



Journal of the Senate

Number 15

Thursday, May 5, 1983

BILL ACTION SUMMARY

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H 472 Substituted for SB 1066, Passed as amended
H 498 Substituted for CS/SB 1051, Passed as amended
H 1253 Adopted
S 103 C/S passed as amended
S 120 C/S passed as amended
S 297 Passed as amended
S 357 C/S passed as amended
S 552 Passed
S 602 Passed as amended
S 671 Passed as amended
S 830 Passed as amended
S 875 Passed
S 1051 Companion bill passed; refer to HB 498
S 1066 Companion bill passed; refer to HB 472
S 1181 Adopted

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Maxwell—

SB 1183—A bill to be entitled An act relating to Brevard County; establishing a regional water authority; providing legislative intent; providing definitions; establishing the boundaries of the district; providing for the membership, nomination, and appointment of a governing board of the district; setting out the compensation and expense allowance for members; establishing the powers and duties of the authority; providing for the power to tax and to levy special assessments; providing for enforcement of such assessments; authorizing award of costs and attorneys' fees; authorizing water supply agreements; providing for the authority to furnish water system supply and transmissions; providing for the issuance of revenue bonds and general obligation bonds; setting out the power of eminent domain for the authority; providing for uniform rates, fees, and charges; establishing initial operation and maintenance costs of the authority and the method of payment; providing that this act shall supersede the power and authority of any regional water supply authority; prescribing exemptions; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Kirkpatrick—

SB 1184—A bill to be entitled An act relating to Alachua County; describing certain additional lands lying within Alachua County as being included within the Greater Gainesville Area and designating such area as a reserve area for future enlargement of the corporate limits of the City of Gainesville; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Girardeau—

SB 1185—A bill to be entitled An act relating to the Ocean Highway and Port Authority, Nassau County; amending section 1 of chapter 21418, Laws of Florida, 1941, as amended; establishing election districts for members of the Authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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 by the required Constitutional three-fifths vote of the membership of the House HJR 1065 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary and Representative Upchurch and others—

HJR 1065—A joint resolution proposing an amendment to Section 2 of Article III of the State Constitution relating to legislative privilege for speech or debate.

—was referred to the Committee on Rules and Calendar.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed House Bills 78, 1037, 1039 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives M. E. Hawkins and Cosgrove—

HB 78—A bill to be entitled An act relating to homestead exemption; amending ss. 222.01 and 222.02, Florida Statutes, authorizing any person, rather than the head of a family, to designate property as exempt from levy by forced sale; repealing s. 222.19, Florida Statutes, removing provisions relating to the surviving spouse as head of a family for purposes of such exemption; providing an effective date.

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

By the Committee on Corrections, Probation & Parole—

HB 1037—A bill to be entitled An act relating to the state correctional system; amending s. 944.47(1)(a), Florida Statutes, 1982 Supplement, providing that it is unlawful while upon the grounds of any state correctional institution to attempt to send contraband therefrom except as authorized by the officer in charge of such institution; modifying the description of contraband with respect to controlled substances and certain other drugs; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By the Committee on Governmental Operations—

HB 1039—A bill to be entitled An act relating to contractual services; amending s. 287.012(3) and (5), Florida Statutes, 1982 Supplement, and adding subsections (7) and (8) thereto, redefining the term "contractual services"; defining the terms "physically or mentally disabled person," "extension" and "renewal"; amending s. 287.042(4)(a), Florida Statutes, 1982 Supplement, requiring notice of invitation to bids to be mailed at least 10 days prior to the date of bid submittals; amending s. 287.057(2), (3), (9), (11), (12), (15), and (17), Florida Statutes, 1982 Supplement, and adding new subsections (13) and (17) to said section, providing criteria for bids for contractual services; providing procedures for contract renewal; deleting an internal cross reference; requiring agency certification of emergency situations that justify exceptions to bidding requirements; allowing dollar increases with respect to contract extensions; providing renewal procedures; deleting a prohibition against agency fiscal employees serving on contract selection committees; providing for a review and approval process for certain contractual service contracts; amending s. 287.058, Florida Statutes, 1982 Supplement, providing additional provi-

sions to be included in contract documents; providing for signature of written agreements by agency heads; providing an effective date.

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

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended House Bills 333 and 446 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hodges—

HB 333—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.157, Florida Statutes, altering the boundary description of an area in the Gulf of Mexico generally surrounding Cedar Key which is closed to shrimping; providing an effective date.

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

By Representative Hodges—

HB 446—A bill to be entitled An act relating to saltwater fisheries; creating s. 370.158, Florida Statutes, prohibiting shrimping in a described area in Taylor County; providing exceptions; providing a penalty; providing an effective date.

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

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended House Bills 192 and 270 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Corrections, Probation & Parole—

HB 192—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; amending s. 948.03(1)(g), Florida Statutes, directing the court to make reparation or restitution a condition of probation; providing exceptions; providing an effective date.

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

By Representative Wallace—

HB 270—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending s. 402.17(1)(b), Florida Statutes, providing that the Department of Health and Rehabilitative Services must certify uncollectible accounts relating to claims for care and maintenance of its clients to the Department of Banking and Finance, rather than to the Department of Legal Affairs; providing an effective date.

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

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed House Bill 646 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Veterans Affairs and Representative L. R. Hawkins and others—

HB 646—A bill to be entitled An act relating to leaves of absence; amending ss. 115.07, 250.48, Florida Statutes; providing that political subdivisions of the state shall grant leaves of absence without loss of pay to certain employees; providing an effective date.

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

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed HB 63, CS for HB 73 and CS for HB 97 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Danson—

HB 63—A bill to be entitled An act relating to public retirement systems; creating s. 112.3176, Florida Statutes, providing legislative intent; providing definitions; requiring the forfeiture of certain benefits under any public retirement system by any officer or employee convicted of a felony involving the use of such office or employment or other specified offense; providing for notice of such conviction; providing for a forfeiture hearing and for appeal from a forfeiture order; providing for the return of certain benefits; providing that said forfeiture provisions shall be supplemental to any other forfeiture provisions of law; providing an effective date.

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

By the Committee on Retirement, Personnel & Collective Bargaining and Representative Combee—

CS for HB 73—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091(4)(d) and (6)(a), Florida Statutes, providing optional forms of calculation of disability retirement benefits and providing for the use of actuarial equivalency tables for such calculations; providing an effective date.

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

By the Committee on Criminal Justice and Representative Upchurch—

CS for HB 97—A bill to be entitled An act relating to theft and related crimes; amending s. 812.035(7), Florida Statutes; limiting civil damages to three-fold actual damages; limiting liability to certain persons; clarifying language; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed House Bills 288, 305, 306, 307 and 308 and requests the concurrence of the Senate

Allen Morris, Clerk

By Representative Kutun and others—

HB 288—A bill to be entitled An act relating to municipal resort tax; amending s. 2 of chapter 67-930, Laws of Florida, as amended, relating to the levy of said tax in cities and towns in counties of the state having a population of not less than 330,000 and not more than 340,000 and counties having a population of more than 900,000; deleting the deadline for referendum approval of an increase in said tax applicable to the rental of hotel, motel, and similar rooms; authorizing an additional increase; providing an effective date.

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

By the Committee on Agriculture and Representative C. F. Jones—

HB 305—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 581.212, Florida Statutes; providing for deposit of certain moneys received by the department into the Nursery Inspection Trust Fund; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Agriculture and Representative C. F. Jones—

HB 306—A bill to be entitled An act relating to quarter horse racing; amending s. 550.262(5), Florida Statutes; providing restrictions on the use of moneys in the Florida Quarter Horse Racing Promotion Trust Fund; amending s. 550.265(6)(b), Florida Statutes, 1982 Supplement;

providing for deposit of registration fees into said fund; restricting the use of such deposited fees; providing an effective date.

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

By the Committee on Agriculture and Representative C. F. Jones—

HB 307—A bill to be entitled An act relating to The Florida Seed Law; amending s. 578.26, Florida Statutes; revising procedures relating to complaints about seeds which fail to produce; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Agriculture and Representative C. F. Jones—

HB 308—A bill to be entitled An act relating to eggs and poultry; amending s. 583.01, Florida Statutes, reordering, modifying, and adding definitions; amending s. 583.02, Florida Statutes; providing certain labeling requirements for the sale of eggs; prohibiting egg and poultry dealers from using the name, logo, or certificate or permit number of the Department of Agriculture and Consumer Services in their advertising or packaging without the department's approval; amending s. 583.022, Florida Statutes, modifying certain egg storage requirements; amending s. 583.03, Florida Statutes, specifying federal quality standards for eggs which the department shall not exceed; amending s. 583.04, Florida Statutes, relating to rulemaking authority of the department; amending s. 583.05, Florida Statutes; combining provisions relating to powers of the department to make inspections of places where eggs or poultry are processed, stored, or sold; authorizing the department to destroy certain eggs and poultry; creating s. 583.051, Florida Statutes; authorizing the department to collect money due it under any egg program; providing penalties for nonpayment; creating s. 583.052, Florida Statutes, authorizing the department to cooperate with state and federal agencies; amending s. 583.06, Florida Statutes, deleting a restriction upon the source of payment of assistants employed by the department; amending s. 583.09, Florida Statutes; combining provisions relating to the certification and permitting of egg and poultry dealers; authorizing suspension of certificates and permits; amending s. 583.10, Florida Statutes, requiring poultry dealers as well as egg dealers to keep certain records; amending s. 583.11, Florida Statutes, combining provisions relating to the exemption of interstate egg and poultry shipments from regulation; amending s. 583.13, Florida Statutes; changing the grades of dressed poultry; changing certain labeling and advertising restrictions with respect to dressed poultry; amending s. 583.17, Florida Statutes, specifying federal quality standards for fowls which the department shall not exceed; amending s. 583.181, Florida Statutes, to conform; amending s. 583.19, Florida Statutes, prohibiting the sale of fowl suspected to be unfit for human consumption; amending s. 583.20, Florida Statutes, authorizing the suspension of certificates and permits for violations of chapter 583, Florida Statutes, or rules thereunder; repealing s. 583.12, Florida Statutes, deleting certain classifications of live, dressed, and ready-to-cook poultry; repealing ss. 583.14, 583.16, and 583.18, Florida Statutes, to conform to the act; providing an effective date.

—was referred to the Committee on Agriculture.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed House Bills 1092 and 1093 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health & Rehabilitative Services—

HB 1092—A bill to be entitled An act relating to adoption; amending s. 63.032(8), Florida Statutes, 1982 Supplement, redefining the term "intermediary" with respect to the "Florida Adoption Act" to include child-placing agencies licensed in another state under certain circumstances; amending s. 63.162(6), Florida Statutes, 1982 Supplement, providing that all nonidentifying information pertaining to an adopted child shall be released upon request to an adoptive parent at any time; amending s. 63.207(1), Florida Statutes, clarifying existing language relating to out-of-state placement; amending s. 63.212(1), Florida Statutes, providing for out-of-state placement; providing exceptions; providing penalties for unlawful placements within the state; providing an exception; 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 Committees on Judiciary-Civil, and Health and Rehabilitative Services.

By the Committee on Health & Rehabilitative Services—

HB 1093—A bill to be entitled An act relating to adoption; amending s. 409.166(1), (2)(a), (3)(b), and (4)(a), Florida Statutes, providing legislative intent; redefining the term "special needs child"; requiring an agreement between the Department of Health and Rehabilitative Services and the adoptive parents regarding maintenance subsidy; providing for the maximum amount of subsidy allowed; creating s. 409.167, Florida Statutes, establishing a statewide adoption exchange with a photo listing component; delineating responsibilities of the exchange; stating requirements for registration of children with the statewide exchange, regional exchange, and national exchange; providing authority for promulgation of rules; providing an effective date.

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

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1116 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce—

HB 1116—A bill to be entitled An act relating to the payment of insurance claims; amending s. 627.461, Florida Statutes, 1982 Supplement; modifying settlement provisions required in life insurance contracts; creating s. 627.4615, Florida Statutes; providing for payment of interest on claims under life insurance policies; amending s. 627.4035, Florida Statutes, 1982 Supplement, requiring that all payments made in this state in satisfaction of insurance claims be made in cash; creating s. 627.4265, Florida Statutes, providing procedures for the payment of settlements; providing an effective date.

—was referred to the Committee on Commerce.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 225 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Bailey and others—

HB 225—A bill to be entitled An act relating to bicycle safety; amending s. 316.003(2) and (64), Florida Statutes, 1982 Supplement; redefining the terms "bicycle" and "vehicle" with respect to the "Florida Uniform Traffic Control Law"; amending s. 316.130(15), Florida Statutes; requiring the driver of a vehicle to exercise due care; amending s. 316.151(1) and (2), Florida Statutes, and adding a new subsection (3); providing turning procedures; amending s. 316.155(2), Florida Statutes; providing an exception to the requirement that a bicycle operator give continuous hand turn signals; amending s. 316.1945(1)(a) and (b), Florida Statutes; prohibiting parking on a bicycle path or lane; amending s. 316.1995, Florida Statutes; providing that no person shall drive any vehicle other than by human power on a sidewalk; amending s. 316.2005, Florida Statutes; providing conditions for opening vehicle doors; amending s. 316.2065(1)-(11), Florida Statutes, and adding a new subsection; regulating the operation of bicycles; providing an effective date.

—was referred to the Committee on Transportation.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Economic, Community and Consumer Affairs and Senators Henderson, Neal, Langley, Weinstein, Rehm and Fox—

CS for SB's 6 and 18—A bill to be entitled An act relating to mobile home parks; creating s. 83.766, Florida Statutes; creating the right of first refusal with respect to sale of a mobile home park; providing remedies; providing exemptions; creating s. 83.767, Florida Statutes; providing for the incorporation of homeowners; establishing prerequisites for exercising the right of first refusal; providing an effective date.

By the Committee on Rules and Calendar and Senator Girardeau—

CS for SJR 46—A joint resolution proposing the creation of Section 19 of Article III of the State Constitution relating to legislative privilege.

By the Committee on Judiciary-Civil and Senators Meek, Hill, Rehm and Malchon—

CS for CS for SB 57—A bill to be entitled An act relating to fair housing; creating the Fair Housing Act, ss. 23.168-23.179, Florida Statutes; providing definitions; prohibiting discriminatory housing practices; providing for exemptions; prohibiting discrimination in the provision of brokerage services; requiring that the authority and responsibility for administering the act be in the Florida Commission on Human Relations; authorizing issuance of subpoenas; providing for judicial and administrative remedies; providing a criminal penalty; providing for actual damages, court costs and attorney fees; providing an effective date.

By the Committee on Judiciary-Civil and Senators Weinstein and Scott—

CS for SJR 70—A joint resolution proposing an amendment to Section 8, Article V of the State Constitution, relating to eligibility for the office of judge, to require that a county court judge be a member of the bar of Florida for the 5 years preceding his qualification and to allow for exceptions.

By the Committee on Rules and Calendar and Senators Scott and Margolis—

CS for CS for SJR 79—A joint resolution proposing an amendment to Section 4 of Article X of the State Constitution relating to the exemption of homesteads from forced sale and certain liens.

By the Committee on Corrections, Probation and Parole—

CS for SB 88—A bill to be entitled An act relating to youthful offenders; amending s. 958.021, Florida Statutes; providing legislative intent; amending s. 958.03, Florida Statutes; providing definitions; amending s. 958.04(1), Florida Statutes; authorizing the court to designate certain persons as youthful offenders; expanding the categories of persons who may be so designated; amending s. 958.05, Florida Statutes; providing for judicial disposition of youthful offenders; providing circumstances for early termination of placement; amending s. 958.06, Florida Statutes; expanding the period in which a court may suspend a sentence and place the defendant in a community control program; authorizing the court to set aside adjudication of guilt; providing that the Department of Corrections and the defendant, may petition for such relief; amending s. 958.09, Florida Statutes; requiring the department to adopt rules; amending s. 958.11, Florida Statutes; restricting youthful offender facilities programs and facilities to eligible youthful offenders; authorizing the assignment of certain youthful offenders to institutions not designated for their care and supervision; authorizing the department to assign certain inmates to the youthful offender program; authorizing assignment to a community correctional center under certain circumstances; providing for revocation of community control status by the court; amending s. 958.12, Florida Statutes; expanding the activities in which a youthful offender may be required to participate; amending s. 958.15, Florida Statutes; relating to the mutual participation program; prohibiting gain-time or parole for court classified youthful offenders under certain circumstances; creating s. 958.16, Florida Statutes; prohibiting parole in certain circumstances; repealing s. 958.08, Florida Statutes, relating to supervision of the community control program; repealing s. 958.10, Florida Statutes, relating to the term of confinement in the community control program for youthful offenders; repealing s. 958.14, Florida Statutes, relating to violations of probation; providing an effective date.

By the Committee on Transportation and Senator Margolis—

CS for SB 94—A bill to be entitled An act relating to the Department of Transportation; amending s. 338.19(1), Florida Statutes; requiring the department to reimburse certain utility owners for the cost of removing or relocating certain utility facilities; providing for certain reductions from reimbursement; authorizing expenditure of certain funds for such reimbursement; providing such reimbursement expenses shall be charged to the project causing them; providing an effective date.

By the Committee on Education and Senator Margolis—

CS for SB 110—A bill to be entitled An act relating to educational facilities; amending s. 235.06, Florida Statutes, 1982 Supplement; requiring annual firesafety inspections to be conducted by the Division of State Fire Marshal of the Department of Insurance or by certain certified officials; adding s. 235.435(1)(i), Florida Statutes, 1982 Supplement; requiring the expenditure of certain allocations; providing an appropriation; providing for future review and repeal; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senator Beard—

CS for SB 130—A bill to be entitled An act relating to the Career Service Commission; amending s. 110.305(3), Florida Statutes; prohibiting the commission from hearing appeals of certain actions; providing for review of recovery of overpayments; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators D. Childers, Jenne, Malchon and Gordon—

CS for SB 132—A bill to be entitled An act relating to health care cost containment; amending ss. 626.9541, 627.614, 627.643, Florida Statutes, 1982 Supplement; creating ss. 627.6371, 627.6621, 627.6691, Florida Statutes; allowing insurers or groups of insurers providing individual health insurance or group, blanket, or franchise health insurance to contract with licensed health care providers for alternative rates of payment and to limit payments pursuant to a contract with the insured to rates charged by such providers or to services secured from such providers; providing that such contracts for alternative rates shall not be construed as a deceptive or unfair trade practice or as a violation of the antitrust laws; providing for an exception to health insurance contract language; providing for rules; providing for review of certain contracts; providing an effective date.

By the Committee on Governmental Operations and Senator Myers—

CS for SB 137—A bill to be entitled An act relating to financial matters; amending s. 11.45(1), (6), Florida Statutes; defining "audited person"; providing that if a condition that prompts an adverse finding continues for two audit reporting periods, the Auditor General's office shall identify the audited person responsible and include his identity in the audit report; providing that the conduct which led to such adverse finding shall be grounds for impeaching, suspending, or terminating from employment the responsible person; providing for copies of audit reports to be provided to certain members of the Legislature; providing an effective date.

By the Committee on Transportation and Senator Myers—

CS for SB 139—A bill to be entitled An act relating to transportation; redesignating s. 399.08(2)(d), (e), Florida Statutes, 1982 Supplement, and adding a new paragraph (d) to said subsection; authorizing the use of first gas tax revenues for certain purposes; amending s. 339.12(1), (3), (4), (5), (6), (7), Florida Statutes; authorizing municipalities to participate in road building and maintenance projects under certain circumstances; authorizing the Department of Transportation to reimburse counties and municipalities for the amount of certain proceeds used to construct state roads; repealing s. 339.12(8), (9), Florida Statutes; authorizing the department to designate certain road and bridge projects as federal aid projects; providing for method of expenditure of federal aid funds; providing an effective date.

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

CS for SB 156—A bill to be entitled An act relating to information technology and planning; creating s. 11.39, Florida Statutes; creating a Legislative Information Technology Resource Committee; providing for its membership and duties; creating s. 14.203, Florida Statutes; establishing the Information Resource Commission and an executive administrator of the commission; creating chapter 24, Florida Statutes; providing the powers and duties of the Information Resource Commission; requiring that departments submit an information technology resource plan to the commission; providing the minimum components to the plan; requiring the commission to approve or disapprove the plan; providing for supplementation to the plan; requiring prior approval of the commission for the acquisition of certain items; prohibiting the acquisition of information technology resources that are not part of an approved plan or supplement; providing that the Executive Office of the Governor may withhold appropriations for noncompliance; requiring the state university system to prepare a plan; requiring the judicial branch to prepare a plan; providing for an information resource manager in each department; providing for a data processing advisory council for certain data processing centers; providing for membership and duties; abolishing the Division of Electronic Data Processing of the Department of General Services; amending s. 20.22, Florida Statutes; establishing the Division of Information Services; repealing ss. 23.021, 23.022, 23.026, 23.027, 23.028, 23.030, 23.031, 23.032, and 25.382(4), Florida Statutes; transferring s. 23.029, Florida Statutes, and renumbering as s. 216.272, Florida Statutes; amending s.

215.96(2) and (3)(a), Florida Statutes; providing for membership of the coordinating council established under the Florida Fiscal Accounting Management Information System Act; requiring the council to conduct studies to establish an information technology resource plan; providing requirements with respect thereto; amending s. 120.53(5), Florida Statutes; requiring certain agencies to adopt rules for contract bidding protests; adding s. 216.031(11), Florida Statutes, 1982 Supplement; requiring that an approved information technology resource plan be submitted with each agency's budget request; providing for review and future repeal of provisions of the act; providing that contracts in existence on the effective date remain in force; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs—

CS for SB 164—A bill to be entitled An act relating to federal block grants to aid small cities; creating the Florida Small Cities Community Development Block Grant Program; providing definitions; requiring the Department of Community Affairs to administer the program; creating and providing for the administration of the Florida Small Cities Community Development Block Grant Program Fund; providing requirements, procedures, criteria for applying for grants; providing for the establishment of grant ceilings and documentation of administrative costs; providing general powers of the department; requiring the department to submit a report to the Legislature; providing for allocation of moneys in the fund; providing an appropriation; authorizing 12 new positions; providing an effective date.

By the Committee on Judiciary-Civil—

CS for SB 196—A bill to be entitled An act relating to filing fees and service charges collected by clerks of court; amending s. 28.2401(3), Florida Statutes; revising service charges in probate matters; amending s. 28.241(1), (2), Florida Statutes, 1982 Supplement; revising service charges for clerks of circuit courts; amending s. 34.041(1), Florida Statutes, 1982 Supplement; revising service charges in county courts; amending s. 50.071(1), Florida Statutes; providing for funding of court docket fund and deleting service charge; amending s. 749.01(4), Florida Statutes, 1982 Supplement; providing for funding of family mediation or conciliation service and deleting service charge; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senators Stuart and Neal—

CS for SB 218—A bill to be entitled An act relating to the Florida Housing Finance Agency Act; amending ss. 420.503(9), Florida Statutes, 1982 Supplement, and s. 420.508(3)(a), Florida Statutes; amending the definition of "mortgage" by redefining what constitutes adequate security for such an instrument; clarifying that the agency may make mortgage loans for permanent financing or construction financing and defining what constitutes adequate security for such loans; amending s. 420.509(7), Florida Statutes, 1982 Supplement, and adding new subsections thereto; allowing the agency to determine that a negotiated sale of revenue bonds issued on its behalf is preferable to a public sale and to authorize the Division of Bond Finance of the Department of General Services to negotiate such sale with agency-designated underwriters; requiring submission of disclosure statements; specifying contents; providing a restriction upon future sales in certain cases, defining "finder" and providing restrictions upon the use thereof; providing a penalty; creating s. 420.516, Florida Statutes, prohibiting discrimination by certain persons; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Weinstein—

CS for SB 221—A bill to be entitled An act relating to arrests; amending s. 901.15(1), Florida Statutes; changing peace officer to law enforcement officer; expanding an officer's warrantless arrest authority; amending s. 901.25(1), Florida Statutes; expanding the meaning of the term "fresh pursuit"; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Dunn—

CS for SB 229—A bill to be entitled An act relating to bail; amending s. 903.133, Florida Statutes, 1982 Supplement; prohibiting release on bail to certain persons adjudicated guilty pending review either upon post-trial motion or upon appeal; repealing Rule 3.590(d), Florida Rules of Criminal Procedure, insofar as the rule conflicts with this act; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Kirkpatrick—

CS for SB 260—A bill to be entitled An act relating to county and municipal law enforcement; creating s. 901.35, Florida Statutes; providing for financial responsibility for certain expenses provided to arrested persons; creating s. 951.032, Florida Statutes; authorizing county and municipal detention facilities to seek reimbursement for medical expenses paid on behalf of prisoners; providing that prisoners who willfully refuse to cooperate with such reimbursement efforts not receive gain-time; providing an effective date.

By the Committee on Corrections, Probation and Parole and Senators Kirkpatrick and Rehm—

CS for SB 262—A bill to be entitled An act relating to corrections; creating chapter 946, Florida Statutes; providing findings of fact; providing intent; providing definitions; providing for establishment of a non-profit corporation to operate correctional work programs; providing for leases; providing exemption from workers' compensation and unemployment compensation laws; requiring reports; specifying powers of corporation; providing for use and sale of products of correctional work programs; providing for maintenance of industrial plants; providing for adoption of rules; providing for disposition of compensation received by inmates; providing that the Florida Fire Insurance Trust Fund shall insure all property leased by the Department of Corrections to the corporation or which may be owned by the corporation which is used for the purpose of operating the correctional work programs; providing that the Florida Casualty Insurance Risk Management Trust Fund shall cover the corporation and all prisoners working in the corporation under the correctional work program; providing for exemptions to state law; amending s. 945.16, Florida Statutes, 1982 Supplement; deleting obsolete language; repealing s. 944.514, Florida Statutes, relating to private employment of inmates; repealing s. 945.135, Florida Statutes, as amended, relating to operation of the prison industry program; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senators Crawford and Kirkpatrick—

CS for SB 309—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08(5)(a), Florida Statutes, 1982 Supplement; and adding paragraph (u) to subsection (7) of said section; removing the use exemption for poultry and livestock feeds used on farms; providing an exemption for poultry and livestock feed; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senator Meek—

CS for SB 318—A bill to be entitled An act relating to state employees; amending s. 20.05, Florida Statutes; authorizing department heads to make service recognition, retirement, and sustained performance awards to state executive branch employees; adding s. 110.109(4), Florida Statutes; authorizing state agencies to establish a productivity improvement program which includes the awarding of honor and cash awards for certain employee suggestions and contributions; providing for annual agency and statewide cash and honor awards and for the appointment of a committee to recommend award nominees to the Governor and Cabinet for consideration of awards; providing for agency recordkeeping of adopted suggestions and dissemination of suggestions to all agencies; providing for the applicability of s. 110.223, Florida Statutes; repealing s. 110.223, Florida Statutes, relating to the State Awards Program; providing for repeal; providing an effective date.

By the Committee on Commerce and Senator Jenne—

CS for SB 323—A bill to be entitled An act relating to alien corporations; amending s. 692.05, Florida Statutes; redefining the term "alien corporation"; defining the term "financial institution"; requiring certain alien corporations to maintain and file certain lists of its personnel and beneficiaries; exempting certain alien corporations under certain circumstances; providing penalties; providing exemptions; providing that bona fide purchasers of real property from alien corporations shall receive good title; authorizing the Department of Legal Affairs to initiate certain actions under certain circumstances; providing an effective date.

By the Committee on Corrections, Probation and Parole and Senator Kirkpatrick—

CS for SB 337—A bill to be entitled An act relating to the state correctional system; providing intent; providing definitions; providing for

transportation of released inmates; providing for contract release; repealing s. 944.54, Florida Statutes, relating to transportation of prisoners upon release; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senator Margolis—

CS for SB 374—A bill to be entitled An act relating to investment of surplus county funds; amending s. 125.31(1), Florida Statutes; increasing the authority of county commissioners to invest surplus funds; providing an effective date.

By the Committee on Corrections, Probation and Parole and Senator Henderson—

CS for SB 418—A bill to be entitled An act relating to the tax on sales, use and other transactions; creating s. 212.058, Florida Statutes; providing a short title; authorizing counties to levy a discretionary additional 1 percent tax for 1 year; creating a trust fund for deposit of proceeds; specifying that the proceeds be used for acquisition, construction, or improvement of local criminal justice facilities; specifying applicability to purchases made in jurisdictions not levying such a tax under certain circumstances; providing method of taxing certain services billed on a monthly cycle; providing for refund of additional tax paid by certain contractors; providing penalties; requiring that counties certify to the Department of Revenue that they have entered into contracts for such purposes; providing for the use of the proceeds for property tax relief and certain other specified tax relief if such certification is not made; providing applicable tax brackets; providing that excess proceeds be used for such tax relief; requiring referendum approval; providing for administration, collection, and enforcement; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senators Dunn, Hair, Grant and Jenne—

CS for SB 435—A bill to be entitled An act relating to veterans; creating the Florida Vietnam Veterans' Memorial Act; providing for the construction of a memorial monument within the Florida Capitol Center Planning District; providing for the study and recommendations as to the design of such monument and its location; providing for a report; providing for a dedication ceremony to be coordinated by the Governor; creating the Florida Vietnam Veterans' Memorial Trust Fund; providing for the funding of an academic chair to study world peace and national security; providing an appropriation; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senator Grizzle—

CS for SB 444—A bill to be entitled An act relating to municipalities; amending s. 170.01, Florida Statutes, 1982 Supplement; authorizing municipalities to provide certain improvements by levying and collecting special assessments against the property benefited; authorizing municipalities to levy and collect special assessments in unincorporated areas under certain conditions; amending s. 170.09, Florida Statutes, 1982 Supplement; authorizing the payment of special assessments for municipal improvements in equal installments over a period not to exceed 20 years; providing an effective date.

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

CS for SB 459—A bill to be entitled An act relating to the Loxahatchee River; creating the Loxahatchee River Wild and Scenic Designation and Preservation Act; providing legislative declarations and intent; providing definitions; designating a portion of the river as a wild and scenic river; providing for development of a management plan; providing for a coordinating council; authorizing the Governor to apply for inclusion of the designated portion of the river in the National Wild and Scenic Rivers System; providing for preservation of existing governmental authority; providing for rules; specifying regulatory and permitting authority; providing for enforcement; providing for injunctions; specifying violations and penalties; providing for repeal; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senators Vogt and Gersten—

CS for SB 476—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 recordkeeping 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; amending s. 895.02(1)(a), Florida Statutes; defining certain violations as "racketeering activity"; providing application of the act; providing an effective date.

By the Committee on Transportation and Senator Myers—

CS for SB 478—A bill to be entitled An act relating to transportation; creating Part VI of chapter 348, Florida Statutes, creating the "St. Lucie County Expressway Authority"; providing definitions; creating the St. Lucie County Expressway Authority; providing for membership, powers, and duties; providing for the issuance of bonds; providing for a lease-purchase agreement; providing that the Department of Transportation may be appointed as agent of the authority for construction; providing for the acquisition of lands and property; providing for cooperation with other units, boards, agencies, and individuals; providing for the covenant of the state; providing an effective date.

By the Committee on Commerce and Senators Malchon, Henderson, Jennings and Carlucci—

CS for SB's 493, 518, and 714—A bill to be entitled An act relating to precious metals; providing definitions; requiring maintenance of records; requiring a dealer to retain possession of all precious metals purchased for a specified period; requiring periodic inspection of premises and records of dealers by local law enforcement officers; restricting purchase of precious metals from persons under a specified age; providing penalties; amending ss. 812.049, 812.051, Florida Statutes; deleting references to precious metals; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senator Margolis—

CS for SB 517—A bill to be entitled An act relating to taxation; amending ss. 206.05(1) and 206.90(1), Florida Statutes, as amended by chapter 83-3, Laws of Florida; removing the minimum bond requirement; providing that the surety bond for certain fuel dealers be conditioned on compliance with the provisions of chapter 212, Florida Statutes; amend-

ing s. 212.08(4), Florida Statutes, 1982 Supplement, as amended by chapter 83-3, Laws of Florida; providing clarification for the prorated sales tax exemption; amending s. 212.92, Florida Statutes, as created by chapter 83-3, Laws of Florida; providing clarifying language; providing for quarterly payment for certain refunds; amending s. 212.90, Florida Statutes, as created by chapter 83-3, Laws of Florida; providing an exemption for certain fuel purchases made by the United States Government; amending s. 336.025, Florida Statutes, as created by chapter 83-3, Laws of Florida; providing technical changes; repealing s. 23 of chapter 83-3, Laws of Florida, and paragraph (c) of subsection (1) of s. 64 of such chapter, relating to refunds of municipal taxes and deposit of certain fuel taxes; amending s. 56 of chapter 83-3, Laws of Florida; requiring the retention of records of certain taxes for a certain period; amending s. 341.051(5), Florida Statutes; providing new limits on funding participation in public transit projects; amending s. 206.43(1) and s. 206.91(1), Florida Statutes, as amended by chapter 83-3, Laws of Florida; increasing certain collection allowances; providing for retroactivity of act; providing an effective date.

By the Committee on Commerce and Senator Gersten—

CS for SB 540—A bill to be entitled An act relating to talent agencies; providing for regulation of talent agencies by the Department of State; providing definitions; providing an exemption; specifying powers and duties of the department; providing for issuance of a license to a talent agency upon application and for denial, suspension, or revocation of license; providing for establishment of fees and civil penalties; specifying qualifications of applicants for license; providing for filing and posting of fee schedules; requiring an applicant to provide bond in a specified amount; requiring maintenance of specified records; limiting registration requirements and fees; requiring issuance of a receipt; providing circumstances for refund; requiring delivery of a contract; prohibiting specified types of interference with employment; requiring the talent agency to give notice of labor disputes; requiring talent agencies to provide specified information; prohibiting a talent agency from sending an applicant to an employer engaged in illegal activities; providing penalties; creating a trust fund and providing for deposit of moneys therein; providing for legislative review; providing for automatic reinstatement of talent agencies licensed at the time of the repeal of chapter 449, Florida Statutes, whose owner or operator has not changed since its repeal; providing for conditions of reinstatement of talent agencies licensed at the time of the repeal of chapter 449, Florida Statutes, whose owner or operator has changed since its repeal; providing an effective date.

By the Committee on Agriculture and Senator Jennings—

CS for SB 563—A bill to be entitled An act relating to carts, cases, baskets, and boxes; creating chapter 813, Florida Statutes, consisting of ss. 813.10-813.23, Florida Statutes, to be known as the "Carts, Cases, Baskets, and Boxes Act"; providing definitions; providing for the registration of names or marks for identification of dairy cases, egg baskets, and poultry boxes; providing for the illegal use of dairy cases, egg baskets, and poultry boxes; providing a penalty for unlawful possession of lost shopping carts, laundry carts, dairy cases, egg baskets, and poultry boxes; requiring bills of lading when transporting dairy cases, egg baskets, and poultry boxes; providing criteria for the unlawful removal of dairy cases; providing for designation of owners of egg baskets; providing criteria for the illegal use of shopping carts and laundry carts; providing for the effect of deposits; providing a penalty; providing for the scope of the chapter; repealing s. 506.46, Florida Statutes, relating to the registration of brand names with respect to egg containers; repealing s. 506.47, Florida Statutes, relating to filing fees and issuance of certificates of recordation; repealing s. 506.48, Florida Statutes, relating to the illegal use of egg containers; repealing s. 506.49, Florida Statutes, relating to the possession of an egg container and required notice; repealing s. 506.50, Florida Statutes, relating to required bills of lading for transporting egg containers; repealing s. 506.51, Florida Statutes, relating to deposits upon egg containers; repealing s. 506.52, Florida Statutes, relating to penalties for offenses concerning egg containers; providing an effective date.

By the Committee on Rules and Calendar and Senators Thomas, Carlucci, Stuart, Grizzle and Vogt—

CS for SB 586—A bill to be entitled An act relating to the Auditor General; adding s. 409.2664(2)(c), Florida Statutes; authorizing the Auditor General to employ special agents for Medicaid fraud control; providing qualifications of special agents, providing powers of agents; requiring bond; amending s. 790.25(3)(d), Florida Statutes; permitting special agents to carry weapons during the performance of their duties; providing an effective date.

By the Committee on Transportation and Senators Thurman and Gersten—

CS for SB's 609 and 769—A bill to be entitled An act relating to motor vehicle license taxes; amending s. 320.10(1)(f) and (2), Florida Statutes, 1982 Supplement, providing that nationally chartered veterans' organizations maintaining state headquarters in Florida, rather than the American Legion, shall be eligible for reduced rate, series "X" license plates; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs—

CS for SB 636—A bill to be entitled An act relating to acupuncture; adding s. 468.322(5), Florida Statutes; providing a definition; creating s. 468.3225, Florida Statutes; providing a board; providing duties and membership, appointment, and terms; creating s. 468.3226, Florida Statutes; authorizing board rules; amending s. 468.323, Florida Statutes, 1982 Supplement; establishing an additional certification requirement, deleting a requirement, and removing the cap on certification and reexamination fees and authorizing application and examination fees; amending s. 468.324, Florida Statutes; removing the cap on renewal fees and penalties and providing for establishment by the board; amending s. 468.425(2), (3), Florida Statutes; establishing the board's authority over disciplinary actions; providing that certain persons may retake certain portions of the examination a limited number of times; repealing s. 468.327, Florida Statutes, as amended, relating to department rule-making authority; repealing s. 468.3245, Florida Statutes, as amended, relating to apprenticeship programs; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs Senators Meek and Gersten—

CS for SB's 640 and 775—A bill to be entitled An act relating to disabled veterans; amending ss. 196.081(1) and (2), 295.016(1), 295.16, and 322.21(7), Florida Statutes, adding a new subsection (2) to s. 320.084, Florida Statutes, and amending ss. 295.01 and 372.57(4)(e), Florida Statutes, 1982 Supplement; providing that valid identification cards issued in accordance with the provisions of s. 295.17, Florida Statutes, shall be accepted by certain agencies of state and local governments as proof of eligibility for certain benefits provided by state law for 100-percent service-connected totally and permanently disabled veterans; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Fox—

CS for SB 653—A bill to be entitled An act relating to landlord and tenant; amending s. 83.05, Florida Statutes, specifying alternative methods by which a landlord may recover possession of nonresidential premises; amending s. 83.22, Florida Statutes, providing additional duties for certain service of summons for the removal of a tenant; creating part V of chapter 83, Florida Statutes; creating the "Disposition of Personal Property Landlord and Tenant Act"; providing procedures for the disposition of personal property left by a residential or commercial tenant; providing definitions; providing certain prerequisites to disposition; requiring notification of tenant and specifying the form of notice; providing for the storage of abandoned property; authorizing the release of personal property by the landlord; providing procedures for the sale of abandoned property; exempting the landlord from certain liability after disposition of the property; providing for the assessment of the cost of storage; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Hair and Scott—

CS for SB's 686 and 455—A bill to be entitled An act relating to patient records; amending ss. 455.241, 395.017(3), Florida Statutes, 1982 Supplement; providing that medical records may be furnished to certain persons in specified circumstances; providing an effective date.

By the Committee on Transportation and Senator Henderson—

CS for SB 691—A bill to be entitled An act relating to driver licenses; amending s. 322.28(1), Florida Statutes, 1982 Supplement, and adding subsection (5) to said section; providing for revocation of a person's driver's license following a conviction for certain offenses; specifying the condition and duration of revocation; amending s. 322.281(1), Florida Statutes, 1982 Supplement; precluding certain dispositions of sentence or guilt for specified offenses; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senators Kirkpatrick and Castor—

CS for SB 718—A bill to be entitled An act relating to retirement; creating s. 121.35, Florida Statutes; creating an optional retirement program for faculty and certain administrators within the State University System; providing eligibility criteria; providing procedures for elections of participation in the optional program; specifying contribution rates; providing limitations on benefits; providing for administration of the program; amending s. 121.23, Florida Statutes; prescribing powers of the Division of Retirement and Retirement Commission with respect to membership in such program; providing for judicial review; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senator Myers—

CS for SB 736—A bill to be entitled An act relating to state administered retirement systems; providing for the development of a plan for health insurance for retirees of such systems; providing an appropriation; providing an effective date.

By the Committee on Corrections, Probation and Parole and Senators Rehm, Kirkpatrick and Castor—

CS for 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 Commission on Correctional Education under the secretary to administer programs and funds; providing for terms, duties, and reimbursement of members; providing for legislative appropriations; providing for policies; providing for the award of gain-time; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senator Margolis—

CS for SB 915—A bill to be entitled An act relating to taxation; amending s. 125.0104(4)(a), Florida Statutes; amending s. 125.0165(3), Florida Statutes, 1982 Supplement; requiring local governing authorities to notify the Department of Revenue of approval of certain tax levies; amending s. 212.07(2), Florida Statutes; requiring dealers to separately state the amount of sales tax; amending s. 212.08(1)(c), Florida Statutes, 1982 Supplement; exempting soft drinks from the sales tax; providing an exception; amending s. 212.12(1), Florida Statutes, 1982 Supplement; providing for disallowance by the department of dealer's collection allowance for incomplete returns; requiring the Department of Revenue to adopt certain rules; amending s. 218.61(2), Florida Statutes, 1982 Supplement; providing for transfer of sales and use tax revenues into the Local Government Half-cent Sales Tax Clearing Trust Fund; providing for retroactive operations; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senator Margolis—

CS for SB 916—A bill to be entitled An act relating to the tax on sales, use and other transactions; amending s. 212.08(7)(c), Florida Statutes, 1982 Supplement; including certain organizations within the definitions of charitable institutions or veterans organizations; providing the Department of Revenue with authority to review and renew or revoke certain sales tax exemptions; providing an effective date.

By the Committee on Agriculture and Senator Kirkpatrick—

CS for SB 1012—A bill to be entitled An act relating to agriculture; creating an agriculture policy for the State of Florida; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Neal, Mann, Kirkpatrick and Grizzle—

CS for SB 1077—A bill to be entitled An act relating to wildlife management; establishing the Florida Panther Research and Management Trust Fund; allocating certain tax revenues to the fund; providing for uses of the fund; establishing the Florida Panther Technical Advisory Council within the Florida Game and Fresh Water Fish Commission; providing for membership and duties of the council; authorizing the Florida Game and Fresh Water Fish Commission to receive certain donations; providing for future repeal and for review pursuant to s. 11.611, Florida Statutes; providing an effective date.

By the Committee on Agriculture and Senator Kirkpatrick—

CS for CS for SB 1114—A bill to be entitled An act relating to the Pesticide Review Council; creating s. 487.0615, Florida Statutes; establishing the Pesticide Review Council; providing for membership; providing powers and responsibilities; providing for rulemaking petition; providing reimbursement for travel; providing for future repeal and review; adding s. 570.44(4), Florida Statutes; adding a fourth bureau to the Division of Inspection and providing for certain positions; providing an effective date.

By the Committee on Corrections, Probation and Parole and Senators Castor and Rehm—

CS for SB 1148—A bill to be entitled An act relating to mentally disordered sex offenders; directing the Department of Health and Rehabilitative Services to contract with the Florida Mental Health Institute to perform an assessment of sexual offender treatment programs and their effect and to make recommendations to the Legislature regarding those programs; creating a task force on sexual offenders and their victims; providing for reimbursement for travel expenses of task force members; requiring a report to the Legislature; repealing s. 917.012(2), s. 917.014(2), s. 917.016(2), s. 917.017(2), s. 917.018(2), s. 917.019(2), s. 917.021(2), and s. 945.12(6)(b), Florida Statutes, all relating to the scheduled repeal of those sections on July 1, 1983; providing an appropriation; providing an effective date.

The Senate was called to order by the President at 10:00 a.m. A quorum present—40:

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

Excused: Senator Girardeau from 10:20 until 10:44 a.m.

Prayer by the Rev. Gary Spencer, Pastor, New Horizons United Methodist Church, Cooper City:

God of our fathers and of our mothers, of Abraham, Isaac and Jacob, be to us what our fathers and mothers have said you are: a fortress to those who are crumbling, whether it be emotional, financial or spiritual; a fortress to those who are suffering the pain of broken relationships, the loss of a job or the death of a loved one. We are all tossed about by the vicissitudes of life and the uncertainties of faith. We need security and we long for peace. We need strength greater than our own. God, be with each person in this place as they strive to develop laws that are just in faith. Grant wisdom to these Senate members and open us to your will for our state. God, it is easy to become haughty and prideful. Remind us that we are sons and daughters of you. We are not creator, but creature. We are not holy and pure. And we do make mistakes. So graciously, Lord, we ask for your forgiveness when we think we are all powerful and forget that it is you who has given us our place in life as sons and daughters needing guidance from a loving parent. Lord, there is much today to seek your guidance; the needs of the elderly, the improvements in our schools and the rights of the perilous. However, more importantly we pray for our own sincerity that we may say and do that which is in good faith and with just intentions and honorable results. Lord, we give you thanks for the heritage we have been given from our fathers and our mothers. We are reminded of our past. It was not only founded on democratic ideals, but on faith in you and love for one another. Let us this day seek to put others above our own needs, having faith you will honor our sacrifice. We pray in the name of God of our fathers and our mothers. Amen.

On motions by Senator Hill, by two-thirds vote SR 1181 was withdrawn from the Committee on Rules and Calendar and taken up instanter.

SR 1181—A resolution honoring the mothers of our state and nation, who by virtue of their motherhood, are largely responsible for the success of this country, and will play an important part in determining the quality of its future.

—was read the second time in full. On motion by Senator Hill, SR 1181 was adopted. The vote on adoption was:

Yeas—39

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

Nays—None

All Senators were recorded as co-introducers of SR 1181.

On motion by Senator Barron, the following remarks were ordered published in the Journal:

Senator Hill: In our mothers' honor, the observance of Mother's Day in the United States is little more than three-fourths of a century old, yet the nature of the holiday makes it seem as if it had its roots in prehistoric times. Students of folklore have claimed to find the source of Mother's Day in the ancient spring festivals dedicated to the mother goddesses. The worship of Cybele, whose cult was introduced into Rome some two hundred and fifty years before the birth of Christ, and rites were performed for three days from the ides of March. This festival was known as the Hilaria. The Hilaria was a religious holiday; our Mother's Day basically is not.

More closely aligned to Mother's Day is "Mothering Sunday", also called mid-Lent Sunday, observed on the fourth Sunday in Lent.

In England, the custom began for young men and women who had apprenticed themselves out or taken jobs as servants to return to their homes on Mothering Sunday, bringing with them small gifts or a "mothering" cake for their mothers. In the 1860's Robert Chambers, in his "Book of Days", wrote: "The harshness and general painfulness of life in old times must have been much relieved by certain simple and affectionate customs which modern people have learned to dispense with."

Although a number of persons have justly been given credit for their contributions to the establishment of Mother's Day, Anna M. Jarvis, was the person most directly responsible for organizing the observance in the United States. As a result of her efforts, the first public observance on record of Mother's Day occurred in both Grafton, West Virginia, and Philadelphia, where church services in which mothers were honored were held.

In 1910 the Governor of West Virginia issued the first Mother's Day proclamation, and by 1911 Mother's Day services were held in all the states of the Union. In 1914, President Woodrow Wilson, responding to a joint resolution of Congress, issued a proclamation setting aside the second Sunday in May "for displaying the American flag, and as a public expression of our love and reverence for the mothers of our country."

Unfortunately, the course of Miss Jarvis' personal life was not so happy as the story of the development of Mother's Day. As commercialization began to encroach upon the observance of the day, she became embittered. She initiated lawsuits against those seeking profits from Mother's Day, and when these failed she turned away from the world. Within a short time she lost her property, and her blind sister, Elsinore, to whom she had devoted her life, died. In the face of such misfortune, Miss Jarvis' own health failed, and in November 1944 she was forced to ask for public assistance. Realizing her desperate plight, some friends came to her aid and provided funds so that she might spend her final years in a private sanitarium in West Chester, Pennsylvania. Deaf and nearly blind, childless herself, the woman whose efforts had brought happiness to countless mothers died in 1948.

I saw a television commercial featuring Alabama Coach Bear Bryant shortly before he died, in which he spoke of his requirement that his football players call or write home once a week. After he finished talking about this requirement, he looked full-face into the camera and said, "I wish that I could call my mother".

We attempted to take a survey of the Senate to see which Senator had the oldest living mother. Several of the lady Senators declined to respond saying that it was privileged information. So I would like to proclaim my mother, Frances A. Hill, who was born February 15, 1893, and who is 91 years old, winner of the survey and further, would like to give her special recognition today.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, May 5, 1983: CS for SB 120, SB 875, SB 602, CS for SB 103, SB 671, CS for SB 1051, SB 1066, SB 830, SB 1134, SB 645, SB 552, SB 297, SB 140, CS for SB 50, CS for SB 176, CS for SB 452, SB 511, SB 463, CS for SB 310, SB 114, CS for SB 358, SB 295, CS for SB 812

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Corrections, Probation and Parole recommends the following pass: SB 857 with 1 amendment, SB 766

The Committee on Judiciary-Criminal recommends the following pass: SB 1082

The Committee on Rules and Calendar recommends the following pass: SB 587

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

The Committee on Judiciary-Criminal recommends the following pass: SB 909

The bill was referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Judiciary-Criminal recommends the following pass: SB 889, SB 1119 with 1 amendment, SB 1127

The bills were referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Corrections, Probation and Parole recommends the following pass: SB 826

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

The Committee on Agriculture recommends the following pass: HB 118

The Committee on Judiciary-Criminal recommends the following pass: SB 543, SB 776, SB 1064

The Committee on Rules and Calendar recommends the following pass: SB 961, SB 842, SB 843, SB 844, SB 845, SB 846, SB 847, SB 873, SB 872, SB 924, SB 894, HB 868, SB 234, SJR 235, SB 156 with 2 amendments

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

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 915

The Committee on Rules and Calendar recommends a committee substitute for the following: SB 586

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 Corrections, Probation and Parole recommends a committee substitute for the following: SB 1148

The bill with committee substitute attached was referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 1012

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

The Committee on Agriculture recommends a committee substitute for the following: CS for SB 1114

The Committee on Appropriations recommends a committee substitute for the following: CS for SB 357

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 444, SB 374, SB 309, SB 916

The Committee on Rules and Calendar recommends committee substitutes for the following: CS for SJR 79, SB 46

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

REQUESTS FOR EXTENSION OF TIME

May 3, 1983

The Committee on Commerce requests an extension of 15 days for consideration of the following: SB 16, SB 17, SB 39, SB 76, CS for SB 132, SB 170, SB 172, SB 180, SB 183, SB 200, SB 249, SB 253, SB 273, SB 292, SB 296, SB 301, SB 314, SB 349, SB 360, SB 383, SB 389, SB 398, SB 405, SB 406, SB 423, SB 437, SB 449, SB 450, SB 483, SB 491, SB 554, SB 881, SB 882, SB 884, SB 886, SB 930, SB 932, SB 944, SB 952, SB 957, SB 973, SB 984, SB 987, SB 1005, SB 1016, SB 1017, SB 1028, SB 1030, SB 1065, SB 1104, SB 1111, SB 1118, SB 1132, SB 1135, SB 1138, SB 1175, HB 392

May 4, 1983

The Committee on Education requests an extension of 15 days for consideration of the following: SB 465, SB 466

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: SB 19, SB 52, SB 141, SB 144, SB 241, SB 244, SB 320, SB 328, SB 332, SB 364, SB 367, SB 429, SB 447, SB 474, SB 531, SB 681, SB 1034, SB 1049, SB 1063, SB 1070, SB 1090, SB 1097, SB 1101, SB 1112, SB 1122, SB 1125, SB 1146, SB 1153

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Barron, by unanimous consent CS for CS for SB 357 was placed on the calendar as a special and continuing order for 11:00 a.m. this day.

On motion by Senator Vogt, the rules were waived and Subcommittee C of the Committee on Appropriations was granted permission to meet May 9 from 10:00 a.m. until 1:00 p.m. in lieu of May 6.

On motion by Senator Neal, the rules were waived and the Committee on Natural Resources and Conservation was granted permission to consider SB 589 and HB 333 this day.

On motion by Senator Johnston, the rules were waived and by two-thirds vote Senate Bills 127, 290, 479, 768, 861, CS for SB 478, CS for SB's 493, 518 and 714, and CS for SB 1077 were withdrawn from the Committee on Appropriations.

On motion by Senator Johnston, by two-thirds vote SB 833 was removed from the calendar and referred to the Committee on Appropriations.

On motions by Senator Carlucci, by two-thirds vote SCR 515 was withdrawn from the Committee on Rules and Calendar and by unanimous consent placed at the end of the special order calendar.

On motions by Senator Gordon, by two-thirds vote Senate Bills 268 and 863 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Dunn, the rules were waived and by two-thirds vote SB 1116 was withdrawn from the Committee on Rules and Calendar and referred to the Committee on Finance, Taxation and Claims and then to the Committee on Appropriations.

On motions by Senator Dunn, the rules were waived and by two-thirds vote Senate Bills 1076 and 1137 were referred to the Committee on Finance, Taxation and Claims and then to the Committee on Appropriations.

On motion by Senator McPherson, by two-thirds vote SB 256 was withdrawn from the Committee on Rules and Calendar.

On motions by Senator McPherson, by two-thirds vote Senate Bills 878, 442 and 879 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Barron, the rules were waived and the Committee on Economic, Community and Consumer Affairs was granted permission to meet May 11 at 5:00 p.m.

On motion by Senator Barron, the rules were waived and the Subcommittee on Ad Valorem Taxes of the Committee on Finance, Taxation and Claims was granted permission to meet May 9 from 10:00 a.m. until 12:00 noon.

On motion by Senator Barron, the rules were waived and Subcommittee C of the Committee on Appropriations was granted permission to meet May 9 from 10:00 a.m. until 1:00 p.m.

On motion by Senator Frank, the rules were waived and by two-thirds vote SB 650 was withdrawn from the Committee on Education.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State Senate Bills 66 and 252 which he approved May 3.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment to House Amendment and passed SB 41, as amended.

Allen Morris, Clerk

The bill contained in the foregoing message 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 SB 236, SB 264, SB 265, SB 370, CS for SB 83, SB 403, SB 433, SB 488, SB 348 and SB 580.

Allen Morris, Clerk

The bills contained in the foregoing message were ordered enrolled.

MATTERS ON RECONSIDERATION

The motion by Senator Langley on May 3, that the Senate reconsider the vote by which SB 112 passed April 28, was taken up and adopted. The Senate reconsidered and on motion by Senator Langley, SB 112 was recommitted to the Committee on Rules and Calendar.

On motion by Senator Barron, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to meet May 12 from 12:30 until 2:00 p.m.

On motions by Senator Barron, the rules were waived and the Committee on Natural Resources and Conservation was granted permission to meet May 10 from 2:00 until 3:30 p.m., and the Subcommittee on Groundwater Issues was granted permission to meet from 3:30 until 5:00 p.m.

SPECIAL ORDER

CS for SB 120—A bill to be entitled An act relating to the Department of Banking and Finance; amending s. 17.01, Florida Statutes; requiring the Comptroller to provide a bond in a certain amount; amending s. 17.03(2), Florida Statutes; authorizing the Comptroller to delegate certain authority relating to state warrants; amending s. 17.041(1), (2), (4), (6), (7), Florida Statutes; providing the department with certain duties in settling and adjusting certain accounts and claims; amending s. 17.076(4), Florida Statutes; providing for filing certain authorizations with a designee of the department; amending ss. 17.10, 17.11, Florida Statutes; providing for recording warrants issued and reporting disbursements made; amending s. 17.20, Florida Statutes; providing for collection of certain claims; providing for payment of certain fees; creating s. 17.29, Florida Statutes; authorizing the Comptroller to prescribe certain rules; creating s. 17.30, Florida Statutes; authorizing the Comptroller to disseminate certain information; amending s. 20.12, Florida Statutes; establishing certain divisions within the department; repealing s. 17.18, Florida Statutes, relating to a requirement that the Comptroller provide a full statement of all defaulters; amending s. 18.101(2), Florida Statutes; providing for authorization of revolving funds by the Comptroller; amending s. 216.271(1), (2), Florida Statutes; providing for establishment of revolving

ing funds only upon approval by the Comptroller; authorizing the Comptroller to limit uses of revolving funds; creating s. 17.31, Florida Statutes; providing for preaudit review under certain circumstances; repealing s. 287.062(2), Florida Statutes, relating to the authority of the Comptroller to perform certain preaudit reviews; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, strike all of lines 15-25

(Renumber subsequent sections.)

Amendment 2—In title, on page 1, lines 3-5, strike “amending s. 17.01, Florida Statutes; requiring the Comptroller to provide a bond in a certain amount;”

On motion by Senator Carlucci, by two-thirds vote CS for SB 120 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

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 read the second time by title. On motion by Senator Grant, by two-thirds vote SB 875 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 602—A bill to be entitled An act relating to the Beverage Law; amending s. 561.422, Florida Statutes, modifying provisions authorizing the Director of the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation to issue permits to nonprofit civic organizations for the sale of alcoholic beverages on the premises; providing an effective date.

—was read the second time by title.

Senator Henderson moved the following amendments which were adopted:

Amendment 1—On page 1, line 25, insert new section 2. and renumber subsequent section:

Section 2. Subsection (3) of Section 561.14, Florida Statutes is amended to read:

561.14 License classification.—Licenses referred to in the Beverage Law shall be classified as follows:

(3) Vendors licensed to sell alcoholic beverages at retail only. No vendor shall purchase or acquire in any manner for the purpose of resale any alcoholic beverages from any person not licensed as a vendor, manufacturer, bottler, or distributor under the Beverage Law-, however, such purchases from vendors shall be strictly limited to purchases between members of a pool buying agent as a single transaction. No vendor shall import, or engage in the importation of, any alcoholic beverages from places beyond the limits of the state.

Amendment 2—In title, on page 1, line 9, after “premises;” insert: amending s. 561.14(3), Florida Statutes, modifying vendor to vendor purchases of alcoholic beverages;

On motion by Senator Margolis, by two-thirds vote SB 602 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—2

Mr. President Langley

CS for SB 103—A bill to be entitled An act relating to former justices and judges assigned to duty in a court; amending s. 25.073, Florida Statutes; providing a definition; repealing Rule 2.030(a)(3)(B) of the Florida Rules of Judicial Administration, which defines the term “retired judge” for purposes of judicial administration; providing an effective date.

—was read the second time by title.

Senator Langley moved the following amendment which was adopted:

Amendment 1—On page 1, strike lines 19-21 and insert: “judge” means any former justice or judge who has neither been defeated nor

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

Yeas—35

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

Nays—1

Weinstein

SB 671—A bill to be entitled An act relating to married women's property; amending s. 708.08, Florida Statutes; deleting language relating to the abolished right of dower; providing that certain transactions are valid if executed by a married woman before or after the effective date of the 1968 State Constitution; providing a statute of limitations for filing a notice of lis pendens and contesting a married woman's conveyance or mortgage of her separate property without her husband's joinder before the effective date of such Constitution; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 11, strike “*joiner*” and insert: *joinder*

Amendment 2—On page 2, line 15, after “*action*” insert: *based on the nonjoinder of the husband*

Amendment 3—On page 2, line 20, after “*mortgage*” insert: *This subsection shall not be construed to revive any action that has been barred*

On motion by Senator Scott, by two-thirds vote SB 671 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	Frank	Johnston	Neal
Barron	Gersten	Kirkpatrick	Plummer
Beard	Girardeau	Langley	Rehm
Carlucci	Gordon	Malchon	Scott
Castor	Grant	Mann	Stuart
Childers, D.	Grizzle	Margolis	Thurman
Childers, W. D.	Hair	Maxwell	Vogt
Crawford	Henderson	McPherson	Weinstein
Dunn	Hill	Meek	
Fox	Jennings	Myers	

Nays—None

Consideration of CS for SB 1051 was deferred.

SB 1066—A bill to be entitled An act relating to garnishment; amending s. 77.031, Florida Statutes; providing for the issuance of writs of garnishment before judgment; amending s. 77.07(1), Florida Statutes; providing for the dissolution of writs of garnishment; providing an effective date.

—was read the second time by title.

Senator Hair moved the following amendment which was adopted:

Amendment 1—On page 2, line 2, after “*claim.*” insert: The writ of garnishment shall set forth a notice to the defendant of his right to an immediate hearing for dissolution of such writ pursuant to s. 77.07. Upon issuance of the writ of garnishment, the clerk of the court shall provide by mail a copy of the writ to the defendant.

Pending further consideration of SB 1066 as amended, on motion by Senator Hair, the rules were waived and by two-thirds vote HB 472 was withdrawn from the Committees on Judiciary-Civil and Finance, Taxation and Claims.

On motion by Senator Hair—

HB 472—A bill to be entitled An act relating to garnishment; amending s. 77.031, Florida Statutes, providing for issuance of writs of garnishment before judgment; amending s. 77.07(1), Florida Statutes, providing for the dissolution of a writ of garnishment; amending s. 77.083, Florida Statutes, providing that no judgment in excess of the amount remaining unpaid on the final judgment against the defendant or in excess of the liability of the garnishee to the defendant, whichever is less, shall be entered against the garnishee; amending s. 77.28, Florida Statutes, providing for the deposit of \$25 with the court before the issuance of a writ of garnishment as partial payment of the garnishee’s attorney’s fees; providing that where costs are taxed against the defendant in the proceeding, such costs shall be deducted from the debt owed to the defendant; providing an effective date.

—a companion measure, was substituted for SB 1066 and read the second time by title.

Senator Hair moved the following amendments which were adopted:

Amendment 1—On page 1, line 25, strike everything after the enacting clause and insert:

Section 1. Section 77.031, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 77.031, F.S., for present text.)

77.031 Issuance of writ before judgment.—Before judgment has been obtained by the plaintiff against the defendant:

(1) Writs of garnishment shall be issued by the court or by the clerk on order of the court.

(2) To obtain issuance of the writ the plaintiff, or his agent or attorney, shall file in the court where the action is pending a verified motion or affidavit alleging by specific facts the nature of the cause of action, the amount of the debt and that the debt for which the plaintiff sues is just, due, and unpaid, that the garnishment is not sued out to injure either the defendant or the garnishee, and that the plaintiff believes that the defendant will not have in his possession, after execution is issued, tangible or intangible property in this state and in the county in which the action is pending on which a levy can be made sufficient to satisfy the plaintiff’s claim. The writ of garnishment shall set forth a notice to the defendant of his right to an immediate hearing for dissolution of such writ pursuant to s. 77.07. Upon issuance of the writ of garnishment, the clerk of the court shall provide by mail a copy of the writ to the defendant.

(3) Except when the plaintiff has had an attachment writ issued, no writ of garnishment before judgment shall issue until the plaintiff, or his agent or attorney, gives a bond with surety to be approved by the clerk payable to the defendant in at least double the debt demanded, conditioned to pay all costs, damages, and attorney’s fees that the defendant sustains in consequence of the plaintiff’s improperly suing out the writ of garnishment. A garnishment bond is not void or voidable because of an informality in it, nor shall the obligors be discharged because of the informality, even though the garnishment is dissolved because of the informality.

(4) The motion or pleading need not negative any exemptions of the defendant.

Section 2. Subsection (1) of section 77.07, Florida Statutes, is amended to read:

77.07 Dissolution of writ ~~Writ; dissolution.~~—

(1) *The defendant, by motion, may obtain the dissolution of a writ of garnishment, unless the petitioner proves the grounds upon which the writ was issued and unless, in the case of a prejudgment writ, there is a reasonable probability that the final judgment in the underlying action will be rendered in his favor. The court shall set down such motion for an immediate hearing. If the writ is dissolved, the action shall then proceed as if no writ had been issued. ~~The court to which a garnishment is returnable shall always be open for hearing motions to dissolve the garnishment.~~*

Section 3. This act shall take effect July 1, 1983.

Amendment 2—In title, on page 1, strike all of lines 2-21 and insert: An act relating to garnishment; amending s. 77.031, Florida Statutes; providing for the issuance of writs of garnishment before judgment; amending s. 77.07(1), Florida Statutes; providing for the dissolution of writs of garnishment; providing an effective date.

On motion by Senator Hair, by two-thirds vote HB 472 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Meek

SB 1066 was laid on the table.

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 read the second time by title.

Senator Langley moved the following amendments which were adopted:

Amendment 1—On page 1, line 11, strike everything after the enacting clause and insert:

Section 1. Subsection (4) is added to section 34.021, Florida Statutes, to read:

34.021 Qualifications of county court judges.—

(4) Any county court judge who is not a member of the Bar, in any county having a population of 40,000 or less, according to the last decennial census, and who has successfully completed a law training program approved by the Supreme Court for the training of county court judges who are not members of the Florida Bar, shall be entitled to serve as a county court judge in any county encompassed in the circuit in which he has been elected, when assigned thereto.

Section 2. This act shall take effect October 1, 1983.

Amendment 2—In title, on page 1, lines 2 and 3, strike “amending s. 34.021(3)” and insert: adding s. 34.021(4)

On motion by Senator Langley, by two-thirds vote SB 830 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

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

Nays—None

Consideration of SB 1134 was deferred.

SB 645—A bill to be entitled An act relating to drivers' licenses; amending s. 322.20(3), Florida Statutes, 1982 Supplement, requiring additional information in the individual driver history records maintained by the Department of Highway Safety and Motor Vehicles; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, strike all of lines 21-24 and insert: times. *The release by the department of the driver history record, with respect to accidents involving a licensee, shall not include any notation or record of the occurrence of a motor vehicle accident unless the licensee received a traffic citation as a direct result of the accident.*

Further consideration of SB 645 was deferred.

On motion by Senator Scott, the rules were waived and by two-thirds vote HB 498 was withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Scott —

HB 498—A bill to be entitled An act relating to service of process; amending s. 48.183, Florida Statutes, allowing service of process on persons 15 years of age or older residing at the usual place of residence of a tenant in an action for possession of residential premises; requiring the landlord to provide the clerk of the court with an additional copy of the summons and complaint together with a prestamped envelope in certain actions for possession of residential premises; requiring the clerk to mail the copy to the defendant at the premises involved; requiring the clerk to keep certain records with respect to such actions; providing an effective date.

—a companion measure, was substituted for CS for SB 1051 and read the second time by title.

Senator Scott moved the following amendments which were adopted:

Amendment 1—On page 1, line 19, strike everything after the enacting clause and insert:

Section 1. Section 48.183, Florida Statutes, is amended to read:

48.183 Service of process in action for possession of residential premises.—

(1) In an action for possession of residential premises under s. 83.59, if neither the tenant nor a person residing therein who is of the tenant's family 15 years of age or older can be found at the usual place of residence of the tenant, after at least two attempts to obtain personal service, summons may be served by attaching a copy to a conspicuous place on the property described in the complaint or summons.

(2) If a landlord causes or anticipates causing a defendant to be served with a summons and complaint solely by attaching same to some conspicuous place on the property described in the complaint or summons, then the landlord shall provide the clerk of the court with an additional copy of the complaint and a prestamped envelope addressed to the defendant at the premises involved in the proceeding. The clerk of the court shall immediately mail the copy of the summons and complaint by first class mail, note the fact of mailing in the docket, and file a certificate in the court file of the fact and date of mailing. Service shall be effective on the date of mailing and at least 5 days from the date of mailing shall have elapsed before a judgment for final removal of defendant may be entered.

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

Amendment 2—In title, on page 1, lines 2-15, strike all of said lines and insert: An act relating to service of process; amending s. 48.183, Florida Statutes, allowing service of process on persons 15 years of age or older residing at the usual place of residence of a tenant in an action for possession of residential premises; authorizing summons to be served by attaching a copy to a conspicuous place on the property after at least two attempts to obtain personal service; requiring the landlord to provide the clerk of the court with an additional copy of the summons and complaint together with a prestamped envelope in certain actions for possession of residential premises; requiring the clerk to mail the copy to the defendant at the premises involved; requiring the clerk to keep certain records with respect to such actions; providing an effective date.

On motion by Senator Scott, by two-thirds vote HB 498 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Mr. President

CS for SB 1051 was laid on the table.

SB 552—A bill to be entitled An act relating to vessels; amending s. 327.10, Florida Statutes, and s. 327.11(5), Florida Statutes, 1982 Supplement; allowing registration numbers for airboats to be placed on the rudder; providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 552 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Castor	Dunn	Girardeau
Barron	Childers, D.	Fox	Gordon
Beard	Childers, W. D.	Frank	Grant
Carlucci	Crawford	Gersten	Grizzle

Hair	Kirkpatrick	McPherson	Stuart
Henderson	Langley	Meek	Thomas
Hill	Malchon	Myers	Thurman
Jenne	Mann	Neal	Vogt
Jennings	Margolis	Plummer	Weinstein
Johnston	Maxwell	Rehm	

Margolis	Myers	Stuart	Weinstein
Maxwell	Neal	Thomas	
McPherson	Plummer	Thurman	
Meek	Rehm	Vogt	

Nays—None

SB 297—A bill to be entitled An act relating to transportation; amending s. 334.03(22), Florida Statutes; providing for the addition of parts of certain urban minor arterial routes to the state highway system; amending s. 335.04(1), Florida Statutes; providing that resurfacing or renovation of roads prior to transfer shall not apply to roads on the secondary road system as of July 1, 1977; amending s. 335.05(1)-(4), Florida Statutes; providing that certain municipal connecting links and feeder roads shall be designated as part of the state highway system; providing that the Department of Transportation, rather than the Division of Road Operations, shall be responsible for the construction and maintenance of municipal connecting links; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 5, between lines 3 and 4, insert:

Section 4. Subsection (1) of Section 335.08, Florida Statutes, is amended to read:

335.08 Numbering *public roads of state highway system.*—

(1) The department is authorized to number and renumber the roads of the state highway system, and to *advise the counties and municipalities on the numbering of the roads on their respective road systems reduce the total numbers of same as far as practicable.*

(Renumber subsequent section.)

Senator Jennings moved the following amendment which was adopted:

Amendment 2—On page 5, line 4, insert a new Section 4:

Section 4. Subsection (5) is added to section 335.075, Florida Statutes, to read:

335.075 Uniform standards for design, construction and maintenance; advisory committees.—

(5) *A county or city may, upon action by the local governing body, exempt interior subdivision roads and other non-arterial and non-collector roads from the provisions of this section.*

(Renumber subsequent subsections.)

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

Amendment 3—In title, on page 1, strike line 18 and insert: connecting links; amending s. 335.08(1), Florida Statutes; authorizing the Department of Transportation to advise counties and municipalities on the numbering of local roads; providing an effective date.

Senator Jennings moved the following amendment which was adopted:

Amendment 4—In title, on page 1, line 18, after the semicolon (;) insert: adding s. 335.075(5), Florida Statutes; authorizing counties and municipalities to exempt certain roads from certain uniform minimum design standards;

On motion by Senator Myers, by two-thirds vote SB 297 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Childers, W. D.	Gordon	Jennings
Barron	Crawford	Grant	Johnston
Beard	Fox	Grizzle	Kirkpatrick
Carlucci	Frank	Hair	Langley
Castor	Gersten	Henderson	Malchon
Childers, D.	Girardeau	Hill	Mann

Nays—None

Senator Neal presiding

The hour of 11:00 a.m. having arrived, the Senate proceeded to consideration of —

By the Committee on Appropriations and Senators Peterson, Maxwell, Castor, Hill, Gordon, Carlucci, Thurman, D. Childers, Meek, Vogt, Grant, Henderson, Grizzle, McPherson, Neal, Kirkpatrick, Mann, Langley, Scott, Barron, Johnston, Jennings, Crawford, Myers, Dunn, Malchon, Rehm, Gersten, Thomas, Girardeau, Frank, Stuart, Fox, Margolis, Beard, Jenne, Plummer, Weinstein, W. D. Childers and Hair—

CS for CS for SB 357—A bill to be entitled An act relating to education; amending s. 228.041(16) and (22), Florida Statutes, 1982 Supplement; providing definitions; increasing the number of hours of instruction in public high schools; amending s. 233.09(4)(e), Florida Statutes; requiring school district comprehensive plans to include provision for use of quality textbooks; amending s. 229.565(2)(e), Florida Statutes, and adding paragraph (h) to said subsection; providing for evaluation of vocational programs, providing for computer instruction; amending s. 229.575(3), Florida Statutes; expanding required content of annual school reports; amending s. 229.58(2), Florida Statutes; expanding areas in which school advisory committees may provide assistance; amending s. 229.59, Florida Statutes; providing for educational improvement projects at the school level; providing for grants; amending s. 229.814(1), Florida Statutes; providing that the general equivalency diploma examination shall not serve as the high school equivalency diploma examination; amending s. 230.03(2), (3), Florida Statutes; expanding powers of school boards; amending ss. 230.23(4)(h), (6)(a), Florida Statutes, 1982 Supplement, and adding paragraph (c) to subsection (13) of said section; requiring review and approval of vocational programs; requiring school boards to cooperate with regional coordinating councils in planning vocational programs; providing for policies relating to classroom performance; amending s. 230.2313(3)(d), Florida Statutes; providing for studies, reports, and recommendations regarding occupational and placement services; amending s. 230.33(9)(b), Florida Statutes; requiring the comprehensive plan to include steps taken to ensure use of quality textbooks; amending s. 230.64(1), Florida Statutes; providing that area vocational-technical centers are subject to review; requiring legislative evaluation of the alternative education program; amending s. 231.087(1), (2)(a), (3), Florida Statutes, 1982 Supplement, renumbering and amending existing subsection (7), and adding a new subsection (7) to said section; specifying duties of the Florida Council on Educational Management; providing for assistance in selection of school principals; amending s. 232.245(2), Florida Statutes, and adding subsection (3) to said section; requiring mastery of minimum standards prior to promotion from specified grades; requiring progression plans to include student performance standards; requiring adoption of student performance standards in computer literacy; requiring inclusion of computer literacy standards in state assessment tests; amending s. 232.246, Florida Statutes; providing general requirements for high school graduation; amending s. 232.2465(1)(a), Florida Statutes, 1982 Supplement; increasing the number of credits required to qualify as a Florida Academic Scholar; requiring high school curriculum frameworks; requiring adoption of specific curriculum components; adding s. 233.057(4), Florida Statutes; providing for allocations to high schools that employ reading resource specialists; amending s. 233.068(1), Florida Statutes; providing for review and approval of job-related vocational instruction; amending s. 236.013(2)(a), (c), Florida Statutes, and adding subsection (7) to said section; redefining "full-time student" and "full-time equivalent student"; amending s. 236.02(2), Florida Statutes, adding new subsections (3), (4), to said section and renumbering existing subsections; increasing minimum term of operation of schools; requiring student performance standards for FEFP participation; amending s. 236.081(1), Florida Statutes; revising funding formula; amending s. 236.0811(1), Florida Statutes; providing restriction on inservice training programs; amending s. 240.233(1), (2), Florida Statutes, 1982 Supplement; establishing minimum requirements for university enrollment; amending s. 240.311(1)(a), (e), Florida Statutes, 1982 Supplement; requiring review and approval of vocational courses offered by community colleges; requiring cooperation with specified agencies; amending s. 240.319(3)(c), Florida Statutes, 1982 Supplement; providing for review and approval of community college rules; amending s. 240.321, Florida

Statutes; restricting admission to Associate of Arts degree programs; creating a uniform, coordinated system of vocational education; providing for a vocational education management information system; providing for use of unemployment insurance wage reports; requiring reports; providing for establishment of vocational education planning regions; providing for regional vocational coordinating councils; providing powers and duties; amending s. 240.355, Florida Statutes; providing for review of vocational programs; creating s. 240.4081, Florida Statutes; providing for the Student Loan Forgiveness Program and creating a trust fund; creating the Teacher Scholarship Loan Trust Fund; providing for award of scholarship loans from the fund; providing for summer inservice institutes for instructional personnel; requiring adoption of common diagnostic tests; authorizing remedial instruction in postsecondary institutions; providing for a study of postsecondary remedial education; prohibiting postsecondary credit for remedial courses; requiring universities and community colleges to report certain information to high schools; establishing standards for student participation in extracurricular activities; requiring study and report on the minimum competency program; providing for establishment of a visting school scholars program; providing for certification of adjunct instructors; authorizing universities and community colleges to offer academic courses on high school sites; amending s. 240.60, Florida Statutes, 1982 Supplement; establishing priorities for the college career work experience program; requiring a study of vocational job preparatory programs; repealing s. 233.064, Florida Statutes, relating to a required course in Americanism vs. Communism; amending s. 231.17(1), Florida Statutes, 1982 Supplement; limiting the number of teacher education courses required for teacher certification; providing for expanded instruction time pilot projects; requiring feasibility study of modifying teacher certification examination; providing for a study of collective bargaining; amending s. 231.608, Florida Statutes; providing for content of evaluation reports; providing for the reenactment of the Teacher Center Act; providing for the sunset of the Teacher Center Act; providing an effective date.

—which was read the first time by title and SB 357 and CS for SB 357 were laid on the table.

On motion by Senator Gordon, by two-thirds vote CS for CS for SB 357 was read the second time by title.

Senator Gordon moved the following amendments which were adopted:

Amendment 1—On page 17, lines 1 and 2, strike “*specific curriculum components*” and insert: *student performance standards*

Amendment 2—On page 25, strike lines 2 and 3 and insert: district school board shall require successful completion of a minimum of 22 of a possible 24 academic credits in grades 9 through 12 for graduation from

Amendment 3—On page 26, strike lines 24 and 25 and insert: (c) Beginning with the 1985-1986 school year successful completion of a minimum of 23 of a possible 25 academic credits shall be required for high school graduation. The 23 credits shall

Amendment 4—On page 26, strike lines 28 and 29 and insert: year thereafter, successful completion of a minimum of 24 of a possible 26 academic credits shall be required for graduation. The 24 credits shall be distributed as follows:

Amendment 5—On page 28, between lines 9 and 10, insert: (i) Notwithstanding the provisions of this subsection, the State Board of Education may grant exceptions to the number of credits required herein for high school graduation for those school districts operating with less than 6 periods of instruction in high school per school day prior to the 1983-1984 school year. Such exceptions shall not be granted after the 1986-1987 school year.

Amendment 6—On page 37, line 26, strike “*promotion or credit*” and insert: *promotion or credit*

Amendment 7—On page 44, line 16, strike “*enrollment*” and insert: *membership*

Amendment 8—On page 46, line 16, strike “*enrollment*” and insert: *membership*

Amendment 9—On page 46, line 18, after “*composed of*” insert: *the basic programs*

Amendment 10—On page 47, strike all of lines 8-12 and insert: *subsubparagraph (1) is greater than zero for any program,*

reduction proportions shall be computed for each of those programs with a positive difference by dividing each positive difference by the sum of all positive differences.

Amendment 11—On page 47, line 23, strike “*programs 2 and 3*” and insert: *program groups 2 or 3*

Amendment 12—On page 52, lines 26 and 27, strike “*in high school*”

Senator Frank moved the following amendment which failed:

Amendment 13—On page 29, between lines 22 and 23, insert:

(6) *Each district school board may adopt rules, subject to approval of the State Board of Education, providing that the school board may grant waivers for students who are unable to complete the required academic credits because of economic hardship. The waiver shall apply only to noncompletion of elective credits.*

(Renumber subsequent subsection.)

On motion by Senator Peterson, by two-thirds vote CS for CS for SB 357 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Frank	Jennings	Myers
Barron	Gersten	Johnston	Neal
Beard	Girardeau	Kirkpatrick	Plummer
Carlucci	Gordon	Langley	Rehm
Castor	Grant	Malchon	Stuart
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—Scott

On motion by Senator Barron, the following remarks were ordered published in the Journal:

Senator Gordon: Mr. President, this bill as you know, was sponsored by Senator Peterson and he has provided me and members of the committee with a great deal of exceptionally fine guidance in the course of the development of the legislation and I just want to express publicly my appreciation to him for all the time and effort that he was willing to give us. And I think it will be most appropriate if Senator Peterson were to close on this bill.

(Text of Senator Gordon’s explanation of CS for CS for SB 357 appears on pages 243 and 244.)

Senator Peterson: Thank you, Mr. President. I think this is a unique time for this to be happening in the Florida Senate and, of course, those of us in politics know that timing is everything in politics. There came a time in the Florida Senate when Senator Frank and Senator Gordon and Senator Peterson spent a year on the Governor’s Commission on Secondary Schools. During that time, I became President, Senator Gordon became the Chairman of Education, Senator Maxwell became Chairman of Subcommittee B and everything came together to do the kinds of things that are in this bill. So I do want to thank those four Senators—or those three Senators beside myself for being the leaders that have caused this to happen. The other consideration is the criticism by the secondary schools in this state of this bill. I think that this bill is not built on weaknesses, but it’s built on strengths. Our staff has moved all over the state and there are things that are happening in Florida that are good in education and they are in this bill. The graduation requirements that we have are in effect in a good number of counties already. A good number of counties have adopted them prior to this year and have had them in effect for a good while. The performance standards are those on which grades are to be established and promotion. These standards are in effect in most of the progressive school districts of the State of Florida. The outstanding vocational programs like the ones in Hillsborough County and others and Leon County are in effect in many of the counties of the State of Florida. The leadership by teachers and principals in school base management is in effect in a good many of the counties of

Florida. And advanced programs for the scholars who are bored with the ordinary are also scattered throughout the system in Florida. So this bill has been based upon using those strengths, and if they are good for one district then they really should be good for all the children in Florida. I think that's a good truism; that if some districts are requiring twenty-four credits for graduation, why don't all districts require that? Some districts, like Duval County which is the leader in performance standards, have adopted four page standards for Chemistry I and the students must meet most of those standards or they don't get a grade, a passing grade. If that's good there, why can't we have that throughout the State of Florida? And if we have very professional decision-making by principals and teachers in schools in Monroe County and other counties, why can't we begin to develop that sort of professionalism all over the State of Florida? If students in Polk County and many other counties can get advanced programs above the high school level in their high schools, we should make that available for kids all over the State of Florida. I think this bill has been built on strength instead of weakness. We did find those weaknesses that the chairman has mentioned on declining SAT scores and we find the large number of students from the high schools that receive remediation in the colleges and the universities and the community colleges. So, I think that's the sort of opportunity we have here in a time when we don't have very much money to increase the quality of education. We need to put out in front of the public the things that we need to do and let them know that we should set these as goals for education in Florida and I think we have. And the most important things that this bill says are on an extremely high level. This bill says that we are concerned about the future of this state and this nation. We are concerned that the students may not be getting an education on the strengths and the struggles for freedom that this country and this state have had to undergo to reach this point. They don't understand what it has cost in the history of this state and this nation to maintain our personal freedoms and our economic freedoms and our political freedoms. They won't be able to support those freedoms because they won't understand them. I think that is the most urgent message that I'd tell you today. This will allow us to build back into the population of the future an understanding of what this state and this nation is all about and where we want to go. We're not trying to just educate the kids for a better job in the future, we're trying to enlighten their minds so that they can create the kind of future that we ought to look for in this nation. I think that's the message I would give you, and I certainly do appreciate the full discussion that we have had and the time the chairman gave meeting after meeting to this bill. I think it's urgent, and I think we need to send the signal out to the people of Florida that we do care what's going to happen to the future of this state. We're showing you because we want to do better for the kids of this state who will be the future of the state. So, Mr. President, if it's appropriate, I would move that the rules be waived and that CS for CS for SB 357 as amended be read a third time and placed on final passage.

Also, Mr. President, I would like to thank the staff. The staff is assembled over in this corner here. They have worked many, many hours. Ed Cisek, Michael O'Farrell, Linda Harris—and we even called in our former staff director, Herman Myers, to critique this bill. I think we should recognize them for the hard work they have put in—and also recognize Dale Hickam.

On motion by Senator Barron, the rules were waived and time of adjournment was extended until final action on HCR 1253.

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 adopted HCR 1253 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Martin and Mills—

HCR 1253—A concurrent resolution commending the University of Florida Athletic Program.

—was read the first time by title.

On motions by Senator Kirkpatrick, HCR 1253 was taken up out of order by unanimous consent, read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—38

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

Nays—None

On motion by Senator Maxwell, the rules were waived and CS for CS for SB 357 after being engrossed was ordered immediately certified to the House.

On motions by Senator Barron, the rules were waived and by two-thirds vote SB 994 was also referred to the Committee on Natural Resources and Conservation as the first committee of reference and by two-thirds vote the Committee on Natural Resources and Conservation was granted permission to consider SB 994 at the meeting this day.

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

REPORTS OF COMMITTEES

Senator Barron reported that the Committee on Rules and Calendar had determined that an emergency exists compelling the introduction of SB 1192 by Senator Kirkpatrick, notwithstanding the fact that the final day had passed for introduction of bills.

On motion by Senator Barron, the rules were waived by unanimous consent and the Senate reverted to introduction for the purpose of introducing the following bill out of order:

INTRODUCTION AND REFERENCE OF BILLS

By Senator Kirkpatrick—

SB 1192—A bill to be entitled An act relating to the Division of Pari-mutuel Wagering; adding s. 550.02(9), Florida Statutes; authorizing the Division of Pari-mutuel Wagering to exclude from all pari-mutuel facilities in this state any person who has been excluded from pari-mutuel facilities in this state or in any other state by such other state's official regulatory agency having jurisdiction over such pari-mutuel facilities; amending s. 550.10(3)(b), Florida Statutes; authorizing the division to file administrative charges for violations occurring while a person held an occupational license; authorizing the division to exclude any person who has been denied an occupational license or whose occupational license has been suspended or revoked by the division from attending any pari-mutuel facility; amending s. 550.241(6), Florida Statutes; authorizing the division to permit use of certain medications by rule; amending s. 550.162(3) and s. 551.09(2), Florida Statutes; authorizing certain permitholders to withhold additional sums on certain wagers; amending s. 550.03, Florida Statutes; authorizing each horseracing, dog-racing and jai alai permitholder up to 5 charity or scholarship days in addition to the regular racing days; providing for eligibility and selection of a charity; providing for the payment of proceeds to the charity; providing for the determination of profit; amending s. 550.08, Florida Statutes; deleting provisions requiring additional racing day for benefit of the Board of Regents; repealing s. 550.41(4)(8), Florida Statutes, which subsections authorize specific additional charity racing days; excluding certain race meets and jai alai meets prior to effective date of this act; amending s. 550.16(2)(b), Florida Statutes; allowing a lessee of a racetrack or fronton to withhold certain funds from the pari-mutuel pool for capital improvements to the racetrack or fronton in certain circumstances; creating ss. 535.19 and 535.21, Florida Statutes; requiring promoters of certain shows to file financial statements; requiring occupational licensing of such promoters and specifying qualifications for same; providing for review and repeal in accordance with the Regulatory Sunset Act; providing an effective date.

—which was read the first time by title and referred to the Committee on Commerce.

ENROLLING REPORTS

SB 115 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 5, 1983.

Joe Brown, Secretary

SB 80 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 4, 1983.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 3 was corrected and approved.

CO-INTRODUCERS

Senator Gersten—SB 674; Senators W. D. Childers and Grant—SB 921; Senator Jenne—SB 923; Senator Castor—SB 954; Senator Henderson—SB 1017

Senator Barron moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Wednesday, May 11, at 9:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Barron, the Senate recessed at 12:06 to reconvene at 9:00 a.m., Wednesday, May 11.