



# Journal of the Senate

Number 8

Tuesday, April 19, 1983

## BILL ACTION SUMMARY

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- H 111 Passed
- H 649 Passed as amended
- S 7 C/S passed
- S 45 Concurred in House Amendment, C/S passed as amended
- S 62 C/S passed as amended
- S 72 Concurred in House Amendments, C/S passed as amended
- S 95 Iden./Sim. House Bill substituted
- S 115 Passed as amended
- S 147 HB 649 substituted and passed
- S 186 Passed
- S 190 Passed
- S 201 C/S passed
- S 207 C/S passed as amended
- S 220 Passed
- S 252 Passed as amended, immediately certified
- S 415 Passed
- S 611 Concurred in House Amendment, passed as amended
- S 628 Adopted
- S 850 Adopted

## INTRODUCTION AND REFERENCE OF BILLS

### First Reading

By Senator Beard—

**SB 776**—A bill to be entitled An act relating to controlled substances, amending ss. 893.03(1)(c), (5), Florida Statutes, 1982 Supplement; adding parahexyl as a Schedule I controlled substance; excluding any compound, mixture, or preparation containing not more than 2 milligrams of loperamide per dosage unit from those substances controlled by Schedule V; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator D. Childers—

**SB 777**—A bill to be entitled An act relating to the statewide cancer registry; amending s. 381.3812(4), Florida Statutes, 1982 Supplement; eliminating the proportional utilization requirement with respect to funds for the statewide cancer registry program; requiring reimbursement of reasonable costs to reporting hospitals; providing an effective date.

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

By Senator Fox—

**SB 778**—A bill to be entitled An act relating to school health services; amending s. 402.32, Florida Statutes, defining "school health services plan"; changing the responsibilities of the Department of Health and Rehabilitative Services with respect to school health services; requiring local health units to develop a health services plan and specifies the minimum components thereof; changing duties of district school boards and of nonpublic schools which voluntarily participate in the program; requiring scoliosis screening in all public and nonpublic schools; providing an effective date.

—was referred to the Committees on Education, Health and Rehabilitative Services, and Appropriations.

By Senator Fox—

**SB 779**—A bill to be entitled An act relating to minors; amending ss. 39.12(3) and 39.411(3), Florida Statutes, authorizing school principals to inspect certain confidential records relating to delinquent or dependent children; amending s. 827.07(15)(b), Florida Statutes, authorizing school principals to inspect certain confidential records relating to child abuse or neglect; providing an effective date.

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

By Senator Fox—

**SB 780**—A bill to be entitled An act relating to criminal law; creating s. 777.05, Florida Statutes, defining the crime of misprision of a felony; providing a penalty; providing an exemption; providing an effective date.

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

By Senator Gersten—

**SB 781**—A bill to be entitled An act relating to the Florida Public Service Commission; exempting auditing techniques of the Public Service Commission from the public records law; establishing specific charges for document copying by the Public Service Commission; providing an effective date.

—was referred to the Committees on Governmental Operations and Commerce.

By Senator Henderson—

**SB 782**—A bill to be entitled An act relating to the John and Mable Ringling Museum of Art; amending s. 265.26(7), Florida Statutes, 1982 Supplement, relating to the authority of the board of trustees of the museum to purchase insurance for certain works of art, to remove a restriction on the purchase of such insurance; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Castor—

**SB 783**—A bill to be entitled An act relating to solid waste transport; amending s. 403.713, Florida Statutes; providing for special laws or local ordinances limiting the free flow of solid waste; providing an effective date.

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

By Senator Fox—

**SB 784**—A bill to be entitled An act relating to handicapped and physically disabled persons; amending s. 413.08(3), Florida Statutes, 1982 Supplement; authorizing employers to pay for preemployment and postemployment physical examinations; providing an effective date.

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

By Senator Scott—

**SB 785**—A bill to be entitled An act relating to the Department of Education; directing the department to provide, by rule, for a program to identify and locate missing Florida school children enrolled in kindergarten through grade 12 in Florida public or private schools; directing the department to prepare forms and compile a list of missing school children; directing the department to distribute the list monthly to every public and private school admitting children to kindergarten through grade 12 in the state; directing the department to notify the appropriate

law enforcement authority when certain information is obtained; directing public or private schools to provide the department with certain information; providing an appropriation; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Gersten—

**SB 786**—A bill to be entitled An act relating to weapons and firearms; amending s. 790.221(1), Florida Statutes, providing that it is unlawful for any person to own or possess a firearm muffler or firearm silencer; providing a penalty; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Senator Plummer—

**SB 787**—A bill to be entitled An act relating to State Uniform Traffic Control; amending s. 316.003(54), Florida Statutes, 1982 Supplement; providing a definition; providing for the enforcement of state uniform traffic laws in certain airport areas; adding s. 316.008(1)(v), Florida Statutes; permitting local authorities to regulate traffic within certain airport areas; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Langley—

**SB 788**—A bill to be entitled An act relating to expenditures for public defender's offices; amending s. 27.54(3), Florida Statutes; authorizing public defenders to provide office space, utilities, telephone services, and custodial services in certain counties; providing an effective date.

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

By Senator Frank—

**SB 789**—A bill to be entitled An act relating to community colleges; adding s. 240.319(4), Florida Statutes, 1982 Supplement; requiring each community college district board of trustees to adopt procedures governing the employment and dismissal of the college president; providing an effective date.

—was referred to the Committee on Education.

By Senator Fox—

**SB 790**—A bill to be entitled An act relating to adoption; amending s. 63.032(8), Florida Statutes, 1982 Supplement, changing the definition of intermediary to include only attorneys, licensed physicians, or under certain circumstances child-placing agencies licensed in another state; amending s. 63.162(6), Florida Statutes, 1982 Supplement; providing that nonidentifying information pertaining to an adopted child may be released to an adoptive parent at any time; amending s. 63.207(1), Florida Statutes, clarifying existing provisions relating to out-of-state placement; amending s. 63.212(1), Florida Statutes, providing penalties for out-of-state placements; providing penalties for certain placements in state; clarifying language pertaining to payment of care for natural mother and child; clarifying language pertaining to charging of fees for referrals; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Carlucci—

**SJR 791**—A joint resolution proposing an amendment to Section 15, Article V of the State Constitution, relating to admission and discipline of attorneys.

—was referred to the Committees on Judiciary-Civil, Appropriations, and Rules and Calendar.

By Senator Crawford—

**SB 792**—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.02(5)(a),(b), Florida Statutes; deleting the provisions which authorize an applicant for registration to prove that he possesses personal injury protection benefits by notarized affidavit; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Langley—

**SB 793**—A bill to be entitled An act relating to licensure of motor vehicle manufacturers, factory branches, distributors, and importers; adding a subsection (15) to s. 320.64, Florida Statutes, relating to grounds for denial, suspension, or revocation of license, to provide additional grounds; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Langley—

**SB 794**—A bill to be entitled An act relating to motor vehicle warranties; creating the "Motor Vehicle Warranty Enforcement Act"; providing legislative intent; providing definitions; requiring new motor vehicles to conform to all applicable express warranties; providing requirements for the manufacturer when a new motor vehicle does not conform to applicable express warranties; providing penalties for bad faith claims; providing for an informal dispute settlement procedure; providing an effective date.

—was referred to the Committees on Commerce and Transportation.

By Senator Castor—

**SB 795**—A bill to be entitled An act relating to education; creating s. 233.0665, Florida Statutes, the "Fundamentals of Democracy Education Act of 1983"; providing course content and implementation provisions; providing for a repeal of the act; providing an appropriation; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Fox—

**SB 796**—A bill to be entitled An act relating to criminal justice; amending s. 943.13(4), Florida Statutes, authorizing the employment as law enforcement officers or correctional officers of persons convicted of certain crimes who have received full pardons therefor; amending s. 943.14, Florida Statutes, 1982 Supplement, deleting required issuance of identification cards to certified law enforcement officers; requiring certification of private criminal justice training schools; providing for access to certain records of such schools; restricting the names of such schools; prohibiting certain persons from operating such schools; providing penalties and fines for violations; adding paragraphs to s. 943.145(2) and (3), Florida Statutes, 1982 Supplement, and amending paragraphs (2)(d) and (e) thereof, adding grounds for denial, revocation, and suspension of certification of law enforcement officers and correctional officers; amending s. 943.25(4), (7), and (10), Florida Statutes, increasing the fees for persons convicted of crimes and ordinance violations and bond estreatures and bail forfeitures; providing for the distribution of revenues derived therefrom; providing an effective date.

—was referred to the Committees on Judiciary-Criminal and Appropriations.

By Senator Langley—

**SJR 797**—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution relating to ad valorem taxation.

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

By Senator Rehm—

**SB 798**—A bill to be entitled An act relating to probation; amending s. 948.01(4), Florida Statutes, requiring immediate commencement of probation following incarceration under certain circumstances; amending s. 948.03(3), Florida Statutes, restricting the duration and location of any period of incarceration imposed as a condition of probation; providing an effective date.

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

By Senator Rehm—

**SB 799**—A bill to be entitled An act relating to probation; adding subsection (3) to s. 948.06, Florida Statutes; providing procedures for judicial hearings regarding probation violations; providing an effective date.

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

By Senator Rehm—

**SB 800**—A bill to be entitled An act relating to probation; adding a new subsection (2) to s. 948.06, Florida Statutes, requiring certain probationers who assert inability to pay restitution to prove by clear and convincing evidence such inability to pay; providing an effective date.

—was referred to the Committee on Corrections, Probation and Parole.

By Senator Rehm—

**SJR 801**—A joint resolution proposing an amendment to Section 5 of Article IV and the creation of Section 20 of Article XII of the State Constitution limiting the number of consecutive terms of office for cabinet members.

—was referred to the Committee on Rules and Calendar.

By Senator Rehm—

**SB 802**—A bill to be entitled An act relating to publicly owned buildings; repealing s. 255.043, Florida Statutes, which requires that appropriations for construction of certain state buildings include an amount for the acquisition of works of art; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator Rehm—

**SB 803**—A bill to be entitled An act relating to public hearings and meetings; adding a subsection to s. 120.52, Florida Statutes, 1982 Supplement, defining "communications media technology"; amending ss. 120.54(3), 120.57(1)(b), and 286.011(1), Florida Statutes, to allow the use of certain communications media technology for the presentation of testimony, evidence, and argument, including oral and written communications, at public hearings involving rulemaking, at formal proceedings involving decisions which affect substantial interests, and at public meetings of certain governmental bodies; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Langley—

**SB 804**—A bill to be entitled An act relating to chiropractic; adding paragraphs to s. 460.413(1), Florida Statutes, providing additional grounds for disciplinary action; providing an effective date.

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

By Senator Margolis—

**SB 805**—A bill to be entitled An act relating to taxation, adding s. 194.171(6), Florida Statutes, 1982 Supplement; providing that payment of tax not be deemed an admission that such tax is due and not prejudice the taxpayers' right to challenge such tax; providing an effective date.

—was referred to the Committee on Finance, Taxation and Claims.

By Senator Beard—

**SB 806**—A bill to be entitled An act relating to drivers' licenses; amending s. 322.251(1), Florida Statutes, 1982 Supplement; providing methods of delivery of orders of cancellation, suspension, or revocation; amending s. 120.60(6), Florida Statutes; exempting delivery of orders of cancellation, suspension, or revocation of driver licenses from certain notice requirements of the Administrative Procedure Act; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Scott—

**SB 807**—A bill to be entitled An act relating to elections; amending s. 99.103(2), Florida Statutes; providing for the remittance of a portion of all filing fees to respective state executive committees of political parties; providing an effective date.

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

By Senator Gersten—

**SB 808**—A bill to be entitled An act relating to real estate time-share plans; amending s. 721.02(2), Florida Statutes, and adding a new subsection (3), providing that full and fair disclosure to purchasers and prospective purchasers of time-share plans is one of the purposes of chapter 721, Florida Statutes; amending s. 721.03, Florida Statutes, 1982 Supplement, relating to the scope of the chapter; amending s. 721.05, Florida Statutes, providing definitions; amending s. 721.04, Florida Statutes, relating to certain time-share plans; amending s. 721.06, Florida Statutes, 1982 Supplement, relating to contracts for the purchase of time-share periods; prohibiting attempts to obtain waivers of cancellation rights; providing requirements for contracts; amending s. 721.07, Florida Statutes, providing procedures with respect to public offering statements; amending s. 721.08, Florida Statutes, relating to escrow provisions; amending s. 721.09(2), (3), and (4), Florida Statutes; requiring escrow agents to maintain escrow accounts in a specified manner; providing a penalty for sellers or escrow agents who intentionally fail to comply with certain escrow deposit requirements; amending s. 721.10, Florida Statutes, relating to the cancellation of purchase transactions with respect to time-sharing; amending s. 721.11, Florida Statutes; defining advertising materials and providing restrictions; providing penalties; requiring disclosure with respect to certain advertising; creating s. 721.111, Florida Statutes, relating to prize and gift promotional offers; providing requirements; providing penalties; amending s. 721.12(1), Florida Statutes, relating to record-keeping by the seller; amending s. 721.13(3)(e), Florida Statutes, and adding a new subsection (4); requiring annual audits to be conducted in a certain manner; requiring purchasers to approve certain agreements; amending s. 721.14, Florida Statutes, providing for the appointment of a receiver to run the affairs of the association under certain circumstances; amending s. 721.15(2), Florida Statutes, and adding subsection (6) thereto, prohibiting excuse of time-share owners from paying a share of common expenses; providing exceptions; providing that assessments against time-share purchasers need not be made more frequently than annually; amending s. 721.17, Florida Statutes, providing for the transfer of interest in a time-share plan; creating s. 721.175, Florida Statutes, providing for supervisory duties of developers; amending s. 721.18, Florida Statutes, relating to exchange programs, modifying filing requirements and procedures and providing an annual filing fee; amending s. 721.20, Florida Statutes, prohibiting sellers or developers from employing nonlicensed persons to sell time-share periods; amending s. 721.21, Florida Statutes, relating to purchasers' remedies; amending s. 721.22, Florida Statutes, relating to partition; amending s. 721.26(4) and (5)(c) and (d), Florida Statutes, authorizing the division to bring an action for appropriate relief in circuit court for violations of the chapter; providing rulemaking authority; amending s. 721.27, Florida Statutes, increasing to \$1 the annual fee for each time-share period; repealing s. 718.1065, Florida Statutes, relating to condominium partition; providing application of the act; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Grant—

**SB 809**—A bill to be entitled An act relating to the Florida Academic Scholars' Program; amending s. 232.2465(1), Florida Statutes, 1982 Supplement; deleting the requirement that to qualify as a Florida Academic Scholar a student must demonstrate mastery of the reading, writing, and mathematics skills for the 11th grade and demonstrate ability to apply successfully basic skills to every day life situations as measured by a functional literacy test; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Gordon—

**SB 810**—A bill to be entitled An act relating to receptive tour operators; amending s. 559.925, Florida Statutes, 1982 Supplement; providing additional duties and requirements of receptive tour operators; providing the Department of Business Regulation with additional powers; providing exceptions; prohibiting certain airports and port authorities from allowing certain receptive tour operators to conduct business on airport or port property; providing penalties; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Gersten—

**SB 811**—A bill to be entitled An act relating to water and sewer utilities; amending s. 367.081(4), (6), Florida Statutes, 1982 Supplement; lim-

iting use of price indexes in rate setting; providing for refunds with interest; creating s. 367.0822, Florida Statutes; providing for limited proceedings; amending s. 367.165, Florida Statutes; increasing time for notice required prior to abandonment; creating s. 367.0415, Florida Statutes; providing procedures for deletion of territory; amending s. 367.141, Florida Statutes; providing fees; creating s. 367.163, Florida Statutes; providing administrative penalties; providing an effective date.

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

By Senator Hair—

**SB 812**—A bill to be entitled An act relating to reinsurance; amending ss. 624.610, 628.611, 629.501, Florida Statutes, 1982 Supplement; providing minimum standards for reinsurance contracts which must be met in order for a domestic, captive, or reciprocal insurer to receive credit for reinsurance; providing that no person other than the ceding insurer has rights against the reinsurer not specifically stated by contract; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Gersten—

**SB 813**—A bill to be entitled An act relating to telephone companies; creating s. 364.037, Florida Statutes; authorizing consideration of directory advertising revenues in rate setting; amending s. 364.05(4), Florida Statutes; providing that effectiveness of certain rates is discretionary; creating s. 364.059, Florida Statutes; providing for limited proceedings; amending s. 364.07(2), Florida Statutes; providing powers of the Florida Public Service Commission with respect to intrastate interexchange service contracts; creating s. 364.285, Florida Statutes; providing for administrative penalties; amending s. 364.33, Florida Statutes; clarifying requirement of certificate; adding s. 364.335(6), Florida Statutes, 1982 Supplement; providing for duplicative mobile radio service; amending s. 364.337, Florida Statutes, 1982 Supplement; providing powers of the commission with respect to duplicate telephone service; providing an effective date.

—was referred to the Committees on Commerce and Governmental Operations.

By Senators Dunn, W. D. Childers and Mann—

**SB 814**—A bill to be entitled An act relating to Florida veterans; requiring the Florida Commission on Veterans' Affairs to undertake planning for the establishment of and to make application for federal grants-in-aid for the creation and administration of a facility for furnishing domiciliary and nursing home care for Florida veterans; providing for planning and consultation among the various state agencies; providing an effective date.

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

By Senator Maxwell—

**SB 815**—A bill to be entitled An act relating to the tax on sales, use and other transactions; amending s. 212.08(5)(b), Florida Statutes, 1982 Supplement; including in the exemption for industrial machinery and equipment such machinery used to increase output of existing manufacturing facilities; providing additional guidelines in defining industrial machinery and equipment and productive output; providing an effective date.

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

By Senator Dunn—

**SB 816**—A bill to be entitled An act relating to The Florida Crimes Compensation Act; amending s. 960.02, Florida Statutes; providing legislative intent; amending s. 960.05, Florida Statutes; redesignating the Bureau of Crimes Compensation as the Bureau of Crimes Compensation and Victim Services; amending s. 960.21(1),(3), Florida Statutes; providing that the expenses of the office of Victim and Witness Services not be paid from the Crimes Compensation Trust Fund; creating s. 960.26, Florida Statutes; providing definitions; creating the Office of Victim and Witness Services within the Bureau of Crimes Compensation; providing duties of such office; providing an effective date.

—was referred to the Committees on Judiciary-Criminal, Commerce and Appropriations.

By Senator Gersten—

**SB 817**—A bill to be entitled An act relating to the Florida Public Service Commission; creating ss. 364.045, 366.065, Florida Statutes; requiring the Florida Public Service Commission to periodically review and adjust rates of return of telephone companies and electric utilities; providing an effective date.

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

By Senator Plummer—

**SB 818**—A bill to be entitled An act relating to the Department of Labor and Employment Security; adding subsection (5) to s. 20.171, Florida Statutes; requiring the Secretary of Labor and Employment Security or his designee to inspect for, and provide for the safe containment or the removal and disposal of, unacceptable levels of asbestos from governmental buildings and from certain nongovernmental buildings; requiring the Secretary of Labor and Employment Security to promulgate rules to carry out said duties; specifying buildings and other structures to which the act applies; establishing a trust fund; providing appropriations; providing effective and expiration dates.

—was referred to the Committees on Governmental Operations, Education and Appropriations.

By Senator W. D. Childers—

**SB 819**—A bill to be entitled An act relating to retirement; providing a supplementary cost-of-living adjustment for state officials and employees who retired from any state-supported retirement system on or before July 1, 1982; providing a continuing appropriation; providing an effective date.

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

By Senator Gersten—

**SB 820**—A bill to be entitled An act relating to condominiums; adding subsection (22) to s. 718.103, Florida Statutes, defining the term "land" with respect to the Condominium Act; amending s. 718.104(3), Florida Statutes, 1982 Supplement, requiring persons having any record interest in any mortgage encumbering interest in land being submitted to condominium, prior to the conveyance of the first unit, to join in the declaration of condominium or execute a consent to such declaration; amending s. 718.111(10), Florida Statutes, 1982 Supplement, relating to condominium association powers; amending s. 718.112(2)(d), Florida Statutes, 1982 Supplement, relating to proof of notice of annual meetings; amending s. 718.116(7), Florida Statutes, protecting persons, other than the unit owner, who rely upon certain certificates showing unpaid assessments; amending s. 718.202(1) and (6), Florida Statutes, and adding subsections (8) and (9) thereto, relating to escrow accounts with respect to sales or reservation deposits prior to closing; amending s. 718.402, Florida Statutes, providing that the failure of a developer to comply with part VI of the Condominium Act (Conversions to Condominium) shall not affect the validity of the condominium; amending s. 718.504(4)(b) and (14), Florida Statutes, providing requirements concerning the prospectus or offering circular with respect to phase condominiums; amending s. 718.403, Florida Statutes; providing requirements relating to phase condominiums; repealing s. 718.110(9), Florida Statutes, relating to votes to amend the declaration of condominium for a change in the percentage of ownership in the common elements or the sharing of common expenses; repealing s. 718.116(9), Florida Statutes, relating to certificates showing unpaid assessments; providing an effective date.

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

By Senator W. D. Childers—

**SB 821**—A bill to be entitled An act relating to cosmetology; amending s. 477.019(1)(b), Florida Statutes, removing a limitation with respect to standards established by the Board of Cosmetology pursuant to training required to qualify for licensure; providing an effective date.

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

By Senator Johnston—

**SB 822**—A bill to be entitled An act relating to health care cost containment; amending s. 395.509(1), Florida Statutes, 1982 Supplement; exempting hospitals from reporting certain contributions; providing for retroactive application; providing an effective date.

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

By Senators Rehm and Castor—

**SB 823**—A bill to be entitled An act relating to the Florida Mental Health Institute; establishing the institute within the University of South Florida; providing duties of the institute; authorizing the Department of Health and Rehabilitative Services to designate the institute as a private receiving facility; authorizing the institute to employ a director; providing duties of the director; providing an effective date.

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

By Senator Grant—

**SB 824**—A bill to be entitled An act relating to school health services; amending s. 402.32, Florida Statutes; defining “school health services plan”; assigning to the Department of Health and Rehabilitative Services and the Department of Education the responsibility for supervising the administration of school health services; establishing the minimum components of a school health services plan; establishing requirements for nonpublic schools that voluntarily participate in the program; prescribing district school board responsibilities; providing that the Department of Education and the Department of Health and Rehabilitative Services have rulemaking authority; requiring scoliosis screening in all public and nonpublic schools; providing an effective date.

—was referred to the Committees on Education, Health and Rehabilitative Services, and Appropriations.

By Senator Grizzle—

**SB 825**—A bill to be entitled An act relating to drivers' licenses; adding subsection (3) to s. 322.12, Florida Statutes, 1982 Supplement; requiring the Department of Highway Safety and Motor Vehicles to administer a separate examination for drivers seeking authorization to operate motorcycles and motor-driven cycles in the state; authorizing certain licensed drivers to obtain authorization without examination; authorizing an exemption to persons completing courses approved by the department; amending s. 322.21(1), Florida Statutes, providing a license fee for such authorization; amending s. 316.304, Florida Statutes, authorizing persons taking such examinations to wear headsets; providing an effective date.

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

By Senator Beard—

**SB 826**—A bill to be entitled An act relating to use of inmate services by political subdivisions, agencies, and institutions; amending s. 945.11, Florida Statutes; providing for use of inmate services for road maintenance; providing that the Department of Corrections not be reimbursed for services provided by inmates, except with respect to certain contractual arrangements; repealing s. 944.063, Florida Statutes, relating to the system of road prisons; providing an effective date.

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

By Senator Rehm—

**SB 827**—A bill to be entitled An act relating to corrections; amending s. 944.19, Florida Statutes; providing for education in the correctional system; creating a Board of Correctional Education to administer programs and funds; providing for terms, duties, and reimbursement of members; providing for legislative appropriations; providing an effective date.

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

By Senator Hill—

**SB 828**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021(24), Florida Statutes; amending the definition of “average final compensation”; providing an effective date.

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

By Senator Langley—

**SB 829**—A bill to be entitled An act relating to custody and support of children; adding s. 61.13(2)(c), Florida Statutes, 1982 Supplement; providing that the availability of shared parental responsibility is a sufficient change in circumstances to permit modification of a final judgment; amending s. 61.13(3), Florida Statutes, 1982 Supplement; requiring courts in determining the best interests of a child to give paramount importance to the parent who more likely will allow the child frequent contact with the nonresidential parent; renumbering s. 61.13(4) and (5), Florida Statutes, 1982 Supplement, and adding a new subsection (4) to said section; prohibiting a custodial parent from removing a minor child from any location to another under certain circumstances; providing that the act applies to all proceedings under chapter 61, Florida Statutes, pending on or commenced after July 1, 1982; providing for severability; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Langley—

**SB 830**—A bill to be entitled An act relating to the judiciary; amending s. 34.021(3), Florida Statutes; permitting certain persons who are not members of The Florida Bar to seek election and to serve as a county court judge in certain counties; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Henderson—

**SB 831**—A bill to be entitled An act relating to former agency employees; amending s. 112.3185(4), Florida Statutes, 1982 Supplement; limiting employment restrictions on former agency employees to only those contractual services contracts in which the employee participated personally and substantially; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senators Dunn, Hill, Margolis, Mann, Henderson, Stuart, Maxwell, Thomas, Malchon, McPherson, Fox and Gersten —

**SB 832**—A bill to be entitled An act relating to the Department of Natural Resources; creating in the department the Office of Civilian Conservation; providing for a director; providing for establishing the Conservation Corps of Florida; providing responsibilities and duties of the director; authorizing the director to adopt criteria for the employment and service of members of the corps; authorizing the director to adopt rules governing the corps; providing for camps and work programs for the corps; authorizing the director to act on behalf of the corps; providing for future repeal; providing an effective date.

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

By Senator Margolis—

**SB 833**—A bill to be entitled An act relating to firefighters; amending s. 633.382(4)(a), Florida Statutes, 1982 Supplement; providing that should the special fund in the State Treasury dedicated to the payment of supplemental compensation for firefighters be insufficient the difference shall be provided by the premium tax on health insurance policies; providing an effective date.

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

By Senator Kirkpatrick—

**SB 834**—A bill to be entitled An act relating to the Local Government Half-cent Sales Tax Clearing Trust Fund; adding s. 218.65(6), Florida Statutes, 1982 Supplement; reserving a specified portion of emergency funds for distribution to certain counties; providing for distribution of such portion; providing an effective date.

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

By Senators Scott and Weinstein—

**SB 835**—A bill to be entitled An act relating to education; creating s. 236.135, Florida Statutes; providing that school districts may use the 2-mill equivalent capital outlay funds during the 1982-1983 fiscal year for maintenance of schools without having to maintain the required level of expenditures for operating revenues for maintenance of effort; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Castor—

**SB 836**—A bill to be entitled An act relating to education; amending s. 236.088(2), (3), (4), and (5)(c), Florida Statutes, defining "direct remedial instruction" as it relates to the compensatory education program; providing that evaluation of the program shall be measured by testing of certain students; revising provisions relating to eligibility for distribution of funds; requiring the Commissioner of Education to report evaluation results; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Dunn—

**SB 837**—A bill to be entitled An act relating to the sales tax; amending s. 212.08(4), Florida Statutes, 1982 Supplement, as amended; providing a partial exemption for fuels used by airlines; providing for computation, collection, and deposit of sales taxes on fuels used by common carriers; providing an effective date.

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

By Senator Dunn—

**SJR 838**—A joint resolution proposing the amendment to Section 1 of Article VII of the State Constitution, to impose limitations on state expenditures and on the rate of growth in such expenditures and to require the Legislature to establish a budget stabilization fund.

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

By Senator Dunn—

**SB 839**—A bill to be entitled An act relating to child support enforcement; creating the State Commission on Improved Child Support Enforcement; providing membership and duties; providing an effective date.

—was referred to the Committees on Judiciary-Civil, Rules and Calendar, and Appropriations.

By Senators Castor and Margolis—

**SB 840**—A bill to be entitled An act relating to special assessments; amending s. 197.0126(1), (2), Florida Statutes, 1982 Supplement; providing an optional method for the collection of special assessments; providing requirements which must be met in order to use such optional method; providing an effective date.

—was referred to the Committee on Finance, Taxation and Claims.

By Senator Dunn—

**SB 841**—A bill to be entitled An act relating to the unauthorized interception and use of subscription television services; creating s. 812.15, Florida Statutes; providing a definition; proscribing the unauthorized interception of subscription television services; proscribing the manufacture, sale, or possession of certain interception devices; providing criminal penalties; providing for damages, injunctive relief, punitive damages, costs, and attorney fees; providing an effective date.

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

By Senator Johnston—

**SB 842**—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 59.46(2), 253.124(5), 253.151, 311.011-311.031, 318.22, 370.035, 453.01-453.18, 501.136, 550.2615, 562.21, 718.126, 768.045, 768.44, 790.26, 798.03, 823.01(2), 828.15, 847.04, 847.05, 849.051, 877.11, 901.27, 901.28(1)-(4), (6), (7), 901.30, 901.32, and 932.58-932.60,

Florida Statutes, to conform to judicial decisions holding said provisions or provisions related thereto unconstitutional or superseded by court rule; amending ss. 119.11(2), 193.461(4)(a), 447.301(2), 550.241(1), 718.111(2), 742.011, 876.05(1), and 924.07, Florida Statutes, and s. 960.25, Florida Statutes (1982 Supplement), to conform them to judicial decisions holding parts of said provisions unconstitutional or superseded by court rule; and amending s. 876.07, Florida Statutes, to conform to the invalidation of part of s. 876.05 by judicial decision.

—was referred to the Committee on Rules and Calendar.

By Senators Scott, Johnston and Hair—

**SB 843**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 18.101(1), 34.191(1), (2), 48.151(4), 63.112(1), 145.131(2), 159.613(1), 190.014, 190.015, 190.016(2), 190.023(1), (4), 196.199(2)(b), 213.21(3), 215.93(3), 220.242, 316.615(3)(a), 318.12, 318.14(1), 322.282(2), 403.7045(1)(c), 418.22(4), (7), 421.15(1), 440.20(12)(b), 460.409(2), 490.009(1)(d), 498.024(6), 550.0841, 559.47, 624.312(1), 626.9591, 629.401(6)(a), 673.102(2), 721.08(1)(b), 775.087(2), 893.147(1), (2), (4), 910.14, and 941.37, Florida Statutes, and ss. 20.19(6)(f), (7)(g), (8)(b), 119.07(3)(b), 197.0155(2), 215.47(2)(j), 316.1933(2)(c), 320.01(27), 395.009(2), 400.4175(2), 402.36(12), 440.385(3)(b), 458.348(2), 499.502, 608.426, 624.311(5)(e), 624.523(1)(e), (o), (p), 626.827(2), 628.607(1), 768.54(3)(f), 893.13(1)(a), and 893.135(1), Florida Statutes (1982 Supplement), pursuant to s. 11.242, Florida Statutes; revising and correcting cross-references or provisions making reference to other statutory provisions; removing obsolete cross-references; correcting citations; correcting typographical, grammatical, and like errors; and otherwise improving the clarity of the statutes and facilitating their correct interpretation.

—was referred to the Committee on Rules and Calendar.

By Senators Scott, Johnston and Hair—

**SB 844**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 25.251(2), 27.255(2), 30.09(4), 30.24(2)(c), 35.26(5), 240.268(4), 258.024(2)(a), 285.18(2)(c), 316.640(2)(b), (3)(b), (c), 318.141(1), 570.151(2), 790.25(2), (3), and 916.18(2), Florida Statutes, and ss. 121.0515(2)(c), (5)(a), 218.23(1)(d), and 354.01, Florida Statutes (1982 Supplement); conforming the Florida Statutes to ch. 81-24, Laws of Florida, which changed the name of the Division of Standards and Training of the Department of Law Enforcement to the Division of Criminal Justice Standards and Training, which replaced the Police Standards and Training Commission within the department with the Criminal Justice Standards and Training Commission and merged the Correctional Standards Council of the Department of Corrections into the commission, and which made the provisions of ss. 943.085-943.255 applicable to correctional officers; conforming terminology to that used in ch. 943; revising cross-references; removing provisions which have become obsolete or which have served their purpose; and correcting grammatical errors in, and otherwise improving the clarity of, these sections.

—was referred to the Committee on Rules and Calendar.

By Senators Scott, Johnston and Hair—

**SB 845**—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 323.01, 323.011, 323.02, 323.03, 323.032, 323.041, 323.042, 323.05, 323.052, 323.053, 323.054, 323.06, 323.07, 323.08, 323.09, 323.10, 323.11, 323.12, 323.13, 323.14, 323.15, 323.16, 323.17, 323.18, 323.21, 323.22, 323.24, 323.25, 323.26, 323.28, 323.29, 323.31, 323.35, 323.36, 323.51, 323.52, 323.53, 323.54, 323.55, 323.56, 323.57, 323.58, 323.59, 323.60, 323.61, 323.62, 323.63, 323.64, 323.65, 323.66, 323.67, and 323.68, Florida Statutes, relating to motor carriers and freight forwarders; confirming repeals of provisions within ch. 323 which were repealed by ch. 76-168, Laws of Florida, effective July 1, 1980, but which were not repealed by a "current session" of the Legislature, as required by s. 11.242(5)(b) in order for provisions to be omitted from publication in the Florida Statutes without further legislative action; repealing provisions within ch. 323 which, although repealed by ch. 76-168, were amended subsequently to the enactment of ch. 76-168 and prior to that repeal becoming operative; and repealing provisions within ch. 323 which were enacted subsequently to the enactment of ch. 76-168.

—was referred to the Committee on Rules and Calendar.

By Senators Scott, Johnston and Hair—

**SB 846**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 11.45(3)(a), 23.0191(1), 23.129, 145.19(2), 160.003(6), 160.02(8), 163.03, 163.3164(18), 165.031(6), 165.052(2), 171.042(2), 189.003(2), 190.009(3), 218.32(1)(c), 218.411(1)(c), 252.34(4), 255.042(3), (4), 288.32(2), 288.503(7), 292.11(4), 295.17(1)(a), 377.703(4), 380.11, 403.504(7)(a), (8)(c), 403.507(1), 403.508(4)(a), 403.517(1)(c), 403.523(7), (8)(b), 403.524(2), 403.526(1), (5), 403.527(3)(a), 403.723(7)(c), 409.503(1), 409.506, 418.12(2), 420.111(8), 420.202(1), (6), 420.424(1), (2), 420.504(1), 420.506, 421.001, 422.001, 423.001, 424.001, 424.03, 424.04, 424.05, 424.06, 424.07, 424.08, 424.09(1), 424.10(1), (3), 424.12, 424.13, 424.14(1), 424.15, 424.16, 424.17, 424.18, 424.19, 424.20, 424.21, 424.22, 427.012(1)(b), 450.211(1), 450.261, 553.36(1), (6), 553.71(2), (4), 744.421, 943.25(4), (11), and 943.405(1), (2), Florida Statutes; amending ss. 20.18(7), (8), 159.27(19), 218.38(3)(b), 220.03(1)(e), (s), (z), 220.181(2), (6), 220.182(9), 259.035, 290.004, 290.009, 290.033, 375.021(2), 404.0617(4)(d), 553.901, 553.902(6), and 553.9085, Florida Statutes (1982 Supplement); replacing references to the "Department of Veteran and Community Affairs" with "Department of Community Affairs," references to the "Secretary of Veteran and Community Affairs" with "Secretary of Community Affairs," and references to the "Division of Veterans' Affairs of the Department of Veteran and Community Affairs" with "Division of Veterans' Affairs of the Department of Administration" to conform to chapter 82-387, Laws of Florida, which changed the name of the department and its secretary and transferred the division to the Department of Administration; deleting provisions that have served their purposes; removing inconsistencies; and otherwise improving clarity and facilitating correct interpretation.

—was referred to the Committee on Rules and Calendar.

By Senators Scott, Johnston and Hair—

**SB 847**—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 18.11, 18.12, 18.13, 18.14, 20.315(10), 136.02, 136.07, 175.271, 185.231, 193.511, 196.032, 196.051, 229.561(2), 231.03, 231.14, 231.351, 231.42, 231.43, 231.48, 267.031(2), 267.0615, 288.10, 288.344, 320.694, 352.01, 352.02, 352.19, 352.20, 352.21, 352.25, 352.26, 352.27, 352.28, 352.29, 352.30, 352.31, 352.32, 352.33, 352.34, 352.35, 352.36, 352.37, 353.01, 353.02, 353.03, 353.04, 353.05, 355.01, 355.02, 355.03, 355.04, 355.05, 355.06, 355.07, 355.08, 355.09, 356.01, 356.02, 356.03, 356.04, 356.05, 356.06, 356.07, 356.08, 356.10, 357.01, 357.02, 357.03, 357.04, 357.05, 357.06, 357.07, 357.08, 358.01, 358.02, 358.03, 358.04, 358.05, 358.06, 358.07, 358.08, 358.09, 358.10, 358.11, 358.12, 358.13, 359.01, 359.02, 359.03, 359.04, 359.05, 359.06, 360.01, 360.02, 360.03, 360.04, 360.05, 360.06, 360.07, 360.08, 360.09, 360.10, 360.11, 360.12, 360.13, 360.14, 360.15, 372.025(4), 372.072(4), 372.921(2), 395.01, 395.02, 395.03, 395.04, 395.045, 395.05, 395.06, 395.065, 395.0653, 395.066, 395.067, 395.07, 395.08, 395.09, 395.105, 395.12, 395.13, 395.15, 395.16, 395.171, 395.176, 395.19, 395.20, 395.202, 395.21, 396.171, 420.005(3), 550.025, 553.87, 553.89, 719.501(2), 943.38, 943.39, 943.40, and 945.065, Florida Statutes, all of which provisions have been repealed, but none of which provisions have been repealed by a "current session" of the Legislature, as is required by s. 11.242(5)(b), Florida Statutes, in order for provisions to be omitted from publication in Florida Statutes 1983 without further legislative action; and repealing s. 20.18(4), (5), Florida Statutes, relating to the Council of Community Affairs and the Interdepartmental Coordinating Council on Community Services, s. 288.39(6), Florida Statutes, relating to the Small Business Advisory Council, s. 446.031, Florida Statutes, relating to the State Apprenticeship Council, and ss. 450.50 and 450.51, Florida Statutes, relating to the State Employment and Training Act, all of which provisions, although repealed by ch. 78-323, Laws of Florida, effective October 1, 1981, have been amended subsequently to the enactment of ch. 78-323 and prior to the repeal by ch. 78-323 becoming operative.

—was referred to the Committee on Rules and Calendar.

By Senator D. Childers—

**SB 848**—A bill to be entitled An act relating to the Hospital Cost Containment Board; amending s. 395.503(1), Florida Statutes, 1982 Supplement; providing for a consumer representative on the Board who represents a major nonhealth and noninsurance Florida employer; amending s. 395.504(1), Florida Statutes, 1982 Supplement; providing for the submission of case-mix data to the Board; providing items to be included in such data; amending s. 395.513, Florida Statutes, 1982 Supplement; deleting a reference relating to the national voluntary effort program for

reducing the rate of increase in hospital rates; amending s. 17, chapter 82-182, Laws of Florida; deleting the prohibition of a statewide case-mix project; amending s. 395.514, Florida Statutes, 1982 Supplement; providing a penalty for the filing of a false or incomplete report by a hospital; amending s. 395.017(3), Florida Statutes, 1982 Supplement; authorizing the disclosure of patient records by hospitals; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Dunn, W. D. Childers, Johnston, Mann, Gordon, Carlucci, Hair, Weinstein, Margolis, Henderson, Stuart, Langley, Kirkpatrick, Jenne, Castor, Frank, Fox, Grizzle, Malchon, Plummer, Vogt, Rehm and D. Childers—

**SB 849**—A bill to be entitled An act relating to circuit courts; creating the "Circuit Court Improvement Act"; establishing legal research clerk positions within the circuit courts; providing for qualifications; providing for selection and assignment by the chief judge pursuant to a plan for effective use; providing an effective date.

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

**SR 850**—Introduced and adopted April 19.

By Senator Dunn—

**SB 851**—A bill to be entitled An act relating to offers of judgments; creating s. 55.147, Florida Statutes; providing procedures relating to offers of judgments before trial; providing for acceptance of offers of judgments; providing for assessing costs and interest if such offers are not accepted; providing procedures for entry of judgments in such cases; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Stuart—

**SB 852**—A bill to be entitled An act relating to motor vehicle registration; requiring the Department of Highway Safety and Motor Vehicles to suspend the registration of a person arrested for driving while under the influence of certain substances or with an unlawful blood alcohol level, if such person's license is suspended or revoked; specifying the periods of suspension; providing for suspensions of registration when the owner of the vehicle is other than the operator, under certain circumstances; providing restrictions upon the transfer of a suspended registration; requiring the return of license plates to the department; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Myers—

**SM 853**—A memorial to the Congress of the United States urging Congress to propose an amendment to the Constitution of the United States limiting the United States Government's participation in business and financial enterprises.

—was referred to the Committee on Rules and Calendar.

By Senator Henderson—

**SB 854**—A bill to be entitled An act relating to charter or cruise boats; permitting the sale and service of alcoholic beverages on certain charter or cruise boats while in operation; prohibiting such sale or service while docked; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Gordon—

**SB 855**—A bill to be entitled An act relating to physician fees; amending ss. 458.323 and 459.012, Florida Statutes, prohibiting a medical or osteopathic physician from charging a patient full fee when rendering an anesthetic unless the physician is physically present throughout the entire procedure; providing an effective date.

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

By Senator Vogt—

**SB 856**—A bill to be entitled An act relating to real estate time-sharing; amending s. 721.11, Florida Statutes, requiring 30 days'

notice to the Division of Land Sales and Condominiums of the Department of Business Regulation prior to use of advertising material for the sale of time shares; providing a 15-day time period for division approval of such advertising; requiring disclosure of the number of prizes or gifts to be awarded with respect to time-share promotional programs; requiring certain information pertaining to such prizes or gifts to be certified to the division; requiring the promoter to establish a trust account or obtain a bond when offering prizes or gifts; providing a penalty; providing an effective date.

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

By Senators Castor, Rehm, Malchon and Grizzle—

**SB 857**—A bill to be entitled An act relating to corrections; adding a subsection to s. 944.033, Florida Statutes, prohibiting the placement of certain sex offenders in community correctional centers; amending ss. 945.091(2) and 958.09(2), Florida Statutes, and adding a new subsection (2) to s. 951.24, Florida Statutes, declaring certain sex offenders ineligible for any extension of the limits of confinement by the state or a county or for any county work-release program; providing an effective date.

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

By Senator Crawford—

**SB 858**—A bill to be entitled An act relating to mental health; amending s. 394.453(1), Florida Statutes, 1982 Supplement, relating to legislative intent; adding subsections (22) and (23) to s. 394.455, Florida Statutes, 1982 Supplement, adding definitions; amending s. 394.457(2), Florida Statutes, 1982 Supplement, and adding a subsection (10) thereto, including licensure within the responsibilities of the Department of Health and Rehabilitative Services; requiring annual licensure of crisis stabilization units and short-term residential treatment facilities; providing for 90-day interim licenses; providing an effective date.

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

By Senator Scott—

**SB 859**—A bill to be entitled An act relating to pipelines transporting hazardous or toxic substances; establishing the pipelines impact committee; providing for membership and duties of the committee; providing an effective date.

—was referred to the Committees on Commerce, Rules and Calendar, and Appropriations.

By Senator Vogt—

**SB 860**—A bill to be entitled An act relating to judicial circuits; amending s. 26.021(9), Florida Statutes, 1982 Supplement, providing that at least one judge in the ninth judicial circuit shall reside in Osceola County; providing that upon the occurrence of a vacancy within the ninth judicial circuit the judge appointed to fill the vacancy shall reside in Osceola County; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Myers—

**SB 861**—A bill to be entitled An act relating to expressway authorities; creating part VI of chapter 348, Florida Statutes; creating the Palm Beach Expressway Authority Law; providing definitions; providing for the creation of the Palm Beach Expressway Authority; providing for the purposes and powers of the authority; providing for bonds; providing for a lease-purchase agreement between the authority and the Department of Transportation; providing that the department may be appointed by the Division of Bond Finance of the Department of General Services as the division's agent for certain purposes; providing for the acquisition of land and property; providing for cooperation; providing for the covenant of the state; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Johnston (by request)—

**SB 862**—A bill to be entitled An act relating to driver's licenses; amending s. 322.21(1), Florida Statutes; increasing fees for operator's license and chauffeur's license; providing an effective date.

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

By Senators Gordon and Gersten—

**SB 863**—A bill to be entitled An act relating to law enforcement officers; creating s. 112.185, Florida Statutes; providing that certain conditions shall be presumed accidental and suffered in the line of duty, under certain circumstances; providing exceptions; providing that life or health insurance benefits relative thereto are negotiable, authorizing governmental entities to negotiate for such benefits; providing an effective date.

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

By Senator Stuart—

**SB 864**—A bill to be entitled An act relating to financial disclosure by public officers; amending s. 112.3145(1)(a), Florida Statutes, 1982 Supplement; requiring members of expressway and transportation authorities to file a statement of financial interest; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Langley—

**SB 865**—A bill to be entitled An act relating to the liability of public officers, employees, and agents; amending s. 768.28(2), (9), Florida Statutes; specifically including public defender offices as state agencies within the statutory definition of same, and specifically including public defenders and their employees and 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.

By Senator W. D. Childers—

**SB 866**—A bill to be entitled An act relating to retirement benefits; providing for a one-time retirement bonus of \$300 to certain members of state-sponsored retirement system or their beneficiaries; providing an appropriation; providing an effective date.

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

By Senator Maxwell—

**SB 867**—A bill to be entitled An act relating to powers of district school boards; amending s. 230.23(10)(j), Florida Statutes, 1982 Supplement; authorizing cooperative purchasing arrangements with public or nonprofit educational agencies when costs of the arrangements are borne by such agencies; providing an effective date.

—was referred to the Committee on Education.

By Senator Kirkpatrick—

**SB 868**—A bill to be entitled An act relating to securities transactions; amending s. 517.07, Florida Statutes; providing for the issuance of permits to offer certain securities for more than 1 year under certain circumstances; providing for reports to be filed by issuers of securities who obtain such permits; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Fox, Weinstein and Malchon—

**SB 869**—A bill to be entitled An act relating to public education; creating s. 228.085, Florida Statutes; providing that neither students nor public education employees shall be discriminated against on the basis of race, sex, national origin, marital status, religion, or handicap by an educational institution that receives federal or state financial assistance; providing for rulemaking authority; providing penalties for failure to report certain data; providing civil remedies; providing severability; providing an effective date.

—was referred to the Committee on Education.

By Senator Girardeau—

**SB 870**—A bill to be entitled An act relating to personnel of the school system; amending s. 231.24, Florida Statutes; limiting the types of course credit and inservice training that is applicable to extension of teacher certification; expanding the list of subjects which may be studied to satisfy additional training requirements prescribed by the State Board of Education for extension; providing an effective date.

—was referred to the Committee on Education.

By Senator Kirkpatrick—

**SB 871**—A bill to be entitled An act relating to honey certification and honeybees; amending s. 586.11, Florida Statutes; providing that another state's certificate of inspection of bees or used beekeeping equipment is valid for the purpose of acquiring an import permit only if such other state honors similar Florida certificates; providing an effective date.

—was referred to the Committee on Agriculture.

By Senators Scott, Johnston and Hair—

**SB 872**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 11.246(1)(d), 20.19(6)(e), 23.050(4), 25.311, 25.387(3), 48.081(1), (5), 120.57(1)(b), 163.3204, 194.032(10), 199.032(3), 201.18, 208.004(3), 253.135, 267.061(2)(c), 289.031, 289.151, 310.181, 320.06(1)(d), 364.063, 370.16(30), 372.0225(2), 372.662, 378.031(1), 409.028(2), 413.22, 420.111(2), 465.003(8), 465.016(1)(e), 465.023(1)(c), 468.144(1)(a), 498.045(1), 498.055, 550.06(5), 561.32(3)(a), 561.33(1), 561.54, 562.165, 570.34, 589.01, 617.051(1)(b), 625.303(3), 626.973(2), 627.062(3), 631.161(2), 637.407(2)(d), 637.411, 655.045(1)(a), (4), 658.29(1), 658.43(3), 658.44(6), 660.27(1), (2), 665.028(1)(d), 678.202(2)(b), 703.09, 716.05, 719.501(1)(d), 721.07(6)(a), 721.11(2)(i), 721.18(1)(d), (f), (l), 721.25, 733.702(1), 775.13(5), 812.015(3)(c), 817.50(2), 823.10, 849.09(2), (3), (4), 895.07(4), 901.211(1), (2), 921.141(5)(d), 941.40(1), 941.50, 943.23, 943.25(3), (9), 944.514, 945.061(4), 948.03(2), (3), and 958.14, Florida Statutes, and ss. 162.04, 394.74(2)(f), 490.014(2)(a), 500.301(11), (12), 570.48, 601.58(2), 608.402(4), 608.404(1)-(6), 608.407(1), 608.408, 608.409(3), 608.411(1), 608.415(1), (4), 608.416(1)(d), 608.423, 608.425, 608.435(1), 608.441(1)(c), 608.442, 608.443(3), 608.445, 608.446(1), 608.447, 608.452(1), (3)-(5), 608.453, 608.455, 608.471(2), 617.011(2), 617.0201(2), 624.155(1), 624.514(3), (4), 625.312, 625.313(2), (3), 625.52(1), (2), 625.75, 625.78, 626.221(2)(a), (b), (o), 626.6215(5), 626.835(2)(c), 626.9541(15), 627.061(10), 627.351(4)(e), 627.4145(3), 627.426(2)(a), 627.5515(6), 627.564, 627.574(2)(b), 627.602(2), 627.6056, 627.6482, 627.6486(1)(c), (2)(d), 627.6488(5)(c), 627.649(4)(b), 627.6492(2), 627.6494(4), 627.6498(3)(a), 627.6515(6), 627.6616, 627.6675(11)(a), 627.668(2)(c), 627.669(1), 627.832(1)(f), 627.839(3)(b), 627.8405(1), 627.844(1), 627.912(1), 627.914(3), (4), 627.915(3)(f), 628.071(3), 629.031, 629.501(3), 629.502, 630.021(1), 631.575(1), 632.371(2), 633.382(5)(b), 634.041(5), (6), (11), 634.052(2), 634.081(5), 634.111(3), 641.19, 648.25(3), 648.37(2), 648.441(2), 648.442(1), (3), (4), (6), 648.45(2), 655.411(1)(a), 718.501(1)(d), 790.001(2), (3)(a), (15), 790.29(2), 893.02(11)(b), (14), (16), 903.133, 903.26(5), 903.28(7), 914.04, 921.001(2)(a), (5), 943.14(2)(b), (10)(b), 944.47(2), 945.135, 947.16(1)(e), (2)(a), (h), 947.1745(3), 947.22(1), and 960.28(1), (2), Florida Statutes (1982 Supplement); repealing ss. 10.003, 10.005, 10.05, 10.06, 10.07, 10.08, 48.111(3), 216.011(2)(c), 253.032, 288.15(5)(a), 316.610(3), 372.001(8), (12), (18)-(22), 624.031(2), 626.989(7), 706.20, 790.21, 924.08(1), (2), and 945.066, Florida Statutes, and s. 20.19(16), Florida Statutes (1982 Supplement); and reenacting s. 626.311(1), Florida Statutes (1982 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; revising or correcting cross-references; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; correcting errors in the editing, publishing, and printing of the Florida Statutes; confirming the restoration of provisions inadvertently omitted from republication in the amendatory process; repealing a provision which was scheduled for repeal but which was inadvertently continued in the revision of the insurance code; and continuing provisions which were scheduled for repeal and which were amended, but inadvertently not continued, in the revision of the insurance code.

—was referred to the Committee on Rules and Calendar.

By Senators Scott, Johnston and Hair—

**SB 873**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 7.64, 13.01(2), 15.09(1)(b), 23.1225(2), 27.37(6)(b), 28.101, 39.41(3)(e), 72.011(4)(a), 83.57, 100.361(1)(a), 101.251(3), 101.35(2), (6), 101.56, 101.5612(1), 106.025(1)(a), 106.15(2), 111.012(2)(b), 112.05(2)(e), 120.53(5)(a), 121.052(1)(g), 121.101(1), (3), (4), 154.238, 154.41(2), 159.414, 159.494, 175.351(10), 177.031(10), 177.36, 190.012(3)(b), 192.091(2)(c), (4), 196.121(2), 201.132(2), 206.445, 206.945, 207.002(8), 207.004(1), (2), (5)(a), (b), 207.005(1), 207.023, 213.22(1), 215.37(2), 215.65(1), 215.84(2)(b), (7), 216.121, 218.31(1), 230.2317(4), 232.032(3)(d), (6), 234.01, 234.211(2)(a), 235.222, 235.34(1), 235.42(3), 236.081(1)(g), (4), (5), (6)(b), 238.171(3)(c), 240.319(3)(t), 240.343(2), 240.355, 240.405(1), (2), 242.331(1), (4), (5)(c), (e), 253.12(4), 253.55(3), 255.043(2), (3), 258.081, 265.138, 265.286(4), (5), 265.32(7)(f), 267.031(1), (4), 267.042(1)(d), 280.04(2)(a), 280.13(1)(c), (g), 280.14(1)(c), (g), and 295.02, Florida Statutes, and ss. 16.54(4), 20.03(12), 83.49(2), (7), 83.56(1), (2), (6), 83.759(1)(c), 83.7605(3), 83.795(3), 83.805, 103.121(5), 104.0515(1), 110.203(26), 112.3185(5), 121.0515(7)(b), 129.201(1), (3), (9), 129.202(1)(c), (d), 162.07(4), 163.01(7)(c), (15)(e)-(g), (k), 166.232(2), 192.001(5), (16), 193.1142(1), (4)(a), 193.122(6), 194.171(4), 197.0134, 200.001(4)(a), (5), (8)(g), 200.065(2)(e), (3)(j), 200.091, 212.03(3), (7), 212.031(1)(d), (3), 212.04, 212.12(7)(c), (10)(g), (11)(h), 212.18(3), 213.053(2), 213.06, 215.50(5), 218.369, 218.37(3)(b), 218.60(3), 218.63(3)(e), (4), 220.182(13), 221.01(1)(b), 221.04(1), 231.02, 231.085, 231.09, 231.29(3), 231.495, 232.277, 233.0671(3), 235.196(2)(a), (3), 235.31(1), 235.435(4), 240.295(2)(a), 240.402(1)(c), (2)(b), 240.48(4)(k), 240.485, 240.488(4), 246.085(1)(b), 246.151, 253.123(3)(d), 287.042(4)(f), 290.002(1)(g), 290.035(1)(a), and 292.04(1)(a), (2)(b), (3)(a), Florida Statutes (1982 Supplement); repealing ss. 20.30(9), 200.069(9), 220.25, and 229.85, Florida Statutes; and reenacting s. 175.361(4), Florida Statutes 1979, s. 117.01(3), (4), (5), Florida Statutes, and ss. 28.241(1) and 195.099, Florida Statutes (1982 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; correcting errors in the editing, publishing, and printing of the Florida Statutes; and confirming the restoration of provisions inadvertently omitted from republication in the amendatory process.

—was referred to the Committee on Rules and Calendar.

By Senator Johnston (by request)—

**SB 874**—A bill to be entitled An act relating to public schools; amending ss. 236.081(1), (3), (5)-(7), 236.083, Florida Statutes; amending s. 236.25, Florida Statutes, 1982 Supplement; revising formulas for funds for operation of public schools and funds for student transportation; providing for establishment of cost factors and required local effort in the General Appropriations Act; increasing required expenditure for inservice training; providing for coverage of deficiencies; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Grant—

**SB 875**—A bill to be entitled An act relating to banker's banks; renumbering ss. 658.12(4)-(31), Florida Statutes, and adding a new subsection (4) thereto; defining "banker's bank"; creating s. 658.165, Florida Statutes; providing for the creation of banker's banks; providing for applicability of the Florida Banking Code; providing exceptions; adding s. 658.67(5)(e), Florida Statutes, 1982 Supplement; authorizing investments in banker's banks; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Rehm—

**SB 876**—A bill to be entitled An act relating to the licensing of real estate appraisers, brokers, and salesmen; amending s. 475.001, Florida Statutes; providing legislative purpose; adding s. 475.01(1)(g)-(j), Florida Statutes, 1982 Supplement; providing definitions; amending s. 475.04(1), (2), Florida Statutes, 1982 Supplement; requiring the Florida Real Estate Commission to foster the education of appraisers; adding s. 475.011(6), (7), Florida Statutes, 1982 Supplement; providing exemptions; creating s. 475.161, Florida Statutes; providing for appraiser classifications and the

scope of duties for each; amending s. 475.17(1), (2), Florida Statutes, 1982 Supplement; providing that the Board of Real Estate shall determine appraiser qualifications and set the minimum classroom hours; amending s. 475.175, Florida Statutes, 1982 Supplement; providing for licensure examination for appraiser; amending s. 475.181(1), Florida Statutes, 1982 Supplement; providing for licensure of appraisers by the Department of Professional Regulation; amending s. 475.182(1), Florida Statutes, 1982 Supplement; providing for license renewal and continuing education; amending s. 475.25(1)(d), (f)-(i), (l), Florida Statutes, 1982 Supplement; providing for discipline of brokers, salesmen, and appraisers by the commission; amending s. 475.31(1), Florida Statutes, 1982 Supplement; providing that a final order revoking or suspending an appraiser's license automatically cancels his salesmen's licenses; amending s. 475.37, Florida Statutes, 1982 Supplement; providing for the effects of a reversal of certain court or commission orders; amending s. 475.41, Florida Statutes; invalidating an unlicensed appraiser's contract for a commission; amending s. 475.42(1)(a), (j), Florida Statutes, 1982 Supplement; specifying certain violations and providing penalties; creating ss. 475.441, 475.442, Florida Statutes; establishing appraisal report requirements and providing for the appraiser to certify certain statements about such a report; amending s. 475.451(1), (2)(c), (8), Florida Statutes, 1982 Supplement; providing for permits for schools and prerequisites for instructors teaching licensure courses; amending s. 475.451(4), Florida Statutes, 1982 Supplement; regulating advertising by real estate schools; providing an effective date.

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

By Senator Thomas—

**SJR 877**—A joint resolution proposing an amendment to Section 3, Article III of the State Constitution, relating to legislative sessions, to allow the regular session of the legislature to convene each year on a date fixed by law.

—was referred to the Committee on Rules and Calendar.

By Senator McPherson—

**SB 878**—A bill to be entitled An act relating to hospitals; amending s. 395.011(2), Florida Statutes, 1982 Supplement; providing educational standards for granting of staff membership or professional clinical privileges to podiatrists in certain hospitals; providing an effective date.

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

By Senator McPherson—

**SB 879**—A bill to be entitled An act relating to beach and shore preservation; amending s. 161.041, Florida Statutes; providing limitations on certain development activity; amending s. 161.053(1), (4), Florida Statutes, and adding subsections (13) and (14) to said section; providing for consideration of coastal barrier dunes in reestablishing coastal construction control lines; providing circumstances and procedures under which construction permits may be issued; providing circumstances in which approval of permits for activities on properties covered by a coastal zone protection element of a local comprehensive plan may be considered only if such element meets certain standards; authorizing the Department of Natural Resources to delegate certain permitting responsibilities and to assess certain costs and fees; providing for the adoption of rules; providing an effective date.

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

By Senator McPherson—

**SB 880**—A bill to be entitled An act relating to vessels; adding subsections (6), (7), and (8) to s. 328.07, Florida Statutes, requiring manufacturers of vessels for sale in Florida to have hull identification numbers displayed; requiring certain manufacturers to include secondary hull identification numbers; prohibiting duplicate numbers; creating s. 328.135, Florida Statutes, prohibiting the duplication of a manufactured vessel hull, or component parts of a vessel, by the direct molding process without the written consent of the manufacturer; prohibiting the knowing sale of such illegally produced hulls or vessel parts; providing for the application of the section; providing for injunctive relief; providing an effective date.

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

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Curtis Peterson, President*

I am directed to inform the Senate that the House of Representatives has passed as amended House Bills 392, 411 and 412 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Commerce—

**HB 392**—A bill to be entitled An act relating to service warranty associations; amending s. 634.401, Florida Statutes, 1982 Supplement, providing definitions; amending s. 634.402, Florida Statutes, relating to the powers of the Department of Insurance with respect to service warranty associations; amending s. 634.404, Florida Statutes, providing criteria for the department to renew service warranty association licenses; amending s. 634.405, Florida Statutes, providing for the maintenance of certain limits on deposits or bonds required of service warranty associations by the department; amending s. 634.406, Florida Statutes, providing financial requirements with respect to service warranty associations; amending s. 634.407, Florida Statutes, deleting the requirement that the department refund the annual license fee to certain applicants; amending s. 634.408, Florida Statutes, providing that service warranty association licenses expire on June 1 next following the date of issuance; amending s. 634.409, Florida Statutes, providing grounds for suspension or revocation of licenses; repealing s. 634.410, Florida Statutes, relating to the procedure to suspend or revoke a service warranty association license; amending s. 634.412, Florida Statutes, relating to license suspension and reinstatement; amending s. 634.413, Florida Statutes, providing for administrative fines in lieu of suspension or revocation; creating s. 634.414, Florida Statutes, providing grounds for the disapproval of certain forms; amending s. 634.415, Florida Statutes, relating to a tax on premiums and certain annual statements and reports, authorizing the imposition of a fine for failure to file a required annual statement; amending s. 634.416, Florida Statutes, providing fees for the examination of associations; creating s. 634.4165, Florida Statutes, providing that service warranty associations shall be required to keep certain office records; amending s. 634.417, Florida Statutes, providing for service of process; repealing s. 634.418, Florida Statutes, relating to service of process; amending s. 634.419, Florida Statutes, deleting the prohibition against the advertising of service warranty contracts by certain persons; amending s. 634.420, Florida Statutes, relating to the registration of sales representatives; amending s. 634.421, Florida Statutes, providing a penalty for the illegal appropriation of funds by sales representatives; amending s. 634.422, Florida Statutes, providing grounds for the compulsory denial, suspension, revocation, or nonrenewal of the registration of a sales representative; amending s. 634.423, Florida Statutes, providing grounds for the discretionary denial, suspension, revocation, or nonrenewal of registration of a sales representative; amending s. 634.424, Florida Statutes, eliminating the right to certain hearings with respect to the refusal, suspension, or revocation of registration of a sales representative; amending s. 634.425, Florida Statutes, prohibiting the department from granting or issuing any registration to any individual whose registration has been twice revoked; amending s. 634.426, Florida Statutes, increasing to \$1,000 the maximum administrative fine that may be imposed in lieu of suspension or revocation of registration; amending s. 634.427, Florida Statutes, relating to the disposition of taxes and fees; amending s. 634.429, Florida Statutes, relating to the practice of fronting; creating s. 634.432, Florida Statutes, relating to the acquisition of an association; creating s. 634.433, Florida Statutes, providing for civil remedy; creating s. 634.434, Florida Statutes, relating to investigatory records; creating ss. 634.435, 634.436, 634.437, 634.438, 634.439, 634.440, 634.441, 634.442, and 634.443, Florida Statutes, prohibiting unfair methods of competition and unfair or deceptive acts or practices; providing a definition; providing for the powers of the department; providing for hearings, witnesses, appearances, production of books and service of process with respect to prohibited practices; providing for cease and desist and penalty orders; providing for appeals from actions of the department; providing penalties; providing injunctive relief; providing civil liability; saving specified sections of part III of chapter 634, Florida Statutes, from sunset repeal scheduled October 1, 1983; providing for future review and repeal of said part on October 1, 1993; repealing s. 3 of chapter 81-148, Laws of Florida, relating to the sunset review of parts II and III of chapter 634, Florida Statutes; providing effective dates.

—was referred to the Committee on Commerce.

By the Committee on Regulatory Reform—

**HB 411**—A bill to be entitled An act relating to hospices; amending s. 400.602, Florida Statutes, modifying licensure requirements and providing for exemptions; amending s. 400.603, Florida Statutes, providing certificate-of-need requirements and exemptions therefrom; amending and renumbering s. 400.612, Florida Statutes, authorizing inspection of hospices by the Department of Health and Rehabilitative Services; amending s. 400.605, Florida Statutes; providing rulemaking authority; requiring annual inspections; amending s. 400.606(1) and (4), Florida Statutes; requiring plans for implementation of home, outpatient, and inpatient care within specified time periods; correcting a cross-reference; adding subsections (3) and (4) to s. 400.607, Florida Statutes, providing for revocation of license upon violation of timetables; amending s. 400.608(2) and (15), Florida Statutes; proscribing certain contractual arrangements; limiting requirements related to designation of specific rooms, alterations of certain physical plants, staffing standards, institutional standards for inpatient facilities, and full-time personnel; amending s. 400.610(1), Florida Statutes, and adding subsection (3) thereto, limiting requirements which may be made with respect to number of committees which must be established and number of meetings which must be held thereby; amending s. 159.27(16), Florida Statutes, 1982 Supplement, correcting cross-references; repealing ss. 400.604 and 400.6115, Florida Statutes, and s. 400.615, Florida Statutes, 1982 Supplement, relating to exemptions from the act, the establishment of a hospice task force and the rights of inspection thereof, and requirements and restrictions with respect to rulemaking authority; saving part V of chapter 400, Florida Statutes, as amended, from sunset repeal scheduled October 1, 1983; providing for review and repeal of said part on October 1, 1993; providing an effective date.

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

By the Committee on Regulatory Reform—

**HB 412**—A bill to be entitled An act relating to home health agencies; amending s. 400.461(2), Florida Statutes, and adding subsection (3) thereto; limiting purpose; providing for creation of a task force; providing for a report; amending s. 400.462(2), Florida Statutes, modifying definition of "home health agencies" to limit application to Medicare providers only; amending s. 400.471(2) and (3), Florida Statutes, eliminating minimum standards references and grandfathering in certain agencies operating without having received a certificate of need; amending ss. 400.474(2)(a) and 400.477(1), Florida Statutes, eliminating minimum standards and conduct references; amending s. 400.497, Florida Statutes, eliminating minimum standards rulemaking authority; repealing ss. 400.481, 400.484, 400.487, 400.491, 400.494, 400.501, and 400.504, Florida Statutes, relating to injunction authority, right of inspection, requirements for plans of treatment, clinical records, confidentiality, criminal sanctions, and obsolete compliance timetables; saving part III of chapter 400, Florida Statutes, as amended, from sunset repeal scheduled October 1, 1983; providing for review and repeal of said part on October 1, 1993; providing an effective date.

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

#### FIRST READING OF COMMITTEE SUBSTITUTES ON THE CALENDAR

By the Committee on Judiciary-Criminal and Senators Scott and McPherson—

**CS for SB 15**—A bill to be entitled An act relating to sexual battery; amending s. 960.28, Florida Statutes, 1982 Supplement; requiring the Bureau of Crimes Compensation of the Division of Workers' Compensation of the Department of Labor and Employment Security to pay the medical expenses for the initial physical examination of a victim of sexual battery; providing for payment regardless of health insurance coverage; removing victim's agreement to prosecute as a condition of payment; providing an effective date.

By the Committees on Finance, Taxation and Claims; and Transportation—

**CS for SB 34**—A bill to be entitled An act relating to motor vehicles, mobile homes, and park trailers; amending s. 320.01, Florida Statutes, 1982 Supplement; providing definitions; amending s. 320.0105, Florida Statutes; providing legislative intent; amending s. 320.011, Florida Stat-

utes; providing for adoption of rules; providing for administration and enforcement of chapter by the Department of Highway Safety and Motor Vehicles; amending s. 320.02, Florida Statutes; modifying requirements for registration of motor vehicles; amending s. 320.025, Florida Statutes; providing for registration under fictitious name; amending s. 320.03, Florida Statutes, 1982 Supplement; specifying the tax collector as agent of the department; specifying duties of tax collectors; amending s. 320.031, Florida Statutes; providing for delivery of license plates by mail; providing for mail service charge; amending s. 320.04, Florida Statutes, 1982 Supplement; providing service charges for registration-related transactions; amending s. 320.05, Florida Statutes, 1982 Supplement; modifying record keeping requirements; providing for public inspection of registration records; creating s. 320.055, Florida Statutes; specifying registration and renewal periods; modifying registration period for vehicles bearing dealer license plates and certain trucks; amending s. 320.06, Florida Statutes; providing for issuance of license plates and validation stickers; providing renewal procedures; providing a reflectorization fee; creating s. 320.0605, Florida Statutes; requiring that the registration certificate be in possession of the vehicle operator; providing exceptions; creating s. 320.0607, Florida Statutes; providing procedures for replacement of lost or damaged license plates; authorizing department license inspectors to inspect license plates for proper display and to require replacement thereof; creating s. 320.0609, Florida Statutes; providing procedures, requirements, and fees for the transfer or exchange of license plates; amending s. 320.061, Florida Statutes; prohibiting alteration of license plates, mobile home stickers, or validation stickers; providing penalties; amending s. 320.065, Florida Statutes, 1982 Supplement; providing for indefinite registration of certain trailers and semitrailers; specifying that part of the annual fee constitutes a service charge; creating s. 320.0655, Florida Statutes; providing for permanent license plates for governmental entities and volunteer fire departments; amending s. 320.07, Florida Statutes, 1982 Supplement; requiring annual renewal of registration; creating s. 320.0705, Florida Statutes; providing for semiannual registration of certain vehicles; amending s. 320.071, Florida Statutes; providing procedures for advance registration; increasing service charges; amending s. 320.08, Florida Statutes, 1982 Supplement, as amended by s. 52 of chapter 83-3, Laws of Florida; specifying license taxes for vehicles subject to registration; amending s. 320.0803, Florida Statutes; providing procedures for the issuance of moped license plates; providing for limited applicability of the chapter to mopeds; amending s. 320.0805, Florida Statutes, 1982 Supplement; providing for issuance of personalized prestige license plates; providing procedures for transfer of such plates; creating s. 320.0807, Florida Statutes; providing for issuance of special license plates for the Governor and legislators; amending s. 320.081, Florida Statutes; providing for collection and distribution of mobile home and park trailer license tax revenue; amending s. 320.0815, Florida Statutes; providing procedures and criteria for the taxation of mobile homes, park trailers, and recreational vehicles; increasing service charges; amending s. 320.083, Florida Statutes; providing for issuance of special license plates to amateur radio operators and citizens' band radio operators; amending s. 320.084, Florida Statutes; providing for issuance of free license plates to certain disabled veterans; amending s. 320.0841, Florida Statutes; providing for issuance of free license plates to Miccosukee and Seminole Indian Tribes; amending s. 320.0842, Florida Statutes; providing for issuance of free license plates to veterans confined to wheelchairs; amending s. 320.0843, Florida Statutes; providing for special license plates for wheelchair users; amending s. 320.0848, Florida Statutes; providing for issuance of parking permits to certain handicapped persons; amending s. 320.086, Florida Statutes; providing for special license plates for ancient motor vehicles; requiring that the license tax be paid annually; amending s. 320.087, Florida Statutes; providing for apportioned taxation of intercity buses used in interstate commerce; amending s. 320.089, Florida Statutes, 1982 Supplement; providing for special license plates for members of the National Guard, active Armed Forces reservists, and ex-prisoners of war; amending s. 320.10, Florida Statutes, 1982 Supplement; providing exemptions from license tax; amending s. 320.13, Florida Statutes; providing for dealer license plates and alternative method of registration; amending s. 320.131, Florida Statutes, 1982 Supplement; providing for the design, sale, use, and regulation of temporary tags by department; specifying the cost of such tags; specifying the period during which such tags are valid; increasing service charges; amending s. 320.14, Florida Statutes; providing procedures for fractional license taxes; amending s. 320.15, Florida Statutes; providing for refund of license taxes under certain conditions; amending s. 320.17, Florida Statutes; authorizing the department to classify vehicles and assess license taxes on such vehicles; amending s. 320.18, Florida Statutes; authorizing the department to withhold the registration of a vehicle; amending s. 320.19, Florida

Statutes; providing for creation and enforcement of a lien for unpaid license taxes; amending s. 320.20, Florida Statutes, as amended by s. 53 of chapter 83-3, Laws of Florida; providing for the distribution of license tax revenue; amending s. 320.23, Florida Statutes; declaring that license taxes are compensatory; amending s. 320.26, Florida Statutes; prohibiting certain acts in conjunction with license plates and validation stickers; providing penalties; amending s. 320.261, Florida Statutes; prohibiting attachment of an unassigned license plate; providing penalties; amending s. 320.33, Florida Statutes; prohibiting possession of vehicles from which the identification number has been removed; amending s. 320.37, Florida Statutes; providing exemptions from registration requirements for certain nonresidents; creating s. 320.371, Florida Statutes; providing that the requirements of registration and display of license number plates shall not apply to new automobiles or trucks whose equitable or legal title is vested in a manufacturer, distributor, importer, or exporter and which vehicles are in the custody of a vehicle servicing, processing, and handling agency; requiring such agency to display its name and address on a temporary sign on the vehicle; amending s. 320.38, Florida Statutes, 1982 Supplement; providing conditions under which nonresidents are required to register their vehicles in the state; amending s. 320.39, Florida Statutes, 1982 Supplement; authorizing reciprocal agreements; amending s. 320.51, Florida Statutes; exempting farm tractors and farm trailers from registration requirements; amending s. 320.57, Florida Statutes; providing penalties for violation of provisions of the chapter; amending s. 320.58, Florida Statutes; authorizing the appointment of license inspectors; providing powers and duties; repealing s. 320.0611, Florida Statutes, relating to replacement of lost, stolen or defaced license plates; repealing s. 320.062, Florida Statutes, relating to requirement that certain vehicles be equipped with safety glass prior to registration; repealing s. 320.0835, Florida Statutes, relating to special license plates for citizens' band radio operators; repealing s. 320.088, Florida Statutes, relating to certification requirements for motorcycles manufactures; repealing s. 320.0987, Florida Statutes, relating to front designation license plates for certain emergency service professions; repealing s. 320.09, Florida Statutes, relating to additional seating capacity fees for certain vehicles; repealing s. 320.132, Florida Statutes, relating to in-transit tags; repealing s. 320.16, Florida Statutes, relating to tax on for-hire vehicles in interstate commerce collected in the form of a registration fee; repealing s. 320.24, Florida Statutes, relating to prohibition against license taxes imposed by counties or municipalities; repealing s. 320.25, Florida Statutes, relating to obtaining a license plate by false representations; repealing s. 320.351, Florida Statutes, relating to compliance with motor vehicle noise limits as a prerequisite to registration; repealing s. 320.36, Florida Statutes, relating to registration of for-hire vehicles; repealing s. 320.694, Florida Statutes, relating to the advisory council of motor vehicle dealers; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senators Thomas, W. D. Childers, Carlucci, Fox, Scott, Margolis, Girardeau, Johnston, Maxwell and Kirkpatrick—

**CS for SB 77**—A bill to be entitled An act relating to economic development ad valorem tax exemption; amending s. 196.1995(4), (7), (8), Florida Statutes; providing that the property appraiser may provide estimates of certain information under certain circumstances; providing that such exemption may be granted for a period of up to 10 years; providing an effective date.

By the Committee on Governmental Operations and Senators Maxwell, Kirkpatrick, W. D. Childers, Girardeau, Thomas, Dunn, Margolis, McPherson, Neal, Gersten, Mann, Myers, Castor, Gordon, Beard, Grant, Barron, Jennings, Jenne and Stuart—

**CS for SB 83**—A bill to be entitled An act relating to public libraries; amending ss. 257.031, 257.04(2), 257.05, 257.14-257.19, 257.191, 257.22, 257.23, 257.24, 257.25, Florida Statutes; providing for changes in the qualifications, duties, and appointment of the State Librarian; allowing the Division of Library Services to give aid to academic libraries; redefining a public document; increasing the number of public documents that state agencies shall provide for distribution by the division and for deposit in the State Library, and providing for regional depositories for state documents; providing the division with authority to adopt rules and to establish operating standards for all libraries that receive state moneys; adding certain special districts and certain municipalities to the types of political subdivisions that may receive operating grants and clarifying eligibility criteria for such grants; revising eligibility criteria for equalization grants and for establishment grants; requiring the division to allocate library grant moneys appropriated to a special district, as well

as to allocate appropriations to a county or a municipality, and changing the certification date for grant funds; prescribing the officer to attest to grant applications; defining free library service; creating ss. 257.171, 257.172, Florida Statutes; providing for local governments to establish and fund regional libraries and for the division to set operating standards for such libraries and to make rules for granting state moneys to such libraries; providing for regional library grants from the state; repealing ss. 257.06, 257.08, 257.13, 257.20, Florida Statutes, relating to the requirements that the division submit an annual report and an annual budget, the definitions of "populations", "library unit", and "municipal library", and the provisions concerning determination of the municipal fiscal year; providing an effective date.

By the Committee on Natural Resources and Conservation and Senator Carlucci—

**CS for SB 111**—A bill to be entitled An act relating to siting of electrical transmission lines; amending s. 403.521, Florida Statutes; providing legislative intent; amending s. 403.522, Florida Statutes; providing definitions; amending s. 403.523, Florida Statutes; providing powers and duties of the Department of Environmental Regulation; amending s. 403.524, Florida Statutes; providing exemptions; amending s. 403.525, Florida Statutes; providing for determination of application completeness and sufficiency; amending s. 403.526, Florida Statutes; providing for reports and studies of a proposed transmission line or corridor; amending s. 403.527, Florida Statutes; providing for public notice and parties to transmission line certification proceedings; providing for local public hearings and additional proceedings by the hearing officer; providing for proposal of alternate transmission line corridor routes; amending s. 403.5275, Florida Statutes; providing for amendments to an application for transmission line certification; amending s. 403.529, Florida Statutes; providing for final disposition of an application by the siting board; amending s. 403.531, Florida Statutes; providing for the effect of certification; providing that transmission lines shall comply with the National Electric Safety Code; amending s. 403.5315, Florida Statutes; providing for modifications of certification; amending s. 403.537, Florida Statutes; providing for notice of determination of need for a proposed transmission line; amending s. 403.539, Florida Statutes; providing for attorney's fees and costs; providing for application of the act; providing for effect on pending proceedings; adding s. 380.06(24), Florida Statutes; exempting power plants and transmission lines; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators McPherson, Grizzle, Henderson and Neal—

**CS for SB 166**—A bill to be entitled An act relating to state lands management; adding s. 195.073(7), Florida Statutes, 1982 Supplement; providing for classification of publicly owned real property; amending s. 253.03(8), Florida Statutes; requiring the Board of Trustees of the Internal Improvement Trust Fund to prepare an inventory of state lands using certain tax roll data; providing for submission of certain information to the Legislature; requiring the board to prepare and distribute certain lists of publicly owned lands; amending s. 253.034(4) and (5), Florida Statutes, 1982 Supplement; requiring certain state agencies to submit a land management plan to the Department of Natural Resources by January 1, 1984; providing for determining which state lands are of no benefit to the public and for disposal of such lands; providing a rebuttable presumption; amending s. 253.111(2), (3), (4), Florida Statutes, and adding subsection (8) to said section; specifying certain time periods regarding the proposed sale of state lands to a county; providing an exception; amending s. 253.115(1), (3), (4), Florida Statutes, 1982 Supplement; providing for notifying certain landowners of the sale of certain state lands; providing exceptions; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Neal, Grizzle, McPherson, Langley, Carlucci, Henderson, Mann and Kirkpatrick—

**CS for SB 175**—A bill to be entitled An act relating to water pollution control and sewage treatment; amending ss. 403.1821-403.1824, 403.1826, 403.1829, Florida Statutes; providing a short title; providing definitions; specifying eligible uses of the State Water Pollution Trust Fund; providing for the Department of Environmental Regulation to make rules with respect to project priorities and certain other matters; providing for restrictions on the use of grant money; providing guidelines for local governmental contributions to projects; requiring projects to be self-sufficient with respect to operation, maintenance, and replacement costs; amending s. 403.1832, Florida Statutes; designating the department as the state agency to contract with the federal government on certain

activities; amending s. 403.804(3), Florida Statutes; providing duties of the Environmental Regulation Commission; creating ss. 403.1836-403.1839, Florida Statutes; creating the Small Community Sewer Construction Assistance Trust Fund in the department; providing for grants from the fund; providing duties of the department regarding such grants; providing an appropriation; repealing ss. 403.1827, 403.1828, 403.1830, 403.1831, 403.1833, Florida Statutes, relating to administering federal grants for water pollution control and sewage treatment; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Crawford—

**CS for SB 182**—A bill to be entitled An act relating to child abuse; amending s. 450.151, Florida Statutes; removing the prohibition against using a child for obscene, indecent or immoral purposes; amending s. 827.07(2)(d), Florida Statutes; removing the prohibition against a parent or other responsible person exploiting a child for pornographic purposes; creating s. 827.071, Florida Statutes; providing definitions; providing penalties for employing, authorizing, or inducing a child of less than 18 years of age to engage in sexual conduct in a sexual performance; providing penalties for consenting to the participation of such child in a sexual performance; providing penalties for promoting such a performance by a child; providing penalties for possession with intent to promote any representation of sexual conduct by a child; repealing s. 847.014, Florida Statutes, relating to minors participating in harmful motion pictures, exhibitions, shows, presentations, or representations; providing an effective date.

By the Committee on Natural Resources and Conservation and Senator Neal—

**CS for SB 188**—A bill to be entitled An act relating to state land acquisition; amending s. 253.023(3), (6), (8), Florida Statutes, 1982 Supplement; providing for use of moneys in the Conservation and Recreation Lands Trust Fund; authorizing the Department of Natural Resources to enter into option contracts to buy certain lands under certain circumstances; providing limitations on such contracts; providing for selection of certain lands to be considered for purchase; amending s. 253.025, Florida Statutes, 1982 Supplement; providing procedures for state land acquisition; providing for appraisals; providing for evidence of marketable title; providing for appraisal reports, offers, and counteroffers; providing for confidentiality; providing for sales histories; amending s. 259.035, Florida Statutes, 1982 Supplement; providing for preparation of two mutually exclusive land acquisition project priority lists; providing for contents of those lists; providing for proposals to acquire certain projects; amending s. 259.04, Florida Statutes; requiring certain projects to be acquired in a certain order to the greatest extent practical; providing for establishment of project acquisition priorities through an extraordinary vote by the board of trustees; providing for state capital projects for outdoor recreation lands; amending s. 375.021(1), and (2), Florida Statutes, 1982 Supplement; providing for selection of certain lands to be considered for purchase; amending s. 375.031(3), Florida Statutes; authorizing the Department of Natural Resources to enter into option contracts to buy certain lands; providing limitations on such contracts; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Vogt—

**CS for SB 279**—A bill to be entitled An act relating to bingo; amending s. 849.093, Florida Statutes; providing definitions; providing rules for the conduct of bingo games; providing penalties; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Myers—

**CS for SB 286**—A bill to be entitled An act relating to obscenity; amending ss. 847.012(1)(a), (f) and 847.013(1)(a), (f), Florida Statutes; redefining the terms "harmful to juveniles" and "harmful to minors" with respect to obscenity laws to provide that material is harmful if it is without serious literary, artistic, political, or scientific value; redefining minor and juvenile; amending s. 847.0125(1)(a), Florida Statutes; redefining minor; amending s. 847.07(2)(b), Florida Statutes; redefining the term "obscene" to include material which is without serious literary, artistic, political, or scientific value; providing an effective date.

By the Committee on Governmental Operations and Senators Stuart, Mann and Frank—

**CS for SB 639**—A bill to be entitled An act relating to state purchasing; adding s. 287.012(7), (8), (9), (10), Florida Statutes, 1982 Supplement;

amending s. 287.042(1), (4), (5), Florida Statutes, 1982 Supplement, and adding subsection (14) to said section; amending s. 287.057(1), (2), (7), (8), (10), (16), Florida Statutes, 1982 Supplement, and adding subsection (18) to said section; amending s. 287.062(1), (3), Florida Statutes, and adding subsection (4) to said section; creating s. 287.073, Florida Statutes; amending s. 240.225, Florida Statutes; providing definitions; establishing a vendor list for state purchasing; providing for the placement of vendors on and removal from the vendor's list; permitting multiple supplier awards for certain contracts providing for the Division of Purchasing of the Department of General Services to enter into certain contracts; permitting the use of requests for proposals; creating the Information Technology Resource Procurement Advisory Council; establishing powers and duties of the council; providing for future repeal and review of laws relating to the council; providing an effective date.

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

Mr. President	Frank	Jennings	Myers
Barron	Gersten	Johnston	Neal
Beard	Girardeau	Kirkpatrick	Plummer
Carlucci	Gordon	Langley	Rehm
Castor	Grant	Malchon	Scott
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Henderson	Maxwell	Vogt
Dunn	Hill	McPherson	Weinstein
Fox	Jenne	Meek	

Excused: Senator Stuart

Prayer by the Rev. Moses Miles, Pastor, Philadelphia Primitive Baptist Church, Tallahassee:

God, our Father, in bowing to thee, we ask your blessings upon this group—these men and these women—who have been elected to serve our people. May they strive with all of their efforts to be unselfish in their actions. May they not be strippers or putters-down as they interact in society. May they not be passers-by who are insensitive to the needs of the citizens of Florida.

Father, may they be pickers-up who are sensitive to the economical, moral, social, educational and political needs of the constituents of our great state.

Dear Lord, lead them to be men and women of integrity—men and women with a purpose in mind to help fallen mankind. As they move about in this Senate, may they strive to heal the educational ills, to rid society of moral corruption and to give equilibrium to the economy of our state.

In thy great name Father, we ask thee to endow upon them the spirit of decency, honor, equity, security, democracy and understanding. Amen.

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

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, April 19, 1983: SB 252, SB 190, SB 95, CS for SB 201, CS for SB 207, CS for SB 62, CS for SB 167, SB 415, CS for Senate Bills 147 and 11, SB 220, SB 115, SB 186, SB 7, SB 223, SB 131

Respectfully submitted,  
Dempsey J. Barron, Chairman

The Committee on Finance, Taxation and Claims recommends the following pass: SB 242 with 3 amendments

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

The Committee on Finance, Taxation and Claims recommends the following pass: SB 27, SB 75, CS for SB 77, SB 96, SB 280, SB 451, SB 649, SB 656

**The bills were placed on the calendar.**

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 262

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 517

The Committee on Judiciary-Civil recommends a committee substitute for the following: CS for SB 57

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 15

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 178

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 489

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 137

**The bill with committee substitute attached was referred to the Committee on Rules and Calendar under the original reference.**

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 34

The Committee on Governmental Operations recommends a committee substitute for the following: SB 639

The Committee on Judiciary-Criminal recommends committee substitutes for the following: SB 182, SB 279, SB 286

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

**REQUESTS FOR EXTENSION OF TIME**

April 15, 1983

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: SB 30, SB 46, SB 70, CS for SB 83, SB 85, SB 112, SB 148, SB 234, SB 235, SB 245, SB 255, SB 282, SB 291, SB 319, SB 382, SB 384, SB 397, SB 403, SB 419, SB 433, SB 434, SB 438, SB 439, SB 381

The Special Master for Claims requests an extension of 15 days for consideration of the following: SB 42, SB 55, SB 187, SB 338, SB 426

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following: SB 38, SB 52, SB 69, SB 143, SB 160, SB 164, SB 184, SB 218, SB 222, SB 238, SB 260, SB 272, SB 275, SB 281, SB 302, SB 324, SB 326, SB 334, SB 335, SB 345, SB 348, SB 375, SB 385, SB 390, SB 396, SB 435, SB 444, SB 453, SB 456, SB 460, SB 463, SB 469, SB 471, SB 475, SB 476, SB 477

April 18, 1983

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: SB 26, SB 104, SB 227, SB 263, SB 267, SB 401, SB 416

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: SB 19, SB 50, SB 74, SB 132, SB 133, SB 141, SB 144, SB 176, SB 224, SB 241, SB 244, SB 258, SB 320, SB 328, SB 332, SB 361, SB 362, SB 364, SB 365, SB 367, SB 373, SB 429, SB 447, SB 455, SB 474

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: CS for Senate Bills 6 and 18, SB 14, SB 20, SB 37, SB 71, SB 87, SB 99, SB 100, SJR 101, SB 105, SB 106, SB 117, SJR 118, SB 119, SB 123, SB 150, SB 155, SB 157, SB 161, SB 196, SB 202, SB 204, CS for SB 221, CS for SB 229, SB 240, SJR 243, SB 287, SB 293, SB 300, SB 317, SB 329, SB 330, SB 333, SB 339, SB 352, SB 358, SB 369, SB 386, SB 387, SB 392, SB 412, SB 427, SB 430, SJR 432, SB 445, SB 481, SB 490, SB 495, SB 500, SB 512, SJR 519, SB 533, SB 537, SB 568, SB 570, SB 571, SB 620, SB 624, SB 629, SB 648, SB 657, SB 671, SB 674, SJR 679, SB 707, SB 719, SJR 725, SB 731, SB 737, SB 772, CS for HJR 114, HB 130, HB 429, HB 472, HB 473, HB 498, HB 649

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: SB 12, SB 36, SB 63, SB 138, SB 140, SB 179, SB 181, SB 185, SB 206, SB 246, SB 355, SB 395, SB 400, SB 402, SB 413, SB 448, SB 452

The Committee on Transportation requests an extension of 15 days for consideration of the following: SB 13, SB 58, SB 342, SB 388, SB 404, SB 408, SB 409, SB 414, SB 441, SB 457, SB 470, SB 478, SB 514, SB 536, SB 599, SB 609, SB 623, SB 633, SB 645

April 19, 1983

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: SB 151, SB 152, SB 247, SB 418, SB 421, SB 644, SB 666, SB 751, SB 766, SB 158, SB 307, SB 337, SB 472, SB 497, SB 89

The Committee on Education requests an extension of 15 days for consideration of the following: SB 43, SB 48, SB 59, SB 102, SB 110, SB 134, SB 135, SB 136, SB 145, SB 146, SB 171, SB 189, SB 193, SB 213, SB 217, SB 226, SB 268, SB 276, SB 277, SB 284, SB 304, SB 306, SB 311, SB 313, SB 322, SB 336, SB 357, SB 371, SB 372, SB 377, SB 407, SB 424, SB 431, SB 440, SB 461

**Presentation of the Allen Morris Awards as Sponsored by the Florida Times-Union**

The President invited Dr. Allen Morris, Clerk of the House of Representatives, to the rostrum where he joined Larry Nichols, representing James L. Whyte, Vice President and General Manager of the Florida Times-Union, for presentation of the Allen Morris Awards. Dr. Morris presented plaques to the following Senators symbolizing honors voted them in secret balloting by their colleagues in the 1982 Senate:

Most Effective Member of the Senate—Dempsey J. Barron

Most Effective in Debate—Harry A. Johnston, II

Most Effective in Committee—Sherrill N. Skinner

Most Effective First-Term Senator—Thomas F. Lewis

Senator Johnston accepted the plaque on behalf of Senator Lewis.

The President recognized the following Senators who were honored in the balloting last year as runners-up in three categories:

Most Effective in Committee—Pat Neal

Most Effective in Debate—Jim Scott

Most Effective First-Term Senator—George Kirkpatrick

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Mann, by two-thirds vote SB 727 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Margolis, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to meet from 12:30 p.m. until 2:00 p.m. April 20 in lieu of April 22 to consider CS for SB 56; Senate Bills 237, 379, 410, CS for SB 489; Senate Bills 542, 694, 705 and 706.

On motions by Senator Margolis, by two-thirds vote SB 224 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Margolis, SB 1055 was withdrawn prior to introduction.

On motion by Senator Henderson, by two-thirds vote SB 30 was withdrawn from the Committee on Rules and Calendar.

On motions by Senator Johnston, the rules were waived and by two-thirds vote Senate Bills 8, 9, 29, CS for SB 111; SB 126, CS for SB 166, CS for SB 175, CS for SB 188; Senate Bills 216 and 340, and CS for SB 15 were withdrawn from the Committee on Appropriations.

On motions by Senator Johnston, by two-thirds vote CS for SB 639 and CS for SB 368 were removed from the calendar and referred to the Committee on Appropriations.

On motion by Senator Beard, by two-thirds vote SB 31 was removed from the calendar and indefinitely postponed.

On motions by Senator Crawford, by two-thirds vote SB 662 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Jennings, by two-thirds vote Senate Bills 197 and 231 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Grant, the rules were waived and by two-thirds vote SCR 628 was withdrawn from the Committee on Rules and Calendar.

**SCR 628**—A concurrent resolution declaring the North Florida Air Show as the North Florida State Air Fair.

—was read the second time in full. On motion by Senator Grant, SCR 628 was adopted and certified to the House. The vote on adoption was:

Yeas—37

Mr. President	Frank	Johnston	Neal
Barron	Girardeau	Kirkpatrick	Plummer
Beard	Gordon	Langley	Rehm
Carlucci	Grant	Malchon	Scott
Castor	Grizzle	Mann	Thomas
Childers, D.	Hair	Margolis	Thurman
Childers, W. D.	Henderson	Maxwell	Vogt
Crawford	Hill	McPherson	
Dunn	Jenne	Meek	
Fox	Jennings	Myers	

Nays—None

Vote after roll call:

Yea— Weinstein

All Senators were recorded as co-introducers of SCR 628.

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

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

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Career Service Commission, Member Kerns, David V., Tallahassee	11/22/84
Board of Podiatry, Member Strickland, J. G., St. Petersburg	1/8/87

[Referred to the Committee on Executive Business.]

Secretary of Community Affairs DeGrove, John M., Tallahassee	Pleasure of Governor
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[Referred to the Committees on Economic, Community and Consumer Affairs and Executive Business.]

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Curtis Peterson, President*

I am directed to inform the Senate that the House of Representatives has passed SB 73 and SB 165.

*Allen Morris, Clerk*

The bills contained in the foregoing message were ordered enrolled.

*The Honorable Curtis Peterson, President*

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

**SB 611**—A bill to be entitled An act relating to school district finances; amending s. 237.151, Florida Statutes, 1982 Supplement; changing the times when certain loans may be made; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 1, line 7, strike everything after the enacting clause and insert:

Section 1. (1)(a) Notwithstanding the provisions of s. 237.151, Florida Statutes, 1982 Supplement, school boards are hereby authorized to negotiate a current loan prior to April 29, 1983 to be repaid during the school district fiscal year 1983-84 from the proceeds of revenue reasonably anticipated to be received during said year, provided that the loan shall not be in an amount violative of federal arbitrage regulations. In no event shall a loan be negotiated pursuant to this act if the federal regulations governing arbitrage as in effect on April 28, 1983 would not be applicable to the entire proceeds of said loan.

(b) Loans arranged pursuant to this act shall be negotiated in accordance with a budget, approved by the school board, which is prepared preliminary to the tentative budget required by chapter 237, Florida Statutes. Such loans shall be at a rate of interest not to exceed the rate of interest authorized under the provisions of s. 215.84, Florida Statutes, and shall not be in excess of 80 percent of the amount estimated by them in the preliminary budget for fiscal year 1983-84 for the district to be available from the district tax.

(2) The proceeds of any loans issued pursuant to this section, and any interest earned on such proceeds, shall not be used to pay any expenses incurred in the fiscal year 1982-83. Furthermore, the school districts shall maintain the integrity of said loan proceeds and related interest in their accounting records so as to be able to validate the provisions of this section.

(3) It is the intent of the Legislature to allow borrowing in fiscal year 1982-83 for fiscal year 1983-84, even if there are earlier loans still outstanding. For a district to be able to implement the provisions of this act, it need only to have sold bonds or notes by April 28, 1983, even though delivery or payment may occur at a later date.

Section 2. This act shall take effect upon becoming a law.

**Amendment 2**— On page 1, strike lines 3-5 and insert: authorizing school boards to negotiate certain current loans in accordance with certain federal arbitrage regulations; providing restrictions; providing intent; providing an effective date.

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

SB 611 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Frank	Jennings	Myers
Barron	Girardeau	Johnston	Neal
Beard	Gordon	Kirkpatrick	Rehm
Castor	Grant	Langley	Scott
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Henderson	Maxwell	Vogt
Dunn	Hill	McPherson	Weinstein
Fox	Jenne	Meek	

Nays—None

Vote after roll call:

Yea—Carlucci, Gersten, Malchon

The bill was ordered engrossed and then enrolled.

*The Honorable Curtis Peterson, President*

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

**CS for SB 45**—A bill to be entitled An act relating to the management of selected bridges on the state highway system; establishing a State Bridge Management Committee; providing for the duties of the committee; providing for a report and recommendations; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 3, line 15, after “1983” insert: and shall stand repealed July 1, 1984

On motion by Senator Plummer, the Senate concurred in the House amendment.

CS for SB 45 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fox	Jenne	Myers
Barron	Frank	Jennings	Neal
Beard	Girardeau	Johnston	Plummer
Carlucci	Gordon	Kirkpatrick	Rehm
Castor	Grant	Langley	Scott
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Henderson	Maxwell	Vogt
Dunn	Hill	McPherson	Weinstein

Nays—None

Vote after roll call:

Yea—Gersten

The bill was ordered engrossed and then enrolled.

*The Honorable Curtis Peterson, President*

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

**CS for SB 72**—A bill to be entitled An act relating to horse sales, shows, and exhibitions; amending s. 535.01, Florida Statutes, requiring a license to conduct a public vendue at which any thoroughbred horse is offered for sale; eliminating reference to yearlings and 2-year olds; amending s. 535.05, Florida Statutes, requiring a \$10 license fee; amending s. 535.11(2), Florida Statutes, limiting the prohibition on the administration of drugs; providing a penalty; amending ss. 535.12(1), 535.13, and 535.14, Florida Statutes, correcting cross references; adding subsections (3), (4), and (5), to s. 535.21, Florida Statutes, 1982 Supplement, providing procedures for application for a horse show occupational license; providing a civil penalty and for suspension or revocation of such license; authorizing action in circuit court for civil penalty and injunctive relief; repealing ss. 535.03, 535.04, and 535.06, Florida Statutes, relating to inspection by a licensed veterinarian, submission of pedigree, and fee for examination, of thoroughbred yearlings and 2-year olds; repealing ss. 535.10 and 535.15, Florida Statutes, relating to soring of horses and the review commission; saving chapter 535, Florida Statutes, as amended, from sunset repeal scheduled October 1, 1983; providing for review and repeal of said chapter on October 1, 1993; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 3, line 5, strike “is drugged” and insert: *has been administered any forbidden or masking substance in violation of this section*

**Amendment 2**—On page 3, lines 16 and 17, strike “, including phenylbutazone,” and insert: “, including phenylbutazone,”

**Amendment 3**—On page 3, line 19, after the period (.) insert:

*Notwithstanding any other provisions of this section, phenylbutazone may not be administered to a thoroughbred horse offered for sale at public vendue. However, phenylbutazone may be administered to any horse entered or shown in a horse show and the horse need not be withdrawn from competition if the use of phenylbutazone is reported in accordance with subsection (5).*

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

CS for SB 72 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Johnston	Neal
Barron	Girardeau	Kirkpatrick	Plummer
Beard	Gordon	Langley	Rehm
Carlucci	Grant	Malchon	Scott
Castor	Grizzle	Mann	Thomas
Childers, D.	Hair	Margolis	Thurman
Childers, W. D.	Henderson	Maxwell	Vogt
Crawford	Hill	McPherson	Weinstein
Dunn	Jenne	Meek	
Fox	Jennings	Myers	

Nays—None

Vote after roll call:

Yea—Gersten

The bill was ordered engrossed and then enrolled.

**SPECIAL ORDER**

**SB 252**—A bill to be entitled An act relating to naming a causeway; designating the 192nd Street Causeway in Dade County as the William Lehman Causeway and designating the bridge on the causeway as the Norman Giller Bridge; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 1, lines 23 and 24, strike “NOW, THEREFORE, and insert: WHEREAS, Senator Sherman Winn has served as Mayor of the city of North Miami from 1965 through 1969, and has served as a member of the Florida House of Representatives from 1970 through 1972 and served in the Florida Senate from 1972 through 1981, and served as President Pro Tempore of the Florida Senate from 1976 through 1978, and has dedicated his time and efforts to the successful development of North Dade County and to the welfare of the residents of that community; NOW THEREFORE,

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

**Amendment 2**—On page 1, strike all of lines 30 and 31 and insert: named the “William Lehman Causeway” and the east bridge on the causeway is hereby named the “Norman Giller Bridge,” and the west bridge on the causeway is hereby named the “Senator Sherman Winn Bridge.”

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

**Amendment 3**—On page 2, strike all of line 4 and insert: designating the east bridge the “Norman Giller Bridge,” and the west bridge the “Senator Sherman Winn Bridge.”

**Amendment 4**—In title, on page 1, strike all of lines 5-7 and insert: designating the east bridge on the causeway as the Norman Giller Bridge and designating the west bridge as the Senator Sherman Winn Bridge; providing an effective date.

On motion by Senator Gordon, by two-thirds vote SB 252 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Frank	Jennings	Plummer
Barron	Gersten	Kirkpatrick	Rehm
Beard	Girardeau	Langley	Scott
Carlucci	Gordon	Malchon	Thomas
Castor	Grant	Mann	Thurman
Childers, W. D.	Grizzle	Margolis	Vogt
Crawford	Hair	McPherson	Weinstein
Dunn	Henderson	Myers	
Fox	Hill	Neal	

Nays—None

On motion by Senator Gordon, the rules were waived and SB 252 after being engrossed was ordered immediately certified to the House.

**SB 190**—A bill to be entitled An act relating to state roads; redesignating State Road 874 within Dade County, otherwise known as the "South Dade Expressway," as the "Don Shula Expressway" in honor of Don Shula, Head Coach of the Miami Dolphins Football Team; authorizing the erection of appropriate signs and markers; providing an effective date.

—was read the second time by title. On motion by Senator Fox, by two-thirds vote SB 190 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Frank	Hill	Myers
Barron	Gersten	Jennings	Plummer
Beard	Girardeau	Langley	Rehm
Carlucci	Gordon	Malchon	Scott
Castor	Grant	Mann	Thomas
Childers, W. D.	Grizzle	Margolis	Vogt
Crawford	Hair	Maxwell	Weinstein
Fox	Henderson	McPherson	

Nays—None

Vote after roll call:

Yea—Kirkpatrick, Meek

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

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Curtis Peterson, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 111 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Mitchell—

**HB 111**—A bill to be entitled An act relating to the misbranding of food; amending ss. 500.11(1)(l), 504.012(1), 504.013, Florida Statutes; providing circumstances under which a package of bee pollen or a package of honey is deemed to be misbranded; authorizing Florida-produced bee pollen or honey to be so labeled; requiring foreign-produced bee pollen or honey to be labeled as to country of origin; providing penalties; adding s. 586.02(4), Florida Statutes; providing a definition of bee pollen or honeybee pollen; providing an effective date.

—was read the first time by title. On motions by Senator Kirkpatrick, the rules were waived and by two-thirds vote the bill was placed on the special order calendar.

**SPECIAL ORDER, continued**

On motion by Senator Kirkpatrick, by two-thirds vote HB 111, a companion measure, was substituted for SB 95. On motions by Senator Kirkpatrick, by two-thirds vote HB 111 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gersten	Johnston	Neal
Barron	Girardeau	Kirkpatrick	Plummer
Beard	Gordon	Langley	Rehm
Carlucci	Grant	Malchon	Scott
Castor	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Henderson	Maxwell	Vogt
Dunn	Hill	McPherson	Weinstein
Fox	Jenne	Meek	
Frank	Jennings	Myers	

Nays—None

SB 95 was laid on the table.

**CS for SB 201**—A bill to be entitled An act relating to burial insurance; amending s. 639.07, Florida Statutes; providing definitions; amending s. 639.08, Florida Statutes; providing clarifying language; amending s.

639.09, Florida Statutes; requiring a certificate of authority; amending s. 639.10, Florida Statutes; providing for expiration and renewal of certificates of authority; providing for an annual statement; providing evidence of financial solvency; requiring certain disclosures; creating s. 639.105, Florida Statutes; providing for the approval of forms; amending s. 639.11, Florida Statutes; providing for disposition of funds received on preneed contracts; amending s. 639.13, Florida Statutes, 1982 Supplement; providing for the cancellation of preneed contracts and certain liquidated damages; amending ss. 639.14, 639.15, Florida Statutes; providing conforming language; amending s. 639.16, Florida Statutes; providing grounds for suspension and revocation of certificates of authority; providing for notice, effect, and publication of suspension order; providing for duration of suspension and for reinstatement; creating s. 639.165, Florida Statutes; providing for dissolutions and liquidations; creating s. 639.166, Florida Statutes; providing for administrative fine in lieu of suspension or revocation of certificate of authority; amending ss. 639.17, 639.20, 639.21, Florida Statutes; providing clarifying language; creating s. 639.185, Florida Statutes; providing for the registration of preneed agents with the Department of Insurance; amending s. 470.028, Florida Statutes, 1982 Supplement; deleting the requirement that preneed agents be registered with the Department of Professional Regulation; amending s. 470.002(4), Florida Statutes, 1982 Supplement; and amending ss. 470.019(2)(f), 470.036(1)(q), Florida Statutes; conforming language; creating ss. 639.22, 639.23, Florida Statutes; prohibiting and defining certain unfair methods of competition and unfair or deceptive practices; creating s. 639.24, Florida Statutes; empowering the department to conduct certain examinations and investigations; creating s. 639.25, Florida Statutes; authorizing the department to conduct certain hearings in accordance with chapter 120, Florida Statutes; creating s. 639.26, Florida Statutes; requiring the department to issue cease and desist orders under certain circumstances; providing for an administrative penalty; creating s. 639.27, Florida Statutes; providing for appeal; creating s. 639.28, Florida Statutes; providing a penalty for violation of cease and desist orders; creating s. 639.29, Florida Statutes; providing for injunctions; creating s. 639.30, Florida Statutes; providing for civil liability; reviving and readopting chapter 639, Florida Statutes, as amended, notwithstanding the Regulatory Sunset Act; repealing s. 639.06, Florida Statutes, relating to declaration of policy; repealing s. 639.18, Florida Statutes, relating to false, fraudulent, and deceptive advertising and selling practices; repealing s. 639.19, Florida Statutes, relating to legislative intent; providing for legislative review; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote CS for SB 201 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Plummer
Barron	Gersten	Kirkpatrick	Rehm
Beard	Girardeau	Langley	Scott
Carlucci	Gordon	Malchon	Thomas
Castor	Grant	Mann	Thurman
Childers, D.	Grizzle	Margolis	Vogt
Childers, W. D.	Henderson	Maxwell	Weinstein
Crawford	Hill	McPherson	
Dunn	Jenne	Myers	
Fox	Jennings	Neal	

Nays—None

Vote after roll call:

Yea—Hair

**CS for SB 207**—A bill to be entitled An act relating to home warranty associations; revising, reviving, and readopting, notwithstanding the Regulatory Sunset Act, ss. 634.301-634.329, Florida Statutes, relating to the regulation of home warranty associations; amending s. 634.301(3), (5)-(7), Florida Statutes, and adding subsections (11)-(16) to said section; amending ss. 634.304, 634.305, 634.306(4), 634.307, 634.308, 634.310(1), 634.311(4), 634.313(1), (2), 634.315, 634.317, 634.318, 634.319, 634.321, 634.322, 634.323(1), 634.324, 634.326, Florida Statutes; adding s. 634.320(11), Florida Statutes; creating ss. 634.3045, 634.3112, 634.3125, 634.3126, 634.3135, 634.3225, 634.3275, 634.3285, 634.335-634.345, Florida Statutes; providing definitions; providing qualifications for renewal of license; requiring an unearned premium reserve fund; specifying minimum required net assets; providing for contractual liability insurance in lieu of an unearned premium reserve; eliminating letters of credit; pro-

hibiting refund of license fee upon denial of license; providing for administrative fines in lieu of suspension or revocation of license; providing for disapproval of forms; providing for rates to be filed for informational purposes; specifying contents of annual statements; providing minimum requirements for office records and permitting computer records; revising requirements for service of process; requiring registration of certain real estate brokers; providing for biennial registration of sales representatives; providing grounds and procedures for suspension or revocation of registration; specifying duration of suspension or revocation; increasing administrative fines imposed in lieu of suspension or revocation of registration; providing fees; providing for confidentiality of investigative records; requiring departmental approval of mergers or consolidations of associations; prohibiting unfair methods of competition and unfair trade practices; defining unfair trade practices; providing the department powers; providing remedies for violations; prohibiting coercion of debtors; requiring buyer's right to cancel; allowing to stand repealed pursuant to the Regulatory Sunset Act, s. 634.316, Florida Statutes, relating to service of process; providing for legislative review; providing retroactivity; providing an effective date.

—was read the second time by title.

Senator Mann moved the following amendment which was adopted:

**Amendment 1**—On page 19, line 7, after “contracts” insert: *for remuneration*

On motion by Senator W. D. Childers, by two-thirds vote CS for SB 207 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
Beard	Girardeau	Kirkpatrick	Plummer
Carlucci	Gordon	Langley	Rehm
Castor	Grant	Malchon	Scott
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Henderson	Maxwell	Vogt
Dunn	Hill	McPherson	Weinstein
Fox	Jenne	Meek	
Frank	Jennings	Myers	

Nays—None

**CS for SB 62**—A bill to be entitled An act relating to alcoholic beverages; amending ss. 562.06, 561.25, Florida Statutes; providing for the sale and consumption of alcoholic beverages on public property under certain circumstances; providing an exemption for certain persons who may own an interest in licensed establishments authorized to sell beer or wine by package; providing an effective date.

—was read the second time by title.

Senator Langley moved the following amendment which was adopted:

**Amendment 1**—On page 2, line 16, strike “51” and insert: 65

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

Yeas—34

Barron	Girardeau	Kirkpatrick	Plummer
Carlucci	Gordon	Malchon	Rehm
Castor	Grant	Mann	Scott
Childers, W. D.	Grizzle	Margolis	Thomas
Crawford	Hair	Maxwell	Thurman
Dunn	Henderson	McPherson	Vogt
Fox	Hill	Meek	Weinstein
Frank	Jennings	Myers	
Gersten	Johnston	Neal	

Nays—4

Mr. President	Beard	Childers, D.	Langley
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Vote after roll call:

Yea—Jenne

Consideration of CS for SB 167 was deferred.

**SB 415**—A bill to be entitled An act relating to health insurance; amending s. 627.651(1), Florida Statutes, 1982 Supplement; requiring any plan of self-insurance to provide for payments for chiropractic services or an optional rider or endorsement to provide for such payments; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote SB 415 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Girardeau	Johnston	Plummer
Carlucci	Gordon	Kirkpatrick	Rehm
Castor	Grant	Langley	Scott
Childers, D.	Grizzle	Malchon	Thomas
Crawford	Hair	Mann	Thurman
Dunn	Henderson	Margolis	Vogt
Fox	Hill	Maxwell	Weinstein
Frank	Jenne	Meek	
Gersten	Jennings	Myers	

Nays—None

Vote after roll call:

Yea—W. D. Childers

**CS for SB's 147 and 11**—A bill to be entitled An act relating to elections; amending s. 99.012(2), (3), Florida Statutes; requiring an incumbent public officer who is a candidate for federal office to resign upon qualifying; providing for an automatic resignation; providing for notice of such resignation; amending s. 99.061(1), Florida Statutes; establishing a qualifying period for candidates for federal office; amending s. 100.101, Florida Statutes; providing an exception to the requirement that a special election be called; renumbering present s. 100.111(2), (3), (4), Florida Statutes, and adding a new subsection (2) to said section; specifying the manner in which vacancies in certain state and county offices are filled; eliminating the requirement for a special election in certain state and county elective offices where an incumbent qualifies for federal office; providing for notice to supervisors of elections; providing an effective date.

—was read the second time by title.

Senator Hair moved the following amendment which was adopted:

**Amendment 1**—On page 4, line 22, strike “100.111(3)” and insert: 100.111(2)

Senator Dunn moved the following amendment which was adopted:

**Amendment 2**—On page 2, lines 17 and 18, strike “, the expiration date of the term of the office which he presently holds”

Pending further consideration of CS for SB's 147 and 11 as amended, on motion by Senator Hair, the rules were waived and by two-thirds vote HB 649 was withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Hair—

**HB 649**—A bill to be entitled An act relating to elections; creating s. 99.0125, Florida Statutes, providing an automatic resignation for state, county, or municipal officers seeking federal office; providing for notification by the Department of State of such candidate's resignation; amending s. 99.061(1), Florida Statutes, establishing a qualifying period for candidates for federal office; amending s. 100.101, Florida Statutes, eliminating, in certain cases, the requirement that a special election be called to fill a vacancy created by virtue of a public officer qualifying as a candidate for a federal office; amending s. 100.111(1), Florida Statutes, and adding a new subsection (2) thereto; specifying offices to which provisions for filling vacancies apply; eliminating the requirement for calling a special election in certain cases; providing an effective date.

—a companion measure, was substituted for CS for SB's 147 and 11 and read the second time by title.

Senator Hair moved the following amendments which were adopted:

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

Section 1. Subsections (2) and (3) of section 99.012, Florida Statutes, are amended to read:

99.012 Restrictions on individuals qualifying for public office.—

(2) No individual may qualify as a candidate for public office who holds another elective or appointive office, whether state, county or municipal, the term of which or any part thereof runs concurrently with the term of office for which he seeks to qualify without resigning from such office not less than 10 days prior to the first day of qualifying for the office he intends to seek. *Any individual who qualifies as a candidate for federal public office and who holds another elective or appointive office, whether state, county or municipal, the term of which or any part thereof runs concurrently with the term of office for which he qualifies, shall resign from such office immediately upon qualifying as a candidate for federal public office. The failure of the incumbent public officer who has qualified for federal public office to resign as required in this subsection, shall constitute an automatic resignation.* Said resignation shall be effective not later than the date upon which he would assume office, if elected to the office to which he seeks to qualify, the expiration date of the term of the office which he presently holds, or the general election day at which his successor is elected, whichever occurs earliest. With regard to elective offices, said resignation shall create a vacancy in said office thereby permitting persons to qualify as candidates for nomination and election to that office in the same manner as if the term of such public officer were otherwise scheduled to expire; or, in regard to elective municipal or home rule charter county offices, said resignation shall create a vacancy which may be filled for the unexpired term of the resigned officer in such manner as provided in the municipal or county charter. This does not apply to political party offices.

(3) Any incumbent public officer whose term of office or any part thereof runs concurrently to the term of office for which he seeks to qualify shall resign his office pursuant to the provisions of this section and shall execute an instrument in writing directed, except as provided below, to the Governor, irrevocably resigning from the office he currently occupies. The resignation shall be presented to the Governor with a copy to the Department of State except that, in the case of a county or municipal public officer, the resignation shall be directed and presented to the officer with whom he qualified for the office from which he is resigning, or, in the case of an appointed official, to the officer or authority by whom he was appointed to the office from which he is resigning, with a copy to the Governor and to the Department of State. *In the case of an automatic resignation pursuant to subsection (2), the Department of State shall send notice of the automatic resignation to the Governor, and in the case of a county or municipal public office, to the officer with whom he qualified for the office from which he is deemed resigned, or in the case of an appointed official, to the officer or authority by whom he was appointed to the office from which he is deemed resigned.* The resignation shall become effective and shall have the effect of creating a vacancy in office as provided herein, and the public officer shall continue to serve until his successor is elected or the vacancy otherwise filled as provided in subsection (2).

Section 2. Subsection (1) of section 99.061, Florida Statutes, is amended to read:

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.—

(1) Each person seeking to qualify for nomination or election to a federal, state, or multicounty district office, other than a judicial office as defined in chapter 105, shall file his qualification papers with, and pay the qualification fee and party assessment, if any has been levied, to, the Department of State, or qualify by the alternative method with the Department of State, at any time after noon of the 1st day for qualifying, which shall be as follows: *the 77th day prior to the first primary, but not later than noon of the 63rd day prior to the first primary, for persons seeking to qualify for nomination or election to federal office; and the 63rd day prior to the first primary, but not later than noon of the 49th day prior to the date of the first primary, for persons seeking to qualify for nomination or election to a state or multicounty district office.* However, the qualification fee, if any, paid by an independent candidate or a minor party candidate shall be refunded to such candidate by the qualifying officer within 10 days from the date that the determination is made that such candidate or minor party failed to obtain the required number of signatures.

Section 3. Section 100.101, Florida Statutes, is amended to read:

100.101 Special elections and special primary elections.—*Except as provided in s. 100.111(2), a special election or special primary election shall be held in the following cases:*

- (1) If no person has been elected at a general election to fill an office which was required to be filled by election at such general election.
- (2) If a vacancy occurs in the office of state senator or member of the state House of Representatives.
- (3) If it shall be necessary to elect presidential electors, by reason of the offices of President and Vice President both having become vacant.
- (4) If a vacancy occurs in the office of member of the House of Representatives of Congress from Florida.
- (5) If a vacancy occurs in nomination.

Section 4. Subsections (2), (3), and (4) of section 100.111, Florida Statutes, are renumbered as subsections (3), (4), and (5), respectively, and a new subsection (2) is added to said section to read:

100.111 Filling vacancy.—

(2)(a) *If a vacancy occurs during an election year in any state or county office required to be filled by election by reason of the incumbent qualifying as a candidate for federal office pursuant to s. 99.061, no special election shall be required. Any person seeking nomination or election to the office so vacated shall qualify within the time prescribed by s. 99.061 for qualifying for state or county offices to be filled by election.*

(b) *If such a vacancy occurs in an election year other than the one immediately preceding expiration of the present term, the Secretary of State shall notify the supervisor of elections in each county served by the office that a vacancy has been created. Such notice shall be provided to the supervisor not later than the close of the first day set for qualifying for state or county office. The supervisor shall provide public notice of the vacancy in any manner the Secretary of State shall deem appropriate.*

Section 5. This act shall take effect October 1, 1983.

**Amendment 2**—In title, on page 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to elections; amending s. 99.012(2), (3), Florida Statutes; requiring an incumbent public officer who is a candidate for federal office to resign upon qualifying; providing for an automatic resignation; providing for notice of such resignation; amending s. 99.061(1), Florida Statutes; establishing a qualifying period for candidates for federal office; amending s. 100.101, Florida Statutes; providing an exception to the requirement that a special election be called; renumbering present s. 100.111(2), (3), (4), Florida Statutes, and adding a new subsection (2) to said section; specifying the manner in which vacancies in certain state and county offices are filled; eliminating the requirement for a special election in certain state and county elective offices where an incumbent qualifies for federal office; providing for notice to supervisors of elections; providing an effective date.

On motion by Senator Hair, by two-thirds vote HB 649 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fox	Hill	Myers
Barron	Frank	Jenne	Neal
Beard	Gersten	Jennings	Plummer
Carlucci	Girardeau	Johnston	Rehm
Castor	Gordon	Langley	Scott
Childers, D.	Grant	Malchon	Thomas
Childers, W. D.	Grizzle	Mann	Thurman
Crawford	Hair	Margolis	Vogt
Dunn	Henderson	McPherson	Weinstein

Nays—None

Vote after roll call:

Yea—Kirkpatrick

CS for SB's 147 and 11 was laid on the table.

**SB 220**—A bill to be entitled An act relating to burglary; amending s. 810.02(2), (3), Florida Statutes, 1982 Supplement; increasing the penalties for certain burglaries; providing an effective date.

—was read the second time by title. On motion by Senator Weinstein, by two-thirds vote SB 220 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fox	Jenne	Meek
Barron	Frank	Jennings	Myers
Beard	Gersten	Johnston	Neal
Carlucci	Gordon	Kirkpatrick	Plummer
Castor	Grant	Langley	Rehm
Childers, D.	Grizzle	Malchon	Scott
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Henderson	Maxwell	Vogt
Dunn	Hill	McPherson	Weinstein

Nays—None

**SB 115**—A bill to be entitled An act relating to reports of accidents; amending s. 316.066(1), (3)(a), Florida Statutes, 1982 Supplement; amending s. 324.051(1)(a), Florida Statutes; prescribing when a law enforcement officer is required to file a written accident report; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 1, line 29, strike "860.01" and insert: 316.1931

Senator Langley moved the following amendment which was adopted:

**Amendment 2**—On page 1, strike all of line 30 and insert: 3. When appropriate in the officers' discretion, when an accident renders a vehicle inoperative to a degree

On motion by Senator Beard, by two-thirds vote SB 115 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	Fox	Jenne	Meek
Barron	Frank	Jennings	Myers
Beard	Gersten	Johnston	Neal
Carlucci	Girardeau	Langley	Plummer
Castor	Gordon	Malchon	Scott
Childers, D.	Grant	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Henderson	Maxwell	Vogt
Dunn	Hill	McPherson	Weinstein

Nays—1

Grizzle

Vote after roll call:

Yea—Kirkpatrick

On motion by Senator Barron, by two-thirds vote SB 232 was placed at the end of the special order calendar.

**SB 186**—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.532(2), Florida Statutes, 1982 Supplement; prescribing circumstances under which complaint review boards are to be convened and the composition of such boards; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 186 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Beard	Castor	Childers, W. D.
Barron	Carlucci	Childers, D.	Crawford

Dunn	Hair	Malchon	Scott
Fox	Henderson	Mann	Thomas
Frank	Hill	Margolis	Thurman
Gersten	Jenne	McPherson	Vogt
Girardeau	Jennings	Meek	Weinstein
Gordon	Johnston	Myers	
Grant	Kirkpatrick	Neal	
Grizzle	Langley	Plummer	

Nays—None

Vote after roll call:

Yea—Maxwell

**CS for SB 7**—A bill to be entitled An act relating to the State University System; providing for the Board of Regents to establish three 4-year universities; providing criteria; providing for periodic evaluation; providing an effective date.

—was read the second time by title. On motion by Senator Carlucci, by two-thirds vote CS for SB 7 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Dunn	Hill	Myers
Barron	Gersten	Jenne	Plummer
Beard	Girardeau	Johnston	Scott
Carlucci	Gordon	Malchon	Thomas
Castor	Grant	Margolis	Vogt
Childers, D.	Grizzle	Maxwell	Weinstein
Childers, W. D.	Hair	McPherson	
Crawford	Henderson	Meek	

Nays—7

Fox	Langley	Neal	Thurman
Frank	Mann	Rehm	

Vote after roll call:

Yea—Kirkpatrick

On motion by Senator Kirkpatrick, by unanimous consent, the following resolution was introduced out of order and taken up instanter:

By Senator Kirkpatrick—

**SR 850**—A resolution in appreciation of the establishment of an Eminent Scholars Chair by former member of the Florida Legislature, the Honorable Ben Hill Griffin, Jr. of Frostproof, Florida.

WHEREAS, the Eminent Scholars Trust Fund of \$10 million was established by the 1979 Florida Legislature, with the intent that "the State University System would be greatly strengthened by the addition of distinguished scholars", which enabled the state universities to receive from the fund \$400,000 for each \$600,000 procured from private sources to establish an endowment to provide for an Eminent Scholars Chair, and

WHEREAS, the 1980 Florida Legislature appropriated an additional \$6 million to add to the Eminent Scholars Trust Fund, enabling any university that exhausted its one-ninth of the original funding to acquire an additional \$400,000 for each \$600,000 procured from private sources for additional Eminent Scholars chairs, and

WHEREAS, the Honorable Ben Hill Griffin, Jr. has in numerous ways shown through his generosity and public-spirited actions that he has a deep appreciation and abiding interest in the University of Florida and its programs, and

WHEREAS, the University of Florida today through this resolution announces the establishment of its fourteenth Chair, the BEN HILL GRIFFIN, JR. CHAIR IN AGRICULTURAL ECONOMICS MARKET-ING, within the Institute of Food and Agricultural Sciences, and

WHEREAS, the announcement of a \$600,000 gift from the Honorable Ben Hill Griffin, Jr. of Frostproof, Florida will result in the first Eminent Scholars Chair being funded by a former member of the Florida Legislature, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate of the State of Florida expresses its deep appreciation to the Honorable Ben Hill Griffin, Jr. for his support and faith in the University of Florida, as attested by his contributions to that university.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the Honorable Ben Hill Griffin, Jr. as a tangible token of the sentiments of the Florida Senate.

—was read the first time by title. On motion by Senator Kirkpatrick, SR 850 was read the second time in full and adopted. The vote on adoption was:

Yeas—39

Mr. President	Frank	Jennings	Myers
Barron	Gersten	Johnston	Neal
Beard	Girardeau	Kirkpatrick	Plummer
Carlucci	Gordon	Langley	Rehm
Castor	Grant	Malchon	Scott
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Henderson	Maxwell	Vogt
Dunn	Hill	McPherson	Weinstein
Fox	Jenne	Meek	

Nays—None

All Senators were recorded as co-introducers of SR 850.

#### Special Guests

Senator Kirkpatrick moved that a committee be appointed to escort former Senator Griffin; Dr. Robert Marston, President, University of Florida, and Dr. Kenneth Tefertiller, Vice President of Agricultural Affairs, University of Florida, to the rostrum. The motion was adopted and the President appointed Senators Barron, Crawford, Gordon, Henderson and Kirkpatrick.

The President presented a copy of SR 850 to Senator Griffin.

Senator Griffin addressed the Senate and expressed his appreciation for the resolution.

On motion by Senator Kirkpatrick, SR 850 was ordered printed in full in the Journal.

#### SPECIAL ORDER, continued

**SB 223**—A bill to be entitled An act relating to public lodging establishments and public food service establishments; adding s. 509.261(4)(c), Florida Statutes, 1982 Supplement; providing that the Division of Hotels and Restaurants of the Department of Business Regulation may suspend or revoke the license of any public lodging establishment or public food service establishment when a public nuisance is maintained on the licensed premises; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 1, between lines 24 and 25, insert:

Section 2. Section 509.211, Florida Statutes, is amended to read:

509.211 Safety regulations.—

~~(1)(a) Before the erection or remodeling is begun of any building for use as a public lodging establishment or public food service establishment or of any building located on the premises of such an establishment which may be used by guests of the establishment, the registered architect's plans or registered engineer's plans, with detailed specifications, shall be submitted to the division with a notarized statement of such architect or engineer that the plans and specifications comply with the requirements of law.~~

~~(b) New construction or remodeling costing \$10,000 or less need not be accompanied by plans of a registered architect or engineer, but sealed drawings shall be submitted to the division.~~

(2)(1) Each bedroom or apartment in each public lodging establishment shall be equipped with a substantial lock on each door opening to the outside, to an adjoining room or apartment, or to a hallway.

~~(3)(2) The division shall inspect elevators as provided in chapter 399. The division shall enforce any rule adopted by the State Fire Marshal which relates to public lodging establishments or public food service establishments. The State Fire Marshal may also enforce such rules.~~

~~(4)(3)(a) It is unlawful for any person to use within any public lodging establishment or public food service establishment any fuel-burning wick-type equipment for space heating unless such equipment is vented so as to prevent the accumulation of toxic or injurious gases or liquids.~~

~~(b) Any person who violates the provisions of paragraph (a) is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

~~(c) The division may immediately remove any heater in violation of paragraph (a) from any public lodging establishment or public food service establishment and shall keep any such heater in a safe place to be used as evidence.~~

~~(d) If any operator of a public lodging establishment or public food service establishment violates the provisions of paragraph (a) or allows anyone else to violate the provisions of paragraph (a), then the division may revoke or suspend the license of such public lodging establishment or public food service establishment.~~

(Renumber subsequent section.)

Senator Margolis moved the following amendment which was adopted:

**Amendment 2**—On page 1, line 23, after "nuisance" insert: as described in s. 823.05, as it relates to prostitution or gambling, or s. 823.10

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

**Amendment 3**—In title, on page 1, strike all of lines 11 and 12 and insert: maintained on the licensed premises; amending s. 509.211, Florida Statutes; deleting the requirement that architect plans or scale drawings be submitted to the division; providing an effective date.

On motion by Senator Margolis, by two-thirds vote SB 223 as amended was read the third time by title.

On motion by Senator Barron further consideration of SB 223 was deferred.

Senator Dunn introduced to the Senate former Senator John A. McDonald, presently Mayor of DeFuniak Springs; and B. T. Collins, Director of California Civilian Conservation Corps, who is consulting with the Department of Natural Resources and Conservation regarding the implementation of a summer Civilian Conservation Corps Program in Florida.

On motion by Senator Barron, the rules were waived and by two-thirds vote CS for SB 83 was withdrawn from the Committee on Rules and Calendar.

On motions by Senator Barron, the rules were waived and by two-thirds vote SB 536 was withdrawn from the Committee on Transportation and referred to the Committee on Finance, Taxation and Claims.

On motion by Senator Langley, by two-thirds vote SB 406 was removed from the calendar and referred to the Committee on Commerce.

On motion by Senator Barron, the rules were waived and the Special Order Calendar Subcommittee was granted permission to meet at 1:00 p.m. this day for the purpose of setting the special order calendar for Thursday, April 21.

#### ENROLLING REPORTS

CS for SB 45, CS for SB 72; Senate Bills 73, 165 and 611 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 19, 1983.

Joe Brown, Secretary

#### CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 14 was corrected and approved as follows:

Page 108, column 1 from bottom, strike lines 1 through 26

The Journals of April 13 and 12 were corrected and approved.

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**CO-INTRODUCERS**

Senator Malchon—Senate Bills 206, 674, 242; Senator Meek—Senate Bills 268 and 558; Senator Frank—SB 462; Senators Grizzle and Neal—SB 619; Senator Jennings—SB 650; Senator Gersten—Senate

Bills 189, 571, 863; Senators Castor, Margolis, Fox—SB 206; Senator Margolis—SB 491; Senator Myers—SB 619; Senator Beard—SB 571

On motion by Senator Barron, the Senate adjourned at 11:58 a.m. to reconvene at 10:00 a.m., Thursday, April 21.