



Journal of the Senate

Number 17

Wednesday, May 11, 1983

BILL ACTION SUMMARY

Wednesday, May 11, 1983

H 40 Substituted for C/S for C/S SJR 79, Passed
H 78 Substituted for SB 961, Passed
H 525 Passed
S 25 Passed as amended
S 79 Companion bill passed; refer to HJR 40
S 140 Passed as amended
S 340 Concurred, Passed as amended
S 350 Concurred, Passed as amended
S 961 Companion bill passed; refer to HB 78
S 1155 C/S passed as amended, immediately certified

The Senate was called to order by the President at 9:00 a.m. A quorum present—40:

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

Prayer by Dr. Robert Blackburn, Pastor, First United Methodist Church, Inverness:

O Eternal God, Father of our Lord Jesus Christ, giver of every good and perfect gift, we bow this day in thy presence giving thanks unto thee for the manifold blessings that enter our lives day after day. We give thanks and praise for our freedom. We cherish our freedom in the United States of America and we pray that thou will continue to bless our nation. We are grateful for those who have paid the price for our freedom and even those who are paying the price this day in our nation for the cause of freedom. Help us to never take this for granted, but always to be grateful unto thee. And then we would pray for our President, Ronald Reagan. We thank thee for his life and pray that thou will sustain him in the leadership of our great nation. We are thankful for these who serve our state and our country here in Tallahassee. We pray that thou will encourage their hearts, inspire them, give them wisdom and understanding as they seek to lead the people. Guide, guard and direct their lives. Bless their homes and their families. And bless again, we pray, our nation that each of us might be in the center of thy will for life always. We pray in the name of the Father and of the Son and of the Holy Spirit. Amen.

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

REPORTS OF COMMITTEES

The Committee on Health and Rehabilitative Services recommends that the Senate confirm the appointment made by the Governor of David H. Pingree, Tallahassee, as Secretary of Health and Rehabilitative Services, to serve at the pleasure of the Governor.

The Committee on Judiciary-Criminal recommends that the Senate confirm the appointment made by the Governor of Robert R. Dempsey, Tallahassee, as Executive Director, Department of Law Enforcement, to serve at the pleasure of the Governor.

The appointments contained in the foregoing reports were referred to the Committee on Executive Business under the original reference.

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, May 11, 1983: CS for SB 1155, HB 525, CS for CS for SJR 79, SB 961, SB 140, SB 50, SB 176, SB 452, SB 511, SB 463, SB 310, SB 114, SB 358, SB 295, SB 812, SB 619, SB 482, CS for SB 44, SB 623, SB 411, SB 352, SB 208, SB 34, SB 308, SB 787, SB 806, SB 1000, SB 947, SB 871, SB 897, SB 664

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Agriculture recommends the following pass: HB 408 with 2 amendments

The Committee on Commerce recommends the following pass: SB 984

The Committee on Governmental Operations recommends the following pass: SB 650 with 3 amendments, SB 1072, SB 1086, SB 1107 with 4 amendments

The Committee on Judiciary-Criminal recommends the following pass: SB 1085

The Committee on Judiciary-Civil recommends the following pass: SB 329

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 371 with 2 amendments, SB 917 with 1 amendment, SB 1029 with 2 amendments

The Committee on Transportation recommends the following pass: SB 974, SB 826 with 3 amendments

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

The Committee on Governmental Operations recommends the following pass: SB 1058 with 2 amendments

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

The Committee on Governmental Operations recommends the following pass: SB 818

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

The Committee on Judiciary-Civil recommends the following pass: SB 865

The Committee on Transportation recommends the following pass: SB 928

The Special Master for Claims recommends the following pass: HB 312, HB 150, HB 1114, HB 1141, HB 1142, HB 247 with 1 amendment.

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

The Committee on Commerce recommends the following pass: SB 491 with 2 amendments

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

The Committee on Judiciary-Criminal recommends the following pass: SB 400 with 1 amendment

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

The Committee on Judiciary-Civil recommends the following pass: CS for HJR 114, HB 130 with 1 amendment

The Committee on Judiciary-Criminal recommends the following pass: SCR 950

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

The Committee on Agriculture recommends the following pass: HB 305 with 2 amendments, HB 307, HB 308

The Committee on Commerce recommends the following pass: SB 450 with 3 amendments, SB 513 with 1 amendment, SB 740 with 3 amendments, SB 755 with 1 amendment, SB 811 with 1 amendment, SB 868, HB 673

The Committee on Judiciary-Civil recommends the following pass: CS for SB 653 with 1 amendment, SB 790, SB 851 with 2 amendments, SB 975, SB 1062, SB 1073, SB 1130 with 1 amendment

The Committee on Judiciary-Criminal recommends the following pass: SB 1096

The Committee on Natural Resources and Conservation recommends the following pass: SB 576 with 1 amendment, SB 1169, SB 1173 with 2 amendments

The Committee on Transportation recommends the following pass: SB 1128 with 1 amendment

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

The Committee on Judiciary-Criminal recommends the following not pass: SB 1003, SB 1037

The Committee on Personnel, Retirement and Collective Bargaining recommends the following not pass: SB 351

The bills contained in the foregoing reports were laid on the table.

The Committee on Commerce recommends a committee substitute for the following: SB 1065

The bill with committee substitute attached was 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 976

The bill with committee substitute attached was referred to the Committee on Appropriations on motion by Senator Johnston May 11, 1983.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1048

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 816

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 509

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

The Committee on Commerce recommends a committee substitute for the following: Senate Bills 569 and 774

The bills with committee substitute attached were referred to the Committee on Transportation under the original reference.

The Committee on Commerce recommends committee substitutes for the following: CS for SB 132, SB 854, SB 1016

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 1142

The Committee on Transportation recommends a committee substitute for the following: SB 1158

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

REQUESTS FOR EXTENSION OF TIME

May 10, 1983

The Special Master for Claims requests an extension of 15 days for consideration of the following: SB 900, SB 499, SB 530

May 11, 1983

The Committee on Education requests an extension of 15 days for consideration of the following: SB 658, SB 677, SB 684, SB 685

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: SB 700, SB 191, SB 760, CS for SB 323, CS for SB 540, SB 668, SB 26, SB 104, SB 227, SB 263, SB 267, SB 401, SB 416, SB 600, CS for HB 179

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: SB 531, SB 532, SB 591, SB 592, SB 661, SB 665, SB 675

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Johnston, the rules were waived and by two-thirds vote Senate Bills 159, 306, 459, 497, 642, 682, CS for SB 610, CS for SB 625, CS for SB's 640 and 775, CS for SB 784, and CS for SB 810 were withdrawn from the Committee on Appropriations.

On motion by Senator Johnston, the rules were waived and by two-thirds vote SB 510 was also referred to the Committee on Appropriations.

On motion by Senator Johnston, by two-thirds vote CS for SB 976 was removed from the calendar and referred to the Committee on Appropriations.

On motions by Senator Scott, the rules were waived and by two-thirds vote Senate Bills 603 and 471 were withdrawn from the Committee on Personnel, Retirement and Collective Bargaining.

On motions by Senator Scott, the rules were waived and by two-thirds vote Senate Bills 599 and 344 were withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Scott, the rules were waived and by two-thirds vote SB 678 was withdrawn from the Committee on Judiciary-Criminal.

On motions by Senator Scott, the rules were waived and by two-thirds vote SB 1140 was withdrawn from the Committees on Corrections, Probation and Parole and Judiciary-Criminal.

On motion by Senator Scott, the rules were waived and by two-thirds vote CS for SB 540 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Scott, the rules were waived and by two-thirds vote SB 677 was withdrawn from the Committee on Education.

On motion by Senator Scott, the rules were waived and by two-thirds vote SB 1049 was withdrawn from the Committee on Health and Rehabilitative Services and referred to the Committee on Governmental Operations and then to the Committee on Appropriations.

On motion by Senator Scott the rules were waived and by two-thirds vote HB 1039 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Scott, the rules were waived and by two-thirds vote SB 980 was also referred to the Committee on Finance, Taxation and Claims.

On motions by Senator Margolis, the rules were waived and by two-thirds vote SB 980 was withdrawn from the Committee on Appropriations and referred to the Committee on Finance, Taxation and Claims and then to the Committee on Appropriations.

On motion by Senator Margolis, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to consider SB 980 May 12.

On motions by Senator McPherson, by two-thirds vote SB 883 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Stuart, by two-thirds vote SB 852 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Thomas, by two-thirds vote SB 513 was removed from the calendar and recommitted to the Committee on Commerce.

On motions by Senator Dunn, by two-thirds vote Senate Bills 227, 838, 948, 956, 1067 and 1179 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Thomas, by two-thirds vote SB 892 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Neal, the rules were waived and the Committee on Natural Resources and Conservation was granted permission to meet May 12 at 8:30 a.m. to consider SB 981.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State Senate Bills 254 and 80 which he had approved May 10.

Appointments Subject to Confirmation by the Senate:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Dentistry, Member Mitchell, Orrin D., Jacksonville	2/7/86

[Referred to the Committee on Executive Business.]

EXECUTIVE BUSINESS

The President announced he had withdrawn the following appointments from the Committee on Economic, Community and Consumer Affairs and recommitted them to the Committee on Executive Business:

Diana W. Dartland, Miami, Board of Dentistry, for term ending February 7, 1987

W. Edward Gonzalez, Jr., Brandon, Board of Dentistry, for term ending February 7, 1987

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 with amendment—

SB 25—A bill to be entitled An act relating to farm labor registration; amending ss. 450.28(2), 450.30, 450.31, 450.32(1), 450.33, 450.35, 450.36, 450.37, Florida Statutes; transferring powers and duties under the farm labor registration law from the Farm Labor and Rural Manpower Section of the Bureau of Rural Manpower Services of the Division of Employment Security of the Department of Labor and Employment Security to the Division of Employment Security; amending language relating to motor vehicle inspections; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 5, lines 10 and 11, strike “et seq., Florida Statutes,”

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

SB 25 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Dunn, Girardeau, Meek

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 350—A bill to be entitled An act relating to workers' compensation; amending s. 440.13(1) and (2), Florida Statutes, 1982 Supplement, relating to medical services and supplies; providing that the health care providers providing remedial treatment, care, and attendance to an injured employee shall be selected by the employer; providing any list of health care providers from which health care providers are selected to provide remedial treatment, care, and attendance shall not discriminate against any type of health care providers defined in s. 440.13(3)(d)1.d. as a class; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 10, following the word “class” strike lines 10, 11, 12, 13, 14 and first word on line 15 and insert: on line 5 following the word “carrier” *not including pharmacists*

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

SB 350 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Girardeau, Kirkpatrick

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 340—A bill to be entitled An act relating to the waiver of sovereign immunity; adding paragraph (c) to s. 768.28(9), Florida Statutes, excluding actions arising from the performance of certain federally prescribed duties of Florida National Guard members from those actions which may be lawfully brought against the state for damages; reenacting s. 252.36(5)(l), Florida Statutes, to incorporate the amendment to s. 768.28(9), Florida Statutes, in a reference thereto; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 4, strike after the first “such” such

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

SB 340 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Girardeau

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 472, 588, 612, 615, 906 and 507.

Allen Morris, Clerk

The bills contained in the foregoing message were ordered enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment and passed HB 690, as amended.

Allen Morris, Clerk

FIRST READING

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 150, HB 312, CS for CS for HB 1129 and HB 1114 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Pajcic (by request)—

HB 150—A bill to be entitled An act relating to the City of Jacksonville; authorizing and directing the city to provide an appropriation to compensate Herbert C. Seymour, II, for an injury sustained while performing his duties as an apprentice journeyman lineman; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Lippman—

HB 312—A bill to be entitled An act relating to Cooper City, Florida, a municipal corporation; providing for the relief of Diana Tirado, to compensate her for injuries due to the negligence of a city police officer while operating a city-owned motor vehicle; providing for payment by the City of Cooper City; providing an effective date.

Proof of publication of the required notice was attached.

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

By the Committees on Appropriations, Finance & Taxation, Natural Resources and Community Affairs—

CS for CS for HB 1129—A bill to be entitled An act relating to water resources; providing a short title; amending s. 373.026, Florida Statutes, expanding duties of the Department of Environmental Regula-

tion with respect to collecting and monitoring data relating to water resources; creating s. 487.043, Florida Statutes, providing for the testing of restricted-use pesticides; providing duties of the Department of Agriculture and Consumer Services and the Department of Environmental Regulation; creating s. 403.063, Florida Statutes, requiring the department to establish a groundwater quality monitoring network and providing criteria therefor; requiring regional and local governments to sample and test groundwater as directed by the department; amending s. 403.855, Florida Statutes, expanding duties of the department relating to imminent hazards in water supplies; provides the department with the authority to inspect package sewage treatment facilities; allows the department to delegate this responsibility to local governments under certain circumstances; amending s. 373.206, Florida Statutes, expanding the authority of the department to plug hazardous artesian wells; creating s. 373.207, Florida Statutes, requiring water management districts to adopt plans for plugging abandoned artesian wells; providing for review of plans by the department; providing for certain liens; creating the Local Government Hazardous Waste Management Program within the Department of Environmental Regulation; providing for a state needs assessment; providing legislative intent with respect to local hazardous waste management programs; requiring counties to conduct a hazardous waste assessment under rules established by the department; providing for technical assistance from the program; providing a schedule for completion; providing for annual updating of the assessment; providing that all local government laws, ordinances, or regulations be consistent with state rules; requiring counties to notify small quantity generators of their responsibilities annually; requiring such generators to disclose certain information to the county; providing for verification of such generators' management practices; providing for penalties; requiring counties to furnish information on the assessment and the notification program to the department; creating the Local Government Hazardous Waste Management Trust Fund; providing an appropriation to the fund to subsidize preparation of the assessment; creating s. 376.115, Florida Statutes, creating the Water Quality Assurance Trust Fund; levying an excise tax on persons registered for the operation of pollutant terminal facilities and persons handling such pollutants; providing a definition; providing for the collection and administration of the tax; providing for the suspension of the tax under certain circumstances; repealing ss. 208.001, 208.002, 208.003, 208.004, and 208.005, Florida Statutes, abolishing the tax on the generation of hazardous wastes; creating ss. 208.201, 208.202, 208.203, 208.204, 208.205, and 208.206, Florida Statutes; providing definitions; imposing a tax on the sale of chemicals by wholesale dealers or manufacturers; providing liability of certain consumers; requiring taxpayer registration with the Department of Revenue; providing for annual determination of the tax rate; providing exemptions; providing for application of administrative and penalty provisions of chapter 212, Florida Statutes; providing for administration, records, and audits; providing for deposit of tax revenues in the Hazardous Waste Management Trust Fund; adding a subsection to s. 215.22, Florida Statutes, including Hazardous Waste Management Trust Fund revenues within those funds a portion of which may be placed in general revenue; adding a subsection to s. 403.061, Florida Statutes, 1982 Supplement, authorizing the Department of Environmental Regulation to establish rules for the management of underground storage tanks; amending s. 403.703(18), Florida Statutes, redefining the “closure” of a resource recovery and management facility; amending s. 403.704(16), Florida Statutes, changing procedures for the review of rules of the department stricter than those of the United States Environmental Protection Agency relating to resource recovery and management; changing authority of the department to adopt hazardous waste rules for solid wastes; amending s. 403.7045(1)(c), Florida Statutes, 1982 Supplement, correcting a cross-reference to federal law; amending s. 403.707(1) and (2), Florida Statutes, 1982 Supplement; requiring resource recovery and management facilities and sites which are closed to be permitted; changing exceptions from certain permit requirements; amending s. 403.722(9) and (10), Florida Statutes, 1982 Supplement; revising time periods with respect to issuance of permits for hazardous waste facilities; authorizing the department to request additional information from an applicant; amending s. 403.723, Florida Statutes; providing for petition to the Governor and Cabinet when a local government denies a request for variance from local ordinances, regulations, or plans or takes no action on a variance request; requiring recommendation of such variance by the State Hazardous Waste Facility Siting Commission; providing commission procedures and time limitations; requiring a public hearing; providing criteria to be considered by the commission; providing for a hearing by the Governor and Cabinet; providing criteria to be considered; amends s. 403.725(1) and (3), relating to the use of funds in the Hazardous Waste Management Trust Fund; amending s. 403.727(3) and (4), Florida Stat-

utes, 1982 Supplement, and adding a new subsection (4) thereto, increasing penalties for violations of provisions relating to hazardous wastes; imposing liability upon specified persons for costs and damages caused by the release or threatened release of hazardous substances; restricting the ability of government entities to interpose a defense to such liability; amending s. 403.729, Florida Statutes; providing for a State Hazardous Waste Facility Siting Commission within the Florida Land and Water Adjudicatory Commission in lieu of the State Hazardous Waste Policy Advisory Council; providing for membership thereof; providing for temporary members; creating s. 501.082, Florida Statutes; requiring specified governmental agencies and institutions of the State University System to notify the department regarding hazardous materials and management practices; requiring written plans for management and spill control; providing for siting of a multipurpose hazardous waste facility by the state; providing for adoption of siting criteria by the department; providing for adoption of a site designation by the commission; directing the commission to contract for construction and operation of the facility; requiring permitting of the facility; granting eminent domain powers to the Governor and Cabinet; authorizing the issuance of state bonds; prohibiting hazardous waste landfills and the issuance of permits therefor; providing for emergency temporary permits; providing immunity from liability for persons who assist in cleaning up any discharge of hazardous materials; providing exceptions; creating s. 403.1655, Florida Statutes, creating the Environmental Short-Term Emergency Trust Fund to fund pollution abatement procedures; adding a paragraph to s. 376.11(5), Florida Statutes, transferring certain funds from the Florida Coastal Protection Trust Fund to such trust fund; amending s. 381.272, Florida Statutes, 1982 Supplement, providing for the regulation of onsite, rather than individual, sewage disposal systems; changing the types of subdivisions which may use certain systems; restricting the location of such systems; providing for equal application of restrictions and rules; changing the circumstances in which variances may be granted and the procedures therefor; authorizing temporary permits for experimental systems; deleting provisions relating to organic waste composting systems; creating s. 381.273, Florida Statutes, authorizing the Department of Health and Rehabilitative Services to collect fees for regulating such systems and for certain research; increasing fees to fund the accelerated soil survey program in the Department of Agriculture and Consumer Services; prohibits use of certain chemicals in the treatment of onsite sewage disposal systems; providing effective dates.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Agriculture.

By Representative Cosgrove—

HB 1114—A bill to be entitled An act relating to Dade County; authorizing and directing the county to compensate Michele Hess, a minor, and Don Hess and Connie Tippet, her parents, for damages suffered as a result of the negligence of the county; providing an effective date.

Proof of publication of the required notice was attached.

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

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed House Bills 247, 1141 and 1142 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Pajcic (by request)—

HB 247—A bill to be entitled An act relating to the Jacksonville Electric Authority; providing for relief of Romulus H. Tucker, to compensate him for personal injuries suffered at the Northside Generating Station docking facility owned by the Jacksonville Electric Authority; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Kutun—

HB 1141—A bill to be entitled An act relating to Dade County; authorizing and directing the county to compensate Andrea Parker, as

personal representative of the estate of Maria Morales, for damages suffered as a result of the negligence of the county; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Kutun—

HB 1142—A bill to be entitled An act relating to Dade County; authorizing and directing the county to compensate Maria Almira and Joaquin Almira, her husband, for damages suffered as a result of the negligence of the county; providing an effective date.

Proof of publication of the required notice was attached.

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

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Commerce and Senators D. Childers, Jenne, Malchon and Gordon—

CS for 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 Stuart—

CS for SB 509—A bill to be entitled An act relating to public printing; creating a new chapter 283, Florida Statutes; providing definitions; providing for internal printing oversight committees within state agencies; providing for certain records and reports; providing for use of recycled paper; providing that all public printing be let to lowest bidder and prohibiting state officers from having an interest in such contracts, exempting contract documents from certain requirements and requiring justification for such exemptions; providing for preference to in-state bidders; providing for three classes of public printing; providing exceptions with respect to Class C printing; providing notice requirements for Class A printing; providing that the Joint Legislative Management Committee shall contract for Class A printing and providing bid requirements; providing that bids may be required to be accompanied by certified check; providing for future repeal and review; providing terms of new contracts; requiring bidders to file certain statement under oath and providing penalty for false statement; providing for rejection of unacceptable printing and providing a penalty; providing bid requirements for Class B printing; providing for public information program printing services; providing for classification and publication of legislative acts; providing for distribution of legislative journals, pamphlet copies of laws and session laws; providing for republication of session laws; providing for delivery of session laws; providing for receipt of public documents by university libraries; designating certain law libraries as state legal depositories; providing for furnishing of public documents to the Library of Congress; authorizing certain activities by University of Florida and Florida State University Law Reviews; requiring statement of cost and purpose on public documents; providing for report to Legislature by Auditor General; providing for purging of publication mailing lists; providing for furnishing of publications to State Library; amending s. 287.102, Florida Statutes, conforming bid requirements for Class B printing and correcting a cross reference; amending ss. 288.012(2) and 601.10(8), Florida Statutes, 1982 Supplement, correcting cross references; repealing present chapter 283, Florida Statutes, relating to the same matters; providing an effective date.

By the Committee on Commerce and Senators Henderson and Plummer—

CS for SB's 569 and 774—A bill to be entitled An act relating to towing; adding ss. 125.0103(1)(c), 166.043(1)(c), Florida Statutes; providing that local governments may enact certain ordinances relating to towing; amending s. 715.07(2), (4), Florida Statutes; prohibiting the towing or removal of a vehicle from a municipality under certain circumstances; increasing the permissible distance for the storage of towed vehicles in certain circumstances; authorizing municipalities and counties to require licenses for persons engaged in the business of removal and towing of vehicles; authorizing municipalities and counties to regulate the rates and methods of towing, removal, and storage of vehicles; providing a penalty; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Dunn—

CS for SB 816—A bill to be entitled An act relating to The Florida Crimes Compensation Act; providing definitions; creating the Office of Victim and Witness Services within the Division of Public Safety Planning and Assistance of the Department of Community Affairs; providing duties of such office; providing an effective date.

By the Committee on Commerce and Senator Henderson—

CS for SB 854—A bill to be entitled An act relating to pleasure, excursion, sightseeing, and charter boats; amending s. 565.02(3)(a), Florida Statutes; adding sightseeing and charter boats, and providing for special liquor licenses permitting the sale and service of alcoholic beverages on certain boats while in operation; prohibiting such sale or service while docked; providing an effective date.

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

CS for SB 976—A bill to be entitled An act relating to criminal justice; amending ss. 943.09(2)(d) and (3), 943.13, 943.20, 943.22, 943.23, and 943.25(1), (3), (4), (7), (10), (12), and (13), Florida Statutes, and ss. 943.11(1)(a) and (c) and (4), 943.12, 943.14(1) and (2), and 943.145(1), (3)(c), (4), and (7), Florida Statutes, 1982 Supplement; amending s. 943.10(3), (8), and (11), Florida Statutes, 1982 Supplement, and adding a new subsection (3); adding a subsection to s. 943.19, Florida Statutes; including parole and probation officers among those persons subject to certification by the Criminal Justice Standards and Training Commission; providing definitions; providing that one member shall be a correctional officer without managerial authority; providing certain qualifications for parole and probation officers after a specified date; providing for training programs, certificate of compliance, and temporary employment authorization for parole and probation officers; authorizing the commission to adopt certain rules with respect to certifying and decertifying parole and probation officers; requiring parole and probation officers employed after a specified date to meet certain standards as a condition of employment; authorizing qualifications and standards above minimum with respect to parole and probation officers; providing salary incentives for certain parole and probation officers; providing that participation by units of local government in salary incentive programs for correctional officers is optional; providing for notice to the commission of the employment, appointment, or termination of any parole and probation officer; providing for inactive status with respect to termination and providing for subsequent reinstatement; changing the Correctional Officer Training Trust Fund to the Correctional and Parole and Probation Officer Training Trust Fund; providing for the maintenance of separate trust funds until July 1, 1987; authorizing certain entities to provide training for parole and probation officers; providing an effective date.

By the Committee on Commerce and Senator Vogt—

CS for SB 1016—A bill to be entitled An act relating to optional coverage for mental and nervous disorders; amending s. 627.668(1), (2)(b), Florida Statutes, 1982 Supplement; providing that the level of benefits with respect to optional alternative coverage for mental and nervous disorders under certain group contracts shall be the minimum level of benefits offered by the insurer to an insured; providing that outpatient treatment coverage applies to licensed physicians, licensed psychologists, and mental health professionals; providing an effective date.

By the Committee on Governmental Operations and Senator Gerten—

CS for SB 1048—A bill to be entitled An act relating to handicapped persons; creating a Governor's Commission on Handicapped Concerns

within the Department of Administration; providing for the membership, terms, powers, duties, reimbursement, and meetings of the commission; transferring to the commission powers, duties, records, personnel, property, and unexpended funds of the Department of Labor and Employment Security relating to the Governor's Committee on Employment of the Handicapped; providing for rulemaking powers and funding; providing for future repeal and review; providing an effective date.

By the Committee on Commerce and Senator Thomas—

CS for SB 1065—A bill to be entitled An act relating to insurance; amending s. 20.13(2), Florida Statutes; creating the Division of Rehabilitation and Liquidation of the Department of Insurance; amending s. 624.155(2), Florida Statutes, 1982 Supplement; providing for notice in advance of civil action; adding s. 624.404(8), Florida Statutes, 1982 Supplement; prohibiting authorization of certain insurers; amending s. 624.424(1), Florida Statutes, 1982 Supplement; providing for annual statement; amending s. 624.425(3), (5), Florida Statutes, 1982 Supplement; providing for power of attorney; providing exception; amending s. 624.428(3), Florida Statutes, 1982 Supplement; providing exception to the licensed agent law; amending s. 624.501, Florida Statutes, 1982 Supplement; providing fees; amending s. 626.731(1)(b), Florida Statutes, 1982 Supplement; providing qualifications for licensure as a general lines agent, amending s. 627.331(4), Florida Statutes, 1982 Supplement; requiring filing of underwriting rules and rates; amending s. 627.4145(1), (6), Florida Statutes, 1982 Supplement; providing for readable language in policies; amending s. 627.461, Florida Statutes, 1982 Supplement; deleting reference to interest; creating s. 627.4615, Florida Statutes; specifying interest payable on death claims; amending s. 627.7264(1), Florida Statutes, 1982 Supplement; requiring disclosure of certain information; amending s. 627.848(1), Florida Statutes, 1982 Supplement; providing for mailing of notice of cancellation; repealing s. 627.743, Florida Statutes, as created by chapter 82-243, Laws of Florida, relating to payment of third-party claims, amending s. 627.914(5), Florida Statutes, 1982 Supplement; providing for reports by workers' compensation insurers; amending s. 634.121(2), Florida Statutes, 1982 Supplement; providing for the filing of forms; amending s. 634.1216, Florida Statutes, 1982 Supplement; providing for rating filings; providing an effective date.

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

CS for SB 1142—A bill to be entitled An act relating to the Department of Corrections; amending s. 945.11(1), Florida Statutes; providing that inmates used by political subdivisions, municipalities and agencies and institutions of the state and nonprofit corporations for public works projects may be supervised as prescribed by the department; authorizing the department to adopt rules for such supervision; providing an effective date.

By the Committee on Transportation and Senator Plummer—

CS for SB 1158—A bill to be entitled An act relating to state uniform traffic control; creating ss. 316.2951 through 316.2957, Florida Statutes; providing definitions; providing requirements with respect to motor vehicle windshields; providing requirements with respect to motor vehicle side windows; providing requirements with respect to all windows behind the driver; providing sunscreen requirements; providing requirements with respect to labeling; providing tolerance levels; providing penalties; providing exemptions; repealing s. 316.295, Florida Statutes, relating to motor vehicle windshield requirements; repealing s. 316.296, Florida Statutes, relating to the prohibition against selling a motor vehicle equipped with windows which are reflective or nontransparent; repealing s. 316.297, Florida Statutes, relating to the prohibition against selling reflective or nontransparent material for motor vehicle windows; repealing s. 316.298, Florida Statutes, relating to exemptions for manufacturers with respect to motor vehicle windows; providing an effective date.

SPECIAL ORDER

CS for SB 1155—A bill to be entitled An act relating to planning and budgeting; amending s. 215.32(2)(c), Florida Statutes, relating to the administration of the Working Capital Fund; generally revising chapter 216, Florida Statutes, relating to the state planning and budgeting process; amending s. 216.011(1), Florida Statutes, relating to definitions; amending s. 216.023(3), (4) and (6), Florida Statutes, relating to the submission of budgets by each agency and the participation therein by the Governor, Comptroller and legislative appropriations committees; amending s. 216.031, Florida Statutes, 1982 Supplement, relating to the submission of budgets for operational expenditures; amending s. 216.043,

Florida Statutes, relating to the submission of budgets for fixed capital outlay; creating s. 216.0451, Florida Statutes, providing that the Legislature shall pass a general appropriations bill annually; amending s. 216.046, Florida Statutes, relating to the Governor's supplemental revenue and appropriation recommendations; amending s. 216.131, Florida Statutes, relating to required public hearings on legislative budgets; amending s. 216.141(1), Florida Statutes, relating to the continuous planning and budget system procedures to be utilized by the Governor and Legislature; amending ss. 216.162(2), 216.163 and 216.164(1), Florida Statutes, relating to the furnishing of the Governor's recommended budget to the Legislature; amending s. 216.167(1) and (2), Florida Statutes, and adding subsection (4) thereto, relating to the Governor's estimates of certain interfund loans or temporary obligations; amending s. 216.168(1) and (4), Florida Statutes, relating to the Governor's authority to amend his budget and revenue recommendations; amending s. 216.181, Florida Statutes, relating to the legislative appropriations committees' statement of intent, approved budgets, and procedures with respect thereto; amending s. 216.192(1), Florida Statutes, relating to the release of appropriated funds; amending s. 216.201, Florida Statutes, relating to the availability of the services of the Governor's Office to the Legislature; amending s. 216.212(3), Florida Statutes, relating to the budgeting and expenditure of federal funds; amending s. 216.221, Florida Statutes, relating to procedures regarding the elimination of deficits; amending s. 216.241, Florida Statutes, relating to the restriction against initiating new programs; amending s. 216.262(1)(a), Florida Statutes, relating to procedures by which the number of authorized positions may be increased; amending s. 216.292(1), (2) and (3), Florida Statutes, relating to the restrictions upon the transfer of appropriations; amending s. 216.301(1) and (3), Florida Statutes, relating to procedures regarding the expenditure and reversion of undisbursed appropriations; repealing s. 215.32(1)(d) and (2)(d), Florida Statutes, removing reference to the Federal Revenue Sharing Fund; repealing s. 216.045, Florida Statutes, relating to adjustment of the biennial appropriations act; repealing s. 216.359, Florida Statutes, to remove obsolete provisions relating to a report to the Legislature; providing an appropriation for electronic data processing support services for the legislative appropriations system and planning and budgeting system; providing severability; providing an effective date.

—was read the second time by title.

Senator Johnston moved the following amendments which were adopted:

Amendment 1—On page 6, strike all of lines 5-8 and insert:

(3) *The Executive Office of the Governor and the appropriations committees of the Legislature shall jointly develop legislative The Executive Office of the Governor, in consultation with the Appropriations Committees of the Legislature, shall develop*

Amendment 2—On page 11, strike all of lines 18-22 and renumber all subsequent sections

Amendment 3—On page 18, lines 14-31, and on page 19, lines 1 and 2, strike all existing language and insert:

(2) *If the chairmen of the legislative appropriations committees object in writing to the Executive Office of the Governor that the General Appropriations Act has been violated or is proposed to be violated, then the Governor shall instruct the affected state agency to immediately change its spending action or proposal to conform with legislative intent if the Governor concurs with the chairmen's objections. If in the judgement of the Governor, the General Appropriations Act has not been violated or proposed to be violated then the Administration Commission shall review the spending action or proposal. Such spending action or proposal may be affirmed by a two-thirds majority affirmative vote of the members present with the Governor voting in the affirmative. In the absence of an affirmative vote of two-thirds of the members of the commission present and with the Governor voting in the affirmative, the commission shall instruct the affected state agency to cease such spending action or modify its proposal. In considering whether the General Appropriations Act has or will be violated the commission shall also consider the statement of intent as provided in subsection (1) above.*

Amendment 4—On page 20, strike all of lines 20-25 and insert:

(6) *The Executive Office of the Governor may increase or decrease the approved salary rate for positions established by the Administration Commission and for the purpose of implementing the General Appropriations Act. Other adjustments to the salary rate may be made by the*

Executive Office of the Governor if deemed necessary and in the best interest of the state. If the Speaker of the House and the President of the Senate object in writing to a rate increase, the rate increase may be affirmed by the Administration Commission upon a two-thirds majority affirmative vote of the commission members present with the Governor voting in the affirmative. In the absence of an affirmative vote of two-thirds of the members of the commission present and with the Governor voting in the affirmative, the rate increase shall be voided.

Amendment 5—On page 20, lines 26-31, and on page 21, lines 1-3, strike all of said lines and insert:

(7) *State trust funds may be provided in excess of those in the original approved operating budget if deemed necessary and in the best interest of the state. If the Speaker of the House and President of the Senate object, in writing, to an increase in state trust funds, the Administration Commission shall review the increase. The increase may be affirmed by the Administration Commission upon an affirmative vote by two-thirds of the members present with the Governor voting in the affirmative. In the absence of such an affirmative vote by two-thirds of the members present with the Governor voting in the affirmative, the trust fund increase shall be voided.*

Amendment 6—On page 24, strike all of lines 11-26 and insert: the commission.; The commission may, by affirmative action, reduce all state agency approved budgets and releases a sufficient amount to prevent a deficit in any fund. However, notwithstanding the provisions of s. 215.16(2), the commission shall implement any provision or priority provided in the General Appropriations Act related to this section as a method for eliminating the deficit in the General Revenue Fund. In the absence of any direction by the Legislature in the General Appropriations Act the commission may, pursuant to the provisions of section 14.202, reduce all state agency approved budgets and releases a sufficient amount to prevent a deficit in any fund or authorize the use of the Working Capital Fund.

Amendment 7—On page 25, line 10, strike "shall may" and insert: may

Amendment 8—On page 26, strike all of lines 7-9 and insert: committees. All Such approvals pursuant to this section shall be by two-thirds vote of the commission members present with the Governor voting in the affirmative in those instances where the Speaker of the House and President of the Senate object in writing. In the absence of an objection the provisions of section 14.202 shall apply. All approvals shall be

Amendment 9—On page 26, line 23, strike "notwithstanding those provisions outlined in s. 14.202," and on lines 24 and 25, strike "by a two-thirds vote"

Amendment 10—On page 27, line 15, insert:

However, if the Speaker of the House and President of the Senate object in writing, the positions shall not be increased unless the commission approves the increase by two-thirds affirmative vote of the members present with the Governor voting in the affirmative. Absent such affirmative vote the positions shall not be increased.

Amendment 11—On page 28, line 30, strike "a two-thirds vote of", and on line 31, strike "notwithstanding the provisions of s. 14.202," and on page 29, line 3 following the word "state." insert:

However, if the Speaker of the House and President of the Senate object in writing, the transfer shall not be approved unless the commission votes in the affirmative by two-thirds of the members present with the Governor voting in the affirmative to approve the transfer. In the absence of such an affirmative vote the transfer is voided.

Amendment 12—On page 31, lines 20 and 21, strike "section 216.045, Florida Statutes, as amended by chapter 80-45, Laws of Florida,"

Amendment 13—On page 12, strike all of lines 3-15 and renumber all subsequent sections

Amendment 14—On page 3, line 19, A new Section 1. is added

Section 1. Subsection (2) of section 215.16, Florida Statutes, is amended to read:

215.16 School appropriations from General Revenue Fund.—

(2) If the state appropriations from the General Revenue Fund for the benefit of the uniform system of public free schools, state institutions of higher learning and *community colleges* cannot be paid in full during any given year, they shall be diminished only in the same proportion that appropriations for all other purposes from the General Revenue Fund are diminished during such year. *Additionally, any funding reductions to public free schools, state institutions of higher learning and community colleges shall be diminished in proportions identical to one another. For the purpose of implementing this section General Revenue Funds provided for public free schools, state institutions of higher learning and community colleges shall be restricted to general revenue funds appropriated for the Division of Public Schools, the Division of Universities excluding the General Office of the Board of Regents, and the Division of Community Colleges excluding the Division Office.*

Amendment 15—On page 31, line 5, strike “\$600,000” and insert: \$1,000,000

Amendment 16—In title, on page 1, line 3, insert: amending s. 215.16(2), Florida Statutes, relating to restrictions on the reduction of funds for public free schools, state institutions of higher learning and community colleges in meeting a general revenue deficit;

Amendment 17—In title, on page 1, lines 19-22, strike beginning with the word “creating” through the word “annually,” on line 22.

Amendment 18—In title, on page 1, lines 25-27, strike beginning with the word “amending” through the word “budgets;” on line 27.

Amendment 19—In title, on page 3, line 7, strike all language beginning with the word “repealing” through the word “act;” on line 9.

Senator Frank moved the following amendment which failed:

Amendment 20—On page 17, line 14, after “committees” insert: if such chairmen are elected by the membership of the Senate and House, respectively, shall jointly transmit a statement

On motion by Senator Johnston, by two-thirds vote CS for SB 1155 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—3

Frank	Mann	McPherson
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Vote after roll call:

Yea—Girardeau, Hair

On motion by Senator Johnston, the rules were waived and CS for SB 1155 after being engrossed was ordered immediately certified to the House.

HB 525—A bill to be entitled An act relating to phosphate research; amending s. 378.101(2), Florida Statutes; increasing membership on the board of directors of the Florida Institute of Phosphate Research from three to five members; providing qualifications; providing for staggered terms; providing for reappointment of members; providing for filling of vacancies; providing for organization; providing an effective date.

—was read the second time by title. On motion by Senator Crawford, by two-thirds vote HB 525 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

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

Nays—None

Vote after roll call:

Yea—Girardeau, Maxwell

On motions by Senator Scott, the rules were waived and by two-thirds vote HJR 40 was withdrawn from the Committees on Judiciary-Civil and Rules and Calendar.

On motion by Senator Scott—

HJR 40—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.

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

That the amendment to Section 4 of Article X of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 1984:

SECTION 4. Homestead; exemptions.—

(a) There shall be exempt from forced sale under process of any court, and no judgment, decree or execution shall be a lien thereon, except for the payment of taxes and assessments thereon, obligations contracted for the purchase, improvement or repair thereof, or obligations contracted for house, field or other labor performed on the realty, the following property owned by a *natural person* ~~the head of a family~~:

(1) a homestead, if located outside a municipality, to the extent of one hundred sixty acres of contiguous land and improvements thereon, which shall not be reduced without the owner's consent by reason of subsequent inclusion in a municipality; or if located within a municipality, to the extent of one-half acre of contiguous land, upon which the exemption shall be limited to the residence of the owner or his family;

(2) personal property to the value of one thousand dollars.

(b) These exemptions shall inure to the surviving spouse or heirs of the owner.

(c) The homestead shall not be subject to devise if the owner is survived by spouse or minor child, except the homestead may be devised to the owner's spouse if there be no minor child. The owner of homestead real estate, joined by the spouse if married, may alienate the homestead by mortgage, sale or gift and, if married, may by deed transfer the title to an estate by the entirety with the spouse. If the owner or spouse is incompetent, the method of alienation or encumbrance shall be as provided by law.

BE IT FURTHER RESOLVED that in accordance with the requirements of section 101.161, Florida Statutes, the title and substance of the amendment proposed herein shall appear on the ballot as follows:

EXEMPTION OF HOMESTEAD AND PERSONAL PROPERTY FROM FORCED SALE

Provides that the exemption of a homestead and of personal property to the value of \$1,000 from forced sale and certain liens shall extend to any natural person, not just the head of a family.

—a companion measure, was substituted for CS for SJR 79 and read the second time by title. On motion by Senator Scott, by two-thirds vote HJR 40 was read the third time in full, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—35

Dunn	Hill	Margolis	Scott
Frank	Jennings	Maxwell	Stuart
Gordon	Johnston	McPherson	Thomas
Grant	Kirkpatrick	Myers	Thurman
Grizzle	Langley	Neal	Vogt
Hair	Malchon	Plummer	Weinstein
Henderson	Mann	Rehm	

Nays—None

Vote after roll call:

Yea—Girardeau, Jenne

CS for CS for SJR 79 was laid on the table.

On motion by Senator Scott, the rules were waived and by two-thirds vote HB 78 was withdrawn from the Committees on Judiciary-Civil and Rules and Calendar.

On motion by Senator Scott —

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.

—a companion measure, was substituted for SB 961 and read the second time by title. On motion by Senator Scott, by two-thirds vote HB 78 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Girardeau

SB 961 was laid on the table.

SB 140—A bill to be entitled An act relating to pedestrian traffic control; adding s. 316.130(17), Florida Statutes; making it a noncriminal traffic infraction to jump or dive from a public bridge; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 15, after the “.” insert: *Nothing herein shall require the state or political subdivisions of the state to post signs notifying the public of this provision.*

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

Section 2. Failure to post a sign shall not be construed by any court to create liability on the part of the state or any of its political subdivisions for injuries sustained as a result of jumping or diving from a bridge in violation of subsection (17) of this section.

(Renumber subsequent section.)

Senators Langley and Beard offered the following amendment which was moved by Senator Langley and adopted:

Amendment 3—On page 1, line 14, strike “public” and insert: *publicly owned*

Senator Myers moved the following amendment which was adopted:

Amendment 4—On page 1, line 16, strike “this section” and insert: s. 316.130, Florida Statutes

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

Amendment 5—In title, on page 1, line 5, after the semicolon (;) insert: providing that the state and its subdivisions are not required to post signs; providing that failure to post warning signs shall not be construed by a court to impose liability on the state or subdivisions thereof;

On motion by Senator Myers, by two-thirds vote SB 140 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	Plummer
Barron	Gersten	Kirkpatrick	Rehm
Beard	Gordon	Langley	Scott
Carlucci	Grant	Malchon	Stuart
Castor	Grizzle	Mann	Thomas
Childers, D.	Hair	Margolis	Thurman
Childers, W. D.	Henderson	Maxwell	Vogt
Crawford	Hill	McPherson	Weinstein
Dunn	Jenne	Myers	
Fox	Jennings	Neal	

Nays—None

Vote after roll call:

Yea—Girardeau

The President declared the Senate in informal recess at 10:05 a.m.

The Senate was called to order by the President at 10:11 a.m. A quorum present.

Special Ceremony

The following former members of the Senate in attendance for the 1983 Senate reunion were welcomed by the President:

Tom Adams	Gerald A. Lewis
Lynwood Arnold	Philip Lewis
C. W. (Bill) Beaufort	Hal Y. Maines
W. E. Bishop	David H. McClain
Ralph Blank, Jr.	John A. McDonald
J. Emory Cross	Woodrow Melvin
C. Welborn Daniel	T. Truett Ott
Richard J. Deeb	Kenneth A. Plante
Louis de la Parte	Van B. Poole
Fred O. Dickinson	John S. Rawls
Dick Fincher	Charles A. Savage
Tom Gallen	Henry B. Saylor
Bill Gorman	Walter Sims
Ben Hill Griffin	Bruce Smathers
Bill Gunter	Paul B. Steinberg
Cliff Herrell	Dave Thomas
Randolph Hodges	Jon Thomas
Mallory E. Horne	Alan Trask
Beth Johnson	John T. Ware
Dewey M. Johnson	Lee Weissenborn
Thomas H. Johnson	Lori Wilson
Scott Kelly	Sherman Winn
Paul Kickliter	George A. Williamson

The following special guests were also welcomed:

LeRoy Adkison, former Sergeant at Arms
 Pat Bell, widow of Senator John W. Bell
 Anabel Butler, widow of J. M. Butler
 Jackie Fraser, widow of Senator Edwin G. Fraser, former Secretary of the Senate
 Mabel McArthur, widow of Senator A. G. McArthur
 Nella Shivers, widow of Senator Olin G. Shivers
 Esther Horne, widow of Senator Raeburn C. Horne
 Gwen Mathews, wife of Senator John E. Mathews, Jr.
 Cathryn Sheldon, widow of Senator Raymond Sheldon
 Leila Cofield and Catharine Turnbull, former Senate staff

The Secretary announced that Senators LeRoy Collins and Lew Brantley had conveyed their regrets for their inability to be present. He also announced that Senators Philip D. Beall and W. T. Davis were unable to be present because of illness.

Senator Henderson led a tribute, and several members spoke, in remembrance of Senators George L. Hollahan and John W. Bell who died since the last reunion.

Senator Gordon presented a plaque to Senator Lee Weissenborn, provided by Senator Kenneth Plante and some of his associates, which is to be displayed in the new Capitol. On the plaque was inscribed: "This plaque is dedicated to Senator Lee Weissenborn whose valiant effort to move the Capitol to Orlando was the prime motivation for construction of this building".

Senator Vogt was invited to the rostrum by the President, and on behalf of the Florida Wildlife Federation presented a print to the President commemorating the 200th anniversary of the naming of the eagle as the national bird.

An informal session followed which consisted mainly of story-telling by numerous Senators of events which occurred during their tenure.

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 16 at 1:00 p.m.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of May 10 and 5 were corrected and approved.

On motion by Senator Barron, the Senate recessed at 11:07 a.m. to reconvene at 9:00 a.m., Friday, May 13.