



Journal of the Senate

Number 19

Tuesday, May 17, 1983

BILL ACTION SUMMARY

Tuesday, May 17, 1983

- H 73 Passed
- H 270 Passed
- H 437 Passed
- H 472 Refused to recede, requests House to concur
- H 868 Passed
- H 869 Passed, immediately certified
- H 923 Passed as amended, immediately certified
- H 1150 Passed
- S 44 Immediately certified
- S 50 Amendments reconsidered, withdrawn, C/S passed as amended
- S 114 Companion bill passed; refer to C/S HB 73
- S 169 Passed as amended
- S 175 C/S passed
- S 176 Companion bill passed; refer to HB 270
- S 295 Companion bill passed; refer to HB 437
- S 297 Concurred, passed as amended
- S 310 C/S passed as amended
- S 358 C/S passed
- S 359 Passed
- S 452 C/S passed
- S 482 Companion bill passed; refer to HB 1150
- S 489 C/S passed as amended
- S 511 Passed as amended
- S 589 Passed as amended
- S 619 Passed as amended
- S 695 C/S passed as amended
- S 812 C/S passed as amended
- S 842 Passed, immediately certified
- S 843 Passed, immediately certified
- S 844 Passed, immediately certified
- S 845 Passed, immediately certified
- S 846 Companion bill passed; refer to HB 869
- S 847 Passed, immediately certified
- S 872 Passed, immediately certified
- S 873 Passed, immediately certified
- S 921 Passed as amended
- S 924 Passed, immediately certified
- S 929 C/S passed as amended
- S 1114 C/S passed as amended
- S 1186 Adopted
- S 1188 Adopted
- S 1195 Placed on Calendar

The Senate was called to order by the President at 2:00 p.m. A quorum present—40:

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

Excused: Senator Barron periodically

Prayer by the Rev. Mark Hodges, Pastor, Winter Haven Baptist Church:

Our most gracious Heavenly Father, we come to you in prayer today, Lord, thanking you for the many blessings you've bestowed upon us and we're thankful for the blessing of this wonderful day. And, Lord, we think of the blessing and our gratitude toward you and our indebtedness to you; think of how you sent your son to die on the cross for us, for our sins and, Lord, if we will only acknowledge our trespasses and call upon your name, we can have eternal life. Lord, I pray that if there is someone who has not acknowledged this today, I pray that they will do so. Lord, we think of those who are here that know you in a personal way. I pray you would bless their lives and I pray you would help us to be the Christians we ought to be. Lord, help us to have the type of testimony that would not cause harm to the cause of Christ and to your name, but, Lord, help us to have the type of testimony that would cause others to want to have what we have also. And, Lord, our thoughts today are thinking of and realizing that all wisdom comes from thee on high, and, Lord, we think of this Senate session today. I pray you would bless these men and these women as they are in session today. I pray that you would give them the wisdom and, Lord, the knowledge that they need in order to take care of the problems or the situations that shall arise and, Lord, I pray that you would give them the answers for everything. I pray that you would forgive us where we've failed you, Lord. Help us to be a shining light for thee for we ask it all in Jesus' name. Amen.

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

Votes Recorded

Senator Fox was recorded as voting yea on the following which were considered May 13: CS for SB 1155, CS for SB 166, CS for SB 188, CS for SB 44, CS for SB 1077; House Bills 78, 986, 1250, 1173, 980, 232, 235, 300, 337, 360, 386, 385, 389, 458, 469, 476, 508, 515, 569, 590, 619, 707, 712, 713, 714, 716, 717, 730, 731, 732, 759; Senate Bills 242, 1182, 1184, 1190, 1165, 1162, 1193; Amendments 2 and 3 to CS for CS for SB 40, CS for CS for SB 40.

REPORTS OF COMMITTEES

The Committee on Economic, Community and Consumer Affairs recommends that the Senate confirm the following appointments made by the Governor to the Board of Dentistry for terms ending February 7, 1987:

Diana W. Dartland, Miami

W. Edward Gonzalez, Jr., Brandon

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

The Committee on Economic, Community and Consumer Affairs advised that the appointment of Joan Heggen, Tallahassee, as Secretary of Community Affairs would not be considered inasmuch as she had been replaced by another appointee.

The Committee on Agriculture advised that the appointment of C. D. Newbern, Tampa, to the Florida Citrus Commission would not be considered inasmuch as he had resigned from the Commission.

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, May 17, 1983: HB 868, SB 846, SB 844, SB 847, SB 843, SB 842, SB 873, SB 924, SB 872, SB 845, SB 619, SB 169, CS for SB 175, CS for CS for SB 489, CS for SB 695, CS for CS for SB 1114, SB 589, SB 693, CS for SB 285, SB 694, SB 359, SB 921, CS for SB 929, 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 482, 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, SJR 235, SB 234, SCR 713, CS for SB 854, CS for SB 274, CS for SB 87, CS for SB 462 and 794, SB 793, SB 632, SB 595, SB 782

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Finance, Taxation and Claims recommends the following pass: SB 1176

The bill was referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Finance, Taxation and Claims recommends the following pass: SB 42 with 1 amendment, SB 55 with 1 amendment, HB 121 with 2 amendments, HB 247, HB 1114, HB 1141, HB 1142, CS for Senate Bills 609 and 769, SB 815 with 3 amendments, SB 825

The bills were placed on the calendar.

The Committee on Economic, Community and Consumer Affairs recommends committee substitutes for the following: SB 556, SB 729

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 980, SB 920, SB 1076, SB 1116

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 981

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 Economic, Community and Consumer Affairs recommends committee substitutes for the following: SB 539, SB 692, SB 1018

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 1150

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

REQUESTS FOR EXTENSION OF TIME

May 13, 1983

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for consideration of the following: SB 60, SB 480, SB 535, SB 604, SB 710, SB 750, SB 819, SB 828, SB 903, SB 1089, HB 63, HB 646

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The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: SB 5, SB 33, SB 53, SB 81, SB 82, SB 209, SB 2, SB 353, SB 422, SB 425

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: CS for SB's 6 and 18, SB 14, SB 20, SB 37, SB 71, SB 99, SB 100, SJR 101, SB 105, SB 106, SB 117, SJR 118, SB 119, SB 150, SB 155, SB 157, SB 161, SB 202, SB 204, CS for SB 221, CS for SB 229, SB 240, SB 287, SB 300, SB 317, SB 330, SB 333, SB 339, SB 386, SB 387, SB 392, SB 412, SB 427, SB 430, SJR 432, SB 445, SB 481, SB 495, SB 512, SJR 519, SB 571, SB 624, SB 629, SB 648, SJR 679, SB 707, SB 719, SJR 725, SB 731, SB 737, SB 772, SJR 791, SB 839, SB 841, SB 889, SB 895, SB 901, SB 937, SB 940, SB 945, SB 958, SB 972, SB 983, SB 990, SB 1009, SB 1020, SB 1026, CS for SB 1038, SJR 1059, SB 1061, SB 1068, SB 1100, SB 1119, SB 1127, SB 1164, CS for HB 97, HB 429, HB 1092

May 17, 1983

The Committee on Appropriations requests an extension of 15 days for consideration of the following: CS for SB 10, SB 23, SB 24, SB 28, SB 32, SB 35, CS for CS for SB 57, CS for SB 59, SB 67, CS for SB 88, SB 89, SB 90, SB 91, CS for SB 94, SB 98, SB 109, CS for SB 110, CS for SB 130, SB 133, CS for SB 139, CS for SB 164, SB 177, CS for SB 196, SB 199, SB 214, CS for SB 218, SB 228, SB 230, SB 233, SB 239, CS for SB 250, SB 258, CS for SB 260, CS for SB 262, SB 271, SB 288, SB 289, CS for SB 293, SB 304, CS for SB 305, SB 312, CS for SB 313, CS for SB 318, SB 321, SB 327, SB 329, CS for SB 337, SB 341, SB 343, SB 371, SB 372, SB 373, SB 378, CS for SB 435, SB 441, CS for SB 461, CS for SB 466, SB 467, CS for SB 476, SB 500, CS for SB 517, SB 521, SB 528, CS for SB 540, SB 546, CS for SB 555, CS for SB 558, SB 559, SB 572, SB 574, SB 593, SB 599, SB 607, SB 618, SB 622, CS for SB 626, CS for SB 636, CS for SB 644, SB 647, SB 650, SB 654, CS for SB 669, SB 690, CS for SB 705, CS for SB 718, CS for SB 739, SB 766, CS for SB's 773 and 814, CS for SB 777, SB 788, SB 798, SB 799, SB 826, CS for SB 827, SB 833, SB 835, CS for SB 849, CS for SB 866, CS for SB 915, SB 917, SB 922, SB

923, SB 936, SB 946, SB 949, SB 962, CS for SB 971, SB 974, CS for SB 976, SB 984, SB 989, CS for CS for SB 994, SB 995, SB 1006, SB 1011, SB 1013, SB 1021, SB 1029, SB 1033, SB 1044, SB 1045, CS for SB 1065, SB 1069, SB 1072, SB 1082, SB 1083, SB 1085, SB 1086, CS for SB 1090, SB 1094, SB 1095, SB 1105, SB 1107, SB 1108, SB 1115, SB 1120, SB 1124, SB 1140, SB 1149, CS for SB's 1152, 266, 888, 1039 and 1102, CS for HB's 32 and 49, HB 115, HB 191, HB 408, HB 1039

The Committee on Education requests an extension of 15 days for consideration of the following: SB 43, SB 48, SB 102, SB 134, SB 135, SB 136, SB 145, SB 146, SB 171, SB 189, SB 193, SB 217, SB 226, SB 276, SB 277, SB 284, SB 311, SB 322, SB 336, SB 407, SB 424, SB 440

The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: SB 494, SB 598, SB 643, SB 676, SB 727, SB 536, SB 797, SB 834, SB 837, SB 838, SB 885, SB 912, SB 913, SB 919, SB 948, SB 970, CS for SB 464, CS for SB 196, SB 1023, SB 1027, SB 1060, SB 1067, SB 1074, SB 1126, SB 1131, SB 1151, SB 295, SB 666, SB 674, CS for SB 418, SB 907, SB 344, SB 1178, SB 909, CS for SB 1137, SB 952, SB 926, CS for SB 716, CS for SB 446, SB 928, HB 648, HB 312, HB 150, SB 865, HB 248, HB 228

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: SB 61, SR 969, SR 979, SR 991, SB 570, CS for SB 1012

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The Committee on Agriculture requests an extension of 15 days for consideration of the following: SB 890, SB 911

The Committee on Education requests an extension of 15 days for consideration of the following: SB 465, SB 778, SB 785, SB 795, SB 809, SB 824, SB 836, SB 867, SB 869, SB 870, SB 874

On motions by Senator Grant, by two-thirds vote SR 1188 was withdrawn from the Committee on Rules and Calendar and taken up instantly.

SR 1188—A Senate resolution encouraging all schools to allow official representatives of military forces reasonable access to school facilities for career counseling purposes.

—was read the second time in full. On motion by Senator Grant, SR 1188 was adopted. The vote on adoption was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea— W. D. Childers, Gersten

All Senators were recorded as co-introducers of SR 1188.

The President presented to the Senate Dr. Lawrence J. Korb of Washington D.C., Assistant Secretary of Defense for Manpower, Reserve Affairs and Logistics.

Dr. Korb, in commemoration of the tenth anniversary of the all-volunteer defense force, addressed the Senate.

The President presented a copy of SR 1188 to Dr. Korb.

The President introduced Brigadier General Monteith, U.S. Army; Rear Admiral Lipscomb, U.S. Coast Guard; Colonels Palmer, Jewell, and Butts, U.S. Army; Captains Elizabeth Zierdt and Giorgio, U.S. Navy; Colonel Wortman, U.S. Air Force; Colonel Kelly, Florida National Guard; and Colonels Luken and Davis, U.S. Marine Corps, who were seated in the west gallery.

On motions by Senator Thomas, by two-thirds vote SR 1186 was withdrawn from the Committee on Rules and Calendar and taken up instantly.

SR 1186—A resolution designating Cynthia Gardner Taylor as the Teacher of the Year in the State of Florida.

—was read the second time in full. On motion by Senator Thomas, SR 1186 was adopted. The vote on adoption was:

Yeas—40

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

Nays—None

All Senators were recorded as co-introducers of SR 1186.

Senator Thomas moved that a committee be appointed to escort Cynthia Gardner Taylor, Florida Teacher of the Year, to the rostrum. The motion was adopted and the President appointed Senators Thomas and Grant. Mrs. Taylor addressed the Senate.

The President presented a copy of SR 1186 to Mrs. Taylor.

FIRST READING OF COMMITTEE SUBSTITUTES

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

CS for SB 539—A bill to be entitled An act relating to contracts for health studio services; amending s. 501.012(3), (6), and (8), Florida Statutes, renumbering subsections (7) and (10) thereof, and adding new subsections; authorizing the cancellation of such contracts if the buyer becomes physically unable to avail himself of a substantial portion of the services, rather than totally and permanently disabled; requiring certification of disability; requiring filing of certain surety information with the Department of Agriculture and Consumer Services; authorizing the department to decrease the surety requirements; providing cancellation of the contract upon closing of health studio for more than certain time periods; providing for rules by the department; providing certain personal applicability of criminal penalties; prohibiting certain representations by a health studio concerning the term of the contract; providing an effective date.

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

CS for SB 556—A bill to be entitled An act relating to building codes; adding s. 553.79(5), Florida Statutes; prohibiting the issuance of certain building permits unless the applicant provides certain documents signed, dated and stamped by a registered professional engineer; amending s. 471.003(2)(i), Florida Statutes, 1982 Supplement; providing criteria for construction projects for which certain persons need not register as a professional engineer; providing an effective date.

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

CS for SB 692—A bill to be entitled An act relating to local government financial matters; creating s. 218.335, Florida Statutes; authorizing units of local government to charge interest on payments overdue from another unit of local government; providing a limitation; providing an effective date.

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

CS for SB 729—A bill to be entitled An act relating to state minimum building codes; amending ss. 553.25(1), 553.26, and 553.27(1), Florida Statutes, relating to standards for construction using glass; expanding the definition of "hazardous locations"; providing an alternative to safety glazing in certain hazardous locations; removing a restriction on the application of standards to replacements; updating reference to certain national standards; amending s. 553.73(1), (2), (6), and (7), Florida Statutes, 1982 Supplement, expanding the requirements within local and state building codes; updating the state minimum building codes; provid-

ing for accessibility by handicapped persons to mobile homes used as temporary offices; authorizing the Board of Building Codes and Standards to amend the codes; amending s. 553.77(1)(d), Florida Statutes, expanding the authority of the board to issue official interpretations of the state minimum building codes; providing an effective date.

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

CS for SB 920—A bill to be entitled An act relating to state financial matters; amending ss. 215.20, 215.37(3), 570.20, 376.11(5), 350.113(2), 378.101(1)(i), 211.32(1)(f), 211.02(1), 718.509, 498.019, 721.28, 655.049, 267.051(2)(d), 493.316, 960.21(3), Florida Statutes; amending ss. 378.031(1), 395.512, 601.15(7)(a), (b), Florida Statutes, 1982 Supplement; amending ss. 206.60(2)(a), 206.605(2), 215.22, Florida Statutes, as amended by chapter 83-3, Laws of Florida; increasing the service charge imposed on certain moneys and trust funds; applying the service charge to certain trust funds; adding subsection (4) to s. 215.26, Florida Statutes, providing that said section is the exclusive remedy for refunds between individual funds and accounts in the State Treasury; specifying applicability; providing for retroactive operation; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senators Dunn, Henderson, Margolis and Neal—

CS for SB 980—A bill to be entitled An act relating to fixed capital outlay; creating the Florida Infrastructure Needs and Funding Study Committee in the Executive Office of the Governor; providing membership and duties of the committee; providing for reports to the Governor and Legislature; providing for secretarial support by the Executive Office of the Governor; authorizing the committee to employ an executive director and staff; providing an appropriation; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Neal, Henderson, Stuart, Mann, McPherson and Vogt—

CS for SB 981—A bill to be entitled An act relating to pollutant spill prevention and control; designating existing sections of chapter 376, Florida Statutes, as part I; amending s. 376.011, Florida Statutes; creating s. 376.051, Florida Statutes; requiring the Department of Natural Resources to adopt certain rules; creating s. 376.30, 376.32, 376.35, 376.40, 376.45, 376.50, 376.55, 376.60, 376.65, 376.70, 376.75, 376.80, 376.85, and 376.90, Florida Statutes, and designating these sections as part II of chapter 376, Florida Statutes; providing legislative intent; providing definitions; prohibiting pollution of state lands and water; providing powers and duties of the Department of Environmental Regulation; requiring registration certificates for certain refined petroleum facilities; providing for enforcement by the Department of Environmental Regulation; providing for certain registration fees; authorizing the department to develop a regulatory program; providing procedure for removal of prohibited discharges; creating the Florida Groundwater Refined Petroleum Protection Trust Fund; designating the sources of moneys for the fund; levying an excise tax on refined petroleum products; designating how the fund shall be used; providing for excise tax collection by the Department of Revenue; providing for liabilities and defenses of facilities; providing for damages under certain circumstances; providing for financial responsibility of facilities; providing for enforcement and penalties for violation of the act; providing for county and municipal ordinances; providing a limitation; providing for an individual cause of action for damages; amending s. 376.11, Florida Statutes; changing the maximum balance of the Florida Coastal Protection Trust Fund; appropriating moneys from the Florida Coastal Protection Trust Fund to the Florida Groundwater Refined Petroleum Protection Trust Fund; providing an effective date.

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

CS for SB 1018—A bill to be entitled An act relating to chiropractic; amending s. 460.406(2), Florida Statutes; extending the date for waiver of accreditation and approval requirements for chiropractic colleges; providing additional provisions for waiver; deleting requirement for department to make available certain courses; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senators Dunn, Henderson, Margolis and Neal—

CS for SB 1076—A bill to be entitled An act relating to local government finances; providing a short title; creating ss. 125.032, 166.151, 166.152, 230.2301, 240.3190, Florida Statutes; authorizing counties, municipalities, school boards, and community college districts to create

nonprofit corporations for the purpose of issuing tax-exempt obligations and to enter into lease financing programs for capital construction; authorizing municipalities to enter into lease-purchase agreements for property for public purposes; amending s. 218.37(1)(b), Florida Statutes, 1982 Supplement; requiring the Division of Bond Finance of the Department of General Services to collect information about the debt issues by corporations created pursuant to this act; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senators Dunn, Henderson, Margolis, Neal and Rehm—

CS for SB 1116—A bill to be entitled An act relating to capital facilities; authorizing creation of a nonprofit Florida Capital Facilities Corporation; providing definitions; authorizing the issuance of bonds; providing for lease of facilities to the state; providing for payment of the cost of the facilities; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senators Neal and Johnston—

CS for SB 1150—A bill to be entitled An act relating to bonds; creating the "Registered Public Obligations Act of Florida"; providing definitions; providing legislative intent; providing for systems of registration with respect to obligations; providing for the execution of certificated registered public obligations; providing criteria for valid and binding execution; providing for a seal; authorizing issuers of public obligations to appoint agents; providing for the payment of costs of the system of registration as a condition precedent to transfer under certain circumstances; providing for payment of liabilities; providing for the validity of certain obligations issued by public entities; excluding certain records from the public records law; providing for applicability; providing for construction; providing for a covenant of the state; superseding laws in conflict; providing an effective date.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Johnston, the rules were waived and by two-thirds vote Senate Bills 258, 288, 556, 650, 690, 835, 1029, 1033; HB 408, CS for SB 57, CS for SB 466, CS for SB 558, CS for SB 718, CS for SB 739, CS for SB 1065 and CS for SB 1116 were withdrawn from the Committee on Appropriations.

On motions by Senator Barron, by two-thirds vote Senate Bills 693 and 694 and CS for SB 285 were removed from the special order calendar.

On motion by Senator Barron, the rules were waived and the Committee on Natural Resources and Conservation was granted permission to meet May 18 from 2:00 until 3:30 p.m.

On motion by Senator Barron, the rules were waived and the Subcommittee on Growth Management of the Committee on Natural Resources and Conservation was granted permission to meet May 18 from 3:30 until 5:00 p.m.

On motion by Senator Barron, the rules were waived and by two-thirds vote CS for SB 137 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Barron, the rules were waived and by two-thirds vote SB 778 was withdrawn from the Committee on Education and referred to the Committee on Health and Rehabilitative Services as the first committee of reference.

On motions by Senator Barron, the rules were waived and by two-thirds vote CS for SB's 686 and 455 was withdrawn from the Committees on Governmental Operations and Economic, Community and Consumer Affairs.

On motion by Senator Barron, the rules were waived and by two-thirds vote SB 61 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Mann, the rules were waived and by two-thirds vote HB 270 was withdrawn from the Committee on Health and Rehabilitative Services.

On motion by Senator Barron, the rules were waived and the Subcommittee on St. Johns River Water Management District of the Committee on Natural Resources and Conservation was granted permission to meet May 19 from 2:00 until 5:00 p.m.

On motion by Senator Barron, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to meet May 23 at 12:30 p.m.

On motion by Senator Barron, the rules were waived and the Subcommittee on Ad Valorem Taxation of the Committee on Finance, Taxation and Claims was granted permission to meet May 18 from 12:00 noon until 1:00 p.m.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State the following bills which he approved May 16: Senate Bills 41, 83, 236, 264, 265, 348, 370, 580 and 507.

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, Members	
Crowell, James E., Tampa	1/31/87
Miller, Leonard, Pembroke Pines	1/1/87
Moses, Thomas M., Orlando	1/15/87
Wallace, Howard K., Melrose	1/30/87
Warren, Glenn T., Clearwater	2/3/87
Southeast Interstate Low-Level Radioactive Waste Commission, Members	
Hodes, Richard S., Tampa	6/30/83
Howell, James T., Tallahassee	Pleasure of Governor
Pingree, David H., Tallahassee	6/30/84
State Retirement Commission, Member	
Cail, Clifford M., Tallahassee	12/31/86
Treasure Coast Regional Planning Council, Region Ten, Member	
Montgomery, John R., Vero Beach	10/1/83
Florida Student Financial Assistance Commission, Member	
Floyd, Lawrence D., St. Petersburg	6/30/85

[Referred to the Committee on Executive Business.]

On motion by Senator Maxwell, the rules were waived and CS for SB 44 after being engrossed was ordered immediately certified to the House.

On motions by Senator Scott, the rules were waived and by two-thirds vote HB 923 was withdrawn from the Committee on Rules and Calendar and by unanimous consent taken up instanter.

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.

—was read the second time by title.

Senator Scott moved the following amendments which were adopted:

Amendment 1—On page 5, lines 17-30, strike everything after the period (.)

Amendment 2—On pages 6-8, lines 1-31; on page 9, lines 1-14, strike all of said lines

Amendment 3—On page 12, lines 4-31; on pages 13-20, lines 1-31, strike all of said lines and insert:

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

Amendment 4—In title, on page 1, lines 6, 7 and 8, strike "excludes certain specified parcels of land from the boundary description;"

On motion by Senator Scott, by two-thirds vote HB 923 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

On motion by Senator Scott, the rules were waived and HB 923 was ordered immediately certified to the House.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

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

SB 297—A bill to be entitled An act relating to transportation; amending s. 334.03(22), Florida Statutes; providing for the addition of parts of certain urban minor arterial routes to the state highway system; amending s. 335.04(1), Florida Statutes; providing that resurfacing or renovation of roads prior to transfer shall not apply to roads on the secondary road system as of July 1, 1977; amending s. 335.05(1)-(4), Florida Statutes; providing that certain municipal connecting links and feeder roads shall be designated as part of the state highway system; providing that the Department of Transportation, rather than the Division of Road Operations, shall be responsible for the construction and maintenance of municipal connecting links; amending s. 335.08(1), Florida Statutes; authorizing the Department of Transportation to advise counties and municipalities on the numbering of local roads; adding s. 335.075(5), Florida Statutes; authorizing counties and municipalities to exempt certain roads from certain uniform minimum design standards; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 5, lines 21-28, strike all of said lines and renumber subsequent section

Amendment 2—In title, on page 1, lines 22-25, strike all of said lines and insert: providing an

Amendment 3—On page 4, between lines 6 and 7, insert a new subsection (7) to read as follows:

(7) *The Florida Department of Transportation shall establish and distribute to local jurisdictions quantitative parameters as may apply to "arterial roads" within the definition established by s. 334.03(19).*

Amendment 4—On page 2, line 30, after the word "amended" insert: and subsection (7) is added to said section

Amendment 5—In title, on page 1, line 6, after the semicolon "," insert: and adding subsection (7) thereto, directing the Department of Transportation to establish and distribute to local jurisdictions certain quantitative parameters with respect to arterial roads;

Amendment 7—On page 5, lines 21-29, strike all of said lines and insert:

Section 5. Subsection (2) of section 335.075, Florida Statutes, is amended to read:

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

(2) An advisory committee of professional engineers employed by any city or any county in each transportation district to aid in the development of such standards shall be appointed by the Secretary of Transportation. Such committee shall be composed of: One member representing an urban center within each district; one member representing a rural area within each each district; *one member within each district who is a professional engineer and who is not employed by any governmental*

agency; and one member employed by the Department of Transportation for each district. The advisory committee shall examine the standards established for cul-de-sacs, subdivision streets, streets with unusual characteristics or low travel frequency and shall report to the Legislature on or before March 1, 1984.

Section 6. Subsection (2) of section 335.075, Florida Statutes, is repealed on October 1, 1984, and shall be reviewed by the Legislature pursuant to s. 11.61, Florida Statutes.

Section 7. This act shall take effect July 1, 1983.

Amendment 8—In title on page 1, line 21, after the semicolon "," insert: amending s. 335.075(2), Florida Statutes, relating to certain advisory committees; providing for a report; providing for review and repeal in accordance with the Regulatory Sunset Act;

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

SB 297 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 to HB 472 and requests the Senate to recede.

Allen Morris, Clerk

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

On motions by Senator Hair, the Senate refused to recede from the amendments and again requested the House to concur. The action of the Senate was certified to the House.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 74, 210, 875, 294 and 316.

Allen Morris, Clerk

The bills contained in the foregoing message were ordered enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments and passed HB 78.

Allen Morris, Clerk

FIRST READING

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 145, CS for HB 54, HB 117, HB 1127, HB 1260, HB 1261 and CS for CS for HB 1012 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce and Representative L. R. Hawkins—

CS for HB 145—A bill to be entitled An act relating to game promotions; amending s. 849.094(1)(a), (3), (4), (5), (8)(b), and (10), Florida Statutes, and adding paragraph (e) to subsection (2) thereof; redefining the term "game promotion"; providing that it is unlawful for a game operator to require an entry fee, payment, or proof of purchase as a condition of entering a game promotion; requiring a \$100 filing fee with respect to certain game promotions; requiring game operators to establish trust accounts in a described manner; providing for surety bonds; authorizing the department to waive such requirements under certain circumstances; deleting the requirement of newspaper publication of winners' lists, providing an alternative method of informing the public, and extending times for filing; requiring operators to provide a copy of the list of winners upon request to any person; providing that the Department of Legal Affairs may enforce the provisions of the section in circuit court rather than in the Supreme Court; deleting exclusion pertaining to game promotions conducted in less than three retail outlets; providing an effective date.

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

By the Committee on Criminal Justice and Representative Lehtinen and others—

CS for HB 54—A bill to be entitled An act relating to firearm ammunition; creating s. 790.31, Florida Statutes, prohibiting the manufacture, possession, sale, or delivery of armor-piercing or exploding bullets; providing penalties; providing exemptions; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Representative L. R. Hawkins—

HB 117—A bill to be entitled An act relating to the Florida Deceptive and Unfair Trade Practices Act; amending s. 501.204(2), Florida Statutes, updating cross references to the Federal Trade Commission Act; amending s. 501.205(2), Florida Statutes, updating cross references to the Federal Trade Commission Act; creating s. 501.2075, Florida Statutes, providing for civil penalties; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committee on Judiciary and Representative Lehtinen—

HB 1127—A bill to be entitled An act relating to patient records; amending s. 395.017(3), Florida Statutes, 1982 Supplement, providing for disclosure of a patient's medical records under certain conditions; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services, Judiciary-Civil and Governmental Operations.

By the Committee on Judiciary and Representative Lehtinen—

HB 1260—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.533(2), Florida Statutes, 1982 Supplement, and adding a subsection, removing the confidentiality of records of unsustained complaints against such officers; providing that files of inactive investigations shall be public records and specifies a presumption of inactive status; prohibiting certain disclosures before the information becomes a public record and provides a penalty; amending s. 943.145(4), Florida Statutes, 1982 Supplement, requiring employing agencies of such officers to report investigation of their officers to the Criminal Justice Standards and Training Commission; conforming provisions relating to the confidentiality of investigation reports; providing an effective date.

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

By the Committee on Judiciary and Representative Lehtinen—

HB 1261—A bill to be entitled An act relating to education; repealing s. 231.29(7), Florida Statutes, 1982 Supplement, regarding confidentiality of school personnel files; creating s. 231.291, Florida Statutes, providing for contents of and access to school personnel files; amending s. 231.262(4), Florida Statutes, 1982 Supplement, providing access to a complaint by interested parties; providing that personnel files shall be brought in conformity with the act upon request of an employee and all files shall conform within 1 year; providing for review and repeal; providing an effective date.

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

By the Committees on Appropriations and Corrections, Probation & Parole and Representative Ward and others—

CS for CS for HB 1012—A bill to be entitled An act relating to corrections and parole; providing a short title; providing findings; providing definitions; creating s. 944.022, Florida Statutes, creating an inmate to population ratio for the state correctional system for specified purposes; providing for certification of legislative budget requests for corrections residential facilities by a Criminal Justice Estimating Conference; providing for review of such requests; providing procedures for correcting inmate population levels in excess of certain levels; creating s. 921.187, Florida Statutes, providing sentencing alternatives; creating s. 775.075, Florida Statutes, providing sentencing criteria; amending s. 944.275, Florida Statutes, changing gain-time amounts and considerations; amending s. 947.16(3)(a), (b), and (g), Florida Statutes, 1982 Supplement, and adding a paragraph, reducing the portion of sentence over which a sentencing judge may retain jurisdiction; changing the date of reinterviews of inmates where parole release orders have been vacated by the sentencing court; amending s. 947.135(3)(a), Florida Statutes, 1982 Supplement, changing participation criteria for the mutual participation program; creating s. 948.001, Florida Statutes, providing definitions; creating s. 948.005, Florida Statutes, providing for the implementation of community control programs; amending s. 948.01, Florida Statutes, providing for placement of certain offenders into community control as an alternative to probation; limiting the duration of supervision; providing for the applicability of workers' compensation benefits to offenders in certain work programs; authorizing discharge from certain programs; amending s. 948.011, Florida Statutes, conforming provisions relating to imposition of fines and probation; amending s. 947.23(6), Florida Statutes, authorizing placement of certain parolees into community control; amending s. 948.03, Florida Statutes, changing terms and conditions of probation and providing terms and conditions of community control; amending s. 948.031, Florida Statutes, authorizing the Department of Corrections to establish public service programs in counties for offender public service; amending s. 948.04, Florida Statutes, to conform to the act; amending s. 948.05, Florida Statutes, providing for judicial admonishment and commendation of offenders in community control; amending s. 948.06, Florida Statutes, providing for placement of persons violating probation into community control; providing for revocation, modification, or continuance of community control; adding new subsections (2), (3), and (4) to s. 945.26, Florida Statutes, providing for a community control program as a sentencing alternative; amending s. 947.04(1), Florida Statutes, 1982 Supplement, authorizing the Parole and Probation Commission to assign temporary duties to retired commissioners; amending s. 947.01, Florida Statutes, removing the Secretary of Corrections as a member of the Parole and Probation Commission and providing for the future reduction in the membership of the commission; amending s. 947.02, Florida Statutes, revising provisions relating to the appointment of commissioners; amending s. 947.03(1) and (3), Florida Statutes, and adding a subsection, reducing the terms of office of commissioners; providing for new appointment of commissioners; amending s. 947.175, Florida Statutes, changing persons to be notified by the commission upon establishing an effective parole release date and prior to release of an inmate on work release; creating s. 947.1746, Florida Statutes, authorizing the commission to establish an effective parole release date without final interview under certain circumstances; amending s. 944.927(1) and (2), Florida Statutes, as created by chapter 82-411, Laws of Florida, expanding the applicability of the Local Offender Advisory Council Act; adding a new subsection (3) to s. 951.23, Florida Statutes, authorizing the Department of Corrections to provide certain assistance to local governments; creating s. 253.061, Florida Statutes, providing for the acquisition or use of lands for correction facilities; creating s. 945.275, Florida Statutes, providing for a study of siting of additional correctional facilities; providing procedures for acqui-

sition of property for such facilities over the objections of local governments; repealing s. 958.08, Florida Statutes, relating to community control program; providing for the future repeal and review of s. 20.32, Florida Statutes, and chapter 947, Florida Statutes, relating to the Parole and Probation Commission; providing for legislative review; providing severability; directing that certain changes in the Florida Statutes be made; providing an effective date.

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

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed House Bills 1044 and 1128 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary and Representative Lehtinen—

HB 1044—A bill to be entitled An act relating to higher education; amending ss. 240.209(2) and 240.319(3)(n), Florida Statutes, 1982 Supplement; providing that activities of search committees for selection of the Chancellor of the State University System and of community college presidents shall be conducted in accordance with public meeting and public records requirements; providing an effective date.

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

By the Committee on Judiciary and Representative Lehtinen—

HB 1128—A bill to be entitled An act relating to public records; amending s. 119.07(2)(b) and (4), Florida Statutes, 1982 Supplement, and adding paragraph (3)(m) thereto; exempting confessions and witness lists from public inspection until final determination of charges; providing for court review; providing an effective date.

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

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of the membership of the House HJR 1155 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary and Representative Lehtinen and others—

HJR 1155—A joint resolution proposing an amendment to Section 11, Article V of the State Constitution, relating to public access to records and proceedings of judicial nominating commissions.

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

SPECIAL ORDER

HB 868—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes; adopting the Florida Statutes 1983 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 1983 shall be effective immediately upon publication; providing that general laws enacted during the 1981 regular and special legislative sessions and prior thereto and not included in the Florida Statutes 1983 are repealed; providing that general laws enacted during the 1982 regular and special sessions, the March 1983 special session, and the 1983 regular session are not repealed by this adoption act.

(Accompanied by Volumes 1, 2, 3, Florida Statutes, 1981)

—was read the second time by title. On motion by Senator Barron, by two-thirds vote HB 868 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Senator Thomas presiding

On motion by Senator Scott, the rules were waived and by two-thirds vote HB 869 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Scott—

HB 869—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 11.45(3)(a), 23.019(1), 23.129, 145.19(2), 160.003(6), 160.02(8), 163.03, 163.3164(18), 165.031(6), 165.052(2), 171.042(2), 189.003(2), 190.009(3), 218.32(1)(c), 218.411(1)(c), 252.34(4), 255.042(3), (4), 288.32(2), 288.503(7), 292.11(4), 295.17(1)(a), 377.703(4), 380.11, 403.504(7)(a), (8)(c), 403.507(1), 403.508(4)(a), 403.517(1)(c), 403.523(7), (8)(b), 403.524(2), 403.526(1), (5), 403.527(3)(a), 403.723(7)(c), 409.503(1), 409.506, 418.12(2), 420.111(8), 420.202(1), (6), 420.424(1), (2), 420.504(1), 420.506, 421.001, 422.001, 423.001, 424.001, 424.03, 424.04, 424.05, 424.06, 424.07, 424.08, 424.09(1), 424.10(1), (3), 424.12, 424.13, 424.14(1), 424.15, 424.16, 424.17, 424.18, 424.19, 424.20, 424.21, 424.22, 427.012(1)(b), 450.211(1), 450.261, 553.36(1), (6), 553.71(2), (4), 744.421, 943.25(4), (11), and 943.405(1), (2), Florida Statutes; amending ss. 20.18(7), (8), 159.27(19), 218.38(3)(b), 220.03(1)(e), (s), (z), 220.181(2), (6), 220.182(9), 259.035, 290.004, 290.009, 290.033, 375.021(2), 404.0617(4)(d), 553.901, 553.902(6), and 553.9085, Florida Statutes (1982 Supplement); replacing references to the "Department of Veteran and Community Affairs" with "Department of Community Affairs," references to the "Secretary of Veteran and Community Affairs" with "Secretary of Community Affairs," and references to the "Division of Veterans' Affairs of the Department of Veteran and Community Affairs" with "Division of Veterans' Affairs of the Department of Administration" to conform to chapter 82-387, Laws of Florida, which changed the name of the department and its secretary and transferred the division to the Department of Administration; deleting provisions that have served their purposes; removing inconsistencies; and otherwise improving clarity and facilitating correct interpretation.

—a companion measure, was substituted for SB 846 and read the second time by title. On motion by Senator Scott, by two-thirds vote HB 869 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Hill, Thomas

SB 846 was laid on the table.

SB 844—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 25.251(2), 27.255(2), 30.09(4), 30.24(2)(c), 35.26(5), 240.268(4), 258.024(2)(a), 285.18(2)(c), 316.640(2)(b), (3)(b), (c), 318.141(1), 570.151(2), 790.25(2), (3), and 916.18(2), Florida Statutes, and ss. 121.0515(2)(c), (5)(a), 218.23(1)(d), and 354.01, Florida Statutes (1982 Supplement); conforming the Florida Statutes to ch. 81-24, Laws of Florida, which changed the name of the Division of Standards and Training of the Department of Law Enforcement to the Division of Criminal Justice

Standards and Training, which replaced the Police Standards and Training Commission within the department with the Criminal Justice Standards and Training Commission and merged the Correctional Standards Council of the Department of Corrections into the commission, and which made the provisions of ss. 943.085-943.255 applicable to correctional officers; conforming terminology to that used in ch. 943; revising cross-references; removing provisions which have become obsolete or which have served their purpose; and correcting grammatical errors in, and otherwise improving the clarity of, these sections.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 844 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Table with 4 columns: Barron, Beard, Carlucci, Castor, Childers, W. D., Crawford, Dunn, Fox, Frank, Gersten, Girardeau, Gordon, Grant, Grizzle, Hair, Henderson, Hill, Jenne, Jennings, Johnston, Kirkpatrick, Langley, Mann, Margolis, Maxwell, McPherson, Meek, Myers, Neal, Rehm, Scott, Stuart, Thurman, Vogt, Weinstein

Nays—None

Vote after roll call:

Yea—Thomas

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

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 847 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Table with 4 columns: Barron, Beard, Carlucci, Castor, Childers, D., Childers, W. D., Crawford, Dunn, Fox, Frank, Gersten, Girardeau, Gordon, Grizzle, Hair, Henderson, Hill, Jenne, Jennings, Johnston, Kirkpatrick, Langley, Malchon, Mann, Margolis, Maxwell, McPherson, Meek, Myers, Neal, Rehm, Scott, Stuart, Thomas, Thurman, Vogt, Weinstein

Nays—None

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

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 843 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Table with 4 columns: Barron, Beard, Carlucci, Castor, Childers, D., Childers, W. D., Crawford, Dunn, Fox, Frank, Gersten, Girardeau, Gordon, Grizzle, Hair, Henderson, Hill, Jenne, Jennings, Johnston, Kirkpatrick, Langley, Malchon, Mann, Margolis, Maxwell, McPherson, Meek, Myers, Neal, Rehm, Scott, Stuart, Thurman, Vogt, Weinstein

Nays—None

Vote after roll call:

Yea—Thomas

SB 842—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 59.46(2), 253.124(5), 253.151, 311.011-311.031, 318.22, 370.035, 453.01-453.18, 501.136, 550.2615, 562.21, 718.126, 768.045, 768.44, 790.26, 798.03, 823.01(2), 828.15, 847.04, 847.05, 849.051, 877.11, 901.27, 901.28(1)-(4), (6), (7), 901.30, 901.32, and 932.58-932.60, Florida Statutes, to conform to judicial decisions holding said provisions or provisions related thereto unconstitutional or superseded by court rule; amending ss. 119.11(2), 193.461(4)(a), 447.301(2), 550.241(1), 718.111(2), 742.011, 876.05(1), and 924.07, Florida Statutes, and s. 960.25, Florida Statutes (1982 Supplement), to conform them to judicial decisions holding parts of said provisions unconstitutional or superseded by court rule; and amending s. 876.07, Florida Statutes, to conform to the invalidation of part of s. 876.05 by judicial decision.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 842 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Table with 4 columns: Beard, Carlucci, Castor, Childers, W. D., Crawford, Dunn, Fox, Frank, Gersten, Girardeau, Gordon, Grant, Grizzle, Hair, Henderson, Hill, Jennings, Johnston, Kirkpatrick, Malchon, Mann, Margolis, Maxwell, McPherson, Meek, Myers, Neal, Plummer, Scott, Stuart, Thurman, Vogt, Weinstein

Nays—1

Langley

Vote after roll call:

Yea—Rehm, Thomas

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

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 873 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Rehm, Thomas

SB 924—A reviser's bill to be entitled An act relating to the Florida Statutes, amending ss. 316.635(3)(c), 316.645, 316.655(4), 320.0897(3), 322.01(19), 322.201, 328.03(1), 364.01(2), 372.025(3), 372.072(6), 372.073(1), 372.57(4)(f), 372.921(5), 372.932(4), (5), (9), (10), 373.59(2), 381.507(5)(b), 393.065(2)(c), 393.066(6), 393.20(1), 394.455(16), 402.22(2), (4), 403.1834(8), 406.06(1)(a), 413.051(2)(b), 446.091, 446.092(2), 458.322(1), 459.0095(1), 460.4095(1), 484.003(3), 490.007(3), 496.31(12), (13), 496.335(1)(a), (c), 520.125(5), 527.01(2), 527.04(1), 550.023, 550.074(1), and 550.33(1), Florida Statutes, and ss. 316.1932(1)(c), 316.1934(1), 316.302(1)(b), 319.14(2), (5), 319.24(5)(a), (7), 319.27(1), 319.28(1)(b), 319.30(2)(b), 320.05, 320.089(1), 320.10(1)(f), 320.27(4), 322.031(3), 322.20(5), 336.59(2), 337.18(2), 351.009, 367.081(6), 372.574(6), 373.088, 381.272(11)(a), 381.493(3)(h), 381.494(7)(b), (8)(j), (k), 382.51, 395.003(3)(b), 395.011(3), 395.508(1), 401.25(2)(b), (5), 401.255(4), 401.26(2), 403.087(5)(a), 403.7045(3)(d), 403.707(1), (4), 403.722(10), 403.813(2)(b), 404.161(3), 404.30, Art. VII(2), 409.266(2)(c),

(3)(d), 409.508(1)(a), (2), 409.602(4), 413.08(1)(a), (4), 420.5094(1), 443.051(3)(e), 455.20, 455.201(1), (3), 455.217(1), 455.241(2), 458.348(1)(b), 466.006(3), 467.012(1), 467.015(3)(b), (4)(b), 467.203(1)(f), 468.1705(1), (2), 475.10, 475.182(1), 475.451(1), 477.022(7), 482.211(1)(b), 482.226(6), 487.091(4), (6), 487.158(1), 499.003, 499.005(7), (10), 499.007(2), (12)(b), 499.01(3)(b), 499.011(4), (5), 499.015(2)-(4), 499.017(4), 499.018(1)(j), (q), 499.02(4), 499.028(2)(a), (4)(a), (e), (f), 499.04, 499.041(3), 499.066(4)(b), 499.069(2), 500.03(1), 500.04(7), 500.174, 500.177(2), 550.03(4), 550.10(3)(b), and 559.925(2), (5), Florida Statutes (1982 Supplement); repealing ss. 373.175(5), 393.069, 395.201, 400.023(2), 400.063(5), 400.126(12), 400.179(5), 400.322, 400.418(2), 400.419(7), 400.422(13), 400.426(2), 400.428(9), 400.429(2), 400.435(4), 400.452(2), 400.454(3), 403.051(2), 403.088(2), (5), 460.4165(13), and 475.1825(2), Florida Statutes; and reenacting ss. 520.125(1)-(4), (7)-(12), Florida Statutes, pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; revising and correcting cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; correcting errors in the editing, publishing, and printing of the Florida Statutes; and confirming the restoration of provisions inadvertently omitted from republication in the amendatory process.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 924 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Rehm, Thomas

SB 872—A reviser's bill to be entitled An act relating to the Florida Statutes, amending ss. 11.246(1)(d), 20.19(6)(e), 23.050(4), 25.311, 25.387(3), 48.081(1), (5), 120.57(1)(b), 163.3204, 194.032(10), 199.032(3), 201.18, 208.004(3), 253.135, 267.061(2)(c), 289.031, 289.151, 310.181, 320.06(1)(d), 364.063, 370.16(30), 372.0225(2), 372.662, 378.031(1), 409.028(2), 413.22, 420.111(2), 465.003(8), 465.016(1)(e), 465.023(1)(c), 468.144(1)(a), 498.045(1), 498.055, 550.06(5), 561.32(3)(a), 561.33(1), 561.54, 562.165, 570.34, 589.01, 617.051(1)(b), 625.303(3), 626.973(2), 627.062(3), 631.161(2), 637.407(2)(d), 637.411, 655.045(1)(a), (4), 658.29(1), 658.43(3), 658.44(6), 660.27(1), (2), 665.028(1)(d), 678.202(2)(b), 703.09, 716.05, 719.501(1)(d), 721.07(6)(a), 721.11(2)(i), 721.18(1)(d), (f), (l), 721.25, 733.702(1), 775.13(5), 812.015(3)(c), 817.50(2), 823.10, 849.09(2), (3), (4), 895.07(4), 901.211(1), (2), 921.141(5)(d), 941.40(1), 941.50, 943.23, 943.25(3), (9), 944.514, 945.061(4), 948.03(2), (3), and 958.14, Florida Statutes, and ss. 162.04, 394.74(2)(f), 490.014(2)(a), 500.301(11), (12), 570.48, 601.58(2), 608.402(4), 608.404(1)-(6), 608.407(1), 608.408, 608.409(3), 608.411(1), 608.415(1), (4), 608.416(1)(d), 608.423, 608.425, 608.435(1), 608.441(1)(c), 608.442, 608.443(3), 608.445, 608.446(1), 608.447, 608.452(1), (3)-(5), 608.453, 608.455, 608.471(2), 617.011(2), 617.0201(2), 624.155(1), 624.514(3), (4), 625.312, 625.313(2), (3), 625.52(1), (2), 625.75, 625.78, 626.221(2)(a), (b), (o), 626.6215(5), 626.835(2)(c), 626.9541(15), 627.0651(10), 627.351(4)(e), 627.4145(3), 627.426(2)(a), 627.5515(6), 627.564, 627.574(2)(b), 627.602(2), 627.6056, 627.6482, 627.6486(1)(c), (2)(d), 627.6488(5)(c), 627.649(4)(b), 627.6492(2), 627.6494(4), 627.6498(3)(a), 627.6515(6), 627.6616, 627.6675(11)(a), 627.6688(2)(c), 627.669(1), 627.832(1)(f), 627.839(3)(b), 627.8405(1), 627.844(1), 627.912(1), 627.914(3), (4), 627.915(3)(f), 628.071(3), 629.031, 629.501(3), 629.502, 630.021(1), 631.575(1), 632.371(2), 633.382(5)(b), 634.041(5), (6), (11), 634.052(2), 634.081(5), 634.111(3), 641.19, 648.25(3), 648.37(2), 648.441(2), 648.442(1), (3), (4), (6), 648.45(2), 655.411(1)(a), 718.501(1)(d), 790.001(2), (3)(a), (15), 790.29(2), 893.02(11)(b), (14), (16),

903.133, 903.26(5), 903.28(7), 914.04, 921.001(2)(a), (5), 943.14(2)(b), (10)(b), 944.47(2), 945.135, 947.16(1)(e), (2)(a), (h), 947.1745(3), 947.22(1), and 960.28(1), (2), Florida Statutes (1982 Supplement); repealing ss. 10.003, 10.005, 10.05, 10.06, 10.07, 10.08, 48 111(3), 216.011(2)(c), 253.032, 288.15(5)(a), 316.610(3), 372.001(8), (12), (18)-(22), 624.031(2), 626.989(7), 706.20, 790.21, 924.08(1), (2), and 945 066, Florida Statutes, and s. 20.19(16), Florida Statutes (1982 Supplement); and reenacting s. 626.311(1), Florida Statutes (1982 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; revising or correcting cross-references; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; correcting errors in the editing, publishing, and printing of the Florida Statutes; confirming the restoration of provisions inadvertently omitted from republication in the amendatory process; repealing a provision which was scheduled for repeal but which was inadvertently continued in the revision of the insurance code; and continuing provisions which were scheduled for repeal and which were amended, but inadvertently not continued, in the revision of the insurance code.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 872 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Rehm, Thomas

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

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 845 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Rehm, Thomas

On motions by Senator Scott, the rules were waived and HB 869; Senate Bills 844, 847, 843, 842, 873, 924, 872 and 845 were ordered immediately certified to the House.

SB 619—A bill to be entitled An act relating to alcohol abuse; amending s. 396.161, Florida Statutes; authorizing a county or municipality to adopt an ordinance prohibiting a person from leaving an alcohol treatment program under certain circumstances and from causing or participating in a public disturbance while intoxicated; providing penalties; requiring separate minimum security incarceration; requiring alcohol education programs; authorizing local governments to jointly construct and operate facilities; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 6, strike "Leaves" and insert: *Is intoxicated in a public place, and appears incapacitated, and who has left*

Amendment 2—On page 2, line 18, strike "conducted" and insert: *provided*

Amendment 3—In title, on page 1, strike all of lines 5-7 and insert: prohibiting a person from being publicly intoxicated after having left an alcohol treatment program under certain circumstances or from causing or participating in a public

On motion by Senator Beard, by two-thirds vote SB 619 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

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

Nays—None

Vote after roll call:

Yea—Rehm, Thomas

SB 169—A bill to be entitled An act relating to water resources; amending s. 373.026(2), (5), Florida Statutes; authorizing the Department of Environmental Regulation to collect certain water resource information; directing local governments, water management districts, and state agencies to cooperate with the department; directing the department to publish each year a compilation of certain information; requiring the department to develop a statewide ground water investigation plan; authorizing the department to identify areas of the state where ground water contamination is a threat to fresh ground water resources; 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 Neal and adopted:

Amendment 1—On page 2, strike all of lines 8-19 and insert: *Each year the department shall publish a bibliography and brief description of the water resource investigations which have been done or are being done in the state, and a listing of any collected information on such investigations. The department shall assemble appropriate ground water research data reasonably available for the purpose of developing a statewide ground water investigation plan. The department may prescribe a format for submissions of data by other agencies.*

(5) To identify by continuing study those areas of the state where saltwater intrusion or any other contamination is a threat to water freshwater resources and make report its findings available to the water management

On motion by Senator Neal, by two-thirds vote SB 169 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Girardeau, Thomas

CS for SB 175—A bill to be entitled An act relating to water pollution control and sewage treatment; amending ss. 403.1821-403.1824, 403.1826, 403.1829, Florida Statutes; providing a short title; providing definitions; specifying eligible uses of the State Water Pollution Trust Fund; providing for the Department of Environmental Regulation to make rules with respect to project priorities and certain other matters; providing for restrictions on the use of grant money; providing guidelines for local governmental contributions to projects; requiring projects to be self-sufficient with respect to operation, maintenance, and replacement costs; amending s. 403.1832, Florida Statutes; designating the department as the state agency to contract with the federal government on certain activities; amending s. 403.804(3), Florida Statutes; providing duties of the Environmental Regulation Commission; creating ss. 403.1836-403.1839, Florida Statutes; creating the Small Community Sewer Construction Assistance Trust Fund in the department; providing for grants from the fund; providing duties of the department regarding such grants; providing an appropriation; repealing ss. 403.1827, 403.1828, 403.1830, 403.1831, 403.1833, Florida Statutes, relating to administering federal grants for water pollution control and sewage treatment; providing an effective date.

—was read the second time by title. On motion by Senator Neal, by two-thirds vote CS for SB 175 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Thomas

CS for CS for SB 489—A bill to be entitled An act relating to hazardous waste management; amending s. 208.001, Florida Statutes; increasing the excise tax on the privilege of generating hazardous wastes; removing obsolete language; creating s. 208.006, Florida Statutes; imposing a 3 percent tax on commercial hazardous waste facilities; providing for uses of tax revenues; creating s. 220.184, Florida Statutes; providing a tax credit under certain circumstances; amending s. 376.11(3), Florida Statutes; providing for deposit into a certain fund of interest on certain investments; requiring the Governor and Cabinet to approve certain lists of spoil sites; amending s. 403.702(2)(c), Florida Statutes; providing legislative intent; amending s. 403.703(18), Florida Statutes; providing a definition; adding s. 403.704(21)-(25), Florida Statutes; providing additional powers and duties of the Department of Environmental Regulation; amending s. 403.7045(1)(c), Florida Statutes, 1982 Supplement; correcting a reference to federal law; amending s. 403.713, Florida Statutes; providing for uninterrupted transport of hazardous waste within certain

areas; amending s. 403.722(9), (10), Florida Statutes, 1982 Supplement; specifying certain requirements in certain permitting processes; creating s. 403.7225, Florida Statutes; providing for the preparation of local hazardous waste management plans; providing duties of the counties, regional planning councils, and the department relative to such plans; amending s. 403.723, Florida Statutes; requiring counties to complete a hazardous waste needs assessment and to choose a site for a hazardous waste storage facility; providing duties of the Governor and Cabinet; adding s. 403.724(7), Florida Statutes; providing for relief from liability for certain hazardous wastes under certain circumstances; amending s. 403.725(1), (3), (5), Florida Statutes, 1982 Supplement; providing for certain uses of revenues in the Hazardous Waste Management Trust Fund; creating s. 403.7255, Florida Statutes, creating the Hazardous Waste Site Restoration Fund; providing for deposit of moneys into the fund; providing for uses of moneys in the fund; prohibiting certain uses of such moneys; amending s. 403.727(4)(b), Florida Statutes, 1982 Supplement; providing penalties; limiting certain defenses; repealing s. 403.729, Florida Statutes; relating to the State Hazardous Waste Policy Advisory Council; providing appropriations; providing an effective date.

—was read the second time by title.

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 1—On page 25, line 13, strike the period (.) and insert: except for Section 1, which shall be effective July 1, 1983.

On motion by Senator Kirkpatrick, by two-thirds vote CS for CS for SB 489 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Thomas

CS for SB 695—A bill to be entitled An act relating to environmental reorganization; amending s. 403.802, Florida Statutes; providing legislative policy; amending s. 403.803, Florida Statutes; providing definitions; amending s. 403.805, Florida Statutes; authorizing the Secretary of the Department of Environmental Regulation to delegate certain powers and duties to the water management districts; amending s. 403.807, Florida Statutes; providing powers and duties of the Division of Environmental Programs of the department; amending s. 403.808, Florida Statutes; providing duties of the Division of Environmental Permitting of the department; amending s. 403.809, Florida Statutes; providing for boundaries and management personnel of environmental districts; amending s. 403.812, Florida Statutes; providing for delegating certain departmental powers and duties to the water management districts; providing limitations on such powers and duties; amending s. 403.813(1), Florida Statutes, 1982 Supplement; providing criteria for certain projects for which a permit is required; amending s. 373.016(2), Florida Statutes; providing legislative policy; amending s. 373.026(7), Florida Statutes; providing for powers and duties of the department; amending s. 373.106, Florida Statutes; granting the water management districts exclusive authority to issue certain permits; amending s. 373.114, Florida Statutes; providing for review by the department of certain water management district rules; providing procedures for such review; amending s. 373.116(1), Florida Statutes; providing for filing certain permit applications with the districts; amending s. 373.308(1), (2), Florida Statutes; requiring the department to authorize water management districts to exercise certain powers; amending s. 373.323, Florida Statutes; providing for water well contractor's licenses to be issued by the water management districts; amending s. 373.333, Florida Statutes; providing for enforcement; amending s. 373.413, Florida Statutes; providing that the water management districts

have exclusive authority to issue permits for certain water works projects; amending s. 373.069(1), Florida Statutes; changing the boundaries of the water management districts; providing for interagency agreements between certain water management districts; requiring the department to conform its district boundaries to water management district boundaries; amending s. 373.503(3)(c), Florida Statutes; providing for ad valorem taxation by the St. Johns River Water Management District; providing an effective date.

—was read the second time by title.

Senator Neal moved the following amendments which were adopted:

Amendment 1—On page 7, lines 18-22, strike “The environmental districts shall be collocated with the water management districts to the extent practicable. The secretary shall have the authority to adjust the environmental district boundaries to best serve the purposes of this act.” and insert: *The boundaries of the environmental districts shall coincide with the boundaries of the water management districts and a water management district may be divided into more than one environmental district. The secretary shall have the authority to adjust the environmental district boundaries upon a determination that exceptional circumstances require such adjustment in order to more properly serve the needs of the public or the environment.*

Amendment 2—On page 7, line 25, after “district.” insert: *In the Suwannee River Water Management District, a branch office may serve as the environmental district center.*

Amendment 3—On page 18, lines 1-3, hyphen through all of section (c)

Senators Vogt, Dunn, Stuart and Maxwell offered the following amendment which was moved by Senator Neal and adopted:

Amendment 4—On pages 22, 23, 24, 25 and 26, strike all of Sections 18, 19, 20 and 21 and renumber subsequent section

Senator Neal moved the following amendments which were adopted:

Amendment 5—On page 18, line 4, strike “(d)” and insert: (c)

Amendment 6—On page 18, line 8, strike “(e)” and insert: (d)

Amendment 7—On page 18, line 19, strike “(f)” and insert: (e)

Amendment 8—On page 18, line 28, strike “(g)” and insert: (f)

Amendment 9—On page 19, line 1, strike “(h)” and insert: (g)

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 10—On page 8, line 31, strike “of major new” and insert: and operation of major

Senator Mann moved the following amendment which failed:

Amendment 11—On page 22, between lines 27 and 28, insert:

Section 18. Section 373.074, Florida Statutes, is created to read:

373.074 Limitations on terms of water management district governing board members and chairmen.—Subsequent to the effective date of this section, no governing board member hereafter appointed or reappointed shall serve more than two consecutive terms. No governing board member may serve as chairman for more than one consecutive term.

(Renumber subsequent sections.)

On motion by Senator Mann, the Senate reconsidered the vote by which Amendment 11 failed.

The question recurred on Amendment 11 which failed.

Senator Neal moved the following amendment which was adopted:

Amendment 12—In title, on page 2, strike all of lines 19-28 and insert: projects; providing an effective

Senator Carlucci moved the following amendment which failed:

Amendment 13—On page 26, between lines 2 and 3, insert:

Section 21. Paragraph (c) of subsection (3) of section 373.503, Florida Statutes, is amended to read:

373.503 Manner of taxation.—

(3) The districts may levy ad valorem taxes on property within the district solely for the purposes of this chapter and of chapter 25270, Laws of Florida, 1949, as amended, and chapter 61-691, Laws of Florida, as amended. The authority to levy ad valorem taxes as provided in this act shall commence with the year 1977. However, the taxes levied for 1977 by the governing boards pursuant to this section shall be prorated to ensure that no such taxes will be levied for the first 4 days of the tax year, which days will fall prior to the effective date of the amendment to s. 9(b), Art. VII of the Constitution of the State of Florida, which was approved March 9, 1976. When appropriate, taxes levied by each governing board may be separated by the governing board into a millage necessary for the purposes of the district and a millage necessary for financing basin functions specified in s. 373.0695. Beginning with the taxing year 1977, and notwithstanding the provisions of any other general or special law to the contrary, the maximum total millage rate for district and basin purposes shall be:

(c) St. Johns River Water Management District: 0.300 ~~0.375~~ mill.

(Renumber subsequent section.)

Senator Langley moved the following amendment:

Amendment 14—On page 26, line 3, insert new section:

Section 21. Board members appointed after the effective date of this act shall be approved by the board of county commissioners from their resident counties.

(Renumber subsequent sections.)

Senators Neal and Gordon offered the following amendment to Amendment 14 which was moved by Senator Neal and failed:

Amendment 14A—On page 1, line 3, after “act” insert: for the St. Johns River Water Management District.

Amendment 14 failed.

On motion by Senator Neal, by two-thirds vote CS for SB 695 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Crawford

The President presiding

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

—was read the second time by title.

Senator Gordon moved the following amendment which was adopted:

Amendment 1—On page 3, between lines 18 and 19, insert:

(h) Evaluate the ability of any proposed biological control to replace the proposed pesticide or insecticide.

On motion by Senator Kirkpatrick, by two-thirds vote CS for CS for SB 1114 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Girardeau

SB 589—A bill to be entitled An act relating to water pollution; amending s. 403.088(3), Florida Statutes; providing conditions under which an applicant has a right to renewal of a water pollution operation permit; 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 Kirkpatrick and adopted:

Amendment 1—On page 2, strike all underlined material on lines 12-24 and insert: *However, the applicant shall have the right to have the department renew an operation permit authorizing a surface water discharge or receive state certification of any renewal of a federal permit issued, pursuant to section 402 of the Federal Clean Water Act, after public notice and opportunity for public hearing has been provided, if it can show by the preponderance of competent substantial evidence that:*

1. *The department has adopted technology-based effluent limitations specific to the activity and the discharge is in compliance with such effluent limitations; and*

2. *The economic, social and environmental costs associated with the installation of pollution control technology, beyond that required to comply with such effluent limitations in order to meet water quality standards, bear no reasonable relationship to the economic, social and environmental benefits to be derived thereby; and*

3. *The modification of water quality criteria pursuant to this subsection will not prevent the designated uses of the receiving waters; and*

4. *The activity complies with all applicable department rules except as modified by this subsection; and*

5. *The applicant applies for renewal in a time and manner required by department rules.*

On motion by Senator Kirkpatrick, by two-thirds vote SB 589 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Crawford, Girardeau

SB 359—A bill to be entitled An act relating to saltwater fisheries; creating s. 370.103, Florida Statutes, authorizing the Department of Natural Resources to enter into certain agreements with the Federal Government for the protection of saltwater fisheries; providing an effective date.

—was read the second time by title. On motion by Senator Mann, by two-thirds vote SB 359 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—D. Childers, Crawford, Scott

SB 921—A bill to be entitled An act relating to water management districts; creating s. 373.118, Florida Statutes; authorizing the governing board of each water management district to adopt by rule a system of general permits for certain projects; authorizing such board to establish alternative notice requirements for the issuance of general permits; 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 Thomas and adopted:

Amendment 1—On page 1, line 25, and on page 2, line 1, strike “by rule”

On motion by Senator Thomas, by two-thirds vote SB 921 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	Langley	Plummer
Beard	Girardeau	Malchon	Rehm
Carlucci	Grant	Mann	Scott
Castor	Grizzle	Margolis	Stuart
Childers, D.	Henderson	Maxwell	Thomas
Childers, W. D.	Hill	McPherson	Thurman
Dunn	Jenne	Meek	Vogt
Fox	Jennings	Myers	Weinstein
Frank	Johnston	Neal	

Nays—None

Vote after roll call:

Yea—Crawford, Hair

CS for SB 929—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.16(35), Florida Statutes, 1982 Supplement, providing that all oyster and clam shells shucked commercially in the state are the property of the Department of Natural Resources, with a specified exception; providing for cooperative agreements between the department and local governmental entities for the collection and stockpile of shells; providing for the sale of such shells and the disposition of funds collected thereby; providing notice; creating s. 370.023, Florida Statutes; providing for establishment and administration of grant programs by the Department of Natural Resources; providing an effective date.

—was read the second time by title.

Senators Barron and Maxwell offered the following amendment which was moved by Senator Barron and adopted:

Amendment 1—On page 1, lines 28 and 29, strike “shucked commercially in the state regardless of where harvested” and insert: harvested commercially in the state

On motion by Senator Barron, by two-thirds vote CS for SB 929 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

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 taken up with pending Amendment 3 which was withdrawn.

On motion by Senator D. Childers, the Senate immediately reconsidered the vote by which Amendments 1 and 2 were adopted. The amendments were withdrawn.

Senators Fox and D. Childers offered the following amendment which was moved by Senator D. Childers and adopted:

Amendment 4—On page 1, strike all of lines 17-20 and insert:

(7) No licensed, publically owned or operated facility shall deny staff membership or professional clinical privileges to a physician licensed under Chapter 458 or Chapter 459, because the physician desires to perform or refuses to perform the lawful termination of human pregnancy, on the grounds of his religious, moral or ethical beliefs.

On motion by Senator D. Childers, by two-thirds vote CS for SB 50 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

On motion by Senator Mann—

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

—a companion measure, was substituted for CS for SB 176 and read the second time by title. On motion by Senator Mann, by two-thirds vote HB 270 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Girardeau	Jenne	Margolis	Rehm
Gordon	Jennings	McPherson	Thomas
Grant	Johnston	Myers	Vogt
Grizzle	Langley	Neal	Weinstein
Hair	Mann	Plummer	

Nays—None

Vote after roll call:

Yea—Hill

CS for SB 176 was laid on the table.

CS for SB 452—A bill to be entitled An act relating to the Division of Criminal Justice Information Systems; adding s. 943.051(6), Florida Statutes; providing procedures for the entry of dental records of certain missing persons and unidentified deceased persons into a criminal justice information system of the division; requiring dentists to provide such dental records; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote CS for SB 452 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

On motion by Senator Barron, the rules were waived and the Committee on Education was granted permission to consider SB 145 May 18.

SB 511—A bill to be entitled An act relating to the Secretary of State; adding subsection (7) to s. 15.18, Florida Statutes, authorizing the Secretary of State to promulgate rules for the purpose of entering into contracts for promotional services and events; providing an effective date.

—was read the second time by title.

Senator Gordon moved the following amendments which were adopted:

Amendment 1—On page 2, between lines 7 and 8 insert:

Section 2. Section 15.044, Florida Statutes, is created to read:

15.044 Official state opera program.—The Greater Miami Opera Association, Orlando Opera Company, Incorporated, and the Florida State University School of Music, representing the professional and academic communities in the field of opera, are hereby jointly designated as the official Florida State Opera Program.

(Renumber subsequent section.)

Amendment 2—In title, on page 1, line 7, after the semicolon (;) insert: creating s. 15.044, Florida Statutes; jointly designating the Greater Miami Opera Association, Orlando Opera Company, Incorporated, and the Florida State University School of Music as the official state opera program;

On motion by Senator Henderson, by two-thirds vote SB 511 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Consideration of SB 463 was deferred.

CS for SB 310—A bill to be entitled An act relating to the Florida Retirement System; adding s. 121.0515(8), Florida Statutes, 1982 Supplement; providing for the restoration upon certain conditions of special risk credit to special risk members who were removed from the class effective October, 1978, solely because they did not have the required certificate or temporary waiver of certificate; amending s. 121.052(1)(d), Florida Statutes, 1982 Supplement, adding paragraph (h) to said subsection, and adding paragraph (h) to subsection (4) of said section; providing for the upgrading of retirement service credit and providing for the transfer to the Elected State Officers' Class by certain elected county officers; providing an effective date.

—was read the second time by title.

Senator Grizzle moved the following amendments which were adopted:

Amendment 1—On page 5, line 4, after "class" insert: *and such other creditable service as authorized by subparagraph 2.*

Amendment 2—On page 5, strike all of lines 10-12 and insert: *for the period of his tenure in the office, and the total contribution rate which was required at the time the service was rendered for the class of Elected State Officers service being purchased, or the rate in effect on July 1, 1972 for such service rendered prior to said date, and for service as an elected county officer prior to July 1, 1981, the contribution rate applicable for the legislative sub-class of the Elected State Officers' Class, plus*

Amendment 3—On page 5, line 26, after the period (.) insert: *All creditable service earned by an elected sheriff as a member of this class shall count toward the attainment of the special risk normal retirement date as provided by section 121.021(29)(c). Any elected sheriff who transferred to the Elected State Officers' Class during the transfer period July 1, 1981 to June 30, 1982, shall also be permitted to count such creditable elected service toward the attainment of the special risk normal retirement date, as provided by section 121.021(29)(c). Any elected or appointed sheriff who becomes a member of the Elected State Officers' Class after June 30, 1984 shall not be permitted to count such service toward the attainment of the special risk normal retirement date.*

Amendment 4—On page 5, line 31, strike "20 25" and insert: 20.91

Amendment 5—In title, on page 1, line 17, after the semicolon (;) insert: *providing for the retainment of the normal special risk retirement date for elected sheriffs who transfer to the Elected State Officers' Class; providing for contributions;*

On motion by Senator Grizzle, by two-thirds vote CS for SB 310 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 114—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091(4)(d) and (6)(a), Florida Statutes; providing optional forms of calculation of disability retirement benefits; providing an effective date.

—was read the second time by title.

The Committee on Personnel, Retirement and Collective Bargaining recommended the following amendments which were moved by Senator Grizzle and adopted:

Amendment 1—On page 1, line 23, after "on", insert: *disability option actuarial equivalency tables and*

Amendment 2—In title, on page 1, line 5, after "benefits", insert: *and providing for the use of actuarial equivalency tables for such calculations*

Pending further consideration of SB 114 as amended, on motions by Senator Grizzle, the rules were waived and by two-thirds vote CS for HB 73 was withdrawn from the Committees on Personnel, Retirement and Collective Bargaining and Appropriations.

On motion by Senator Grizzle—

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

—a companion measure, was substituted for SB 114 and read the second time by title.

Senator Gersten moved the following amendment which failed:

Amendment 1—On page 3, between lines 13 and 14, insert:

Section 2. Paragraph (b) of subsection (9) of section 121.091, Florida Statutes, is amended to read:

121.091 Benefits payable under the system.—

(9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.—

(b)1. Any person who is retired under this chapter, except under the disability retirement provisions of subsection (4), may be employed by an employer that participates in a state-administered retirement system and receive compensation from such employment and retirement benefits at the same time, so long as the employment does not exceed 780 hours each calendar year, or the compensation earned in such employment does not exceed \$4,000 each calendar year, whichever limitation permits the longer employment. *In the case of a teacher as defined in s. 238.01, the employment shall not exceed 1,000 hours each calendar year, provided the compensation earned in such employment does not exceed \$7,000 each calendar year, whichever limitation permits the longer employment. It is further provided that such retired teacher shall be reemployed as a classroom teacher and shall be reemployed in a subject area which is certified as being a statewide or systemwide area of critical teacher shortage by the State Board of Education.* However, such limitation shall not apply to a person or teacher age 65 or older.

2. Any person to whom the limitation in subparagraph 1. applies who will exceed such limitation shall give timely notice of this fact in writing to his employer and to the division and shall advise both of the date on which he will exceed the limitation. The division shall suspend such retired person's benefits for the remainder of the calendar year during which he continues employment in excess of the limitation in subparagraph 1. Upon commencement of the next calendar year, the division shall resume payment of the retired person's benefits until he again exceeds the employment limitation of subparagraph 1., at which time his benefits shall again be suspended for the remainder of the calendar year. Should such person fail to provide timely notice of his employment in excess of the limitation to the division, and should he receive and retain both benefits and compensation in excess of the limitation of subparagraph 1., the division shall suspend his retirement benefits until he has repaid to the retirement trust fund all benefits received after the limitation was reached.

3. The employment by an employer of any retiree of any state-administered retirement system shall have no effect on the average final compensation or years of creditable service of the retiree, nor shall any deductions or contributions for retirement be made from or for the compensation received by the retiree with respect to such employment.

4. Notwithstanding the provisions of subparagraph 1., any retired person who is employed by an employer under the system within 1 calendar month of retirement shall forfeit his right to benefits during that month.

5. Any person who has previously retired and who is holding public office on or after July 1, 1969, may have his membership in the Florida Retirement System reinstated by making the necessary contributions to the retirement fund for the period of reemployment. Any person electing

this alternative shall not be eligible for retirement compensation during the period of employment. During this period of employment, such contributions shall be included in the computation of the employee's average final compensation and his years of creditable service.

6. Any person who has retired and subsequently is elected or appointed to an elective public office which is covered by the Florida Retirement System and who does not elect to reinstate his membership in the Florida Retirement System shall continue to receive his retirement benefits in addition to the compensation of the elective office to which he is elected or appointed without regard to the time limitations otherwise provided in this subsection.

7. The limitations of this paragraph shall apply to reemployment in any capacity with an employer as defined in s. 121.021(10), irrespective of the category of funds from which the person is compensated

Section 3. Paragraph (a) of subsection (2) of section 238.181, Florida Statutes, is amended to read:

238.181 Reemployment after retirement; conditions and limitations.—

(2)(a) Any person retired under this chapter, except under the disability retirement provisions of s. 238.07, may be employed by an employer that participates in a state-administered retirement system and may receive compensation from such employment and retirement benefits at the same time, so long as the employment does not exceed 1,000 780 hours each calendar year, or the compensation earned in such employment does not exceed \$7,000 \$4,000 each calendar year, whichever limitation permits the longer employment. It is further provided that such retired teacher shall be reemployed as a classroom teacher and shall be reemployed in a subject area which is certified as being a statewide or systemwide area of critical teacher shortage by the State Board of Education. However, such limitation shall not apply to a person age 65 or older.

(Renumber subsequent section.)

On motion by Senator Grizzle, by two-thirds vote CS for HB 73 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 114 was laid on the table.

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

INTRODUCTION AND REFERENCE OF BILLS

By the Committee on Appropriations—

SB 1195—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1983, and ending June 30, 1984, to pay salaries, other expenses, capital outlay - buildings and improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

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

On motions by Senator Barron, by two-thirds vote SB 1195 was withdrawn from the Committee on Appropriations and by two-thirds vote placed on the special order calendar for May 19.

On motion by Senator Barron, the rules were waived and by two-thirds vote CS for SB 1166 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Barron, the rules were waived and by two-thirds vote CS for SB 816 was withdrawn from the Committee on Commerce.

SPECIAL ORDER, continued

CS for SB 358—A bill to be entitled An act relating to the Fictitious Name Statute; amending s. 865.09, Florida Statutes; providing penalties for engaging in business under a fictitious name without having properly registered such fictitious name with the clerk of the circuit court; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote CS for SB 358 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

On motions by Senator W. D. Childers, the rules were waived and by two-thirds vote HB 437 was withdrawn from the Committees on Commerce; Appropriations; and Finance, Taxation and Claims.

On motion by Senator W. D. Childers—

HB 437—A bill to be entitled An act relating to custody of securities owned by the Florida Retirement System Trust Fund; repealing s. 215.50(4), Florida Statutes, relating to the duties of the State Treasurer as custodian of securities owned by the Florida Survivor Benefit Trust Fund; amending s. 215.50(5), Florida Statutes, 1982 Supplement, relieving the Treasurer of liability with respect to certain securities; providing an effective date.

—a companion measure, was substituted for SB 295 and read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 437 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 295 was laid on the table.

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

—was read the second time by title.

Senator Hair moved the following amendments which were adopted:

Amendment 1—On page 2, line 29, strike "which group"

Amendment 2—On page 10, line 26, strike "which group"

On motion by Senator Hair, by two-thirds vote CS for SB 812 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 482—A bill to be entitled An act relating to state parks and preserves; amending s. 258.39(28), Florida Statutes; changing the boundaries of the Estero Bay Aquatic Preserve; 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 Mann and adopted:

Amendment 1—On page 1, line 31, after “3,” insert: 10,

Pending further consideration of SB 482, 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 HB 1150 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Natural Resources—

HB 1150—A bill to be entitled An act relating to state parks and preserves; amending s. 258.39(28), Florida Statutes; changing the boundaries of the Estero Bay Aquatic Preserve; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

SPECIAL ORDER, continued

On motion by Senator Mann, by two-thirds vote HB 1150, a companion measure, was withdrawn from the Committee on Natural Resources and Conservation and substituted for SB 482. On motions by Senator Mann, by two-thirds vote HB 1150 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—39

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

Nays—None

SB 482 was laid on the table.

ENROLLING REPORTS

Senate Bills 25, 340, 350 and 472 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 17, 1983.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 13 was corrected and approved.

CO-INTRODUCERS

Senator Stuart—Senate Bills 980, 1076 and 1116

The Senate adjourned at 5:00 p.m. to reconvene at 9:00 a.m., Thursday, May 19.