:

Amendment 2—On page 1, between lines 19 and 20, insert: (2) A facility shall not qualify as a "home for the aged" unless at least 75% of the occupants are over the age of 62 years. For homes for the aged which are exempt from paying income taxes to the United States as specified in Subsection (1), licensing by the Department of Health and Rehabilitative Services shall be required for ad valorem tax exemption hereunder only if the home (a) furnishes medical facilities or nursing services to its residents, or (b) qualifies as an adult congregate living facility under Part II, Chapter 440, F.S. Licensing by the Department of Health and Rehabilitative Services shall not be required for tax exemption hereunder if a home for the aged requires its residents to be ambulatory, furnishes no medical facilities, nursing services, or dining services to its residents, and is exempt from the payment of income taxes to the United States for income derived from the operation of the home.

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

Amendment 3—On page 3, line 9, after "1982" insert: and each year thereafter.

Senator Maxwell moved the following amendments which were adopted:

Amendment 4—On page 1, line 13, strike "Subsection" and insert: Subsections (2) and; and on page 1, line 14 strike: "is" and insert: are

Amendment 5—On page 2, line 6 after "for" insert: the

Senator Frank moved the following amendment which was adopted:

Amendment 6—On page 1, strike line 3 and insert: amending s. 196.1975 (2) and (7), Florida Statutes; providing a definition of home for the aged; providing for changes in licensing requirements;

On motion by Senator Maxwell further consideration of SB 136 was deferred.

By the Committee on Transportation—

CS for SB 273—A bill to be entitled An act relating to the Department of Transportation; amending ss. 20.23, 23.050, Florida Statutes; creating ss. 334.031-334.035, Florida Statutes; providing that the head of the department is the Florida Transportation Commission; providing membership, terms, powers, and duties; providing qualifications of members; providing for removal; specifying transportation districts; specifying headquarters; requiring bond; providing for traveling expenses; providing for regular and other meetings; specifying quorum; limiting relations between the commission and departmental employees; providing for appointment of executive director;

specifying qualifications; providing powers and duties; amending s. 334.21, Florida Statutes; revising requirements and deadlines with respect to preparation of the 5-year construction plan and the annual program budget by the department; providing for proposed and final annual program budgets; providing requirements with respect to substitution of projects in the plan and budget; requiring the department to develop a list of unfunded, production ready projects; providing an effective date.

—was read the first time by title and SB 273 was laid on the table.

On motion by Senator Beard, by two-thirds vote CS for SB 273 was read the second time by title.

Senator Beard moved the following amendments which were adopted:

Amendment 1—On page 2, line 30, after the period (.) insert: No person connected with any aspect of the transportation industry doing business with the department may serve as a commission member.

Amendment 2—On page 4, between lines 8 and 9, insert:

(4) Provide a continuing and comprehensive management overview of the department and recommend improvements in such areas as management and accounting systems and organization structure, as needed to alleviate problem areas identified by the Auditor General, legislative committees or other special studies.

(5) ~~(1)~~ Develop and from time to time revise and maintain a comprehensive master plan for transportation development.

(6) ~~(2)~~ Develop programs designed to foster efficient and economical public transportation services in the state.

(7) ~~(3)~~ Prepare plans for the development of a commuter system which may include the appointment of a commuter advisory committee.

(8) ~~(4)~~ Develop plans, in cooperation with the Public Service Commission, for an a more efficient public transportation system service by meter bus operators which shall include the, development of statistics, analysis and other data useful to transit bus operators and in the provision of public transportation service, development of more effective coordination between bus service and other forms of public transportation.

(9) ~~(5)~~ Coordinate the transportation activities of the Department of Transportation with those of other public agencies and authorities.

(10) ~~(6)~~ Cooperate with interstate commissions and authorities, state departments, local governments, councils, commissions, and other state agencies with appropriate federal agencies and with interested private individuals and organizations in the coordination of plans and policies, for the development of all forms of transportation.

(11) ~~(7)~~ The Florida Transportation Commission secretary may adopt such rules and regulations as may be necessary to enable it him to perform the duties and functions conferred or imposed upon it him by this act, provided, however, that the commission secretary shall not be empowered to make any rules or regulations which shall in any way limit the power or authority of counties or municipalities to directly or indirectly receive federal aid for local transportation projects; or which shall affect the revenues of any established transit system, not presently regulated by the Public Service Commission, without first receiving the approval of the affected transit system; or which shall limit the power or authority under existing law of counties or municipalities to franchise, establish, or operate transit systems to meet local needs.

Amendment 3—On page 7, lines 30 and 31 and on page 8, lines 1-5, strike all of said lines and insert:

334.034 Commission; relations with executive director regarding operations and employees.—Neither the Florida Transportation Commission nor any member shall suggest, dictate or demand the employment, promotion, demotion, or discharge of any person by the executive director, or in any manner prevent the executive director from exercising his own judgment in the operation of the department. The commission and its members shall act solely

Amendment 4—On page 8, strike line 24 and insert: and responsibility for directing its daily operations. He shall implement the policies

Amendment 5—On page 9, between lines 22 and 23, insert:

Section 8. For purposes of implementation of this act the governor shall appoint the initial chairman of the commission and the initial executive director.

(Renumber subsequent sections.)

Senator Gordon moved the following amendment:

Amendment 6—On page 3, strike all of lines 17-19 and insert: organized into a minimum of six districts. Such districts shall be composed as follows:

(a) District 1. Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Jackson, Washington, Bay, Gulf, Franklin, Calhoun, Liberty, Gadsden, Wakulla, Leon, Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Dixie, Levy, Gilchrist, Columbia Baker, Union, Bradford, Clay, Putnam, Alachua, Gilchrist, Marion, Citrus, Sumter, and Lake Counties.

(b) District 2. Nassau, Duval, St. Johns, Flagler, Volusia, Seminole, and Orange Counties.

(c) District 3. Hernando, Pasco, Hillsborough, and Pinellas Counties.

(d) District 4. Polk, Osceola, Brevard, Indian River, Manatee, Hardee, Highlands, Okeechobee, St. Lucie, Martin, Sarasota, DeSoto, Charlotte, Glades, Lee, Hendry, and Collier.

(e) District 5. Palm Beach and Broward Counties.

(f) District 6. Dade and Monroe Counties.

Senator Langley moved the following amendment to Amendment 6 which failed:

Amendment 6A—On page 1, line 20, insert: provided further that the cost of crime, welfare and the maintenance of the prison system shall be borne proportionately by these same districts.

Amendment 6 failed.

Senator Dunn moved the following amendment which failed:

Amendment 7—On page 2, strike all of lines 23-30 and insert: to confirmation by the Senate. The Governor may suspend the members of the board subject to removal or reinstatement by the Senate. Each time a Governor is elected or reelected, each member of the board shall be reappointed or, at the discretion of the Governor, replaced by a new appointment. Reappointment shall be subject to confirmation of the Senate in the same manner as initial appointment. Each member of the commission shall meet one of

Senator Beard moved the following amendment which was adopted:

Amendment 8—In title on page 1, line 17, after the semicolon “;” insert: requiring the Governor to appoint certain commission members;

On motion by Senator Beard, by two-thirds vote CS for SB 273 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—26

Mr. President	Hair	Lewis	Stevens
Anderson	Henderson	McClain	Thomas
Barron	Hill	Peterson	Tobiassen
Beard	Jenne	Poole	Trask
Carlucci	Jennings	Rehm	Ware
Childers, D.	Kirkpatrick	Scott	
Gersten	Langley	Skinner	

Nays—10

Dunn	Grizzle	McKnight	Vogt
Frank	Johnston	Renick	
Gordon	Margolis	Stuart	

Vote after roll call:

Yea—Neal

By the Committee on Governmental Operations and Senator Tobiassen—

CS for SB 164—A bill to be entitled An act relating to public records; adding s. 119.07(3)(1), Florida Statutes; providing that certain personnel and internal investigation information of law enforcement agencies shall be exempt from public disclosure requirements until after determination of probable cause; providing an effective date.

—was read the first time by title and SB 164 was laid on the table.

On motion by Senator Tobiassen, by two-thirds vote CS for SB 164 was read the second time by title.

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

Amendment 1—On page 2, lines 8-10, strike “a determination of probable cause has been made by a probable cause panel of the law enforcement agency” and insert: probable cause has been determined to exist with respect to the complaint by a probable cause panel of the law enforcement agency or the law enforcement agency’s internal affairs investigation procedures

On motion by Senator Tobiassen, by two-thirds vote CS for SB 164 as amended was read the third time by title.

Senator Gersten moved the following amendment which failed:

Amendment 2—On page 2, line 12, after the period insert: Provided, however, that the fact that a complaint has been filed and the date thereof shall be of public record.

CS for SB 164 as amended passed, was ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Dunn

On motion by Senator Dunn, the rules were waived and time of adjournment was extended until 12:30 p.m. or until completion of the special order calendar.

SB 62—A bill to be entitled An act relating to obstructing justice; creating s. 843.185, Florida Statutes, prohibiting the obstruction of justice by false information; providing a penalty; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 1, strike all of lines 17-19 and insert: officer or beverage enforcement agent in the legal performance of his duty under the constitution or laws of this state, whether such obstruction is effected or not, is

Senators Ware and Lewis offered the following amendment which was moved by Senator Lewis and adopted:

**Amendment 2**—On page 1, lines 13-14, strike "false identification, a false name, a false birthdate, a false birthplace," and insert: a false name

On motion by Senator Lewis, by two-thirds vote SB 62 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Gordon

The Senate resumed consideration of—

**SB 353**—A bill to be entitled An act relating to the disposition of dead bodies; amending s. 245.15, Florida Statutes, relating to the cremation of dead bodies deemed of no further value to medical or dental science; providing an effective date.

—which was taken up with pending Amendment 2 which was adopted.

Senator Stevens moved the following amendment which was adopted:

**Amendment 3**—In title on page 1, line 3, after the word "bodies;" insert: amending s. 245.07, Florida Statutes, authorizing the cremation of certain bodies;

On motion by Senator Stevens, by two-thirds vote SB 353 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	Grizzle	Margolis	Skinner
Anderson	Hair	Maxwell	Stevens
Barron	Henderson	McClain	Stuart
Beard	Hill	McKnight	Thomas
Carlucci	Jenne	Neal	Tobiassen
Childers, D.	Jennings	Peterson	Trask
Dunn	Johnston	Poole	Vogt
Frank	Kirkpatrick	Rehm	Ware
Gersten	Langley	Renick	
Gordon	Lewis	Scott	

Nays—None

**SB 159**—A bill to be entitled An act relating to jurors and juror selection; amending s. 40.013, Florida Statutes; providing for the excusal of certain persons from jury service; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 2, line 10, strike "served as a juror" and insert: *been summoned for jury service served as a juror*

On motion by Senator Johnston, by two-thirds vote SB 159 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

The Senate resumed consideration of—

**SB 136**—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.1975(7), Florida Statutes; increasing the amount of exempt assessed valuation for any apartment or unit of a home for the aged which meets certain specifications, to conform with the homestead tax exemption; removing the age requirement for occupants thereof; providing an effective date.

On motion by Senator Frank, the Senate reconsidered the vote by which Amendment 2 was adopted.

Senator Maxwell moved the following amendment to Amendment 2 which was adopted:

**Amendment 2A**—On page 1, line 9, strike "440" and insert: 400

Amendment 2 as amended was adopted.

On motion by Senator Maxwell, by two-thirds vote SB 136 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	Grizzle	Margolis	Skinner
Anderson	Hair	Maxwell	Stevens
Barron	Henderson	McClain	Stuart
Beard	Hill	McKnight	Thomas
Carlucci	Jenne	Neal	Tobiassen
Childers, D.	Jennings	Peterson	Trask
Dunn	Johnston	Poole	Vogt
Frank	Kirkpatrick	Rehm	Ware
Gersten	Langley	Renick	
Gordon	Lewis	Scott	

Nays—None

Senator Dunn moved that the Senate reconsider the vote by which SB 25 passed this day.

The motion was placed on the calendar for consideration February 16.

**CO-INTRODUCERS**

Senator Dunn—SCR 845, SB 595; Senator Steinberg—SM 563

**CORRECTION AND APPROVAL OF JOURNAL**

The Journals of February 10 and 9 were corrected and approved.

The Senate adjourned at 12:04 p.m. to convene at 2:00 p.m., Tuesday, February 16.