



Journal of the Senate

Number 26

Friday, March 12, 1982

BILL ACTION SUMMARY

Friday, March 12, 1982

H 156	Passed as amended
H 194	Substituted for SB 807, Passed as amended, Immediately certified
H 282	Substituted for SB 694, Passed
H 502	Immediately certified
H 583	Substituted for SB 835, Passed
H 607	Passed as amended
H 772	Substituted for SB 488, Passed
H 858	Substituted for SB 815, Passed
H 937	Substituted for C/S SB 776, Passed as amended
S 89	C/S passed
S 187	Returned
S 281	Passed as amended
S 306	Passed as amended, Immediately certified
S 331	C/S passed as amended
S 342	C/S passed as amended, Immediately certified
S 404	Immediately certified
S 420	C/S passed as amended, Immediately certified
S 460	Requested House to return
S 473	Concurred, Passed as amended
S 488	Iden./Sim. House Bill substituted, passed; refer to HB 772
S 604	Passed as amended
S 620	C/S passed as amended
S 673	Passed as amended
S 684	C/S passed as amended
S 694	Iden./Sim. House Bill substituted, passed; refer to HB 282
S 704	Immediately certified
S 731	Passed
S 776	Iden./Sim. House Bill substituted; refer to HB 937
S 777	C/S passed as amended
S 800	C/S passed
S 805	C/S passed as amended, Immediately certified
S 807	Iden./Sim. House Bill substituted; refer to HB 194
S 815	Iden./Sim. House Bill substituted, passed; refer to HB 858
S 834	C/S passed as amended, Immediately certified
S 835	Iden./Sim. House Bill substituted, passed; refer to HB 583
S 838	Passed, Immediately certified
S 842	C/S passed, Immediately certified
S 857	Passed as amended, Immediately certified
S 863	Passed as amended, Immediately certified
S 865	Passed as amended, Immediately certified
S 869	C/S passed
S 898	Amendments adopted
S 949	Passed as amended, Immediately certified

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 House Bill 282 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Martin and Sample—

HB 282—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.052(1)(d), Florida Statutes, authorizing certain elected county officers who are members of the Elected State Officers' Class to purchase additional retirement credit for service which falls under the purview of the class; providing for payment therefor; providing an effective date.

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

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 428 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Kiser and others—

HB 428—A bill to be entitled An act relating to sponge fishing; adding a subsection to s. 253.03, Florida Statutes, authorizing the Board of Trustees of the Internal Improvement Trust Fund to lease submerged lands for the purpose of sponge culture; amending s. 370.17(2) and (4), Florida Statutes; prohibiting diving only in Monroe County; prohibiting the possession of small sponges; repealing ss. 370.17(9) and 370.171, Florida Statutes, abolishing restrictions upon sponge diving; providing an effective date.

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

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1075 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary and Representative Haben and others—

HB 1075—A bill to be entitled An act relating to mobile homes; amending s. 83.795, Florida Statutes, prohibiting the infringement upon the right of mobile home owners or tenants to communicate or assemble among themselves to discuss problems relative to the mobile home park; prohibiting mobile home park owners or managers from making certain rules restricting the canvassing of mobile home owners and tenants for membership dues with respect to tenants' associations; providing legislative intent; amending ss. 83.41 and 83.62, Florida Statutes, deleting reference to mobile homes that are covered in part III of chapter 83, Florida Statutes; amending s. 83.759(1)(c), Florida Statutes, and adding a paragraph (e), providing for eviction of a tenant after a first or second violation of a reasonable rule or regulation of the park under certain circumstances, and providing for 12 months' notice in the case of eviction without cause; creating ss. 83.7591 and 83.7592, Florida Statutes, relating to termination of lease agreements and removal of the mobile home owner; creating s. 83.7605, Florida Statutes, providing for notice to mobile home park tenants of certain zoning matters; amending s. 320.77(1)(a) and (3)(h), Florida Statutes, including within the definition of "dealer" the "mobile home or recreational vehicle broker" and defining same; exempting mobile home or recreational vehicle brokers from the requirement that the dealer location affords sufficient unoccupied space to store all mobile homes and recreational vehicles offered and

displayed for sale; amending s. 320.8255(1), Florida Statutes, to provide that only new mobile homes need be inspected by the Department of Highway Safety and Motor Vehicles; amending s. 320.827, Florida Statutes; providing that mobile homes meeting certain standards shall not be modified; amending s. 320.-8285(5), Florida Statutes, providing for local control of certain requirements; repealing ss. 83.770, 83.772, 83.774, 83.776, 83.778, 83.780, 83.782, 83.784, 83.786, 83.788, 83.790, 83.792 and 83.794, Florida Statutes, relating to the State Mobile Home Tenant-Landlord Commission; prohibiting denial of access to cable television services; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; and Judiciary-Civil.

The Honorable W. D. Childers, President

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

Allen Morris, Clerk

By the Committee on Judiciary and Representative Drage—

HB 1012—A bill to be entitled An act relating to landlord and tenant; amending s. 83.13, Florida Statutes, relating to distress for rent; reenacting ss. 83.14, 83.15, 83.18, and 83.19, Florida Statutes, relating to the levy of a writ, the replevy of distrained property, claims by third persons, verdict and judgment, and the sale of distrained property in distress for rent proceedings; amending s. 83.41, Florida Statutes, providing legislative intent; amending s. 83.49(1), (2), (3)(a), and (4), Florida Statutes, and adding a new subsection (7) thereto, providing that interest upon certain security deposits held by a landlord shall be at the rate of 5 percent per annum; providing for the disposition of security deposits upon the sale or transfer of the rental property; amending s. 83.51(2)(a), Florida Statutes, providing the landlord liability with respect to the extermination of certain organisms upon rental property; amending s. 83.56(1), (2), and (3), Florida Statutes, relating to the termination of a rental agreement for noncompliance; providing notice; amending s. 83.59(2) and (3) (c), Florida Statutes, providing that a tenant must inform a landlord in writing of an intended absence from the premises, under certain circumstances; amending s. 83.62, Florida Statutes, relating to the removal of a tenant; creating s. 83.64, Florida Statutes, prohibiting retaliatory conduct; prohibiting denial of access to cable television services; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; and Judiciary-Civil.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed HB 580 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Thompson—

HB 580—A bill to be entitled An act relating to the liability of public officers, employees, and agents; amending s. 768.28(9), Florida Statutes, specifically including public defenders and their employees or agents within certain exemption from personal liability for acts or omissions in the course of their duties; providing an effective date.

—was referred to the Committees on Judiciary-Civil; 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 as amended HB 1048 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Natural Resources—

HB 1048—A bill to be entitled An act relating to environmental control; amending s. 403.061(11), Florida Statutes, authorizing the Department of Environmental Regulation to establish reasonable zones of mixing for discharges to waters;

establishing a time period for requesting a hearing for permitting hazardous waste facilities; 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 HB 624 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health & Rehabilitative Services—

HB 624—A bill to be entitled An act relating to domestic relations; repealing ss. 741.051, 741.052, 741.053, 741.054, 741.-055, 741.056, 741.057, 741.058, 741.059, 741.0591, 741.0592, and 741.0593, Florida Statutes, relating to serological tests; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Finance, Taxation and Claims.

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

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

Excused: Senator Jenkins

Prayer by the Rev. Harold J. Combs, Pastor, Faith Baptist Church, Tallahassee:

Eternal God, our Father, thou art the Great Governor of the universe, and of all lawmakers thou art the Grand Original. In gratitude for this new day, with its potential for progress and growth and meaningful achievement, we come now to invoke thy blessings upon these thy servants, and upon their deliberations. For thy holy name's sake, be pleased, we beseech thee, to make thy divine presence clearly known and keenly felt by those who assemble here today.

Give to them all a sense of history, and an appreciation of their political heritage, that they may place in proper perspective their own role in the history-making, future-shaping process. In the performance of their duties this day, and every day, may each demonstrate not only that genuine humility essential to a right relationship with their Creator, but also that passionate dedication to the common good that has always set the statesman apart from the politician.

Enable them by thy grace to rise above personal ambition and the self-seeking spirit to pursue instead the higher ground of unselfish service. May they remember and emulate always him who said, "He who would be greatest among you must be the servant of all."

It is in His name that we pray. Amen.

Votes Recorded

Senator Steinberg was recorded as voting yea on CS for SB 140, HB 370, SB 59, CS for SB 410, HB 370, CS for SB's 678, 970 and 483, CS for SB's 751 and 540 and CS for SB 932 which passed the Senate March 11.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Friday, March 12, 1982: CS for SB 831, SB 731, CS for SB 466, CS for CS for HB 607, CS for SB 420, SB 835, CS for SB 869, SB 488, SB 673, SB 694, CS for SB 800, SB 807, CS for SB 834, SB 838, SB 857, CS for SB 898, CS for SB 89, CS for SB 331, CS for HB 156, CS for SB 842, SB 306, CS for SB 342, SB

863, CS for SB's 776 & 806, SB 604, CS for SB 620, CS for SB 777, CS for SB 805, SB 815, SB 865, SB 921, HB 1078, CS for SB 885

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

The Committee on Commerce recommends the following pass: CS for CS for HB 607 with 2 amendments

The bill contained in the foregoing report was placed on the calendar.

The Committee on Commerce recommends a committee substitute for the following: SB 466 with 9 amendments

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

REQUESTS FOR EXTENSION OF TIME

March 12, 1982

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: SB 788, CS for SB 621, CS for SB 784, CS for SB 979, SB 429, SB 675, SB 707, SB 728, SB 738, SB 771, SB 799, SB 816

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: SB 941, CS for SB 988

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following: SB 70, SB 147, SB 170, SB 211, SB 222, SB 375, SB 397, SB 444, SB 458, SB 587, SB 633, SB 718, SB 749, SB 787, SB 783, SB 794, SB 801, SB 819, SB 836, SB 847, CS for SB 944

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Renick, the rules were waived and the Committee on Executive Business was granted permission to meet March 16 at 5:00 p.m.

Senator Renick moved that the Senate reconsider the vote by which the Senate confirmed the following appointments to the Board of Trustees of Tallahassee Community College on February 18, 1982: Richard W. D'Alemberte, Chattahoochee, and Ronald I. Langston, Sopchoppy; and also reconsider the vote by which the Senate took no action and failed to confirm the following appointment to the Board of Trustees of Tallahassee Community College on February 18, 1982: John B. Richardson, III, Tallahassee. The motion was adopted and the appointments were referred to the Committee on Executive Business.

On motions by Senator Stuart, the rules were waived and by two-thirds vote Senate Bills 1018 and 1022 were withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Stuart, the House Message containing SB 161 was referred to the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Steinberg, the rules were waived and by two-thirds vote HB 194 was withdrawn from the Committee on Governmental Operations.

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 by the required Constitutional two-thirds vote of all Members voting on March 11, 1982, the Governor's objections to the contrary notwithstanding—

CS for HB 747-(1981 Regular Session)

An act relating to cancer therapeutic research; amending s. 402.36, Florida Statutes, expanding the scope of the controlled

substances therapeutic research act; authorizing the patient qualification review board to permit qualified patients to obtain unconventional therapies for the control and cure of cancer; increasing the membership of the board; authorizing the distribution of cannabis under the act by additional types of pharmacies; requiring practitioners using unconventional therapies to prescribe or administer such therapies in accordance with certain protocols; providing for rules governing the distribution of such materials; exempting practitioners under the act from obtaining a federal investigational new drug number for such materials; requiring a practitioner to notify the patient of certain information about such materials and requiring the patient to sign a written release; providing for rules; providing for inspections and a license fee upon manufacturers of such materials; providing an effective date.

The Governor's objections attached thereto.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

CS for HB 747 (1981 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Rules and Calendar.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed as amended HB 328, HB 196, HB 967, CS/HB 766 and HB 803.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 246, 136, 279, 417, 672 and CS for SB 932.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed SB 154, SB 256, SB 474 and CS for SB 395.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable W. D. Childers, President

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

CS for SB 684—A bill to be entitled An act relating to long-term care facilities; amending s. 400.062(3), Florida Statutes, authorizing the regulating agency to prorate nursing home license fees when a license is issued for less than 1 year; amending s. 400.111(1), Florida Statutes, authorizing the regulating agency to issue nursing home licenses for periods of less than 1 year; modifying time frames for submitting an application for a nursing home license under certain circumstances; providing a limit on the aggregate amount which a licensee may be fined for late renewal; exempting certain licensees from late fees; amending s. 400.162(5), Florida Statutes, requiring nursing homes holding residents' personal funds to file surety bonds with the Department of Health and Rehabilitative Services; amending s. 400.427(2), Florida Statutes, modifying bonding requirements for adult congregate living facilities; providing that currently bonded nursing home and ACLF licensees need not transfer bonds; amending s. 400.402(8), (11), Florida Statutes, redefining the term "personal services"; redefining the term "supervision of self-administered medication"; amending s. 400.411, Florida Statutes; requiring notification of the Department of Health and Rehabilitative Services in certain circumstances; requiring specific information included in a license application for an adult congregate living facility; amending s. 400.418(1)(c), Florida Statutes; providing for the use of trust fund moneys; amending s. 400.417(1), Florida Statutes, providing that certain applicants for renewal licenses to operate adult congregate living facilities shall not

be required to provide proof of financial ability; providing exceptions; amending s. 400.434, Florida Statutes, prohibiting random sample auditing; providing exceptions; providing for review and repeal in accordance with the Regulatory Sunset Act; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 13 between lines 13 and 14, insert:

Section 11. Paragraph (c) of subsection (1) of section 400.022, Florida Statutes, is amended to read:

400.022 Patients' rights.—

(1) All nursing home facilities shall adopt and make public a statement of the rights and responsibilities of the patients residing in such facilities and shall treat such patients in accordance with the provisions of that statement. The statement shall assure each patient the following:

(c) The right to present grievances on behalf of himself or others to the facility's staff or administrator, to governmental officials, or to any other person; to recommend changes in policies and services to facility personnel; and to join with other patients or individuals within or outside the facility to work for improvements in patient care, free from restraint, interference, coercion, discrimination, or reprisal. *This right includes access to ombudsmen and advocates and the right to be a member of, to be active in, and to associate with advocacy or special interest groups.*

Section 12. Subsection (1) of section 400.19, Florida Statutes, is amended to read:

400.19 Right of entry and inspection.—

(1) The department and any duly designated officer or employee thereof or a member of the state or district nursing home and long-term care facility ombudsman committee shall have the right to enter upon and into the premises of any facility licensed pursuant to this chapter at any reasonable time in order to determine the state of compliance with the provisions of this chapter and rules in force pursuant thereto. The right of entry and inspection shall also extend to any premises which the department has reason to believe is being operated or maintained as a facility without a license, but no such entry or inspection of any premises shall be made without the permission of the owner or person in charge thereof, unless a warrant is first obtained from the circuit court authorizing same. Any application for a facility license or renewal thereof, made pursuant to this chapter, shall constitute permission for and complete acquiescence in any entry or inspection of the premises for which the license is sought, in order to facilitate verification of the information submitted on or in connection with the application, or to discover, investigate, and determine the existence of abuse or neglect, or to elicit, receive, respond to, and resolve complaints.

Section 13. Section 400.301, Florida Statutes, is amended to read:

400.301 Legislative intent.—

(1) The Legislature finds and declares that conditions in nursing homes in Florida are such that the personal and health care needs of residents are not insured either by regulation of the Department of Health and Rehabilitative Services or the good faith of the nursing home industry. Furthermore, there is no formal mechanism whereby a nursing home resident or his representative may make a complaint against a nursing home facility or its employees. The Legislature declares further that concerned citizens are more effective advocates of the rights of others than government agencies. It is the intent of the Legislature, therefore, to provide an alternative to the present method of correcting nursing home deficiencies, by establishing voluntary citizen ombudsman committees at the state and district levels to discover, investigate, and determine the presence of abuse or neglect in nursing home facilities; and to receive, investigate, and resolve complaints against nursing home facilities. *To insure that the effectiveness and efficiency of such investigations are not impeded by advance notice or delay, the Legislature intends that ombudsman committees shall not be required to obtain warrants in order to enter into or to conduct administrative inspections of nursing home facilities. It is the intent of the Legislature that the environment in*

nursing home facilities should be conducive to the dignity and independence of residents, and that investigations by ombudsman committees should further the enforcement of laws and regulations that safeguard the health, safety, and welfare of residents.

(2) The Legislature further finds that procedures for discovering and investigating the presence of abuse or neglect and for receiving and investigating complaints through the mechanism of the state and district ombudsman committees should be extended to include complaints relating to adult congregate living facilities and adult foster homes. These facilities shall hereinafter be referred to as "long-term care facilities."

Section 14. Subsection (2) of section 400.304, Florida Statutes, is amended to read:

400.304 Establishment of a State Nursing Home and Long-Term Care Facility Ombudsman Committee; duties; membership.—

(2) The duties of the state ombudsman committee shall be:

(a) To help establish and coordinate the district ombudsman committees throughout the state.

(b) To serve as an appellate body in receiving from the district ombudsman committees complaints not resolved at the district level. *The state ombudsman committee may enter any nursing home or long-term care facility involved in an appeal, pursuant to the conditions specified in s. 400.307(3).*

(c) *To develop procedures to discover, investigate, and determine the existence of abuse or neglect in any nursing home or long-term care facility. Investigations may consist, in part, of one or more on-site administrative inspections.*

~~(d)~~ (e) To develop procedures for eliciting, receiving, responding to, and resolving complaints made by, and on behalf of, nursing home and long-term care facility residents.

~~(e)~~ (d) To elicit and coordinate state, local, and voluntary organizational assistance for the purpose of improving the care received by residents of a nursing home or long-term care facility.

~~(f)~~ (e) To prepare an annual report to the President of the Senate, the Speaker of the House, and the Governor containing an appraisal of the problems of nursing home and long-term care facility residents and recommendations for improving nursing home and long-term care facility care and treatment.

Section 15. Subsections (3) through (8) of section 400.307, Florida Statutes, are renumbered as subsections (4) through (9), respectively, paragraphs (b), (e), and (f) of subsection (2) are amended, and a new subsection (3) is added to said section, to read:

400.307 District nursing home and long-term care facility ombudsman committees; duties; membership.—

(2) The duties of the district ombudsman committee are:

(b) To discover, investigate, and determine the existence of abuse or neglect in any nursing home or long-term care facility and to use the procedures provided for in s. 827.09 when applicable. *Investigations may consist, in part, of one or more on-site administrative inspections.*

~~(e)~~ To enter any nursing home or long-term care facility, with or without prior notice, pursuant to an investigation to obtain information regarding a specific complaint or problem.

~~(f)~~ To review Medicaid patients' personal property and money accounts pursuant to an investigation to obtain information regarding a specific complaint or problem.

(3) *In order to carry out the duties specified in subsection (2), the district ombudsman committee is authorized, pursuant to ss. 400.19(1) and 400.434, to enter any nursing home or long-term care facility without notice or first obtaining a warrant, subject to the provisions of s. 400.314(5).*

Section 16. Subsection (2) of section 400.314, Florida Statutes, is amended, and subsections (3), (4), (5), and (6) are added to said section, to read:

400.314 Investigations by state and district nursing home and long-term care facility ombudsman committees ~~Investigation of complaints.~~

(2) In an investigation, both the state and district ombudsman committees have the authority to:

(a) ~~Make inquiries and obtain information as is necessary to carry out the purposes of this act.~~

(b) ~~Enter without notice to inspect the premises of a nursing home or long-term care facility for purposes of investigating a specific complaint. However, no member of an ombudsman committee shall enter a single-family residential unit within a long-term care facility without the permission of the resident or the resident's representative.~~

(c) hold hearings.

(3) ~~Subsequent to an appeal from a district ombudsman committee, the state ombudsman committee may investigate any nursing home or long-term care facility.~~

(4) ~~In addition to any specific investigation made pursuant to a complaint, the district ombudsman committee shall conduct, at least annually, an investigation, which shall consist, in part, of an on-site administrative inspection, of each nursing home or long-term care facility within its jurisdiction.~~

(5) ~~Any on-site administrative inspection conducted by an ombudsman committee shall be subject to the following:~~

(a) ~~All inspections shall be at times and for durations necessary to produce the information required to carry out the duties of the committee.~~

(b) ~~No advance notice of an inspection shall be provided to any nursing home or long-term care facility, except that notice of follow-up inspections on specific problems may be provided.~~

(c) ~~Inspections shall be conducted in a manner which will impose no unreasonable burden on nursing homes or long-term care facilities, consistent with the underlying purposes of this part. Unnecessary duplication of efforts among committee members or the committees shall be reduced to the extent possible.~~

(d) ~~Any ombudsman committee member physically present for the inspection shall identify himself and the statutory authority for his inspection of the facility.~~

(e) ~~Inspections shall not unreasonably interfere with the programs and activities of clients within the facility. Ombudsman committee members shall respect the rights of residents.~~

(f) ~~All inspections shall be limited to compliance with parts I and II of chapter 400, Florida Statutes, and 42 U.S.C. s. 1396(a) et seq. and any rules or regulations promulgated pursuant to such laws.~~

(g) ~~No ombudsman committee member shall enter a single-family residential unit within a long-term care facility without the permission of the resident or the resident's representative.~~

(h) ~~Any inspection resulting from a specific complaint made to an ombudsman committee concerning a facility shall be conducted within a reasonable time after the complaint is made.~~

(6) ~~An inspection may not be accomplished by forcible entry. Refusal of a nursing home or long-term care facility to allow entry of any ombudsman committee member constitutes a violation of part I or part II of this chapter.~~

Section 17. Subsection (1) of section 400.317, Florida Statutes, is amended to read:

400.317 Procedures for resolving a complaint.—

(1) Any complaint, including any problem identified by an ombudsman committee as a result of an investigation, deemed valid and requiring remedial action by the district ombudsman committee shall be identified and brought to the attention of the nursing home or long-term care facility administrator in writing. Upon receipt of such document, the administrator, in concurrence with the district ombudsman committee chairman, shall establish target dates for taking appropriate remedial

action. If, by the target date, the remedial action is not completed or forthcoming, the district ombudsman committee may:

(a) Extend the target date if the committee has reason to believe such action would facilitate the resolution of the complaint.

(b) Make public the complaint, the committee's recommendations, and the response of the nursing home or long-term care facility; however, in no case shall the names of individuals involved in the complaint be disclosed.

(c) Refer the complaint to the state ombudsman committee.

Section 18. Section 400.434, Florida Statutes, is amended to read:

400.434 Right of entry and inspection.—Any duly designated officer or employee of the department, or the state or local fire marshal, or a member of the state or district nursing home and long-term care facility ombudsman committee shall have the right to enter unannounced upon and into the premises of any facility licensed pursuant to this part in order to determine the state of compliance with the provisions of this part and of rules or standards in force pursuant thereto. The right of entry and inspection shall also extend to any premises which the department has reason to believe is being operated or maintained as a facility without a license, but no such entry or inspection of any premises shall be made without the permission of the owner or person in charge thereof, unless a warrant is first obtained from the circuit court authorizing same. Any application for a facility license or renewal thereof made pursuant to this part shall constitute permission for, and complete acquiescence in, any entry or inspection of the premises for which the license is sought, in order to facilitate verification of the information submitted on or in connection with the application, or to discover, investigate, and determine the existence of abuse or neglect, or to elicit, receive, respond to, and resolve complaints.

and renumber subsequent sections.

Amendment 2—On page 2 line 12 between "exceptions;" and "providing", insert: amending s. 400.022(1)(c), Florida Statutes, expanding the nursing home patients' bill of rights to include access to ombudsmen and advocates and the right to participate in advocacy or special interest groups; amending s. 400.19(1), Florida Statutes, relating to the right of entry and inspection of nursing homes to state and district nursing home and long-term care facility ombudsman committees; amending s. 400.301, Florida Statutes, expanding the legislative intent for creating state and district nursing home and long-term care facility ombudsman committees; amending s. 400.304(2), Florida Statutes, expanding the duties of the state nursing home and long-term care facility ombudsman committee; amending s. 400.307(2)(b), (e), and (f), Florida Statutes, and adding a new subsection (3) to said section, specifying that investigations conducted by district ombudsman committees may consist of one or more on-site administrative inspections; deleting a provision pertaining to entry into facilities with or without notice; authorizing the district ombudsman committees to enter any nursing home or long-term care facility without notice or first obtaining a warrant, subject to certain conditions; amending s. 400.314(2), Florida Statutes, and adding subsections (3)-(6) to said section, relating to the authority of state and district ombudsman committees; authorizing the state ombudsman committee to investigate any nursing home or long-term care facility subsequent to an appeal from a district ombudsman committee; requiring district ombudsman committees to conduct at least one annual investigation of every nursing home and long-term care facility; requiring ombudsman committees to follow specific criteria when conducting an inspection; prohibiting any ombudsman committee member from forcibly entering a facility; providing for penalties when a nursing home or long-term care facility denies an ombudsman committee member entry into a facility; amending s. 400.317(1), Florida Statutes, to expand "complaint" to include any problem identified by an ombudsman committee as a result of an investigation; amending s. 400.434, Florida Statutes, relating to the right of entry and inspection of adult congregate living facilities to state and district nursing home and long-term care facility ombudsman committees;

Amendment 4—On page 13 line 18 insert new sections 12 and 13; and renumber subsequent sections.

Section 12. Paragraph (g) of subsection (1) of section 651.055, Florida Statutes, is amended to read:

651.055 Agreements; right to rescind.—

(1) In addition to such other provisions as may be considered proper to effectuate the purpose of any continuing care agreement, each agreement executed on and after the date of the adoption of the rules under this chapter shall:

(g) Provide that the agreement may be canceled upon the giving of notice of cancellation of at least 30 days by the provider, the member, or the person who provided the transfer of property or funds for the care of such member; however, if an agreement is canceled because there has been a good faith determination that a member is a danger to himself or others, only such notice as is reasonable under the circumstances shall be required. The agreement shall further provide in clear and understandable language, in print no smaller than the largest type used in the body of the agreement, the terms governing the refund of any portion of the entrance fee, which shall include a provision that all refunds be made within 120 days of notification. Such refunds shall be calculated on a pro rata basis with the facility retaining no more than 2 percent per month of occupancy by the resident and no more than 4-percent fee for processing. *When the contract provides for the facility to retain no more than one percent per month of occupancy by the resident, it may provide that such refund shall be payable upon receipt by the provider of the next entrance fee for such vacated unit.*

Section 13. Each section within chapter 651, Florida Statutes, which is added or amended by this act, is repealed on October 1, 1983, and shall be reviewed by the Legislature pursuant to s. 11.61, Florida Statutes.

and renumber subsequent sections

Amendment 5—On page 2 in the title, line 13 insert after the semicolon

amending s. 651.055(1)(g), Florida Statutes, relating to entrance fee refunds for life care contracts; providing for review and repeal in accordance with the Regulatory Sunset Act;

Amendment 6—On page 13 line 18 insert Section 12. Subsection (3) of section 744.305, Florida Statutes, is hereby repealed.

Renumber the subsequent sections.

Amendment 7—On page 2 line 13 insert: repealing s. 744.305(3), Florida Statutes, relating to nonprofit corporate guardianship;

Amendment 8—On page 9 line 20 After *“intervention”* INSERT: *from facility staff*

Amendment 9—On page 7 line 4 INSERT a new Section 4. and RENUMBER SUBSEQUENT SECTIONS

Section 4. Paragraph (d) of subsection (3) of section 400.23, Florida Statutes, is amended to read:

400.23 Rules; minimum standards; evaluation and rating system; fee for review of plans.—

(3) The department shall, at least annually, evaluate all nursing home facilities and make a determination as to the degree of compliance by each facility with minimum standards under this part and the rules promulgated thereunder as a basis for assigning a rating to that facility. The department shall base its evaluation on the most recent annual inspection report, taking into consideration findings from other official reports, surveys, interviews, investigations, and inspections.

(d) A facility receiving a superior rating shall have the words “superior facility” marked in block letters not less than 1 inch in height on its license. A facility which meets, but does not exceed, minimum standards shall receive a *standard* ~~an~~ ~~unrated~~ license. A facility which is not in compliance with minimum standards shall receive a conditional rating and shall have the words “conditional rating” marked in block letters not less than 1 inch in height on its license. A list of the deficiencies of the facility in terms of not meeting minimum standards shall be posted in a prominent place that is in clear and

unobstructed public view at or near the place where patients are being admitted to that facility. Facilities receiving a conditional rating shall prepare, within 10 working days of rating, a plan for correction of all deficiencies and shall submit the plan to the department for approval. Correction of all deficiencies, within the period approved by the department, shall result in termination of the conditional rating. Failure to correct the deficiencies, within a reasonable period approved by the department, shall be grounds for the imposition of sanctions pursuant to this part.

Amendment 10—On page 1 line 19 INSERT after the semicolon: amending s. 400.23(3)(d), Florida Statutes, changing the designation of nursing home facilities which meet, but do not exceed, minimum standards;

On motions by Senator Tobiasen, the Senate concurred in House Amendments 1, 2, 4, 5 and 8; refused to concur in Amendments 6, 7, 9 and 10 and requested the House to recede.

CS for SB 684 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Barron, Rehm

The Honorable W. D. Childers, President

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

SB 473—A bill to be entitled An act relating to the Florida Safe Drinking Water Act; amending s. 403.852(4), Florida Statutes; providing that water systems for a wilderness educational camp shall be a noncommunity water system; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1 after line 19 insert:

Section 2. Section 403.061, Florida Statutes is amended by adding a new subsection (28) to read:

403.061 Department; powers and duties.—

The department shall have the power and the duty to control and prohibit pollution of air and water in accordance with the law and rules and regulations adopted and promulgated by it, and for this purpose to:

(28) *Establish rules which provide for a special category of waterbodies within the state, to be referred to as Outstanding Florida Waters, which shall be worthy of special protection because of their natural attributes. Nothing in this subsection shall affect any existing rules of the department.*

Section 3. Paragraph (b) of subsection (2) of Section 403.813, Florida Statutes, is amended to read:

403.813 Permits issued at district centers; exceptions

(2) No permit under this chapter, chapter 373, or chapter 253, chapter 61-691 Laws of Florida, or chapter 25214 or chapter 25270, Laws of Florida, 1949, shall be required for activities associated with the following types of projects; however, nothing in this subsection shall relieve an applicant from any requirement to obtain permission to use or occupy lands owned by any water management district in its governmental or pro-

proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(b) The installation and repair of mooring pilings and dolphins associated with private docking facilities and the installation of private docks of 500 square feet or less of over-water surface area, or 1,000 square feet or less of over-water surface area for docks which are not located in an Outstanding Florida Waters and which are used for recreational non-commercial activities, constructed on pilings so as not to involve filling or dredging other than that necessary to install the pilings. The dock shall not substantially impede the flow of water or create a navigational hazard.

(Renumber Existing Section 2)

Amendment 2—On page 1, lines 1-7, strike all of said lines and insert: A bill to be entitled An act relating to environmental control; amending s. 403.852(4), Florida Statutes, providing that water systems for a wilderness education camp shall be a non community water system; amending s. 403.061, Florida Statutes, to provide for designation of Outstanding Florida Waters; amending s. 403.813(2), Florida Statutes, providing certain exemptions from permits; providing an effective date.

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

SB 473 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Hair, Jenne, Poole

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

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

SB 281—A bill to be entitled An act relating to the administration of revenue laws; adding subsection (5) to s. 212.13, Florida Statutes, requiring the Department of Revenue to send written notification, at least 60 days prior to the date the auditor is scheduled to begin an audit under chapter 212, Florida Statutes; providing exceptions; providing required information in the notice; providing for acceptable records with respect to the audit; amending s. 212.18(3), Florida Statutes; requiring any person who sells or receives anything of value by way of admissions to apply for certain certificates of registration; prohibiting such person from engaging in such activity without such certificate; providing penalties; amending s. 213.05, Florida Statutes; requiring the Department of Revenue to perform certain duties provided in certain sections and chapters of the Florida Statutes; amending s. 213.06, Florida Statutes; authorizing the department to amend its rules in certain circumstances; repealing s. 205.022(6), Florida Statutes; deleting a definition; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 5, between lines 26 and 27 insert:

Section 6. Paragraph (a) of subsection (3) of section 212.02, Florida Statutes, is amended to read:

212.02 Definitions.—The following terms and phrases when used in this chapter shall have the meaning ascribed to them in

this section except where the context clearly indicates a different meaning:

(3)(a) "Retail sale" or a "sale at retail" means a sale to a consumer or to any person for any purpose other than for resale in the form of tangible personal property and shall mean and include all such transactions that may be made in lieu of retail sales or sales at retail. A resale must be in strict compliance with rules and regulations, and any dealer making a sale for resale which is not in strict compliance with rules and regulations shall himself be liable for and pay the tax. A dealer may, through the informal protest provided in s. 213.21 and the rules of the D-O-R, provide the department with evidence of the exempt status of a sale. The department shall adopt rules to implement this act which shall provide that valid resale certificates and consumer certificates of exemption executed by those dealers or exempt entities which were registered with the department at the time of the sale shall be accepted by the department when submitted during the protest period, but shall not be accepted in a proceeding under Chapter 120, F.S. or a circuit court action instituted under Ch. 72, F.S.

Section 7. It is the intent of the Legislature that this act shall apply to all audits or assessments which have been completed by the Department of Revenue between September 1, 1981 and the effective date of this act. A dealer seeking relief pursuant to this act must make application for review of the audit or assessment within 90 days of the effective date of this act. The request for review shall be made in writing to the Executive Director of the Department of Revenue. If it is found that any dealer applying for relief under this act is entitled to a refund, the Department of Revenue and the Comptroller are hereby authorized to issue such refund to the dealer.

(Renumber subsequent section.)

Amendment 2—On page 1 in the title, line 25 after the semicolon (;) insert: amending s. 212.02(3)(a) Florida Statutes, authorizing the department to accept certain documentation concerning exempt sales tax transactions; providing legislative intent;

Senator Johnston moved the following amendments to House Amendment 1 which were adopted:

Amendment 1—On page 1, line 24, after the word "that" insert: the amendment to s. 212.02(3)(a), Florida Statutes, provided in

Amendment 2—On page 2, line 3, strike "pursuant to this act" and insert: pursuant to s. 212.02(3)(a), Florida Statutes,

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

SB 281 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Poole

SPECIAL ORDER

By the Committee on Commerce and Senator Anderson—

CS for SB 831—A bill to be entitled An act relating to savings associations; amending s. 665.025, Florida Statutes;

deleting the requirement that certain members of the board of directors be residents of the state; amending s. 665.034(1), Florida Statutes, and adding a subsection, providing a description of persons or entities deemed to have control of an association; amending s. 665.0601, Florida Statutes, deleting language prohibiting associations from issuing certain types of investment media; amending s. 665.0701(1)(b) and (f), (2), (3), (4), and (6), Florida Statutes, relating to the investment powers and limitations of associations; amending s. 665.0711, Florida Statutes, relating to restrictions on investments in loans; repealing ss. 665.035 and 665.036, Florida Statutes, relating to restrictions on acquisition of control of capital stock associations and to holding companies and stock acquisitions; providing for review and repeal in accordance with the Regulatory Sunset Act; providing an effective date.

—was read the first time by title and SB 831 was laid on the table.

On motion by Senator Anderson, by two-thirds vote CS for SB 831 was read the second time by title.

Further consideration of CS for SB 831 was deferred.

SB 731—A bill to be entitled An act relating to maternity and infancy hygiene; amending s. 383.17, Florida Statutes; expanding beyond licensed hospitals to all health care providers the ability to receive state grants and reimbursements to establish and maintain regional perinatal intensive care centers; authorizing prepaid grants and reimbursements; amending s. 383.19(1), (2), Florida Statutes; providing for rules for the operation of such centers; providing for the establishment of centers; providing for distribution of funds; requiring contractual agreements for the receipt of reimbursements; reenacting ss. 383.171(4), 383.18, Florida Statutes; relating to neonatal intensive care centers, to incorporate the amendment to s. 383.19, Florida Statutes, in reference thereto; providing an effective date.

—was read the second time by title. On motion by Senator McKnight, by two-thirds vote SB 731 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

Consideration of CS for SB 466 was deferred.

CS for CS for HB 607—A bill to be entitled An act relating to insurance and matters connected therewith; providing that chapters 624 through 632, Florida Statutes, and Part I of chapter 641, Florida Statutes, shall constitute the "Florida Insurance Code"; amending and revising chapters 624, relating to administration and general provisions, 625, relating to accounting, investments and deposits, 626, relating to field representatives and operations, 627, relating to rates and contracts, 628, relating to the organization and procedures of stock and mutual insurers, 629, relating to reciprocal insurers, 630, relating to alien insurers and the trustee assets and domestication thereof, 631, relating to insurer insolvency and the guaranty of payment, and 632, relating to fraternal benefit societies, all Florida Statutes, which comprise the current "Florida Insurance Code"; amending and revising Part I of Chapter 634, Florida Statutes, relating to automobile inspection and warranty associations, amending s. 637.427, Florida Statutes, relating to preexisting dental service plan corporations; amending and revising chapter 641, Florida Statutes, relating to hospital and medical service plans, and health maintenance organizations; repealing chapter 649, Florida Statutes, relating to automobile clubs; creating s. 624.21, Florida Statutes, relating to automobile services which are to be exempt from the code; amending and revising s. 768.54(2) and (3), Florida Stat-

utes, relating to the limitation of liability for negligence and the Florida Patient's Compensation Fund; adding paragraph (d) to s. 95.11(5), Florida Statutes, relating to the statute of limitations on actions against any guaranty association; amending various provisions of Florida Statutes, to correct cross references, and to otherwise conform to the provisions of this act; providing for a Joint Committee; providing for continuation, review, and repeal in accordance with the Regulatory Sunset Act and otherwise; providing effective dates.

—was read the second time by title.

The Committee on Commerce recommended the following amendment which was moved by Senator Anderson:

Amendment 1—On pages 3-1198, strike everything after the enacting clause and insert: Section 1. Notwithstanding the provisions of the Regulatory Sunset Act, the following provisions of the Florida Statutes shall not stand repealed on October 1, 1982, as scheduled by such act, but such provisions, as amended, are revived and readopted:

- (1) Sections 624.01 through 624.435 and sections 624.601 through 624.610, Florida Statutes.
- (2) Chapter 625, Florida Statutes.
- (3) Sections 626.011 through 626.939, Florida Statutes.
- (4) Chapter 627, Florida Statutes.
- (5) Chapter 628, Florida Statutes.
- (6) Chapter 629, Florida Statutes.
- (7) Chapter 632, Florida Statutes.
- (8) Sections 634.011 through 634.253, Florida Statutes.
- (9) Chapter 641, Florida Statutes.
- (10) Chapter 648, Florida Statutes.
- (11) Chapter 649, Florida Statutes.
- (12) Section 768.54, Florida Statutes.

Section 2. Notwithstanding any provision of law to the contrary, no provision of the Insurance Code scheduled for repeal on July 1, 1982 shall stand repealed on such date, and all such provisions are revived and readopted. This section shall not be construed to conflict with any repeal provided for in this act.

Section 3. The following provisions of the Florida Statutes are repealed on October 1, 1983, and shall be reviewed by the Legislature pursuant to section 11.61, Florida Statutes:

- (1) Sections 624.01 through 624.435 and sections 624.601 through 624.610, Florida Statutes.
- (2) Chapter 625, Florida Statutes.
- (3) Sections 626.011 through 626.939, Florida Statutes.
- (4) Sections 627.011 through 627.729 and sections 627.742 through 627.904, Florida Statutes.
- (5) Chapter 628, Florida Statutes.
- (6) Chapter 629, Florida Statutes, except for section 629.401, Florida Statutes.
- (7) Chapter 632, Florida Statutes.
- (8) Sections 634.011 through 634.253, Florida Statutes.
- (9) Chapter 641, Florida Statutes.
- (10) Chapter 648, Florida Statutes.
- (11) Chapter 649, Florida Statutes.
- (12) Section 768.54, Florida Statutes.

Section 4. Sections 629.631, 629.641, 629.651, 629.661, 629.671, 629.681, 629.691, 629.701, 629.711, 629.721, 629.731, 629.741, 629.751, 629.761, 629.771, and 629.781, Florida Statutes, are created and designated as part II of chapter 629, Florida Statutes, to read:

629.631 Limited reciprocal insurer.—

(1) Any group of 2 to 250 persons may form a limited reciprocal insurer for the purpose of pooling and spreading liabilities of its group members in any commercial property or casualty risk.

(2) As used in this section, "limited reciprocal insurer" means any corporation formed under the laws of this state but not holding any other license as an insurer in this or any other state:

(a) Which is organized for and whose primary activity consists of assuming and spreading all or any portion of the commercial property or casualty exposure of its members.

(b) Which has furnished to the department a financial statement, prepared in accordance with generally accepted accounting principles, certifying that the members of the group have a combined net worth of not less than \$500,000 which shall be maintained.

(3) The limited reciprocal insurer shall not assume any liability which exceeds in the aggregate the combined net worth of the members of the limited reciprocal insurer. Reinsurance or excess insurance purchased by the limited reciprocal insurer shall be deducted in determining the liability assumed.

(4) No person shall be a member of or directly or indirectly participate in more than one limited reciprocal insurer. No limited reciprocal insurer shall be a member of another limited reciprocal insurer. Any financial institution, as defined in s. 626.988, may participate in a limited reciprocal with any other financial institution. A financial institution may not require as a condition precedent to making a loan that the prospective borrower insure with any limited reciprocal in which that financial institution is a member.

(5) A limited reciprocal insurer shall:

(a) Submit to the department reports and other information required of licensed insurers under the Florida Insurance Code relating to insurance losses and expenses.

(b) Register with and designate the Insurance Commissioner as its agent solely for the purpose of receiving service of legal documents or process, and shall furnish a copy of a financial report, in accordance with s. 624.424, to the department.

(6) The department shall not require a limited reciprocal insurer to participate in the Florida Insurance Guaranty Association.

629.641 Member's liability.—

(1) The liability of each member for the obligations of the limited reciprocal insurer shall be individual, several, and proportionate, and not joint, except as provided in this section.

(2) Each member shall have a contingent assessment liability, for payment of actual losses and expenses incurred while his policy was in force.

(3) Each policy issued by the limited reciprocal insurer shall contain a statement of the contingent liability. Both the application for insurance and the policy shall contain in contrasting color and not less than 10-point type the following statement: "This is a fully assessable policy. In the event the company is unable to pay its obligations, policyholders will be required to contribute on a pro-rata earned premium basis the money necessary to meet any unfilled obligations."

(4) In the event one or more members fail to pay an assessment, the other members are liable on a proportionate basis for an additional assessment. The limited reciprocal, acting on behalf of all members who paid the additional assessment, shall institute legal action to recover the assessment from members who failed to pay it.

629.651 Members' liability; on judgment.—

(1) No action shall lie against any member upon any obligation claimed against the limited reciprocal insurer until a final judgment has been obtained against it and remains unsatisfied for 30 days.

(2) Any such judgment shall be binding upon each member only in such proportion as his interests may appear and in an amount not exceeding his contingent liability.

629.661 Assessments.—

(1) Assessments may from time to time be levied upon members of a limited reciprocal insurer liable therefor under the terms of their policies or by the department in liquidation of the insurer.

(2) Each member's share of a deficiency for which an assessment is made shall be computed by applying to the premium earned on the member's policy or policies during the period to be covered by the assessment, the ratio of the total deficiency to the total premiums earned during such period upon all policies subject to the assessment.

(3) In computing the earned premiums for the purposes of this section, the gross premium received by the limited reciprocal insurer for the policy shall be used as a base, deducting therefrom solely charges not recurring upon the renewal or extension of the policy.

(4) No member shall have an offset against any assessment for which he is liable, on account of any claim for unearned premium or losses payable.

629.671 Time limit for assessments.—Every member of a limited reciprocal insurer shall be liable for, and shall pay his share of any assessment, as computed and limited in accordance with this chapter, if:

(1) While his policy is in force or within 4 years after its termination, he is notified by either the attorney or the department of its intentions to levy such assessment; or

(2) An order to show cause why a receiver or liquidator of the insurer should not be appointed is issued while his policy is in force or within 4 years after its termination.

629.681 Impaired limited reciprocals.—

(1) If the assets of a limited reciprocal insurer are at any time insufficient to comply with the requirements of law or to discharge its liabilities, other than any liability on account of funds contributed by the attorney or others, and to maintain the required surplus, its attorney shall forthwith make up the deficiency or levy an assessment upon the subscribers for the amount needed to make up the deficiency, but subject to the limitation set forth in the power of attorney or the policy.

(2) If the attorney fails to make up such deficiency or to make the assessment within 30 days after the department orders him to do so, or if the deficiency is not fully made up within 60 days after the date the assessment was made, the insurer shall be deemed insolvent and shall be proceeded against as provided for in part I of chapter 631.

629.691 Making and use of rates.—

(1) With respect to all classes of insurance which a limited reciprocal shall underwrite, the rates shall not be inadequate or unfairly discriminatory.

(2) No rate shall be held to be inadequate unless the department shall prove that:

(a) The rate is unreasonably low for the coverage provided; and

(b) The continued use of the rate endangers the solvency of the members of the limited reciprocal.

(3) Nothing herein shall be construed to prohibit the department from examining a limited reciprocal insurer pursuant to s. 627.321.

629.701 Attorney-in-fact.—No attorney-in-fact of a limited reciprocal shall act as attorney-in-fact for more than one limited reciprocal. No insurance agency or insurer shall be an attorney-in-fact for a limited reciprocal.

629.711 Conversion of limited reciprocal.—Based upon its annual statement, when a limited reciprocal has a surplus of assets over all liabilities of not less than \$25,000,000, or more than 250 members, the limited reciprocal shall within 1 year

convert to a reciprocal, mutual, or stock insurer and shall be subject to all the provisions of the Insurance Code applicable to insurers in general.

629.721 **Applicability of related laws.**—In addition to other provisions of the code cited in this part, ss. 624.418-624.4211, 624.432, 624.433, 624.435, chapter 625, Part II, applicable sections of chapter 626, Part V, s. 626.9541(1), (2), (3), (4), (5), (9), (10), (11), (14), (23), (24), subsections (1) and (2) of s. 627.413, ss. 627.416, 627.418, 627.420, 627.421, 627.425, 627.426, 627.427, 627.428, 627.702, 627.706, 628.361(2), 629.101, 629.111, and 629.161 shall apply to limited reciprocal insurers. No section of the code not expressly and specifically cited in this part shall apply to limited reciprocal insurers.

629.731 **Filing, approval, and disapproval of forms.**—

(1) No basic insurance policy or application form where written application is required and is to be a part of the policy or contract or printed rider or endorsement form shall be issued by a limited reciprocal insurer unless the form has been filed with the department. This provision shall not apply to surety bonds or to riders, endorsements, or forms of unique character designed for and used with relation to insurance upon a particular subject.

(2) Every such filing shall be made not less than 30 days in advance of any such use or delivery. At the expiration of such 30 days the form so filed shall be deemed approved unless prior thereto it has been affirmatively approved or disapproved by order of the department. The department may extend by not more than an additional 15 days the period within which it may so affirmatively approve or disapprove any such form, by giving notice of such extension before expiration of the initial thirty day period. At the expiration of any such period as so extended, and in the absence of such prior affirmative approval or disapproval, any such form must be deemed approved.

(3) The department shall disapprove any form or withdraw any previous approval thereof only if the form:

(a) Is in any respect in violation of or does not comply with this code.

(b) Contains or incorporates by reference, where such incorporation is otherwise permissible, any inconsistent, ambiguous, or misleading clauses, or exceptions and conditions which deceptively affect the risk purported to be assumed in the general coverage of the contract.

(c) Has any title, heading, or other indication of its provisions which is misleading.

(d) Is printed or otherwise reproduced in such manner as to render any material provision of such form substantially illegible.

629.741 **Suspension or revocation.**—The department shall suspend or revoke a limited reciprocal's certificate of authority if it finds that the ratio of net premiums written to surplus as to policyholders exceeds four to one.

629.751 **Certificate of authority.**—The provisions for applying for and issuing a certificate of authority to a limited reciprocal insurer shall be those of ss. 629.081-629.091.

629.761 **Examination.**—Limited reciprocal insurers licensed under this part shall be subject to periodic examination by the department in the same manner and subject to the same terms and conditions as applies to insurers under part II of chapter 624.

629.771 **Reinsurance.**—

(1) Any limited reciprocal insurer may take credit for reserves on risks ceded to a reinsurer, with the following exceptions:

(a) No credit shall be allowed for reinsurance in any reinsurer which has been disapproved by the department.

(b) No credit shall be allowed, as an asset or a deduction from liability, to any ceding insurer for reinsurance unless the reinsurance is payable by the assuming insurer on the basis of the liability of the ceding insurer under the contract reinsured with diminution because of the insolvency of the ceding insurer.

(c) No credit shall be allowed for reinsurance in a non-admitted reinsurer unless such nonadmitted reinsurer designates

the commissioner as agent for service of process in any action arising out of or in connection with such reinsurance.

(d) No credit shall be allowed for reinsurance in an insurer not authorized to transact business in at least one state of the United States except in the case of and to the extent that the premium thereon, plus the commission, is held in trust or withheld by the ceding insurer until such time as the premium is earned, the losses paid, and the resulting profit or loss to the reinsurer determined.

(e) No credit shall be allowed for reinsurance where the reinsurance contract does not result in the absolute transfer to the reinsurer of the risk or liability.

(f) No credit shall be allowed as an asset or a deduction from liability, where the reinsurance contract involves the possible repayment of tentative commissions by the ceding insurer, and such credit shall be allowed only for the guaranteed portion of the commission received.

(2) Complete copies of all reinsurance treaties and contracts shall be filed with the department.

(3) Notwithstanding the provisions of subsection (1), any limited reciprocal insurance company may reinsure all of its risks in any reinsurer approved by the commissioner, and full credit for reserves on such risks so ceded shall be allowed.

629.781 **Use of agents.**—Each policy or contract of insurance between the limited reciprocal insurer and its members shall be signed by a licensed general lines agent as defined in s. 626.041.

Section 5. Section 628.011, Florida Statutes, is amended to read:

628.011 **Scope of chapter.**—This chapter applies only as to domestic stock, and mutual and captive insurers, except that s. 628.341(2) (nonassessable policies; mutual insurers) shall apply also as to foreign and alien insurers.

Section 6. Section 628.035, Florida Statutes, is created to read:

628.035 **"Captive insurer" defined.**—A captive insurer is a domestic insurer established under this chapter to insure the risks of a specific corporation or group of corporations owned or controlled by the corporation or corporations from whom it accepts risk under a contract of insurance.

Section 7. Sections 628.601, 628.605, 628.607, 628.609, 628.611, 628.613, and 628.617, Florida Statutes, are created to read:

628.601 **Licensing; authority.**—

(1) Any captive insurer, when permitted by its charter or articles of incorporation, may apply to the department for a license to provide commercial property, casualty, and marine insurance coverage other than workers' compensation coverage.

(2) No captive insurer shall insure or accept reinsurance on any risks other than those of its parent and affiliated companies.

(3) In addition to information otherwise required by this code, each applicant captive insurer shall file with the department evidence of the adequacy of the loss prevention program of its insureds.

628.605 **Minimum capital and surplus.**—No captive insurer shall be issued a license unless it shall possess and thereafter maintain:

(1) Unimpaired paid in capital, or unimpaired surplus if a mutual insurer, of at least \$500,000.

(2) Unimpaired surplus as to policyholders of at least \$250,000.

628.607 **Applicability of other laws.**—The following provisions of the Insurance Code shall apply to captive insurers to the extent that they are not inconsistent with the provisions of s. 628.035 and ss. 628.601 through 628.617:

(1) Chapter 624, except for ss. 624.425, 624.426, and 624.427.

(2) Chapter 625, part II.

(3) Chapter 626, part VII.

(4) Chapter 628.

628.609 Reports and statements.—

(1) Captive insurers shall not be required to make any annual report except as provided in this section.

(2) Captive insurers shall, within 60 days after their respective fiscal years and as often as the department may deem necessary, submit to the department a report of their financial condition, verified by oath of two of their executive officers. The department may promulgate by rule the form in which captive insurers report.

628.611 Reinsurance.—

(1) Any captive insurer may take credit for reserves on risks ceded to a reinsurer, with the following exceptions:

(a) No credit shall be allowed for reinsurance in any reinsurer which has been disapproved by the department.

(b) No credit shall be allowed, as an asset or a deduction from liability, to any ceding insurer for reinsurance unless the reinsurance is payable by the assuming insurer on the basis of the liability of the ceding insurer under the contract reinsured with diminution because of the insolvency of the ceding insurer.

(c) No credit shall be allowed for reinsurance in a non-admitted reinsurer unless such nonadmitted reinsurer designates the commissioner as agent for service of process in any action arising out of or in connection with such reinsurance.

(d) No credit shall be allowed for reinsurance in an insurer not authorized to transact business in at least one state of the United States except in the case of and to the extent that the premium thereon, plus the commission, is held in trust or withheld by the ceding insurer until such time as the premium is earned, the losses paid, and the resulting profit or loss to the reinsurer determined.

(e) No credit shall be allowed for reinsurance where the reinsurance contract does not result in the absolute transfer to the reinsurer of the risk or liability.

(f) No credit shall be allowed as an asset or a deduction from liability, where the reinsurance contract involves the possible repayment of tentative commissions by the ceding insurer, and such credit shall be allowed only for the guaranteed portion of the commission received.

(2) Complete copies of all reinsurance treaties and contracts shall be filed with the department.

(3) Notwithstanding the provisions of subsection (1), any captive insurance company may reinsure all of its risks in any reinsurer approved by the commissioner, and full credit for reserves on such risks so ceded shall be allowed.

628.613 Exemption from compulsory associations.—No captive insurer shall be permitted to join or contribute financially to any joint underwriting association or guaranty fund in this state, nor shall any captive insurer, or its insured, or its parent or any affiliated company, receive any benefit from any such joint underwriting association or guaranty fund for claims arising out of the operations of such captive insurer.

628.617 Insolvency and liquidation.—In the event that a captive insurer is insolvent as defined in chapter 631, the department shall liquidate the captive insurer pursuant to the provisions of chapter 631, part I, except that the department shall make no attempt to rehabilitate that insurer.

Section 8. Subsection (2) of section 624.404, Florida Statutes, is amended to read:

624.404 General eligibility of insurers for certificate of authority.—To qualify for and hold authority to transact insurance in this state an insurer must be otherwise in compliance with this code and with its charter powers, and must be an incorporated stock insurer, or an incorporated mutual insurer, or a reciprocal insurer, of the same general type as may be formed as a domestic insurer under this code; except that:

(2) No foreign insurer shall be authorized to transact insurance in this state unless it is otherwise qualified therefor under this code and has operated satisfactorily for at least 3 years in its state or country of domicile or is the wholly owned subsidiary of an insurer which is an authorized insurer in this

state, or is the successor in interest through merger or consolidation of an authorized insurer; however, the department may waive the 3-year requirement if a foreign insurer or exchange has operated successfully and has capital and surplus of at least \$5 million.

Section 9. Section 624.512, Florida Statutes, is amended to read:

624.512 Domestic insurers exempt.—

(1) Insurers organized and existing under the laws of this state, and which insurers maintain their home offices in this state, shall not be required to pay the tax on insurance and annuity premiums, assessments or considerations as imposed under ss. 624.509 and 624.510, except as provided in s. 624.513.

(2) Recognizing that it is in the public interest to create an incentive for environmentally clean industry to locate in this state, a known center for tourist related activities; to broaden the state's economic base; to encourage investment in this state; and to enhance the economic and financial climate of the state, the Legislature finds that a premium tax exemption for domestic insurers promotes the public interest for the following reasons:

(a) Domestic insurers are required to pay corporate income tax in Florida;

(b) Domestic insurers are required to invest their assets in Florida;

(c) Domestic insurers are more likely to invest heavily in Florida real estate and thereby increase the local government tax base;

(d) Domestic insurers employ many Florida residents; and

(e) Domestic insurers contribute to Florida economy by utilizing local services and local businesses.

Section 10. This act shall take effect July 1, 1982.

On motion by Senator Hair further consideration of CS for CS for HB 607 was deferred.

By the Committee on Commerce and Senator Beard (by request)—

CS for SB 420—A bill to be entitled An act relating to workers' compensation; creating s. 440.091, Florida Statutes; specifying circumstances under which a law enforcement officer is considered to be acting within the course of employment; providing an effective date.

—was read the first time by title and SB 420 was laid on the table.

On motion by Senator Beard, by two-thirds vote CS for SB 420 was read the second time by title.

Senator Beard moved the following amendment which was adopted:

Amendment 1—On page 1, line 30, following the period (.) after word "employment" insert: The term "employee" as used in this section shall include all certified supervisory and command personnel whose duties, include, in whole, or in part, the supervision, training, guidance, and management responsibilities of full-time law enforcement officers, part-time law enforcement officers or auxiliary law enforcement officers, but does not include support personnel employed by the employing agency.

On motion by Senator Beard, by two-thirds vote CS for SB 420 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Henderson	Lewis	Poole
Hill	Margolis	Renick
Jenne	Maxwell	Scott
Jennings	McClain	Skinner
Johnston	McKnight	Steinberg
Kirkpatrick	Neal	Stevens
Langley	Peterson	Stuart

Thomas
Tobiassen
Trask
Vogt
Ware

Nays—None

On motion by Senator Beard, the rules were waived and CS for SB 420 after being engrossed was ordered immediately certified to the House.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed House Bill 583 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Burnsed and B. L. Johnson—

HB 583—A bill to be entitled An act relating to bedding inspection; repealing chapter 556, Florida Statutes, the Bedding Inspection Law, which provides for the inspection of bedding material by the Department of Health and Rehabilitative Services; providing an effective date.

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

SPECIAL ORDER, continued

On motion by Senator Peterson, by two-thirds vote HB 583 was withdrawn from the Committee on Health and Rehabilitative Services.

On motion by Senator Peterson, HB 583, a companion measure, was substituted for SB 835 and by two-thirds vote read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 583 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 835 was laid on the table.

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

CS for SB 869—A bill to be entitled An act relating to adoption; adding a paragraph to s. 63.022(2), Florida Statutes, providing legislative intent with regard to intermediary adoptions; adding a subsection to s. 63.032, Florida Statutes, to define "suitability of the intended placement"; amending s. 63.092, Florida Statutes, relating to preliminary studies with respect to intermediary adoptions; amending s. 63.162(4) and (5), Florida Statutes, relating to the disclosure of confidential records and the determination of good cause therefor; creating s. 63.165, Florida Statutes, directing the State Registrar of Vital Statistics to maintain a registry of identifying information with respect to natural and adoptive parents and adoptees; providing for limited access to the registry; providing an effective date.

—was read the first time by title and SB 869 was laid on the table.

On motions by Senator Vogt, by two-thirds vote CS for SB 869 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—1

Langley

On motion by Senator Grizzle, the rules were waived and by two-thirds vote HB 772 was withdrawn from the Committee on Transportation.

On motion by Senator Grizzle—

HB 772—A bill to be entitled An act relating to pilotage; creating s. 310.145, Florida Statutes, requiring licensed state pilots of vessels passing under bridges which are equipped with electronic navigation protection equipment to use such equipment, and dictating pilot response upon the malfunction of such equipment; providing for review and repeal in accordance with the Regulatory Sunset Act; providing an effective date.

—a companion measure, was substituted for SB 488 and read the second time by title. On motion by Senator Grizzle, by two-thirds vote HB 772 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

SB 488 was laid on the table.

SB 673—A bill to be entitled An act relating to the Department of Transportation; adding subsection (3) to s. 340.35, Florida Statutes; providing for a minimum cash reserve in the budget for the Sunshine State Parkway; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 19, strike "5" and insert: 10

On motion by Senator Johnston, by two-thirds vote SB 673 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

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

Nays—None

The Senate resumed consideration of—

CS for CS for HB 607—A bill to be entitled An act relating to insurance and matters connected therewith; providing that chapters 624 through 632, Florida Statutes, and Part I of chapter 641, Florida Statutes, shall constitute the "Florida Insurance Code"; amending and revising chapters 624, relating to administration and general provisions, 625, relating to accounting, investments and deposits, 626, relating to field representatives and operations, 627, relating to rates and contracts, 628, relating to the organization and procedures of stock and mutual insurers, 629, relating to reciprocal insurers, 630, relating to alien insurers and the trustee assets and domestication thereof, 631, relating to insurer insolvency and the guaranty of payment, and 632, relating to fraternal benefit societies, all Florida Statutes, which comprise the current "Florida Insurance Code"; amending and revising Part I of chapter 634, Florida Statutes, relating to automobile inspection and warranty associations, amending s. 637.427, Florida Statutes, relating to preexisting dental service plan corporations; amending and revising chapter 641, Florida Statutes, relating to hospital and medical service plans, and health maintenance organizations; repealing chapter 649, Florida Statutes, relating to automobile clubs; creating s. 624.21, Florida Statutes, relating to automobile services which are to be exempt from the code; amending and revising s. 768.54(2) and (3), Florida Statutes, relating to the limitation of liability for negligence and the Florida Patient's Compensation Fund; adding paragraph (d) to s. 95.11(5), Florida Statutes, relating to the statute of limitations on actions against any guaranty association; amending various provisions of Florida Statutes, to correct cross references, and to otherwise conform to the provisions of this act; providing for a Joint Committee; providing for continuation, review, and repeal in accordance with the Regulatory Sunset Act and otherwise; providing effective dates.

—which was taken up with pending Amendment 1.

Senator Anderson moved the following amendment to Amendment 1 which failed:

Amendment 1A—On page 2, line 28, insert a new section 4 to read: Section 4. Section 627.7402, Florida Statutes, is created to read:

627.7402 Furnishing copy of policy to lienholder.—

An insurer shall furnish a copy of all policies issued under this part covering a motor vehicle or its owner when the holder of a lien on such motor vehicle requests a copy of such policies and presents to the insurer satisfactory proof of such lien.

(Renumber subsequent section.)

Amendment 1 was adopted.

The Committee on Commerce recommended the following amendment which was moved by Senator Hair and adopted:

Amendment 2—In title on pages 1-2, strike everything before the enacting clause and insert: A bill to be entitled An act relating to insurance and matters connected therewith; reviving and readopting, notwithstanding the Regulatory Sunset Act, various provisions of the Florida Statutes scheduled for repeal in 1982; providing that no provision of the Insurance Code scheduled for repeal on July 1, 1982 shall stand repealed on such date; repealing various provisions relating to insurance and matters connected therewith on October 1, 1983; providing for legislative review; creating ss. 629.631-629.781, Florida Statutes; providing for limited reciprocal insurers; providing powers and duties of such insurers; providing for liability of members; providing for assessments; providing for insolvency; providing for making and use of rates; limiting ability to act as attorney-in-fact; providing for conversion; providing for certificate of authority; providing for suspension or revocation; specifying laws applicable to limited reciprocals; requiring use of agents; amending s. 628.011, Florida Statutes; applying chapter 628, Florida Statutes, to captive insurers; creating s. 628.035, Florida

Statutes; defining "captive insurer"; creating ss. 628.601-628.617, Florida Statutes; providing for licensing of captive insurers; providing minimum capital and surplus; specifying laws applicable to captive insurers; providing for reports and statements; providing for reinsurance; exempting captive insurers from mandatory organizations; providing for insolvency and liquidation; amending s. 624.404(2), Florida Statutes; authorizing waiver of certain requirements for certificate of authority; amending s. 624.512, Florida Statutes; providing purpose for premium tax exemption; providing an effective date.

On motion by Senator Hair, by two-thirds vote CS for CS for HB 607 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Anderson

Vote after roll call:

Yea—Stuart

On motion by Senator Hair, the rules were waived and CS for CS for HB 607 was ordered immediately certified to the House.

On motions by Senator Johnston, by two-thirds vote HB 282 was withdrawn from the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

On motion by Senator Johnston—

HB 282—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.052(1)(d), Florida Statutes, authorizing certain elected county officers who are members of the Elected State Officers' Class to purchase additional retirement credit for service which falls under the purview of the class; providing for payment therefor; providing an effective date.

—a companion measure, was substituted for SB 694 and by two-thirds vote read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 282 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Hair, Jenne

SB 694 was laid on the table.

On motion by Senator Johnston, the rules were waived and by two-thirds vote SB 988 was withdrawn from the Committee on Judiciary-Civil.

By the Committee on Education and Senator Henderson—

CS for SB 800—A bill to be entitled An act relating to educational finance; amending s. 237.151, Florida Statutes; authorizing school boards to negotiate loans in an amount not violative of federal arbitrage regulations based upon estimated budget deficiencies according to either the official budget of the district or a preliminary budget approved by the school board; amending ss. 237.181, 237.211, Florida Statutes; authorizing district school boards to designate funds that are due the board to be remitted directly to the State Board of Administration for proper interest-bearing investments; providing an effective date.

—was read the first time by title and SB 800 was laid on the table.

On motions by Senator Henderson, by two-thirds vote CS for SB 800 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Stevens

Vote after roll call:

Yea—Hair

On motion by Senator Carlucci, the rules were waived and SB 404, which passed the Senate March 11, was ordered immediately certified to the House after being engrossed.

On motion by Senator Stevens—

HB 194—A bill to be entitled An act relating to apprentices; adding subsection (4) to s. 446.011, Florida Statutes, providing legislative intent with respect to apprentices; reenacting and amending s. 446.031(2), Florida Statutes, as amended, prohibiting the Division of Labor of the Department of Labor and Employment Security from establishing certain rules, standards, or guidelines with respect to apprentices and trainees; providing an effective date.

—a companion measure, was substituted for SB 807 and read the second time by title.

Senator Stevens moved the following amendments which were adopted:

Amendment 1—On page 1, lines 29-31, and on page 2, lines 1-14, strike all of said lines and insert:

Section 2. Section 446.032, Florida Statutes, is created to read:

446.032 General duties of division.—

The Division of Labor shall establish uniform minimum standards and policies governing apprentice programs and agreements. Such standards and policies shall govern the terms and conditions of the apprentice's employment and training, including the quality training of the apprentice with respect to, but not limited to, such matters as ratios of apprentices to journeymen, safety, related instruction, and on-the-job training, but shall not include rules, standards, or guidelines that require the use of apprentices and job trainees on state, county, or municipal contracts. The division may adopt rules as necessary to carry out such standards and policies.

Amendment 2—In title on page 1, strike lines 5 and 6 and insert: apprentices; creating s. 446.032, Florida Statutes,

On motion by Senator Stevens, by two-thirds vote HB 194 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Hair

SB 807 was laid on the table.

On motion by Senator Stevens, the rules were waived and HB 194 was ordered immediately certified to the House.

By the Committee on Economic, Community and Consumer Affairs and Senators Peterson and Trask—

CS for SB 834—A bill to be entitled An act relating to supervisors of elections; providing for preparation of an annual budget for the office of county supervisor of elections, to be submitted to the board of county commissioners or county budget commission for inclusion in the county annual budget; providing contents and procedure for preparation thereof; providing procedure for payment of salaries and expenses of the office of the supervisor; providing for accounts and records; providing for disposition of unexpended balances; providing limitations on the amount of funds which may be retained on deposit; preserving certain powers of the supervisor; providing an effective date.

—was read the first time by title and SB 834 was laid on the table.

On motions by Senator Peterson, by two-thirds vote CS for SB 834 was read the second time by title and by two-thirds vote was read the third time by title.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Peterson and adopted by two-thirds vote:

Amendment 1—On page 5, line 30, after the word "personnel" insert: ; provided that nothing herein contained shall restrict the operation of any lawfully established county civil service system

On motion by Senator Peterson, CS for SB 834 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Hair

On motion by Senator Peterson, the rules were waived and CS for SB 834 after being engrossed was ordered immediately certified to the House.

SB 838—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services, Bureau of Citrus Inspection, Processed; amending s. 570.48(2), Florida Statutes; exempting certain records obtained by the bureau from provisions relating to the inspection and examination of public records; providing an effective date.

—was read the second time by title. On motion by Senator Anderson, by two-thirds vote SB 838 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Hair

On motion by Senator Anderson, the rules were waived and SB 838 was ordered immediately certified to the House.

SB 857—A bill to be entitled An act relating to campaign financing; amending s. 106.011(1), Florida Statutes; exempting corporations registered to do business in Florida or another state from the definition of "political committee" under certain conditions; creating s. 106.031, Florida Statutes; providing filing requirements; authorizing certain actions and allowing exemption from Florida law for political committees domiciled outside the state; amending s. 106.04(4), (5), Florida Statutes; authorizing committees of continuous existence to file a letter stating that their charter or schedule has not changed in lieu of filing the charter or schedule; providing restriction on funds contributed to candidates; amending s. 106.144(1), Florida Statutes; exempting political committees, out-of-state committees and federal committees from filing requirements for endorsing candidates; repealing s. 106.07(9), Florida Statutes, relating to reports, certification, and filing; providing an effective date.

—was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—2

Langley Vogt

Vote after roll call:

Yea—Hair

On motion by Senator Hill, the rules were waived and SB 857 after being engrossed was ordered immediately certified to the House.

Consideration of CS for SB 898 was deferred.

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Gordon, the rules were waived and by two-thirds vote SB 195, CS for SB 308, CS for SB 354, SB 365 and CS for SB 546 were withdrawn from the Committee on Appropriations.

SPECIAL ORDER, continued

On motion by Senator Hair, the Senate reconsidered the vote by which CS for HB 607 was ordered immediately certified to the House.

On motion by Senator Vogt, the rules were waived and HB 502, which passed the Senate March 11, was ordered immediately certified to the House.

By the Committee on Governmental Operations and Senator Carlucci—

CS for SB 89—A bill to be entitled An act relating to the establishment of the Florida Crime Prevention Training Institute; creating the Florida Crime Prevention Training Institute within the Department of Legal Affairs as a crime prevention training program; providing powers and duties of the department; creating the Florida Crime Prevention Training Institute Revolving Trust Fund to finance the institute; providing for admission fees; providing an effective date.

—was read the first time by title and SB 89 was laid on the table.

On motions by Senator Carlucci, by two-thirds vote CS for SB 89 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

By the Committee on Judiciary-Civil and Senator Poole—

CS for SB 331—A bill to be entitled An act relating to rehabilitation of drug dependents; amending s. 397.099, Florida Statutes, authorizing treatment resources for drug dependents to admit individuals making application therefor; providing conditions for the admission and discharge of minors by treatment resources; providing for repeal and review in accordance with the Regulatory Sunset Act; providing an effective date.

—was read the first time by title and SB 331 was laid on the table.

On motion by Senator Johnston, by two-thirds vote CS for SB 331 was read the second time by title.

Senator Poole offered the following amendment which was moved by Senator Johnston and adopted:

Amendment 1—On page 2, line 16, strike "*which shall be written,*", then on page 2, line 19, after the period insert:

A written report of each review shall be placed in the minor's file.

On motion by Senator Johnston, by two-thirds vote CS for SB 331 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea to Nay—Gersten

CS for HB 156—A bill to be entitled An act relating to controlled substances; adding a paragraph to s. 893.03(1), Florida Statutes, and amending subsection (2)(c), transferring methaqualone from a Schedule II to a Schedule I substance; amending s. 893.13(1)(a), (c), and (d), Florida Statutes, increasing one and conforming other applicable penalty provisions; providing an effective date.

—was read the second time by title.

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

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

Section 1. Section 893.16, Florida Statutes, is created to read:

893.16 Prescriptions for Schedule II drugs.—No prescription for any substance listed in s. 893.03(2) shall be dispensed until at least 24 hours after receipt by a community pharmacy unless a prior dispensing is determined to be appropriate in the professional judgment of the dispensing pharmacist.

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

Amendment 2—In title on page 1, strike lines 1-10 and insert: A bill to be entitled An act relating to controlled substances; creating s. 893.16, Florida Statutes, providing for delayed dispensing of prescriptions for Schedule II controlled substances except in a specified situation; providing an effective date.

On motion by Senator Jenne, by two-thirds vote CS for HB 156 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Beard, Dunn

By the Committee on Judiciary-Criminal and Senators Peterson, Kirkpatrick, Beard and Carlucci—

CS for SB 842—A bill to be entitled An act relating to the waters of the state; amending s. 843.18, Florida Statutes; providing that it is a third degree felony to unlawfully fail to stop a boat upon the direction of a law enforcement officer, or to flee in an attempt to elude such officer; providing an effective date.

—was read the first time by title and SB 842 was laid on the table.

On motions by Senator Peterson, by two-thirds vote CS for SB 842 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

On motion by Senator Peterson, the rules were waived and CS for SB 842 was ordered immediately certified to the House.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives requests the return of SB 187.

SB 187—A bill to be entitled An act relating to education; amending s. 232.26(1)(b), Florida Statutes; allowing a school principal to suspend a student without first employing parental assistance or other alternative measures in certain circumstances; providing procedures for search of students and students' lockers and storage areas by school officials; requiring notice; requiring reports to law enforcement agencies; requiring seized objects or substances to be delivered to a law enforcement agency; requiring the creation of a statewide task force to study school truancy and discipline and to report its findings and recommendations to the Governor and the Legislature; providing an effective date.

Allen Morris, Clerk

On motion by Senator Maxwell, SB 187 was returned to the House as requested.

SPECIAL ORDER, continued

SB 306—A bill to be entitled An act relating to speed limit signs; amending s. 335.14, Florida Statutes; providing that new or replacement signs show the legal speed limit both in miles per hour and kilometers per hour; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, strike lines 20-23 and insert: federal aid road, the additional concurrence of the *Federal Highway Administration United States Commissioner of Public Roads*. Any sign, marking, or signal placed without the approval of the department with concurrence of the *Federal Highway Administration United States Commissioner of Public Roads*

Amendment 2—On page 1, line 26, strike the word "All" and insert: *Subject to approval by the Federal Highway Administration, all*

Amendment 3—On page 1, between lines 29 and 30, insert:

Section 2. Subsection (6) is added to section 335.15, Florida Statutes, to read:

335.15 Detour roads.—

(6) *Whenever a temporary detour is necessary to bypass a bridge on the State Highway System due to accident, unforeseen failure of equipment, or emergency traffic stoppage, and the only available detour is over a toll facility, the Department*

of Transportation is authorized to pay to the appropriate authority the tolls that would normally have been collected.

(Renumber subsequent section.)

Amendment 4—In title on page 1, strike lines 3-5 and insert: s. 335.14, Florida Statutes; providing that subject to federal approval new or replacement signs show the legal speed limit both in miles per hour and kilometers per hour; adding s. 335.15(6), Florida Statutes; authorizing the Department of Transportation to pay tolls on toll facilities under certain circumstances;

On motion by Senator Tobiassen, by two-thirds vote SB 306 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—22

Mr. President	Grizzle	McKnight	Steinberg
Anderson	Hair	Neal	Stuart
Beard	Johnston	Peterson	Tobiassen
Dunn	Margolis	Rehm	Ware
Frank	Maxwell	Renick	
Gersten	McClain	Skinner	

Nays—5

Henderson	Lewis	Scott	Stevens
Jennings			

Vote after roll call:

Yea to Nay—Neal

On motion by Senator Tobiassen, the rules were waived and SB 306 after being engrossed was ordered immediately certified to the House.

By the Committee on Commerce and Senators Scott, Jenne, Beard, Poole, McClain, Frank, Stevens, Thomas, Hair, Hill and Anderson—

CS for SB 898—A bill to be entitled An act relating to natural gas and petroleum pipelines; providing that certain natural gas or petroleum pipelines are developments of regional impact; providing for compliance with chapter 380, Florida Statutes; providing an optional permitting procedure; providing rule-making authority; providing an effective date.

—was read the first time by title and SB 898 was laid on the table.

On motion by Senator Scott, by two-thirds vote CS for SB 898 was read the second time by title.

Senator Scott moved the following amendments which were adopted:

Amendment 1—On page 1, strike everything after the enacting clause and insert: Section 1. Short title. - Sections 1 - 10 may be cited as the major pipeline review act.

Section 2. Legislative intent. - The legislature intends that major natural gas or liquid petroleum product pipeline construction, conversion or modification projects be comprehensively reviewed to determine their impact on the public health, safety and welfare of the citizens of the State of Florida.

Section 3. Definitions. - As used in this Act:

(1) "Applicant" or "person" means any person, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized, applying for a State Impact Review Order pursuant to the provisions of this Act.

(2) "Application" means the impact assessment filed requesting an order authorizing construction, conversion or modification of a pipeline under this Act.

(3) "Major natural gas or liquid petroleum pipeline" means any pipeline serving or traversing five or more counties which is at least 16 inches in diameter and having a design capacity of 200 million cubic feet per day or greater if such pipeline carries natural gas, or 100,000 barrels per day if such pipeline carries petroleum, or the conversion or modification of any existing pipeline to one of such dimensions or design capacity.

(4) "Conversion" means the transformation of any existing pipeline into use as a petroleum pipeline or a natural gas pipeline.

(5) "Modification" means the alteration of any pipeline to be increased to a length which traverses five or more counties and to a size or design capacity of a major natural gas or liquid petroleum pipeline as defined under the terms of this Act.

(6) "State Impact Review Order or Order" means the written order of the board which approves, approves with modifications or restrictions or denies authorization to undertake the construction, conversion or modification of a major natural gas or liquid petroleum pipeline.

(7) "Board" means the Governor and Cabinet sitting as the State Review Board.

(8) "Regional Planning District" means, for the purposes of this Act, the following numbered districts comprised of the listed counties:

- (a) 1: Escambia, Okaloosa, Bay, Santa Rosa and Walton;
- (b) 2: Calhoun, Franklin, Gadsden, Jackson, Holmes, Leon, Liberty, Wakulla, Gulf and Washington, Jefferson;
- (c) 3: Alachua, Bradford, Columbia, Hamilton, Union, Lafayette, Madison, Suwannee and Taylor, Gilchrist, Dixie;
- (d) 4: Baker, Clay, Duval, Flagler, Nassau, Putnam and St. Johns;
- (e) 5: Citrus, Hernando, Levy, Marion and Sumter;
- (f) 6: Brevard, Lake, Orange, Osceola and Seminole, Volusia;
- (g) 7: Desoto, Hardee, Highlands, Okeechobee and Polk;
- (h) 8: Hillsborough, Manatee, Pasco and Pinellas;
- (i) 9: Charlotte, Collier, Glades, Hendry, Lee and Sarasota;
- (j) 10: Indian River, Martin, Palm Beach and St. Lucie; and
- (k) 11: Broward, Dade and Monroe.

Section 4. Application for Order.—Any person proposing to construct, modify or convert a pipeline as defined in this Act is required to file an application for an Order by the State Review Board authorizing such pipeline construction, modification or conversion. The application shall be submitted to the State land planning agency and shall contain an assessment of the impacts on sectors of the State's economy, employment; transportation; right-of-way acquisition; its environment and natural resources; energy delivery, use and supply; and comprehensive regional and local land use plans and regulations.

Section 5. Public Notice of Application.—Within 30 days after receipt of application, the State land planning agency shall:

- (1) Forward the application to the Director, Division of Administrative Hearings.
- (2) Advise the applicant of any information in the application it deems insufficient. The applicant shall, within ten working days, advise the agency whether it will furnish the information.
- (3) Give notice of the application to each regional planning agency, water management district, the Department of Environmental Regulation, the Department of Natural Resources, the Game and Fresh Water Fish Commission, the Public Service Commission and any other person or entity requesting notice of major pipeline applications. Regional planning agencies shall notify affected local governments in their districts.
- (4) Publish notice of the application in the Florida Administrative Weekly.

Section 6. Appointment of Hearing Officers.

(1) Within ten days after receipt of the application, the Director shall assign four hearing officers to conduct hearings pursuant to Chapter 120, Florida Statutes.

(2) One hearing shall be scheduled in the cities listed for each of the following groups of Regional Planning Districts:

- (a) 10 and 11 [Ft. Lauderdale];
- (b) 5, 7, 8 and 9 [Tampa];
- (c) 1, 2 and 3 [Pensacola];
- (d) 4 and 6 [Jacksonville].

(3) The notice of hearing shall be sent to all entities or persons receiving notice pursuant to Section 5(3) of this Act. The hearing officer shall notice the first hearing within 30 days of being assigned to conduct the hearings. The initial hearing shall be scheduled at least 60 but not more than 120 days from the date of the notice of hearing unless the applicant notifies the hearing officer that a later date is necessary due to furnishing additional information. If the applicant has agreed to furnish additional information, it shall be furnished at least 30 days prior to the initial hearing on the application. The remaining hearings shall be scheduled as soon thereafter as is reasonably possible under the circumstances.

Section 7. Proceedings, Parties, Participants.—

(1) The parties to a hearing shall include:

- (a) The applicant.
- (b) The State land planning agency.
- (c) The affected regional and State agencies.
- (d) Any local government in the jurisdiction of which the pipeline will be converted, constructed or modified or which is affected by the project.
- (e) Any substantially affected party.
- (f) Any domestic non-profit corporation, institute or association formed to promote protection of the environment, personal health, biological values, preserve historical sites or promote consumer interest; or to represent labor, commercial maritime or industrial groups or to promote orderly development of an affected area may file a notice of intent to be a party on or before the 30th day prior to the hearing. A party failing to file whose substantial interests are affected by the hearing and who timely files a motion to intervene pursuant to Chapter 120 and applicable rules, may become a party at the discretion of the hearing officer.

Section 8. State Impact Review Order.

(1) Each hearing officer shall enter a recommended order in accordance with Chapter 120 and applicable rules of procedure and shall forward a copy to all parties and each Board member. The orders shall fully analyze, as to the district in which the hearing was held, those impacts required to be considered by this Act and rules adopted by the State land planning agency. Parties may file objections to any recommended order pursuant to Chapter 120.

(2) Without undue delay, after receipt of the last recommended order, the Board shall take final agency action by the entry of a written State Impact Review Order approving the application in whole, approving the application with such modifications or restrictions as the Board may deem appropriate or denying the application. Provided, that in order to resolve conflicting interests in recommended orders having multi-regional and statewide impact, notwithstanding the provisions of Chapter 120, the Board shall not be bound by the findings of fact or conclusions of law of any recommended order and may accept, reject or otherwise modify said findings, conclusions or recommendations. No pipeline subject to this Act shall be constructed, converted or modified without an Order authorizing such from the Board, provided the Order shall not relieve the applicant from obtaining any other required State, federal or local permits, licenses or authorizations for the project. Prior to entering its final order, the Board shall give each party a reasonable opportunity for oral argument.

Section 9. The State land planning agency shall adopt reasonable rules to implement the provisions of this Act including

rules setting forth specific areas to be analyzed under the general impact assessment subjects established in Section 4.

Section 10. This Act shall take effect upon becoming law and will apply to any proposed pipeline construction, modification or conversion included in this Act for which any permit or other authorization, whether state and federal, is granted, issued or conferred after the effective date of this Act.

Amendment 2—In title on page 1, strike lines 1 through 9, and insert:

A bill to be entitled An Act relating to natural gas and petroleum pipelines; providing definitions; providing that major natural gas or petroleum pipelines are subject to State review; providing for application for impact assessment; providing for public notice of application; providing for hearings; providing for parties; providing for State Impact Review Order by the Cabinet; providing an effective date.

On motion by Senator Scott, further consideration of CS for SB 898 was deferred.

On motion by Senator Maxwell, the rules were waived and by two-thirds vote HB 858 was withdrawn from the Committee on Transportation.

On motion by Senator Maxwell, by unanimous consent—

HB 858—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.07(2)(a), Florida Statutes, providing that tax-exempt license plates may be used on certain driver education vehicles; providing an effective date.

—a companion measure, was taken up out of order and substituted for SB 815. On motions by Senator Maxwell, HB 858 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	Grizzle	Maxwell	Skinner
Anderson	Hair	McClain	Steinberg
Beard	Henderson	McKnight	Stevens
Carlucci	Hill	Neal	Stuart
Childers, D.	Jenne	Peterson	Thomas
Dunn	Jennings	Poole	Tobiassen
Frank	Johnston	Rehm	Trask
Gersten	Langley	Renick	Vogt
Gordon	Lewis	Scott	Ware

Nays—None

SB 815 was laid on the table.

On motion by Senator Gersten, by unanimous consent—

SB 865—A bill to be entitled An act relating to district school boards; amending s. 230.201, Florida Statutes; declaring legislative intent to remedy existing inequity in s. 112.061, Florida Statutes; providing for reimbursement of travel expenses of school board members for travel from the member's residence incurred for a public purpose; providing that mileage allowance, when authorized, shall be computed from member's residence and return; providing an effective date.

—was taken up out of order and read the second time by title.

The Committee on Education recommended the following amendments which were moved by Senator Gersten and adopted:

Amendment 1—On page 1, lines 26-28, strike "An inequity exists in s. 112.061 in its provision for reimbursement of travel expense of school board members. To remedy the same, the and insert: The

Amendment 2—In title on page 1, strike lines 4 and 5

On motion by Senator Gersten, by two-thirds vote SB 865 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

On motion by Senator Gersten, the rules were waived and SB 865 after being engrossed was ordered immediately certified to the House.

Consideration of CS for CS for SB 342 was deferred.

SB 863—A bill to be entitled An act relating to taxation; amending s. 125.0165, Florida Statutes; authorizing use of the proceeds of the discretionary 1 percent sales tax for bus systems; authorizing the levy of a tax of a fraction of 1 percent in lieu of the 1 percent tax; providing for adoption of brackets by ordinance; providing an effective date.

—was read the second time by title.

The Committee on Transportation recommended the following amendment which was moved by Senator Gersten:

Amendment 1—On page 1, line 25, strike “or a bus system” and insert: *and a countywide bus system or any other transportation related purpose*

The Committee on Finance, Taxation and Claims recommended the following amendment to Amendment 1 which was moved by Senator Gersten and adopted:

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

Amendment 1 as amended was adopted.

The Committee on Transportation recommended the following amendment which was moved by Senator Gersten and adopted:

Amendment 2—In title on page 1, strike line 5, and insert: sales tax for a countywide bus system or any other transportation related purpose; authorizing the levy

On motion by Senator Gersten, by two-thirds vote SB 863 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

On motion by Senator Gersten, the rules were waived and SB 863 after being engrossed was ordered immediately certified to the House.

CS for SB's 776 and 806 by the Committee on Transportation and Senators Steinberg, Peterson and others was read the first time by title and Senate Bills 776 and 806 were laid on the table.

On motion by Senator Steinberg—

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.

—a companion measure was substituted for CS for SB's 776 and 806 and read the second time by title.

Senators Peterson and Steinberg offered the following amendments which were moved by Senator Steinberg and adopted:

Amendment 1—On page 5, strike lines 27-31, and on page 6, strike lines 1-26 and insert:

Section 5. Subsection (1), subsection (2), and paragraph (h) of subsection (3) of section 320.77, Florida Statutes, are amended to read:

320.77 License required of mobile home and recreational vehicle dealers.—

(1) DEFINITIONS.—As used in this section:

(a) “Dealer” means any person engaged in the business of buying, selling, or dealing in mobile homes or recreational vehicles or offering or displaying mobile homes or recreational vehicles for sale. *The term “dealer” includes a mobile home or recreational vehicle broker.* Any person who buys, sells, deals in, or offers or displays for sale, or who acts as the agent for the sale of, three or more mobile homes or recreational vehicles in any 12-month period shall be prima facie presumed to be a dealer. The terms “selling” and “sale” include lease-purchase transactions. The term “dealer” does not include banks and finance companies that acquire mobile homes or recreational vehicles as an incident to their regular business and does not include mobile home rental and leasing companies that sell mobile homes or recreational vehicles to dealers licensed under this section.

(b) “Mobile home or recreational vehicle broker” means any person who is engaged in the business of offering to procure or procuring mobile homes or recreational vehicles for the general public, or who holds himself out through solicitation, advertisement, or otherwise as one who offers to procure or procures mobile homes or recreational vehicles for the general public, or who acts as the agent or middleman on behalf of the owner or seller of a mobile home which is for sale or who assists or represents the seller in finding a buyer for the mobile home.

(c) ~~(b)~~ For the purposes of this section, the term “recreational vehicle” shall not include camping trailers as defined in s. 320.01(1)(b)2.

Amendment 2—In title on page 1, line 22, strike “(a)”

On motion by Senator Steinberg, by two-thirds vote HB 937 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

CS for SB's 776 and 806 was laid on the table.

SB 604—A bill to be entitled An act relating to business regulation; creating s. 509.2015, Florida Statutes, defining the term "receptive tour operator"; requiring such operators to annually register with the Division of Hotels and Restaurants of the Department of Business Regulation; providing registration fees; requiring performance bonds; providing for violations; providing penalties; providing for review and repeal in accordance with the Regulatory Sunset Act; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 10, after the period (.) insert: All amounts collected shall be deposited by the Treasurer to the credit of the Hotel and Restaurant Trust Fund pursuant to s. 509.072.

Amendment 2—On page 2, strike line 11 and insert: (4) The division may suspend or revoke the certificate of any receptive tour operator that has operated or is operating in violation of any of the provisions of this section or the rules of the division. Such operators shall not engage in business while the certificate is revoked or suspended.

(5)(a) It is a violation of this section for any

Amendment 3—On page 2, line 18, strike "\$5,000 nor more than \$20,000." and insert: \$25,000.

Amendment 4—On page 2, line 31, after the period (.) insert: All amounts collected shall be deposited by the Treasurer to the credit of the Hotel Restaurant Trust Fund pursuant to s. 509.072.

Amendment 5—On page 2, line 25 and on page 3, line 4, strike "regulation"

Amendment 6—In title on page 1, line 9, after the semicolon (;) insert: providing for suspension or revocation;

On motion by Senator Steinberg, by two-thirds vote SB 604 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

By the Committee on Transportation and Senator Margolis—

CS for SB 620—A bill to be entitled An act relating to transportation; directing the Department of Transportation to take certain action with respect to the toll charges on specified expressways in Dade County; providing an effective date.

—was read the first time by title and SB 620 was laid on the table.

On motion by Senator Margolis, by two-thirds vote CS for SB 620 was read the second time by title.

Senator Margolis moved the following amendments which were adopted:

Amendment 1—On page 2, between lines 2 and 3, insert:

Section 3. The Department of Transportation is hereby directed to conduct a study to determine the feasibility of financ-

ing construction on U. S. Highway 1 in north Dade County through the use of bonds backed by revenues from tolls to be charged on the 192nd Street Causeway. The Department of Transportation is authorized to charge such tolls on the 192nd Street Causeway for this purpose.

(Renumber subsequent section.)

Amendment 2—In title on page 1, line 5, after the semicolon (;) insert: directing the department to make a feasibility study; authorizing the charging of a toll on the 192nd Street Causeway;

On motion by Senator Margolis, by two-thirds vote CS for SB 620 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Hair

By the Committee on Appropriations and Senator Gordon (by request)—

CS for SB 777—A bill to be entitled An act relating to state financial assistance for community services and development; amending ss. 409.503(4), 409.504, 409.506, Florida Statutes; providing definitions; deleting provision for joint programs with Indian tribes; requiring local approval of application prior to submission; deleting matching fund requirement; providing formula for distribution; requiring selection of a legislator to chair a specified committee; specifying programs for which moneys in the Community Service Trust Fund may be used; specifying applicability of federal laws; creating ss. 409.610-409.615, Florida Statutes; providing legislative findings; providing definitions; creating the Community Development Block Grant Fund; providing for grant applications; providing for distribution of funds; specifying activities eligible for funding; limiting funding; providing accountability of funds; providing a penalty for misuse; providing authority of the Department of Veteran and Community Affairs; providing for legislative review; providing an effective date.

—was read the first time by title and SB 777 was laid on the table.

On motion by Senator Peterson, by two-thirds vote CS for SB 777 was read the second time by title.

Senators Peterson and Gordon offered the following amendments which were moved by Senator Peterson and adopted:

Amendment 1—On page 2, lines 7-12, strike beginning with the word "to" on line 7, all the existing language and insert: to provide community services stipulated in the *Federal Community Services Block Grant Act, sec. 675 (c) (1), and which serves individuals whose income is at or below the poverty line as established pursuant to Federal Law. in the area of human development with respect to programs which serve individuals who are either recipients or potential recipients of public assistance (5) The term "eligible entity" means any Community Action Agency or Community Action Program or migrant and seasonal farmworker organizations which received federal funds under the Community Services Block Grant Act during Federal Fiscal Year 1981-82.*

Amendment 2—On page 3, line 6, strike "409.505" and insert: 409.506 and as are necessary to assure compliance with federal funding conditions.

Amendment 3—On page 3, line 10, before the word "Trust" insert: *Funds distributed pursuant to s. 409.501-409.506 for any program shall be matched by an amount equal to twenty percent of the funds requested by the applicant. At least ten percent of the match shall be cash.*

Senators Peterson and Margolis offered the following amendments which were moved by Senator Peterson and adopted:

Amendment 4—On page 3, line 12, strike "Distribution" and insert: *For State Fiscal Year 1982-83, twenty-five percent of the funds available for distribution shall be distributed based on population if census data is not available to determine the poverty line population in the state. Thereafter, distribution*
~~Distribution~~

Amendment 5—On page 4, line 1, strike "(c)" and insert a new (c) and (d) before the existing (c) and rename (c) as (e): (c) *For State Fiscal Year 1982-83, seventy-five percent of the funds available from the Community Service Trust Fund shall be allocated to eligible entities as defined in s. 409.503 (5). Each eligible entity included in this section shall receive a pro rata share based upon Federal Fiscal Year 1981-82 funding level. No application shall be submitted unless it is first approved by the governing body of the eligible entity in an open meeting.*

(d) *The Legislature shall set the percentage to go to categories (a) and (c) above in the appropriations act for each fiscal year after 1982-83.*

(e) ~~(e)~~

Senator Peterson moved the following amendment which was adopted:

Amendment 6—On page 4, line 4, following "programs." insert: (d) *Prior to the 1983 Legislative Session the Department shall, after consultation with local units of government and other interested parties, provide a written report to the appropriate committees establishing priorities for the use of and distribution of Community Services Block Grant funds for State Fiscal Year 1983-84 and thereafter.*

Senators Peterson and Margolis offered the following amendment which was moved by Senator Peterson and adopted:

Amendment 7—On page 4, line 11, strike "local human services programs" and insert: *programs for community services local human services programs*

Senator Peterson moved the following amendments which were adopted:

Amendment 8—On page 6, lines 15 and 16, strike "Proposals shall be evaluated on the following basis:" and insert: *Factors for evaluating proposals may include, but not be limited to:*

Amendment 9—On page 7, line 6, strike "rehabilitation"

Amendment 10—On page 7, line 25, following the word "received." insert: *The public service funds requested in any grant shall not exceed 10% of the total funds requested.*

Amendment 11—On page 9, line 5, insert following the existing language a new (5) and (6): (5) *Establish a Policy Advisory Committee, composed of local elected and appointed officials and chaired by the Secretary of the department as a non-voting member. The Committee shall advise the Secretary of local government needs and provide local government input into the process for administering and distributing these funds pursuant to this act and applicable federal laws and regulations.* (6) *Establish a Technical Advisory Committee to assist the department in developing the program design, application process and selection system in accordance with this act, applicable federal laws, regulations and rules promulgated by the department.*

Senators Peterson and Gordon offered the following amendments which were moved by Senator Peterson and adopted:

Amendment 12—In title on page 1, line 5, after the word "Statutes" insert: *and adding s. 409.503(5), Florida Statutes;*

Amendment 13—In title on page 1, line 13, after the semicolon (;) insert: *requiring the provision of matching funds;*

On motion by Senator Peterson, by two-thirds vote CS for SB 777 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	McClain	Steinberg
Anderson	Hill	McKnight	Stevens
Beard	Jenne	Neal	Stuart
Carlucci	Jennings	Peterson	Thomas
Childers, D.	Kirkpatrick	Poole	Tobiassen
Dunn	Langley	Rehm	Trask
Frank	Lewis	Renick	Vogt
Gersten	Margolis	Scott	Ware
Gordon	Maxwell	Skinner	

Nays—None

Vote after roll call:

Yea—Hair

By the Committee on Education and Senator Frank—

CS for SB 805—A bill to be entitled An act relating to educational facilities; adding new subsections (14) and (15) to s. 235.011, Florida Statutes; providing definitions; amending s. 235.212, Florida Statutes; providing certain energy efficiency standards for new and renovated educational facilities; requiring that certain facilities utilize solar hot water systems; prohibiting use of fossil fuels for swimming pool heating in such facilities; adding new subsection (6) to s. 235.435, Florida Statutes; creating a Conservation and Renewable Energy Construction Account within the Public Education Capital Outlay and Debt Service Trust Fund to provide funding to identify and upgrade energy inefficient equipment in existing facilities; providing for determination of funding eligibility and priorities by the Office of Educational Facilities; providing for review and repeal; providing an effective date.

—was read the first time by title and SB 805 was laid on the table.

On motion by Senator Frank, by two-thirds vote CS for SB 805 was read the second time by title.

Senator Frank moved the following amendment which was adopted:

Amendment 1—On page 5, between lines 10 and 11, insert:

Section 3. Subsections (1) and (3) of section 243.151, Florida Statutes, are amended to read:

243.151 Lease agreements; land, facilities.—

Each university is authorized to negotiate and enter into agreements to lease land under its jurisdiction to individuals or corporations for the purpose of erecting thereon facilities and accommodations necessary and desirable to serve the needs and purposes of the university, as determined by the systemwide master plan adopted by the Board of Regents. Such agreement will be for a term not in excess of 99 years or the life expectancy of the permanent facilities constructed thereon, whichever is shorter, 40 years and shall include as a part of the consideration provisions for the eventual ownership of the completed facilities by the university. The Board of Trustees of the Internal Improvement Trust Fund upon request of the university shall lease any such property to the university for sublease as heretofore provided.

(3) The powers granted in this section shall be supplemental to those provided elsewhere in part I, and the university may do any and all things necessary to implement a lease program including the powers enumerated in part I. *Each university* ~~The board~~ shall be empowered to negotiate contracts under this section.

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

Amendment 2—On page 3, line 5, after the period "." insert: *Natural ventilation is required which will permit the satisfactory use of the facilities when ambient conditions are moderate, except in auxiliary facilities, music rooms, gyms, and other large group instruction areas.*

Senator Maxwell moved the following amendments which were adopted:

Amendment 3—On page 3, line 11, strike “shall” and insert: may

Amendment 4—On page 3, line 20, strike “shall” and insert: may

Amendment 5—On page 3, lines 21 and 22, strike “In no event shall such pools be heated directly by any fossil fuel.”

Amendment 6—In title on page 1, lines 9-11, strike “prohibiting use of fossil fuels for swimming pool heating in such facilities;”

Senator Frank moved the following amendment which was adopted:

Amendment 7—In title on page 1, line 20, after “Facilities;” insert: amending s. 243.151(1) and (3), Florida Statutes, providing for the length of facility lease agreements under specified conditions and for universities to negotiate agreements under this section;

On motion by Senator Frank, by two-thirds vote CS for SB 805 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Johnston

On motion by Senator D. Childers, the rules were waived and the Senate immediately reconsidered the vote by which CS for SB 805 as amended passed.

On motion by Senator D. Childers, the Senate reconsidered the vote by which CS for SB 805 was read the third time.

On motion by Senator Maxwell, the Senate reconsidered the vote by which Amendments 3 and 4 were adopted. Amendments 3 and 4 were withdrawn.

Senator D. Childers moved the following amendments which were adopted:

Amendment 8—On page 3, line 20, after the word “shall” insert: whenever feasible.

Amendment 9—On page 3, line 11, after the word “constructed” insert: whenever feasible.

On motion by Senator D. Childers, by two-thirds vote CS for SB 805 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Stuart
Thomas

Tobiasen
Trask

Vogt

Ware

Nays—None

Vote after roll call:

Yea—Peterson

On motion by Senator Frank, the rules were waived and CS for SB 805 after being engrossed was ordered immediately certified to the House.

By the Committee on Finance, Taxation and Claims—

CS for CS for SB 342—A bill to be entitled An act relating to excise tax on documents; creating s. 201.025, Florida Statutes, authorizing counties to impose a discretionary surtax on certain documents and prescribing uses for the revenue; providing limitations and procedures; creating s. 201.031, Florida Statutes, authorizing counties to impose an optional surtax on certain documents and prescribing uses and a distribution formula of proceeds to counties, municipalities and school boards; providing an exception; providing limitations and procedures; prohibiting counties, municipalities and school boards which receive surtax proceeds from imposing impact fees for certain uses; providing for the administration, collection, and distribution of the proceeds of the surtax; amending s. 201.15, Florida Statutes; providing that moneys raised by the local discretionary surtax not be distributed in the same manner as state documentary stamp tax collections; creating s. 201.026, Florida Statutes; requiring an annual report to the Department of Banking and Finance; amending s. 201.05, Florida Statutes; providing an exemption from original issue tax to open-end mutual funds; providing severability; providing an effective date.

—was read the first time by title and SB 342 and CS for SB 342 were laid on the table.

On motion by Senator Gordon, by two-thirds vote CS for CS for SB 342 was read the second time by title.

Senator Maxwell moved the following amendments which were adopted:

Amendment 1—On page 2, line 7, strike the period . and insert: stocks and utility bonds under s. 201.07

Amendment 2—On page 3, line 29, before the period “.” insert: , excepting, however, utility mortgager, land indenturer, and other like instruments whereby an interest is conveyed or assigned to secure the issuance and payment of bonds by utilities

Amendment 3—In title on page 1, line 12, before the word “providing” insert: providing an exception;

Senator Stevens moved the following amendment which failed:

Amendment 4—On page 1, line 17, after the semicolon insert: providing for a referendum;

Senator Steinberg moved the following amendments which failed:

Amendment 5—On page 3, line 29, after the word “subsection” insert: , provided that such surtax levied upon such documents which pertain to residential real property shall be computed upon only the amount of the consideration paid for such property which exceeds \$100,000

Amendment 6—On page 2, line 7, after the number “201.02” insert: , provided that such surtax levied upon such documents which pertain to residential real property shall be computed only upon the amount of the consideration paid for such property which exceeds \$100,000

On motion by Senator Gordon, by two-thirds vote CS for CS for SB 342 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—28

Mr. President	Gordon	Maxwell	Skinner
Anderson	Hair	McClain	Steinberg
Barron	Henderson	McKnight	Stuart
Carlucci	Jenne	Poole	Thomas
Dunn	Johnston	Rehm	Tobiasen
Frank	Kirkpatrick	Renick	Trask
Gersten	Margolis	Scott	Ware

Nays—9

Beard	Hill	Lewis	Vogt
Childers, D.	Jennings	Stevens	
Grizzle	Langley		

Vote after roll call:

Nay—Peterson

On motion by Senator Gordon, the rules were waived and CS for SB 342 after being engrossed was ordered immediately certified to the House.

On motion by Senator Trask, the rules were waived and by two-thirds vote the message from the House of Representatives containing CS for HB 747 together with the Governor's objections thereto was withdrawn from the Committee on Rules and Calendar. The vote was:

Yeas—27

Mr. President	Henderson	McClain	Stevens
Barron	Hill	Peterson	Thomas
Beard	Jennings	Poole	Tobiasen
Carlucci	Kirkpatrick	Rehm	Trask
Childers, D.	Langley	Renick	Vogt
Gordon	Lewis	Scott	Ware
Grizzle	Maxwell	Skinner	

Nays—10

Anderson	Gersten	Johnston	Stuart
Dunn	Hair	McKnight	
Frank	Jenne	Steinberg	

Vote after roll call:

Yea to Nay—Hill

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 by the required Constitutional two-thirds vote of all Members voting on March 11, 1982, the Governor's objections to the contrary notwithstanding—

CS for HB 747—(1981 Regular Session)

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

The Governor's objections attached thereto.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Honorable George Firestone
Secretary of State
The Capitol

July 2, 1981

Dear Mr. Secretary:

By the authority vested in me as Governor of Florida under the provisions of Article III, Section 8 of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections, House Bill 747 enacted by the Seventh Legislature of Florida under the Florida Constitution, 1968 Revision, during the Regular Session of 1981 and entitled:

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

This bill amends s. 402.36, Florida Statutes, to expand the scope of the controlled substances therapeutic research act to authorize the patient qualification review board (PQRB) to permit qualified cancer patients to obtain unconventional cancer therapies.

The bill, as passed, does not clearly define the authority of the Patient Qualification Review Board to disapprove questionable treatment therapies or terminate the use of a treatment shown to be dangerous. In addition, a chemical analysis of the content of a product to be used in therapy is not required under this bill even though such an analysis is necessary in order to ensure its safety. The Authority to promulgate rules makes no reference to pharmacological safety and therefore the State's responsibility to ensure the health of the citizens of Florida cannot be assured under this bill.

The bill does address the very real concern for the citizens of the State of Florida to have "compassionate access" to certain unconventional forms of cancer therapy which have unproven efficacy. CS/SB 298 which I signed into law on June 19 (Chapter 81-84) provides for an interim task force to examine a new drug permitting process for Florida.

I will ask the Patient Qualification Review Board to work closely with this Task Force in order to develop recommendations which can provide the basis for the establishment of a well defined system with appropriate safeguards for controlling the distribution and use of all treatment modalities involving new drugs, including unconventional cancer therapies. This approach recognizes the physically and emotionally destructive nature of cancer, but should allow us to respond to the need for access to unproven cancer therapies that effectively carries out the State's responsibility to protect the public's health.

For these reasons, I am withholding my approval of CS/HB 747.

Sincerely,
Bob Graham
Governor

The President put the question: "Shall the bill pass the Governor's objections to the contrary notwithstanding?"

On motion by Senator Barron, the rules were waived and time of adjournment was extended until final action on CS for HB 747 and consideration of motions, messages and announcements.

CS for HB 747 (1981 Regular Session) passed by the required constitutional two-thirds vote of all members present and was certified to the House. The vote on passage was:

Yeas—25

Mr. President	Carlucci	Henderson	Langley
Barron	Childers, D.	Jennings	Lewis
Beard	Gordon	Kirkpatrick	Maxwell

McClain	Renick	Thomas	Ware
Peterson	Scott	Tobiassen	
Poole	Skinner	Trask	
Rehm	Stevens	Vogt	

Nays—12

Anderson	Gersten	Jenne	Neal
Dunn	Grizzle	Johnston	Steinberg
Frank	Hill	McKnight	Stuart

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Jenkins on CS for HB 747 (1981 Session).

If he were present he would vote "Yea" and I would vote "Nay."

Mattox Hair, 9th District.

On motion by Senator Barron, the House was requested to return SJR 460.

On motion by Senator Dunn, the rules were waived and the Committee on Economic, Community and Consumer Affairs was granted permission to meet Monday, March 15, for one hour upon adjournment of the morning session to consider Senate Bills 836, 70 and 944, House Bills 543 and 1012, CS for HB 615 and SB 161.

On motion by Senator Barron, the rules were waived and the Committee on Apportionment was granted permission to meet at 12:30 p.m. to consider SJR 949 and SB 854.

Senator Barron moved that when the Senate adjourns it adjourn to reconvene at 1:15 p.m. The motion was adopted by two-thirds vote.

Senator Renick moved that the Senate reconsider the vote by which HB 543 was scheduled for hearing by the Committee on Economic, Community and Consumer Affairs March 15. The motion failed.

On motion by Senator Johnston, the rules were waived and by two-thirds vote Senate Bills 764 and 925 were withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Johnston, the rules were waived and by two-thirds vote SB 635 was re-referred to the Committee on Judiciary-Civil.

On motion by Senator Skinner, the rules were waived and SB 704, which passed March 11, was ordered immediately certified to the House.

On motions by Senator Stuart, the rules were waived and by two-thirds vote HB 1075 was withdrawn from the Committees on Economic, Community and Consumer Affairs; and Judiciary-Civil.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 9 and 10, has refused to recede from House Amendments 6 and 7 to CS for SB 684, again requests the Senate to concur, and passed as amended.

Allen Morris, Clerk

CS for SB 684—A bill to be entitled An act relating to long-term care facilities; amending s. 400.062(3), Florida Statutes, authorizing the regulating agency to prorate nursing home license fees when a license is issued for less than 1 year; amending s. 400.111(1), Florida Statutes, authorizing the regulating agency to issue nursing home licenses for periods of less than 1 year; modifying time frames for submitting an application for a nursing home license under certain circumstances; providing a limit on the aggregate amount which a licensee may be fined for late renewal; exempting certain licensees from late fees; amending s. 400.162(5), Florida Statutes, requiring nursing homes holding residents' personal funds to file surety bonds with the Department of Health and Rehabilitative Services; amending s. 400.427(2), Florida Statutes, modifying bonding requirements for adult congregate living facilities; providing that currently bonded nursing home and ACLF licensees need not transfer bonds; amending s. 400.402(8), (11), Florida Statutes, redefining the term "personal services"; redefining the term "supervision of self-administered medication"; amending s. 400.411, Florida Statutes; requiring notification of the Department of Health and Rehabilitative Services in certain circumstances; requiring specific information included in a license application for an adult congregate living facility; amending s. 400.418(1)(c), Florida Statutes; providing for the use of trust fund moneys; amending s. 400.417(1), Florida Statutes, providing that certain applicants for renewal licenses to operate adult congregate living facilities shall not be required to provide proof of financial ability; providing exceptions; amending s. 400.434, Florida Statutes, prohibiting random sample auditing; providing exceptions; providing for review and repeal in accordance with the Regulatory Sunset Act; providing an effective date.

Amendment 6—On page 13, line 18, insert Section 12. Subsection (3) of section 744.305, Florida Statutes, is hereby repealed. Renumber the subsequent sections.

Amendment 7—On page 2 in the title line 13, insert: repealing s. 744.305(3), Florida Statutes, relating to nonprofit corporate guardianship;

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

CS for SB 684 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

The bill was ordered engrossed and then enrolled.

On motion by Senator Carlucci, the rules were waived and by two-thirds vote HB 1 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Dunn, the Senate recessed at 12:18 p.m. to reconvene at 1:15 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:15 p.m. A quorum present—38:

Mr. President	Carlucci	Gersten	Hill
Anderson	Childers, D.	Gordon	Jenne
Barron	Dunn	Grizzle	Jennings
Beard	Frank	Henderson	Johnston

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

On motion by Senator Johnston, by two-thirds vote HB 287 was removed from the calendar and referred to the Committee on Finance, Taxation and Claims.

By permission the following committee report was received:

The Committee on Apportionment recommends the following pass: SJR 949 with 1 amendment

The bill contained in the foregoing report was placed on the calendar.

On motion by Senator Barron, by unanimous consent—

SJR 949—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.

—was taken up and read the second time by title. On motion by Senator Barron, by two-thirds vote SJR 949 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—4

Dunn	Jenne	Steinberg	Stuart
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On motion by Senator Barron, the rules were waived and SJR 949 was ordered immediately certified to the House.

On motion by Senator Barron, the rules were waived and the Senate immediately reconsidered the vote by which SJR 949 passed.

The Committee on Apportionment recommended the following amendment which was moved by Senator Barron and adopted by two-thirds vote:

Amendment 1—On page 2, line 14, strike everything after the resolving clause and insert:

Section 1. As used in this joint resolution the terms "census county division," "census tract," "block numbered area," "block group," and "enumeration district" have the same meaning and describe the same geographical boundaries as provided in the Bureau of the Census Reports of the United States Decennial Census of 1980 for the State of Florida.

Section 2. In adopting the 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 3. 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 divisions 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 220.02; 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, 314.02, 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, 33, 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 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.

(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 4. The state is hereby divided into 80 consecutively numbered, single-member representative districts of contiguous territory as follows:

(1) DISTRICT 1 is composed of that part of Escambia County included in census county divisions 005, 007, and 030; and that part of Escambia County included in census tracts 11.01, 11.02, 12.01, 12.02, 14.02, 30, 32.01, 32.02, 33.01, 33.02, 33.03, 34, 35.01, and 35.02 of census county division 035; and that part of Escambia County included in block group 7 of census tract 10.01 of census county division 035; and that part of Santa Rosa County included in census county division 016.

(2) DISTRICT 2 is composed of that part of Escambia County included in census tracts 1, 2, 3, 4, 5, 6, 7, 7.99, 8, 9, 10.02, 13, 14.01, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24.99, 25, 26.01, 26.02, 27, 28, 29, and 31 of census county division 035; and that part of Escambia County included in block groups 1, 6, and 8 of census tract 10.01 of census county division 035; and that part of Santa Rosa County included in census tract 109 of census county division 010.

(3) DISTRICT 3 is composed of Holmes County; and that part of Jackson County included in census county divisions 005, 010, 015, 025, 030, and 035; 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 of census county division 015; 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 of census county division 010; and that part of Walton County included in census county divisions 005 and 015.

(4) DISTRICT 4 is composed of Washington County; and that part of Bay County included in census county division 005; and that part of Bay County included in census tract 27 of census county division 022; and that part of Bay County included in census tracts 1 and 2 of census county division 025; 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 of census county division 015; and that part of Walton County included in census county divisions 010 and 020.

(5) DISTRICT 5 is composed of Calhoun, Franklin, Gulf, Liberty, and Wakulla Counties; and that part of Bay County included in census county divisions 010, 020, and 035; and that part of Bay County included in census tracts 26 and 26.99 of census county division 022.

(6) DISTRICT 6 is composed of Gadsden County; and that part of Jackson County included in census county divisions 020, 040, and 045; 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 of census county division 005.

(7) DISTRICT 7 is composed of Jefferson and Taylor Counties; 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 of census county division 005; and that part of Madison County included in census county division 005.

(8) DISTRICT 8 is composed of Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Suwannee, and Union Counties; and that part of Baker County included in census county division 010; 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; and that part of Madison County included in census county division 011.

(9) DISTRICT 9 is composed of Bradford County; 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 of census county division 005; and that part of Baker County included

in census county division 005; and that part of Marion County included in census tract 2 of census county division 030; and that part of Putnam County included in census county division 021.

(10) DISTRICT 10 is composed of Nassau County; and that part of Duval County included in census tracts 101, 102.01, 102.02, 103, 104, 105, 106, 107, 108, 109, 117, 118, 119.01, 119.02, 120, 121, and 122 of census county division 035.

(11) DISTRICT 11 is composed of 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, 110, 111, 112, 113, 114, 115, and 116 of census county division 035.

(12) DISTRICT 12 is composed of 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, 147, 148, 149.01, 150.01, 150.02, 151, 152, 153, 154, 156, and 157 of census county division 035.

(13) DISTRICT 13 is composed of that part of Duval County included in census tracts 6, 7, 8, 138, 138.99, 139.01, 139.02, 139.03, 143.02, 145, 146, 149.02, 155, 158.01, 158.02, 159.01, 159.02, 160, 161, 162, 163, 164, 165, 166.01, and 166.02 of census county division 035.

(14) DISTRICT 14 is composed of Clay County; and that part of Duval County included in census tracts 129, 130, 131, 132, 133, 134.01, 134.02, 135.01, 135.02, 136, 137.01, and 137.02 of census county division 035.

(15) DISTRICT 15 is composed of Flagler and St. Johns Counties; and that part of Duval County included in census tracts 140, 141, 142, 143.01, 144, 167.01, 167.02, and 168 of census county division 035.

(16) DISTRICT 16 is composed of that part of Volusia County included in census county divisions 006, 025, 035, and 050; and that part of Volusia County included in census tract 824.01 of census county division 045; and that part of Volusia County included in block groups 1, 2, 3, and 4 of census tract 824.02 of census county division 045.

(17) DISTRICT 17 is composed of that part of Volusia County included in census county divisions 001, 010, 020, and 040; and that part of Volusia County included in census tract 908 of census county division 008; and that part of Volusia County included in enumeration districts 82, 83, 87, and 88 of census tract 909 of census county division 008; and that part of Volusia County included in census tracts 910.01, 910.02, 910.03, and 910.05 of census county division 018; and that part of Volusia County included in census tracts 824.03, 825.01, and 825.02 of census county division 045; and that part of Volusia County included in block group 5 of census tract 824.02 of census county division 045.

(18) DISTRICT 18 is composed of that part of Marion County included in census county divisions 010, 018, and 020; and that part of Marion County included in census tract 5 of census county division 015; and that part of Marion County included in census tracts 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 of census county division 025; and that part of Marion County included in census tract 1 of census county division 030; and that part of Putnam County included in census county divisions 005, 010, and 025.

(19) DISTRICT 19 is composed of 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 of census county division 005; and that part of Citrus County included in enumeration districts 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, and 150 of census county division 005; and that part of Citrus County included in enumeration districts 123, 124, 125, 126, 130, 131, 132, 133, and 136 of census county division 010; 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, and 333 of census county division 015.

(20) DISTRICT 20 is composed of Hernando County; and that part of Citrus County included in enumeration districts 151 and 152 of census county division 005; and that part of Citrus County included in enumeration districts 127, 128, 129, 134, 135, 137, 138, and 153 of census county division 010; and that part of Levy County included in enumeration district 353

of census county division 005; and that part of Pasco County included in census tract 309 of census county division 020; and that part of Pasco County included in census tracts 301, 310, 311, 312, 313, and 318 of census county division 025.

(21) DISTRICT 21 is composed of Sumter County; and that part of Lake County included in census county divisions 005, 015, 020, 025, and 030; and that part of Lake County included in census tracts 302.01 and 302.02 of census county division 010; and that part of Marion County included in census county division 005; and that part of Marion County included in census tract 6 of census county division 015; and that part of Marion County included in census tract 12 of census county division 025.

(22) DISTRICT 22 is composed of that part of Lake County included in census county divisions 022, 040, 045, and 050; and that part of Lake County included in census tract 302.03 of census county division 010; and that part of Seminole County included in census tracts 214.01, 215.01, 215.02, 215.03, 215.04, 216.01, 216.02, 216.03, 219.01, 219.02, 220.01, and 220.02 of census county division 009; and that part of Seminole County included in census tracts 206, 207, 208.01, and 208.02 of census county division 020; and that part of Volusia County included in enumeration district 84 of census tract 909 of census county division 008; and that part of Volusia County included in census tract 910.04 of census county division 018.

(23) DISTRICT 23 is composed of that part of Orange County included in census county division 005; and that part of Orange County included in census tracts 158.02, 159.01, 159.02, 160.01, 160.02, 161, 162, 163.01, 163.02, and 164.01 of census county division 040; and that part of Orange County included in census tracts 164.03, 165.01, and 165.02 of census county division 075; and that part of Seminole County included in census tracts 217.01, 217.02, 218.01, 218.02, 220.03, and 222.01 of census county division 009.

(24) DISTRICT 24 is composed of 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, and 158.01 of census county division 040.

(25) DISTRICT 25 is composed of 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, 137, 139, 144, 145, 146.01, 146.02, 146.03, 147, and 164.02 of census county division 040; and that part of Orange County included in block group 4 of census tract 138 of census county division 040.

(26) DISTRICT 26 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 135.01, 135.02, 136.01, 136.02, 140, 141, 142, 143.01, 143.02, 168.01, 168.02, 169.01, and 169.02 of census county division 040; and that part of Orange County included in block groups 1, 2, 3, and 5 of census tract 138 of census county division 040; and that part of Orange County included in census tract 167.02 of census county division 075.

(27) DISTRICT 27 is composed of that part of Brevard County included in census tracts 602 and 711 of census county division 035; and that part of Orange County included in census county division 015; and that part of Orange County included in census tract 134.02 of census county division 040; and that part of Orange County included in census tracts 167.01 and 167.03 of census county division 075; 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 214.02, 221.01, 221.02, and 222.02 of census county division 009; 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, and 211 of census county division 020.

(28) DISTRICT 28 is composed of that part of Brevard County included in census county divisions 004, 031, and 033; and that part of Brevard County included in census tracts 621, 622, 623, 624, 626, 627, and 628 of census county division 010; and that part of Brevard County included in census tracts 601, 603, 604, 605, 606, 607, 608, 609, 610, 611, and 612 of census county division 035.

(29) DISTRICT 29 is composed of that part of Brevard County included in census county divisions 020, 025, 028, and

040; and that part of Brevard County included in census tracts 625, 629, 630, 631, and 712 of census county division 010.

(30) DISTRICT 30 is composed of Indian River County; and that part of Brevard County included in census county divisions 023 and 032; and that part of St. Lucie County included in census tracts 1, 2, 3, 5, 9, 10, 11, 12, and 12.99 of census county division 005; and that part of St. Lucie County included in census tract 13 of census county division 011.

(31) DISTRICT 31 is composed of Glades, Highlands, and Okeechobee Counties; and that part of De Soto 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 040 and 070; and that part of Polk County included in census tract 159 of census county division 010; 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 of census county division 005.

(32) DISTRICT 32 is composed of that part of Polk County included in census tracts 148, 149, 150, 151, 152, 153, 160, and 161 of census county division 010; and that part of Polk County included in census tracts 127 and 141 of census county division 045; and that part of Polk County included in census tracts 128, 129, 132, 133, 134, 135, 136, 137.01, 137.02, 138, 139, 140, 145, 146, and 147 of census county division 096.

(33) DISTRICT 33 is composed of that part of Osceola County included in census county division 005; and that part of Polk County included in census tracts 124, 125, and 126 of census county division 045; and that part of Polk County included in census tracts 102, 103, 104, 105, 106, 115, 116, 117.01, 117.02, and 118 of census county division 055; and that part of Polk County included in census tracts 130 and 131 of census county division 096.

(34) DISTRICT 34 is composed of 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 of census county division 005; and that part of Polk County included in census tracts 101, 107, 108, 109, 110, 111, 112.01, 112.02, 113, 114, 119, 120.01, 120.02, 121, 122, and 123 of census county division 055.

(35) DISTRICT 35 is composed of that part of Hillsborough County included in census county division 010; and that part of Hillsborough County included in census tracts 111 and 116.02 of census county division 065; and that part of Hillsborough County included in block groups 2, 3, 5, and 9 of census tract 116.01 of census county division 065; and that part of Pasco County included in census tract 320 of census county division 005; and that part of Pasco County included in census tracts 303, 304, 305, 306, 307, 308, 314, 315, 316, and 317 of census county division 020; and that part of Pasco County included in census tract 302 of census county division 025.

(36) DISTRICT 36 is composed of that part of Pinellas County included in census county division 055; and that part of Pinellas County included in census tracts 265, 266.02, 267.01, 267.02, 267.03, 268.04, 268.05, 268.06, 269.03, 269.04, 269.05, 269.06, 269.07, 271.01, 271.02, and 271.03 of census county division 020; and that part of Pinellas County included in block group 4 of census tract 270 of census county division 020.

(37) DISTRICT 37 is composed of that part of Pinellas County included in census tracts 245.03, 245.04, 253.02, 253.03, 254.01, 254.04, 254.05, 254.06, 254.07, 254.08, 259.09, 255.01, 255.03, 255.04, 256.01, 258, 259.01, 261, 262, 263, 264, 266.01, 268.03, and 268.07 of census county division 020; and that part of Pinellas County included in block groups 1, 2, and 3 of census tract 270 of census county division 020; and that part of Pinellas County included in census tract 245.02 of census county division 050.

(38) DISTRICT 38 is composed of that part of Pinellas County included in census tracts 251.11, 251.12, 251.13, 251.14, 251.15, 251.16, 251.19, and 277.02 of census county division 015; and that part of Pinellas County included in census tracts 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, and 276.02 of census county division 020; and that part of Pinellas County included in census tracts 225.02, 225.03, 226.02, 250.01, and 250.03 of census county division 050; and that part of Pinellas County included in block groups 3, 4, 5, 6, and 9 of census tract 250.05 of census county division 050.

(39) DISTRICT 39 is composed of that part of Pinellas County included in census tract 250.06 of census county division 020; and that part of Pinellas County included in census tracts 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, 240.03, and 250.04 of census county division 050; and that part of Pinellas County included in block group 1 of census tract 250.05 of census county division 050.

(40) DISTRICT 40 is composed of that part of Pinellas County included in census county division 052; and that part of Pinellas County included in census tracts 251.06, 251.07, 251.08, 251.09, 251.10, 251.17, 251.18, 277.01, and 278 of census county division 015; and that part of Pinellas County included in census tracts 222, 223.01, 223.02, 224.01, 224.02, 225.01, 226.01, 227, 228.01, 228.02, 229.01, 233, 235, 238, 281.01, 281.02, 282, 283, 284.01, 284.02, and 285 of census county division 050.

(41) DISTRICT 41 is composed of 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, 234, 236, 237, 240.01, 240.02, and 240.03 of census county division 050.

(42) DISTRICT 42 is composed of that part of Hillsborough County included in census tracts 4, 26, 46, 47, 58, 59, 64, 65, 71, 72, 72.99, 73, 112.02, 113, 116.03, 116.04, 116.05, 117.01, 117.02, 118.01, 118.02, 119.01, 119.02, and 119.03 of census county division 065; and that part of Hillsborough County included in block group 4 of census tract 116.01 of census county division 065.

(43) DISTRICT 43 is composed of that part of Hillsborough County included in census tracts 2, 3, 5, 6, 7, 11, 12, 13, 14, 15, 23, 24, 25, 27, 28, 45, 48, 54, 57, 60, 61, 62, 63, 66, 67, 68, 69, and 70 of census county division 065.

(44) DISTRICT 44 is composed of that part of Hillsborough County included in census tracts 135.01 and 135.02 of census county division 040; and that part of Hillsborough County included in census tracts 8, 9, 10, 16, 17, 18, 19, 20, 21, 22, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 49, 50, 51, 53, 53.99, 55, 105, 120.01, and 120.02 of census county division 065.

(45) DISTRICT 45 is composed of that part of Hillsborough County included in census county division 080; and that part of Hillsborough County included in census tracts 121.01, 121.02, 122.01, 122.02, 123.01, and 133.01 of census county division 006; and that part of Hillsborough County included in group block 2 of census tract 123.02 of census county division 006; and that part of Hillsborough County included in census tracts 136, 136.99, and 137 of census county division 040; 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, and 112.01 of census county division 065.

(46) DISTRICT 46 is composed of that part of Hillsborough County included in census county divisions 025, 045, 060, and 085; and that part of Hillsborough County included in census tracts 132, 133.02, 133.03, and 134 of census county division 006; and that part of Hillsborough County included in block groups 1, 3, 4, 5, 6, and 7 of census tract 123.02 of census county division 006.

(47) DISTRICT 47 is composed of Hardee County; and that part of Charlotte County included in census county division 010; and that part of De Soto County included in census county division 010; and that part of De Soto 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 of census county division 035; and that part of Manatee County included in census county divisions 015, 030, and 035.

(48) DISTRICT 48 is composed of that part of Manatee County included in census county division 010.

(49) DISTRICT 49 is composed of that part of Sarasota County included in census county division 012; and that part of Sarasota County included in census tracts 1, 2, 2.99, 3, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19.01, and 19.02 of census county division 015.

(50) DISTRICT 50 is composed of that part of Charlotte County included in census county divisions 004 and 007; and

that part of Sarasota County included in census county divisions 006, 008, 011, 013, and 035; and that part of Sarasota County included in census tract 13 of census county division 015.

(51) DISTRICT 51 is composed of that part of Lee County included in census county divisions 011, 021, 045, and 050; and that part of Lee County included in census tracts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19 of census county division 030.

(52) DISTRICT 52 is composed of Collier County; and that part of Lee County included in census county divisions 016 and 023; and that part of Lee County included in census tract 5 of census county division 030; and that part of Lee County included in census tract 401 of census county division 035.

(53) DISTRICT 53 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 tract 70 of census county division 015; and that part of Palm Beach County included in census tracts 59.02, 60.01, 66.01, and 69.01 of census county division 020; and that part of Palm Beach County included in block groups 2, 3, and 4 of census tract 59.01 of census county division 020; and that part of Palm Beach County included in census tract 79.02 of census county division 035.

(54) DISTRICT 54 is composed of that part of Martin County included in census county divisions 010 and 015; and that part of Martin County included in census tracts 11, 12, 13, 14, and 15 of census county division 013; and that part of Palm Beach County included in census tract 79.01 of census county division 035; and that part of Palm Beach County included in census tracts 78.01, 78.02, and 78.03 of census county division 077; and that part of St. Lucie County included in census tracts 4, 6, 7, 14, 15, and 16 of census county division 005; and that part of St. Lucie County included in census tract 17 of census county division 011; and that part of St. Lucie County included in census tracts 18, 19, 20, and 21 of census county division 016.

(55) DISTRICT 55 is composed of that part of Martin County included in census tract 16 of census county division 013; and that part of Palm Beach County included in census county divisions 045 and 070; and that part of Palm Beach County included in census tracts 14.02, 16, 17, 22, 23, and 35.01 of census county division 080.

(56) DISTRICT 56 is composed of that part of Palm Beach County included in census tracts 55, 56, 57, 60.02, 61, 62.01, 62.03, 63, 65.02, 66.02, 67, and 68 of census county division 020; and that part of Palm Beach County included in census tracts 44 and 51 of census county division 050; and that part of Palm Beach County included in census tracts 18.01, 18.02, 19.01, 19.02, 20, 21, 24, 25, 26, 28, 33, 34, 36, and 37 of census county division 080.

(57) DISTRICT 57 is composed of that part of Palm Beach County included in census tracts 58.01 and 58.02 of census county division 020; and that part of Palm Beach County included in block groups 1 and 9 of census tract 59.01 of census county division 020; and that part of Palm Beach County included in census tracts 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, and 50 of census county division 050; and that part of Palm Beach County included in census tracts 29, 30, 31.01, 31.02, and 32 of census county division 080.

(58) DISTRICT 58 is composed of that part of Broward County included in census tracts 103.01, 103.02, and 104 of census county division 015; and that part of Palm Beach County included in census tracts 71, 72.01, 72.02, 72.03, 73.01, 73.02, 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 of census county division 015; and that part of Palm Beach County included in census tracts 54.02, 54.03, 62.02, 64, 65.01, 69.02, 74.01, and 74.02 of census county division 020; and that part of Palm Beach County included in census tracts 52.01, 52.02, 53, and 54.01 of census county division 050; and that part of Palm Beach County included in census tracts 27, 35.02, and 35.03 of census county division 080.

(59) DISTRICT 59 is composed of that part of Broward County included in census tracts 101, 102, 105, 106, 107, 108, 109, 110, and 301 of census county division 015; and that part of Broward County included in census tracts 201, 204.01, and 205 of census county division 037; and that part of Broward County included in block groups 2 and 5 of census tract 202.02 of census county division 037; and that part of Broward County

included in census tracts 302, 303, 304, 305, 306, 307.01, 307.02, 311, and 312.01 of census county division 050.

(60) DISTRICT 60 is composed of that part of Broward County included in census tracts 401, 402.01, 402.02, 403, 404, 405.01, 408, 501, 502.01, 504, 505, 506, 507, 509, and 510 of census county division 020; and that part of Broward County included in block groups 1 and 2 of census tract 502.02 of census county division 020; and that part of Broward County included in census tracts 308.01, 308.02, 309, 310, and 312.02 of census county division 050.

(61) DISTRICT 61 is composed of that part of Broward County included in census tracts 503.01, 503.02, 503.03, 503.04, and 508 of census county division 020; and that part of Broward County included in block groups 3, 4, and 9 of census tract 502.02 of census county division 020; and that part of Broward County included in census tracts 601.02, 602.02, 602.03, 603, 604, 605.01, 605.02, 606.01, 606.02, 607, 608, and 609 of census county division 043.

(62) DISTRICT 62 is composed of that part of Broward County included in census county division 003; and that part of Broward County included in census tracts 202.01, 202.03, 203.01, 203.02, 203.03, 203.04, 203.05, 203.06, 203.07, 204.02, and 204.03 of census county division 037; and that part of Broward County included in block groups 3 and 4 of census tract 202.02 of census county division 037; and that part of Broward County included in census tracts 601.01, 601.03 and 602.01 of census county division 043.

(63) DISTRICT 63 is composed of that part of Broward County included in census county division 010; and that part of Broward County included in census tracts 411, 412, 413, 414, 429, and 430 of census county division 020; and that part of Broward County included in census tract 803 of census county division 030; and that part of Broward County included in census tracts 601.04, 610.01, 610.02, and 611 of census county division 043.

(64) DISTRICT 64 is composed of that part of Broward County included in census tracts 405.02, 406, 407, 409, 410, 415, 416, 417, 418, 419, 420, 421, 422, 422.99, 423, 424, 425, 426, 427, 428, 431, 432, and 433 of census county division 020; and that part of Broward County included in census tracts 802, 804.01, and 804.02 of census county division 030.

(65) DISTRICT 65 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, 918, 919, 920, and 921 of census county division 030; and that part of Broward County included in block groups 2, 3, 4, and 5 of census tract 908 of census county division 030; and that part of Broward County included in census tract 1008 of census county division 038.

(66) DISTRICT 66 is composed of that part of Broward County included in census tracts 905, 906, 907, 909, 910, 911, 912, 913, 914, 916, and 917 of census county division 030; and that part of Broward County included in block group 1 of census tract 908 of census county division 030; and that part of Broward County included in census tracts 1101, 1102, 1103, and 1104.01 of census county division 038.

(67) DISTRICT 67 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, 2.04, 96, 97.01, 97.02, and 98 of census county division 045; and that part of Dade County included in block groups 1, 2, 3, 4, and 5 of census tract 2.03 of census county division 045; and that part of Dade County included in census tract 1.01 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.

(68) DISTRICT 68 is composed of that part of Dade County included in census tracts 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, and 22.01 of census county division 045; and that part of Dade County included in block group 6 of census tract 2.03 of census county division 045; and that part of Dade County included in census tract 38 of census county division 050.

(69) DISTRICT 69 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, and 11.03 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.

(70) DISTRICT 70 is composed of that part of Dade County included in census tracts 6.01, 6.03, 6.04, 6.05, 6.06, 8.01, 8.02, and 93.02 of census county division 020; and that part of Dade County included in census tracts 5.01, 5.02, and 5.03 of census county division 045; and that part of Dade County included in census tracts 100.01, 100.05, 100.06, and 100.08 of census county division 085.

(71) DISTRICT 71 is composed of that part of Dade County included in census tracts 6.02, 7.01, 7.03, 7.04, 16.01, 16.02, 92, 93.03, 93.04, 93.05, 101.02, 101.06, and 101.07 of census county division 020; and that part of Dade County included in census tracts 47.01, 47.02, and 47.03 of census county division 045; and that part of Dade County included in census tract 100.07 of census county division 085.

(72) DISTRICT 72 is composed of that part of Dade County included in census tracts 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.

(73) DISTRICT 73 is composed of that part of Dade County included in census tracts 26, 27.01, 27.02, 28, 30.01, 31, 34, 36.01, 37.01, 61.01, 62, 63.01, 63.02, 64, 65, 66, 67.02, 69, 70.01, 70.02, 71, and 72 of census county division 045.

(74) DISTRICT 74 is composed of that part of Dade County included in census county division 035; and that part of Dade County included in census tracts 37.02, 37.99, 67.01, 68, and 73 of census county division 045; and that part of Dade County included in census tracts 39.01, 39.02, 39.04, 39.05, 39.06, 40, 41.01, 41.02, 42, 43, 44, 45, and 45.99 of census county division 050.

(75) DISTRICT 75 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, and 59.02 of census county division 045.

(76) DISTRICT 76 is composed of that part of Dade County included in census tracts 101.09, 101.10, and 101.11 of census county division 028; and that part of Dade County included in census tract 84.01 of census county division 030; and that part of Dade County included in census tracts 59.01, 59.03, 59.04, 60.01, 60.02, 76.01, 76.02, 76.03, 77.02, and 77.03 of census county division 045; and that part of Dade County included in census tracts 85.01, 85.02, and 86 of census county division 120.

(77) DISTRICT 77 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 101.03 and 101.08 of census county division 028; and that part of Dade County included in block groups 5, 6, and 9 of census tract 103 of census county division 110; and that part of Dade County included in census tracts 77.01, 87, 88.01, 88.02, 89.01, 89.02, and 89.03 of census county division 120.

(78) DISTRICT 78 is composed of that part of Dade County included in census tracts 101.12, 101.13, and 101.14 of census county division 028; and that part of Dade County included in census tracts 78.02, 78.03, 79.01, 79.02, 83.03, 84.04, and 84.05 of census county division 030; and that part of Dade County included in census tracts 61.02, 74, 75.01, 75.02, 75.03, and 76.04 of census county division 045; and that part of Dade County included in census tracts 102 and 104 of census county division 110; and that part of Dade County included in block groups 2, 3, and 4 of census tract 103 of census county division 110.

(79) DISTRICT 79 is composed of that part of Dade County included in block group 1 of census tract 109 of census county division 025; and that part of Dade County included in block group 1 of census tract 110 of 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, and 84.03 of census county division 030; and that part of Dade County included in census tracts 105, 106.01, 106.02, 106.03, 107.01, and 108 of census county division 110.

(80) DISTRICT 80 is composed of Monroe County; and that part of Dade County included in census tracts 111, 112, 113, and 114 of census county division 025; and that part of Dade County included in block group 2 of census tract 109 of census

county division 025; and that part of Dade County included in block groups 2, 3, 4, and 9 of census tract 110 of census county division 025; and that part of Dade County included in census tract 107.02 of census county division 110.

Section 5. 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 6. 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.

SJR 949 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—4

Dunn	Jenne	Steinberg	Stuart
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On motion by Senator Barron, the rules were waived and SJR 949 after being engrossed was ordered immediately certified to the House.

Senator Thomas moved that the following remarks be printed in the Journal:

Senator Barron: Mr. President and Senators, as we talked about early in the session, when we passed the bill on apportionment, on the third day of the session, we anticipated that if we were not in some kind of agreement by about now that we would send to the House of Representatives an alternative bill for them to consider. We have just met in the committee, taking the measure up, and I would like to tell you quickly what it does.

We have made every effort, as your chairman and as various members of the Senate, to get agreement with the House on the apportionment plans, which we have passed, which are very good, both the House and the Senate. And the only real debate has been as to whether or not the odd-numbered Senators should run.

We have offered to the House, and we have discussed with the House, all kinds of language, and I have talked with many of you about neutral language that would get us in the court so that the court can rule on the plans that we have passed.

The first language that we had was that, "the Senator should be elected for four-year terms from each odd-numbered district." That was in the bill. The House rejected that.

Another alternative that we had was that "in the event the Constitution of the State of Florida is construed by the Supreme Court to require the elections should be held in 1982 for all Senate districts, then Senators elected from odd-numbered districts will be elected to two-year terms in November of 1982." We were not able to get them to accept that.

Another alternative was, "terms of members of the Senate shall be as mandated in the Constitution of Florida." After all that's where the decision must be finally made. That was re-

jected. The next alternative that we discussed was, "election of members and terms of members of the Senate shall be as provided in the Constitution of Florida." That was rejected.

The next one we had was, "election and terms of the Senate shall be as contained in the constitution, as interpreted by the Supreme Court," which is where it must go. And that has not been agreed to.

And the one that our attorneys for the House and the Senate worked out last evening, or yesterday, and was considered last evening was, "the issue of election and terms of Senators should be determined in accordance with the Constitution of the State of Florida as interpreted by the Supreme Court, and the decision of the Supreme Court as to the apportionment of Florida and terms of members shall be binding on all the citizens." And that has not been agreed to, so we now have presented to you, or will have to present to you, a plan that would reduce the size of the House from 120 members to 80 members.

Now in 1972, when some of you were in the Legislature, we had a gentleman's agreement, when Mr. Pettigrew was Speaker, that the House would be reduced; and the Capitol was built, and the House chamber was constructed for an 80-member House; and we voluntarily, in the Senate, did reduce the number of Senators from 48 to 40. The House increased their membership from 119 to 120.

We are concerned, vitally concerned, in this country, and in this state, with a lack of funds for the necessary operation of our government. And let me tell you what the savings would be if we did reduce the size of the House. It would be 4.4 million dollars. With that money, we could provide care for 2,739 aid-to-dependent-children, 193 retarded children, 725 children with cerebral palsy, as being treated by the State; 280 students could be supported at the School for the Deaf and Blind; 5,118 elderly citizens could receive community care for the elderly; and we could put on 311 additional policemen to fight crime; if the House, in its wisdom, elects to pass this bill.

What does the bill do relative to apportionment? Let me compare the House part of this bill with the House bill on House apportionment. We will have black access of 19 percent. The House will have 16 percent. Hispanic access in our house bill of 5 percent; the House will have 4 percent. Hispanic majority of 6 percent; the House will have 6 percent; or a total majority access—minority access—of 34 percent for the Senate House plan and 31 percent for the House House plan. Counties not split will be 32 under this plan, 30 in the House plan. Only two other states are . . . The deviation will be less than 1 percent on each side of normal.

Two other states, Wisconsin and Ohio, have three single-member-district houses. Eight states have two Houses with single-member districts with one Senate district and the House's members nested as the House has said they wanted them to be. All we do is nest in this plan that we have here today.

The shift in the philosophy in the country today is to move to smaller legislatures and I'm sure that if the people had an opportunity to vote on this plan that they would accept it. I have no doubt about that.

The important part of passing this plan, if the House does not take it, it will be available to the court so that the court can reduce the size of the House of Representatives thereby saving, over a period of years, millions and millions and millions of dollars.

It's significant, I think, that all states that have apportioned, and I have read them all to you before, no one has ever raised the question that the members of the Senate terms be shortened. It's significant, I think, that all courts who have ruled on the question of whether or not the terms be shortened, no court has ruled to truncate or shorten the terms of members who have been elected under the constitution for four years.

You ask why we are doing this now. We're doing it as another vehicle for the House to consider, and for the court to consider, in the event we are unsuccessful in reaching an agreement with the House. We have the plan here. I believe we have someone from the staff that will point out exactly what it does.

Senator Barron moved that the following remarks be printed in the Journal:

Senator Jenne: Mr. President, as some members should know I preferred a 120 in the plan that we sent down. I think that with the 80-type plan we need more study, but I think that my vote should clearly reflect one point of view.

Senator Barron has made an offer to the House of Representatives and I'd like to repeat that. It says, "the issue of elections and terms of Senators shall be provided in the Constitution of the State of Florida, as interpreted by the Supreme Court of Florida." That, in my mind, is a fair and equitable offer to the House of Representatives.

I think Senator Barron, whom we have not always agreed with one another on this floor, has gone the extra mile on the question of reapportionment. He has attempted to make, in effect, a fair offer to the House of Representatives.

I do not want my vote, in any manner, interpreted as dissenting from that offer, because I don't even think. . . . It's a fair offer, it goes the extra mile. I commend him for that action. While I do not agree with this particular plan, I do think that the House should accept the language, including the phrase, "elections and terms." Thank you, Mr. President.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 11 was corrected and approved.

On motion by Senator Dunn, the Senate adjourned at 1:52 p.m. to convene at 10:00 a.m., Monday, March 15.