



Journal of the Senate

Number 15

Tuesday, February 23, 1982

BILL ACTION SUMMARY

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H 53	Substituted for SB 63, Passed
H 424	Substituted for SB 267, Passed as amended
H 449	Substituted for SB 171, Passed as amended
H 518	Substituted for SB 200, Passed
H 640	Substituted for SB 551, Passed as amended
S 34	Passed
S 36	Passed as amended
S 63	Iden./Sim. House Bill substituted, passed, refer to HB 53
S 94	Passed as amended
S 127	Adopted
S 171	Iden./Sim. House Bill substituted, refer to HB 449
S 200	Iden./Sim. House Bill substituted, passed, refer to HB 518
S 267	Iden./Sim. House Bill substituted, refer to HB 424
S 309	Passed
S 439	Passed
S 460	Amendment to House amendment adopted; Concurred in House amendment as amended; Refused to concur in one amendment; Passed as amended; Immediately certified
S 477	Passed
S 491	Concurred; Passed as amended
S 539	Passed
S 551	Iden./Sim. House Bill substituted, refer to HB 640
S 641	Passed as amended

By the Committee on Transportation—

HB 937—A bill to be entitled An act relating to motor vehicles; amending s. 320.03(2), Florida Statutes; providing for determination of the amount of bond required of tax collectors in connection with their duties in distributing license plates; amending s. 320.065(1), Florida Statutes; authorizing issuance of special indefinite registration license plates and certificates for semitrailers used to haul agricultural products; providing for fees; amending s. 320.27(4), Florida Statutes, providing for modification of a license under certain circumstances to show a change in the name of the licensee; amending s. 320.39, Florida Statutes; deleting authority of the Department of Transportation and the Public Service Commission to enter into reciprocal agreements relating to nonresident motor vehicle operators, and authorizing the Department of Revenue to enter into such agreements; amending s. 320.77(1)(a), (2) and (3)(h), Florida Statutes; providing for licensing of mobile home or recreational vehicle brokers; specifying that licensed motor vehicle dealers need not be licensed under said section to sell motor homes; providing for review and repeal in accordance with the Regulatory Sunset Act; providing an effective date.

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

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed House Bills 288, 405, 406, 518 and 930 and requests the concurrence of the Senate.

Allen Morris, Clerk

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 as amended HB 229 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Danson—

HB 229—A bill to be entitled An act relating to the Twelfth Judicial Circuit; creating a Judiciary Education Trust Fund in each county of the circuit for the payment of expenses of education and training of judges and court personnel; providing for assessment of a fee against certain persons in courts within the circuit for deposit in the fund; providing duties of clerks and the chief judge; providing for transfer of unused funds; providing an effective and repealing date.

—was referred to the Committees on Judiciary-Civil 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 937 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Transportation—

HB 288—A bill to be entitled An act relating to motor vehicles; amending s. 320.10, Florida Statutes, exempting from the annual license tax for the operation of motor vehicles or mobile homes any such motor vehicle or mobile home owned and operated by any member of the United States Armed Forces who is not a resident of Florida and who is stationed in the state in compliance with military or naval orders; providing for issuance of license plates, revalidation stickers, or mobile home stickers for such motor vehicles or mobile homes and prescribing the fee therefor; conforming certain language to the definition of "motor vehicle"; amending s. 327.22, Florida Statutes, exempting boats from being taxed and certified as motor vehicles; providing an effective date.

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

By the Committee on Transportation—

HB 405—A bill to be entitled An act relating to transportation finance; amending s. 339.08(6), Florida Statutes; providing that the State Board of Administration shall assume responsibility for distribution of the counties' 80 percent share of the second gas tax; requiring that funds be made available to the Department of Transportation for certain construction; providing an effective date.

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

By the Committee on Transportation—

HB 406—A bill to be entitled An act relating to state lands; amending s. 253.034(5), Florida Statutes, to delete specified lands from a list of certain state lands which may be disposed of as surplus lands; providing an effective date.

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

By the Committee on Transportation and Representative Nuckolls—

HB 518—A bill to be entitled An act relating to transportation administration; amending s. 334.215(24), Florida Statutes, requiring metropolitan planning organizations to become fully operative within 6 months following designation; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Regulatory Reform—

HB 930—A bill to be entitled An act relating to environmental control; amending s. 403.101(1) and (2), Florida Statutes, deleting obsolete language; saving s. 403.101, Florida Statutes, from sunset review and repeal scheduled October 1, 1982; providing for future review and repeal in accordance with the Regulatory Sunset Act; 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 House Bills 69, 640 and 294 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Watt—

HB 69—A bill to be entitled An act relating to municipalities; amending s. 336.59(2), Florida Statutes, permitting cities and towns that have no jurisdictional responsibility for streets, roads, or bridges to exchange tax moneys received from county road and bridge tax levies for unrestricted county funds; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; and Finance, Taxation and Claims.

By the Committee on Transportation—

HB 640—A bill to be entitled An act relating to Department of Transportation construction contracts; amending s. 337.18(2), Florida Statutes, providing a schedule for liquidated damages with respect to the failure of certain contractors to complete work on time; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Tourism & Economic Development—

HB 294—A bill to be entitled An act relating to the Department of Commerce; amending s. 288.012, Florida Statutes; providing exemptions from general law relating to employment of personnel in the department's foreign offices; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

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

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

Excused: Senator Barron until 10:00 a.m.; Senator Maxwell, first part of session; and Senator Grizzle

Prayer by the Rev. Paul D. Zink, Pastor, Southside Assembly of God, Jacksonville:

Our Heavenly Father, we boldly come before your presence, recognizing your desire and willingness to be involved in the affairs of this great nation. Grant to our leaders the wisdom, knowledge and moral insight to guide this great state of Florida. Give us the ability to understand that the will of God and his directions to us are essential in bringing harmony and peace and give each Senator the boldness to act in accordance with those divine directions.

We ask these things in the name of our saviour, Jesus Christ. Amen.

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

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, February 23, 1982: SB 171, SB 267, SB 309, SB 439, SB 539, SB 641, SB 36, SB 200, SB 477, SB 551, SB 94, HM 522, SB 34, CS for SB 407, SB 63, SB 142, SB 188, SB 257, SB 274, CS for SB 315, CS for SB 75, SB 349, SB 469, SB 535, CS for SB 560, CS for SB 144, SB 682, SB 708, SB 745, SB 810, CS for SB 892, SB 724, SB 481, CS for SB 182

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

The Committee on Agriculture recommends the following pass: SB 931, SB 964 with 2 amendments

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 914

The Committee on Health and Rehabilitative Services recommends the following pass: SB 5

The Committee on Judiciary-Criminal recommends the following pass: SB 14 with 2 amendments, SB 940 with 9 amendments

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 86 with 3 amendments

The Committee on Transportation recommends the following pass: SB 489 with 3 amendments

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 753, SB 894 with 1 amendment, SB 909 with 3 amendments

The bills were referred to the Committee on Commerce under the original reference.

The Committee on Transportation recommends the following pass: SB 863 with 2 amendments

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

The Committee on Agriculture recommends the following pass: SB 838

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 954

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 961 with 1 amendment

The Committee on Judiciary-Criminal recommends the following pass: SB 598 with 1 amendment

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

The Committee on Agriculture recommends the following pass: HB 60

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

The Committee on Governmental Operations recommends the following pass: SB 695 with 2 amendments, SB 791 with 2 amendments

The bills were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Health and Rehabilitative Services recommends the following pass: SB 231

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

The Committee on Agriculture recommends the following pass: SB 939 with 1 amendment

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 401, CS for SB 608 with 1 amendment, SB 637 with 2 amendments, SB 646, SB 813, SB 852 with 2 amendments, SB 906

The Committee on Governmental Operations recommends the following pass: SB 781, SB 793

The Committee on Health and Rehabilitative Services recommends the following pass: SB 81, SB 326 with 1 amendment

The Committee on Judiciary-Criminal recommends the following pass: CS for HB 34 with 2 amendments, SB 665, SB 947-

The Committee on Natural Resources and Conservation recommends the following pass: SB 876 with 1 amendment

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 404 with 3 amendments, CS for SB 420

The Committee on Transportation recommends the following pass: SB 488 with 1 amendment

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

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 389

The Committee on Governmental Operations recommends committee substitutes for the following: SB 13 and CS for SB 310; SB 870

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 653, SB 683, SB 736

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

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 342

The Committee on Governmental Operations recommends a committee substitute for the following: SB 732

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 Commerce recommends a committee substitute for the following: SB 666

The Committee on Judiciary-Criminal recommends a committee substitute for the following: Senate Joint Resolutions 605, 478, 626 and 919

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 559

The bill with committee substitute attached was referred to the Committee on Natural Resources and Conservation under the original reference.

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 471

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

The Committee on Agriculture recommends a committee substitute for the following: SB 983

The Committee on Commerce recommends committee substitutes for the following: SB 3, SB 570, SB 591

The Committee on Governmental Operations recommends committee substitutes for the following: SB 500, SB 833

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 984

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

REPORTS OF SUBCOMMITTEES

The State Employees Group Health Self Insurance, a select subcommittee of the Committee on Health and Rehabilitative Services, recommends SB 723 favorably with committee substitute to the standing committee.

REQUESTS FOR EXTENSION OF TIME

February 18, 1982

The Special Master for Claims requests an extension of 15 days for consideration of the following: SB 912

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: CS for SB 181, SB 331, CS for SB 350, SB 521, SJR 536, SB 568, SB 581, SB 640, SB 966

February 19, 1982

The Committee on Transportation requests an extension of 15 days for consideration of the following: SB 506, SB 540, SB 575, SB 620, SB 908, SB 918, SB 922, SB 923, HB 407

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following: SB 495, SB 501, SB 518, SB 524, SB 537, SB 549, SB 561, SB 579, SB 574, SB 899, SB 916, SB 927, SB 930, SB 935, SB 958, SB 962, SB 971, SB 972, SB 988, SB 897, CS for HB's 28 & 51, HB 146, HB 172, HB 391

The Committee on Commerce requests an extension of 15 days for consideration of the following: CS for SB 17, CS for SB 199, SB 882, SB 898, SB 926, SB 948, SB 950, SB 959, SB 965, SB 967, SB 968, SB 982

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: SB 675,

SB 707, SB 728, SB 735, SB 738, SB 742, SB 771, SB 799, SB 812, SB 816, SB 872, SB 873, SB 874, SB 875

February 22, 1982

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: CS for SB 643, HB 176, SM 520, SR 529, SM 542, SM 571, SCR 765, SB 960, SM 986, SR 993, SR 994, SR 995, SB 1000, SJR 47, SR 127, SB 618

February 23, 1982

The Committee on Education requests an extension of 15 days for consideration of the following: SB 907, SB 911, SB 929, SJR 943, SB 945, SB 970, SB 975, SB 978

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: SB 900, SB 901, SB 932, SB 944, SB 955, SB 963, SB 985, SB 979

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: SB 504, SB 558, SB 606, SB 647, SB 662, SB 925, SB 928, SB 946, SB 977, SB 999

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: SB 721, SB 725, HB 430, CS for HB 431

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Steinberg, the rules were waived and by two-thirds vote SB 957 was withdrawn from the Committee on Governmental Operations.

On motions by Senator Dunn, the rules were waived and by two-thirds vote SR 127 was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed second on the special order calendar.

On motions by Senator Vogt, the rules were waived and by two-thirds vote SB 664 was withdrawn from the committee of reference and indefinitely postponed.

Senator Dunn moved that SJR 460 be added to the special order calendar and taken up at 10:00 a.m. The motion was adopted by two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments and passed as amended HB 21.

Allen Morris, Clerk

The Honorable W. D. Childers, President

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

SB 491—A bill to be entitled An act relating to Volusia County; adding s. 5.3, chapter 57-2085, Laws of Florida, as amended; providing for the issuance by the West Volusia Hospital District of negotiable revenue bonds which do not pledge the faith, credit and taxing power of the district, but payable from revenue of the district and revenue bond anticipation notes to pay or refinance any of the cost of any facility that the district is authorized to construct; defining such facilities; providing that the district's revenue bonds may be secured by a trust agreement and pledge or assignment of such revenue and other funds; amending section 7, chapter 57-2085, as amended; providing that the Board of Commisisoners may determine the aggregate amount of principal and set terms and rates of interest on funds borrowed by the district; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—In title on page 1, line 5, strike: "district" and insert: Authority

Amendment 2—In title on page 1, line 8, strike: "of the district" and after the word "revenue" insert: and other funds of the District legally available therefor

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

SB 491 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

The bill was ordered engrossed and then enrolled.

SPECIAL ORDER

On motion by Senator Steinberg—

HB 449—A bill to be entitled An act relating to legislative review of advisory bodies, commissions, and boards of trustees adjunct to executive agencies; amending s. 11.611, Florida Statutes; providing legislative intent; providing definitions; repealing various provisions of law relating to advisory bodies, commissions, and boards of trustees adjunct to executive agencies; providing for review of such provisions prior to repeal; providing for periodic review of advisory bodies, commissions, and boards of trustees adjunct to executive agencies which are continued, reestablished, or created; prescribing criteria to be used in such review; prescribing criteria to be used in continuing, reestablishing, or creating such units of government; deleting provision for a joint select committee; providing for minutes of meetings to be kept; providing for approval of appropriations committees prior to expenditure of funds by nonstatutory committees which have been in existence for 1 year; providing for the abolition of units of government and the preservation of records; preserving certain causes of action; providing for effect on pending prosecutions, investigations, or disciplinary actions; amending s. 20.03(7), (8), and (10), Florida Statutes, and adding a subsection; providing definitions; adding a subsection to s. 216.031, Florida Statutes; providing for a schedule to accompany executive agency budget requests; requiring the Division of Statutory Revision to place a list of repealed entities in the Florida Statutes; repealing chapter 78-323, Laws of Florida, and s. 11.6115, Florida Statutes, as amended, relating to the Sundown Act; repealing various provisions of the Laws of Florida which repeal various laws relating to advisory bodies, commissions, and boards of trustees adjunct to executive agencies and which require such laws to be reviewed pursuant to the Sundown Act; providing an effective date.

—a companion measure, was substituted for SB 171 and read the second time by title.

The Committee on Governmental Operations recommended the following amendment which was moved by Senator Steinberg:

Amendment 1—On page 2, line 17, strike everything after the enacting clause and insert:

Section 1. Section 11.611, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 11.611, F.S. for present text.)

11.611 Legislative review of advisory bodies, commissions, and boards of trustees adjunct to executive agencies.—

(1) This section may be cited as the "Sundown Act."

(2) The Legislature finds it to be in the public interest to conduct a periodic and systematic review of the need for, and the benefits derived from, advisory bodies, commissions, and boards of trustees created by specific statutory enactment adjunct to executive agencies. The Legislature declares this act to be supplemental to the Regulatory Sunset Act. The Legislature finds that:

(a) New advisory bodies, commissions, and boards of trustees adjunct to executive agencies should be created only when they are determined to be essential to the furtherance of a public purpose and their number should be kept to the minimum necessary to achieve that purpose.

(b) Advisory bodies, commissions, and boards of trustees adjunct to executive agencies should be terminated by the Legislature when they are no longer essential to the furtherance of a public purpose. It is, therefore, incumbent upon the executive agency to which an advisory body, commission, or board of trustees is adjunct to advise the Legislature at the time an advisory body, commission, or board of trustees ceases to be essential to the furtherance of a public purpose.

(c) The Legislature and the public should be kept informed of the number, purpose, members, activities, and expenses of committees as defined in s. 20.03(8), advisory bodies, commissions, and boards of trustees adjunct to executive agencies.

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

(e) If a provision of the Florida Statutes repealed pursuant to this act is also included for repeal pursuant to the Regulatory Sunset Act, the Legislature shall conduct a Sundown review of the advisory body, commission, or board of trustees created or reestablished by that provision at the same time it conducts the Sunset review of the regulatory function, notwithstanding the date of repeal of the provision creating or reestablishing the advisory body, commission, or board of trustees.

(f) If a provision of the Florida Statutes creating or reestablishing an advisory body, commission, or board of trustees is adjunct to a regulatory function in sections or chapters of the Florida Statutes repealed pursuant to the Regulatory Sunset Act, that provision shall be repealed at the same time as the section or chapter relating to the regulatory function to which it is adjunct, notwithstanding the date of the repeal of the provision creating or reestablishing the advisory body, commission, or board of trustees.

(3) As used in this section:

(a) "Advisory body" means any entity defined in s. 20.03(7) or (9), or any group, by whatever name, created by specific statutory enactment adjunct to an executive agency to provide advice or recommendations and policy alternatives.

(b) "Commission" means the entity defined in s. 20.03(10), or any group, by whatever name, created by specific statutory enactment within a department, the Office of the Governor, or the Executive Office of the Governor, that exercises limited quasi-legislative or quasi-judicial powers or both independently of the head of the department or the Governor.

(c) "Board of trustees" means the entity defined in s. 20.03(12), or any group, by whatever name, created by specific statutory enactment adjunct to a department, the Governor, or the Executive Office of the Governor to administer public property or a public program.

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

(5) Any act which creates an advisory body, commission, or board of trustees adjunct to an executive agency and which is

enacted after the effective date of this act shall schedule the provision of law establishing such advisory body, commission, or board of trustees for repeal and review pursuant to this act within 10 years after the effective date of the act which creates such advisory body, commission, or board of trustees.

(6) In determining whether to reestablish an advisory body, commission, or board of trustees, the Legislature shall consider the following:

(a) Was the advisory body, commission, or board of trustees created to resolve a problem or provide a service?

(b) Has the problem been solved or the service provided?

(c) What has the advisory body, commission, or board of trustees done and what is it doing?

(d) Is the advisory body, commission, or board of trustees operating efficiently and effectively to perform its task?

(e) Would there be a significant and discernible adverse effect on the executive agency if the advisory body, commission, or board of trustees were abolished?

(f) Would there be a significant and discernible adverse effect on the public if the advisory body, commission, or board of trustees were abolished?

(7) An advisory body, commission, or board of trustees shall not be created or reestablished unless:

(a) There is a statutorily defined purpose for the advisory body, commission, or board of trustees.

(b) The powers and responsibilities assigned to the advisory body, commission, or board of trustees conform with the definitions of governmental units in s. 20.03.

(c) All members, unless expressly provided otherwise in the State Constitution, are appointed for 4-year staggered terms.

(d) All members, unless otherwise expressly provided by specific statutory enactment, serve without additional compensation or honorarium and are authorized to receive only reimbursement for per diem and traveling expenses as provided in s. 112.061.

(8) Private citizen members of an advisory body adjunct to an executive agency shall be appointed by the Governor, the head of the department, the executive director of the department, or a Cabinet officer.

(9) Private citizen members of a commission or board of trustees adjunct to an executive agency shall be appointed by the Governor, or designated Cabinet officer, shall be confirmed by the Senate, and shall be subject to the dual office-holding prohibition of Art. II, Section 5(a), State Constitution.

(10) Minutes, including a record of all votes cast, shall be maintained for all meetings of each advisory body, commission, and board of trustees.

(11) Within 30 days after the date of repeal by this act of any provision of the Florida Statutes, the records of the advisory body, commission, or board of trustees abolished by such repeal shall be appropriately stored by the executive agency to which the advisory body, commission, or board of trustees is adjunct and any property assigned to such abolished advisory body, commission, or board of trustees shall be reclaimed by the executive agency. An advisory body, commission, or board of trustees abolished by repeal of any provision of the Florida Statutes may not perform any activities after the date of such repeal.

(12) This act shall not affect the right to institute or prosecute any cause of action by or against an advisory body, commission, or board of trustees abolished pursuant to this act if the cause of the action accrued prior to the date the advisory body, commission, or board of trustees was abolished. Any cause of action pending on the date the advisory body, commission, or board of trustees is abolished, or instituted thereafter, shall be prosecuted or defended in the name of the state by the Department of Legal Affairs.

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

(14) The following provisions of the Florida Statutes are repealed on October 1, 1987, and shall be reviewed by the Legislature pursuant to this section:

(a) Department of Administration.—

1. Sections 110.301-110.309, relating to the Career Service Commission.
2. Section 112.192, relating to the State Officers' Compensation Commission.
3. Sections 121.22-121.24, relating to the State Retirement Commission.
4. Section 238.04, relating to the medical board of the Division of Retirement.

(b) Department of Agriculture and Consumer Services.—

1. Section 487.061, relating to the Pesticide Technical Council.
2. Sections 570.23-570.28, relating to the State Agricultural Advisory Council.
3. Sections 570.34 and 570.35, relating to the Plant Industry Technical Council.
4. Sections 570.38 and 570.39, relating to the Animal Industry Technical Council.
5. Sections 570.42 and 570.43, relating to the Dairy Industry Technical Council.
6. Section 570.543, relating to the Florida Consumers' Council.
7. Sections 573.63-573.65, relating to advisory council authorization for marketing orders for various products.
8. Sections 573.814-573.816, relating to the watermelon marketing order advisory council.
9. Sections 573.833(14), and 573.843-573.845, relating to the soybean advisory council.
10. Sections 573.859(14), and 573.869-573.871, relating to the flue-cured tobacco advisory council.
11. Sections 573.885(14), and 573.895-573.897, relating to the Peanut Advisory Council.
12. Section 576.091 relating to the Fertilizer Technical Council.
13. Section 581.186, relating to the Endangered Plant Advisory Council.
14. Sections 582.01(3)(b) and 582.06, relating to the Soil and Water Conservation Council.
15. Sections 589.01-589.03, relating to the Florida Forestry Council.
16. Sections 590.36-590.41, relating to the state and county forest fire prevention councils.

(c) Department of Corrections.—

1. Section 20.315(7)(c), relating to the advisory body to program offices.
2. Section 945.135, relating to the nonprofit corporation leasing the prison industry program.

(d) Governor and Executive Office of the Governor.—

1. Section 14.22, relating to the Governor's Council on Physical Fitness and Sports.
2. Section 14.25, relating to the Florida State Commission on Hispanic Affairs.
3. Section 23.133(3), relating to the advisory councils for early childhood development programs.
4. Sections 23.15-23.153, 23.155, relating to the Florida Council on Criminal Justice.
5. Section 27.37, relating to the Council on Organized Crime.

6. Section 377.603, relating to the Energy Data Center.

7. Section 377.706, relating to the Florida Energy Research and Development Task Force.

8. Section 420.005(3), relating to the advisory committee related to the elimination of substandard housing.

(e) Department of Insurance.—

1. Section 112.215(8), relating to the advisory council appointed under the Government Employees Deferred Compensation Plan Act.

2. Section 284.50(2), relating to the Interagency Advisory Council on Loss Prevention.

3. Sections 633.30(4) and 633.31, 633.32, and 633.33, relating to the Firefighters Standards and Training Council.

4. Sections 633.511 and 633.514, relating to the Florida Fire Safety Board.

(f) Department of Law Enforcement.—

1. Sections 406.02-406.05, relating to the Medical Examiners Commission.

2. Sections 943.06-943.08, relating to the Criminal Justice Information Systems Council.

3. Sections 943.10(4) and 943.11-943.20, relating to the Criminal Justice Standards and Training Commission.

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

(a) Department of Environmental Regulation.—

1. Section 20.261(3), relating to the Environmental Regulation Commission.

2. Sections 373.0693 and 373.0695, relating to basin boards of water management districts.

3. Sections 373.073-373.103, relating to the governing boards of the water management districts.

(b) Department of Business Regulation.—

1. Sections 83.776-83.794, relating to the State Mobile Home Tenant-Landlord Commission.

2. Section 498.015, relating to the advisory council appointed to advise the Division of Land Sales and Condominiums in land sales matters.

3. Section 550.265(3), (4), relating to the Quarter Horse Advisory Council.

4. Section 718.501(2), relating to the Condominium and Cooperative Advisory Council.

(c) Department of Citrus.—

1. Section 601.04(3), relating to the authority of the Florida Citrus Commission to appoint advisory committees or councils.

2. Section 601.1515(11), relating to the Florida Grapefruit Offshore Export Indemnity Committee.

3. Section 601.154(4), relating to the citrus marketing order advisory councils.

4. Section 601.158(10), Relating to the Florida Citrus Harvesting Research and Development Committee.

(d) Department of Commerce.—

1. Section 20.17(3), relating to the Motion Picture and Television Advisory Council.

2. Section 20.17(4), relating to the Economic Development Advisory Council.

3. Sections 23.145-23.1491, relating to the Florida Research and Development Commission.

4. Section 288.347, relating to the Tourism Advisory Council.

(e) Department of General Services.—

1. Section 23.030, relating to the data processing advisory councils.
2. Section 218.37(3), (4), relating to the advisory council to the Division of Bond Finance.
3. Section 272.12(2), (3), relating to the Capitol Center Planning Commission.
4. Section 272.18, relating to the Governor's Mansion Commission.
5. Sections 413.032-413.037, relating to the Commission for Purchase from the Blind or Other Severely Handicapped.

(f) Department of Highway Safety and Motor Vehicles.—Section 322.125, relating to the Medical Advisory Board.

(g) Department of Transportation.—Section 23.050(3), relating to the authority of the secretary of the Department of Transportation to appoint a commuter advisory committee.

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

(a) Department of Banking and Finance; Comptroller.—Section 215.96, relating to the Comptroller's Coordinating Council of the Florida Fiscal Accounting Management Information System.

(b) Department of Health and Rehabilitative Services.—

1. Section 20.19(3)(b)3. and 4., relating to the program office advisory councils.
2. Section 20.19(3)(b)7., relating to the Medicaid advisory council.
3. Section 20.19(5), relating to the district advisory councils.
4. Section 20.19(6), (7), and (8), relating to the statewide Human Rights Advocacy Committee and the district human right advocacy committees.
5. Section 381.345, relating to the Diabetes Advisory Council.
6. Section 381.3712(4), relating to the Florida Cancer Control and Research Advisory Board.
7. Section 381.493(3)(k), relating to the Statewide Health Coordinating Council.
8. Section 383.14(4), relating to the Infant Screening Advisory Council.
9. Section 383.20, relating to the Perinatal Advisory Council.
10. Section 391.091, relating to the Cardiac Advisory Council.
11. Section 402.36(5), relating to the Patient Qualification Review Board.
12. Section 553.09, relating to the advisory council for uniform interpretation of the State Plumbing Code.

(c) Department of Natural Resources.—

1. Section 177.505, relating to the Advisory Board of Land Surveyors.
2. Section 258.28, relating to the continuing interagency advisory committee for wilderness areas.
3. Section 259.035, relating to the selection committee pursuant to the Land Conservation Act of 1972.
4. Sections 370.16(24)-370.16(28), relating to the oyster rehabilitation commission in any county where natural oyster reefs exist.
5. Section 374.031, relating to the Canal Authority Board of Directors.
6. Sections 374.311-374.511, relating to the Board of Commissioners of the Cross Florida Canal Navigation District.
7. Sections 374.77-374.80, relating to the governing body of navigation districts.
8. Section 375.021(2), relating to the Outdoor Recreation Advisory Committee.

(d) Game and Fresh Water Fish Commission.—Section 372.5714, relating to the Waterfowl Advisory Committee.

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

(a) Department of Labor and Employment Security.—

1. Section 440.13(3)(b), relating to the advisory committee created to assist the Department of Labor and Employment Security in adopting schedules of maximum charges for hospital treatment.
2. Section 440.44(8), relating to the advisory council appointed to aid the Division of Workers' Compensation.
3. Section 443.171(5), relating to the Employment Security Advisory Council.
4. Sections 450.52, 450.53, and 450.54, relating to the State Employment and Training Council, Balance of the State Prime Sponsor Advisory Council and district advisory boards, and Balance of the State Private Industry Council.

(b) Department of State.—

1. Sections 106.24-106.29, relating to the Florida Elections Commission.
2. Sections 257.02 and 257.031, relating to the State Library Council.
3. Section 265.136, relating to the Florida Folklife Council.
4. Sections 265.26, 265.261, and 265.27, relating to the Board of Trustees of the John and Mable Ringling Museum of Art.
5. Section 265.285, relating to the Florida Arts Council.
6. Section 265.288, relating to the State Theater Board of Florida.
7. Sections 266.01-266.07, relating to the Historic St. Augustine Preservation Board of Trustees.
8. Sections 266.101-266.106, relating to the Historic Pensacola Preservation Board of Trustees.
9. Sections 266.110-266.115, relating to the Historic Tallahassee Preservation Board of Trustees.
10. Sections 266.201-266.206, relating to the Historic Key West Preservation Board of Trustees.
11. Sections 266.301-266.306, relating to the Historic Boca Raton Preservation Board of Commissioners.
12. Sections 266.401-266.406, 266.409 and 266.410, relating to the Historic Tampa-Hillsborough County Preservation Board of Trustees.
13. Section 266.408, relating to the Ybor City district and the Barrio Latino Commission.
14. Sections 266.501-266.507, relating to the Historic Broward County, Volusia County and Flagler County Preservation Boards of Trustees.

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

(a) Department of Education.—

1. Section 229.053(2)(m), relating to the authority of the State Board of Education to create subordinate advisory boards.
2. Section 230.2317(2), relating to the Advisory Board for the Service Network for the Severely Emotionally Disturbed.
3. Section 230.66(2), relating to the Industry Services Advisory Council.
4. Section 231.087, relating to the Florida Council on Educational Management.
5. Sections 233.07-233.15, relating to the State Instructional Materials Council.
6. Sections 240.145 and 240.147, relating to the Postsecondary Education Planning Commission.

7. Section 240.257(6)(c), relating to the committee for processing of eminent scholar applications.

8. Section 240.421, relating to the Florida Student Financial Aid Advisory Council.

9. Sections 240.423-240.435, relating to the Florida Student Financial Assistance Commission.

10. Section 240.437(1), relating to the Florida Student Scholarship and Loan Council.

11. Section 240.515(2)(b), relating to the Florida State Medical Museum Council.

12. Section 240.533(3), relating to the Council on Equity in Athletics.

13. Section 244.07, relating to the Florida Education Council.

14. Section 381.503(5) and (10), relating to the Community Hospital Education Council.

15. Section 413.011(2), relating to the Advisory Council for the Blind.

(b) Department of Veteran and Community Affairs.—

1. Section 20.18(7), relating to the Florida Housing Advisory Council.

2. Section 292.04, relating to the Advisory Council on Veterans' Affairs.

3. Section 553.49, relating to the advisory committee to the Florida Board of Building Codes and Standards.

4. Sections 553.71(1), and 553.74-553.77, relating to the State Board of Building Codes and Standards.

(19) The following provisions of the Florida Statutes which are also included for repeal pursuant to the Regulatory Sunset Act are repealed October 1, 1982:

(a) Section 395.503, relating to the Hospital Cost Containment Board.

(b) Section 629.201, relating to the subscribers' advisory committee.

(20) The following provisions of the Florida Statutes which are also included for repeal pursuant to the Regulatory Sunset Act are repealed October 1, 1983:

(a) Section 400.304, relating to the State Nursing Home and Long-Term Care Facility Ombudsman Committee.

(b) Section 400.307, relating to the district nursing home and long-term care facility ombudsman committees.

(c) Section 400.437, relating to the ad hoc committees on congregate living facilities.

(d) Section 400.561, relating to the ad hoc committees on adult day care centers.

(e) Section 535.15, relating to the review commission related to horse sales, shows, and exhibitions.

(f) Section 616.21(2), relating to the Agricultural and Livestock Fair Council.

(g) Section 616.251, relating to the Florida State Fair Authority.

(h) Section 651.121, relating to the Continuing Care Advisory Council.

(21) The following provisions of the Florida Statutes which are also included for repeal pursuant to the Regulatory Sunset Act are repealed October 1, 1984:

(a) Section 468.1235, relating to the advisory council related to hearing aids.

(b) Section 468.144, relating to the Florida State Advisory Council on Speech Pathology and Audiology.

(c) Section 468.205, relating to the Occupational Therapist Council.

(22) The following provisions of the Florida Statutes which are also included for repeal pursuant to the Regulatory Sunset Act are repealed October 1, 1986:

(a) Section 231.261, relating to the Education Practices Commission.

(b) Section 231.545, relating to the Education Standards Commission.

(23) Section 320.694, Florida Statutes, relating to the advisory council related to the regulation of motor vehicle dealers, which is also included for repeal pursuant to the Regulatory Sunset Act, is repealed October 1, 1988.

(24) The following provisions of the Florida Statutes which are also included for repeal pursuant to the Regulatory Sunset Act are repealed October 1, 1990:

(a) Sections 493.303 and 493.564, relating to the advisory council advising the Department of State in matters relative to the private security industry and detection of deception examiners.

(b) Section 509.291, relating to the advisory council to the Division of Hotels and Restaurants.

(25) Sections 657.026 and 657.027, Florida Statutes, relating to the Credit Committees and Supervisory Committees for Credit Unions, which are also included for repeal pursuant to the Regulatory Sunset Act, are repealed October 1, 1991.

Section 2. Subsections (7), (8), and (10) of section 20.03, Florida Statutes, are amended, and subsection (12) is added to said section to read:

20.03 Definitions.—To provide uniform nomenclature throughout the structure of the executive branch, the following definitions shall apply in this and all future acts.

(7) "Council" means an advisory body *created by specific statutory enactment* appointed to function on a continuing basis for the study of the problems arising in a specified functional or program area of state government and to *provide recommendations the recommendation of solutions* and policy alternatives.

(8) "Committee" means *either an advisory body created without specific statutory enactment for a time not to exceed 1 year or an advisory body created by specific statutory enactment for a time not to exceed 3 years* appointed to study a specific problem and recommend a solution or policy alternative ~~within a time certain~~ with respect to that problem. Its existence shall terminate upon the completion of its assignment.

(10) "Commission," unless otherwise required by the State Constitution, means a body *created by specific statutory enactment established within a department, the Office of the Governor, or the Executive Office of the Governor* and exercising limited quasi-legislative or quasi-judicial powers or both independently of the head of the department *or the Governor*.

(12) "Board of trustees," *except as created in chapter 253, means a board created by specific statutory enactment and appointed to function adjunct to a department, the Governor, or the Executive Office of the Governor to administer public property or a public program.*

Section 3. Subsection (9) is added to section 216.031, Florida Statutes, to read:

216.031 Budgets for operational expenditures.—The legislative budget requests submitted by the head of each state agency, showing the amounts requested for operational expenditures during the next biennium, shall contain the following:

(9) *A schedule listing each committee, however created; council; coordinating council; commission; and board of trustees that is adjunct to the executive agency. The schedule shall show the name, number of meetings held in the past fiscal year, number of members, and expenses of the committee, council, coordinating council, commission, or board of trustees. The schedule shall further state the purpose of the committee, council, coordinating council, commission, or board of trustees and the statutory basis on which it was created.*

The legislative appropriations committees and the Executive Office of the Governor may require the agency to address major issues for inclusion in the agency's requests. The issues shall be submitted to the agency no later than August 30 of each even-numbered year and shall be displayed in the agency's requests as provided in the budget instructions.

Section 4. The Division of Statutory Revision shall include a list of advisory bodies, commissions, and boards of trustees scheduled for review pursuant to s. 11.611, Florida Statutes, in the text of the Florida Statutes. Said list shall include the name and section number of the entity and shall be arranged by department and year of review.

Section 5. Chapter 78-323, Laws of Florida; section 11.6115, Florida Statutes, as amended by chapters 81-127, 81-259, and 81-318, Laws of Florida; section 3 of chapter 79-285, Laws of Florida; section 8 of chapter 79-320, Laws of Florida; section 2 of chapter 80-62, Laws of Florida; section 11 of chapter 80-190, Laws of Florida; section 4 of chapter 80-288, Laws of Florida; section 5 of chapter 80-315, Laws of Florida; section 4 of chapter 81-7, Laws of Florida; section 3 of chapter 81-8, Laws of Florida; section 2 of chapter 81-9, Laws of Florida; section 7 of chapter 81-11, Laws of Florida; section 3 of chapter 81-12, Laws of Florida; section 4 of chapter 81-13, Laws of Florida; section 3 of chapter 81-54, Laws of Florida; section 5 of chapter 81-56, Laws of Florida; section 3 of chapter 81-57, Laws of Florida; section 3 of chapter 81-58, Laws of Florida; section 3 of chapter 81-64, Laws of Florida; section 3 of chapter 81-66, Laws of Florida; section 4 of chapter 81-68, Laws of Florida; section 6 of chapter 81-69, Laws of Florida; section 3 of chapter 81-71, Laws of Florida; section 3 of chapter 81-72, Laws of Florida; section 3 of chapter 81-73, Laws of Florida; section 2 of chapter 81-74, Laws of Florida; section 3 of chapter 81-75, Laws of Florida; section 3 of chapter 81-76, Laws of Florida; section 3 of chapter 81-77, Laws of Florida; section 3 of chapter 81-78, Laws of Florida; section 3 of chapter 81-83, Laws of Florida; section 7 of chapter 81-89, Laws of Florida; section 4 of chapter 81-122, Laws of Florida; section 5 of chapter 81-124, Laws of Florida; sections 4 and 5 of chapter 81-127, Laws of Florida; section 3 of chapter 81-136, Laws of Florida; section 6 of chapter 81-162, Laws of Florida; sections 5, 6, and 9 of chapter 81-184, Laws of Florida; section 2 of chapter 81-200, Laws of Florida; section 2 of chapter 81-217, Laws of Florida; section 5 of chapter 81-237, Laws of Florida; section 3 of chapter 81-241, Laws of Florida; section 7 of chapter 81-254, Laws of Florida; section 4 of chapter 81-270, Laws of Florida; section 2 of chapter 81-298, Laws of Florida; section 3 of chapter 81-241, Laws of Florida; and section 3 of chapter 81-199, Laws of Florida, are hereby repealed.

Section 6. This act shall take effect upon becoming a law.

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

Amendment 1A—On page 8, line 27, strike all of lines 27 and 28 and renumber subsequent sections.

Amendment 1 as amended was adopted.

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

Amendment 2—In title on pages 1 and 2, strike everything before the enacting clause and insert:

A bill to be entitled An act relating to legislative review of advisory bodies, commissions, and boards of trustees adjunct to executive agencies; amending s. 11.611, Florida Statutes; providing legislative intent; providing definitions; repealing various provisions of law relating to advisory bodies, commissions, and boards of trustees adjunct to executive agencies; providing for review of such provisions prior to repeal; providing for periodic review of advisory bodies, commissions, and boards of trustees adjunct to executive agencies which are continued, reestablished, or created; prescribing criteria to be used in such review; prescribing criteria to be used in continuing, reestablishing, or creating such units of government; deleting provision for a joint select committee; providing for the abolition of units of government and the preservation of records; preserving certain causes of action; providing for effect on pending prosecutions, investigations, or disciplinary actions; amending s. 20.03(7), (8), (10), Florida Statutes, and adding subsection (12) to said section; providing definitions; adding s. 216.031(9), Florida Statutes; providing for a schedule to accompany executive agency budget requests; requiring the Division of Statutory Revision to place a list of repealed entities in the Florida Statutes; repealing chapter 78-323, Laws of Florida, and s. 11.6115, Florida Statutes, as amended, relating

to the Sundown Act; repealing various provisions of the Laws of Florida which repeal various laws relating to advisory bodies, commissions, and boards of trustees adjunct to executive agencies and which require such laws to be reviewed pursuant to the Sundown Act; providing an effective date.

On motion by Senator Steinberg, by two-thirds vote HB 449 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 171 was laid on the table.

SR 127—A resolution commending the Chapman School of Seamanship for its contributions to the state and designating the school as the Maritime School of Florida.

—was read the second time in full. On motion by Senator Lewis, SR 127 was adopted. The vote on adoption was:

Yeas—34

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

Nays—None

On motion by Senator Johnson, the rules were waived and by two-thirds vote HB 424 was withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Johnston—

HB 424—A bill to be entitled An act relating to probate and the administration of estates and filing of tax claims by the Department of Revenue; amending s. 198.35, Florida Statutes, deleting reference to a date with respect to estate and inheritance tax laws to conform Florida law to the most recent changes in the United States Internal Revenue Code; amending s. 731.111(2), Florida Statutes, providing for filing of a claim by the Department of Revenue within 30 days after the filing of an amended inventory; providing an effective date.

—a companion measure, was substituted for SB 267 and read the second time by title.

Senator Johnston moved the following amendments which were adopted:

Amendment 1—On page 2, between lines 7 and 8, insert a new section 3:

Section 3. Section 198.02, Florida Statutes, is amended to read:

198.02 Tax upon estates of resident decedents.—A tax is imposed upon the transfer of the estate of every person who, at the time of death, was a resident of this state, the amount of which shall be a sum equal to the amount by which the credit allowable under the applicable Federal Revenue Act for estate, inheritance, legacy and succession taxes actually paid to the several states ~~exceeds shall exceed the lesser of:~~

(1) The aggregate amount of all constitutionally valid estate, inheritance, legacy and succession taxes actually paid

to the several states of the United States (other than this state) in respect of any property owned by such decedent or subject to such taxes as a part of or in connection with his estate, or

(2) An amount equal to such proportion of such allowable credit as the value of properties taxable by other states bears to the value of the entire gross estate wherever situate.

All values shall be as finally determined for federal estate tax purposes.

(Renumber subsequent section)

Amendment 2—In title on page 1, line 12, after the word "inventory;" insert: amending s. 198.02, Florida Statutes; changing the formula by which Florida's estate tax credit is calculated;

On motion by Senator Johnston, by two-thirds vote HB 424 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 267 was laid on the table.

SB 309—A bill to be entitled An act relating to the practice of electrolysis; creating the Electrolysis Practice Act; providing definitions; creating the Board of Electrolysis and providing for membership, organization, and terms thereof; requiring licensure of persons engaging in the practice of electrolysis; providing for imposition of a civil penalty for failure to obtain such license; specifying requirements for licensure, including qualifications, educational requirements, examination, and fees; providing reciprocity with respect to electrologists licensed in other states or jurisdictions; providing procedure and criteria with respect to examinations; providing for issuance of temporary licenses in certain cases; providing limits with respect thereto; providing grounds for refusal, suspension, and revocation of license, as well as the restriction of a person's practice or the requiring of a licensee to submit to certain care or treatment; providing for reinstatement of licensure so suspended or revoked, in the board's discretion; providing for renewal of license; providing a continuing education requirement; providing fees; providing requirements with respect to business establishments of electrologists; providing requirements with respect to equipment used in the practice of electrolysis; providing exemptions; providing for approval of continuing education seminars; providing for approval by the Department of Professional Regulation of electrology schools under specified conditions; providing fees; providing for annual renewal of such approval; providing minimum standards for curricula; providing for licensure of electrolysis instructors; providing standards of professional conduct; providing for review and repeal in accordance with the Regulatory Sunset Act; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote SB 309 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Henderson	Lewis	Tobiassen
Beard	Hill	Margolis	Trask
Carlucci	Jenkins	McClain	Vogt
Dunn	Jenne	Poole	Ware
Frank	Jennings	Rehm	
Gersten	Kirkpatrick	Skinner	
Hair	Langley	Thomas	

Nays—10

Anderson	McKnight	Renick	Stuart
Childers, D.	Neal	Steinberg	
Johnston	Peterson	Stevens	

SB 439—A bill to be entitled An act relating to child custody; amending s. 61.13(2)(b), (3), Florida Statutes; requiring courts to order shared parental responsibility for minors; granting standing to grandparents to seek judicial enforcement of their visitation rights; prohibiting denial of either parent's access to specified information about a minor; providing for liberal interpretation; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 439 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Dunn, Tobiassen

On motion by Senator Gordon, the rules were waived and by two-thirds vote SB 735 was withdrawn from the Committee on Governmental Operations and added to the agenda of the Committee on Appropriations for consideration this day.

On motion by Senator Gordon, the rules were waived and by two-thirds vote SB 160, SB 246, CS for SB 263, CS for SB's 278 and 333, CS for SB 376, SB 454, SB 604 and CS for SB 669 were withdrawn from the Committee on Appropriations.

Senator Anderson moved that the rules be waived and SB 681 be withdrawn from the Committee on Agriculture. The motion failed.

SB 539—A bill to be entitled An act relating to the Legislature; amending s. 11.25(2), Florida Statutes; clarifying provisions relating to legislative employment practices; authorizing a legislative group insurance program; providing an effective date.

—was read the second time by title. On motion by Senator Hill, by two-thirds vote SB 539 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 641—A bill to be entitled An act relating to intangible personal property taxes, amending s. 199.023(7), Florida Statutes; modifying a definition; amending s. 199.042(1)(a), Florida Statutes; providing that certain returns filed on certain days are not delinquent; 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, strike lines 21 and 22 and insert:

Section 3. Paragraph (f) of subsection (1) of section 199.072, Florida Statutes, is amended to read:

199.072 Exemptions.—

(1) The following intangible property shall be exempt from the tax imposed by this chapter:

(f) Notes, bonds, and other obligations secured by mortgage, deed of trust, or other lien upon real property situated outside the state upon which a documentary or recording tax has been paid in the jurisdiction where said real property is located.

Section 4. This act shall take effect upon becoming a law. Section 3 shall apply retroactively to January 1, 1979.

Senator Johnston moved the following substitute amendment which was adopted:

Amendment 2—On page 2, strike lines 21 and 22 and insert: Section 3. Paragraph (f) of subsection (1) of section 199.072, Florida Statutes, is amended to read:

199.072 Exemptions.—

(1) The following intangible property shall be exempt from the tax imposed by this chapter:

(f) Notes, bonds, and other obligations, *except bonds, to the extent that such notes and obligation are secured by mortgage, deed of trust, or other lien upon real property situated outside the state upon which a documentary or recording tax has been paid in the jurisdiction where said real property is located.*

Section 4. This act shall take effect upon becoming a law. Section 3 shall apply retroactively to January 1, 1979.

Senator Margolis moved the following amendment which was adopted:

Amendment 3—On page 2, between lines 20 and 21, insert: Section 3. Section 199.062, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 199.062, F.S., for present text.)

199.062 Information reports; companies, corporations, and brokers.—

(1) Every company or corporation, including financial institutions, qualified to do business in this state, domestic or foreign, shall, on or before June 30 of each year, file with the department a report of all registered Florida stockholders as of December 31 of the previous year, except that no report is required under this subsection:

(a) If the security is not taxable under this chapter; or

(b) If the company has paid any dividend during the previous year on the class of security held by the Florida stockholder; or

(c) The company has exercised the election to pay the tax as agent for its Florida stockholders under subsection (3); or

(d) There are no Florida stockholders.

(2) The report shall be on forms prescribed, or approved, by the department and shall include the name, address, and social security or federal employer identification number of each Florida stockholder, the number and class of shares held by each Florida stockholder, the just value of each class on January 1 of the tax year, and such other information as may be reasonably required by the department.

(3)(a) Every company or corporation, including financial institutions, qualified to do business in this state, domestic or foreign, shall have the election each tax year to pay the intangible tax on any class of its stock, as agent for its Florida stockholders, and be relieved of the duty to file the report of registered Florida stockholders for any such class of stock for the tax year required under subsection (1).

(b) The election shall be affirmatively exercised by the company or corporation by filing written notification of the election with the department on or before June 30 each year on forms prescribed by the department by rule. In addition, a company or corporation exercising this election shall furnish its Florida stockholders with written notice, on or before April 1 of each year, that the company or corporation has exercised the election to pay the tax on the class or classes of stock for the year, as agent. A company exercising this election shall certify on the notification filed with the department that its shareholders were notified by April 1 of the company's election to pay as agent.

(c) Should the company or corporation fail to notify the department of its election to pay the tax as agent, the election shall not be valid, regardless of any notification provided stockholders, and the company or corporation shall be required to file the report for all Florida stockholders under subsection (1), regardless of any exception in subsection (1).

(d) Once a company or corporation has exercised the election under this section, the election for the tax year may not be amended or revoked and shall be binding on the company for the tax year. However, such election shall not be binding for other tax years.

(4) All security brokers registered under the laws of Florida shall file with the department, on or before June 30 of each year, a position statement as of December 31 of the preceding year for each customer whose mailing address is within the state. Such statement shall include the customer's name, address, social security number or federal identification number, the number and description of all securities held for the customer, and such other information as the department may reasonably require.

(5) In order to provide for uniform reporting, every company or corporation qualified to do business in this state shall:

(a) On or before April 1 of each year notify its Florida stockholders of record as of December 31 of the preceding year of the just value on January 1 of each class of its stock which is not regularly listed on any of the public stock exchanges, or which is not regularly traded over the counter. Such notification is required where a class of stock is regularly listed or regularly traded over the counter and the shares are subject to restrictions and the value reportable by the stockholder is less than the published price. Values determined by a company or corporation shall not be binding on the department. In the event the department determines the stock is undervalued, it shall proceed to assess and collect from each person subject to tax the amount of tax, penalty, and interest due on such shares based on the correct value.

(b) On or before June 30 of each year:

1. Furnish the department with written notification of any of its shares which are not taxable under this chapter.

2. Furnish the department with written notification of the fact the company or corporation has paid a dividend during the previous calendar year to the holders of any class of its stock.

3. Furnish the department with written notification in the event there are no Florida stockholders for all classes of its stock.

4. File with the department the valuation information required under paragraph (a) along with certification that Florida shareholders were furnished the required information by April 1.

(6)(a) Failure to file the reports required by subsection (1) or subsection (4) within the time required shall subject the company, corporation, or broker to a penalty of \$10 for each Florida stockholder record or Florida customer record, as the case may be, not timely filed with the department.

(b) Failure to file the notifications required by paragraph (5)(b) shall subject the company or corporation to a penalty of \$100.

(c) Such penalties shall be assessed and collected in the same manner as other penalties imposed by this chapter. The department may waive or compromise such penalties under the provisions of s. 213.21.

(7) (a) The department is hereby specifically authorized and empowered, after making written request, to examine at all reasonable hours all books, records, and other documents relating to the reports of companies, corporations, and brokers charged with the duty to file reports or make reports required in this section.

(b) In the event a company, corporation, or broker refuses to permit examination of such records by the department, the department shall have the right to proceed in any circuit court against such company, corporation, or broker to seek a mandatory injunction or other appropriate remedy to enforce its right, as granted by this section, to require examination of such records. If the injunction or other appropriate remedy is granted, the court may order the company, corporation, or broker to pay the costs of such legal action and the cost of the subsequent examination by the department.

(8) The companies, corporations, and brokers subject to the provisions of this section shall keep and preserve all books, records, and documents relating to the information reported under this section for a period of 3 years from June 30 of each tax year.

Section 4. Section 3 of this act shall take effect July 1, 1983. (Renumber subsequent section.)

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

Amendment 4—In title on page 1, line 7, after "delinquent;" insert: amending s. 199.072(1)(5), Florida Statutes; providing an exemption for all obligations secured by a lien on real property located outside the state; providing that such exemption is retroactive to January 1, 1979;

Senator Johnston moved the following substitute amendment which was adopted:

Amendment 5—On page 1, line 7, after "delinquent;" insert: amending s. 199.072(1)(5), Florida Statutes; providing an exemption for all obligations, except bonds, secured by a lien on real property located outside the state; providing that such exemption is retroactive to January 1, 1979;

Senator Margolis moved the following amendment which was adopted:

Amendment 6—On page 1, line 7, after the semicolon(;) insert: amending s. 199.062, Florida Statutes; revising provisions relating to reports to the Department of Revenue and stockholders by companies and corporations of Florida stockholder information; specifying exemptions; revising dates and penalties;

On motion by Senator Johnston, by two-thirds vote SB 641 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Dunn, Rehm

SB 36—A bill to be entitled An act relating to motor vehicle registration and license number plates; creating s. 320.371, Florida Statutes; providing that the requirements of regis-

tration and display of license number plates shall not apply to new automobiles or trucks whose equitable or legal title is vested in a manufacturer, distributor, importer, or exporter and which vehicles are in the custody of a vehicle servicing, processing, and handling agency; requiring such agency to display its name and address on a temporary sign on the vehicle; providing an effective date.

—was read the second time by title.

The Committee on Transportation recommended the following amendments which were moved by Senator Carlucci and adopted:

Amendment 1—On page 1, line 23, strike "automobile or truck" and insert: motor vehicle

Amendment 2—In title on page 1, line 7, strike "automobiles or trucks" and insert: motor vehicles

On motion by Senator Carlucci, by two-thirds vote SB 36 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	Hair	Lewis	Steinberg
Anderson	Henderson	Margolis	Stuart
Beard	Hill	McClain	Thomas
Carlucci	Jenkins	McKnight	Tobiassen
Childers, D.	Jenne	Neal	Trask
Dunn	Jennings	Peterson	Vogt
Frank	Johnston	Poole	Ware
Gersten	Kirkpatrick	Renick	
Gordon	Langley	Skinner	

Nays—None

Vote after roll call:

Yea—Rehm

On motion by Senator Beard, by two-thirds vote HB 518 was withdrawn from the Committee on Transportation.

On motion by Senator Beard—

HB 518—A bill to be entitled An act relating to transportation administration; amending s. 334.215(24), Florida Statutes, requiring metropolitan planning organizations to become fully operative within 6 months following designation; providing an effective date.

—a companion measure, was substituted for SB 200. On motions by Senator Beard, by two-thirds vote HB 518 was read the second time by title, and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Rehm

SB 200 was laid on the table.

SB 477—A bill to be entitled An act relating to motor fuel pricing; amending s. 526.121, Florida Statutes; providing for a

price differential between cash and credit sales of gasoline; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 477 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Childers, D.

Vote after roll call:

Yea—Rehm

Senator Stuart presiding

On motion by Senator Beard, by two-thirds vote HB 640 was withdrawn from the Committee on Transportation.

On motion by Senator Beard—

HB 640—A bill to be entitled An act relating to Department of Transportation construction contracts; amending s. 337.18(2), Florida Statutes, providing a schedule for liquidated damages with respect to the failure of certain contractors to complete work on time; providing an effective date.

—a companion measure, was substituted for SB 551. On motion by Senator Beard by two-thirds vote HB 640 was read the second time by title.

Senator Beard moved the following amendments which were adopted:

Amendment 1—On page 2, strike line 16 and insert:

(3) *If the department determines that the timely completion of any project is essential to public health, safety, or welfare, the contract for such project may provide for an incentive payment payable to the contractor for early completion of the project or critical phases of the work and additional damages to be assessed against the contractor for the completion of the project or critical phases of the work in excess of the time specified. The amount of such incentive payment or such additional damages shall be established in the contract, but shall not exceed \$2,000 per calendar day for a maximum period of 180 days. Any liquidated damages provided for under subsection (2) and any additional damages provided for under this subsection shall be payable to the department upon a default due to the contractor's failure to complete the contract work within the time stipulated in the contract or within such additional time as may have been granted by the department.*

(4) ~~(2)~~ Such bonds shall be subject to the additional obligation that the principal and surety executing the same shall be liable to the state in a civil action instituted by the department or any officer of the state authorized in such cases, for double any amount in money or property the state may lose or be over charged or otherwise defrauded of, by reason of any wrongful or criminal act, if any, or the contractor, his agent, or employees.

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

Amendment 2—On page 1, line 12, after the word "amended" insert: and present subsection (3) of said section is renumbered as subsection (4) and a new subsection (3) is added

Amendment 3—On page 1, strike all of lines 4-7 and insert: Florida Statutes, renumbering s. 337.18(3), Florida Statutes, and adding a new subsection (3) to said section: providing a schedule

for liquidated damages with respect to the failure of certain contractors to complete work on time; providing for incentive payments and additional damages in certain instances; providing an effective date.

On motion by Senator Beard, by two-thirds vote HB 640 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Anderson	Henderson	Maxwell	Steinberg
Beard	Hill	McClain	Stevens
Childers, D.	Jenkins	McKnight	Stuart
Dunn	Jennings	Neal	Thomas
Frank	Johnston	Peterson	Trask
Gersten	Langley	Poole	Vogt
Gordon	Lewis	Renick	Ware
Hair	Margolis	Scott	

Nays—None

Vote after roll call:

Yea—Jenne, Rehm

SB 551 was laid on the table.

SB 94—A bill to be entitled An act relating to automobile inspection and warranty associations; redesignating such associations as motor vehicle service agreement companies; amending s. 634.011, Florida Statutes; modifying definitions; amending s. 634.031, Florida Statutes; conforming language; amending s. 634.041, Florida Statutes; requiring that all assets used to maintain the minimum net asset requirement be maintained in the United States; providing that to obtain or renew a license, a company must maintain minimum net assets of \$300,000; requiring companies to establish and maintain an unearned premium reserve consisting of unencumbered assets equal to a minimum of 50 percent of the gross written premium on each service agreement; providing for amortization of such reserve; amending s. 634.052, Florida Statutes; deleting the exceptions to the requirement that companies deposit certain securities with the Department of Insurance; amending s. 634.061, Florida Statutes; requiring corporations and partnerships that apply for a license to submit with their application a copy of their articles of incorporation or partnership document; amending s. 634.071, Florida Statutes; providing for renewal of licenses on a biennial basis and for a \$200 renewal fee beginning September 30, 1983; amending s. 634.121, Florida Statutes; requiring notice to customers that a service agreement is not required to purchase or finance a motor vehicle; providing that motor vehicle service agreements shall be assignable in consumer transactions; creating s. 634.1215, Florida Statutes; providing grounds for disapproval of forms; creating s. 634.1216, Florida Statutes; providing for rate filings; amending s. 634.171, Florida Statutes; providing for biennial registration of company salesmen and for a filing fee of \$40 beginning October 1, 1983; amending s. 634.253, Florida Statutes; providing delinquency proceedings; amending ss. 634.011, 634.021, 634.081-634.111, 634.131-634.161, 634.181, 634.191, 634.221-634.241, 634.2515, 634.252, Florida Statutes; providing conforming language and deleting obsolete language; redesignating the title of part I, chapter 634, ss. 634.011-634.253, Florida Statutes, as "Motor Vehicle Service Agreement Companies;" providing that part I of chapter 634, Florida Statutes, is not repealed in accordance with the Regulatory Sunset Act but is revived and readopted; providing for repeal and for review pursuant to s. 11.61, Florida Statutes; providing an effective date.

—was read the second time by title.

Senator McClain moved the following amendments which were adopted:

Amendment 1—On page 29, strike lines 7 and 8, and insert: Section 31. Subsection (3) of section 634.401, Florida Statutes, is amended to read:

634.401 Definitions.—As used in this part:

(3) "Indemnify" means to undertake repair or replacement of a consumer product, in return for the ~~prepayment~~ ^{prepayment} payment of a segregated premium, when such consumer product suffers operational failure.

Section 32. This act shall take effect October 1, 1982.

Amendment 2—In title on page 1, line 3, after the word "associations;" insert: the words "service warranty associations;"

Amendment 3—In title on page 2, line 25, after the word Statutes; insert: amending s. 634.401(3), providing for payment of a segregated premium rather than a prepayment.

On motion by Senator Hair, by two-thirds vote SB 94 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

Anderson	Hill	Maxwell	Scott
Beard	Jenkins	McClain	Steinberg
Childers, D.	Jenne	McKnight	Stuart
Dunn	Jennings	Neal	Thomas
Gersten	Johnston	Peterson	Trask
Gordon	Langley	Poole	Vogt
Hair	Lewis	Rehm	Ware
Henderson	Margolis	Renick	

Nays—None

Vote after roll call:

Yea—Stevens

On motion by Senator Dunn consideration of HM 522 was deferred.

On motion by Senator Gordon, the rules were waived and SB 778 was placed at the end of the special order calendar.

SB 34—A bill to be entitled An act relating to educational finance; amending s. 236.081(4)(a), Florida Statutes; prescribing the method for calculating the district required local effort of school districts; providing an effective date.

—was read the second time by title. On motion by Senator Maxwell, by two-thirds vote SB 34 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Frank, Gersten, Jenne, Renick

Consideration of CS for SB 407 was deferred.

On motion by Senator Hair, the rules were waived and by two-thirds vote HB 53 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Hair—

HB 53—A bill to be entitled An act relating to cemeteries; amending ss. 559.41 and 559.441(3)(a), Florida Statutes, providing an exemption for certain nonprofit cemetery corporations from certain trust requirements related to the establishment of care and maintenance trust funds; providing for review and repeal in accordance with the Regulatory Sunset Act; providing an effective date.

—a companion measure, was substituted for SB 63 and read the second time by title. On motion by Senator Hair, by two-thirds vote HB 53 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

SB 63 was laid on the table.

On motion by Senator Dunn, the Senate recessed at 9:55 a.m.

The Senate was called to order by the President at 10:00 a.m. A quorum present—39:

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

SPECIAL ORDER, continued

The Honorable W. D. Childers, President

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

SJR 460—A joint resolution of apportionment; providing for the reapportionment of the Legislature; providing definitions; prescribing the state policy followed in such reapportionment; prescribing senatorial and representative districts; providing for omitted areas; maintaining staggered terms in the Senate and preserving the continuity of the Senate; providing for filling vacancies in the Senate; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

(Amendments attached to original bill)

The Committee on Apportionment recommended the following amendment which was moved by Senator Barron:

Amendment 1 to House Amendment 1—Strike pages 248-251 and insert:

Section 5. In adopting the senatorial districts prescribed in this joint resolution in accordance with the constitutions of the state and of the United States, the Legislature is following in good faith the rational state policy of:

(1) Recognizing the continuing and dynamic population growth in the state and striving for population equality among districts;

(2) Recognizing the preference stated by the people and the courts for single-member districts and promoting, by the adoption of single-member districts, greater access to the legislative process for racial and language minorities and for all other citizens of the state; and

(3) Recognizing that continuity and stability in the Senate is a rational and desirable goal mandated by the requirement in the State Constitution for staggered 4-year terms and that to require all Senators to be elected in the general election in November 1982 would substantially interfere with the orderly operation and efficiency of the Senate and would be contrary to the State Constitution.

Section 6. The state is hereby divided into 40 consecutively numbered, single-member senatorial districts of contiguous territory as follows:

- (1) DISTRICT 1 is composed of Escambia County; and that part of Santa Rosa County included in census county division 016; and that part of Santa Rosa County included in census tract 109.
- (2) DISTRICT 2 is composed of Gadsden, Holmes, and Jackson Counties; and that part of Leon County included in census county division 030; and that part of Leon County included in census tracts 1, 4, 5, 6, 7, 10.02, 11.01, 11.02, 12, 13, 14, 18, 19, and 20; and that part of Okaloosa County included in census county divisions 005, 010, and 030; and that part of Okaloosa County included in census tracts 208 and 214; and that part of Santa Rosa County included in census county divisions 020, 025, and 030; and that part of Santa Rosa County included in census tracts 108.01, 108.02, and 108.03; and that part of Walton County included in census county divisions 005 and 015.
- (3) DISTRICT 3 is composed of Bay, Calhoun, Franklin, Gulf, Liberty, Wakulla, and Washington Counties; and that part of Okaloosa County included in census county divisions 025 and 035; and that part of Okaloosa County included in census tract 230; and that part of Walton County included in census county divisions 010 and 020.
- (4) DISTRICT 4 is composed of Citrus and Hernando Counties; and that part of Alachua County included in census county divisions 020 and 025; and that part of Alachua County included in census tracts 1, 5, 6, 7, 8, 14, 15, 16, 17, 22.02, and 22.03; and that part of Levy County included in enumeration districts 343, 346, 348, 351, and 353 of census county division 005; and that part of Levy County included in enumeration districts 326, 327, 328, 332, 333 of census county division 015; and that part of Pasco County included in census tracts 301, 309, 310, 311, 312, 313, and 318.
- (5) DISTRICT 5 is composed of Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Madison, Suwannee, Taylor, and Union Counties; and that part of Baker County included in census county division 010; and that part of Leon County included in census county divisions 010, 015, 020, and 025; and that part of Leon County included in census tracts, 2, 3, 8, 9, 10.01, 15, 16, 17, 21, 22.01, and 22.02; and that part of Levy County included in census county division 010; and that part of Levy County included in enumeration districts 344, 345, 347, 349, and 350 of census county division 005; and that part of Levy County included in enumeration districts 325, 329, 330, 331, and 352 of census county division 015.
- (6) DISTRICT 6 is composed of Bradford and Putnam Counties; and that part of Alachua County included in census county divisions 010, 015, and 035; and that part of Alachua County included in census tracts 2, 3, 4, 9, 10, 11, 12, 13, and 19.02; and that part of Baker County included in census county division 005; and that part of Marion County included in census county divisions 010, 018, 020, and 030; and that part of Marion County included in census tracts 5, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25.
- (7) DISTRICT 7 is composed of Nassau County; and that part of Duval County included in census tracts 1, 1.99, 2, 2.99, 3, 4, 5, 11, 12, 13, 14, 15, 16, 17, 18, 26, 27, 28, 29, 101, 102.01, 102.02, 103, 104, 105, 106, 107, 108., 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119.01, 119.02, 120, 121, and 122.
- (8) DISTRICT 8 is composed of Flagler and St. Johns Counties; and that part of Duval County included in census tracts 6, 7, 8, 138, 138.99, 139.01, 139.02, 139.03, 140, 141, 142, 143.01, 143.02, 144, 145, 146, 149.02, 155, 158.01, 158.02, 159.01, 159.02, 160, 161, 162, 163, 164, 165, 166.01, 166.02, 167.01, 167.02, and 168.
- (9) DISTRICT 9 is composed of Clay County; and that part of Duval County included in census tracts 5, 9, 10, 10.99, 19, 20, 21, 22, 23, 24, 25, 123, 124, 125, 126.01, 126.02, 127, 128, 129, 130, 131, 132, 133, 134.01, 134.02, 135.01, 135.02, 136, 137.01, 137.02, 147, 148, 149.01, 150.01, 150.02, 151, 152, 153, 154, 156, and 157.
- (10) DISTRICT 10 is composed of that part of Volusia County included in census county divisions 001, 006, 010, 020, 025, 035, 040, 045, and 050; and that part of Volusia County included in census tract 908; and that part of Volusia County included in enumeration districts 82, 83, 87, and 88 of census tract 909; and that part of Volusia County included in census tracts 910.01, 910.02, 910.03, and 910.05.
- (11) DISTRICT 11 is composed of Lake and Sumter Counties; and that part of Marion County included in census county division 005; and that part of Marion County included in census tracts 6 and 12; and that part of Seminole County included in census tracts 201.01, 201.02, 205, 206, 207, 208.01, 208.02, 215.01, 215.02, 215.03, 215.04, 216.01, 216.02, 216.03, 219.01, 219.02, and 220.01; and that part of Volusia County included in enumeration district 84 of census tract 909; and that part of Volusia County included in census tract 910.04.
- (12) DISTRICT 12 is composed of that part of Osceola County included in census county division 005; and that part of Pasco County included in census county divisions 010, 015, and 030; and that part of Pasco County included in census tracts 319, 321, 322, and 323; and that part of Polk County included in census county division 055; and that part of Polk County included in census tracts 124, 125, 126, 130, and 131.
- (13) DISTRICT 13 is composed of Glades, Highlands, and Okeechobee Counties; and that part of DeSoto County included in enumeration districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 of census county division 005; and that part of Polk County included in census county divisions 010, 040, and 070; and that part of Polk County included in census tracts 127, 128, 129, 132, 133, 134, 135, 136, 137.01, 137.02, 138, 139, 140, 141, 145, 146, and 147; and that part of St. Lucie County included in census county division 021; and that part of St. Lucie County included in census tract 8.
- (14) DISTRICT 14 is composed of that part of Orange County included in census county divisions 063 and 086; and that part of Orange County included in census tracts 101, 102, 103, 104, 105, 106, 109, 110, 111, 112, 113, 114, 115, 116, 117.01, 117.02, 118, 119.02, 131, 132, 133, 134.01, 135.01, 135.02, 136.01, 136.02, 137, 138, 139, 140, 141, 142, 143.01, 143.02, 144, 145, 146.01, 146.02, 146.03, 147, 164.02, 167.02, 168.01, 168.02, 169.01, and 169.02.
- (15) DISTRICT 15 is composed of that part of Orange County included in census county division 005; and that part of Orange County included in census tracts 107.01, 107.02, 108.01, 108.02, 119.01, 120, 121, 122, 123, 124, 125, 126, 127.01, 127.02, 128, 129, 130.01, 130.02, 151.01, 151.02, 152.01, 152.02, 153, 154.01, 154.02, 155.01, 155.02, 156.01, 156.02, 157.01, 157.02, 158.01, 158.02, 159.01, 159.02, 160.01, 160.02, 161, 162, 163.01, 163.02, 164.01, 164.03, 165.01, and 165.02; and that part of Seminole County included in census tracts 217.01, 217.02, 218.01, 218.02, 220.03, and 222.01.
- (16) DISTRICT 16 is composed of Indian River County; and that part of Brevard County included in census county divisions 020, 023, 025, 028, 032, and 040; and that part of Brevard County included in census tracts 625, 629, 630, 631, and 712; and that part of St. Lucie County included in census tracts 1, 2, 3, 5, 9, 10, 11, 12, 12.99, and 13.
- (17) DISTRICT 17 is composed of that part of Brevard County included in census county divisions 004, 031, 033, and 035; and that part of Brevard County included in census tracts 621, 622, 623, 624, 626, 627 and 628; and that part of Orange County included in census county division 015; and that part of Orange County included in census tracts 134.02, 167.01, and 167.03; and that part of Osceola County included in census county divisions 015 and 020; and that part of Seminole County included in census county division 015; and that part of Seminole County included in census tracts 202.01, 202.02, 203.01, 203.02, 204.01, 204.02, 209.01, 209.02, 209.03, 210, 211, 214.01, 214.02, 220.02, 221.01, 221.02, and 222.02.
- (18) DISTRICT 18 is composed of that part of Pinellas County included in census county division 052; and that part of Pinellas County included in census tracts 201.01, 201.03, 201.04, 201.05, 202.01, 202.02, 202.04, 202.05, 203.01, 203.02, 204, 205, 206, 207, 208, 209.95, 210.95, 212, 213, 213.99, 214, 215, 216.95, 218.95, 219.95, 220, 221, 222, 223.01, 223.02, 224.01, 224.02, 225.01, 226.01, 227, 228.01, 228.02, 229.01, 233, 234, 235, 236, 237, 238, 240.01, 240.02, 240.03, 251.06, 251.07, 251.08, 251.09, 251.10, 251.17, 251.18, 277.01, 278, 281.01, 281.02, 282, 283, 284.01, 284.02, and 285.
- (19) DISTRICT 19 is composed of that part of Pinellas County included in census county division 055; and that part of Pinellas County included in census tracts 245.02, 245.03, 245.04, 253.02, 253.03, 254.01, 254.04, 254.05, 254.06, 254.07, 254.08, 254.09, 255.01, 255.03, 255.04, 256.01, 258, 259.01, 261, 262, 263, 264, 265, 266.01, 266.02, 267.01, 267.02, 267.03, 268.03, 268.04, 268.05, 268.06, 268.07, 269.03, 269.04, 269.05, 269.06, 269.07, 270, 271.01, 271.02, and 271.03.

(20) DISTRICT 20 is composed of that part of Pinellas County included in census tracts 225.02, 225.03, 226.02, 229.02, 230.95, 231.95, 232, 239, 241, 242, 243.01, 243.02, 244.03, 244.04, 244.05, 244.06, 244.07, 245.01, 246, 247, 248.01, 248.02, 249.01, 249.02, 249.03, 250.01, 250.03, 250.04, 250.05, 250.06, 251.11, 251.12, 251.13, 251.14, 251.15, 251.16, 251.19, 252.03, 252.04, 252.05, 252.06, 252.07, 253.01, 256.02, 257, 259.02, 260.01, 260.02, 260.99, 276.01, 276.02, and 277.02.

(21) DISTRICT 21 is composed of that part of Hillsborough County included in census county division 010; and that part of Hillsborough County included in census tracts 4, 26, 46, 47, 58, 59, 64, 65, 71, 72, 72.99, 73, 111, 112.02, 113, 116.01, 116.02, 116.03, 116.04, 116.05, 117.01, 117.02, 118.01, 118.02, 119.01, 119.02, and 119.03; and that part of Pasco County included in census tracts 302, 303, 304, 305, 306, 307, 308, 314, 315, 316, 317, and 320.

(22) DISTRICT 22 is composed of that part of Hillsborough County included in census county divisions 006, 025, 045, 060, 080, and 085; and that part of Hillsborough County included in census tracts 1, 104, 106, 107, 108.01, 108.02, 108.03, 108.04, 109, 110.01, 110.02, 112.01, 136, 136.99, and 137.

(23) DISTRICT 23 is composed of that part of Hillsborough County included in census tracts 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 48, 49, 50, 51, 53, 53.99, 54, 55, 57, 60, 61, 62, 63, 66, 67, 68, 69, 70, 105, 120.01, 120.02, 135.01, and 135.02.

(24) DISTRICT 24 is composed of Hardee and Manatee Counties; and that part of Charlotte County included in census county division 010; and that part of DeSoto County included in census county division 010; and that part of DeSoto County included in enumeration district 12 of census county division 005; and that part of Lee County included in census county divisions 032 and 040; and that part of Lee County included in census tracts 402 and 403.

(25) DISTRICT 25 is composed of Sarasota County; and that part of Charlotte County included in census county divisions 004 and 007.

(26) DISTRICT 26 is composed of that part of Broward County included in census tracts 103.01, 103.02, and 104; and that part of Palm Beach County included in census tracts 18.01, 18.02, 19.01, 19.02, 20, 21, 24, 25, 26, 27, 28, 33, 34, 35.02, 35.03, 36, 37, 44, 51, 52.01, 52.02, 53, 54.01, 54.02, 54.03, 55, 56, 57, 60.02, 61, 62.01, 62.02, 62.03, 63, 64, 65.01, 65.02, 66.02, 67, 68, 69.02, 71, 72.01, 72.02, 72.03, 73.01, 73.02, 74.01, 74.02, 74.03, 74.04, 74.05, 74.06, 75.01, 75.02, 75.03, 76.01, 76.02, 76.03, 76.04, and 76.05.

(27) DISTRICT 27 is composed of Martin County; and that part of Palm Beach County included in census county divisions 045, 070, and 077; and that part of Palm Beach County included in census tracts 14.02, 16, 17, 22, 23, 35.01, and 79.01; and that part of St. Lucie County included in census tracts 4, 6, 7, 14, 15, 16, 17, 18, 19, 20, and 21.

(28) DISTRICT 28 is composed of Hendry County; and that part of Palm Beach County included in census county divisions 010 and 078; and that part of Palm Beach County included in census tracts 29, 30, 31.01, 31.02, 32, 38, 39, 40.01, 40.02, 40.03, 41, 42.01, 42.02, 42.03, 43, 45, 46, 47.01, 47.02, 48.01, 48.02, 48.03, 49, 50, 58.01, 58.02, 59.01, 59.02, 60.01, 66.01, 69.01, 70, and 79.02.

(29) DISTRICT 29 is composed of that part of Broward County included in census county divisions 003 and 037; and that part of Broward County included in census tracts 101, 102, 105, 106, 107, 108, 109, 110, 301, 302, 303, 304, 305, 306, 307.01, 307.02, 311, 312.01, 601.01, 601.03, and 602.01.

(30) DISTRICT 30 is composed of that part of Broward County included in census county division 010; and that part of Broward County included in census tracts 405.02, 406, 407, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 422.99, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 601.04, 610.01, 610.02, 611, 802, 803, 804.01, and 804.02.

(31) DISTRICT 31 is composed of that part of Broward County included in census tracts 308.01, 308.02, 309, 310, 312.02, 401, 402.01, 402.02, 403, 404, 405.01, 408, 501, 502.01, 502.02, 503.01, 503.02, 503.03, 503.04, 504, 505, 506, 507, 508, 509, 510, 601.02, 602.02, 602.03, 603, 604, 605.01, 605.02, 606.01, 606.02, 607, 608, and 609.

(32) DISTRICT 32 is composed of that part of Broward County included in census county division 025; and that part of Broward County included in census tracts 801, 805, 901, 901.99, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 916, 917, 918, 919, 920, 921, 1008, 1101, 1102, 1103, and 1104.01.

(33) DISTRICT 33 is composed of that part of Dade County included in census county division 020; and that part of Dade County included in census tracts 5.01, 5.02, 5.03, 47.01, 47.02, 47.03, 100.01, 100.05, 100.06, 100.07, and 100.08.

(34) DISTRICT 34 is composed of that part of Dade County included in census tracts 36.02, 48, 49, 50, 51, 52, 53.01, 53.02, 54.01, 54.02, 55.01, 55.02, 56, 57.01, 57.02, 58.01, 58.02, 59.01, 59.02, 59.03, 59.04, 60.01, 60.02, 76.01, 76.02, 76.03, 77.02, 77.03, 84.01, 85.01, 85.02, 86, 101.09, 101.10, and 101.11.

(35) DISTRICT 35 is composed of that part of Dade County included in census county division 035; and that part of Dade County included in census tracts 26, 27.01, 27.02, 28, 30.01, 31, 34, 36.01, 37.01, 37.02, 37.99, 39.01, 39.02, 39.04, 39.05, 39.06, 40, 41.01, 41.02, 42, 43, 44, 45, 45.99, 61.01, 62, 63.01, 63.02, 64, 65, 66, 67.01, 67.02, 68, 69, 70.01, 70.02, 71, 72, and 73.

(36) DISTRICT 36 is composed of that part of Dade County included in census tracts 4.01, 4.02, 4.03, 4.04, 4.05, 4.06, 4.07, 4.08, 9.01, 9.02, 9.03, 10.01, 10.02, 10.03, 10.04, 14, 15.01, 15.02, 17.01, 17.02, 17.03, 18.01, 18.02, 18.03, 19.01, 19.02, 20.01, 20.02, 22.02, 23, 24, 25, 29, 30.02, 94, 95.02, 99.03, 99.04, and 100.02.

(37) DISTRICT 37 is composed of that part of Broward County included in census tracts 915, 1104.02, and 1105; and that part of Dade County included in census tracts 1.01, 1.03, 1.04, 1.05, 1.06, 2.01, 2.02, 2.03, 2.04, 2.05, 2.06, 2.07, 2.08, 3.01, 3.02, 3.03, 3.04, 11.01, 11.02, 11.03, 11.04, 12.02, 12.03, 12.04, 13, 21, 22.01, 38, 95.01, 96, 97.01, 97.02, 98, 99.01, and 99.02.

(38) DISTRICT 38 is composed of Collier County; and that part of Lee County included in census county divisions 011, 016, 021, 023, 030, 045, and 050; and that part of Lee County included in census tract 401.

(39) DISTRICT 39 is composed of Monroe County; and that part of Dade County included in census county division 025; and that part of Dade County included in census tracts 78.01, 80, 81, 82.01, 82.03, 82.04, 83.01, 83.02, 84.03, 105, 106.01, 106.02, 106.03, 107.01, 107.02, and 108.

(40) DISTRICT 40 is composed of that part of Dade County included in census county divisions 017 and 090; and that part of Dade County included in census tracts 61.02, 74, 75.01, 75.02, 75.03, 76.04, 77.01, 78.02, 78.03, 79.01, 79.02, 83.03, 84.04, 84.05, 87, 88.01, 88.02, 89.01, 89.02, 89.03, 101.03, 101.08, 101.12, 101.13, 101.14, 102, 103, and 104.

In order to continue the staggered terms of Senators and to preserve the stability and continuity of the Senate, a Senator shall be elected for a 4-year term from each even-numbered senatorial district in the general election held in November 1982, and a Senator shall be elected for a 4-year term from each odd-numbered senatorial district in the general election held in November 1984. The odd-numbered senatorial districts created herein shall be in effect for purposes of senatorial elections in November 1984 and November 1988. The even-numbered senatorial districts created herein shall be in effect for purposes of senatorial elections in November 1982, November 1986, and November 1990. If a vacancy occurs prior to November 1984 in any odd-numbered senatorial district, however, such vacancy shall be filled for the unexpired portion of the term by election from the corresponding odd-numbered senatorial district prescribed in this joint resolution.

Section 7. Any portion of the state which is not stated herein as being included in any district described in this joint resolution but which is entirely surrounded by a district shall be deemed included in that district. Any portion of the state which is not included in any district described in this joint resolution and which is not entirely surrounded by a district shall be included within that district contiguous to such portion which contains the fewest people according to the federal decennial census of 1980.

Section 8. The provisions of this joint resolution shall take effect prior to the general election to be held in November 1982, for all purposes necessary to the nomination and election of Senators from even-numbered districts and members of the House of Representatives and shall take effect prior to the

general election to be held in November 1984, for all purposes necessary to the nomination and election of Senators from odd-numbered districts in accordance with the apportionment prescribed in this joint resolution.

Senator Barron moved the following substitute amendment for Amendment 1 to House Amendment 1:

Amendment 2—Strike pages 248-251 and insert:

Section 5. In adopting the senatorial districts prescribed in this joint resolution in accordance with the constitutions of the state and of the United States, the Legislature is following in good faith the rational state policy of:

(1) Recognizing the continuing and dynamic population growth in the state and striving for population equality among districts;

(2) Recognizing the preference stated by the people and the courts for single-member districts and promoting, by the adoption of single-member districts, greater access to the legislative process for racial and language minorities and for all other citizens of the state; and

(3) Recognizing that continuity and stability in the Senate is a rational and desirable goal mandated by the requirement in the State Constitution for staggered 4-year terms and that to require all Senators to be elected in the general election in November 1982 would substantially interfere with the orderly operation and efficiency of the Senate and would be contrary to the State Constitution.

Section 6. The state is hereby divided into 40 consecutively numbered, single-member senatorial districts of contiguous territory as follows:

(1) DISTRICT 1 is composed of Escambia County; and that part of Santa Rosa County included in census county division 016; and that part of Santa Rosa County included in census tract 109.

(2) DISTRICT 2 is composed of Gadsden, Holmes, and Jackson Counties; and that part of Leon County included in census county division 030; and that part of Leon County included in census tracts 1, 4, 5, 6, 7, 10.02, 11.01, 11.02, 12, 13, 14, 18, 19, and 20; and that part of Okaloosa County included in census county divisions 005, 010, and 030; and that part of Okaloosa County included in census tracts 208 and 214; and that part of Santa Rosa County included in census county divisions 020, 025, and 030; and that part of Santa Rosa County included in census tracts 108.01, 108.02, and 108.03; and that part of Walton County included in census county divisions 005 and 015.

(3) DISTRICT 3 is composed of Bay, Calhoun, Franklin, Gulf, Liberty, Wakulla, and Washington Counties; and that part of Okaloosa County included in census county divisions 025 and 035; and that part of Okaloosa County included in census tract 230; and that part of Walton County included in census county divisions 010 and 020.

(4) DISTRICT 4 is composed of Citrus and Hernando Counties; and that part of Alachua County included in census county divisions 020 and 025; and that part of Alachua County included in census tracts 1, 5, 6, 7, 8, 14, 15, 16, 17, 22.02, and 22.03; and that part of Levy County included in enumeration districts 343, 346, 348, 351, and 353 of census county division 005; and that part of Levy County included in enumeration districts 326, 327, 328, 332, 333 of census county division 015; and that part of Pasco County included in census tracts 301, 309, 310, 311, 312, 313, and 318.

(5) DISTRICT 5 is composed of Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Madison, Suwannee, Taylor, and Union Counties; and that part of Baker County included in census county division 010; and that part of Leon County included in census county divisions 010, 015, 020, and 025; and that part of Leon County included in census tracts 2, 3, 8, 9, 10.01, 15, 16, 17, 21, 22.01, and 22.02; and that part of Levy County included in census county division 010; and that part of Levy County included in enumeration districts 344, 345, 347, 349, and 350 of census county division 005; and that part of Levy County included in enumeration districts 325, 329, 330, 331, and 352 of census county division 015.

(6) DISTRICT 6 is composed of Bradford and Putnam Counties; and that part of Alachua County included in census county divisions 010, 015, and 035; and that part of Alachua County included in census tracts 2, 3, 4, 9, 10, 11, 12, 13, and

19.02; and that part of Baker County included in census county division 005; and that part of Marion County included in census county divisions 010, 018, 020, and 030; and that part of Marion County included in census tracts 5, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25.

(7) DISTRICT 7 is composed of Nassau County; and that part of Duval County included in census tracts 1, 1.99, 2, 2.99, 3, 4, 11, 12, 13, 14, 15, 16, 17, 18, 26, 27, 28, 29, 101, 102.01, 102.02, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119.01, 119.02, 120, 121, and 122.

(8) DISTRICT 8 is composed of Flagler and St. Johns Counties; and that part of Duval County included in census tracts 6, 7, 8, 138, 138.99, 139.01, 139.02, 139.03, 140, 141, 142, 143.01, 143.02, 144, 145, 146, 149.02, 155, 158.01, 158.02, 159.01, 159.02, 160, 161, 162, 163, 164, 165, 166.01, 166.02, 167.01, 167.02, and 168.

(9) DISTRICT 9 is composed of Clay County; and that part of Duval County included in census tracts 5, 9, 10, 10.99, 19, 20, 21, 22, 23, 24, 25, 123, 124, 125, 126.01, 126.02, 127, 128, 129, 130, 131, 132, 133, 134.01, 134.02, 135.01, 135.02, 136, 137.01, 137.02, 147, 148, 149.01, 150.01, 150.02, 151, 152, 153, 154, 156, and 157.

(10) DISTRICT 10 is composed of that part of Volusia County included in census county divisions 001, 006, 010, 020, 025, 035, 040, 045, and 050; and that part of Volusia County included in census tract 908; and that part of Volusia County included in enumeration districts 82, 83, 87, and 88 of census tract 909; and that part of Volusia County included in census tracts 910.01, 910.02, 910.03, and 910.05.

(11) DISTRICT 11 is composed of Lake and Sumter Counties; and that part of Marion County included in census county division 005; and that part of Marion County included in census tracts 6 and 12; and that part of Seminole County included in census tracts 206, 207, 208.01, 208.02, 214.01, 215.01, 215.02, 215.03, 215.04, 216.01, 216.02, 216.03, 219.01, 219.02, 220.01, and 220.20; and that part of Volusia County included in enumeration district 84 of census tract 909; and that part of Volusia County included in census tract 910.04.

(12) DISTRICT 12 is composed of that part of Osceola County included in census county division 005; and that part of Pasco County included in census county divisions 010, 015, and 030; and that part of Pasco County included in census tracts 319, 321, 322, and 323; and that part of Polk County included in census county division 055; and that part of Polk County included in census tracts 124, 125, 126, 130, and 131.

(13) DISTRICT 13 is composed of Glades, Highlands, and Okeechobee Counties; and that part of DeSoto County included in enumeration districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 of census county division 005; and that part of Polk County included in census county divisions 010, 040, and 070; and that part of Polk County included in census tracts 127, 128, 129, 132, 133, 134, 135, 136, 137.01, 137.02, 138, 139, 140, 141, 145, 146, and 147; and that part of St. Lucie County included in census county division 021; and that part of St. Lucie County included in census tract 8.

(14) DISTRICT 14 is composed of that part of Orange County included in census county divisions 063 and 086; and that part of Orange County included in census tracts 101, 102, 103, 104, 105, 106, 109, 110, 111, 112, 113, 114, 115, 116, 117.01, 117.02, 118, 119.02, 131, 132, 133, 134.01, 135.01, 135.02, 136.01, 136.02, 137, 138, 139, 140, 141, 142, 143.01, 143.02, 144, 145, 146.01, 146.02, 146.03, 147, 164.02, 167.02, 168.01, 168.02, 169.01, and 169.02.

(15) DISTRICT 15 is composed of that part of Orange County included in census county division 005; and that part of Orange County included in census tracts 107.01, 107.02, 108.01, 108.02, 119.01, 120, 121, 122, 123, 124, 125, 126, 127.01, 127.02, 128, 129, 130.01, 130.02, 151.01, 151.02, 152.01, 152.02, 153, 154.01, 154.02, 155.01, 155.02, 156.01, 156.02, 157.01, 157.02, 158.01, 158.02, 159.01, 159.02, 160.01, 160.02, 161, 162, 163.01, 163.02, 164.01, 164.03, 165.01, and 165.02; and that part of Seminole County included in census tracts 217.01, 217.02, 218.01, 218.02, 220.03, and 222.01.

(16) DISTRICT 16 is composed of Indian River County; and that part of Brevard County included in census county divisions 020, 023, 025, 028, 032, and 040; and that part of Brevard County included in census tracts 625, 629, 630, 631, and

712; and that part of St. Lucie County included in census tracts 1, 2, 3, 5, 9, 10, 11, 12, 12.99, and 13.

(17) DISTRICT 17 is composed of that part of Brevard County included in census county divisions 004, 031, 033, and 035; and that part of Brevard County included in census tracts 621, 622, 623, 624, 626, 627, and 628; and that part of Orange County included in census county division 015; and that part of Orange County included in census tracts 134.02, 167.01, and 167.03; and that part of Osceola County included in census county divisions 015 and 020; and that part of Seminole County included in census county division 015; and that part of Seminole County included in census tracts 201.01, 201.02, 202.01, 202.02, 203.01, 203.02, 204.01, 204.02, 205, 209.01, 209.02, 209.03, 210, 211, 214.02, 221.01, 221.02, and 222.02.

(18) DISTRICT 18 is composed of that part of Pinellas County included in census county division 052; and that part of Pinellas County included in census tracts 201.01, 201.03, 201.04, 201.05, 202.01, 202.02, 202.04, 202.05, 203.01, 203.02, 204, 205, 206, 207, 208, 209.95, 210.95, 212, 213, 213.99, 214, 215, 216.95, 218.95, 219.95, 220, 221, 222, 223.01, 223.02, 224.01, 224.02, 225.01, 226.01, 227, 228.01, 228.02, 229.01, 233, 234, 235, 236, 237, 238, 240.01, 240.02, 240.03, 251.06, 251.07, 251.08, 251.09, 251.10, 251.17, 251.18, 277.01, 278, 281.01, 281.02, 282, 283, 284.01, 284.02, and 285.

(19) DISTRICT 19 is composed of that part of Pinellas County included in census county division 055; and that part of Pinellas County included in census tracts 245.02, 245.03, 245.04, 253.02, 253.03, 254.01, 254.04, 254.05, 254.06, 254.07, 254.08, 254.09, 255.01, 255.03, 255.04, 256.01, 258, 259.01, 261, 262, 263, 264, 265, 266.01, 266.02, 267.01, 267.02, 267.03, 268.03, 268.04, 268.05, 268.06, 268.07, 269.03, 269.04, 269.05, 269.06, 269.07, 270, 271.01, 271.02, and 271.03.

(20) DISTRICT 20 is composed of that part of Pinellas County included in census tracts 225.02, 225.03, 226.02, 229.02, 230.95, 231.95, 232, 239, 241, 242, 243.01, 243.02, 244.03, 244.04, 244.05, 244.06, 244.07, 245.01, 246, 247, 248.01, 248.02, 249.01, 249.02, 249.03, 250.01, 250.03, 250.04, 250.05, 250.06, 251.11, 251.12, 251.13, 251.14, 251.15, 251.16, 251.19, 252.03, 252.04, 252.05, 252.06, 252.07, 253.01, 256.02, 257, 259.02, 260.01, 260.02, 260.99, 276.01, 276.02, and 277.02.

(21) DISTRICT 21 is composed of that part of Hillsborough County included in census county division 010; and that part of Hillsborough County included in census tracts 4, 26, 46, 47, 58, 59, 64, 65, 71, 72, 72.99, 73, 111, 112.02, 113, 116.01, 116.02, 116.03, 116.04, 116.05, 117.01, 117.02, 118.01, 118.02, 119.01, 119.02, and 119.03; and that part of Pasco County included in census tracts 302, 303, 304, 305, 306, 307, 308, 314, 315, 316, 317, and 320.

(22) DISTRICT 22 is composed of that part of Hillsborough County included in census county divisions 006, 025, 045, 060, 080, and 085; and that part of Hillsborough County included in census tracts 1, 104, 106, 107, 108.01, 108.02, 108.03, 108.04, 109, 110.01, 110.02, 112.01, 136, 136.99, and 137.

(23) DISTRICT 23 is composed of that part of Hillsborough County included in census tracts 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 48, 49, 50, 51, 53, 53.99, 54, 55, 57, 60, 61, 62, 63, 66, 67, 68, 69, 70, 105, 120.01, 120.02, 135.01, and 135.02.

(24) DISTRICT 24 is composed of Hardee and Manatee Counties; and that part of Charlotte County included in census county division 010; and that part of DeSoto County included in census county division 010; and that part of DeSoto County included in enumeration district 12 of census county division 005; and that part of Lee County included in census county divisions 032 and 040; and that part of Lee County included in census tracts 402 and 403.

(25) DISTRICT 25 is composed of Sarasota County; and that part of Charlotte County included in census county divisions 004 and 007.

(26) DISTRICT 26 is composed of that part of Broward County included in census tracts 103.01, 103.02, and 104; and that part of Palm Beach County included in census tracts 18.01, 18.02, 19.01, 19.02, 20, 21, 24, 25, 26, 27, 28, 33, 34, 35.02, 35.03, 36, 37, 44, 51, 52.01, 52.02, 53, 54.01, 54.02, 54.03, 55, 56, 57, 60.02, 61, 62.01, 62.02, 62.03, 63, 64, 65.01, 65.02, 66.02, 67, 68, 69.02, 71, 72.01, 72.02, 72.03, 73.01, 73.02, 74.01, 74.02,

74.03, 74.04, 74.05, 74.06, 75.01, 75.02, 75.03, 76.01, 76.02, 76.03, 76.04, and 76.05.

(27) DISTRICT 27 is composed of Martin County; and that part of Palm Beach County included in census county divisions 045, 070, and 077; and that part of Palm Beach County included in census tracts 14.02, 16, 17, 22, 23, 35.01, and 79.01; and that part of St. Lucie County included in census tracts 4, 6, 7, 14, 15, 16, 17, 18, 19, 20, and 21.

(28) DISTRICT 28 is composed of Hendry County; and that part of Palm Beach County included in census county divisions 010 and 078; and that part of Palm Beach County included in census tracts 29, 30, 31.01, 31.02, 32, 38, 39, 40.01, 40.02, 40.03, 41, 42.01, 42.02, 42.03, 43, 45, 46, 47.01, 47.02, 48.01, 48.02, 48.03, 49, 50, 58.01, 58.02, 59.01, 59.02, 60.01, 66.01, 69.01, 70, and 79.02.

(29) DISTRICT 29 is composed of that part of Broward County included in census county divisions 003 and 037; and that part of Broward County included in census tracts 101, 102, 105, 106, 107, 108, 109, 110, 301, 302, 303, 304, 305, 306, 307.01, 307.02, 311, 312.01, 601.01, 601.03, and 602.01.

(30) DISTRICT 30 is composed of that part of Broward County included in census county division 010; and that part of Broward County included in census tracts 405.02, 406, 407, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 422.99, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 601.04, 610.01, 610.02, 611, 802, 803, 804.01, and 804.02.

(31) DISTRICT 31 is composed of that part of Broward County included in census tracts 308.01, 308.02, 309, 310, 312.02, 401, 402.01, 402.02, 403, 404, 405.01, 408, 501, 502.01, 502.02, 503.01, 503.02, 503.03, 503.04, 504, 505, 506, 507, 508, 509, 510, 601.02, 602.02, 602.03, 603, 604, 605.01, 605.02, 606.01, 606.02, 607, 608, and 609.

(32) DISTRICT 32 is composed of that part of Broward County included in census county division 025; and that part of Broward County included in census tracts 801, 805, 901, 901.99, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 916, 917, 918, 919, 920, 921, 1008, 1101, 1102, 1103, and 1104.01.

(33) DISTRICT 33 is composed of that part of Dade County included in census county division 020; and that part of Dade County included in census tracts 5.01, 5.02, 5.03, 47.01, 47.02, 47.03, 100.01, 100.05, 100.06, 100.07, and 100.08.

(34) DISTRICT 34 is composed of that part of Dade County included in census tracts 36.02, 48, 49, 50, 51, 52, 53.01, 53.02, 54.01, 54.02, 55.01, 55.02, 56, 57.01, 57.02, 58.01, 58.02, 59.01, 59.02, 59.03, 59.04, 60.01, 60.02, 76.01, 76.02, 76.03, 77.02, 77.03, 84.01, 85.01, 85.02, 86, 101.09, 101.10, and 101.11.

(35) DISTRICT 35 is composed of that part of Dade County included in census county division 035; and that part of Dade County included in census tracts 26, 27.01, 27.02, 28, 30.01, 31, 34, 36.01, 37.01, 37.02, 37.99, 39.01, 39.02, 39.04, 39.05, 39.06, 40, 41.01, 41.02, 42, 43, 44, 45, 45.99, 61.01, 62, 63.01, 63.02, 64, 65, 66, 67.01, 67.02, 68, 69, 70.01, 70.02, 71, 72, and 73.

(36) DISTRICT 36 is composed of that part of Dade County included in census tracts 4.01, 4.02, 4.03, 4.04, 4.05, 4.06, 4.07, 4.08, 9.01, 9.02, 9.03, 10.01, 10.02, 10.03, 10.04, 14, 15.01, 15.02, 17.01, 17.02, 17.03, 18.01, 18.02, 18.03, 19.01, 19.02, 20.01, 20.02, 22.02, 23, 24, 25, 29, 30.02, 94, 95.02, 99.03, 99.04, and 100.02.

(37) DISTRICT 37 is composed of that part of Broward County included in census tracts 915, 1104.02, and 1105; and that part of Dade County included in census tracts 1.01, 1.03, 1.04, 1.05, 1.06, 2.01, 2.02, 2.03, 2.04, 2.05, 2.06, 2.07, 2.08, 3.01, 3.02, 3.03, 3.04, 11.01, 11.02, 11.03, 11.04, 12.02, 12.03, 12.04, 13, 21, 22.01, 38, 95.01, 96, 97.01, 97.02, 98, 99.01, and 99.02.

(38) DISTRICT 38 is composed of Collier County; and that part of Lee County included in census county divisions 011, 016, 021, 023, 030, 045, and 050; and that part of Lee County included in census tract 401.

(39) DISTRICT 39 is composed of Monroe County; and that part of Dade County included in census county division 025; and that part of Dade County included in census tracts 78.01, 80, 81, 82.01, 82.03, 82.04, 83.01, 83.02, 84.03, 105, 106.01, 106.02, 106.03, 107.01, 107.02, and 108.

(40) DISTRICT 40 is composed of that part of Dade County included in census county divisions 017 and 090; and that part of Dade County included in census tracts 61.02, 74, 75.01, 75.02, 75.03, 76.04, 77.01, 78.02, 78.03, 79.01, 79.02, 83.03, 84.04, 84.05,

87, 88.01, 88.02, 89.01, 89.02, 89.03, 101.03, 101.08, 101.12, 101.13, 101.14, 102, 103, and 104.

In order to continue the staggered terms of Senators and to preserve the stability and continuity of the Senate, a Senator shall be elected for a 4-year term from each even-numbered senatorial district in the general election held in November 1982, and a Senator shall be elected for a 4-year term from each odd-numbered senatorial district in the general election held in November 1984. If a vacancy occurs in any odd-numbered senatorial district, however, such vacancy shall be filled for the unexpired portion of the term by election from the corresponding odd-numbered senatorial district prescribed in this joint resolution.

Section 7. Any portion of the state which is not stated herein as being included in any district described in this joint resolution but which is entirely surrounded by a district shall be deemed included in that district. Any portion of the state which is not included in any district described in this joint resolution and which is not entirely surrounded by a district shall be included within that district contiguous to such portion which contains the fewest people according to the federal decennial census of 1980.

Section 8. The provisions of this joint resolution shall take effect prior to the general election to be held in November 1982, for all purposes necessary to the nomination and election of Senators from even-numbered districts and members of the House of Representatives and shall take effect prior to the general election to be held in November 1984, for all purposes necessary to the nomination and election of Senators from odd-numbered districts in accordance with the apportionment prescribed in this joint resolution.

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

Amendment 2A—On page 10, lines 25-30, and page 11, lines 1-7, strike all of said lines and insert:

(36) DISTRICT 36 is composed of that part of Dade County included in census tracts 3.02, 4.01, 4.02, 4.03, 4.04, 4.07, 4.08, 9.01, 9.02, 9.03, 10.01, 10.02, 10.03, 10.04, 11.03, 14, 15.01, 15.02, 17.01, 17.02, 17.03, 18.01, 18.02, 18.03, 19.01, 19.02, 20.01, 20.02, 22.02, 23, 24, 25, 29, and 30.02 of census county division 045; and that part of Dade County included in census tracts 94, 95.01, 95.02, 99.03, 99.04, and 100.02 of census county division 085.

(37) DISTRICT 37 is composed of that part of Broward County included in census tracts 915, 1104.02, and 1105 of census county division 038; and that part of Dade County included in census tracts 1.03, 1.04, 1.05, 1.06, 2.01, 2.02, 2.03, 2.04, 2.05, 2.06, 2.07, 2.08, 3.01, 3.03, 3.04, 4.05, 4.06, 11.01, 11.02, 11.04, 12.02, 12.03, 12.04, 13, 21, 22.01, 96, 97.01, 97.02, and 98 of census county division 045; and that part of Dade County included in census tracts 1.01 and 38 of census county division 050; and that part of Dade County included in census tracts 99.01 and 99.02 of census county division 085.

Amendment 2 as amended was adopted.

The Committee on Apportionment recommended the following amendment to House Amendment 1 which was moved by Senator Barron and adopted:

Amendment 3—On page 1, lines 19-31, strike lines 19-31 and on pages 2-3, strike all of pages 2 and 3, and on page 4, lines 1-9, strike lines 1 through 9 and insert:

Section 1. In the adoption of this resolution and in its deliberations preceding such adoption and culminating therein, this Legislature is following in good faith a state policy of apportioning the state in accordance with the Constitutions of the State of Florida and of the United States.

Section 2. (1) In accordance with s. 8(a), Art. X of the State Constitution, the federal decennial census of 1980 is the official census of the state for the purposes of this resolution.

(2) The following delineation of areas to be included in each representative and senatorial district employs the official census county divisions (CCD), tracts, block numbering areas (BNA), block groups (BG), blocks, and enumeration districts (ED) utilized by the United States Department of Commerce, Bureau of the Census, in compiling the federal decennial census of 1980 in the State of Florida.

(3) As used in this joint resolution:

(a) "Block" means the smallest geographic unit for which population was ascertained in taking the 1980 census.

(b) "Block group" or "BG" means a combination of blocks within a single tract or block numbering area, wherein the numbers of the blocks begin with the same digit.

(c) "Block numbering area," or "BNA," means an area of blocks within a county that does not have identified tracts.

(d) "Tract" means a combination of block groups or enumeration districts.

(e) "Enumeration district," or "ED," means the smallest geographic unit for which population was ascertained in taking the 1980 census in counties, or portions thereof, where blocks are not identified.

(f) "Census county division," or "CCD," means an administrative division of a county which contains tracts, enumeration districts, or block numbering areas, or some combination thereof.

Section 3. In accordance with the Constitutions of the State of Florida and of the United States, this Legislature is following in good faith the following rational policies and goals in the adoption of the House of Representative districts contained in this resolution:

(1) Districts shall be as nearly equal in population as is practicable;

(2) No district shall be drawn for the purpose of intentionally diluting the voting strength of any racial or language minority group;

(3) The House of Representatives shall be apportioned into 120 consecutively numbered representative districts;

(4) All representative districts shall be single-member;

(5) Where practicable, and consistent with the policies and goals contained in subsections (1)-(4), each district shall:

(a) Utilize existing political and geographical boundaries;

(b) Preserve communities of common interests; and

(c) Be composed of contiguous territory and be compact in form.

Section 4. The House of Representatives shall consist

On motion by Senator Barron, the Senate concurred in House Amendment 1 as amended and the House was requested to concur in the Senate amendments to the House amendment.

On motion by Senator Barron, the Senate refused to concur in House Amendment 2 and the House was requested to recede therefrom.

SJR 460 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Dunn

On motion by Senator Barron, the rules were waived and the House amendments to SJR 460 were not printed in the Journal.

On motion by Senator Barron, the rules were waived and SJR 460 was ordered immediately certified to the House.

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Stuart, the rules were waived and by two-thirds vote CS for SB 981 and SB 897 were withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motions by Senator Dunn, the schedule for February 25 was amended to permit the Committee on Executive Business to meet from 1:00 p.m. until 2:00 p.m. and the Committees on

Education, Natural Resources and Conservation, and Transportation to meet from 5:00 p.m. until 7:00 p.m.

Senator Dunn announced a meeting of the Judiciary-Civil Committee scheduled for February 26 had been cancelled.

CO-INTRODUCER

Senator Lewis—SB 964

CORRECTION AND APPROVAL OF JOURNAL

The Journal of February 18 was corrected and approved.

On motion by Senator Dunn, the Senate adjourned at 11:21 a.m. to reconvene at 9:00 a.m., Wednesday, February 24.