



# Journal of the Senate

Number 3—Special Session D

Tuesday, April 6, 1982

## Bill Action Summary

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SB 6D	Passed
SB 7D	Introduced
SB 8D	Identical House Bill (HB 9D) Passed
SB 9D	Identical House Bill (HB 8D) Passed
SB 10D	Passed as amended
SB 11D	Passed as amended
SB 12D	Read third time
HB 8D	Passed
HB 9D	Passed

The Senate was called to order by the President at 2:00 p.m. A quorum present—37:

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

Excused: Senator Grizzle until 2:45 p.m.; Senators Gordon and Hair

Prayer by Dr. Joe C. Jenkins, father of Senator Dan Jenkins and retired Baptist minister, Tallahassee:

Our Father, we're thankful this afternoon for our representative form of government, and for each one of these legislators present to direct the affairs of our State.

We ask for divine wisdom and for divine guidance for them in the closing days of this special session.

We would also remember Senator Gordon in his illness, and pray that your hand of mercy and of healing might be extended to him.

These things we ask with prayer and thanksgiving. Amen.

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

### Conference Committee Appointments

The President announced that conferees on appropriations and taxation would also serve as conferees on public education capital outlay, HB 4-D.

The President announced on March 30 that Senators Poole and Rehm had been added as alternates on the conference committee on Appropriations and Taxation to consider budget items only.

The President advised that because of the necessary absence of Senator Gordon, he had appointed Senator Thomas to serve on the Conference Committee on Congressional Redistricting.

On motion by Senator Peterson, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senators Peterson, W. D. Childers, Margolis, Hill, Steinberg, McKnight, Jenne and Anderson—

SB 11-D—A bill to be entitled An act relating to schools; providing for instruction in writing skills; providing a formula for allocating funds for such instruction; providing school district eligibility requirements; requiring the Department of Education to establish criteria for determining if teaching writing is a primary emphasis; providing an effective date.

—which was read the first time by title and referred to the Committees on Education and Appropriations.

On motions by Senator Peterson, by two-thirds vote SB 11-D was withdrawn from the Committees on Education and Appropriations and taken up instanter.

On motion by Senator Peterson, by two-thirds vote SB 11-D was read the second time by title.

Senator Peterson offered the following amendment which was adopted:

Amendment 1—On page 1, line 23, insert: Section 1. This act shall be known as the Jack Gordon Writing Skills Act of 1982.

(Renumber subsequent sections.)

All members present were recorded as co-sponsors of Amendment 1.

On motion by Senator Peterson, by two-thirds vote SB 11-D as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Grizzle

On motion by Senator McKnight, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senator McKnight—

SB 6-D—A bill to be entitled An act relating to emergency and nonemergency medical services; reviving and readopting, notwithstanding the Regulatory Sunset Act, the Florida Emergency and Nonemergency Medical Services Act; amending s. 401.21, Florida Statutes; providing a short title; creating s. 401.211, Florida Statutes; providing legislative intent; amending s. 401.23, Florida Statutes; providing definitions; creating s. 401.235, Florida Statutes; authorizing the appointment of an advisory council; providing for membership, expenses, and

terms; amending s. 401.24, Florida Statutes; providing for a comprehensive state plan; amending s. 401.25, Florida Statutes; providing for basic life support ambulance service licenses and nonemergency medical transportation service licenses; authorizing self-insurance; deleting provisions relating to temporary licenses; creating s. 401.251, Florida Statutes; providing for advanced life support service licenses; requiring a medical director; creating s. 401.252, Florida Statutes; providing for inter-hospital transfer; amending s. 401.26, Florida Statutes; providing for basic life support ambulance service vehicle permits; deleting provisions relating to temporary permits; creating s. 401.265, Florida Statutes; providing for advanced life support service vehicle permits; amending s. 401.27, Florida Statutes; requiring two emergency medical technicians; providing for certification of emergency medical technicians and paramedics; prohibiting an uncertified person from holding himself out as an emergency medical technician or paramedic; providing penalties; creating s. 401.281, Florida Statutes; providing standards for ambulance drivers; amending s. 401.30, Florida Statutes; providing for maintenance of records; amending s. 401.31, Florida Statutes; providing for inspections; amending s. 401.33, Florida Statutes; providing exemptions; amending s. 401.34, Florida Statutes; providing for establishment, collection, and disposition of fees; amending s. 401.35, Florida Statutes; providing for adoption of rules; amending s. 401.36, Florida Statutes; relieving specified persons from liability; amending s. 401.38, Florida Statutes; providing for participation in federal programs; amending s. 401.41, Florida Statutes; specifying offenses and penalties; creating s. 401.411, Florida Statutes; providing for disciplinary actions; creating s. 401.413, Florida Statutes; providing for administrative fines; amending s. 401.43, Florida Statutes; providing penalties for fraudulently obtaining service; amending s. 401.44, Florida Statutes; providing penalties for turning in a false alarm; amending s. 401.45, Florida Statutes; relieving specified persons required to render emergency services from civil liability; allowing to stand repealed under the Regulatory Sunset Act ss. 401.46, 401.47, Florida Statutes, relating to advanced life support services and paramedics; requiring a report to the Governor and Legislature; providing for legislative review; providing an effective date.

—which was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

On motions by Senator McKnight, by two-thirds vote SB 6-D was withdrawn from the Committee on Health and Rehabilitative Services and taken up instanter.

On motions by Senator McKnight, by two-thirds vote SB 6-D 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	Hill	McKnight	Stuart
Barron	Jenne	Neal	Thomas
Beard	Jennings	Peterson	Tobiassen
Carlucci	Johnston	Poole	Trask
Childers, D.	Kirkpatrick	Rehm	Vogt
Dunn	Lewis	Renick	Ware
Frank	Margolis	Skinner	
Gersten	Maxwell	Steinberg	
Henderson	McClain	Stevens	

Nays—2

Anderson Langley

Vote after roll call:

Yea—Grizzle

On motion by Senator Maxwell, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senators Maxwell, Kirkpatrick, Peterson, Margolis and Tobiassen—

SB 7-D—A bill to be entitled An act relating to personnel of the school system; amending ss. 230.321(1), 230.66(5), (7), Florida Statutes; conforming language; creating s. 231.001,

Florida Statutes; authorizing district school boards to adopt rules relating to personnel; amending s. 231.02, Florida Statutes; providing qualifications for employment in the district school system; amending s. 231.06, Florida Statutes; providing penalties for assault or battery of district school board employees; amending s. 231.07, Florida Statutes; specifying applicability of provisions relating to the disturbance of school functions; amending s. 231.085, Florida Statutes; specifying duties of principals; amending s. 231.09, Florida Statutes; specifying duties of instructional personnel; amending s. 231.141, Florida Statutes; deleting provisions encouraging district school boards to appoint teacher aides in certain grades; amending s. 231.17(3)(a), Florida Statutes; providing reemployment rights of beginning teachers; amending s. 231.262, Florida Statutes; providing that the Department of Education, rather than the Education Practices Commission, shall investigate complaints not subject to the revocation or suspension of certificates; authorizing members of the department general counsel staff to review investigations and conduct prosecutions; amending s. 231.28, Florida Statutes; authorizing the Education Practices Commission to impose disciplinary penalties as provided by law; providing additional grounds for discipline; amending s. 231.29, Florida Statutes; revising procedures for assessing district personnel; providing for training programs for evaluators; excluding personnel files from public view; amending s. 231.30(1), Florida Statutes; deleting specified certification fees and requiring the State Board of Education to adopt rules pertaining to such fees; amending s. 231.36, Florida Statutes; providing for professional service contracts; providing that contracts shall contain provisions for dismissal only for just cause; providing for renewal of contracts; providing procedures in the case of unsatisfactory performance, including notification, informal review, transfer of position, inservice training, and hearing; providing for final determination by the school board for nonrenewal; providing that an employee with continuing contract status on a specified date may retain such contract; providing procedures for suspension or dismissal upon certain grounds and providing for appeal; providing for rules relating to reductions in personnel who are on continuing or professional service contracts; providing for certain continuing service credit; providing that a retired employee returning to work must return on a probationary contract basis; providing that chapter 18964, Laws of Florida, 1937, as amended, chapter 21197, Laws of Florida, 1941, as amended, and chapter 21287, Laws of Florida, 1941, as amended, shall remain in full force, and prohibiting certain other local tenure or other employee contract legislation; amending s. 231.381, Florida Statutes; deleting obsolete language; amending s. 231.39, Florida Statutes; providing for leaves of absence with or without compensation pursuant to district school board rules; creating s. 231.391, Florida Statutes; authorizing school boards to purchase retirement annuities; amending s. 231.40(2), Florida Statutes; providing sick leave for noninstructional personnel; amending s. 231.41, Florida Statutes; providing for illness-in-line-of-duty leave for all district school board employees; creating s. 231.415, Florida Statutes; providing that leave provisions shall not supersede any local law establishing a civil service system covering school district employees; amending s. 231.44, Florida Statutes; providing penalties for absence without leave for all district school board employees; amending s. 231.45, Florida Statutes; requiring each principal and superintendent to keep records of days present and absent for employees; amending s. 231.47, Florida Statutes; requiring school boards to adopt rules for the employment and compensation of substitute teachers; amending s. 231.471(1), Florida Statutes; authorizing district school boards to hire teachers for less than a full school year; creating s. 231.472, Florida Statutes; authorizing district school boards to provide annual leave for 12-month employees; revising and readopting various provisions of chapter 231, Florida Statutes, notwithstanding the Regulatory Sunset Act; providing for legislative review; providing an effective date.

—which was read the first time by title. On motion by Senator Maxwell, consideration of SB 7-D was deferred.

On motion by Senator Johnston, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senators Johnston, Hair, Ware, Jenne, Langley, Hill, Skinner, Steinberg and D. Childers—

SB 8-D—A bill to be entitled An act relating to witnesses; creating s. 43.261, Florida Statutes; providing for establish-

ment of witness coordinating offices; amending s. 40.29, Florida Statutes; providing for the payment of certain witnesses; amending s. 394.473(3), Florida Statutes; providing for the payment of mental health professionals by the state; amending s. 914.11, Florida Statutes; providing for the payment by the state of witnesses subpoenaed by indigents; amending s. 916.11(3), Florida Statutes; providing for the payment of expert witnesses by the state; amending s. 939.07, Florida Statutes; providing for the payment of witnesses by the state; providing an effective date.

—which was read the first time by title and referred to the Committee on Judiciary-Civil.

On motion by Senator Johnston, by two-thirds vote SB 8-D was withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Johnston, 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 admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 9-D and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Upchurch—

HB 9-D—A bill to be entitled An act relating to witnesses; creating s. 43.261, Florida Statutes; providing for establishment of witness coordinating offices; amending s. 40.29, Florida Statutes; providing for the payment of certain witnesses; amending s. 394.473(3), Florida Statutes; providing for the payment of mental health professionals by the state; amending s. 914.11, Florida Statutes; providing for the payment by the state of witnesses subpoenaed by indigents; amending s. 916.11(3), Florida Statutes; providing for the payment of expert witnesses by the state; amending s. 939.07, Florida Statutes; providing for the payment of witnesses by the state; providing an effective date.

On motions by Senator Johnston, by the required constitutional two-thirds vote of the Senate, HB 9-D was admitted for introduction, read the first time by title and referred to the Committee on Judiciary-Civil.

On motions by Senator Johnston, by two-thirds vote HB 9-D was withdrawn from the Committee on Judiciary-Civil and taken up instanter.

On motions by Senator Johnston, HB 9-D, a companion measure, was substituted for SB 8-D and by two-thirds vote read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 9-D was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

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

Nays—None

Vote after roll call:

Yea—Gersten, Grizzle, Jenne, Peterson, Poole  
SB 8-D was laid on the table.

On motion by Senator Henderson, by the required constitutional two-thirds vote of the Senate, the following bill was admitted for introduction:

By Senators Henderson, Johnston, Hair, Ware, Neal, Jenne, Langley and Steinberg—

SB 9-D—A bill to be entitled An act relating to the judiciary; creating s. 25.384, Florida Statutes, creating the Court Education Trust Fund; providing for the Supreme Court, through the Florida Court Educational Council, to administer the fund; providing for certain education and training for judges, court administrators, and other judicial employees; providing for the development and implementation of an educational program for the clerks of court; requiring a comprehensive plan; requiring an annual report to be submitted to the President of the Senate and the Speaker of the House of Representatives; amending s. 28.241(1), Florida Statutes, providing an additional \$1 service charge on certain civil actions for the purposes of the fund; providing an effective date.

—which was read the first time by title and referred to the Committee on Judiciary-Civil.

On motion by Senator Henderson, by two-thirds vote SB 9-D was withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Henderson, 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 admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 8-D and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Upchurch—

HB 8-D—A bill to be entitled An act relating to the judiciary; creating s. 25.384, Florida Statutes, creating the Court Education Trust Fund; providing for the Supreme Court, through the Florida Court Educational Council, to administer the fund; providing for certain education and training for judges, court administrators, and other judicial employees; providing for the development and implementation of an educational program for the clerks of court; requiring a comprehensive plan; requiring an annual report to be submitted to the President of the Senate and the Speaker of the House of Representatives; amending s. 28.241(1), Florida Statutes, providing an additional \$1 service charge on certain civil actions for the purposes of the fund; providing an effective date.

On motion by Senator Henderson, by the required constitutional two-thirds vote of the Senate HB 8-D was admitted for introduction, read the first time by title and referred to the Committee on Judiciary-Civil.

On motions by Senator Henderson, by two-thirds vote HB 8-D was withdrawn from the Committee on Judiciary-Civil and taken up instanter.

On motions by Senator Henderson, HB 8-D a companion measure, was substituted for SB 9-D and by two-thirds vote read the second time by title.

Senator D. Childers moved the following amendments which failed:

Amendment 1—On page 3, line 8, strike “\$1” and insert: 50 cents

Amendment 2—On page 2, line 7, before “his” insert: not more than one member of

On motion by Senator Henderson, by two-thirds vote HB 8-D was read the third time by title, passed and certified to the House. The vote on passage was:

## Yeas—32

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

## Nays—4

Beard	Childers, D.	Poole	Stevens
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Vote after roll call:

Yea—Grizzle

SB 9-D was laid on the table.

The President announced the appointment of Senators Maxwell, Skinner, Thomas, Peterson, Vogt, Johnston and Scott as an ad hoc committee to expedite the conference on taxation.

The President announced the appointment of Senator Gersten as a member of the Conference Committee on Congressional Redistricting to replace Senator Skinner.

On motion by Senator Johnston, by the required constitutional two-thirds vote of the Senate, the following bill was admitted for introduction:

By Senators Johnston, Hair, Scott, Ware, Jenne, Langley and Hill—

**SB 10-D**—A bill to be entitled An act relating to the judiciary; amending ss. 26.021(16), 26.031(1)(a), (e), (f), (i), (k), (l), (o)-(q), (t), 34.022(6), (55), 35.06(2), Florida Statutes; providing a residency requirement in the sixteenth circuit, Monroe County; providing for additional circuit, county court, and appellate judges; providing for elections; repealing ss. 26.031(2) and 34.024, Florida Statutes, relating to specific compensation for circuit and county court judges; requiring a specific appropriation as a condition for implementation; providing an effective date.

—which was read the first time by title and referred to the Committee on Judiciary-Civil.

On motions by Senator Johnston, by two-thirds vote SB 10-D was withdrawn from the Committee on Judiciary-Civil and taken up instanter.

On motion by Senator Johnston, by two-thirds vote SB 10-D was read the second time by title.

Senator Gordon offered the following amendment which was moved by Senator Anderson and adopted:

**Amendment 1**—On page 3, line 6, strike “and 6th” and insert: , 6th, and 11th

On motion by Senator Johnston, by two-thirds vote SB 10-D 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	Maxwell	Stevens
Anderson	Hill	McClain	Stuart
Barron	Jenkins	McKnight	Thomas
Beard	Jenne	Neal	Tobiassen
Carlucci	Jennings	Poole	Trask
Childers, D.	Johnston	Rehm	Vogt
Dunn	Kirkpatrick	Renick	Ware
Frank	Langley	Scott	
Gersten	Lewis	Skinner	
Grizzle	Margolis	Steinberg	

## Nays—None

Vote after roll call:

Yea—Peterson

On motion by Senator Maxwell, by the required constitutional two-thirds vote of the Senate, the following bill was admitted for introduction:

By Senators Maxwell, Kirkpatrick, Peterson, Margolis and Tobiassen—

**SB 12-D**—A bill to be entitled An act relating to education; creating the Florida Higher Education Loan Authority Act; providing definitions; authorizing the creation of higher education loan authorities; providing purpose; providing membership, powers, and duties of authorities; providing powers relating to loans to qualified institutions of higher learning for specified purposes; providing for student educational loans; providing for the authorization and issuance of bonds; providing conditions and procedures; providing for trust funds; requiring an annual report; providing tax exemptions; creating the college career work experience program; providing for its administration; providing eligibility requirements; creating the College Career Work Experience Program Trust Fund; amending s. 240.203(1), Florida Statutes, extending the period within which the State Board of Education may review Board of Regents' rules; amending s. 240.209(3)(a), Florida Statutes, providing for the appointment or removal of the president of each university in accordance with rules adopted by the Board of Regents; amending s. 240.257(4)(a), Florida Statutes, and adding a subsection, modifying the Florida Endowment Trust Fund for Eminent Scholars Act as it relates to the New College Foundation of the University of South Florida; amending s. 240.277, Florida Statutes, relating to expenditure by the Board of Regents of certain funds and collections, to delete provisions requiring gubernatorial approval; amending s. 240.311(2), Florida Statutes, deleting authority of the State Community College Coordinating Board over the suspension or dismissal of the director of the Division of Community Colleges; adding a paragraph to s. 240.319(3), Florida Statutes, to include within the duties and powers of community college district boards of trustees the authority to contract for the purchase, lease, or acquisition in any manner, of equipment required by the college; amending s. 240.335, Florida Statutes, requiring community college boards of trustees to eradicate discrimination in granting salaries and to file annual reports; amending s. 240.359(3)(d), Florida Statutes, eliminating a duplicative and contradictory statutory requirement that community colleges offer free courses to the elderly under certain circumstances; amending s. 240.401(2), Florida Statutes, to provide for the issuance of state tuition vouchers to students registered at certain colleges or universities which grant baccalaureate or associate degrees; amending s. 240.513(3)(b), (e), and (f), Florida Statutes, providing for appropriation for Shands Teaching Hospital to the J. Hillis Miller Health Center; amending s. 242.62(2)(c) and (d) and (3), Florida Statutes, providing for appropriation for the first accredited medical school to the Department of Education; amending s. 243.151(1) and (3), Florida Statutes, providing for the length of lease agreements under specified conditions and for universities to negotiate agreements under this section; amending s. 381.503(3)(a) and (b), (4), (5)(c), (6), (7), and (8), Florida Statutes, modifying provisions relating to the community hospital education program established within the Department of Education; providing special relief; providing conditional exemption for certain educational facilities from certain low energy requirements; providing effective dates.

—which was read the first time by title and referred to the Committees on Education and Appropriations.

On motions by Senator Maxwell, by two-thirds vote SB 12-D was withdrawn from the Committees on Education and Appropriations and taken up instanter.

On motions by Senator Maxwell, by two-thirds vote SB 12-D was read the second time by title and by two-thirds vote was read the third time by title.

Further consideration of SB 12-D was deferred.

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 30 was corrected and approved.

On motion by Senator Dunn, the Senate adjourned at 2:55 p.m. to reconvene Wednesday, April 7, at 9:00 a.m. or upon call of the President.