



Journal of the Senate

Number 8

Tuesday, April 23, 1985

Prayer

The following prayer was offered by Major Robert F. Bridges, Commanding Officer, The Salvation Army, Orlando:

Our Father God, as we begin this day, we pause to ask thy blessing and to give you thanks for the gracious care we receive from your hand.

We are indeed a privileged people; help us not to take for granted the freedoms we enjoy, the opportunity that is afforded us, and the responsibility to our fellow man. We would serve this present age.

May we not hurry through this day, but listen for your voice as you guide each of us.

Dear Lord, we thank thee for those who have been elected throughout our state to lead us. We pray your divine wisdom on each of them.

Help each of us when we are tempted by those whose god is gain, and may we stand strong when godless men would make a mockery of righteousness. Give courage to defend the weak, and to work to ban all things that would destroy the dignity of man.

Lord God, we pray that your Spirit may rest on all who bear responsibility for government among our people. Thy word reminds us "Blessed is the nation whose God is the Lord", we reaffirm that belief, and ask your blessing and protection.

From the old hymn we would pray, "O God, our help in ages past, our hope for years to come, our shelter from the stormy blast, and our eternal home!"

We would humble ourselves before you this day, and pray that your will may be done in all the many issues that come before this great body of thy people.

Pour your blessings upon us we ask, and we will give honor and praise and glory to your name. Amen.

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

Call to Order

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

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

Excused: Senator Neal from 9:00 a.m. until 10:00 a. m.; Senator Carlucci

Votes Recorded

Senator Crawford was recorded as voting yea on the following which were considered April 16: Senate Bills 141, 192, CS for SB 151, CS for SB 189 and CS for SB's 199 and 47

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, April 23, 1985: SCR 370, SM 497, SB 16, CS for SB 110, SB 178, CS for SB 345, SB 295,

SB 423, SB 317, SB 529, SB 115, SB 221, SB 224, SB 533, SB 409, CS for SB 382, SB 380, CS for SB 340, CS for SB 29, SB 322, SB 79, SB 217, CS for SB 208

Respectfully submitted,
Kenneth C. Jenne, Chairman

The Committee on Education recommends the following pass: SB 321, SB 764, SB 532 with 2 amendments

The Committee on Judiciary-Civil recommends the following pass: SB 496, SB 652

The Committee on Transportation recommends the following pass: SB 332, SB 458, SB 483 with 1 amendment, SB 488 with 2 amendments, SB 530 with 3 amendments

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

The Committee on Transportation recommends the following pass: SB 484 with 3 amendments

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

The Committee on Transportation recommends the following pass: SB 346 with 2 amendments

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

The Committee on Education recommends the following pass: SB 315 with 2 amendments

The bill was referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.

The Committee on Education recommends the following pass: SB 596

The Committee on Judiciary-Civil recommends the following pass: SB 264, SB 287

The Committee on Transportation recommends the following pass: SB 449

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

The Committee on Education recommends committee substitutes for the following: Senate Bills 659 and 720, SB 164

The bills with committee substitutes attached were referred to the Committee on Appropriations under the original reference.

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 88

The Committee on Judiciary-Civil recommends committee substitutes for the following: SB 288, CS for SB 501

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

REQUESTS FOR EXTENSION OF TIME

April 22, 1985

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following: Senate Bills 492, 514, 515, 528, 561, 587, 590, 611, 626, 633, 636, 649, 664, 668

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: Senate Bills 493, 504, 509, 519, 524, 526, 560, 573, 580, 586, 632, 640

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: Senate Bills 499, 500, 506, 525, 535

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 494, 537, 538, 602, 605, 614, 646

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: Senate Bills 121, 168, 180, 230, 537, 538, 602, 605, 614, 646

The Special Master on Claims requests an extension of 15 days for consideration of the following: Senate Bills 205, 252, 279, 513, 548

April 23, 1985

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 511, 539, 554, 555, 562, 569, 571, 574, 576, 578, 593, 595, 600, 609, 610, 612, 615, 660, 663

The Committee on Education requests an extension of 15 days for consideration of the following: Senate Bills 613, 617, 620, 644, 655

The Committee on Transportation requests an extension of 15 days for consideration of the following: Senate Bills 50, 71, 207, 209, 265, 318, 334, 374, 437, 495, 512, 553, 570, 589, 594, 608, 625, 631, 635, 639, 647, 650, 662, 684, 722, 728, 729, 736, 756, 769, 814, 817, 834, 840, 850, 888, 895, 938, 942, 965, 968, 978, 1010, 1012

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Vogt—

SB 1048—A bill to be entitled An act relating to pollution control; creating part IX of chapter 403, F.S.; providing legislative intent; providing definitions; establishing, and authorizing the Department of Environmental Regulation to administer, the Florida Pollutant Discharge Elimination System permit program; providing procedures for issuance of permits to discharge pollutants; providing for enforcement by the Department of Environmental Regulation; amending s. 403.031, F.S.; requiring the United States or its agencies to obtain permits pursuant to chapter 403; amending s. 403.087, F.S.; providing for suspension, modification, or revocation of permits under said section and part IX; amending s. 403.091, F.S.; authorizing issuance of inspection warrants by hearing officers; amending ss. 403.511 and 288.514, F.S.; providing for effects of certain certifications; establishing time periods for certain certifications; amending s. 20.261, F.S.; providing restrictions on income of persons who take final agency action on permits to discharge; providing an appropriation; providing a conditional effective date.

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

By Senator Crawford—

SB 1049—A bill to be entitled An act relating to taxation; amending s. 193.011, F.S.; providing for consideration of typical income attributable to property being assessed; amending s. 193.074, F.S.; providing for information sharing pursuant to agreement with other states; amending s. 194.011, F.S.; providing a restriction on petitions heard by the property appraisal adjustment board; amending s. 194.013, F.S.; providing an additional circumstance in which a refund of the filing fee for petitions to the property appraisal adjustment board may be refunded; amending s. 195.096, F.S.; providing for the combination of in-depth review classes in certain circumstances; amending s. 195.097, F.S.; providing for a change in terminology; amending s. 145.10, F.S.; providing for increased qualification salaries for property appraisers and certified Florida evaluators; providing for certification programs; amending s. 145.11, F.S.; providing for increased qualification salaries for tax collectors and Florida collector assistants; providing for certification programs; amending s. 195.087, F.S.; changing the date upon which property appraiser budgets must be submitted; amending s. 200.065, F.S.; providing an exception to the adjustment of millage rates in the event a review notice is issued; providing an effective date.

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

By Senator Gordon—

SB 1050—A bill to be entitled An act relating to purchasing; creating s. 287.075, F.S.; providing that certain persons are ineligible to participate as bidder or offeror in competitive bidding; providing an effective date.

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

By Senator Malchon—

SB 1051—A bill to be entitled An act relating to the Commission on Human Relations; providing that complaints and proceedings relating to unlawful sexual discrimination or harassment in employment are confidential until probable cause is found; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Gordon—

SB 1052—A bill to be entitled An act relating to the investment of surplus public funds of counties; amending s. 125.31, F.S.; providing for the investment and reinvestment of such funds; deleting a provision providing that the requirements of this section are supplemental; providing an effective date.

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

By Senator Gordon—

SB 1053—A bill to be entitled An act relating to investment of surplus public funds of municipalities; amending s. 166.261, F.S.; providing for the investment and reinvestment of such funds; deleting a provision providing that the requirements of this section are supplemental; providing an effective date.

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

By Senator Carlucci—

SB 1054—A bill to be entitled An act relating to the "Florida Emergency Telephone Act"; amending s. 365.171, F.S., providing for a "911" tax to pay for certain nonrecurring service or equipment charges incurred by counties or municipalities; providing an effective date.

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

By Senator Hair—

SB 1055—A bill to be entitled An act relating to negligence; creating ss. 458.320, 459.0085, 460.4075, 461.0071, F.S.; establishing financial responsibility requirements for physicians, osteopathic physicians, chiropractic physicians, and podiatrists; requiring proof of compliance; providing administrative penalties; requiring leave of court to plead punitive damages; limiting discovery; providing for liability for damages based upon the degree of fault; abolishing joint and several liability in negligence actions; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Plummer—

SB 1056—A bill to be entitled An act relating to natural resources; creating the "Florida Natural Resource Restoration Trust Fund Act"; providing legislative findings and purposes; providing definitions; creating the Natural Resource Restoration Trust Fund; restricting expenditures from the fund; providing for subaccounts; providing for boards of trustees; prescribing purposes for expenditures from the fund and appropriating funds for such purposes; providing procedures for making such expenditures; restricting the purposes for which the Legislature may appropriate moneys from the fund; providing that other appropriations to a state agency that receives reimbursement from the fund may not be reduced because of such reimbursement; providing an effective date.

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

By Senator Kirkpatrick—

SB 1057—A bill to be entitled An act relating to school boards; amending s. 230.23, F.S.; expanding the power of a school board to provide protection for itself and school property against certain financial losses; providing an effective date.

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

By Senator Dunn—

SB 1058—A bill to be entitled An act relating to educational broadcasting; creating s. 229.8052, F.S.; creating a state satellite network to provide regional access to certain educational programs; providing duties and responsibilities of the Department of Education relating to implementation and coordination of the satellite network; providing that implementation of the network is conditioned upon funding through an appropriations act; providing an effective date.

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

By Senator Johnson—

SB 1059—A bill to be entitled An act relating to requirements for high school graduation; amending s. 232.246, F.S., providing that a course in speech and debate may be taken to satisfy a credit requirement in performing arts; providing an effective date.

—was referred to the Committee on Education.

By Senator Johnson—

SB 1060—A bill to be entitled An act relating to the Life-Prolonging Procedure Act of Florida; amending s. 765.03, F.S., redefining the term "life-prolonging procedure" to include the provision of sustenance through artificial means; providing an effective date.

—was referred to the Committees on Judiciary-Civil; and Health and Rehabilitative Services.

By Senator Gordon—

SB 1061—A bill to be entitled An act relating to commercial motor vehicles; amending s. 324.042, F.S., providing a cross reference; amending s. 324.26, F.S., providing liability insurance requirements for commercial motor vehicles; providing for proof of compliance to be submitted prior to registration of such vehicles; providing for enforcement; providing for rules; providing an effective date.

—was referred to the Committees on Transportation and Commerce.

By Senator Gersten—

SB 1062—A bill to be entitled An act relating to garnishment proceedings, creating s. 77.051, F.S.; requiring that persons having an ownership interest in property controlled by a garnishee shall be served with copies of the writ and given notice of obligations and rights; amending s. 77.06, F.S.; deleting distinctions concerning bank and financial institution garnishees; deleting certain notice requirements; amending s. 77.07, F.S.; requiring that persons served with notice of an ownership interest shall file a motion to dissolve the garnishment; providing for remedies and penalties; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Crawford—

SB 1063—A bill to be entitled An act relating to purchasing commodities; providing for consolidated financing of approved deferred-payment purchases by the state and its agencies; authorizing a line of credit therefor; authorizing interagency contracts and automatic debit of agency accounts for the repayment of obligations; creating a trust fund; authorizing the Department of General Services and the Comptroller to adopt rules; providing an appropriation; amending s. 287.012, F.S.; redefining "commodity"; amending s. 287.063, F.S.; providing for Comptroller approval of economically prudent and cost-effective deferred-payment purchases; establishing criteria for approval; providing an effective date.

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

By Senator Langley—

SB 1064—A bill to be entitled An act relating to investigative and patrol services and deception detection; amending s. 493.30, F.S., providing new definitions and clarification to current definitions; amending s. 493.301, F.S., redefining certain private investigations; amending s. 493.303, F.S., reducing the number of members on an advisory council; amending s. 493.304, F.S., clarifying classes of licenses; amending s. 493.305, F.S., specifying additional application requirements and increasing eligibility to reapply for license as appropriate; amending s. 493.306, F.S., clarifying certain requirements of applicants; amending s. 493.308, F.S., redefining the classes of branch office licenses; amending s. 493.309, F.S., relating to investigation of applicant; amending s. 493.31, F.S., including certain class licenses under insurance requirements; amending s. 493.311, F.S., changing all licenses to biennial renewal; specifying posting of license and notification of termination and employment; amending s. 493.312, F.S., abbreviating the procedures for change of location notification; amending s. 493.313, F.S., clarifying requirements for notification of renewal; amending s. 493.314, F.S., abbreviating the procedures for cancellation of license and providing for an inactive license; amending s. 493.315, F.S., clarifying eligibility for a statewide gun permit; amending s. 493.317, F.S., changing the time frame within which a repossession must be reported; amending s. 493.318, F.S., clarifying property to be maintained; amending s. 493.319, F.S., clarifying grounds for disciplinary action; amending s. 493.321, F.S., limiting eligibility to reapply for persons who violate provisions of this part; amending s. 493.322, F.S., providing authority for department to enjoin unlicensed persons from operating, as appropriate; creating s. 493.327, F.S., providing confidentiality of information relating to residence address and telephone number of licensee with certain limitations; creating s. 493.328, F.S., authorizing a periodic newsletter to industry; amending s. 493.561, F.S., providing clarification of "intern," deleting "employee examiner" from definitions and adding definition of "detection of deception instructor"; amending s. 493.562, F.S., providing department authority to issue an exemption certification to examiners described in said section as excluded from license requirements; amending s. 493.564, F.S., adding an advisory council under this part which is authorized to provide technical assistance to the Department of State related to administration of polygraph examination; amending s. 493.565, F.S., specifying certain application requirements; amending s. 493.566, F.S., clarifying certain qualifications for license requirements; amending s. 493.567, F.S., reducing a certain restriction from license issuance based upon reciprocity; amending s. 493.568, F.S., clarifying requirements for licensee's insurance; amending s. 493.569, F.S., clarifying the requirements for a polygraph intern license; amending s. 493.57, F.S., providing clarification of license periods; amending s. 493.571, F.S., providing requirements for licensure of schools and notification of change of licensees associated to school; amending s. 493.573, F.S., providing additional requirements for posting of license and change of location of licensee; amending s. 493.576, F.S., providing enforcement authority to the department and limiting eligibility to reapply for persons who violate provisions of this part; creating s. 493.578, F.S., authorizing a periodic newsletter to the industry; amending s. 493.579, F.S., providing for cancellation or inactivation of license; providing an effective date.

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

By Senator Malchon—

SB 1065—A bill to be entitled An act relating to retirement; amending ss. 112.05, 121.091, 122.16, 238.181, F.S.; deleting restrictions on reemployment after retirement; repealing s. 321.203, F.S., relating to conditions and limitations on reemployment after retirement; providing an effective date.

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

By Senator Peterson—

SB 1066—A bill to be entitled An act relating to education; amending s. 240.414, F.S.; providing that the amount of awards from the Latin American and Caribbean Basin Scholarship Program shall be determined in the General Appropriations Act; increasing the number of semesters for which an eligible student may receive awards; providing that students enrolled in intensive English language instruction may be eligible for scholarship awards; authorizing colleges and universities to waive certain fees; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Plummer—

SB 1067—A bill to be entitled An act relating to public accountancy; amending s. 473.308, F.S.; requiring the Board of Accountancy to certify for licensure as a certified public accountant an applicant who retired with a valid license and has completed a specified amount of continuing education; providing an effective date.

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

By Senator Dunn—

SB 1068—A bill to be entitled An act relating to environmental protection; amending s. 403.412, F.S.; revising the Environmental Protection Act; specifying parties having standing to complain or intervene; providing for service of complaint; requiring notice of agency action; providing for attorney and witness fees; specifying forms of relief available; specifying standards of proof; providing for dismissal of certain intervenors; providing that relief does not apply to certain land use or development decisions; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Judiciary-Civil.

By Senators Meek and Thomas—

SB 1069—A bill to be entitled An act relating to postsecondary education; creating s. 240.535, F.S.; creating the Florida Intercollegiate Athletics Supplemental Funding Program; requiring the Board of Regents to administer the program; authorizing distribution of funds to certain state universities to be used in strengthening intercollegiate athletics; providing an appropriation; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senators Neal, Thomas, Castor and Mann—

SB 1070—A bill to be entitled An act relating to state employees; creating s. 110.106, F.S.; prescribing policy on state employee compensation; providing for incentive pay; requiring implementation of an employee performance evaluation program; requiring the Department of Administration to conduct a salary study; requiring periodic salary and benefit studies; defining "benefits"; providing an effective date.

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

By Senator Gersten—

SB 1071—A bill to be entitled An act relating to the payment of parking ticket violations; amending s. 316.1967, F.S.; deleting the requirement that the registered owner of a vehicle be notified of each delinquent parking ticket; providing that the Department of Highway Safety and Motor Vehicles shall not renew the vehicle registration certificate of an owner who repeatedly fails to pay parking tickets; providing for notice of such nonrenewal to the vehicle owner; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Johnson—

SB 1072—A bill to be entitled An act relating to education; directing the State Board of Education and the Board of Regents to establish the Florida Open University; providing definitions; amending s. 240.2011, F.S.; adding the open university to the State University System; requiring the establishment of an administrative headquarters and learning centers; authorizing the granting of degrees; authorizing the open university to contract for space, for the development and preparation of courses of instruction, and for testing, counseling, and instructional services; protecting the right of other state universities to offer external degree and continuing education programs; providing for reciprocity of credits; requiring the Board of Regents to assess student fees; providing for an annual report to the Legislature; providing an appropriation; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Fox—

SB 1073—A bill to be entitled An act relating to mental health; amending s. 394.459, F.S., relating to rights of patients under the Florida Mental Health Act; amending s. 394.467, F.S., modifying criteria for

involuntary placement; revising various provisions of chapter 916, F.S.; creating s. 916.10, F.S., establishing the "Forensic Client Services Act"; creating s. 916.105, F.S., providing legislative intent; creating s. 916.106, F.S., providing definitions; creating s. 916.107, F.S., providing the rights of patients receiving treatment; providing for transportation of forensic clients; creating s. 916.108, F.S., providing for training forensic mental health experts; providing immunity in certain situations; amending s. 916.11, F.S., directing the Department of Health and Rehabilitative Services to provide lists of trained experts for court appointment; amending s. 916.13, F.S., relating to involuntary commitment of defendants adjudicated incompetent to stand trial or incompetent for sentencing; providing criteria; providing for admission to a forensic facility; amending s. 916.15, F.S., relating to involuntary commitment of defendants adjudicated not guilty by reason of insanity; amending s. 916.17, F.S., requiring the court to hold a hearing with respect to release conditions within 7 days, under certain circumstances; providing a time limit; creating s. 916.175, F.S., providing a penalty for escape from a treatment program; creating s. 916.178, F.S., prohibiting introduction of certain articles into a forensic facility, or removal therefrom; providing for search and seizure; providing for enforcement; providing a penalty; amending s. 916.19, F.S., deleting definitions; providing certain powers and duties of institutional security personnel at a forensic facility; providing limitations; creating s. 916.20, F.S., providing for rules and for implementation of the act; repealing s. 394.461(4)(a), (b), and (c), F.S., relating to separate and secure facilities for criminally charged or convicted mentally ill persons; repealing s. 916.18, F.S., relating to the program for treatment of persons involuntarily hospitalized due to incompetency to stand trial; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Judiciary-Criminal; and Appropriations.

By Senator Langley—

SB 1074—A bill to be entitled An act relating to health related projects; abolishing the certificate of need process; repealing ss. 381.494, 381.495, 381.4961, 381.498, 381.499, F.S., relating to certificates of need; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Commerce.

By Senator Kiser—

SB 1075—A bill to be entitled An act relating to law enforcement and correctional officers; creating s. 112.535, F.S., authorizing claims or counterclaims by such officers for malicious prosecution in actions filed against them; providing for damages and costs; providing restrictions; providing an effective date.

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

By Senator Kiser—

SB 1076—A bill to be entitled An act relating to home health agencies; amending ss. 400.461 and 400.462, F.S., expanding the application of the regulation of home health agencies; amending s. 400.474, F.S., providing an additional ground for disciplinary action by the Department of Health and Rehabilitative Services against home health agencies; creating ss. 400.478 and 400.479, F.S., requiring the licensure of certain employees of such agencies; providing fees and exemptions; providing for disciplinary action; amending s. 400.484, F.S., requiring the department to monitor such agencies; amending s. 400.497, F.S., expanding the minimum standards to be adopted by the department; amending s. 400.504, F.S., granting existing agencies a period in which to comply; requiring the department to determine the existence of home health agencies subject to licensure under the act; providing effective dates.

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

By Senator Margolis—

SB 1077—A bill to be entitled An act relating to motor vehicles; amending s. 320.02, F.S.; providing circumstances for titling and registration of motor vehicles not manufactured in accordance with specified federal laws; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Margolis—

SB 1078—A bill to be entitled An act relating to public records; amending s. 119.07, F.S., providing a procedure for the examination of ballots under the public records law; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Gordon—

SB 1079—A bill to be entitled An act relating to education; authorizing the Department of Education to award grants to school districts for pilot projects to encourage communication and understanding between students and senior citizens; providing criteria; authorizing use of college and university resources; providing for reports; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Stuart—

SB 1080—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; authorizing an increase in the tax rate to 4 percent under certain circumstances; providing procedures; providing an effective date.

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

By Senator Stuart—

SB 1081—A bill to be entitled An act relating to environmental protection; providing a short title; providing legislative findings and intent; providing definitions; designating rivers within certain river systems as Florida Resource River Systems; requiring that conceptual resource river management plans be developed by water management districts and other entities and submitted for legislative approval; providing guidelines and procedures for such plan development; requiring that comprehensive resource river management plans be developed by water management districts and other entities and submitted for legislative approval; providing guidelines and procedures for such plan development; amending s. 373.139, F.S.; providing that certain appraisal reports are exempt from the public records law during certain negotiations; amending s. 373.039, F.S.; providing that any resource river management plans are part of the Florida water plan; repealing ss. 201.02(1)(b), 201.15(2), 373.59(10), F.S., relating to the future repeal of provisions providing for the imposition, collection, distribution, and use of documentary stamp taxes earmarked for the Water Management Lands Trust Fund; providing an appropriation; providing an effective date.

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

By Senator Hair—

SB 1082—A bill to be entitled An act relating to medical malpractice liability insurance; amending s. 768.54, F.S.; providing for the issuance by the Florida Patient's Compensation Fund of claims-made coverage; providing for an increase in entry level amounts; modifying the type of excess liability coverage to be issued by the fund; providing that assessments be sufficient to cover all expected claims; providing an effective date.

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

By Senators Frank and Jenne—

SB 1083—A bill to be entitled An act relating to anatomical gifts; amending s. 732.921, F.S.; providing for a continuing program to inform persons of laws relating to anatomical gifts and the need for anatomical gifts; creating a demonstration project within the program; providing an appropriation; providing an effective date.

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

By Senator Myers—

SB 1084—A bill to be entitled An act relating to inland navigation districts; creating s. 374.975, F.S.; providing legislative intent; creating s. 374.976, F.S.; authorizing and empowering inland navigation districts to undertake certain programs; creating s. 374.977, F.S.; providing for com-

pensation; providing an exemption from the act; providing for review and repeal of the Florida Inland Navigation District and the West Coast Inland Navigation District pursuant to the Sundown Act; providing an effective date.

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

By Senator Plummer—

SB 1085—A bill to be entitled An act relating to historic preservation boards; amending ss. 266.201, 266.202, 266.203, 266.207, F.S.; renaming the Historic Key West Preservation Board of Trustees as the Historic Florida Keys Preservation Board of Trustees; providing certain membership requirements; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senators Crawford, Peterson, Thurman, Kirkpatrick, Langley and Johnson—

SB 1086—A bill to be entitled An act relating to water management districts; amending s. 373.0693, F.S.; authorizing the governing board of a district to create or modify a basin or subdistrict within the district by rule; providing for the appointment of additional members to the Peace River Basin Board; providing procedures for selecting the chairman of a basin board and for calling board meetings; creating basins within the Southwest Florida Water Management District; providing for the transfer of certain assets; amending s. 373.0695, F.S.; providing duties and responsibilities of basin boards; providing a limitation on the works that a basin may adopt; amending s. 373.0697, F.S.; authorizing the governing board of a district to accept or reduce the proposed budget of a basin; requiring a water management district to report tax revenues to counties within the district; amending s. 373.073, F.S.; providing for the membership of the governing board of the Southwest Florida Water Management District; amending s. 373.079, F.S.; limiting the duties and term of office of the chairman of the governing board of a water management district; amending s. 373.109, F.S.; deleting the provision which prohibits the collection of certain permit fees from a governmental entity; amending s. 373.503, F.S.; providing legislative findings; providing an effective date.

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

By Senator Carlucci—

SJR 1087—A joint resolution proposing an amendment to Section 9, Article IV of the State Constitution, relating to the Game and Fresh Water Fish Commission.

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

By Senators Dunn, Mann, Frank, McPherson, Deratany, Stuart, Gershten, Malchon, Fox, Thurman, Grizzle and Castor—

SCR 1088—A concurrent resolution to the Secretary of the United States Department of the Interior, urging him to permanently delete certain sensitive environmental and economic areas of the coast of Florida from lease sales.

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

By Senator Fox—

SB 1089—A bill to be entitled An act relating to alcoholic beverages; amending ss. 561.42, 561.423, F.S.; specifying conditions under which a manufacturer or distributor may give, loan, rent, or sell certain items to a vendor; providing that a distributor may move or reset certain product displays; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Dunn—

SB 1090—A bill to be entitled An act relating to veterans' affairs; providing for the establishment of a demographic needs assessment for veterans' nursing home facilities; providing guidelines; providing a limitation on the size of such facilities; requiring the Division of Veterans' Affairs of the Department of Administration to report its findings to the Legislature; providing an effective date.

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

By Senator Kiser—

SB 1091—A bill to be entitled An act relating to tax contests; amending s. 72.011, F.S.; eliminating jurisdiction with respect to the contest of the legality of an assessment of tax, interest, or penalty under s. 125.0165, F.S., relating to the discretionary sales tax in certain charter counties; deleting provisions relating to the requirement that taxpayers pay the Department of Revenue uncontested amounts of tax due before bringing an administrative or judicial action to contest a tax; removing applicability of certain provisions to notices of assessment of transferee liability and to notices of billings by the department; repealing s. 2, ch. 84-170, Laws of Florida, relating to imposition of a penalty if the amount of taxes which the taxpayer has admitted to be owing is grossly disproportionate to the amount of tax found to be due or is not made in good faith; providing for retroactive application; providing an effective date.

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

By Senator Gordon—

SB 1092—A bill to be entitled An act relating to fees assessed by the Department of Agriculture and Consumer Services; amending ss. 487.041, 576.041, 578.08, 580.061, 601.281, F.S.; removing limitation on fees assessed for registration of pesticides, inspection of fertilizers, registration of seed dealers, inspection of commercial feeds, and additional citrus fruit inspection fees; requiring the department to set such fees by rule in an amount sufficient to cover costs associated with such programs; amending s. 581.131, F.S.; increasing the fees for registration of nurserymen, stock dealers, agents, and plant brokers; amending s. 603.151, F.S.; requiring the department to assess fees for the inspection of tomatoes, cucumbers, avocados, or limes; specifying guidelines for the imposition of such fees; requiring the Auditor General to conduct a study and make a report to determine whether fees assessed by the department cover the costs of certain programs; providing an effective date.

—was referred to the Committees on Agriculture; Rules and Calendar; and Appropriations.

By Senator Gordon—

SB 1093—A bill to be entitled An act relating to forest and wild lands assessments; amending s. 125.27, F.S.; increasing the county fire control assessments; providing an effective date.

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

By Senator Plummer—

SB 1094—A bill to be entitled An act relating to historic properties; amending s. 267.021, F.S.; revising and providing additional definitions with respect to such properties; amending s. 267.061, F.S.; revising state policy relative to historic properties; providing responsibilities of state agencies relative to historic properties; revising historic preservation responsibilities of the Division of Archives, History and Records Management of the Department of State; revising duties of the State Archaeologist; providing for employment of a State Historic Preservation Officer and other historic preservation specialists; providing an effective date.

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

By Senator Dunn—

SB 1095—A bill to be entitled An act relating to county funds; amending s. 219.075, F.S., which authorizes investment of surplus funds; authorizing county officers to retain an investment management fee; providing an effective date.

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

By Senator Johnson—

SB 1096—A bill to be entitled An act relating to public employees; amending s. 447.308, F.S., limiting the persons who shall bear the cost of an election for the revocation of the certification of a collective bargaining agent; providing an effective date.

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

By Senator Johnson—

SB 1097—A bill to be entitled An act relating to treatment for dependence on controlled substances; providing that hospital bed space may be used without receiving a certificate of need or undergoing review under the Health Facilities and Health Services Planning Act for a special unit, designed to treat dependent adolescents, that meets specified criteria; providing for a joint venture between the hospital facility that controls such unit and a chemical-dependence presentation and rehabilitation program; providing for prior state agency approval if the unit is to be converted to another use; providing an effective date.

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

By Senator Neal (by request)—

SB 1098—A bill to be entitled An act relating to the Game and Fresh Water Fish Commission; amending s. 372.573, F.S.; providing that more than 40 percent of specified permit fees may be used for the lease, management, and protection of lands for public hunting, fishing, and other outdoor recreation; providing an effective date.

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

By Senators Fox, Meek and Jenne—

SB 1099—A bill to be entitled An act relating to foster and group homes; providing legislative intent; providing definitions; providing that foster homes and group homes meeting specified criteria shall be considered a residential use of property and shall be treated as a permitted use in specified zones; providing for siting of homes for people with special living needs; providing for assistance to local governments; nullifying certain restrictions, conditions, and covenants; providing for applicability; providing an effective date.

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

By Senator Carlucci—

SB 1100—A bill to be entitled An act relating to corrections; creating s. 944.315, F.S.; requiring that certain inspectors employed by the Department of Corrections be law enforcement officers; providing an effective date.

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

By Senator Vogt—

SB 1101—A bill to be entitled An act relating to public health; creating s. 381.365, F.S., authorizing the Department of Health and Rehabilitative Services to subject persons who have received certain emergency medical treatment to examination for infectious disease, under certain circumstances; providing a penalty for refusing to allow such examination; providing an effective date.

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

By Senator Jenne—

SB 1102—A bill to be entitled An act relating to the State University System; creating s. 240.278, F.S.; establishing the Quality Assurance Fund to fund establishment of additional class sections under certain conditions; providing for administration by the Board of Regents; providing an effective date.

—was referred to the Committees on Education and Appropriations.

SR 1103 was introduced and adopted April 16.

By Senator Thomas—

SB 1104—A bill to be entitled An act relating to state employment; creating s. 110.141, F.S.; establishing a tuition waiver program for the training and education of state employees; providing eligibility requirements and restrictions; providing for rules; creating s. 240.123, F.S.; providing funding for state employee fee-waived students; providing the maximum number of credit hours for fiscal year 1985-1986; providing an effective date.

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

By Senator Kiser—

SB 1105—A bill to be entitled An act relating to state planning; amending s. 186.008, F.S., restricting implementation and enforcement of the state comprehensive plan by state agencies; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Economic, Community and Consumer Affairs.

By Senator Vogt—

SB 1106—A bill to be entitled An act relating to the Florida Emergency Telephone Act; creating s. 365.172, F.S., authorizing local governments to impose a fee upon telephone rates to fund the emergency telephone number "911" system; providing referendum procedures; providing restrictions; providing duties upon telephone companies; providing for audits and adjustments; providing an effective date.

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

By Senator Mann—

SB 1107—A bill to be entitled An act relating to hotels and restaurants; amending s. 509.241, F.S.; deleting the condition that a public lodging or food service establishment operator renting or offering for rent certain facilities may do so for only one ownership, management, control, or franchising authority in order to qualify for exceptions from the licensing provisions of ch. 475, F.S.; repealing s. 509.211(1), F.S., relating to the requirement for the submission of certain plans or drawings before the erection or remodeling of public lodging or food service establishments; providing an effective date.

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

By Senator Castor—

SB 1108—A bill to be entitled An act relating to public infrastructure funding; creating the Public Infrastructure Funding Study Task Force; requiring a report containing policy recommendations; providing for task force membership and duration and for an executive director, employees, and meetings; providing for reimbursement for travel and per diem expenses; providing an appropriation; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Economic, Community and Consumer Affairs; Rules and Calendar; and Appropriations.

By Senator Dunn—

SB 1109—A bill to be entitled An act relating to civil actions; providing for offers of settlement in actions for money damages; providing for form, content, and execution of offers; providing for manner of service; providing for terms of offers; providing for acceptance and rejection of offers; providing protection for minors and incompetents; providing for successive offers; providing remedies for rejection under certain circumstances; providing that offers are inadmissible as evidence; providing that this act applies only to causes of action which accrue on or after January 1, 1986; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Senator Stuart—

SB 1110—A bill to be entitled An act relating to olympic training centers; amending s. 14.22, F.S.; providing duties of the Governor's Council on Physical Fitness and Sports; providing for establishment of olympic training centers; providing for Sunshine State Games and olympic training centers direct-support organizations; providing an appropriation; providing an effective date.

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

By Senator Deratany—

SB 1111—A bill to be entitled An act relating to vessel registration; amending s. 327.22, F.S., providing for agreements between certain counties and municipalities for the distribution and use of certain vessel regis-

tration fees; providing for distribution where there is no agreement; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Economic, Community and Consumer Affairs; and Finance, Taxation and Claims.

By Senator Gordon—

SB 1112—A bill to be entitled An act relating to shelter and foster care services for dependent children; providing legislative intent; providing for the establishment of a pilot program to provide assistance and services to shelter and foster homes in one urban county and one rural county; specifying services to be provided; providing for requests for proposals; providing for the comprehensive evaluation of the pilot program; providing an effective date.

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

By Senator Dunn—

SB 1113—A bill to be entitled An act relating to taxation; amending s. 193.1142, F.S.; requiring the review notice of an assessment roll issued by the Department of Revenue to specify certain information; providing that certain notices are void; providing an effective date.

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

By Senator Vogt—

SB 1114—A bill to be entitled An act relating to education; amending s. 231.533, F.S., relating to the State Master Teacher Program; requiring a score as approved by the State Board of Education on the subject area examinations required for qualification; requiring subject area examination prior to performance evaluation; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senators Stuart and Jenne—

SB 1115—A bill to be entitled An act relating to the State University System; amending s. 282.308, F.S.; deleting language requiring information technology resources related to research needs of the universities to be included in the information technology resource plan; exempting certain information technology resources from inclusion in the plan; requiring the Board of Regents to approve each university's information technology resources plan; requiring the Board of Regents to submit a copy of each approved plan to the Information Technology Resource Commission; providing an effective date.

—was referred to the Committee on Education.

By Senator Langley—

SB 1116—A bill to be entitled An act relating to continuing care facilities; amending ss. 651.022, 651.023, F.S.; requiring a feasibility study for a proposed facility to include market projections and independent opinion analysis; amending s. 651.026, F.S.; changing the date for filing annual statements; amending s. 651.055, F.S.; providing a refund exception for agreements involving an ownership interest in a facility; amending s. 651.121, F.S.; adding two members to the Continuing Care Advisory Council to the Department of Insurance; deleting staggered terms of office; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Langley—

SB 1117—A bill to be entitled An act relating to driving under the influence; creating the Drunk Driving Commission; providing membership, terms, powers, and duties; providing for establishment of policies, information programs, and standards for educational courses; providing for reimbursement programs for law enforcement officers; providing for recommendations; providing for funding; creating a local drunk driving commission in each judicial circuit; providing membership, terms, powers, and duties; providing for establishment of alternative programs for incarceration, counseling, and treatment of persons convicted of driving under the influence and driving while intoxicated; creating the Drunk Driving Commission Trust Fund and providing for disposition of moneys therein; providing for deposit of a specified portion of fines for driving under the influence and driving while intoxicated in the trust fund;

requiring incarceration of certain persons under the alternative program; providing an appropriation; providing an effective date.

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

Senate Bills 1118-1142 not introduced.

By Senators Frank, Dunn, Jenne, Stuart, Kirkpatrick and Malchon—

SB 1143—A bill to be entitled An act relating to local government comprehensive planning and land development regulation; amending part II of chapter 163, F.S.; revising the short title and various provisions of ss. 163.3161-163.3211, F.S., the Local Government Comprehensive Planning Act of 1975; revising the short title and definitions; deleting provisions relating to jurisdiction of municipalities over reserve areas; deleting application of act to special districts; requiring adoption or amendment of comprehensive plans by counties and municipalities; requiring submission to state and regional planning agencies; providing deadlines for establishment of planning agency and preparation of plan by newly established municipalities; requiring preparation of plan by regional planning agency under certain circumstances and providing for compensation; providing application to Reedy Creek Improvement District; repealing s. 163.3171(4), F.S., relating to said district; deleting requirement of passage of ordinance of intent to exercise authority under the act; revising provisions relating to designation of local planning agencies and appropriations of funds therefor; specifying responsibilities of such agencies; revising required elements of the comprehensive plan; repealing s. 163.3177(6)(c), (i) and (7)(e), F.S., relating to a required utility element and an optional public services and facilities element; creating s. 163.3178, F.S.; providing criteria for coastal management elements of comprehensive plans; directing the state land planning agency to adopt minimum criteria for the review of coastal management elements; directing counties and municipalities, to comply with adopted requirements concerning coastal management elements; providing for review and hearings; providing for ineligibility for certain funding; providing for submission of land development regulations; creating s. 163.3179, F.S.; requiring local governments to identify undeveloped coastal barrier areas; providing an appropriation; revising requirements relating to adoption of comprehensive plans and submission to specified agencies; providing duties of state land planning agency; providing that local governments found to be not in compliance are ineligible for specified grants and revenue sharing; revising procedures for, and providing restrictions on, amendment of comprehensive plans; requiring submission of current plans to the state land planning agency by a specified date; providing for updating plans on file; revising provision relating to conflict with other statutes; revising procedures for amendment of plans based on periodic evaluation reports; providing for cooperation between agencies; providing for the relationship between land development regulations and adopted plans; specifying status of certain development order applications; creating ss. 163.3202, 163.3215, F.S.; providing for land development regulations; providing for enforcement; repealing ss. 163.160, 163.165, 163.170, 163.175, 163.180, 163.183, 163.185, 163.190, 163.195, 163.200, 163.205, 163.210, 163.215, 163.220, 163.225, 163.230, 163.235, 163.240, 163.245, 163.250, 163.255, 163.260, 163.265, 163.270, 163.275, 163.280, 163.285, 163.290, 163.295, 163.300, 163.305, 163.310, 163.315, F.S., relating to optional planning authority for counties and municipalities to plan for future development; repealing s. 163.3207, F.S., relating to technical advisory committees; providing legislative intent; providing an appropriation; providing an effective date.

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

Senate Bills 1144-1158 not introduced.

By Senator Kirkpatrick—

SB 1159—A bill to be entitled An act relating to highway safety; amending ss. 316.193, 316.1931, 322.03, 322.12, 322.261, 322.271, 322.28, 322.282, 322.29, 322.291, F.S.; specifying previous convictions which will be considered convictions for driving under the influence or driving while intoxicated; providing additional requirements for issuance of a license to a person who has received certain convictions within a specified period; increasing reinstatement fees; specifying driving authorized by a driving privilege restricted for business purposes only and by a driving privilege restricted for employment purposes only; providing procedures and circumstances for reinstatement of the driving privilege of a person whose license has been revoked or suspended under certain circumstances; pro-

viding for substance abuse treatment courses; repealing s. 322.25(7), F.S., relating to reinstatement; providing an effective date.

—was referred to the Committees on Judiciary-Criminal; Transportation; Finance, Taxation and Claims; and Appropriations.

FIRST READING OF COMMITTEE SUBSTITUTES

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

CS for SB 88—A bill to be entitled An act relating to contracting; amending ss. 489.105, 489.505, F.S.; defining "local construction regulation board"; amending ss. 489.113, 489.511, F.S.; providing that such board may deny a building permit or an electrical permit in specified circumstances; requiring that the Department of Professional Regulation be notified of such permit denial; providing an effective date.

By the Committee on Education and Senator Margolis—

CS for SB 164—A bill to be entitled An act relating to transportation of school children; amending s. 234.02, F.S., relating to safety and health of pupils, to provide for adoption by the State Board of Education of a state plan providing for examination, maintenance, and repair of transportation equipment used in connection with the public school system; amending s. 234.051, F.S., relating to public school buses, to redefine the term "school bus" and to modify standards therefor; amending s. 234.091, F.S., relating to general qualifications of public school bus drivers, to clarify such provisions and provide age and training requirements; amending s. 316.003, F.S., redefining the term "school bus" for purposes of the Florida Uniform Traffic Control Law; amending s. 316.615, F.S., revising provisions relating to equipment and inspection of school buses and physical requirements of nonpublic school bus drivers to expand equipment requirements and inspection provisions and to provide additional qualifications for such drivers; providing an appropriation; directing the Department of Education to make a detailed study of school transportation policies in the state; providing criteria for the study; providing for a report to the Legislature; providing an effective date.

By the Committee on Judiciary-Civil and Senator Meek—

CS for SB 288—A bill to be entitled An act relating to elections; amending s. 104.36, F.S.; reducing the distance within which solicitation near a polling place is prohibited from 100 yards to 100 feet; providing an effective date.

By the Committees on Judiciary-Civil and Economic, Community and Consumer Affairs and Senators Frank and Vogt—

CS for CS for SB 501—A bill to be entitled An act relating to county or municipal code enforcement; amending s. 162.02, F.S.; providing legislative intent with respect to the "Local Government Code Enforcement Boards Act"; amending s. 162.09, F.S.; permitting code enforcement boards to impose fines for repeated violations of local ordinances; reducing the time within which such boards may foreclose liens; amending s. 162.11, F.S.; providing that an appeal of an enforcement board's final administrative order shall not be a hearing de novo; providing an effective date.

By the Committee on Education and Senators Grant and Langley—

CS for SB's 659 and 720—A bill to be entitled An act relating to education; requiring certain male students applying for or receiving state funded scholarships or financial aid to show proof of compliance with Selective Service System registration requirements; providing penalties; providing for notification and appeal; providing an effective date.

The President Pro Tempore presiding

On motions by Senator Johnston, the rules were waived by unanimous consent and the following resolutions were introduced out of order:

SR 1259—A resolution recognizing, saluting, and extending appreciation to all secretaries in the state on the occasion of National Secretaries Week.

WHEREAS, an efficient, competent, and loyal secretary is of utmost importance to the success of any organization, and

WHEREAS, with strength and dedication, secretaries daily contend with difficult situations and demanding pressures, and

WHEREAS, secretaries are the unsung heroes and heroines who have consistently contributed to the growth and success of government, education, professions, business, and industry in this state, and

WHEREAS, the week of April 22-26, 1985, has been designated as National Secretaries Week, and April 24 as National Secretaries Day, NOW, THEREFORE,

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

That during this week the Senate recognizes, salutes, and extends special appreciation to all secretaries in the State of Florida for their dedicated service to, and their invaluable contributions to the success of, government, education, professions, business, and industry in this state.

BE IT FURTHER RESOLVED that special tribute be given to those secretaries who tirelessly, and with good humor, serve the members and staff of the Florida Senate.

—was read the first time by title. On motion by Senator Johnston, SR 1259 was read the second time in full and unanimously adopted.

The President presiding

SR 1289—A resolution honoring William D. Lee, and proclaiming April 27, 1985 to be "William D. Lee Day".

WHEREAS, William D. Lee has served the Sarasota County School System since 1957, as a teacher, administrator, and coach, and

WHEREAS, since 1958, William D. Lee has been the administrative director and coach of the Sarasota Sailor Circus, a show put on by Sarasota County school students in Grades 4 through 12, and

WHEREAS, Coach William D. Lee has led the Sarasota Sailor Circus to milestones of success, including the establishment of a permanent location and the construction of a permanent circus tent at a cost of over \$250,000, and

WHEREAS, in twenty-five years, Coach William D. Lee has instilled thousands of Sarasota County school students with a respect for academic education, self-discipline, and integrity, and

WHEREAS, the Sarasota Sailor Circus has been honored by Ringling Brothers and Barnum & Bailey Circus by granting permission to use their world-famous copyrighted title, naming the Sarasota Sailor Circus as the "Greatest Little Show on Earth", and

WHEREAS, the Sarasota Sailor Circus has brought distinction to the State of Florida, having performed from Alaska and Wisconsin, to being featured on the "Mike Douglas Show", and

WHEREAS, it is fitting that the Senate honor Coach William D. Lee for his leadership, inspiration, and services, NOW, THEREFORE,

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

That William D. Lee is recognized for his outstanding accomplishments as a teacher, coach, and as administrative director of the Sarasota Sailor Circus, the "Greatest Little Show on Earth" and that April 27, 1985, is hereby proclaimed "William D. Lee Day."

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Coach William D. Lee as a tangible token of the sentiments of the Florida Senate.

—was read the first time by title. On motion by Senator Johnson, SR 1289 was read the second time in full and unanimously adopted.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Jenne, the rules were waived and the Committee on Rules and Calendar was granted permission to consider SB 507 April 24.

On motion by Senator Kirkpatrick, the rules were waived and by two-thirds vote SB 521 was also referred to the Committee on Appropriations.

On motions by Senator Kirkpatrick, the rules were waived and by two-thirds vote Senate Bills 116, 313, 531 and CS for SB 467 were withdrawn from the Committee on Appropriations.

On motions by Senator Thurman, by two-thirds vote Senate Bills 440, 672, 537 and 517 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Meek, by two-thirds vote Senate Bills 328, 788 and 884 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Beard, by two-thirds vote Senate Bills 812 and 870 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Crawford, the rules were waived and by two-thirds vote CS for SB's 122, 84 and 85 was withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Crawford, the rules were waived and the Committee on Appropriations was granted permission to consider CS for SB's 122, 84 and 85 this day.

On motions by Senator Crawford, by two-thirds vote SB 325 was withdrawn from the Committee on Appropriations and referred to the Committee on Finance, Taxation and Claims and then to the Committee on Appropriations.

On motions by Senator Stuart, the rules were waived and by two-thirds vote CS for SB 92 was withdrawn from the Committees on Natural Resources and Conservation; and Finance, Taxation and Claims.

On motions by Senator Weinstein, by two-thirds vote SB 558 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Jennings, by two-thirds vote SB 318 was withdrawn from the committees of reference and indefinitely postponed.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The following Executive Order was filed with the Secretary:

EXECUTIVE ORDER NUMBER 85-91

(Executive Order of Suspension)

WHEREAS, GLEN E. SAPP is presently serving as the duly elected Sheriff of Charlotte County, Florida, and

WHEREAS, on April 11, 1985, the Grand Jury for Charlotte County, Florida, returned indictments charging GLEN E. SAPP with grand theft, making a false statement in an affidavit required under the provisions of Chapter 319, Florida Statutes, and purchasing supplies for public use from himself, and

WHEREAS, it is in the best interest of the citizens of the State of Florida that GLEN E. SAPP be suspended from the public office that he now holds, upon the constitutional grounds hereinafter set forth:

NOW, THEREFORE, I, BOB GRAHAM, Governor of Florida, do hereby find, determine, and for the purposes of Section 112.41, Florida Statutes, allege as follows:

A. GLEN E. SAPP is, and at all times material hereto was, the duly elected Sheriff of Charlotte County, Florida, pursuant to Article VIII, Section 1, Florida Constitution.

B. The office of Sheriff is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached indictments allege that GLEN E. SAPP did commit acts in violation of Florida law, and these allegations are hereby incorporated by reference as if fully set forth in this Executive Order.

D. The facts alleged herein constitute the offenses of malfeasance, misfeasance and/or commission of a felony as such offenses are used in Article IV, Section 7, Florida Constitution.

E. The interest of the residents of Charlotte County, Florida, and the citizens of the State of Florida can best be served by the immediate suspension of GLEN E. SAPP from the public office which he now holds.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is hereby promulgated, effective immediately:

Section 1.

GLEN E. SAPP is hereby suspended from the public office which he now holds, to wit: Sheriff of Charlotte County, Florida.

Section 2.

GLEN E. SAPP is hereby prohibited from performing any official act, duty, or function of public office, from receiving any pay or allowance, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 12th day of April, 1985.

Bob Graham
GOVERNOR

ATTEST:

George Firestone
SECRETARY OF STATE

(Copies of indictments were filed in the office of the Secretary of the Senate.)

Referred to the Committee on Executive Business.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 154, and Senate Bills 192 and 251.

Allen Morris, Clerk

The bills contained in the foregoing message were ordered enrolled.

CONSIDERATION OF RESOLUTIONS

On motion by Senator Frank, the rules were waived and by two-thirds vote SCR 923 was withdrawn from the Committee on Rules and Calendar.

On motions by Senator Frank—

SCR 923—A resolution calling for continued legislative interest in organ and tissue donation and support for work and publicity related to that purpose.

WHEREAS, an acute shortage of organ and tissue donors is preventing the transplantation procedures which offer the greatest and perhaps the only opportunity for full and productive life for many, and

WHEREAS, there are several thousand Floridians awaiting transplantation, including more than 3,000 awaiting cornea transplants to restore sight, nearly 3,000 awaiting bone transplants to restore mobility and function, and more than 500 awaiting the kidney transplants needed to restore health, and countless more await other organ and tissue transplants including liver, heart, and lung, and

WHEREAS, the advances of medical science are making organ and tissue transplantation an ever more practical and successful procedure, and

WHEREAS, the Florida Legislature has shown a strong interest in facilitating organ donation through the enactment of the "Organ Donor's Act", and more recently through enabling legislation has made possible the implementation of a program encouraging and allowing persons to make anatomical gifts as a part of the process of issuing and renewing drivers' licenses, and

WHEREAS, the Legislature has established and provided for the funding of a project to educate and inform medical professionals, law enforcement agencies, and the general public regarding the needs for anatomical gifts, and

WHEREAS, the project has now been implemented through the formation of a Statewide Organ and Tissue Donor Consortium made up of the Department of Highway Safety and Motor Vehicles, the Department of Health and Rehabilitative Services, voluntary health agencies, civic organizations, and medical groups, and

WHEREAS, this statewide consortium is now actively engaged in educational and other efforts to increase the supply of anatomical gifts to the end that every Floridian who needs an organ or tissue for transplant will be able to get one, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the Legislature continue its interest in organ and tissue donation, offer its full support to the work of the Statewide Organ and Tissue Donor Consortium, and cooperate in the Organ and Tissue Donor Awareness Week so designated by the Governor as April 21-27, 1985, and the special Legislative Organ and Tissue Donor Ceremony on April 24, 1985, in the Capitol.

—was taken up out of order by unanimous consent, read the second time in full, unanimously adopted and certified to the House.

On motion by Senator Fox, the rules were waived by unanimous consent and the following resolution was introduced out of order:

By Senator Fox—

SR 1260—A resolution commending the Miami Dolphin football team, team owner Joe Robbie, and Head Coach Don Shula for their outstanding accomplishments in the National Football League.

WHEREAS, The Miami Dolphins football organization, under the dynamic leadership of team owner Joe Robbie and Head Coach Don Shula, has been one of the most successful in the National Football League, and

WHEREAS, since the merger of the National Football League and the American Football League in 1970, the Miami Dolphins have won or shared 12 American Football Conference Eastern Division titles, have won more regular season games than any other organization in the National Football League, won back to back world championships in 1972 and 1973, and, in 1972, became the only team in National Football League history to complete a full season without a defeat, and

WHEREAS, the Dolphins appearance in Super Bowl XIX on January 20, 1985 marked the record fifth time that the team has earned the honor of competing for the World Championship of professional football, and

WHEREAS, the Dolphins are determined to continue their winning tradition in a new stadium scheduled to be completed in 1987, which stadium will be the site for Super Bowl XXIII in 1989, and

WHEREAS, the dedication and commitment to excellence by Coach Shula, Mr. Robbie, and the players and staff of the Miami Dolphins have brought success to the team, distinction to the State of Florida, and inspiration to others, NOW, THEREFORE,

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

That the Miami Dolphin football team, team owner Mr. Joe Robbie, and Head Coach Don Shula are commended for their latest in a long history of outstanding football seasons.

BE IT FURTHER RESOLVED that copies of this resolution, with the seal of the Senate affixed, be presented to the Miami Dolphin football team, to Joe Robbie, and to Coach Don Shula as a tangible token of the sentiments of the Florida Senate.

—which was read the first time by title. On motion by Senator Fox, SR 1260 was read the second time in full and unanimously adopted.

Senator Fox introduced Joe Robbie, owner of the Miami Dolphins, to the Senate.

Senators Fox, Gordon and Meek escorted Mr. Robbie to the rostrum where he was presented a copy of the resolution.

SPECIAL ORDER

SCR 370—A concurrent resolution declaring April 22 through April 28, 1985, as Cuban Municipalities in Exile Week.

WHEREAS, years ago, Cuba was a free and independent republic and was geographically divided into 126 municipalities or townships, with each one having its own characteristics and traditions but all being united by bonds common to the homeland, and

WHEREAS, at the time the communists took over Cuba, a gigantic exodus began, and today over 1 million Cubans, or 10 percent of the island's population, are exiled all over the free world, but chiefly in the United States and particularly in Dade County, Florida, and

WHEREAS, a new, vigorous generation of Cuban-Americans has arisen to intermingle the culture and traditions of their Cuban forefathers with those of the United States, to form an important and creative force in the Hispanic population of this country, and

WHEREAS, in 1961, the Cuban Municipalities in Exile organization was formed, which had as its goals the maintenance of the democratic spirit among the exiles, the enhancement of familial ties, and the provision of aid to help the flow of newly arrived refugees in adapting to American society, and

WHEREAS, in 1983, a fair was organized which displayed children's art work and photographs depicting the various Cuban landmarks, and featured music and food which was typical of the Cuban townships, and

WHEREAS, in 1984, a second fair was held which attracted thousands from all over Florida, and

WHEREAS, in 1985, a third fair will be held, and

WHEREAS, this fair unites the ethnic community of Dade County in a demonstration of community spirit in a celebration of the free and democratic ideals of the United States, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the Legislature hereby declares April 22 through April 28, 1985, as Cuban Municipalities in Exile Week and calls upon the people of Florida to observe the week with appropriate ceremonies and activities.

—was read the second time in full. On motion by Senator Hill, SCR 370 was unanimously adopted and certified to the House.

SM 497—A memorial to the Congress of the United States, urging Congress to propose an amendment to the Constitution of the United States requiring a balanced federal budget and withdrawing previous memorials to Congress on this subject.

—was read the second time by title.

Senators Kiser, Myers, Deratany, Grizzle, Jennings, Beard and Scott offered the following amendment which was moved by Senator Kiser:

Amendment 1—On page 2, strike all of lines 11-17

Further consideration of SM 497 with pending amendment was deferred.

Senator Deratany presiding

SB 16—A bill to be entitled An act relating to postsecondary education; amending s. 240.277, F.S.; exempting certain budget entities of institutions under Board of Regents management from certain budget requirements; providing a method of budget approval; providing an effective date.

—was read the second time by title. On motion by Senator Castor, by two-thirds vote SB 16 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Deratany, Peterson

CS for SB 110—A bill to be entitled An act relating to the Department of Natural Resources; amending s. 258.024, F.S.; providing that certain park officers may make arrests on certain state lands; providing an effective date.

—was read the second time by title. On motion by Senator McPherson, by two-thirds vote CS for SB 110 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Deratany

On motion by Senator W. D. Childers, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has passed HB 100 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative D. L. Jones—

HB 100—A bill to be entitled An act relating to regulation of professions; amending s. 455.24, F.S., requiring a disclosure in advertisement of discounted fee or reduced fee services by certain licensed health care providers; providing an effective date.

—was read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs.

SPECIAL ORDER, continued

On motions by Senator W. D. Childers, by two-thirds vote HB 100, a companion measure, was withdrawn from the Committee on Economic, Community and Consumer Affairs and substituted for SB 178.

On motions by Senator W. D. Childers, by two-thirds vote HB 100 was read the second time by title and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Beard	Girardeau	Langley	Plummer
Castor	Gordon	Malchon	Scott
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hill	Margolis	Thurman
Crawford	Jenne	McPherson	Vogt
Dunn	Jennings	Meek	Weinstein
Fox	Johnson	Myers	
Frank	Kirkpatrick	Neal	
Gersten	Kiser	Peterson	

Nays—None

Vote after roll call:

Yea—Deratany, Hair, Stuart

SB 178 was laid on the table.

CS for SB 345—A bill to be entitled An act relating to insurance limited licenses; amending s. 626.321, F.S.; authorizing the issuance limited licenses for employees of certain lessors of motor vehicles, trailers, or self-service storage facilities; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote CS for SB 345 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Barron	Gersten	Johnson	Myers
Beard	Girardeau	Kirkpatrick	Neal
Castor	Gordon	Kiser	Peterson
Childers, D.	Grant	Langley	Plummer
Childers, W. D.	Grizzle	Malchon	Scott
Crawford	Hair	Mann	Thomas
Deratany	Hill	Margolis	Thurman
Fox	Jenne	McPherson	Vogt
Frank	Jennings	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Dunn, Stuart

SB 295—A bill to be entitled An act relating to funeral directing, embalming, and direct disposition; amending s. 470.002, F.S., defining "at-need solicitation"; amending s. 470.026, F.S., prohibiting at-need solicitation of funeral merchandise or services; providing an effective date.

—was read the second time by title. On motion by Senator Meek, by two-thirds vote SB 295 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Beard	Gordon	Kiser	Peterson
Castor	Grant	Langley	Plummer
Childers, D.	Grizzle	Malchon	Scott
Childers, W. D.	Hair	Mann	Stuart
Crawford	Hill	Margolis	Thomas
Deratany	Jenne	McPherson	Thurman
Fox	Jennings	Meek	Vogt
Frank	Johnson	Myers	Weinstein
Girardeau	Kirkpatrick	Neal	

Nays—None

Vote after roll call:

Yea—Dunn, Gersten

SB 423—A bill to be entitled An act relating to collective bargaining; amending s. 447.603, F.S.; requiring the Public Employees Relations Commission to assume jurisdiction over a case that has been transferred to a local commission under certain conditions; providing an effective date.

—was read the second time by title.

The Committee on Personnel, Retirement and Collective Bargaining recommended the following amendment which was moved by Senator Hill and adopted:

Amendment 1—On page 2, lines 1-10, beginning with "upon" on line 1, strike all language through the period (.) after "organization" on line 10 and insert: *The commission or one of its designated agents shall investigate the petition to determine its sufficiency; if it has reasonable cause to believe the petition is sufficient the commission shall provide for an appropriate hearing upon due notice. Such a hearing may be conducted by an agent of the commission. Upon a finding by the commission that the local commission is not properly constituted, has not acted or responded to a filing of the employee organization within a reasonable and timely period, or has acted in a manner clearly inconsistent with the precedent of the commission, the commission shall assume jurisdiction of the case, and the decision and findings of the commission in such case shall be binding upon the local commission, employer and the employee organization*

On motion by Senator Hill, the rules were waived and the Senate immediately reconsidered the vote by which Amendment 1 was adopted.

Senator Hill moved the following substitute amendment which was adopted:

Amendment 2—On page 1, lines 27-31 and on page 2, lines 1-10, beginning with "however" on page 1, line 27, strike all language through and including the period (.) after "organization" on page 2, line 10 and insert: *however, if local commission is not properly constituted, fails*

to act or respond to a filing of an employee organization or public employer or public employee within its jurisdiction within a reasonable and timely period, or acts in a manner clearly inconsistent with the precedent of the commission, the employee organization or public employer or public employee may file a petition with the commission setting forth such circumstances. The commission or one of its designated agents shall investigate the petition to determine its sufficiency; if it has reasonable cause to believe the petition is sufficient the commission shall provide for an appropriate hearing upon due notice. Such a hearing shall be exempted from Section 120.57(1)(a), Florida Statutes, and shall be conducted by the commission or its designated agent pursuant to the procedure set forth in Section 447.503(5), Florida Statutes. Upon a finding by the commission that the local commission is not properly constituted, has not acted or responded to a filing of the employee organization or public employer or public employee within a reasonable and timely period, or has acted in a manner clearly inconsistent with the precedent of the commission, the commission shall assume jurisdiction of the case, and the decision and findings of the commission in such case shall be binding upon the local commission, public employer and the employee organization or public employee.

On motion by Senator Hill, by two-thirds vote SB 423 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Barron	Girardeau	Kirkpatrick	Plummer
Beard	Gordon	Kiser	Scott
Childers, D.	Grant	Malchon	Stuart
Childers, W. D.	Grizzle	Mann	Thomas
Crawford	Hair	Margolis	Thurman
Deratany	Hill	McPherson	Vogt
Fox	Jenne	Myers	Weinstein
Frank	Jennings	Neal	
Gersten	Johnson	Peterson	

Nays—1

Langley

Vote after roll call:

Yea—Dunn

SB 317—A bill to be entitled An act relating to the interstate highway system; amending s. 337.406, F.S.; removing the restriction against certain activities on the interstate highway system which are specifically authorized by federal regulation; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote SB 317 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Beard	Girardeau	Kirkpatrick	Peterson
Castor	Gordon	Kiser	Plummer
Childers, D.	Grant	Malchon	Scott
Childers, W. D.	Grizzle	Mann	Thomas
Crawford	Hair	Margolis	Thurman
Deratany	Hill	McPherson	Vogt
Fox	Jenne	Meek	Weinstein
Frank	Jennings	Myers	
Gersten	Johnson	Neal	

Nays—None

Vote after roll call:

Yea—Dunn, Langley, Stuart

The President presiding

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

SB 295—A bill to be entitled An act relating to funeral directing, embalming, and direct disposition; amending s. 470.002, F.S., defining "at-need solicitation"; amending s. 470.026, F.S., prohibiting at-need solicitation of funeral merchandise or services; providing an effective date.

—passed this day.

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

Amendment 1—On page 1, after line 30, insert:

Section 3. Subsection (17) is added to section 497.005, Florida Statutes, to read:

497.005 Definitions.—As used in this chapter:

(17) "At-need solicitation" means any uninvited contact by a licensee or his agent for the purpose of the sale of burial services or merchandise to the family or next of kin of a person after his death has occurred.

Section 4. Subsection (3) is amended and subsection (5) is added to section 497.043, Florida Statutes, to read:

497.043 Solicitation of goods or services.—

(3) The department shall regulate any solicitation which comprises an uninvited invasion of personal privacy. It is the express finding of the Legislature that the public have a high expectation of privacy in their personal residences, and the department, by rule, shall may restrict the hours or otherwise regulate such solicitation in the personal residence of a person unless the solicitation has been previously and expressly requested by the person solicited.

(5) At-need solicitation of sales of burial rights, merchandise, or services is prohibited. No licensee or his agent or representative shall contact the family or next of kin of a deceased person to sell services or merchandise unless the licensee or his agent or representative has been initially called or contacted by the family or next of kin of such person, or persons and requested to provide his services or merchandise.

(Renumber subsequent subsections.)

Senator Meek moved the following amendment which was adopted:

Amendment 2—In title, on page 1, line 7, after the semicolon (;) insert: amending s. 497.005, F.S.; providing a definition; amending s. 497.043, F.S.; prohibiting at-need solicitation of at-need burial merchandise or services;

SB 295 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Frank	Kiser	Peterson
Barron	Gersten	Langley	Plummer
Beard	Girardeau	Malchon	Thomas
Castor	Gordon	Mann	Thurman
Childers, D.	Grizzle	Margolis	Vogt
Childers, W. D.	Jenne	McPherson	Weinstein
Crawford	Jennings	Meek	
Deratany	Johnson	Myers	
Fox	Kirkpatrick	Neal	

Nays—None

Vote after roll call:

Yea—Dunn, Hill, Scott, Stuart

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

INTRODUCTION AND REFERENCE OF BILLS

By Senator Crawford—

SB 1174—A bill to be entitled An act relating to citrus; amending s. 601.03, F.S.; providing definitions; amending s. 601.15, F.S.; imposing an excise tax on lemons and limes; providing an exception; amending s. 601.151, F.S.; excluding lemons and limes from certain additional taxes; creating s. 601.1505, F.S.; imposing an excise tax on sales of certain citrus plants; providing an exception; providing an effective date.

—which was read the first time by title and referred to the Committees on Agriculture; Finance, Taxation and Claims; and Appropriations.

On motion by Senator D. Childers, the rules were waived and the Committee on Agriculture was granted permission to consider SB 1174 April 24.

SPECIAL ORDER, continued

SB 529—A bill to be entitled An act relating to homestead exemption; amending ss. 196.011, 196.111, and 196.131, F.S.; directing the property appraisal adjustment board to grant exemption to late homestead exemption applicants under certain conditions; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote SB 529 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gersten	Kirkpatrick	Peterson
Barron	Girardeau	Kiser	Plummer
Beard	Gordon	Langley	Scott
Castor	Grant	Malchon	Thomas
Childers, D.	Grizzle	Mann	Thurman
Childers, W. D.	Hair	Margolis	Vogt
Crawford	Hill	McPherson	Weinstein
Deratany	Jenne	Meek	
Fox	Jennings	Myers	
Frank	Johnson	Neal	

Nays—None

Vote after roll call:

Yea—Dunn, Stuart

SB 115—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; expanding the term "charitable institutions" so as to grant an exemption to organizations which provide certain services pertaining to animals; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 12, after "amended" insert: and paragraph (v) of said subsection is added

Amendment 2—On page 4, between lines 28 and 29, insert:

(v) Non-profit corporations which hold current exemptions from federal corporate income tax pursuant to s. 501(c)(3), U.S. Internal Revenue Code, 1954, as amended, and which either qualify as homes for the aged pursuant to s. 196.1975 (2), or are licensed as a nursing home or hospice under the provisions of Chapter 400, are exempt from the tax imposed by this chapter.

Amendment 3—In title, on page 1, line 6, after the semicolon (;) insert: providing an exemption to non-profit nursing homes and hospices;

On motion by Senator Crawford, by two-thirds vote SB 115 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gersten	Johnson	Myers
Barron	Girardeau	Kirkpatrick	Neal
Castor	Gordon	Kiser	Peterson
Childers, D.	Grant	Langley	Plummer
Childers, W. D.	Grizzle	Malchon	Scott
Crawford	Hair	Mann	Thomas
Deratany	Hill	Margolis	Thurman
Fox	Jenne	McPherson	Vogt
Frank	Jennings	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Dunn, Stuart

SB 221—A bill to be entitled An act relating to state uniform traffic control; amending ss. 316.516, 316.545, F.S.; changing the title of weight inspection officer of the Department of Transportation to weight and safety officer; increasing the distance that a weight and safety officer may

require a person to drive a loaded vehicle to a public scale; increasing weight and penalty provisions for overloaded vehicles; providing a penalty for refusal to submit to weighing; amending s. 316.655, F.S.; providing that refusal to submit to weighing is a criminal offense; amending s. 318.17, F.S.; providing that refusal to submit to weighing is not excepted from criminal penalties; amending ss. 843.01, 843.02, F.S.; recognizing weight and safety officers of the Department of Transportation as law enforcement officers for certain purposes; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, strike all of lines 14-23 and insert: same by means of either portable or fixed stationary scales and may require that such vehicle be driven to the nearest weigh station or public scales, provided such a facility is public scales are within 5 highway 2 miles. Upon a request by the vehicle driver, the officer shall weigh the vehicle at a fixed scales, rather than by portable scales, if such a facility is available within 5 highway miles. Anyone who refuses to submit to such weighing obstructs an officer pursuant to s. 843.02 and is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Anyone who knowingly and willfully resists, obstructs, or opposes a weight and safety officer while refusing to submit to such weighing by resisting the officer with violence to his person pursuant to s. 843.01 is

On motion by Senator Beard, by two-thirds vote SB 221 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Frank	Jennings	Meek
Barron	Gersten	Johnson	Myers
Beard	Girardeau	Kirkpatrick	Peterson
Castor	Gordon	Kiser	Plummer
Childers, D.	Grant	Langley	Scott
Childers, W. D.	Grizzle	Malchon	Thomas
Crawford	Hair	Mann	Thurman
Deratany	Hill	Margolis	Vogt
Fox	Jenne	McPherson	Weinstein

Nays—None

Vote after roll call:

Yea—Dunn, Neal, Stuart

SB 224—A bill to be entitled An act relating to state uniform traffic control; amending s. 316.515, F.S.; providing that certain length limitations do not apply to specified vehicles; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 20, after “corporations” insert: or operated under contract with such entities or corporations

Amendment 2—On page 1, line 25, after the period (.) insert: Utility vehicles when operated at night for emergency purposes shall obtain a blanket permit from the Department of Transportation.

On motion by Senator Beard, by two-thirds vote SB 224 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gersten	Kirkpatrick	Peterson
Barron	Girardeau	Kiser	Plummer
Beard	Gordon	Langley	Scott
Castor	Grant	Malchon	Thomas
Childers, D.	Grizzle	Mann	Thurman
Childers, W. D.	Hair	Margolis	Vogt
Crawford	Hill	McPherson	Weinstein
Deratany	Jenne	Meek	
Fox	Jennings	Myers	
Frank	Johnson	Neal	

Nays—None

Vote after roll call:

Yea—Dunn, Stuart

SB 533—A bill to be entitled An act relating to the Department of Professional Regulation; creating s. 455.2281, F.S.; prohibiting a person from knowingly giving false information or making misleading statements or misrepresentations in the course of applying for or obtaining a license to practice certain health care professions; providing penalties; amending s. 455.213, F.S.; authorizing the department to require that an application for licensure be made under oath; providing an effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote SB 533 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Frank	Johnson	Myers
Barron	Gersten	Kirkpatrick	Neal
Beard	Girardeau	Kiser	Peterson
Castor	Grant	Langley	Plummer
Childers, D.	Grizzle	Malchon	Scott
Childers, W. D.	Hair	Mann	Thomas
Crawford	Hill	Margolis	Thurman
Deratany	Jenne	McPherson	Vogt
Fox	Jennings	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Dunn, Gordon, Stuart

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has passed HB 373 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Deutsch and others—

HB 373—A bill to be entitled An act relating to the theft of trade secrets; amending s. 812.081, F.S., changing the criminal penalty for theft of trade secrets and basing the penalty upon the value of the trade secret; amending s. 812.035, F.S., providing civil remedies for theft of trade secrets; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

SPECIAL ORDER, continued

On motions by Senator Weinstein, by two-thirds vote HB 373, a companion measure, was withdrawn from the Committee on Judiciary-Criminal and substituted for SB 409. On motion by Senator Weinstein, by two-thirds vote HB 373 was read the second time by title.

Senator Weinstein moved the following amendments which were adopted:

Amendment 1—On page 1, lines 22-30, and on page 2, lines 1-6, strike all of said lines and insert: secret is guilty of a felony of the third misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Amendment 2—In title, on page 1, strike all of lines 3-6 and insert: amending s. 812.081, F.S., increasing the criminal penalty for theft of trade secrets; amending s. 812.035, F.S., providing

On motion by Senator Weinstein, by two-thirds vote HB 373 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

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

Nays—None

Vote after roll call:

Yea—Stuart

SB 409 was laid on the table.

Consideration of CS for SB 382 was deferred.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 33 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulatory Reform and Representatives Rochlin and Kelly—

CS for HB 33—A bill to be entitled An act relating to medical practitioners; amending ss. 458.331, 459.015, 461.013, 462.14, and 466.028, F.S.; providing that the prescribing, ordering, dispensing, administering, supplying, selling, or giving of certain drugs to or for any person, for the purpose of musclebuilding or to enhance athletic performance, shall be grounds for suspension or revocation of licensure as a physician, osteopathic physician, podiatrist, naturopath, or dentist, and for issuance of a reprimand, restriction of practice, or imposition of a fine; providing for a presumption of legitimacy; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

SPECIAL ORDER, continued

On motions by Senator Myers, by two-thirds vote CS for HB 33, a companion measure, was withdrawn from the Committee on Health and Rehabilitative Services and substituted for SB 380.

On motions by Senator Myers, by two-thirds vote CS for HB 33 was read the second time by title and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Gersten, Stuart

SB 380 was laid on the table.

CS for SB 340—A bill to be entitled An act relating to medical practice; amending s. 458.303, F.S.; providing that a medical faculty certificate may be renewed every 2 years for holders of the certificate who meet certain criteria; providing for a renewal fee; providing an effective date.

—was read the second time by title.

Senator Castor moved the following amendments which were adopted:

Amendment 1—On page 2, strike line 10 and insert:

b. Has been offered a full-time faculty appointment to teach in

Amendment 2—On page 2, strike line 23 and insert:

4. The maximum number of persons holding such extended medical faculty certificates in any year shall not exceed five persons at each of the institutions named in sub-subparagraph 2.b.

Section 2. This act shall take effect October 1, 1985.

Amendment 3—On page 2, line 3, after the period (.) insert:

On motion by Senator Castor, by two-thirds vote CS for SB 340 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	Kirkpatrick	Peterson
Barron	Girardeau	Kiser	Plummer
Beard	Gordon	Langley	Scott
Castor	Grant	Malchon	Thomas
Childers, D.	Grizzle	Mann	Thurman
Childers, W. D.	Hair	Margolis	Vogt
Crawford	Hill	McPherson	Weinstein
Deratany	Jenne	Meek	
Dunn	Jennings	Myers	
Fox	Johnson	Neal	

Nays—None

Vote after roll call:

Yea—Gersten, Stuart

CS for SB 29—A bill to be entitled An act relating to talent agencies and theatrical agencies; providing for regulation of such agencies by the Department of Professional Regulation; providing definitions; specifying powers and duties of the department; providing for issuance of a license to such agency upon application and for denial, suspension, or revocation of license; providing for fees; providing for civil penalties for specified violations; specifying qualifications of applicants for license; providing for filing and posting of fee schedules; providing requirements for the content and the display of licenses; providing for license cancellation; requiring an applicant for license to provide bond; requiring maintenance of specified records; limiting registration requirements and fees; requiring a theatrical agency to provide an applicant with a contract that includes certain information; requiring the agency to give notice of labor disputes; prohibiting theatrical agencies from placing performers with employers who exhibit certain employment practices; requiring theatrical agencies to maintain a buyer's file as specified; requiring talent agencies to maintain certain records in a buyer's file; providing that certain acts are second degree misdemeanors and providing penalties; providing for injunctions; providing for deposit of moneys in the Professional Regulation Trust Fund; providing for future repeal and legislative review; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 5, line 17, strike "\$150" and insert: \$300

Amendment 2—On page 6, line 7, strike "annual" and insert: biennial

Amendment 3—On page 6, line 10, strike "\$200" and insert: \$400

Amendment 4—On page 6, line 17, strike "1 year" and insert: 2 years

On motion by Senator Margolis, by two-thirds vote CS for SB 29 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Girardeau	Kirkpatrick	Neal
Barron	Gordon	Kiser	Peterson
Beard	Grant	Langley	Plummer
Childers, W. D.	Grizzle	Malchon	Scott
Crawford	Hair	Mann	Thurman
Deratany	Hill	Margolis	Vogt
Dunn	Jenne	McPherson	Weinstein
Fox	Jennings	Meek	
Frank	Johnson	Myers	

Nays—None

Vote after roll call:

Yea—Castor, D. Childers, Gersten, Stuart

Senator Mann presiding

SB 322—A bill to be entitled An act relating to the Florida Retirement System; authorizing the Department of Administration to select a state licensed insurance company to offer and administer a Medicare Supplement policy to eligible retirees of the Florida Retirement System; authorizing health insurance coverage; providing an appropriation; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote SB 322 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Barron	Girardeau	Kirkpatrick	Neal
Beard	Gordon	Kiser	Plummer
Childers, D.	Grant	Langley	Scott
Childers, W. D.	Grizzle	Malchon	Thomas
Crawford	Hair	Mann	Thurman
Deratany	Hill	Margolis	Vogt
Dunn	Jenne	McPherson	Weinstein
Fox	Jennings	Meek	
Frank	Johnson	Myers	

Nays—None

Vote after roll call:

Yea—Gersten, Peterson, Stuart

SB 79—A bill to be entitled An act relating to reserved parking spaces for state employees; amending s. 272.161, F.S.; providing that preference be given car pools in the assignment of such spaces; providing that such assignment be without charge; requiring the establishment of guidelines; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 79 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Barron	Frank	Johnson	Myers
Beard	Girardeau	Kirkpatrick	Neal
Castor	Gordon	Kiser	Peterson
Childers, D.	Grant	Langley	Plummer
Childers, W. D.	Grizzle	Malchon	Scott
Crawford	Hair	Mann	Thomas
Deratany	Hill	Margolis	Thurman
Dunn	Jenne	McPherson	Vogt
Fox	Jennings	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Gersten, Stuart

SB 217—A bill to be entitled An act relating to motor vehicles; amending s. 320.025, F.S.; providing for the issuance of confidential registration certificates and registration license plates to investigative agencies of the state, county, municipal, or federal government; exempting the registration application and necessary confidential records of the investigative agency from the public records law; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 21, strike “or other investigative”

Amendment 2—On page 1, line 22, after “federal government” insert: , any state public defender’s office

Amendment 3—On page 1, strike line 26, and insert: enforcement or any state public defender’s office activities requiring

Amendment 4—On page 2, strike line 12 and insert: law enforcement agency or any state public defender’s office, and the

Amendment 5—On page 2, strike line 17 and insert: enforcement or any public defender’s officers in the official

Amendment 6—In title, on page 1, strike all of lines 5-7 and insert: registration license plates to any public defender’s office; exempting the registration

On motion by Senator Langley, by two-thirds vote SB 217 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

Beard	Gersten	Johnson	Myers
Castor	Girardeau	Kirkpatrick	Neal
Childers, D.	Gordon	Kiser	Peterson
Childers, W. D.	Grant	Langley	Scott
Crawford	Grizzle	Malchon	Stuart
Deratany	Hair	Mann	Thomas
Dunn	Hill	Margolis	Thurman
Fox	Jenne	McPherson	Vogt
Frank	Jennings	Meek	Weinstein

Nays—None

CS for SB 208—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing charges for county maps or aerial photographs; providing for the cost of extensive use of information technology resources to be included in the special charge allowed for public records; providing for an inspection in camera for exempted software; exempting certain computer software from the Public Records Law; providing definitions; creating s. 119.085, F.S.; providing for electronic access to public records; providing for fees and an exception; providing for the security of the public records; providing for review and repeal; providing an effective date.

—was read the second time by title.

The Committee on Rules and Calendar recommended the following amendments which were moved by Senator Stuart and adopted:

Amendment 1—On page 3, lines 26-31, and on page 4, lines 1 and 2, strike all of said lines and insert: which software is a trade secret, as defined in s. 812.081, and agency-produced data processing software which is sensitive are exempt from the provisions of subsection (1).

Amendment 2—On page 4, line 28, after “and copying public records” insert: of the executive branch, judicial branch, or any political subdivision of the state

Senator Stuart moved the following amendments which were adopted:

Amendment 3—On page 4, line 26, strike “Electronic” and insert: Remote electronic

Amendment 4—On page 4, line 29, before “electronic” insert: remote

The Committee on Rules and Calendar recommended the following amendment which was moved by Senator Stuart and adopted:

Amendment 5—In title, on page 1, line 12, after “to” insert: certain

On motion by Senator Stuart, by two-thirds vote CS for SB 208 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	Kirkpatrick	Plummer
Beard	Girardeau	Kiser	Scott
Castor	Gordon	Langley	Stuart
Childers, D.	Grant	Malchon	Thomas
Childers, W. D.	Grizzle	Mann	Thurman
Crawford	Hair	Margolis	Vogt
Deratany	Hill	McPherson	Weinstein
Dunn	Jenne	Meek	
Fox	Jennings	Myers	
Frank	Johnson	Neal	

Nays—None

Vote after roll call:

Yea—Peterson

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

Senator Jenne announced the cancellation of meetings scheduled for today of Subcommittees I and II, State Comprehensive Planning Committee.

On motion by Senator Jenne, by two-thirds vote SB 665 was removed from the local calendar and recommitted to the Committee on Rules and Calendar.

On motions by Senator Neal, the rules were waived and by two-thirds vote CS for SB 1 was withdrawn from the Committees on Appropriations and Finance, Taxation and Claims and rereferred to the Committees on Finance, Taxation and Claims and Appropriations.

On motion by Senator Peterson, the rules were waived and by two-thirds vote SB 415 was withdrawn from the Committee on Education.

On motion by Senator Hair, the rules were waived and by two-thirds vote CS for SB 235 was withdrawn from the Committee on Commerce.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 19 and 17 were corrected and approved.

The Journal of April 16 was corrected and approved as follows:

Page 108, column 1, line 11 from bottom, strike "Plummer" and insert: Girardeau

Page 120, column 2, strike line 16

CO-INTRODUCERS

Senators Mann and Beard—Senate Bills 857 and 859; Senator Johnson—SB 872; Senator Mann—SB 894

Senators Grant, Beard, W. D. Childers and Hill withdrew as co-introducers of SM 497.

RECESS

On motion by Senator Jenne, the Senate recessed at 11:39 a.m. to reconvene at 9:00 a.m., Thursday, April 25.

SENATE PAGES

April 22-26

Robert Craven, Tampa; Mary M. Dark, Cocoa; J. Mark Davis, Inverness; Mark L. Dinkins, Ocala; Michele Edwards, Titusville; David C. Godwin, Chuluota; Gary Ray Gore, Macclenny; Audrey A. Kelleman, Daytona Beach Shores; Jeanne Marie McCusker, Tampa; Merideth Nagel, Clermont; Gilda Rodriguez, Miami; Grisel Rodriguez, Miami; Elizabeth M. Shade, Gainesville; G. Allen Shahood, III, Hollywood; Steven Steiner, Tampa; Kelly Ann Sutton, Maitland; Dyan D. Taylor, Tampa; Shary D. Taylor, Tampa