



# Journal of the Senate

Number 18

Friday, May 13, 1983

## BILL ACTION SUMMARY

Friday, May 13, 1983

- H 78 Reconsidered, passed as amended
- H 986 Passed
- S 40 C/S passed as amended
- S 44 C/S passed as amended
- S 50 Amendment pending
- S 166 C/S passed as amended
- S 168 Passed as amended
- S 188 C/S passed as amended
- S 242 Passed as amended
- S 768 Companion bill passed; refer to HB 986
- S 1077 C/S passed as amended
- S 1155 Concurred, Passed as amended
- S 1193 Passed

and passed the following local bills: House Bills 232, 235, 300, 337, 360, 385, 386, 389, 458, 469, 476, 508, 515, 569, 590, 619, 707, 712, 713, 714, 716, 717, 730, 731, 732, 759, 980, 1173 and 1250; Senate Bills 1162, 1165, 1182, 1184 and 1190.

The Senate was called to order by the President at 9:00 a.m. A quorum present—38:

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

Excused: Senator D. Childers at 11:15; Senators Fox and Malchon

Prayer by Major Ronald L. Alexander, Salvation Army, Clearwater:

Dear God, in the work of this day make me decent, orderly, useful, appreciative and kind. Let me not weaken myself by anger, cheapen myself by boasting or play the fool by lying. Help me remember that there are others in the world besides myself. Teach me to observe the rules of the game. Let me not be unmindful of the great value of friend and foe, for both are much of my own making. For my own sake, and for the sake of my loved ones and associates, keep me wholesome and cheerful. And at the end of the day bring me to my bed with the knowledge that greed and malice and envy and hatred have played a lesser part in my thinking; that my weariness is the result alone of well-doing. Amen.

## REPORTS OF COMMITTEES

The President announced he had referred the following appointments to the Committee on Economic, Community and Consumer Affairs as the first committee of reference:

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

Orrin D. Mitchell, Jacksonville, Board of Dentistry, for term ending February 7, 1986

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Friday, May 13, 1983: SB 768, CS for CS for SB 40, CS for SB 166, CS for SB 188, CS for SB 44, CS for SB 1077, SB 242, SB 168

The Committee on Rules and Calendar submits the following bills to be placed on the Local Bill Calendar for Friday, May 13, 1983: SB 1182, SB 1184, SB 1185, SB 1190, SB 1187, SB 529, SB 1165, SB 1162, HB 232, HB 235, HB 300, HB 337, HB 360, HB 385, HB 386, HB 389, HB 458, HB 469, HB 476, HB 508, HB 515, HB 569, HB 590, HB 619, HB 707, HB 712, HB 713, HB 714, HB 716, HB 717, HB 730, HB 731, HB 732, HB 759

The Committee on Rules and Calendar submits the continuation of the following bills remaining on the Special Order Calendar of May 11, 1983: 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, SB 619, SB 482, CS for SB 44, SB 623, SB 411, SB 352, CS for SB 208, CS for 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 Education recommends the following pass: SB 304, SB 835 with 1 amendment, SB 1033

The Committee on Finance, Taxation and Claims recommends the following pass: SB 1095 with 1 amendment

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 997

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

The Special Master for Claims recommends the following pass: HB 121

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

The Committee on Education recommends the following pass: SB 789 with 3 amendments

**The bill was placed on the calendar.**

The Committee on Education recommends the following not pass: SB 582

**The bill was laid on the table.**

The Special Master for Claims recommends the following not pass: HB 228, HB 248

**The bills were referred to the Committee on Finance, Taxation and Claims under the original reference, pursuant to Rule 4.8.**

The Committee on Education recommends committee substitutes for the following: SB 313, SB 461, SB 466

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: CS for SB 994

The Committee on Personnel, Retirement and Collective Bargaining recommends committee substitutes for the following: SB 305, SB 555, SB 866

**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 Education recommends a committee substitute for the following: SB 715

**The bill with committee substitute attached was referred to the Committee on Governmental Operations under the original reference.**

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 144

**The bill with committee substitute attached was referred to the Committee on Judiciary-Criminal under the original reference.**

The Committee on Judiciary-Civil recommends a committee substitute for the following: SJR 243

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

The Committee on Education recommends committee substitutes for the following: SB 431, Senate Bills 672, 943 and 1147

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 738

The Committee on Judiciary-Civil recommends committee substitutes for the following: SB 829, SB 860, SB 1088

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

#### REQUESTS FOR EXTENSION OF TIME

May 12, 1983

The Committee on Commerce requests an extension of 15 days for consideration of the following: SB 492, SB 496, SB 498, SB 510, SB 520, SB 522, SB 534, SB 538, SB 541, SB 550, SB 561, SB 562, SB 566, SB 581, SB 594, SB 596, SB 673, SB 701, SB 708, SB 723, SB 743, SB 749, SB 764, SB 770, SB 808, SB 813, SB 820, SB 848, SB 859, HB 393, HB 402, HB 437

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: CS for SB 563, CS for SB 691, SB 683, SB 663, SB 659

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: SB 660, SB 703, SB 704, SB 712, SB 747, SB 832, SB 951, SB 963, SB 977, SB 999, SB 1004, SB 1008, SB 1024, SB 1032, SB 1043, SB 1056, SB 1079, SB 1092, SB 1098, SB 1129

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: CS for SB 70, SB 85, SCR 148, SB 245, SJR 255, SB 282, SR 291, SB 384, SR 397, SJR 419, SJR 801, SB 853, SB 877

The Committee on Transportation requests an extension of 15 days for consideration of the following: SB 342, SB 408, SB 470, SB 633, SB 792, SB 852, SB 862, SB 893, SB 968, SB 1093, SB 1103, SB 1160, HB 225, HB 443

May 13, 1983

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following: SB 38, SB 69, SB 143, SB 160, SB 184, SB 238, SB 272, SB 275, SB 281, SB 324, SB 326, SB 334, SB 335, SB 345, SB 375, SB 385, SB 390, SB 396, SB 456, SB 460, SB 469, SB 475, SB 1109, SB 1136, SB 1156, SB 1163, SB 1166, HB 89

The Committee on Education requests an extension of 15 days for consideration of the following: SB 724, SB 730, SB 733, SB 744, SB 752

#### FIRST READING OF COMMITTEE SUBSTITUTES

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

**CS for SB 144**—A bill to be entitled An act relating to juveniles; adding subsections to s. 39.01, Florida Statutes, and repealing subsection (10), replacing "community control" with "probation" and providing definitions; amending s. 39.02(5)(c), Florida Statutes, specifying judicial jurisdiction over juveniles indicted upon certain charges; amending s. 39.03(1) and (2), Florida Statutes, changing the persons with whom a child who has been taken into custody but not detained may be placed; amending s. 39.031, Florida Statutes, deleting certain restrictions upon fingerprint records and photographs of delinquent children; amending s. 39.032(2), (5), and (6)(b), Florida Statutes, authorizing adult detention of a child wanted as an adult by another jurisdiction; prohibiting transfer of children to adult detention for violations of dependency court orders; specifying the beginning of the maximum period of detention care or detention in a crisis home without an adjudicatory hearing; amending s. 39.04(2)(e), Florida Statutes, requiring state attorneys to file certain notice of intent to file an information against certain children; providing for the applicability to delinquent children of speedy trial provisions relating to informations and indictments; amending s. 39.09(2)(a) and (3)(e), (f), and (g), Florida Statutes, relating to waiver hearings and disposition hearings for delinquency cases, to conform to the act; amending s. 39.10(2), Florida Statutes, relating to adjudication of delinquent children, to conform to the act; amending s. 39.11(1)(a), (g), and (h) and (3), (6), and (7), Florida Statutes, and adding a new subsection (4), relating to powers of disposition, to conform to the act; changing the authority of the court to order the child or his parent to make restitution to the aggrieved party; amending s. 39.111(1), (4), (5), and (6)(e) and (f), Florida Statutes, relating to probation or commitment of children prosecuted as adults, to conform to the act; amending s. 39.112, Florida Statutes, expanding the programs from which escape constitutes a third degree felony; amending s. 39.12(2), Florida Statutes, changing court recordkeeping requirements with respect to delinquent children; authorizing the expunction or sealing of records; amending s. 959.225(1), Florida Statutes, conforming provisions relating to the destruction of records of children committed to the Department of Health and Rehabilitative Services; providing an effective date.

By the Committee on Judiciary-Civil and Senators Gordon and Gerten—

**CS for SJR 243**—A joint resolution proposing an amendment to Section 4 of Article X of the State Constitution relating to the exemption of personal property from forced sale and certain liens.

By the Committee on Personnel, Retirement and Collective Bargaining and Senators W. D. Childers, Jennings and Thomas—

**CS for SB 305**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.071(1), Florida Statutes, 1982 Supplement; allowing special risk members to make contributions to the system; amending s. 121.091(1), Florida Statutes; increasing the retirement credit for special risk members who make such contributions; providing an effective date.

By the Committee on Education and Senator Plummer—

**CS for SB 313**—A bill to be entitled An act relating to educational facilities; creating s. 235.057, Florida Statutes; authorizing education boards to purchase, own, convey, sell, lease, or encumber air space or any other interests in real property above the surface of the land; specifying conditions for board purchase, sale, lease, and conveyance of air space or other interests in property; specifying requirements for buildings constructed for nonpublic purposes in sold or leased air space; specifying that educational facilities constructed or leased in joint occupancy facilities are subject to certain rules and requirements; providing an effective date.

By the Committee on Education and Senator Maxwell—

**CS for SB 431**—A bill to be entitled An act relating to the State University System; amending ss. 240.213(1), 240.223, 240.227, 240.229, 240.247, 240.261, 240.262(2), 240.264, 240.268, 447.203(2), Florida Statutes; amending ss. 240.209(3)(a), (g), 240.257(5), (6), Florida Statutes, 1982 Supplement; creating ss. 240.212, 240.2121, 240.2122, Florida Statutes; creating a board of trustees for each state university; providing membership, terms, powers, and duties; providing for rules; transferring specified powers and duties of the Board of Regents, university presidents, and universities to the boards of trustees; providing for delegation of certain powers to the boards of trustees; providing an effective date.

By the Committee on Education and Senator Maxwell—

**CS for SB 461**—A bill to be entitled An act relating to student financial aid; amending s. 240.401(3), (4), Florida Statutes, 1982 Supplement; providing for recipients to maintain a specified grade point average; providing for increases in voucher amounts; renumbering s. 240.402(7), Florida Statutes, 1982 Supplement, and adding a new subsection (7) to said section; providing for a biennial review by the Department of Education on program effectiveness; amending s. 240.409, Florida Statutes; deleting obsolete language; requiring students to apply for the Pell Grant if they apply for the state assistance grant; providing for distribution on the basis of need; requiring a specified grade point average; amending s. 240.413, Florida Statutes; transferring responsibility for Miccosukee and Seminole Indian Scholarship Fund from the Student Financial Assistance Commission to the Department of Education; providing for Miccosukee and Seminole Indian scholarship recipients; amending s. 240.427, Florida Statutes, 1982 Supplement; transferring responsibility of the commission to the department; providing for the department to administer financial aid programs; providing for review of financial aid resources by the department; amending ss. 240.429, 240.431, and 240.435, Florida Statutes, 1982 Supplement; transferring responsibilities of the commission to the department; creating the Florida Council of Student Financial Aid Advisors; providing for duties and responsibilities of the council; amending s. 240.437, Florida Statutes, 1982 Supplement; deleting obsolete language; providing for financial aid distribution primarily on the basis of need; providing for verification of the independent status of students; requiring recipients of state financial aid at independent Florida postsecondary institutions to participate in the skills testing program; amending s. 240.447, Florida Statutes, 1982 Supplement; substituting references to federally insured student loans with Guaranteed Student Loan; expanding the department's authority to contract for purchase and sale of loan notes; amending s. 240.459, Florida Statutes; substituting federally insured student loan with Guaranteed Student Loan; amending s. 240.60, Florida Statutes, 1982 Supplement; restricting expenditure of Work Experience Trust funds for wages not related to major areas of study; providing for a review by the department; amending s. 240.601, Florida Statutes, 1982 Supplement; requiring a student to maintain a minimum grade level for renewal of program awards; repealing s. 240.421, Florida Statutes, abolishing the Florida Student Financial Aid Advisory Council; repealing s. 240.423, Florida Statutes, abolishing the Florida Student Financial Assistance Commission; repealing s. 240.425, Florida Statutes, eliminating power and duties of the commission; repealing s. 240.433, Florida Statutes, relating to the location of the commission; providing for future repeal and review of certain sections; providing an effective date.

By the Committee on Education and Senators Maxwell and Kirkpatrick—

**CS for SB 466**—A bill to be entitled An act relating to postsecondary education; creating s. 229.52, Florida Statutes; requiring the State Board of Education to provide certain assistance in the economic development of the state; adding s. 229.551(3)(g), Florida Statutes, 1982 Supplement; requiring the Department of Education to evaluate vocational education programs; amending s. 230.23(4)(l), Florida Statutes, 1982 Supplement; requiring district school boards to provide certain exchange programs for staff of technical and vocational programs; amending s. 240.115(1), Florida Statutes, and adding a new subsection (3) to said section; increasing the types of articulation included in the department's articulation agreement; requiring certain cooperation between universities and community colleges and secondary schools; creating s. 240.122, Florida Statutes, relating to postsecondary education funding; amending s. 240.125, Florida Statutes; authorizing the Commissioner of Education to establish a Trust Fund for Postsecondary Cooperation; amending s. 240.147, Florida Statutes; expanding the duties of the Postsecondary Education Planning Commission in the review of postsecondary programs and the state master plan; amending s. 240.209(3)(e), (f), (g), Florida Statutes, 1982 Supplement; providing for certain considerations in recommending tuition fees for universities; requiring certain review of programs at state universities; creating s. 240.2095, Florida Statutes; providing criteria for the approval of new programs at state universities; restricting the approval of new programs; amending s. 240.243(2), Florida Statutes; providing for teaching hours by university faculty; repealing s. 240.271(5)-(7), Florida Statutes, relating to biennium funding for the State University System, funds for reduced enrollment, and biennial quality improvement funding; creating s. 240.312, Florida Statutes; requiring program reviews at community colleges; adding s. 240.319(3)(v), (w), Florida Statutes, 1982 Supplement; providing for community college

personnel; creating s. 240.320, Florida Statutes; providing a state policy for the approval of new programs at community colleges; amending s. 240.321, Florida Statutes; correcting a cross reference; amending s. 240.325(5), Florida Statutes; providing for considerations in determining community college tuition fees; amending s. 240.353(1), Florida Statutes; providing for legislative definition of community college full-time equivalent students; amending s. 240.359(1), (3)(c), Florida Statutes, 1982 Supplement, relating to determinations of state financial support for community colleges; repealing s. 240.359(3)(d), Florida Statutes, 1982 Supplement, relating to community college funding for reduced enrollment; creating s. 240.381, Florida Statutes; creating the Florida Academic Improvement Trust Fund for Community Colleges and providing a procedure for the granting of matching funds therefrom; repealing s. 240.351, Florida Statutes, relating to determinations of instruction and transportation units for community colleges by the Department of Education; providing an effective date.

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

**CS for SB 555**—A bill to be entitled An act relating to retirement; amending ss. 121.091(9)(b), 238.181(2)(a), Florida Statutes; allowing certain retired teachers to be employed by an employer that participates in a state-administered retirement system and still receive their retirement benefits under chapters 121 and 238, Florida Statutes, in addition to their compensation; providing an effective date.

By the Committee on Education and Senators Frank, Mann, Grant, Meek and Weinstein—

**CS for SB's 672, 943 and 1147**—A bill to be entitled An act relating to education; creating s. 232.0316, Florida Statutes, providing for district school personnel to assist students in the administration of prescribed medications under certain circumstances; providing for training of school personnel and adoption of school board policies and procedures, requiring written parental permission to include an explanation of the necessity for the medication; requiring proper storage of prescribed medications; removing liability; providing an effective date.

By the Committee on Education and Senator Jennings—

**CS for SB 715**—A bill to be entitled An act relating to property owned by school boards; renumbering s. 235.056(2), Florida Statutes, and adding a new subsection (2) to said section; providing for lease and lease-purchase of real property owned by a school board; providing an effective date.

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

**CS for SB 738**—A bill to be entitled An act relating to impaired physicians and nurses; amending s. 458.331(1)(f), Florida Statutes, 1982 Supplement; requiring reporting of physicians in violation of law; creating s. 458.3311, Florida Statutes; establishing an impaired professional advisory committee under the board of medical examiners; providing for approval of treatment programs and providers; providing for the monitoring of physicians in such programs; providing for confidentiality; providing for responsibility of the Department of Professional Regulation; amending s. 464.018(1)(i), Florida Statutes; requiring reporting of nurses in violation of law; creating s. 464.0185, Florida Statutes; providing for nurse membership on the impaired professionals advisory committee; providing for retention and responsibilities of consultant; providing for confidentiality; providing an effective date.

By the Committee on Judiciary-Civil and Senator Langley—

**CS for SB 829**—A bill to be entitled An act relating to custody and support of children; amending s. 61.13(2)(b), Florida Statutes, 1982 Supplement; providing that the court, in a dissolution proceeding, shall consider evidence of spouse abuse as evidence of detriment to a child; providing discretionary authority for the award of sole parental responsibility in the event of spouse abuse; renumbering s. 61.13(4), (5), Florida Statutes, 1982 Supplement, and adding a new subsection (4) to said section; prohibiting a custodial parent from removing a minor child more than 50 miles from the residence occupied by the family unit prior to separation or dissolution under certain circumstances; providing that the act shall apply to certain pending proceedings; providing for severability; providing an effective date.

By the Committee on Judiciary-Civil and Senator Vogt—

**CS for SB 860**—A bill to be entitled An act relating to judicial circuits; amending ss. 26.021(9), (10), Florida Statutes, 1982 Supplement; providing that at least one judge in the ninth judicial circuit shall reside in Osceola County; providing that at least one judge in the tenth judicial circuit shall reside in Highlands County; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senator W. D. Childers—

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

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

**CS for CS for SB 994**—A bill to be entitled An act relating to sewage disposal facilities; amending s. 381.272, Florida Statutes, 1982 Supplement; providing additional criteria and changing existing criteria for issuing permits to install onsite sewage disposal systems in residential subdivisions; providing legislative intent; creating s. 381.273, Florida Statutes; providing for certain funding or certain research; providing for collection of certain fees; providing an effective date.

By the Committee on Judiciary-Civil and Senator Carlucci—

**CS for SB 1088**—A bill to be entitled An act relating to trials; amending s. 918.17, Florida Statutes; expanding the applicability of provisions authorizing the videotaping of the testimony of certain minors; requiring expedient consideration of request therefor; providing an effective date.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Johnston, the rules were waived and the Committee on Appropriations was granted permission to extend time of adjournment of the meeting May 16 until final action on the appropriations bill or no later than 2:00 p.m.

On motions by Senator Johnston, the rules were waived and by two-thirds vote Senate Bills 169, 458, 587, 687, 757, 807, 857, CS for SB 586, CS for SB 736, CS for SB 954 and CS for SB 362 were withdrawn from the Committee on Appropriations.

On motions by Senator Dunn, by two-thirds vote SB 1193 was withdrawn from the Committee on Rules and Calendar and placed at the end of the local calendar.

On motion by Senator Thomas, the following bills were deleted from the agenda of the Committee on Commerce May 17: Senate Bills 296, 314, 561, 562, 566 and 1017.

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

The Governor advised that he had filed with the Secretary of State SB 115 which he approved May 11.

#### 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>
State Board of Building Codes and Standards, Member Harley, Betty G., Tallahassee	2/11/85
Tampa-Hillsborough County Expressway Authority, Member Taggart, Joseph W., Tampa	7/1/86
Game and Fresh Water Fish Commission, Member Baroco, James H., Pensacola	1/6/87
Board of Podiatry, Member Shermeta, Robert J., Largo	1/8/87
Postsecondary Education Planning Commission, Member Middlemas, John Robert, Panama City	2/4/87

#### *Office and Appointment*

Florida Commission on Veterans' Affairs, Member  
LaHue, Foster C., Ormond Beach

*For Term  
Ending*

11/16/84

[Referred to the Committee on Executive Business.]

The Governor advised that he had withdrawn the appointment of Lieutenant Governor Wayne Mixson as Secretary of Commerce inasmuch as the appointment was made pursuant to Section 20.04(8), Florida Statutes, which states that such assignment may be made without Senate confirmation.

#### 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 Amendments and passed HB 498, as amended.

*Allen Morris, Clerk*

*The Honorable Curtis Peterson, President*

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

**CS for SB 1155**—A bill to be entitled An act relating to planning and budgeting; 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; 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; amending s. 216.046, Florida Statutes, relating to the Governor's supplemental revenue and appropriation recommendations; 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. 216.359, 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.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 6, line 31, insert: after the words "later than August 1 of each even-numbered year." *In the event that agreement*

cannot be reached between the Executive Office of the Governor and the Appropriations Committees of the Legislature regarding legislative budget instructions, the issue shall be resolved by the Governor, President of the Senate and the Speaker of the House of Representatives.

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

CS for SB 1155 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—1

Frank

Vote after roll call:

Yea—Gersten, Girardeau

The bill was ordered engrossed and then enrolled.

**FIRST READING**

*The Honorable Curtis Peterson, President*

I am directed to inform the Senate that the House of Representatives has passed House Bills 228, 248 and 121 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Mitchell—

**HB 228**—A bill to be entitled An act for the relief of Tri-States Automotive Warehouse, Inc.; providing an appropriation to compensate it for damages sustained and loss of equipment; providing an effective date.

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

By Representative Hollingsworth—

**HB 248**—A bill to be entitled An act for the relief of Jerry D. Coker; providing for an appropriation to compensate him for losses incurred due to the negligence of the Department of Corrections; providing an effective date.

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

By Representative Cosgrove—

**HB 121**—A bill to be entitled An act for the relief of Edward L. Nezelek, Inc.; providing an appropriation to compensate said company for labor and materials furnished to the state in connection with the construction of the Broward Regional Service Center, pursuant to a consent order and agreement; providing an effective date.

—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 as amended HB 923 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Clark and others—

**HB 923**—A bill to be entitled An act relating to the City of Pompano Beach, Broward County; extending and enlarging the corporate limits of the City of Pompano Beach to include specified unincorporated lands within said corporate limits; excludes certain specified parcels of land from the boundary description; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

**MATTERS ON RECONSIDERATION**

On motion by Senator Scott, the rules were waived and the Senate immediately reconsidered the vote by which—

**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.

—as amended passed May 11.

Senator Scott moved the following amendment which was adopted by two-thirds vote:

**Amendment 1**—On page 2, strike lines 10-12 and insert:

Section 4. This act shall take effect on the effective date of the amendment to section 4 of Article X of the State Constitution proposed by House Joint Resolution 40, provided that such constitutional amendment is approved by the electors at the general election held in November 1984.

HB 78 as amended was read by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

On motion by Senator Scott, the rules were waived and HB 78 was ordered immediately certified to the House.

**Senator Gordon presiding**

**SPECIAL ORDER**

**SB 768**—A bill to be entitled An act relating to acquisition of lands and waters for outdoor recreation and conservation; creating s. 375.044, Florida Statutes; requiring that the Department of Natural Resources submit to the Legislature and the Executive Office of the Governor a 10-year comprehensive budget request for the Land Acquisition Trust Fund; amending s. 375.051, Florida Statutes; providing that no individual series of revenue bonds for such acquisition may be issued unless the first year's debt service is appropriated in the General Appropriations Act; revising provisions relating to approval of such bonds; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 3, lines 4 and 5, strike "upon becoming a law" and insert: June 1, 1983

Pending further consideration of SB 768 as amended, on motion by Senator Johnston, the rules were waived and by two-thirds vote HB 986 was withdrawn from the Committees on Natural Resources and Conservation and Appropriations.

On motion by Senator Johnston—

**HB 986**—A bill to be entitled An act relating to acquisition of lands and waters for outdoor recreation and conservation; creating s. 375.044, Florida Statutes; requiring that the Department of Natural Resources submit to the Legislature and the Executive Office of the Governor a

10-year comprehensive budget request for the Land Acquisition Trust Fund; amending s. 375.051, Florida Statutes; providing that no individual series of revenue bonds for such acquisition may be issued unless the first year's debt service is appropriated in the General Appropriations Act; revising provisions relating to approval of such bonds; providing an effective date.

—a companion measure, was substituted for SB 768 and read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 986 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

McPherson

Vote after roll call:

Yea—Gordon

SB 768 was laid on the table.

Consideration of CS for CS for SB 40 was deferred.

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

—was read the second time by title.

Senator Neal moved the following amendments which were adopted:

**Amendment 1**—On page 2, strike all of lines 3-10, and insert: (7) *To the greatest extent practical and based on existing information, all publicly owned real property required to be listed on the assessment roll shall also be separately classified according to ownership by federal, state, or local government; water management district; or other public entities.*

**Amendment 2**—On page 3, line 17, after "entity," insert: *required to be listed on county assessment rolls,*

On motion by Senator Neal, by two-thirds vote CS for SB 166 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

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

Nays—None

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

—was read the second time by title.

Senator Thomas moved the following amendment which was adopted:

**Amendment 1**—On page 11, line 21, after the period (.) insert: *The provisions of this paragraph shall not apply to the acquisition of unique and historically significant property as determined by the board.*

Senator Neal moved the following amendments which were adopted:

**Amendment 2**—On page 4, lines 19-20, strike "~~title to which land is to vest in the board of trustees,~~" and insert: *title to which land is to vest in the board of trustees,*

**Amendment 3**—On page 8, line 16, after "reports" insert: *for property on the priority acquisition lists prepared pursuant to chapter 259*

**Amendment 4**—On page 13, line 7, after "deed" insert: *, unless the conveyance is from the federal government or another state agency*

Senator Rehm moved the following amendment which was adopted:

**Amendment 5**—On page 18, line 4, strike "\$250,000" and insert: \$500,000

Senator Neal moved the following amendment which was adopted:

**Amendment 6**—In title, on page 1, line 18, after "histories;" insert: *providing for certain conveyance to be made by less than a special warranty deed; providing for certain audits*

On motion by Senator Neal, by two-thirds vote CS for SB 188 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Gersten

**CS for SB 44**—A bill to be entitled An act relating to marine animals; amending s. 370.12(2)(f)-(h), Florida Statutes, 1982 Supplement; designating a manatee protection area in Manatee County; designating a manatee protection area in Dade County; directing the Department of Natu-

ral Resources to adopt rules for motorboat operation in areas where manatees congregate: describing said areas; redesignating s. 370.12(2)(j), (k), Florida Statutes, 1982 Supplement, and adding new paragraphs (j) and (m) to said subsection; directing the Department of Natural Resources to adopt rules for motorboat operation in a specified area within Brevard County; excluding parts of the Port Everglades Inlet for safety purposes; authorizing the department to designate additional manatee protection areas by rule and to regulate motorboat operation within such areas; adding s. 327.28(3), Florida Statutes; providing for establishment, duration, and use of the Manatee Protection and Recovery Trust Fund; providing an effective date.

—was read the second time by title.

Senators Neal and Maxwell offered the following amendments which were moved by Senator Neal and adopted:

**Amendment 1**—On pages 7 and 8, strike all of Section 2 and renumber subsequent sections

**Amendment 2**—In title, on page 1, strike all of lines 20-23 and insert: within such areas; providing an effective

On motion by Senator Neal, by two-thirds vote CS for SB 44 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

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

Nays—None

**Senator W. D. Childers presiding**

**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.

—was read the second time by title.

Senator Mann moved the following amendment:

**Amendment 1**—On page 1, line 23, strike everything after the enacting clause and insert:

Section 1. Nongame Wildlife Trust Fund; Nongame Wildlife Advisory Council.—

(1) The Legislature recognizes the value of maintaining ecologically healthy and stable populations of a wide diversity of fish and wildlife species and recognizes the need for monitoring, research, management, and public awareness of all wildlife species in order to guarantee that self-sustaining populations be conserved. It further recognizes that research and management for game species has been traditionally supported by licenses and fees collected by the Game and Fresh Water Fish Commission for consumptive uses of wildlife and that no such mechanism is available for species not commonly pursued for sport or profit. It is the intent of the Legislature that the funds provided herein be spent to identify and meet the needs of nongame wildlife as a first priority with the ultimate goal of establishing an integrated approach to the management and conservation of all native fish, wildlife, and plants.

(2)(a) There is hereby established within the Game and Fresh Water Fish Commission the Nongame Wildlife Trust Fund. Ten thousand dollars is hereby appropriated to establish the program within the commission, to appoint and hold initial meetings of the Nongame Wildlife Advisory Council, to establish a preliminary plan of operation, to publicize the objectives of the program, and to carry out any of the purposes established in this section.

(b) By March 1, 1984, the Game and Fresh Water Fish Commission in conjunction with the Nongame Wildlife Council shall submit a written report to the President of the Senate, the Speaker of the House of Representatives, and the Governor and Cabinet detailing the plan of operation for a nongame wildlife program, identifying any statutory authority required, establishing a budget for the program, and recommending potential sources of revenue.

(c) The commission shall designate an identifiable unit to administer the Nongame Wildlife Trust Fund. The commission may enter into cooperative agreements or memoranda of understanding with related agencies to coordinate nongame programs.

(d) Proceeds from the trust fund shall be used for the following purposes:

1. Documentation of population trends of nongame wildlife and assessment of wildlife habitat, in coordination with the data base of Florida Natural Areas Inventory.

2. Establishment of effective conservation, management, and regulatory programs for Florida's nongame wildlife.

3. Public education programs.

(3)(a) There is hereby created the Nongame Wildlife Advisory Council which shall consist of the following nine members appointed by the Governor: one representative each from the Game and Fresh Water Fish Commission, from the Department of Natural Resources, and from the United States Fish and Wildlife Services; the Director of the Florida State Museum or his designee; one representative from a professional wildlife organization; one representative from a private wildlife institution; one representative from a Florida university or college with expertise in nongame biology; and two members from conservation organizations. As soon as practicable after this act becomes a law, four members shall be appointed for a term ending August 1, 1985, and thereafter, all appointments shall be for 4-year terms. Members shall be eligible for reappointment.

(b) The council shall recommend to the commission policies, objectives, and specific actions for nongame wildlife research and management.

(c) Members of the council shall receive no compensation but shall be entitled to receive per diem and travel expenses, as provided for in s. 112.061, Florida Statutes, while carrying out official business with the council, from funds provided under this section.

Section 2. Florida Panther Research and Management Trust Fund established.—

(1) There is hereby established within the Game and Fresh Water Fish Commission the Florida Panther Research and Management Trust Fund to be used exclusively for the purposes of this section

(2) Money from the fund shall be spent for only the following purposes:

(a) To manage and protect existing Florida panther populations by increasing panther food sources where food is a limiting factor, determining public use conflicts with panther survival, and maintaining sufficient genetic variability in existing populations.

(b) To educate the public concerning the value of the panther and the necessity for its management.

(c) To reestablish Florida panthers into areas of suitable habitat, where feasible, by assessing the necessity of a captive breeding program for purposes of reintroduction into suitable habitat, selecting potential reintroduction sites and investigating associated human sociological aspects, and assessing the potential for panther habitat acquisition.

Section 3. Florida Panther Technical Advisory Council.—

(1) The Florida Panther Technical Advisory Council is hereby established within the Game and Fresh Water Fish Commission. The council shall be appointed by the Governor and shall consist of five members with technical knowledge and expertise in research and management of large mammals.

(a) Two members shall represent state or federal agencies responsible for management of endangered species, two members, who must have specific experience in research and management of large felines or large

mammals, shall be appointed from universities, colleges, or associated institutions; and one member, with similar expertise, shall be appointed from the public at large.

(b) As soon as practicable after this act becomes law, one member representing a state or federal agency and one member appointed from a university, college, or associated institution shall be appointed for a term ending August 1, 1985, and the remaining members shall be appointed for a term ending August 1, 1987. Thereafter, all appointments shall be for 4-year terms. If a vacancy occurs, a member shall be appointed for the remainder of the unexpired term. A member whose term has expired shall continue sitting on the council with full rights until a replacement has been appointed.

(c) Council members shall be reimbursed pursuant to s. 112.061, Florida Statutes, but shall receive no additional compensation or honorarium.

(2) The purpose of the council shall be:

(a) To serve in an advisory capacity to the Executive Director of the Florida Game and Fresh Water Fish Commission on technical matters of relevance to the Florida Panther Recovery Program, and to recommend specific actions that should be taken to accomplish the purposes of this act.

(b) To review and comment on research and management programs and practices to identify potential harm to the Florida panther population.

(c) To provide a forum for technical review and discussion of the status and development of the Florida Panther Recovery Program.

Section 4. The Game and Fresh Water Fish Commission is authorized to receive donations for deposit into the Florida Panther Research and Management Trust Fund.

Section 5. Subsection (3) of section 1 of this act, relating to the Nongame Wildlife Advisory Council, and section 3 of this act, relating to the Florida Panther Technical Advisory Council, are repealed October 1, 1993, and shall be reviewed by the Legislature pursuant to s. 11.611, Florida Statutes, the Sundown Act.

Section 6. This act shall take effect July 1, 1983 or upon becoming a law, whichever occurs later.

Senators Henderson, Neal and Mann offered the following amendment to Amendment 1 which was moved by Senator Neal and adopted:

**Amendment 1A**—On page 5, lines 8-9, strike “the Executive Director of”

Amendment 1 as amended was adopted.

Senator Mann moved the following amendment which was adopted:

**Amendment 2**—In title, on page 1, line 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to nongame wildlife; providing legislative intent; establishing the Nongame Wildlife Trust Fund within the Game and Fresh Water Fish Commission; providing an appropriation; providing for uses of trust fund moneys; creating the Nongame Wildlife Advisory Council; providing for membership and duties of the council; establishing the Florida Panther Research and Management Trust 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 review and repeal; providing an effective date.

On motion by Senator Neal, by two-thirds vote CS for SB 1077 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	Gordon	Kirkpatrick	Plummer
Carlucci	Grant	Langley	Rehm
Castor	Grizzle	Mann	Scott
Childers, D.	Hair	Margolis	Stuart
Childers, W. D.	Henderson	Maxwell	Thomas
Crawford	Hill	McPherson	Thurman
Dunn	Jenne	Meek	Vogt
Gersten	Jennings	Myers	Weinstein
Girardeau	Johnston	Neal	

Nays—2

Beard Frank

**SB 242**—A bill to be entitled An act relating to license fees; adding s. 320.03(6), Florida Statutes, 1982 Supplement; requiring an additional 50-cent license registration fee; establishing in the Department of Environmental Regulation the Air Pollution Control Trust Fund; requiring deposit of such additional fee into the trust fund or into trust funds established by certain counties; limiting the use of moneys in such funds; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendments which were moved by Senator Gordon and failed:

**Amendment 1**—On page 1, line 19, before the word “fee” insert: non-refundable

**Amendment 2**—On page 1, line 25, strike “deposited in” and insert: returned to such county for deposit into

**Amendment 3**—On page 1, line 27, strike “department” and insert: Department of Environmental Regulation

The Committee on Appropriations recommended the following amendment which was moved by Senator Gordon and failed:

**Amendment 4**—On page 1, line 28, after “control” insert: for mobile sources and for toxic abatement programs

Senator Gordon moved the following amendment which was adopted:

**Amendment 5**—On page 1, strike all of lines 18-29 and insert:

(6) A nonrefundable fee of 50 cents shall be charged on all license registrations sold, transferred or replaced. Such fees shall be deposited in the Air Pollution Control Trust Fund hereby established in the Department of Environmental Regulation and used only for purposes of air pollution control pursuant to chapter 403, except that, if any county has an approved local air pollution control program as provided in s. 403.182, such fees from license registrations sold in the county shall be returned to such county for deposit into a local air pollution control program trust fund which shall be established by such county and used only for air pollution control programs relating to the control of emissions from mobile sources and toxic and odor emissions, air quality monitoring, and facility inspections pursuant to chapter 403 or similar local ordinances.

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

**Amendment 6**—On page 1, line 15, strike everything after the enacting clause and insert:

Section 1. Present chapter 325, Florida Statutes, is designated as part I of chapter 325, Florida Statutes.

Section 2. Sections 325.111 through 325.331, Florida Statutes, are designated as part II of chapter 325, Florida Statutes, and are created to read:

## PART II MOTOR VEHICLE INSPECTION

325.111 Definitions.—As used in this part, “department” means the Florida Department of Highway Safety and Motor Vehicles.

325.121 Motor vehicle inspection required; exception.—Each motor vehicle, except ancient motor vehicles licensed under s. 320.086, required to be registered within the state when operated upon any street or highway within the state shall display a valid inspection certificate indicating that it has been lawfully inspected and found to comply with the standards and requirements of this part.

325.131 Expiration of certificate; early inspection; reinspection schedule; failure to display certificate, penalty.—

(1) Each inspection certificate issued shall be valid for not less than 1 year and shall expire at midnight on the day of the month designated on said inspection certificate. The day of expiration shall be established by the reinspection schedule adopted by the department. The schedule shall provide for midmonth and end-of-month expiration dates.

(2) Any motor vehicle bearing a valid inspection certificate may be inspected at any time before expiration of the certificate.

(3) Except as provided in this section and in s. 325.151, it is unlawful and punishable as provided in s. 316.655 to operate any motor vehicle on any street or highway if there is not displayed thereon a valid inspection certificate.

(4) If the designated expiration date falls on a day the inspection station is closed, the vehicle may be presented for inspection on the first working day following the expiration date. The expired inspection certificate shall be considered valid and no delinquent fee or violation shall be charged.

(5) If the vehicle owner or the vehicle has been absent from the state and the vehicle's inspection certificate has expired during such absence the vehicle may be operated on the streets or highways of the state without reinspection for not more than 10 days from the date on which the owner or vehicle first returns to the state.

#### 325.141 Inspection certificate required for sold vehicles; exemption.—

(1) It is unlawful and a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, for any person engaged in the business of buying or selling motor vehicles to sell at retail any used motor vehicle which does not display a current approved inspection certificate as required under s. 325.121.

(2) The owner of a motor vehicle which has been stored or otherwise unused, during which time the inspection certificate has expired, shall obtain authority from the nearest highway patrol station to drive the vehicle to the inspection station. In the case of a motor vehicle which has never been registered in this state, the owner shall obtain authority from the nearest highway patrol station to drive the vehicle to the inspection station, and then to the nearest tag agency for the purpose of registering the vehicle.

(3) Nothing in this part shall be construed to require a valid current inspection certificate for any motor vehicle owned by a motor vehicle dealer licensed under s. 320.27 and displaying a dealer tag thereon as authorized by s. 320.13(1)(a) when such vehicle is being used for demonstration purposes or is being driven from its point of purchase to the business location of the dealer, or between the business location of the dealer and a repair facility, or between the business location of the dealer and an inspection station.

325.151 Time limit for inspection of newly registered motor vehicles.—The purchaser of any new motor vehicle or the owner of any motor vehicle brought into this state for the first time, which is required to be registered under the provisions of chapter 320 and to be inspected under the provisions of s. 325.121, may operate such vehicle on the streets or highways of the state, without inspection for not more than 10 days from the date of purchase or from the date on which it was first brought into this state.

325.161 Defective vehicles; repair procedures.—When a motor vehicle required to be inspected under this part fails to pass the inspection, the inspection station making such inspection shall issue a statement for the vehicle enumerating the defects found. The owner shall have such defects corrected at any place he chooses. The statement shall operate as a temporary valid inspection permit for 30 days after the defect is found, during which time the operator shall not be subject to the penalty provided in s. 316.610. When a part must be ordered to correct a defect and the part cannot be received and installed within the 30-day period, the statement, together with a dated copy of the order for the part, shall operate as a temporary valid inspection permit until the part is received, which time period shall not exceed 90 days. The vehicle may be reinspected one time for the defects within 30 days when the owner does not have to wait for a part to be received, or within 90 days when the owner has the statement together with a dated copy of the order for the part, at the inspection station first making the inspection, without additional charge; however, upon payment of the inspection fee, the motor vehicle may be reinspected at another inspection station.

325.171 Motor vehicles involved in an accident or otherwise damaged.—Any motor vehicle involved in an accident or otherwise damaged so that the equipment required to be inspected in s. 325.191 has been impaired shall not be operated, except to an official inspection station or repair shop, upon the streets and highways of this state until it has been reinspected.

325.191 Requirements for approval before an inspection certificate may be issued for a motor vehicle.—

(1) The following items of equipment of each motor vehicle shall be inspected by an inspection station to determine that they are in safe operating condition:

- (a) Brakes;
- (b) Lights;
- (c) Horn;
- (d) Steering mechanism;
- (e) Windshield wipers;
- (f) Directional signals;
- (g) Tires; and
- (h) Exhaust system.

(2) A tire shall be considered unsafe if it has:

- (a) Any ply or cord exposed;
- (b) Any bump, bulge, or knot affecting the tire structure;
- (c) Any break repaired with a boot;

(d) A tread depth of less than 2/32 of an inch measured in any two tread grooves at three locations equally spaced around the circumference of the tire, or, for tires with tread wear indicators, a tire shall be considered unsafe if it is worn to the point that the tread wear indicators contact the road in any two tread grooves at three locations equally spaced around the circumference of the tire;

(e) A marking "not for highway use," or "for racing purposes only"; or

(f) Such other conditions as may be reasonably demonstrated to render it unsafe.

(3) Every person presenting for inspection a motor vehicle registered in Florida or required to be registered in Florida shall present to the inspector evidence of insurance as defined in s. 324.021. Such evidence of insurance shall be in the form of one of the following:

- (a) An insurance policy;
- (b) An insurance policy binder;
- (c) A certificate of insurance; or

(d) A uniform identification card approved by the Department of Insurance for issuance by an insurer to its insured and to each licensed driver residing in the insured's household.

(4) The number of miles indicated on the odometer at the time of inspection shall be recorded.

(5) The inspection requirement shall not exceed the standards provided for in this part or the standards set for steering mechanisms by the department.

(6) If a motor vehicle is rejected because its headlights are out of alignment, and if the headlights can be adjusted without the removal or replacement of parts, if requested by the owner, the inspection station shall make the adjustment at the time of the inspection at no expense to the vehicle owner. The rejection shall be recorded on the form furnished by the department with a notation that the adjustment was made at the inspection station.

325.197 Inspection of metal license plates.—Each metal license plate shall be inspected for proper display, damage, legibility, and retroreflectivity; and each license plate validation sticker shall be inspected for legibility. Failure of a license plate or sticker to meet any of these requirements shall not be cause for rejection; however, the inspector shall give written notice of the failure to the owner or operator, requiring that the plate or sticker be replaced within 14 days. The owner shall present the notice to the tax collector or tag agency and shall be issued a replacement plate at no charge as provided in s. 320.06(5)(b). The tax collector or tag agent shall certify on the notice that the replacement plate or sticker was issued, and the owner shall return the certified notice to the inspection station by mail or in person.

325.201 Privately operated inspection stations; appointment by department.—

(1) Each person meeting the following qualifications shall, upon application, be issued a license to operate an inspection station:

- (a) Good character and a good reputation for honesty;
- (b) Adequate knowledge of the motor vehicle equipment requirements under the laws of Florida;
- (c) Ability to conduct the mechanical inspection required;
- (d) Adequate facilities and equipment to inspect equipment required to be inspected; and
- (e) A general knowledge of motor vehicles, sufficient to recognize a mechanical condition which is not safe.

(2) Any person meeting the qualifications of subsection (1) and desiring an inspection station license may apply to the department on a form provided by the department. The department shall investigate the applicant to determine that he meets such qualifications and that adequate and proper facilities to accommodate the public will be provided. Upon satisfactory proof of same, the department shall issue a license to such person to operate an inspection station. The license shall be issued without charge and for a period of not more than 7 years, and shall be effective for the period for which issued unless canceled by request of the licensee or unless suspended or revoked for cause following a hearing by the department. The license shall not be transferable without the department's approval. If, as a result of the cancellation or revocation of a license, no authorized private inspection station is available in a county, the department may license the county to operate inspection stations as authorized in s. 325.271.

325.211 Self-inspectors.—The department may designate any person or governmental entity operating five or more vehicles as a self-inspector to inspect only the vehicles owned or operated by such person or entity.

325.221 Supervision of inspection stations.—

(1) The supervision of inspection stations is the responsibility of the Division of Motor Vehicles. Sufficient personnel shall be employed by the department to allow regularly scheduled audits of each inspection station at approximately 30-day intervals.

(2) When an inspection station license is issued, the department shall record the license and make periodic checks to determine that inspections are being conducted in accordance with this part, and shall investigate bona fide complaints received regarding the inspection station.

(3) Beginning July 1, 1984, and at no longer than 3-year intervals thereafter, the department shall evaluate all inspection facilities to determine whether they are adequate to accommodate the public. The department shall evaluate such facilities based on standards which shall include quantitative criteria for determining the necessary number of inspection lanes, access lanes, and personnel. If the evaluation reveals that the facilities are inadequate, the licensee shall have a maximum of 12 months in which to provide the necessary improvements or to submit evidence of a specific plan of action, subject to division approval, to correct the deficiency. Failure of a county to take the required corrective action within 12 months shall result in permanent revocation of the license and the appointment of qualified private inspection stations in that county. Such failure on the part of a privately operated inspection station within 12 months shall result in the permanent revocation of the inspection license.

325.231 Department to establish rules.—The department shall establish rules for the control, distribution, sale, refund, and display of certificates and for the accounting for proceeds of their sale, consistent with this part. It is unlawful and a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, to possess, affix, transfer, or remove an inspection certificate, except by direction of the department. The department shall establish such rules necessary to train and qualify official inspectors, and no person shall be qualified to inspect a motor vehicle under this part unless approved by the department.

325.241 Fees to be charged by inspection station.—

(1) Each inspection station, except self-inspectors, shall charge a fee of \$3.50 (self-inspectors are prohibited from charging any fee) for inspecting a motor vehicle and shall give the operator a receipt indicating the articles and equipment approved or disapproved and fee paid. When a

vehicle is approved and the fee paid, the inspection station shall affix a valid inspection certificate to the motor vehicle. The inspection station shall maintain a record of motor vehicles inspected within the preceding 12 months. The records shall be maintained in a manner that permits rapid reference to the previous certificate number, the vehicle identification number, and the name of the owner. Orders for inspection certificates shall be placed with the Department of Highway Safety and Motor Vehicles, Neil Kirkman Building, Tallahassee, and shall be accompanied by 40 cents for each certificate ordered. However, when any vehicle is inspected after the time required by this part, the inspection station shall charge an additional delinquency fee of \$1. The delinquency fee shall be forwarded to the department and shall be credited against the 40-cent remittance required by this section. The fee shall not be applicable to state agencies. Inspection certificates may be ordered only by licensed inspection stations and self-inspectors. Any order for inspection certificates shall be accompanied by written authorization upon forms furnished by the department. Orders shall be filled and delivered in a manner to be determined by the department. The department shall, upon request, furnish necessary forms to the inspection stations and self-inspectors.

(2) All funds received by the department for inspection certificates shall be deposited in the General Revenue Fund of the state.

325.251 Budget; administration.—The department shall submit a budget of the cost of administration of this part to the Governor as chief budget officer for approval by the Legislature; however, the budget shall not exceed the funds derived from the sale of inspection certificates.

325.261 Department to adopt rules.—The department may adopt rules which are reasonably necessary for carrying out the provisions of this inspection program.

325.271 County operated inspection stations.—Any county may apply through its duly elected county officials for a license to operate inspection stations. Upon receipt of a county's application the department shall investigate the applicant to determine that the requirements of s. 325.201(1) except paragraph (a) will be met. Upon satisfactory proof of same, the department shall issue to the county a license to operate inspection stations within its boundaries which shall remain in effect until revoked for cause. Any county which has been issued a license to operate inspection stations is hereby authorized to pledge its share of inspection fees for the purpose of issuing revenue certificates for the purchase and construction of adequate and proper inspection facilities. The revenue certificates authorized herein may be issued under the provisions of chapter 159, or other appropriate special or general legislation.

325.275 Inspection stations; days and hours of operation.—Inspection stations shall be operated for the convenience of the motoring public. The schedule of operation of each inspection station shall be subject to approval by the department and shall provide for evening and weekend hours of operation. County operated programs shall provide for at least one-half of the stations to be open for eight hours on Saturdays.

325.281 Inspection stickers of other states and carriers certificated by the Interstate Commerce Commission.—Each law enforcement officer of this state shall recognize any current official inspection sticker affixed to any motor vehicle from another state, except that any motor vehicle registered in this state, or required to be registered in this state, shall display a valid inspection certificate issued in this state. Vehicles operating under certificate of the Interstate Commerce Commission subject to United States Department of Transportation Safety Regulations are exempt from displaying a state inspection sticker if they display a valid certificate number issued by the Interstate Commerce Commission.

325.291 Inspection not to constitute a warranty of mechanical condition.—The inspection of any motor vehicle and the issuance of an inspection certificate shall not be construed in any court as a warranty of the mechanical condition of the motor vehicle. No inspector or inspection station inspecting a motor vehicle and issuing an inspection certificate under the provisions of this part shall be liable in damages for any defect in or failure or improper functioning of any item of equipment on such motor vehicle.

325.301 Prohibited inspection certificates.—It is unlawful and a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, for any person to issue an inspection certificate for any vehicle which has not actually been inspected under the provisions of this part.

325.311 Violations; penalty.—Violation of any provision of this part shall, upon conviction, be punishable as provided in s. 316.655, except when a penalty for violation of such provision is specifically provided therefor.

325.331 Forged certificates, unauthorized sale and unauthorized supply; penalty.—

(1) It is unlawful for any person to forge, alter, or reproduce an inspection certificate unless authorized by the department.

(2) It is unlawful for any person knowingly to have in his possession any forged, altered, or reproduced inspection certificate, unless authorized by the department.

(3) It is unlawful for any person to supply, or to aid in supplying, any person with an inspection certificate by any means not in accordance with the provisions of this part.

(4) Any person who violates any of the provisions of this section is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 3. The Department of Highway Safety and Motor Vehicles shall adopt, by rule, a schedule for the phased implementation of this act. Such schedule shall be designed to assure that the number of vehicles scheduled for inspection in any one month is roughly equal to the number of vehicles scheduled for inspection in any other month and to assure that all vehicles subject to this act are inspected by June 30, 1985

Section 4. Paragraph (b) of subsection (1) of section 320.06, Florida Statutes, is amended to read:

320.06 Registration; validation stickers, license plates transferable; duplicate certificates; replacement plates; transfer fee.—

(1) Upon the filing of such application, the department shall assign to such motor vehicle a registration license number consisting of letters and numerals or numerals and issue and deliver to the owner a certificate of registration and one registration license plate for each vehicle so registered.

(b) Registration license plates bearing a graphic symbol and the alphanumeric system of identification shall be issued for an indefinite period beginning July 1, 1977, only to owners of new or used motor vehicles who are not in possession of valid license plates and for the replacement license plates provided for in s. 320.06(5)(a) and (7) and s. 325.197. Beginning July 1, 1979, alphanumeric license plates shall be issued to every owner of a motor vehicle not possessing an alphanumeric license plate, according to the schedule provided in paragraph (c). Full implementation of the alphanumeric system shall be completed by June 30, 1980. With each license plate, a validation sticker reflecting the owner's birth month, or appropriate renewal period if a nonnatural person is the owner, and a serially numbered validation sticker reflecting the year of expiration shall be issued in accordance with the following schedule. Such license plate and validation sticker shall be issued, based on the applicant's appropriate renewal period. The registration period shall be for a period of not more than 12 months, except for those applicants desiring advance registration, in which cases the registration period shall not exceed 15 months, and all expirations shall occur, based on the applicant's appropriate registration renewal period. The sticker reflecting the owner's month of birth shall be placed on the upper left corner of the license plate and shall be issued one time during the life of the license plate, or upon request when it has been damaged or destroyed.

Section 5. Section 325.001, Florida Statutes, as created by chapter 81-212, Laws of Florida, is hereby repealed.

Section 6. Subsection (6) is added to section 320.03, Florida Statutes, 1982 Supplement, to read:

320.03 License plates; duties of tax collectors.—

(6) *In addition to any fee required under s. 320.08, a fee of 50 cents shall be charged on all license registrations sold. Such fees shall be deposited in the Air Pollution Control Trust Fund hereby established in the Department of Environmental Regulation, except that, if any county has an approved local air pollution control program as provided in s. 403.182, such fees from license registrations sold in the county shall be deposited in a local air pollution control program trust fund which shall be established by such county. The department and any such county shall use the moneys in such trust funds only for purposes of air pollution control pursuant to chapter 403 or a similar local ordinance.*

Section 7. This act shall take effect July 1, 1983, except that section 6 shall take effect January 1, 1984.

**Point of Order**

Senator Gordon raised a point of order that Amendment 6 was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

On motion by Senator Gordon, by two-thirds vote SB 242 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—30

Mr President	Gordon	Kirkpatrick	Plummer
Beard	Grant	Mann	Rehm
Castor	Grizzle	Margolis	Scott
Childers, D.	Hair	Maxwell	Thomas
Dunn	Henderson	McPherson	Thurman
Frank	Hill	Meek	Weinstein
Gersten	Jenne	Myers	
Girardeau	Johnston	Neal	

Nays—4

Barron	Childers, W. D.	Crawford	Langley
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Vote after roll call:

Yea to Nay—Beard, Thurman

Consideration of SB 168 was deferred.

**Senator Gordon presiding**

**CS for CS for SB 40**—A bill to be entitled An act relating to land acquisition; authorizing the Department of Natural Resources to acquire by eminent domain specific parcels of land; amending s. 253.023(8), Florida Statutes, 1982 Supplement; providing that the Conservation and Recreation Lands Trust Fund may be used to pay all costs associated with condemnation of such parcels; adding s. 375.041(5), Florida Statutes; providing that the Land Acquisition Trust Fund may be used to pay all costs associated with condemnation of such parcels; authorizing the South Florida Water Management District to acquire by eminent domain certain parcels of land; providing an effective date.

—was read the second time by title.

Senator Jenne moved the following amendment which was adopted:

**Amendment 1**—On page 11, between lines 24 and 25, insert:

Section 5. It is the intent of the legislature that the Department of Natural Resources shall acquire lands, either voluntarily or through condemnation, in the order established in the lists adopted pursuant to s. 259.035, Florida Statutes, to the greatest extent practicable. The granting of the power of eminent domain for any specific parcel of land pursuant to this act shall not alter the ranking of that parcel on the lists adopted pursuant to s. 259.035, Florida Statutes, nor shall the department consider the granting of the power of eminent domain for any specific parcel a mandate or direction from the legislature to purchase or condemn that parcel prior to the purchase of any other parcel on said lists.

Senator Dunn moved the following amendment which failed:

**Amendment 2**—On page 9, between lines 19 and 20, insert:

(8) NORTH PENINSULA BARRIER ISLAND, VOLUSIA COUNTY.—The following territory:

(a) Section 32, Township 12 South, Range 32 East, being East of the Halifax River, excepting the right-of-way of Ocean Shore Boulevard (AIA), together with Government Lots 1, 2 and 3, Section 5, Township 13 South, Range 32 East, being East of the Halifax River, and that portion of the Northwest 1/4 of said Section 5 being East of John Anderson Drive and South of Highbridge Road, and that portion of the Northwest 1/4 of said Section 5 being North of Highbridge Road and East of the Halifax River, excepting the right-of-way's of John Anderson Drive, Highbridge Road, and Ocean Shore Boulevard (AIA), together with Section 8, Township 13 South, Range 32 East, being East of the Halifax River, except the Southerly 1705 feet thereof and excepting the Easterly 150 feet of the Southerly 1855 feet thereof, and except the right-of-way's of John Ander-

son Drive and Ocean Shore Boulevard (AIA), together with Section 9, Township 13 South, Range 32 East, except the Southerly 1705 feet thereof and except the Westerly 175 feet of the Southerly 1875 feet thereof, and except the right-of-way of Ocean Shore Boulevard (AIA), together with Lots 3 and 4, Block 1, and the South 1/2 of Lot 1, Block 2, and the Orange Grove Section of Mound Grove Addition to South Bulow, as recorded in Deed Book M, Page 254, of the Public Records of Volusia County, Florida, being North and East of Bulow Creek, except the right-of-way of Highbridge Road and except that parcel as recorded in Deed Book 26, Page 236, of the Public Records of Volusia County, Florida, together with that portion of Section 37, Township 12 South, Range 32 East and a portion of Section 43, Township 13 South, Range 32 East, beginning at the Northeast corner of Lot 1, Block 1, said Mound Grove Addition to South Bulow and running Easterly on an Easterly projection of the Northerly line of said Lot 1, Block 1, to the Westerly line of Easement No. 274, Per Drawing No. RE-C12,214, Project No. C-452, Department of the Army, Jacksonville District, Corps of Engineers Map; Thence run Southerly along said line and the Westerly line of Easement No. 279, said map, to the Westerly edge of Smith Creek; Thence run Southerly along the Westerly line of said Smith Creek to the North line of Bulow Creek; Thence run Westerly along the Northerly line of said Bulow Creek to the Easterly line of said Mound Grove Addition to South Bulow; Thence run Northerly along said Easterly line to the Point of Beginning, excepting the right-of-way of Highbridge Road.

(b) Together with that portion of Township 13 South, Range 31 and 32 East, being the Westerly extension of Block 3, said Mound Grove Addition to South Bulow, terminating at the Easterly edge of Bulow Creek and together with that portion of Township 13 South, Range 32 East, being Southerly and Westerly of said Highbridge Road and terminating at the edge of Bulow Creek, and together with the Halifax Grove Company Section and the Mary Kunner or Kunner Grant Section, being South of Halifax Avenue, as shown on the map of Halifax, as recorded in Map Book 5, Page 92, of the Public Records of Volusia County, Florida.

(c) Together with that portion of the West 1/2 of Section 5, Township 13 South, Range 32 East, Volusia County, Florida, being East of the Mean High Water Line of the Intracoastal Waterway and being South of Highbridge Road and being West of John Anderson Highway.

The vote was:

Yeas—14

Carlucci	Gordon	Mann	Thurman
Dunn	Grizzle	McPherson	Vogt
Gersten	Hair	Neal	
Girardeau	Johnston	Stuart	

Nays—18

Barron	Crawford	Jennings	Plummer
Beard	Frank	Kirkpatrick	Scott
Castor	Grant	Langley	Thomas
Childers, D.	Hill	Maxwell	
Childers, W. D.	Jenne	Meek	

Senators Carlucci, Girardeau and Hair offered the following amendment which was moved by Senator Carlucci and failed:

**Amendment 3**—On page 9, between lines 19 and 20, insert:

(8) *BIG TALBOT ISLAND.*—All those privately owned lands located on Big Talbot Island as located at Township 1 South, Range 29 East; Township 1 North, Range 29 East; Duval County, Florida.

The vote was:

Yeas—11

Carlucci	Childers, W. D.	Gordon	McPherson
Castor	Dunn	Hair	Stuart
Childers, D.	Girardeau	Johnston	

Nays—27

Mr. President	Grizzle	Mann	Rehm
Barron	Henderson	Margolis	Scott
Beard	Hill	Maxwell	Thomas
Crawford	Jenne	Meek	Thurman
Frank	Jennings	Myers	Vogt
Gersten	Kirkpatrick	Neal	Weinstein
Grant	Langley	Plummer	

Senators Carlucci, Girardeau and Hair offered the following amendment which was moved by Senator Carlucci and failed:

**Amendment 4**—On page 9, between lines 19 and 20, insert:

(8) *JULINGTON/DURBIN CREEK PENINSULA.*—All that privately owned property located as shown on a map on file in the records of the Florida Department of Natural Resources, Tallahassee, Florida, in Sections 23, 24, 25, 26, 27, 28, 35 and 36 of Township 4 South, Range 27 East; Sections 19, 29, 30, 31 and 32 of Township 4 South, Range 28 East, Duval County and Sections 5 and 6 of Township 5 South, Range 28 East, St. Johns County.

Senator Mann moved the following amendment:

**Amendment 5**—On page 9, between lines 19 and 20, insert:

(8) *ROOKERY BAY NATIONAL ESTUARINE SANCTUARY.*—All privately owned property located within the boundaries of the Rookery Bay National Estuarine Sanctuary C.A.R.L. acquisition area as shown on a map or plat on file in the records of the Florida Department of Natural Resources, Tallahassee, Florida, in Sections 35 and 36, Township 50 South, Range 25 East; Sections 2, 11, and 24, Township 51 South, Range 25 East; Section 31, Township 50 South, Range 26 East and Sections 5, 6, 9, 10, 15 and 16, Township 51 South, Range 26 East, Collier County, Florida.

(9) *CAYO COSTA/NORTH CAPTIVA.*—All privately owned property located on Cayo Costa Island and North Captiva Island located within the boundaries of the Cayo Costa/North Captiva C.A.R.L. acquisition area as shown on a map or plat on file in the records of the Florida Department of Natural Resources, Tallahassee, Florida, which lands are located within Sections 7, 18, 19, 20, 29, 30, and 32, Township 44 South, Range 21 East; Sections 9, 15 and 16, Township 45 South, Range 21 East and Sections 12 and 13, Township 44 South, Range 20 East, Lee County, Florida.

(10) *FAKAHATCHEE STRAND.*—All of the privately owned property located within the boundaries of the Fakahatchee Strand State Preserve C.A.R.L. acquisition area as shown on a map or plat on file in the records of the Florida Department of Natural Resources, Tallahassee, Florida, in Township 50 South, Range 29 East; Township 51 South, Range 29 East; Township 52 South, Range 29 East; excluding that portion of Township 50 South, Range 29 East beginning at the southeast corner of Section 1 and thence westerly to the South one-quarter corner of Section 1, thence southerly to the South one-quarter corner of Section 36, thence easterly to the southeast corner of Section 36, and thence northerly along the Range line to the Point of Beginning.

(11) *MOUND KEY STATE ARCHAEOLOGICAL SITE.*—All those privately owned tracts of land on that certain island located in Lee County, Florida, known as Mound Key, all contained in Government Lots 1, 2, 3, and 4 of Section 36, Township 46 South, Range 24 East, and Government Lot 1 of Section 1, Township 47 South, Range 24 East.

(12) *CHARLOTTE HARBOR.*—All privately owned property located within the boundaries of the Charlotte Harbor C.A.R.L. acquisition area as shown on a map or plat on file in the records of the Florida Department of Natural Resources, Tallahassee, Florida, in Section 24 and 25, Township 41 South, Range 22 East; Sections 1, 6, 7, and 13, Township 42 South, Range 22 East; Section 18, Township 42 South, Range 21 East; Section 30, Township 41 South, Range 23 East; and Sections 7, 18 and 19, Township 42 South, Range 23 East, Charlotte County, Florida.

Senator Jenne moved the following amendments to Amendment 5 which were adopted:

**Amendment 5A**—On page 1, line 19, after "East" insert: , less and except the Northwest 1/4 of Section 31, Township 50 South, Range 26 East,

**Amendment 5B**—On page 1, line 20, after "East" insert: except for the West half of the West half of the Northwest Quarter, Section 16, Township 51, Range 26 East, Collier County, Florida

Amendment 5 as amended was adopted.

Senator Grizzle moved the following amendment which was adopted:

**Amendment 6**—On page 9, between lines 19 and 20, insert:

(12) Gateway.—All privately-owned property located within the boundaries of the Gateway C.A.R.L. area as shown on the survey prepared by George F. Young dated February 14, 1983, in the records of the Florida Department of Natural Resources, Tallahassee, Florida, in Sections 7, 2 and 12, Township 30 South, Range 16 East, Sections 7, 8, 16, 17, Township 30 South, Range 16 East, and Sections 35 and 36, Township 29 South, Range 16 East.

On motion by Senator Jenne, by two-thirds vote CS for CS for SB 40 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	Neal
Barron	Girardeau	Kirkpatrick	Plummer
Beard	Gordon	Langley	Scott
Castor	Grant	Mann	Stuart
Childers, D.	Grizzle	Margolis	Thomas
Childers, W. D.	Hair	Maxwell	Thurman
Crawford	Henderson	McPherson	Vogt
Dunn	Jenne	Meek	Weinstein
Frank	Jennings	Myers	

Nays—1

Carlucci

Vote after roll call:

Yea—Rehm

On motion by Senator Neal the following statement was published in the Journal:

Amendment 5 to CS for CS for SB 40 authorizes the Florida Department of Natural Resources to acquire by eminent domain certain private property of Cayo Costa and North Captiva Islands. The specific lands that may be so acquired are shown on a map on file with the Department. The map specifically excludes the following property:

The North 300 feet of the South 1,827.60 feet (as measured on a line perpendicular to the South line of said Government Lot 1) of Government Lot 1 in Section 29, Township 44 South, Range 21 East, Lee County, Florida.

Also:

A tract or parcel of land lying in Government Lot 1 of Section 29, Township 44 South, Range 21 East, on Cayo Costa Island, Lee County, Florida, which tract or parcel is described as follows: From the concrete post marking the northwest corner of said Section 29 run S.8°40'00" W along the West line of said Section for 242.16 feet; thence run S.24°05'30" E along the waters of the Gulf of Mexico for 673.97 feet to the point of beginning. From said point of beginning continue S.24°05'30" E along said waters for 5.0 feet to an intersection with a line parallel with and 813.12 feet (as measured on a perpendicular) Southerly from the north line of said Section; thence run S.81°20'00" E along said line for 565 feet more or less to the waters of Pine Island Sound; thence run northwesterly along said waters to an intersection with a line bearing N.65°54'30" E passing through the point of beginning; thence run S.65°54'30" W along said line for 490 feet more or less to the point of beginning.

The above described property is excluded from the lands to be acquired by the Department because it consists of three contiguous improved parcels which do not constitute "in holdings" and, as such, are outside of the policy guidelines prescribed for such acquisitions by the citizens committee that formed the genesis of this Bill. Funds that would otherwise be committed for purchase of "brick and mortar" are accordingly freed for purchase of wild, natural and endangered lands, which is the intent of this legislation.

*Patrick K. Neal, 24th District  
Warren Henderson, 25th District*

Senator Margolis moved that the Senate immediately reconsider the vote by which CS for SB 1077 passed this day. The motion was taken up and the Senate refused to reconsider.

**LOCAL CALENDAR**

**SB 1182**—A bill to be entitled An act relating to Manatee County, commercial fishing; amending section 1 of chapter 70-799, Laws of Flori-

da, as amended, and section 3(2) and section 5 of chapter 70-799, Laws of Florida; closing certain inland waters of Manatee County to commercial fishing and netting; defining terms; making possession of nets upon such water unlawful; providing that any person so fishing upon said inland waters is deemed to have given his consent for inspection to any law enforcement officer; providing for confiscation of certain illegal devices and declaring them a nuisance and providing for disposition of such illegal devices; declaring fishing in such waters to be a privilege and not a right, and subject to regulation by the state; providing an effective date.

—was read the second time by title. On motion by Senator Neal, by two-thirds vote SB 1182 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**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.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 1184 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

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

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Curtis Peterson, President*

I am directed to inform the Senate that the House of Representatives has passed HB 1250 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Crady—

**HB 1250**—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 read the first time by title. On motion by Senator Girardeau, the rules were waived and HB 1250 was placed on the calendar.

**LOCAL CALENDAR, continued**

On motion by Senator Girardeau, by two-thirds vote HB 1250, a companion measure, was substituted for SB 1185. On motions by Senator Girardeau, by two-thirds vote HB 1250 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

SB 1185 was laid on the table.

**SB 1190**—A bill to be entitled An act relating to Suwannee County; amending section 6 of chapter 23547, Laws of Florida, 1945; providing for the appointment of members of the Suwannee County Hospital Board by the Suwannee County Board of County Commissioners instead of by the Governor; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 1190 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

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

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Curtis Peterson, President*

I am directed to inform the Senate that the House of Representatives has passed HB 1173 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Crady—

**HB 1173**—A bill to be entitled An act relating to Union County; amending section 36 of chapter 63-1499, Laws of Florida, relating to the Charter of the City of Lake Butler; providing for special election or city council appointment to fill vacancies; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title. On motion by Senator Grant, the rules were waived and HB 1173 was placed on the calendar.

**LOCAL CALENDAR, continued**

On motion by Senator Grant, by two-thirds vote HB 1173, a companion measure, was substituted for SB 1187. On motions by Senator Grant, by two-thirds vote HB 1173 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

SB 1187 was laid on the table.

**SB 529**—A bill to be entitled An act relating to Gasparilla Island, including Boca Grande Isles and Gasparilla Golf Course Island, Three Sisters Island, Hogans Key, and Loomis Island, located in Charlotte County and Lee County; amending s. 4, chapter 80-473, Laws of Florida; defining the term “dwelling unit”; restricting the density of dwelling units; providing criteria for computing density; providing for construction of single-family dwellings on substandard lots under certain circumstances; restricting the commercial, industrial, or multi-family use of land to those lands zoned for such uses prior to the effective date of chapter 80-473, Laws of Florida; prohibiting local governmental bodies and agencies from granting variances or exceptions to the act; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs recommended the following amendments which were moved by Senator Mann and adopted:

**Amendment 1**—On page 3, line 22, strike “chapter 80-473, Laws of Florida” and insert: *this 1983 act*

**Amendment 2**—On page 2, line 13, strike “(4)” and insert: (5)

Pending further consideration of SB 529, as amended, on motion by Senator Mann, the rules were waived and the Senate reverted to—

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Curtis Peterson, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 980 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Arnold and others—

**HB 980**—A bill to be entitled An act relating to Gasparilla Island, including Boca Grande Isles and Gasparilla Golf Course Island, Three Sisters Island, Hogans Key, and Loomis Island, located in Charlotte County and Lee County; amending s. 4, chapter 80-473, Laws of Florida; defining the term “dwelling unit”; restricting the density of dwelling units; providing criteria for computing density; providing for construction of single-family dwellings on substandard lots under certain circumstances; restricting the commercial, industrial, or multi-family use of land to those lands zoned for such uses prior to the effective date of chapter 80-473, Laws of Florida; prohibiting local governmental bodies and agencies from granting variances or exceptions to the act; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title. On motion by Senator Mann, the rules were waived and HB 980 was placed on the calendar.

**LOCAL CALENDAR, continued**

On motion by Senator Mann, by two-thirds vote HB 980, a companion measure, was substituted for SB 529. On motions by Senator Mann, by two-thirds vote HB 980 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

SB 529 was laid on the table.

**SB 1165**—A bill to be entitled An act relating to Hillsborough County; codifying laws relating to the Hillsborough County Port District and the Tampa Port Authority; providing legislative intent; establishing the port district; providing definitions; creating the Tampa Port Authority; providing for its membership, powers, duties, and governance; providing for the employment of a port director and prescribing his duties; authorizing the acquisition, construction, extension, and enlargement of projects; providing for the conveyance to and the conveyance by the authority of submerged lands; providing for the regulation of the development of facilities within and of traffic through the port; authorizing the exercise by the authority of the powers of eminent domain; providing for acquisition and disposal of property; authorizing the borrowing of money and the issuance of bonds; authorizing the establishment and collection of rates, rentals, fees, and other charges; authorizing the adoption of rules and regulations; providing for regulation over the operation of ports and harbors and for the appointment, regulation, and compensation of harbor masters; providing for the regulation of watercraft; authorizing the imposition of franchise, license, and excise taxes; providing for the budget of the authority; authorizing the county to appropriate tax revenues to the port district; providing for the deposit and disposition of revenues and for an annual audit; providing remedies of bondholders; prescribing procedure for awarding contracts; providing for the recovery of money or things of value paid pursuant to contracts entered in violation of act and providing for the award of attorney's fees, prescribing procedure for making claims against the authority; exempting property from taxation; providing that chapters 313 and 314, Florida Statutes, do not apply within the district; providing for the adoption of rates and regulations and prescribing penalties for violations thereof; providing for injunctive relief; providing for promotion and sales and for reimbursement for travel in connection therewith; prohibiting discrimination in connection with employment, contracting, and use of facilities; regulating dredging, filling, construction, and other activities on submerged lands; requiring permits to engage in such activities; providing for revocation of such permits; authorizing the adoption of minimum construction specifications; providing for enforcement of orders of the authority; authorizing the authority to make required changes and impose liens for such changes; providing for civil penalties; providing for issuance of beverage license to the authority; prescribing standards for managing facilities and granting concessions; authorizing the authority to grant exclusive or limited agreements to displace business competition with regulation or monopoly service under specified circumstances; providing for periodic recodification of act; providing severability; repealing chapter 23338, Laws of Florida, 1945, chapter 24577, Laws of Florida, 1947, chapter 24578, Laws of Florida, 1947, chapter 25879, Laws of Florida, 1949, chapter 27600, Laws of Florida, 1951, and chapters 57-1380, 59-1358, 63-1398, 63-1400, 67-1476, 67-1481, 67-1482, 67-1485, 67-1487, 67-1488, 67-1490, 67-1491, 67-1492, 67-1500, 67-1503, 67-1505, 69-1135, 69-1137, 69-1138, 69-1140, 69-1141, 70-716, 72-560, 72-566, 75-386, 75-392, 76-385, 77-568, 77-570, 78-526, 78-527, 79-473, 80-613, 80-614, 81-386, and 81-393, Laws of Florida, relating to the Hillsborough County Port District and the Tampa Port Authority; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation recommended the following amendment which was moved by Senator Castor and adopted:

**Amendment 1**—On page 27, line 26, strike “, and shall be barred if not so filed”

On motion by Senator Castor, by two-thirds vote SB 1165 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**SB 1162**—A bill to be entitled An act relating to Hillsborough County; creating a dependent special district for the purpose of continued development, administration, and maintenance of properties for the unincorporated area known as Carrollwood Meadows as set forth according to the public records of Hillsborough County; providing for the administration of the affairs of the district by a board of trustees; defining the powers and duties of the board; providing for the qualification of electors in the district and the manner of conducting the first election of the board of trustees and for annual election of trustees thereafter; providing for removal of trustees and appointment to fill vacancies; providing for the assessment and collection of a special district tax assessed against each improved residential parcel of real property within the district; providing that such district tax shall be a lien against each parcel of land so assessed and for the method of collecting such tax; providing for the deposit and disbursement of funds of the district; establishing a fiscal year and providing for publication of annual financial statements; authorizing the trustees of the district to issue obligations of the district and to secure the same by pledge of revenues and other property of the district; authorizing the trustees of the district to acquire and dispose of personal property for the general purposes of the district; authorizing the trustees of the district to promulgate rules and regulations for the use of facilities of the district; providing procedure for abolition of the district; relieving individual trustees from personal liability for obligations of the district; defining terms; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Castor, by two-thirds vote SB 1162 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 232**—A bill to be entitled An act relating to the City of St. Augustine, St. Johns County; amending s. 2 of chapter 67-1975, Laws of Florida, relating to the election of the mayor-commissioner; repealing s. 18 of chapter 11148, Laws of Florida, 1925, which provides for selection of the mayor by the city commission; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote HB 232 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 235**—A bill to be entitled An act relating to Duval County; amending s. 19.06(4) of Chapter 67-1320, Laws of Florida, as amended, being the charter of the City of Jacksonville, to exempt certain employees of the Duval County School Board from the Classified Civil Service and to eliminate certain excepted positions no longer utilized by the Board; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote HB 235 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 300**—A bill to be entitled An act relating to the City of Lakeland, Polk County; amending the 1963 pension plan which is contained in Division II, Article III of the City of Lakeland Charter; increasing the number of seats on the pension board from three to seven; clarifying requirements for investment in equities; providing an alternative actuarial benefit; increasing post retirement benefits; excluding contributions prohibited by law; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 300 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 337**—A bill to be entitled An act relating to Seminole County; validating all acts and proceedings in connection with the bond referendum held in Seminole County on October 5, 1982, to authorize the issuance of bonds of Seminole County, including the method by which voters were notified of said referendum; declaring said referendum legal and valid; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote HB 337 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 360**—A bill to be entitled An act relating to Brevard County; revising and modifying provisions relating to civil service for employees and Deputy Sheriffs of the Office of Sheriff; providing for appointment of a Civil Service Board to administer provisions of the act; repealing chapter 67-1149, Laws of Florida, relating to civil service for employees of the Sheriff; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote HB 360 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Gordon	Jenne	Maxwell	Scott
Grant	Jennings	McPherson	Stuart
Grizzle	Johnston	Meek	Thomas
Hair	Kirkpatrick	Myers	Thurman
Henderson	Langley	Neal	Vogt
Hill	Mann	Rehm	Weinstein

Nays—None

**HB 385**—A bill to be entitled An act relating to St. Johns County; amending s. 7 of chapter 63-1853, Laws of Florida, as amended; removing the 6-percent interest limit on bonds of the St. Augustine Airport Authority and providing for interest at the standard flexible bond market rate as provided in s. 215.84, Florida Statutes; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote HB 385 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 386**—A bill to be entitled An act relating to St. Johns County; amending section 5 of chapter 63-1853, Laws of Florida; specifying that property of the St. Augustine Airport Authority may be utilized for purposes not related to aviation; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote HB 386 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 389**—A bill to be entitled An act relating to Sarasota County; dissolving the Siesta Key Fire Hydrant District created pursuant to Sarasota County Ordinance No. 75-20; providing for the assets and liabilities of the District; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 389 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 458**—A bill to be entitled An act relating to the City of Jacksonville; adding a subsection to s. 19.05, renumbered as s. 19.06, of chapter 67-1320, Laws of Florida, as amended, to exempt the Chief Librarian of the Library Board of Trustees from the civil service provisions of Art. 19 of said chapter; providing an effective date.

—was read the second time by title. On motion by Senator Girardeau, by two-thirds vote HB 458 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 469**—A bill to be entitled An act relating to Flagler County; amending chapter 61-909, Laws of Florida, as amended by chapters 63-950 and 65-918, Laws of Florida; relating to the distribution and expenditure of certain race track and jai alai moneys in Flagler County; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote HB 469 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 476**—A bill to be entitled An act relating to the City of Jacksonville; providing that certain persons or firms entering into certain leases of real property with the city shall disclose the names and addresses of all persons having an interest therein; providing an effective date.

—was read the second time by title. On motion by Senator Girardeau, by two-thirds vote HB 476 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 508**—A bill to be entitled An act relating to Manatee County, Oneco-Tallevast Fire Control District; amending section 1 of chapter 57-1545, Laws of Florida, as amended; changing the boundaries of the district, by including previously unincorporated land into its corporate limits and excluding previously incorporated land from its corporate limits; providing an effective date.

—was read the second time by title. On motion by Senator Neal, by two-thirds vote HB 508 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Henderson	Kirkpatrick	Meek	Stuart
Hill	Langley	Myers	Thomas
Jenne	Mann	Neal	Thurman
Jennings	Maxwell	Rehm	Vogt
Johnston	McPherson	Scott	Weinstein

Nays—None

**HB 515**—A bill to be entitled An act relating to the City of Naples Airport Authority; amending section 17 of chapter 69-1326, Laws of Florida, providing that said Authority shall have a lien upon any aircraft landing upon any airport owned or operated by said Authority when certain charges and fees are not paid upon demand therefor and that such lien attaches to any aircraft owned or operated by the person owing such charges and fees; providing for the enforcement of such liens; making it unlawful for any person to remove or attempt to remove any such aircraft from such airport after service or posting of notice of lien; providing an effective date.

—was read the second time by title. On motion by Senator Mann, by two-thirds vote HB 515 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 569**—A bill to be entitled An act relating to Sarasota County; providing for a study to be conducted to ascertain the need for, and feasibility of, a consolidated countywide fire and emergency ambulance district in the unincorporated area of Sarasota County; providing for the matters to be addressed by the study; providing for the inclusion of municipal areas within the study at the request of the municipal governing body; providing for the submission of information by fire and emergency ambulance services to the study committee; providing for a study committee; providing for funding of the study and administration; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 569 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 590**—A bill to be entitled An act relating to the Cities of St. Petersburg and Pinellas Park, Pinellas County; providing for the deannexation of certain specified parcels of property in the City of St. Petersburg and the annexation of those same parcels by the City of Pinellas Park; providing for the deannexation of certain specified parcels of property in the City of Pinellas Park and the annexation of those same parcels by the City of St. Petersburg; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote HB 590 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 619**—A bill to be entitled An act relating to the North Port Water Control District, Sarasota County; providing for a reduction in the requirement for a quorum at landowner's meetings; providing for a change in the time for holding the annual election of supervisors; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 619 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 707**—A bill to be entitled An act relating to Lake County; amending s. 5 of chapter 78-546, Laws of Florida, requiring the Northwest Lake County Hospital District board of trustees to use federal rather than state guidelines for determining indigency; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote HB 707 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 712**—A bill to be entitled An act creating the Hillsborough County Civil Service Study Committee; providing for the qualifications, appointment, and terms of the members of said committee; providing legislative intent; prescribing its purpose; prescribing its jurisdiction, powers and duties; providing for a final report; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote HB 712 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 713**—A bill to be entitled An act relating to Hillsborough County; relating to purchasing by the Board of County Commissioners of Hillsborough County; repealing chapter 10628, Laws of Florida, 1925, relating to the authorization of the Board of County Commissioners to hire a purchasing officer; repealing chapter 69-1126, Laws of Florida, relating to bids on repair of heavy equipment; repealing chapter 69-1133, Laws of Florida, relating to the authorization of purchases without advertising or bids in certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote HB 713 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 714**—A bill to be entitled An act relating to the City of Tampa, Hillsborough County, Tampa Downtown Development Authority; adding subsection (13) to section 6 of chapter 76-496, Laws of Florida, to provide that the authority give notice by certified mail to all persons owning real property within its boundaries prior to the exercise of certain of its powers and duties; providing that the authority shall give additional notice by publication in a newspaper of general circulation prior to the exercise of certain of its powers and duties; providing for procedures for and contents of such notifications; providing for certification of such notifications by the chairman of the authority; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote HB 714 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 716**—A bill to be entitled An act relating to Hillsborough County local government; amending section 10 of chapter 75-390, Laws of Florida, as amended, to eliminate certain provisions prescribing specific procedures for public participation in the comprehensive planning process; adding certain provisions requiring the adoption of such procedures at the local level, and establishing minimum requirements regarding such procedures; amending section 11(8) of chapter 75-390, Laws of Florida, as amended, to eliminate certain provisions regarding review of changes to the proposed comprehensive plan prior to its adoption; establishing a requirement for review of such changes by the local planning agency; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote HB 716 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Henderson	Kirkpatrick	Meek	Stuart
Hill	Langley	Myers	Thomas
Jenne	Mann	Neal	Thurman
Jennings	Maxwell	Rehm	Vogt
Johnston	McPherson	Scott	Weinstein

Nays—None

**HB 717**—A bill to be entitled An act relating to Hillsborough County; repealing chapter 69-1144, Laws of Florida, relating to establishment of the Division of Children's Services; repealing chapter 70-711, Laws of Florida, relating to the Division of Children's Services and the appointment of an advisory board with respect thereto; repealing chapter 74-489, Laws of Florida, relating to the Division of Children's Services; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote HB 717 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 730**—A bill to be entitled An act relating to the Titusville-Cocoa Airport District in Brevard County, Florida; amending Section 7 of Chapter 63-1143, Laws of Florida, to increase the number of members and to alter the selection process; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote HB 730 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 731**—A bill to be entitled An act relating to the Acme Improvement District, Palm Beach County; amending section 6 of chapter 28557, Laws of Florida, 1953, as amended, providing for a quorum at the land-owners meetings; providing an effective date.

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

Yeas—36

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

Nays—None

**HB 732**—A bill to be entitled An act relating to the Boca Raton Airport Authority; amending section 6 of chapter 82-259, Laws of Florida, providing for compensation for members of the authority, subject to a limitation per member per annum; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 732 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 759**—A bill to be entitled An act relating to Charlotte County; amending section 1(1) of chapter 70-625, Laws of Florida, as amended, relating to Charlotte County South Volunteer Fire Department; altering the district boundary lines; providing for a referendum.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 759 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**SB 1193**—A bill to be entitled An act relating to Volusia County; creating and establishing a local government study commission in Volusia County to study the structures, functions and operations of all governmental units and bodies located in the "Halifax Area," as defined by said act, to determine the need, if any, for unification of services, separation, annexation, removal or other revision of any or all of the governmental structures, functions and operations within the Halifax Area, and to determine whether tax savings can be made and whether efficiency can be gained through the revision of such structures, services, functions and operations; providing that said commission may draft a plan or plans for the solution of problems disclosed as a result of such study and submit the same to the members of the Florida Legislature whose election districts include any portion of the Halifax Area, and/or to the Volusia County Council or municipal governing bodies for enactment or implementation of said plan or plans; providing for the number, qualification and method of appointment of the members of such commission; providing for the terms of office and method of filling vacancies on said commission; providing for the powers, functions and duties of said commission; providing for the appropriation of funds from Volusia County for the use by such commission; providing for the cost of the administration from local governmental sources of such commission and for the share to be contributed by each participating municipality; providing for the payment of costs of operation, use, accounting and disbursement of funds of said commission; authorizing the City of Daytona Beach, City of Daytona Beach Shores, City of Holly Hill, Town of Ponce Inlet, City of Port Orange, City of Ormond Beach, City of South Daytona and County of Volusia to make contributions of money, goods, services, supplies, equipment or facilities toward the administration and operation of said commission; repealing laws in conflict herewith; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote SB 1193 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Gordon	Jenne	Maxwell	Scott
Grant	Jennings	McPherson	Stuart
Grizzle	Johnston	Meek	Thomas
Hair	Kirkpatrick	Myers	Thurman
Henderson	Langley	Neal	Vogt
Hill	Mann	Rehm	Weinstein

Nays—None

#### SPECIAL ORDER, continued

**CS for SB 50**—A bill to be entitled An act relating to hospitals; adding s. 395.011(7), Florida Statutes, 1982 Supplement; prohibiting a hospital or ambulatory surgical center from denying staff membership or clinical privileges to a physician or an osteopathic physician solely because of refusal to perform abortions or euthanasia; providing an effective date.

—was read the second time by title.

Senators Grizzle, Frank, Meek, Margolis, Castor, Fox and Gordon offered the following amendment which was moved by Senator Grizzle and adopted:

**Amendment 1**—On page 1, line 20, after “euthanasia” insert: or is willing to perform abortions.

Senators Dunn and Vogt offered the following amendment which was moved by Senator Dunn and adopted:

**Amendment 2**—On page 1, strike all of lines 19 and 20, and insert under Chapter 458 or Chapter 459 because the physician refuses, on the grounds of his religious, moral or ethical beliefs, to perform abortions or euthanasia.

Senator Langley moved the following amendment:

**Amendment 3**—On page 1, line 20, after “euthanasia” insert: or, with respect to public hospitals only, is willing to perform abortion

On motion by Senator Langley, further consideration of CS for SB 50 with pending amendment was deferred.

On motion by Senator Barron, the rules were waived and time of adjournment was extended until completion of SB 168.

On motion by Senator Thomas, the rules were waived and the Committee on Commerce was granted permission to consider Senate Bills 1048 and 1058 on May 17.

#### The President presiding

**SB 168**—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002(4), Florida Statutes, authorizing optometrists to use and prescribe noncontrolled prescription drugs in the practice of optometry; providing an effective date.

—was read the second time by title.

The Committee on Commerce recommended the following amendment which was moved by Senator Thomas and failed:

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

Section 463.0135, Florida Statutes, is created to read:

463.0135 Standards of Practice for Licensed Optometrists.—

(1) An optometrist shall not use or perform any technique, function, or mode of treatment which the optometrist is not professionally competent to perform. Professional competence as used in this section, may be acquired by formal education, supervised training and experience, or an appropriate combination of such means.

(2) An optometrist shall provide that degree of care which is full and complete, consistent with the patient conditions presented, the professional competency of the optometrist, and the scope of practice of optometry. An optometrist shall advise or assist his patient in obtaining further care when, in the professional judgment of the optometrist, the service of another health care practitioner is required.

(a) Prescribing of systemic drugs by optometrists is prohibited except in consultation with a physician licensed under chapter 458. The use of lasers by optometrist is prohibited.

(b) An optometrist diagnosing angle closure, infantile, or congenital forms of glaucoma shall refer the patient to a physician skilled in diseases of the eye and who is licensed under Chapters 458 or 459.

(c) An optometrist employing steroids in patient care shall consult with a physician who is licensed under Chapter 458 or 459, whenever in the opinion of the optometrist, the condition for which the steroids are being employed is not responding to the selected treatment.

(d) Prior to employing 10 percent phenylephrine hydrochloride in patient care, an optometrist must have received prior approval of the Board which shall be granted only upon successful completion of training in life-sustaining emergency medical procedures addressed to the side effects of this particular pharmaceutical agent.

(e) When, in the professional judgment of the optometrist an infectious corneal disease condition has not responded to standard methods of treatment within the scope of optometric practice, the optometrist shall consult with a physician who treats diseases of the eye and who is licensed under Chapters 458 or 459.

(f) An optometrist may employ noncontrolled oral analgesics for relief of severe pain associated with eye trauma for a period not to exceed 48 hours before consultation with a physician licensed under Chapters 458 or 459.

(3) In determining the professional competence of licensed optometrists to prescribe legend drugs in the practice of optometry, the Board shall consider the following qualifications:

(a) Successful completion of at least 96 clock hours of approved transcript coursework and clinical training in general and ocular pharmacology, or the equivalent of such coursework and clinical training as determined by the Board; and

(b) Successful completion of an additional 6 or more clock hours of approved coursework of transcript quality in ocular pharmacology during each succeeding licensure biennium. The optometrist must direct the school or college of optometry or equivalent educational entity to forward proof to the Board that the optometrist achieved a passing grade in the coursework. Successful completion of the qualifications set forth in subsections (a) and (b) above, shall create a rebuttable presumption that a licensed optometrist is professionally competent to prescribe legend drugs in the practice of optometry.

(4) As used in this section the term, “legend drug,” “approved transcript coursework,” “transcript quality,” and “clock hours” shall be defined as follows:

(a) The term “legend drug” refers to substances which are required by federal or state law to be dispensed only on prescription. Controlled substances, as defined in Chapter 893, are expressly excluded from the definition of “legend drug.”

(b) The term “approved transcript coursework” refers to academic instruction and testing provided by those schools and colleges having facilities for both didactic and clinical instruction in pharmacology, which have been accredited by a regional or professional accrediting organization that is recognized and approved by the Council on Post-secondary Accreditation or the United States Office of Education.

(c) The term “transcript quality” refers to a course which is in conjunction with or sponsored by a school or college of optometry or equivalent educational entity as approved by the Board and which requires a test and passing grade.

(d) The term “clock hours” refers to actual time engaged in approved coursework and clinical training.

(Renumber subsequent section.)

The Committee on Education recommended the following amendment which was moved by Senator Gordon:

**Amendment 2**—On page 1, line 11, strike everything after the enactment clause and insert:

Section 1. Subsection (1) of section 463.001, Florida Statutes, is amended to read:

463.001 Purpose; legislative findings; intent.—

(1) The Legislature finds that the *practices* ~~practice~~ of optometry

and board certified optometry are is declared a health care professions profession. Unskilled and incompetent practitioners present a danger to the public health and safety. The Legislature finds further that it is difficult for the public to make an informed choice when selecting a licensed practitioner ~~an optometrist~~ and that the consequences of a wrong choice could seriously endanger the public health and safety. The Legislature declares that the only way to protect the public from the incompetent practice of optometry and board certified optometry is through the establishment of minimum qualifications for entry into the profession and through swift and effective discipline for those practitioners who violate the law.

Section 2. Subsection (4) of section 463.002, Florida Statutes, is amended and present subsection (5) of said section is renumbered as subsection (9), and new subsections (5), (6), (7), and (8) are added to said section to read:

463.002 Definitions.—As used in this chapter:

(4) "Optometry" means the diagnosis of the human eye and its appendages; the employment of any objective or subjective means or methods for the purpose of determining the refractive powers of the human eyes, or any visual, muscular, neurological, or anatomic anomalies of the human eyes and their appendages; and the prescribing and employment of lenses, prisms, frames, mountings, contact lenses, orthoptic exercises, light frequencies, and any other means or methods for the correction, remedy, or relief of any insufficiencies or abnormal conditions of the human eyes and their appendages. *An optometrist may, for the purpose of glaucoma examinations, use topically applied anesthetics which require a prescription but is otherwise prohibited from using or prescribing medicinal drugs in the practice of optometry.*

(5) "Board certified optometrist" means a person who is licensed to engage in the practice of board certified optometry in this state under the authority of this chapter.

(6) "Board certified optometry" means, in addition to the practice of optometry, the administration, use and prescribing of noncontrolled authorized medicinal drugs that relate to the scope of such practice.

(7) "Authorized medicinal drugs" means:

- (a) Any topically applied ophthalmic drug;
- (b) Any systemic drug listed in the formulary of authorized systemic medicinal drugs as provided for in section 463.0055; or
- (c) Any emergency drug as provided for in section 463.0057.

*Drug products or preparations containing controlled substances shall not be included in this definition under any circumstances.*

(8) "Licensed practitioner" means an optometrist or board certified optometrist

Section 3. Subsection (2) of section 463.003, Florida Statutes, is amended to read:

463.003 Board of Optometry.—

(2) Five members of the board shall be licensed practitioners, at least four of which shall be board certified optometrists, in good standing in this state, and the remaining two members shall be citizens of the state who are not, nor have ever been, licensed practitioners ~~optometrists~~ and who are in no way connected with the practice of optometry or board certified optometry.

Section 4. Section 463.005, Florida Statutes, is amended to read:

463.005 Authority to make rules.—The Board of Optometry is authorized to make such rules not inconsistent with law as may be necessary to carry out the duties and authority conferred upon the board by this chapter and as may be necessary to protect the health, safety, and welfare of the public. Such rules shall include, but not be limited to, rules relating to:

(1) Standards ~~A standard~~ of practice for licensed practitioners ~~optometrists~~.

(2) Minimum equipment which a licensed practitioner ~~an optometrist~~ shall at all times possess to engage in the practice of optometry or board certified optometry.

(3) Procedures for transfer of prescription files or case records upon the going out of business of a licensed practitioner ~~an optometrist~~.

Section 5. Section 463.0055, Florida Statutes, is created to read:

463.0055 Authorized systemic medicinal drug formulary.—

(1) The Board of Optometry, in consultation with the Board of Pharmacy, shall establish, by nonemergency rule, a formulary of authorized systemic medicinal drugs that relates to the scope of practice of board certified optometry. Upon adoption, the Executive Director of the Board of Optometry shall by certified mail, transmit a verified copy of the rule to the Executive Director of the Board of Pharmacy. Notwithstanding any provision of chapter 120 to the contrary, the formulary rule shall become effective 60 days from the date it is filed with the Secretary of the State, unless the Board of Pharmacy, pursuant to notice as provided for in section 120.54, holds a hearing within 30 days from its receipt of the rule, at which hearing the Board of Pharmacy rejects the rule, in whole or in part. If the Board of Pharmacy rejects the rule in whole or in part, the Board of Optometry shall transmit notice to the Secretary of State of the withdrawal of that portion of the rule rejected.

(2) The formulary may be added to or deleted from according to the procedure described in subsection (1). Any person who requests an inclusion, addition, or deletion of an authorized systemic medicinal drug shall have the burden of proof to show cause why such inclusion, addition, or deletion should be made.

(3) The drugs listed on the formulary shall be limited to the following classes of drugs: analgesics, antibiotics, antifungals, antihistamines, carbonic anhydrase inhibitors, nonsteroidal antiinflammatory agents, and oral hyperosmotic agents. No drug shall be listed on the formulary that would pose a threat to the health or safety of patients receiving treatment from a board certified optometrist.

(4) Upon adoption of the formulary required by this section, and upon each addition, deletion, or modification to the formulary, the Board of Optometry shall mail a copy of the amended formulary to each board certified optometrist and to each pharmacy licensed by the state.

Section 6. Section 463.0057, Florida Statutes, is created to read:

463.0057 Emergency medication kits.—

(1) Other provisions of chapter 465, or chapter 500 to the contrary notwithstanding, each board certified optometrist shall maintain an emergency medication kit for the purpose of storing medicinal drugs to be administered to patients under emergency conditions.

(2) The Board of Optometry, in consultation with the Board of Pharmacy, shall adopt rules according to the procedure described in subsection (1) of section 463.0055 to implement this section, including, but not limited to, rules which:

(a) Define "emergency medication kit."

(b) Describe the medicinal drugs eligible to be placed in emergency medication kits.

(c) Establish requirements for the storing of medicinal drugs in emergency medication kits and the maintenance of records with respect thereto.

(d) Establish requirements for the administration of medicinal drugs to patients under emergency conditions from emergency medication kits.

(e) Establish minimum training requirements, including cardiopulmonary resuscitation, for the licensed practitioner to maintain an emergency medication kit.

Section 7. Subsections (1) and (3) of section 463.006, Florida Statutes, are amended to read:

463.006 Licensure by examination.—

(1) Any person desiring to be a licensed practitioner ~~as an optometrist~~ shall apply to the department to take the licensure examination. The department shall examine each applicant who the board certifies has:

(a) Completed the application form and remitted an examination fee not to exceed \$250 as set by the board.

(b) Submitted proof satisfactory to the department that he is 18 years of age or over and a graduate of an accredited school or college of optometry approved by rule of the board. *An applicant for licensure as a board certified optometrist shall have successfully completed at least 96 hours of approved transcript quality coursework and clinical training in general and ocular pharmacology, as determined by the board. However, no course in pharmacology shall be approved by the board unless the course is conducted by an institution which has facilities for both the didactic and clinical instruction in pharmacology and which is accredited by a regional or professional accrediting organization that is recognized and approved by the Council on Postsecondary Accreditation or the United States Department of Education. An applicant for licensure as a board certified optometrist shall be certified in cardiopulmonary resuscitation.*

(3) Each applicant who successfully passes the examination and meets the requirements of this chapter shall be entitled to be licensed as an optometrist or board certified optometrist.

Section 8. Paragraph (a) of subsection (5) of section 463.007, Florida Statutes, is amended to read:

463.007 Renewal of license; periodic demonstration of competency.—

(5)(a) Unless otherwise provided by law, the board may require licensees to periodically demonstrate their professional competence, as a condition of renewal of a license, by completing up to 30 hours of continuing education every 2 years. *Board certified optometrists shall successfully complete 6 or more hours of approved transcript quality coursework in ocular pharmacology every 2 years prior to license renewal.*

Section 9. Section 463.009, Florida Statutes, is amended to read:

463.009 Supportive personnel.—No person other than a licensed practitioner optometrist may engage in the practice of optometry or board certified optometry, except that a licensed practitioner optometrist may delegate to nonlicensed supportive personnel those duties, tasks, and functions which do not fall within the purview of s. 463.002(4) or (6). All such delegated acts shall be performed under the direct supervision of a licensed practitioner optometrist who shall be responsible for all such acts performed by persons under his supervision.

Section 10. Section 463.011, Florida Statutes, is amended to read:

463.011 Exhibition of license; prerequisite to occupational license.—Each person to whom a license is issued by the department shall keep said license conspicuously displayed in his office or place of business and shall, whenever required, exhibit said license to any member or authorized representative of the department. It is unlawful for any licensing agency, whether state, county, or municipal, to issue an occupational license to practice optometry or board certified optometry unless the applicant shall first exhibit to such official a current license issued by the Department of Professional Regulation showing that the applicant is qualified in all regards to practice optometry or board certified optometry in accordance with the terms of this chapter.

Section 11. Section 463.012, Florida Statutes, is amended to read:

463.012 Prescriptions; filing; duplication.—

(1) A licensed practitioner optometrist shall keep on file for a period of at least 2 years any optical prescription he writes.

(2) A licensed practitioner An optometrist shall, upon request by a patient or his agent, make available a duplicate copy of any original optical prescription less than 2 years old. Any duplicate optical prescription shall be considered a valid prescription to be filled for a period of 2 years from the date of the original optical prescription.

(3) *This section does not apply to prescriptions written for medicinal drugs.*

Section 12. Section 463.013, Florida Statutes, is amended to read:

463.013 Optometric services for certain public agencies.—Any agency of the state or county or any commission, clinic, or board administering relief, social security, health insurance, or health service under the laws of the state shall accept the services of optometrists licensed practitioners in this state for the purposes of diagnosing and correcting any and all visual, muscular, neurological, and anatomic anomalies of the human eyes and their appendages of any persons under the jurisdiction of said agency, clinic, commission, or board administering such relief, social

security, health insurance, or health service, on the same basis, and on a parity with any other person authorized by law to render similar professional service, when such services are needed, and shall pay for such services in the same way as other professionals may be paid for similar services.

Section 13. Section 463.0135, Florida Statutes, is created to read:

463.0135 Standards of practice.—

(1) A licensed practitioner shall not use or perform any technique, function, or mode of treatment which the licensed practitioner is not professionally competent to perform. Professional competence, for purposes of this section, may be acquired by formal education, supervised training and experience, continuing education programs approved by the board, or by an appropriate combination of such means.

(2) A licensed practitioner shall provide that degree of care which is full and complete and is consistent with the patient conditions presented, the professional competency of the licensed practitioner, and his scope of practice. A licensed practitioner shall advise or assist his patient in obtaining further care when, in the professional judgment of the licensed practitioner, the service of another health care practitioner is required.

(3) The use of laser devices by licensed practitioners to perform surgery is prohibited.

(4) A licensed practitioner diagnosing angle closure, infantile, or congenital forms of glaucoma shall refer the patient to a physician skilled in diseases of the eye and who is licensed under chapter 458 or chapter 459.

(5) A board certified optometrist employing topical steroids in patient care shall consult with a physician who is licensed under chapter 458 or chapter 459 whenever, in the opinion of the board certified optometrist, the condition for which the topical steroids are being employed is not responding to the selected treatment.

(6) Prior to employing 10 percent phenylephrine hydrochloride in patient care, a board certified optometrist shall have received prior approval of the board, which approval shall be granted only upon successful completion of training in life-sustaining emergency medical procedures addressed to the side effects of the particular pharmaceutical agent.

(7) When, in the professional judgment of the board certified optometrist, an infectious corneal disease condition has not responded to standard methods of treatment within the scope of optometric practice, the board certified optometrist shall consult with a physician who treats diseases of the eye and who is licensed under chapter 458 or chapter 459.

(8) A board certified optometrist may employ noncontrolled oral analgesics for relief of severe pain associated with eye trauma for a period not to exceed 48 hours before consultation with a physician licensed under chapter 458 or chapter 459.

Section 14. Section 463.014, Florida Statutes, is amended to read:

463.014 Certain acts prohibited.—

(1) Except as otherwise provided in this section:

(a) No licensed practitioner optometrist shall practice or attempt to practice under a name other than his own or under the name of a professional association. No licensed practitioners optometrist shall practice under the name of any company, corporation, trade name, business name, or other fictitious entity.

(b) No corporation, lay body, organization, or individual other than a licensed practitioner optometrist shall engage in the practice of optometry or board certified optometry through the means of engaging the services, upon a salary, commission, or other means or inducement, of any person licensed practitioner to practice optometry in this state.

(c) No licensed practitioner optometrist shall engage in the practice of optometry or board certified optometry with any organization, corporation, group, or lay individual. This provision shall not prohibit licensed practitioners optometrists from employing, or from forming partnerships or professional associations with licensed practitioners optometrists licensed in this state.

(d) No rule of the board shall forbid the practice of optometry or board certified optometry in or on the premises of a commercial or mercantile establishment.

(2) A corporation or labor organization may employ *licensed practitioners optometrists* to provide optometric services to bona fide employees of such corporation and members of their immediate families or to bona fide members of such labor organization and members of their immediate families, provided that the provision of such services is incidental to the legitimate business or other lawful purposes of such corporation or labor organization. This section shall not be deemed to authorize the employment of *licensed practitioners optometrists* by corporations or organizations formed primarily for such purposes unless such corporation or organization is licensed under part I of chapter 641.

Section 15. Subsection (1) of section 463.015, Florida Statutes, is amended to read:

463.015 Violations and penalties.—

(1) No person shall:

(a) Practice optometry or board certified optometry unless the person holds an active license for that class of practice pursuant to this act;

(b) Use the name or title "optometrist" or "board certified optometrist" when the person has not been licensed for that class of practice pursuant to this act;

(c) Present as his own the license of another;

(d) Give false or forged evidence to the board or a member thereof for the purpose of obtaining a license;

(e) Use or attempt to use a license to practice optometry or board certified optometry which has been suspended or revoked;

(f) Knowingly employ unlicensed persons in the practice of optometry or board certified optometry; or

(g) Knowingly conceal information relative to violations of this chapter.

Section 16. Section 463.016, Florida Statutes, is amended to read:

463.016 Grounds for disciplinary action; action by the board.—

(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(a) Procuring or attempting to procure a license to practice optometry or board certified optometry by bribery, by fraudulent misrepresentations, or through an error of the department or board.

(b) Procuring or attempting to procure a license for any other person by making or causing to be made any false representation.

(c) Having a license to practice optometry or board certified optometry revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another jurisdiction.

(d) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of optometry or board certified optometry or to the ability to practice optometry or board certified optometry.

(e) Making or filing a report or record which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to do so. Such reports or records shall include only those which are signed by the licensee in his capacity as a licensed practitioner optometrist.

(f) Advertising goods or services in a manner which is fraudulent, false, deceptive, or misleading in form or content.

(g) Fraud or deceit, negligence or incompetency, or misconduct in the practice of optometry or board certified optometry.

(h) A violation or repeated violations of provisions of this chapter, or of chapter 455, and any rules promulgated pursuant thereto.

(i) Conspiring with another licensee or with any person to commit an act, or committing an act, which would coerce, intimidate, or preclude another licensee from lawfully advertising his services.

(j) Willfully submitting to any third-party payor a claim for services which were not provided to a patient.

(k) Failing to keep written optometric records about the examinations, treatments, and prescriptions for patients.

(l) Willfully failing to report any person who the licensee knows is in violation of this chapter or of rules of the department or the board.

(m) Exercising influence on the patient in such a manner as to exploit the patient for financial gain of the licensee or of a third party.

(n) Gross or repeated malpractice.

(o) Practicing with a revoked, suspended, or inactive license.

(p) Being unable to practice optometry or board certified optometry with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition. A licensed practitioner An optometrist affected under this paragraph shall at reasonable intervals be afforded an opportunity to demonstrate that he can resume the competent practice of optometry or board certified optometry with reasonable skill and safety to patients.

(q) Having been disciplined by a regulatory agency in another state for any offense that would constitute a violation of Florida laws or rules regulating optometry or board certified optometry.

(r) Violating any provision of s. 463.015.

(s) Violating any lawful order of the board or department, previously entered in a disciplinary hearing, or failing to comply with a lawfully issued subpoena of the board or department.

(t) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities which the licensee knows or has reason to know he is not competent to perform.

(2) When the board finds any person guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Refusal to certify to the department an application for licensure.

(b) Revocation or suspension of a license.

(c) Imposition of an administrative fine not to exceed \$1,000 for each count or separate offense.

(d) Issuance of a reprimand.

(e) Placement of the licensed practitioner optometrist on probation for a period of time and subject to such conditions as the board may specify, including requiring the licensed practitioner optometrist to submit to treatment, to attend continuing education courses, or to work under the supervision of another licensed practitioner optometrist.

(3) The board shall not reinstate the license of a licensed practitioner an optometrist, or cause a license to be issued to a person it has deemed unqualified, until such time as it is satisfied that he has complied with all the terms and conditions set forth in the final order and that such person is capable of safely engaging in the practice of optometry or board certified optometry.

Section 17. Section 463.018, Florida Statutes, is amended to read:

463.018 Reciprocity.—In order to ensure that optometrists licensed practitioners in this state may be considered for licensure in other states, the board may enter into reciprocity agreements with other states.

Section 18. This act shall take effect July 1, 1983 or upon becoming a law, whichever occurs later.

The Committee on Education recommended the following amendment to Amendment 2 which was moved by Senator Vogt:

**Amendment 2A**—On page 2, strike all of lines 4-17 and insert:

(4) "Optometry" means the diagnosis of the human eye and its appendages; the employment of any objective or subjective means or methods for the purpose of determining the refractive powers of the human eyes, or any visual, muscular, neurological, or anatomic anomalies of the human eyes and their appendages; and the prescribing and employment of lenses, prisms, frames, mountings, contact lenses, orthoptic exercises, light frequencies, and any other means or methods for the correction, remedy, or relief of any insufficiencies or abnormal conditions

of the human eyes and their appendages. *An optometrist may only use topically applied ophthalmic preparations for nontherapeutic purposes and such use is limited to the following preparations:*

- (a) *Topical anesthetics for the measurement of intraocular pressure;*
- (b) *Reagent dyes;*
- (c) *Pure mydriatics; and*
- (d) *Cycloplegics.*

*Optometrists shall not perform surgery or utilize destructive light frequencies or intensities. Nothing herein shall prohibit an optometrist from prescribing soft or hard contact lenses for the correction of optical errors.*

(Renumber subsequent section.)

Senator Rehm moved the following substitute amendment for Amendment 2A which was adopted:

**Amendment 2B**—On page 6, strike all of lines 20-23 and insert: *optometrists shall have successfully completed at least 110 hours of approved transcript quality coursework and clinical training in general and ocular pharmacology, as determined by the board and at least 1500 hours or 6 months of supervised experience in differential diagnosis of eye disease or disorders either as part of the optometric training or through on-the-job experience. However, no course in pharmacology shall be*

The vote was:

Yeas—20

Mr. President	Grant	Langley	Meek
Barron	Henderson	Mann	Neal
Beard	Hill	Margolis	Plummer
Childers, W. D.	Jenne	Maxwell	Rehm
Gersten	Kirkpatrick	McPherson	Thomas

Nays—15

Carlucci	Girardeau	Jennings	Thurman
Castor	Gordon	Johnston	Vogt
Crawford	Grizzle	Myers	Weinstein
Dunn	Hair	Stuart	

#### PAIR

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

I am paired with Senator Fox on Amendment 2B to SB 168. If she were present she would vote "yea" and I would vote "nay."

*Pat Frank, 23rd District*

Senator Jenne moved the following amendment to Amendment 2 which was adopted:

**Amendment 2C**—On page 8, strike lines 27 and 28 and insert:

(3) *Subsections (1) and (2) do not apply to prescriptions written for medicinal drugs.*

(4) *A board certified optometrist shall be issued a prescriber number by the board. Any prescription written by a board certified optometrist for an authorized medicinal drug, as defined in s. 463.002(7), shall have the prescriber number printed thereon*

Senator Myers moved the following amendment to Amendment 2 which failed:

**Amendment 2D**—On page 6, line 12, after the period (.) insert: *There shall be a separate examination for licensure as an optometrist and for licensure as a board certified optometrist.*

Senator Jennings moved the following amendment to Amendment 2 which was adopted:

**Amendment 2E**—On page 10, between lines 4 and 5, insert:

(3) *Optometrists are prohibited from performing surgery; provided, however, that optometrists may remove extraocular foreign bodies from the eye and its appendages, and perform similar or related acts.*

(Renumber subsequent subsections.)

Senator Girardeau moved the following amendment to Amendment 2 which failed:

**Amendment 2F**—On page 2, strike all of lines 27-31

Senator Hair moved the following amendment to Amendment 2 which was adopted:

**Amendment 2G**—On page 9, lines 30 and 31, strike "the professional competency of the licensed practitioner, and his scope of practice" and insert: *and which conforms to that level of care provided by medical practitioners in the same or similar communities.*

The vote was:

Yeas—17

Mr. President	Crawford	Jennings	Vogt
Beard	Dunn	Johnston	Weinstein
Carlucci	Girardeau	Myers	
Castor	Grizzle	Stuart	
Childers, W. D.	Hair	Thurman	

Nays—16

Barron	Jenne	Margolis	Neal
Gersten	Kirkpatrick	Maxwell	Plummer
Henderson	Langley	McPherson	Rehm
Hill	Mann	Meek	Thomas

Vote after roll call:

Yea—Grant

#### PAIR

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

I am paired with Senator Fox on Amendment 2G to SB 168. If she were present she would vote "nay" and I would vote "yea."

*Pat Frank, 23rd District*

Amendment 2 as amended was adopted.

Senator Thomas moved the following amendment which was adopted:

**Amendment 3**—On page 16, lines 18 and 19, strike "July 1, 1983 or upon becoming a law, whichever occurs later" and insert: *October 1, 1983*

The Committee on Commerce recommended the following amendment which was moved by Senator Thomas and failed:

**Amendment 4**—In title, on page 1, line 6, after the semicolon (;) insert: *creating s. 463.0135, Florida Statutes; prescribing standards of practice for optometrists;*

The Committee on Education recommended the following amendment which was moved by Senator Gordon and adopted:

**Amendment 5**—In title, on page 1, strike all of lines 3-7 and insert: *authorizing board certified optometrists to administer, use, and prescribe authorized medicinal drugs in the practice of board certified optometry; amending s. 463.001(1), Florida Statutes, providing intent; amending s. 463.002(4), Florida Statutes, renumbering s. 462.002(5) and adding new subsections (5), (6), (7), and (8) to said section, providing definitions; amending s. 463.003(2), Florida Statutes, providing for membership of the Board of Optometry; amending s. 463.005, Florida Statutes, providing authority to make rules; creating s. 463.0055, Florida Statutes, providing for adoption of authorized systemic medicinal drug formulary; creating s. 463.0057, Florida Statutes, providing for emergency medication kits; amending s. 463.006(1), (3), Florida Statutes, providing licensure requirements for optometrists and board certified optometry; amending s. 463.007(5)(a), Florida Statutes, providing for renewal of license; amending s. 463.009, Florida Statutes, providing for supportive personnel; amending s. 463.011, Florida Statutes, providing for exhibition of license; amending s. 463.012, Florida Statutes, providing for filing of*

optical prescriptions and making duplicate copies available upon request; amending s. 463.013, Florida Statutes, providing for optometric services to public agencies; creating s. 463.0135, Florida Statutes, providing for standards of practice for optometrists and board certified optometrists; amending s. 463.014, Florida Statutes, providing for prohibition of certain acts; amending s. 463.015(1), Florida Statutes, specifying violations; amending s. 463.016, Florida Statutes, providing grounds for disciplinary action and penalties; amending s. 463.018, Florida Statutes, providing for reciprocity; providing an effective date.

On motion by Senator Thomas, by two-thirds vote SB 168 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—19

Barron	Henderson	Mann	Plummer
Beard	Hill	Margolis	Rehm
Childers, W. D.	Jenne	McPherson	Thomas
Gersten	Kirkpatrick	Meek	Thurman
Grant	Langley	Neal	

Nays—15

Mr. President	Dunn	Jennings	Stuart
Carlucci	Girardeau	Johnston	Vogt
Castor	Grizzle	Maxwell	Weinstein
Crawford	Hair	Scott	

**PAIRS**

The following pairs were announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Malchon on SB 168. If she were present she would vote "yea" and I would vote "nay."

*Jack Gordon, 35th District*

I am paired with Senator Don Childers on SB 168. If he were present he would vote "yea" and I would vote "nay."

*William G. Myers, 27th District*

I am paired with Senator Fox on SB 168. If she were present she would vote "yea" and I would vote "nay."

*Pat Frank, 23rd District.*

On motion by Senator Thomas, the rules were waived and SB 168 after being engrossed was ordered immediately certified to the House.

Senator Maxwell announced cancellation of the meeting of the Ad Valorem Taxation Subcommittee of the Finance, Taxation and Claims Committee May 16.

On motion by Senator McPherson, the rules were waived and by two-thirds vote SB 886 was also referred to the Committee on Judiciary-Civil.

On motion by Senator Barron, the rules were waived and by two-thirds vote CS for SB 435 was withdrawn from the Committee on Education.

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of May 11 was corrected and approved.

**CO-INTRODUCERS**

Senator McPherson—CS for SB 56; Senator Girardeau—SB 240; Senator Maxwell—SB 658; Senator Rehm—Senate Bills 767, 954, 1017; Senators Girardeau and Mann—SB 1017

Senator Barron moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Tuesday, May 17, at 2:00 p.m. The motion was adopted.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:37 p.m. to reconvene at 2:00 p.m., Tuesday, May 17.