



Journal of the Senate

Number 15

Wednesday, May 8, 1985

Prayer

The following prayer was offered by the Dr. W. Russell Merritt, Jr., Pastor, Palm Harbor Presbyterian Church, Palm Harbor:

God of grace, God of glory, Lord of years past, Master of days to come, almighty Father, all power and honor belong to thee. We praise thee this day for thy goodness and thy mercies, thy providence and thy protection, thy strength and thy peace, for the evening's rest, for the morning's preparations, for friendship and fellowship, for this new day with all its manifold possibilities and opportunities, we give thee our thanksgiving. For colleagues and fellow workers, for lives dedicated to leading and serving the people of this fair state, for our former Senators, friends and co-workers and for their many years of responsive and responsible service, we give thee our praise.

Be with us now and bless us abundantly with thine everlasting favor. Guide us and guard us with thy spirit, keeping us from the snares of selfish temptation and the pitfalls of evil. Let all discussions, deliberations and decisions be to thy glory. Fill us with understanding, compassion and sensitivity for all those whose lives will be affected by our words and actions this day. Allow us to deal with one another and with the issues before us with fairness, with justice, with honesty and integrity, with goodwill and with the willingness to hear thy voice and to do thy holy will. Bless us now with thy presence, thy strength, thy light, and bring each of us at the end of the day safely into thy spiritual rest through thy benevolent spirit. In thy gracious name and through thy living Son, we pray. Amen.

Call to Order

The Senate was called to order by the President at 9:00 a.m. A quorum present—39:

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

REPORTS OF COMMITTEES

The Honorable Harry A. Johnston, II April 17, 1985
President, The Florida Senate

Dear Mr. President:

The following executive appointments were referred to the Senate Committee on Executive Business for action pursuant to Rule 12.7(a) of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>
1. State Athletic Commission, Member Appointee: Crady, Morris A.	09/30/85
2. Barbers' Board, Member Appointee: Gilbert, William B.	06/30/88
3. Board of Building Codes and Standards, Member Appointee: Richardson, Robert	02/07/85
4. Secretary of Business Regulation Appointee: Burroughs, Jr., Richard B.	Pleasure of Governor
<i>Office and Appointment</i>	
5. Capitol Center Planning Commission, Member Appointee: Ashler, Elise Duvall	09/30/88
6. Hillsborough County Civil Service Board, Member Appointee: Clarke, Richard S.	07/02/87
7. Clinical Laboratories Advisory Council, Members Appointees: Carr, Richard A. Civantos, Francisco Futrell, Harry C. Lewis, Robert J. Pogue, Julie A. Sharpe, Isabella K. Zins, Janet Lineback	11/30/87 11/30/87 11/30/85 11/30/86 11/30/87 11/30/86 11/30/85
8. State Board of Community Colleges, Member Appointee: Eiden, Shari J.	09/30/85
9. Board of Trustees of Florida Junior College at Jacksonville, Member Appointee: Wilson, Nathan H.	To serve during suspension of Walter G. Jarrell
10. Board of Trustees of Gulf Coast Community College, Member Appointee: Gander, J. V.	05/31/88
11. Board of Trustees of Miami-Dade Community College, Member Appointee: Parks, Arva Moore	05/31/86
12. Board of Trustees of St. Johns River Community College, Member Appointee: Keyes, Annie L.	05/31/85
13. Construction Industry Licensing Board, Members Appointees: Adams, Jr., Roy Bachara, Henry G. Barganier, Selma S. Crockett, J. R. Daniel, Grover E. Ellis, William R. Fix, John Manrique, Terry L. Reed, Robert S. Samuels, Louis P. Stobs, Donald W. Whitehead, Frank L.	02/18/88 02/18/88 02/18/88 02/18/88 02/18/88 02/18/88 02/18/88 02/18/88 02/18/88 02/18/87
14. Board of Trustees of the Florida School for the Deaf and the Blind, Members Appointees: Lindheimer, Jack Mauldin, Mary M.	11/07/87 12/10/88
15. Education Practices Commission, Members Appointees: Dunlap, Mildred Lowry, Sr., A. Leon	09/30/87 09/30/87
16. Education Standards Commission, Members Appointees: Bedford, Robert L. Guettler, Lynn Keene, Catherine L. Lizer, John W. Nelson, Martin Nichols, Clare M.	09/30/87 09/30/87 09/30/87 09/30/87 09/30/87 09/30/87
17. Florida Elections Commission, Members Appointees: Boothby, Sylvia C. Crist, Gene A.	12/10/85 12/27/87

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
18. Commission on Ethics, Member Appointee: Barnett, Martha Walters	06/30/86	40. Historic Broward County Preservation Board of Trustees, Members Appointees: Patterson, Betty Jo Moffitt Weissing, Lois M.	11/01/85 11/01/87
19. Florida State Fair Authority, Congressional District 4, Member Appointee: Dance, Nancy H.	06/30/87	41. Historic Pensacola Preservation Board of Trustees, Members Appointees: Heath, Jr., Robert N. McNulty, Jack H.	09/19/86 09/13/87
20. Florida State Fair Authority, Congressional District 7, Members Appointees: Blanchard, G. Robert Davis, Charles M. Lykes, Charles P. Robbins, Jr., Bruce M. Urbanski, James F.	06/30/86 06/30/86 06/30/86 06/30/86 06/30/86	42. Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc., Members Appointees: Burroughs, Jr., R. B. Danese, Tracy Fortner, G. S. Godwin, J. B.	09/30/88 09/30/88 09/30/85 09/30/85
21. Florida State Fair Authority, Congressional District 8, Member Appointee: Wheeler, Harman	06/30/87	43. Board of Psychological Examiners, Member Appointee: Boswell, Philip C.	09/30/88
22. Harbor Master for the Port of Key West Appointee: Crusoe, IV, Edwin E.	02/08/86	44. Florida Real Estate Commission, Member Appointee: Babcock, Jr., Howard C.	11/16/88
23. Harbor Master for the Port of St. Augustine Appointee: Beeson, Jr., Kenneth H.	05/01/86	45. West Florida Regional Planning Council, Region 1, Members Appointees: Jenkins, Tom Merrill, Charlie D. Tidwell, Marion O.	10/01/86 10/01/86 10/01/86
24. Citrus County Hospital Board, Member Appointee: Henigar, Robert L.	07/07/88	46. Apalachee Regional Planning Council, Region 2, Member Appointee: Anderson, III, Charles Christopher	08/14/87
25. Florida Housing Finance Agency, Member Appointee: Arbib, John A.	11/13/88	47. East Central Florida Regional Planning Council, Region 6, Members Appointees: Pignone, Frances S. Roper, Barbara C.	10/01/86 10/01/86
26. State Board of Independent Colleges and Universities, Members Appointees: Bender, Louis W. Tyree, Lawrence W.	09/30/87 09/30/87	48. Tampa Bay Regional Planning Council, Region 8, Member Appointee: Frierson, Elizabeth Britton	10/01/86
27. State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools, Member Appointee: Knobel, Martin	07/01/87	49. Treasure Coast Regional Planning Council, Region 10, Member Appointee: Owen, Robert E.	10/01/86
28. Southeast Interstate Low-Level Radioactive Waste Management Commission, Member Appointee: Howell, James T.	06/30/86	50. State Retirement Commission, Members Appointees: Browning, Linda J. Fernandez, Joyce M.	12/31/87 12/31/87
29. Southeast Interstate Low-Level Radioactive Waste Management Commission, Alternate Member Appointee: Hakes, Jay E.	Pleasure of Governor	51. Board of Trustees of the John and Mable Ringling Museum of Art, Members Appointees: Culpepper, J. Blair Manson, John C.	11/05/88 11/05/88
30. Board of Landscape Architecture, Member Appointee: O'Leary, William A.	03/04/88	52. Jacksonville Transportation Authority, Member Appointee: Ferguson, Mrs. Emmet (Jerry)	05/31/87
31. Governor's Mansion Commission, Member Appointee: Culpepper, Cynthia	09/30/85	53. Unemployment Appeals Commission, Member Appointee: Harris, Charlie	06/30/88
32. Board of Medical Examiners, Member Appointee: Cooper, Earnestine Mercer	08/01/87	54. Governing Board of the St. Johns River Water Management District, Member Appointee: Martinez, Daniel A.	07/01/85
33. Board of Optometry, Member Appointee: Cox, Barbara T.	12/28/86	55. Oklawaha River Basin Board of the St. Johns River Water Management District, Member Appointee: Kaster, Bruce R.	06/30/87
34. Board of Osteopathic Medical Examiners, Members Appointees: Robine, V. A. Sissle, Jr., Noble L.	01/29/87 01/29/88	56. Big Cypress Basin Board of the South Florida Water Management District, Member Appointee: Walters, William M.	06/30/87
35. Florida Pari-mutuel Commission, Member Appointee: Cleveland, Jr., Mack N.	06/30/87	57. Alafia River Basin Board of the Southwest Florida Water Management District, Member Appointee: Odiorne, Patricia B.	06/30/87
36. Board of Pilot Commissioners, Members Appointees: Maddox, David B. Santos, Robert A.	06/30/88 06/30/88	58. Hillsborough River Basin Board of the Southwest Florida Water Management District, Members Appointees: Perchalski, Elna W. (Jean) Pieper, Patricia R.	06/30/87 06/30/87
37. Board of Podiatry, Member Appointee: McCormack, Jr., William Joseph	01/08/88		
38. Jacksonville Port Authority, Member Appointee: Hodge, James E.	09/30/88		
39. Tampa Port Authority, Member Appointee: Burnett, James M.	11/15/88		

Office and Appointment

For Term
Ending

Dear Mr. President:

- 59. Manasota Basin Board of the Southwest Florida Water Management District, Member
Appointee: Stuart, Michael E. 06/30/86
- 60. Peace River Basin Board of the Southwest Florida Water Management District, Member
Appointee: Simmons, Carl 06/30/87
- 61. Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District, Members
Appointees: Kujawski, Elizabeth Powell 06/30/87
Mitchell, James W. 06/30/87
- 62. Withlacoochee River Basin Board of the Southwest Florida Water Management District, Members
Appointees: Craig, Herbert Charles 06/30/87
Wade, Glenn Franklin 06/30/87

This report concerns proceedings by the Committee on Executive Business on the Executive Order of Suspension 83-164 and Amended Executive Order 84-232, filed with the Secretary of State by His Excellency D. Robert Graham as Governor, suspending from office Carlton Lenzy Corbin, County Commissioner, Washington County, Florida, on October 18, 1983.

A Pre-hearing Conference in the matter was held by this committee on December 4, 1984. Since that hearing, Carlton Lenzy Corbin has tendered a resignation from the office of County Commissioner, Washington County, Florida. The resignation was accepted effective October 18, 1983, the date of the suspension, by His Excellency D. Robert Graham, as Governor, and filed in the Department of State on January 25, 1985.

In view of the foregoing, the Committee on Executive Business advises that no further action by the Senate is authorized or required by the Florida Constitution. The committee recommends, therefore, that the Senate take no further action on the above-referenced matter and that this suspension case be closed.

Respectfully submitted,

<i>W. D. Childers, Chairman</i>	<i>Kenneth C. Jenne</i>
<i>Franklin B. Mann, Vice Chairman</i>	<i>Toni Jennings</i>
<i>Betty Castor</i>	<i>Patrick K. Neal</i>

Senator W. D. Childers moved that the Senate accept the foregoing report of the Committee and take no further action on the suspension of Carlton Lenzy Corbin, County Commissioner, Washington County, Florida. The motion was adopted by the following vote:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Gersten, Langley

The Honorable Harry A. Johnston, II
President of the Florida Senate

March 5, 1985

RE: Suspension of:

JOHN H. KEANE
PUBLIC DEFENDER
Sixteenth Judicial Circuit
Monroe County, Florida

Dear Mr. President:

The Committee on Executive Business submits this final report on the matter of the suspension of John H. Keane.

By Executive Order Number 84-93, effective April 19, 1984, filed with the Secretary of State on April 20, 1984, His Excellency D. Robert Graham, as Governor, suspended John H. Keane from the Office of Public Defender for the Sixteenth Judicial Circuit, Monroe County, Florida.

Executive Order Number 84-93, with an indictment containing sixteen counts attached, charged that John H. Keane, while holding the aforesaid office, committed various criminal violations of the laws of Florida, viz: fifteen offenses of grand theft (812.014, F.S.) of per diem and traveling expenses of public officers, employees, and authorized persons (112.061, F.S.), and one offense of unlawful compensation (838.016, F.S.). The Executive Order further stated that the facts alleged constitute the offenses of malfeasance, misfeasance, neglect of duty, incompetence, and/or commission of a felony, which are grounds for suspension under Section 7 of Article IV, Florida Constitution, 1968 Revision.

As required by Rule 12.7(a), the committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the committee, by a separate vote as to each appointee, respectfully advises and recommends:

- (1) That the executive appointments of the above-named appointees, to the office and for the term indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to the adjournment of the 1985 Regular Session.
- (3) That there is no necessity known to the committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,

<i>W. D. Childers, Chairman</i>	<i>Kenneth C. Jenne</i>
<i>Franklin B. Mann, Vice Chairman</i>	<i>Toni Jennings</i>
<i>Betty Castor</i>	<i>Patrick K. Neal</i>

On motion by Senator W. D. Childers, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated, in accordance with the recommendations of the committee. The vote was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Gersten, Hill, Langley

The Honorable Harry A. Johnston, II February 6, 1985
President of the Florida Senate

RE: Suspension of:

CARLTON LENZY CORBIN
County Commissioner,
Washington County, Florida

Criminal prosecution of John H. Keane was commenced in the Circuit Court of the Sixteenth Judicial Circuit in Monroe County, where John H. Keane entered a plea of guilty to one count of grand theft; the remaining charges were dismissed. On November 6, 1984, Circuit Court Judge Roger F. Dykes ordered that the adjudication of guilt and imposition of sentence be withheld and that John H. Keane be placed on probation for a period of three (3) years.

The Senate assumed jurisdiction of this matter on April 20, 1984, and this matter was referred to the Senate Committee on Executive Business on April 26, 1984. Proceedings by this Committee were stayed, pursuant to Senate Rule 12.7(b), during pendency of criminal prosecution in the trial court.

Based upon the investigation conducted by this committee, it is the finding of this committee that John H. Keane was suspended from the office of Public Defender for the Sixteenth Judicial Circuit, Monroe County, Florida on April 19, 1984; that on November 6, 1984, John H. Keane entered a plea of guilty to one count of grand theft in violation of s. 812.014, Florida Statutes; that the act of grand theft, under the circumstances of this case, constitutes misfeasance, malfeasance and commission of a felony under the laws of Florida; that John H. Keane has not contested his suspension on his own behalf, nor shown any cause why the Senate should not take further action to remove him from office.

In view of the foregoing, it is the recommendation of this committee that John H. Keane be removed from the Office of Public Defender for the Sixteenth Judicial Circuit, Monroe County, Florida, effective April 19, 1984.

Respectfully submitted,

W. D. Childers, Chairman *Kenneth C. Jenne*
Franklin B. Mann, Vice Chairman *Toni Jennings*
Betty Castor *Patrick K. Neal*

Senator W. D. Childers moved that the Senate accept the foregoing report of the committee and remove John H. Keane as Public Defender for the Sixteenth Judicial Circuit, Monroe County, Florida, effective April 19, 1984. The motion was adopted by the following vote:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Gersten, Langley

The Honorable Harry A. Johnston, II March 5, 1985
President of the Florida Senate

RE: Suspension of:

STEVE W. SPRADLEY, SHERIFF
Columbia County, Florida

Dear Mr. President:

The Committee on Executive Business submits this final report on the matter of the suspension of Steve W. Spradley.

By Executive Order Number 84-90, filed with the Secretary of State on April 18, 1984, His Excellency D. Robert Graham, as Governor, suspended Steve W. Spradley from the office of Sheriff of Columbia County, Florida. The term of office for Mr. Spradley as Sheriff of Columbia County was from January 6, 1981 to January 7, 1985.

Executive Order Number 84-90, with an indictment attached, charged that Steve W. Spradley, while holding the aforesaid office, committed criminal violations of the Laws of Florida, viz: one offense of racketeering in violation of Section 895.03(3), Florida Statutes; one offense of perjury in violation of Sections 777.011 and 837.02, Florida Statutes; two

offenses of trafficking in cannabis in violation of Sections 777.04 and 893.135, Florida Statutes; and one offense of perjury in violation of Section 837.02, Florida Statutes. The Executive Order further stated that the facts alleged constitute the offenses of malfeasance, misfeasance, neglect of duty, incompetence, and/or commission of a felony, which are grounds for suspension under Section 7 of Article IV, Florida Constitution, 1968 Revision.

Criminal prosecution of Steve W. Spradley was commenced in the Circuit Court of the Third Judicial Circuit in Columbia County. The state charges were dropped, however, upon the filing of a 27 count indictment in the United States District Court, Middle District of Florida, Jacksonville Division, alleging conspiracy and distribution of marijuana, fraud, forgery, unlawful supply of firearms, and racketeering. The indictment was dismissed and a new information was filed on November 30, 1984, charging one count of mail fraud, in violation of 18 U.S.C. 1341; one count of aiding and abetting a person under indictment to receive a firearm, in violation of 18 U.S.C. 922(h) and 2; and one count of false subscription of an income tax return, in violation of 26 U.S.C. 7206(1). Mr. Spradley entered a plea of guilty to all three (3) counts. On January 4, 1985, U.S. District Judge John H. Moore II sentenced Steve W. Spradley to five (5) years imprisonment on count one, five (5) years imprisonment on count two, and five (5) years probation on count three.

Judge Moore ordered the sentences and probationary term imposed for each of the three (3) counts to run consecutively, and further ordered that Mr. Spradley make restitution to Columbia County, Florida in the sum of \$4,743.12.

The Senate assumed jurisdiction of this matter on April 18, 1984, and this matter was referred to the Senate Committee on Executive Business on April 19, 1984. Proceedings by this Committee were stayed pursuant to Senate Rule 12.7(b), during pendency of the criminal prosecution in the trial court and in the U.S. District Court. With the adjudication of guilt on three (3) felony counts, pursuant to Section 4 of Article VI, Florida Constitution, 1968 Revision, Steve W. Spradley became legally ineligible to hold public office.

Based upon the investigation of this Committee, it is the finding of this Committee that Steve W. Spradley was suspended from the Office of Sheriff of Columbia County, Florida, on April 18, 1984; that Steve W. Spradley was adjudicated guilty of one count of mail fraud in violation of 18 U.S.C. 1341, one count of aiding and abetting a person under indictment to receive a firearm in violation of 18 U.S.C. 922(h) and 2, and one count of false subscription of an income tax return in violation of 26 U.S.C. 7206(1); that such acts constitute malfeasance, misfeasance, and commission of a felony under the Laws of Florida; that Steve W. Spradley has not contested his suspension on his own behalf, nor shown any cause why the Senate should not take further action to remove him from office.

In view of the foregoing, it is the recommendation of this Committee that Steve W. Spradley be removed from the Office of Sheriff of Columbia County, Florida, effective April 18, 1984.

Respectfully submitted,

W. D. Childers, Chairman *Kenneth C. Jenne*
Franklin B. Mann, Vice Chairman *Toni Jennings*
Betty Castor *Patrick K. Neal*

Senator W. D. Childers moved that the Senate accept the foregoing report of the committee and remove Steve W. Spradley as Sheriff of Columbia County, Florida, effective April 18, 1984. The motion was adopted by the following vote:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Gersten, Langley

The Honorable Harry A. Johnston, II
President of the Senate

March 11, 1985

Jennings	Mann	Neal	Vogt
Johnson	Margolis	Plummer	Weinstein
Kirkpatrick	McPherson	Stuart	
Langley	Meek	Thomas	
Malchon	Myers	Thurman	

RE: Suspension of:

ROGER LEO SWIFT
Member, School Board
Monroe County, Florida

Nays—None

Vote after roll call:

Yea—Gersten

Dear Mr. President:

The Committee on Executive Business submits this final report on the matter of the suspension of Roger Leo Swift.

By Executive Order Number 83-25, dated February 4, 1983 and filed with the Secretary of State on February 5, 1983, His Excellency D. Robert Graham, as Governor, suspended Roger Leo Swift from the Office of Member of the School Board of Monroe County, Florida. The term of office for Mr. Swift was from November 18, 1980 to November 19, 1984.

Executive Order Number 83-25, with one (1) indictment attached, charged that Roger Leo Swift, while holding the aforesaid office, committed criminal violations of the laws of the United States, viz: the offense of extortion in violation of 18 U.S.C. ss. 1951. The Executive Order further stated that the facts alleged constitute the offenses of malfeasance, misfeasance, and/or commission of a felony which are grounds for suspension under Section 7 of Article IV, Florida Constitution, 1968 Revision.

Criminal prosecution of Roger Leo Swift was commenced in the U.S. District Court for the Southern District of Florida, Ft. Lauderdale Division, where Mr. Swift entered a plea of Not Guilty to one (1) count of extortion. The jury returned a verdict of Guilty and U.S. District Judge Norman C. Roettger, Jr. sentenced Mr. Swift to five (5) years imprisonment. Mr. Swift appealed to the Eleventh Circuit Court of Appeal, where the judgment of the trial court was affirmed on May 21, 1984. Mr. Swift petitioned for a rehearing, which was denied, and a mandate was issued on July 23, 1984. Roger Leo Swift began serving his sentence on August 31, 1984. Mr. Swift then filed a Writ of Certiorari with the United States Supreme Court, which was denied on January 14, 1985.

The Senate assumed jurisdiction of this matter on February 7, 1983, and this matter was referred to the Senate Committee on Executive Business on February 17, 1983. Proceedings by this Committee were stayed, pursuant to Senate Rule 12.7(b), during pendency of criminal prosecution in the trial court, including the exhaustion of appellate remedies. With the adjudication of guilt on one (1) felony count, pursuant to Section 4 of Article VI, Florida Constitution, 1968 Revision, Roger Leo Swift became legally ineligible to hold public office.

Based upon the investigation of this Committee, it is the finding of this Committee that Roger Leo Swift was suspended from the Office of Member of The School Board of Monroe County, Florida on February 4, 1983; that Roger Leo Swift was adjudicated Guilty of one (1) count of extortion in violation of 18 U.S.C. ss. 1951; that such act constitutes misfeasance, malfeasance and a felony under the Laws of Florida; that Roger Leo Swift has not contested his suspension on his own behalf, nor shown any cause why the Senate should not take further action to remove him from office.

In view of the foregoing, it is the recommendation of this Committee that Roger Leo Swift be removed from the Office of Member of the School Board of Monroe County, Florida, effective February 4, 1983.

Respectfully submitted,

W. D. Childers, Chairman
Frank B. Mann, Vice Chairman
Betty Castor

Kenneth C. Jenne
Toni Jennings
Patrick K. Neal

Senator W. D. Childers moved that the Senate accept the foregoing report of the committee and remove Roger Leo Swift as Member of the School Board of Monroe County, Florida, effective February 4, 1983. The motion was adopted by the following vote:

Yeas—33

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

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, May 8, 1985: SB 284, SM 1002, SB 427, SB 308, SB 438, SB 593, SB 845, SB 852, CS for SB 454, CS for SB 507, SB 840, CS for SB 389, SB 402, CS for SB 715, SB 483, SB 844, SB 947, CS for SB 11, SB 250, SB 813, SB 508, SB 1085, SB 395, SB 264

Respectfully submitted,
Kenneth C. Jenne, Chairman

The Committee on Agriculture recommends the following pass: SB 779 with 1 amendment, SB 849, SB 1227, HB 1173

The Committee on Education recommends the following pass: SB 391, SB 384 with 1 amendment, SB 1164 with 3 amendments

The Committee on Governmental Operations recommends the following pass: SB 405

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1001

The Committee on Judiciary-Civil recommends the following pass: CS for SB 206, SB 502 with 2 amendments, CS for SB 732, SB 1201 with 1 amendment

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: CS for SB 433, SB 936, SB 944, SB 1021 with 1 amendment, CS for SB 1100, SB 1268

The Committee on Transportation recommends the following pass: SB 888 with 2 amendments

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

The Committee on Governmental Operations recommends the following pass: SB 1110 with 2 amendments

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

The Committee on Health and Rehabilitative Services recommends the following pass: SB 784

The bill was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Education recommends the following pass: SB 780 with 1 amendment

The Committee on Health and Rehabilitative Services recommends the following pass: SB 937

The Committee on Judiciary-Civil recommends the following pass: SB 1128

The Committee on Transportation recommends the following pass: SB 1204 with 1 amendment

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

The Committee on Judiciary-Civil recommends the following pass: HB 414

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 163 with 3 amendments

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

The Committee on Judiciary-Civil recommends the following pass: CS for SB 898

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: CS for SB 617 with 4 amendments, SB 904

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

The Committee on Education recommends the following pass: SB 874, SB 1151 with 1 amendment

The Committee on Governmental Operations recommends the following pass: HB 203, HB 464

The Committee on Judiciary-Civil recommends the following pass: SB 688 with 3 amendments, SB 704 with 2 amendments, SB 822, SB 1156 with 1 amendment, HB 136, CS for HB 141, HB 343

The Committee on Natural Resources and Conservation recommends the following pass: SB 1233

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 942

The Committee on Transportation recommends the following pass: SB 635 with 2 amendments, SB 817, SB 850

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

The Committee on Transportation recommends the following not pass: SB 1252

The bill was laid on the table.

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 761

The Committee on Education recommends a committee substitute for the following: SB 848

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 708, SB 964, SB 1253, SB 1258

The Committee on Personnel, Retirement and Collective Bargaining recommends committee substitutes for the following: SB 956, SB 1014

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 783

The bill with committee substitute attached was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 860

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 680

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

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 1143

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1211

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 277

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 1162

The Committee on Personnel, Retirement and Collective Bargaining recommends a committee substitute for the following: SB 406

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

REQUESTS FOR EXTENSION OF TIME

May 8, 1985

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 146, 287, 562, 569, 571, 573, 574, 578, 595, 609, 610, 615, 1082, 1089, 1107, 1116, 1118,, 1124, 1126, 1131, 1132, 1133, 1134, 1135, 1137, 1160, 1172, 1180, 1203, 1205, 1212, 1217, 1218, 1226, 1228, 1229, 1254; HB 289

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Margolis—

SB 1296—A bill to be entitled An act relating to private activity bonds; creating part VI of chapter 159, F.S.; creating the "Florida Private Activity Bond Allocation Act"; providing legislative purpose; providing definitions; providing for the allocation of private activity bonds; providing for fees; providing that this act not affect prior executive orders, or amendments thereto; providing authority for an executive order if amendments are adopted to the Internal Revenue Code of 1954 or regulations issued thereunder; providing for applications for allocations; providing an effective date.

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

By Senator Hair—

SR 1297—A resolution urging the southern states to hold a regional presidential preference primary.

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

SR 1298 was introduced and adopted April 25.

By Senator Kirkpatrick—

SB 1299—A bill to be entitled An act relating to the City of Gainesville, Florida, permitting that city, if it so chooses, to pay for health or hospitalization insurance, or both, for dependents of retired employees; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By the Committee on Appropriations—

SB 1300—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1985 and ending June 30, 1986 to pay salaries, other expenses, capital outlay - buildings and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Appropriations—

SB 1301—A bill to be entitled An act relating to state government; implementing and administering the General Appropriations Act for fiscal year 1985-86; providing authority for the Administration Commission to approve certain transfers related to reorganization; providing that with specified exceptions, automobiles purchased or leased by the state

shall be of the subcompact class; restricting the price at which vehicles may be purchased; restricting lease or installment purchase of vehicles, machines, and equipment by the executive or judicial branches unless approved by the Comptroller; providing for adjustments for school districts' Program Group 2 unadjusted weighted enrollment ceiling; restricting use of appropriated funds for certain legal services unless approved by the Attorney General; restricting expenditure of certain funds available as a result of litigation against oil companies and refineries; authorizing the expenditure of certain funds by state attorneys and public defenders and requiring a report with respect thereto; providing restrictions with respect to advances for program start-up or advances for contracted services; providing for waiver of said restrictions; providing for reimbursement to school districts for costs of residential nonpublic school contracts and providing conditions, eligibility, and funding with respect thereto; providing that appropriations to the Department of Education for certain purchases of electronic data processing equipment by school districts, community colleges, and the Board of Regents are subject to approval by the Commissioner of Education; providing for inclusion of certain students in educational alternative programs; retitling certain educational programs; modifying certain match funding requirements relating to certain funds appropriated for local community mental health centers and alcohol project grants; modifying procedures for determining annual allocations to school districts; providing for establishment of enrollment ceilings by program groups; providing for administration of agency training programs and prescribing duties of the Department of Administration with respect thereto; providing for deposit of certain revenues received by the Department of Law Enforcement into the Forfeiture and Investigative Support Trust Fund; providing for advance of funds in any specific appropriation under certain conditions; specifying procedures with respect to certain unexpended balances of the Department of Transportation budget, and authorizing transfer between categories by the Executive Office of the Governor under certain circumstances; providing restrictions upon the transfer of certain individuals or their services between state agencies; restricting use of Special Category Contract Education funds of the Department of Corrections; providing procedures for state agencies with respect to solicitation for contractual training needs; providing procedures for transfer of data from the Department of Education to the Legislature necessary for calculating Aid to Local Governments Appropriations; abrogating the abolition of the trust funds of certain agencies; requiring the Department of Transportation to revise the budget entity structure; requiring the Department of Transportation to allocate resources to districts prior to a specified date; providing for differential premium rates for state group health insurance; providing that certain provisions relating to education shall be implemented only to the extent specifically provided for in the General Appropriations Act; amending s. 212.11, F.S.; providing additional criteria for the payment of estimated sales taxes; providing a retroactive effective date and an expiration date.

—was referred to the Committee on Appropriations.

By Senator Plummer—

SB 1302—A bill to be entitled An act relating to terrorism; creating s. 876.215, F.S.; providing legislative intent; amending s. 876.22, F.S.; providing definitions; amending s. 876.23, F.S.; prohibiting a person from committing, attempting to commit, aiding in the commission of, or conspiring to commit an act of violence to assist any terrorist organization; providing penalties; creating s. 876.235, F.S.; providing a civil cause of action for persons aggrieved by certain subversive activities or terrorism; providing a statute of limitations; providing circumstances under which the statute may be tolled; providing an effective date.

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

By Senator Plummer—

SB 1303—A bill to be entitled An act relating to the City of Key Colony Beach, Monroe County; authorizing the city to exercise its police powers and jurisdiction extending 600 feet into the tidal waters adjacent to its established corporate limits; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SB 1304—A bill to be entitled An act relating to the Sarasota County Public Hospital Board, Sarasota County; amending ss. 8 and 8A, chapter 26468, Laws of Florida, 1949, as amended, relating to powers of the hospital board; enabling the hospital board to acquire property necessary for health care purposes; to borrow money for the purpose of purchasing property and equipment and constructing buildings for health facilities; to provide health care services; to participate to the extent permitted by the Constitution and laws of Florida, as a shareholder in a corporation, or as a joint venturer in a joint venture, which provides health care or engages in activities related thereto; to provide debt and equity financing for the activities of such corporations or joint ventures; and to utilize, for any lawful purpose, assets and resources of the board to the extent not needed for health care and related activities.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

SR 1305 was introduced and adopted May 7.

By Senator Dunn—

SB 1306—A bill to be entitled An act relating to Volusia County; establishing and organizing a municipality in said county to be known by the name selected by its electors; defining its territorial boundaries; providing for its government, jurisdiction, powers, franchises, immunities, privileges, and means for exercising the same; prescribing the general powers to be exercised by said City; providing extraterritorial powers; creating a Reserve Area; providing for the dissolution of certain existing governments; providing a referendum.

Proof of publication of the required notice was attached.

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

SR 1307 was introduced and adopted April 30.

By Senator Deratany—

SB 1308—A bill to be entitled An act relating to Indian River County; providing that funds raised under s. 125.0104, F.S., the Local Option Tourist Development Act, may be used to fund a beach management plan; providing an effective date.

Proof of publication of the required notice was attached.

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

SR 1309 was introduced and adopted May 7.

SR 1310 was introduced and adopted May 7.

SR 1311 was introduced and adopted May 2.

SR 1312 was introduced and adopted May 7.

By Senator Meek—

SR 1313—A resolution commending Dr. Walter L. Smith's noteworthy achievements as President of Florida Agricultural and Mechanical University.

—was referred to the Committee on Rules and Calendar.

By Senators Stuart and Jennings—

SR 1314—A resolution commending Rollins College on its Centennial.

—was referred to the Committee on Rules and Calendar.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Governmental Operations and Senators Meek and Neal—

CS for SB 277—A bill to be entitled An act relating to payment and performance bonds; amending ss. 235.32, 255.05, F.S.; providing that any official or board awarding a contract for work done for any political subdivision may exempt the contractor from executing a payment or performance bond in specified circumstances; exempting state contracts for \$100,000 or less from bonding requirements; requiring the Department of General Services to adopt rules with respect to contracts for \$200,000 or less; providing an effective date.

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

CS for SB 406—A bill to be entitled An act relating to firefighters; creating part VIII of chapter 112, F.S., relating to the "Firefighters' Bill of Rights"; providing definitions; specifying the rights of firefighters who are under interrogation with respect to matters which may result in disciplinary action, suspension, or dismissal; specifying rights of firefighters with respect to civil actions; specifying that the rights of firefighters set forth under the act are nonexclusive; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Carlucci and Fox—

CS for SB 680—A bill to be entitled An act relating to endangered children; providing for search warrants for abused or neglected children; providing for such children to be taken into custody; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Fox and Mann—

CS for SB 708—A bill to be entitled An act relating to neonatal care; amending ss. 383.16, 383.17, 383.171, 383.18, 383.19, F.S.; providing definitions; providing conditions for grants agreements; requiring contracting hospitals to submit reports to the Department of Health and Rehabilitative Services; requiring the Hospital Cost Containment Board and the department to submit reports to the Governor and the Legislature; deleting limitations on grants to neonatal centers; providing an effective date.

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

CS for SB 761—A bill to be entitled An act relating to housing; amending s. 420.401, F.S., providing findings and declaration of necessity; amending s. 420.402, F.S., providing legislative purpose; amending s. 420.403, F.S., providing definitions; amending s. 420.404, F.S., providing for the deposit of funds into the Farmworker Housing Assistance Trust Fund; amending s. 420.405, F.S., providing for loans and expanding eligible activities under the act; amending s. 420.406, F.S., relating to application procedures; amending s. 420.407, F.S., relating to rules and annual reports; amending s. 420.413, F.S., providing for the expiration of the granting and lending authority under the Farmworker Housing Assistance Act; creating s. 420.414, F.S., providing for default by sponsors and the power of the secretary of the Department of Community Affairs; creating s. 420.415, F.S., providing for recourse with respect to the failure or inability of an eligible sponsor to cause housing to be developed on land purchased; creating s. 420.416, F.S., providing for the disposition of certain property accruing to the state; creating s. 420.417, F.S., providing that certain lands shall be subject to taxation; providing a restriction upon use of certain funds appropriated by the Legislature; repealing part III of chapter 420, F.S., consisting of ss. 420.20-420.211, F.S., eliminating the "Florida Housing Land Acquisition and Site Development Act of 1979"; amending s. 420.422, F.S.; providing for coordination of public and private resources; providing that continuation of neighborhood housing services programs are in the public interest; amending s. 420.423, F.S.; prescribing policy and purpose; amending s. 420.424, F.S.; providing definitions; amending s. 420.427, F.S.; providing project eligibility for grants; amending s. 420.428, F.S.; prescribing eligible activities of grant recipients; providing a retroactive effective date.

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

CS for SB 783—A bill to be entitled An act relating to the licensure of graduates of foreign medical schools to practice medicine; amending s. 458.311, F.S.; permitting specified applicants to take the Federation Licensing Examination; providing an effective date.

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

CS for SB 860—A bill to be entitled An act relating to guardians ad litem; providing for the appointment of a guardian ad litem or other advocate to represent a child who is involved in a criminal proceeding as either a victim or a witness; prescribing powers and duties of a guardian ad litem or other advocate; providing immunity from certain liability; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senators Thomas and Barron—

CS for SB 956—A bill to be entitled An act relating to leaves of absence of officials and employees; amending s. 115.07, F.S., relating to leaves of absence for reserve or guard training; providing legislative intent; providing for computation of leave of absence with respect to officers or employees whose working day consist of certain shifts; providing that where an employee's assigned employment duty conflicts with active or inactive duty training it shall be the responsibility of the employing agency to provide for the assumption of such employment duties while the employee is on assignment; providing an effective date.

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

CS for SB 964—A bill to be entitled An act relating to emergency medical services; amending ss. 316.192, 316.193, 316.061, F.S.; increasing fines for reckless driving or for driving while under the influence of alcoholic beverages or a controlled substance or for fleeing the scene of an accident and providing for similar deposit of a portion of such fines into the Emergency Medical Services Trust Fund; amending s. 318.18, F.S.; increasing fines for noncriminal traffic infractions and providing for similar deposit of a portion of such fines; amending s. 401.113, F.S.; providing for use of fines deposited into the Emergency Medical Services Trust Fund solely to improve and expand prehospital emergency medical services; providing for the allocation and use of funds therein; providing for rules; providing an effective date.

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

CS for SB 1014—A bill to be entitled An act relating to labor organizations; repealing s. 447.05, F.S., relating to initiation fees; amending s. 447.203, F.S.; providing definitions relating to public employees; amending s. 447.209, F.S.; providing for the rights of public employers; amending s. 447.309, F.S.; requiring just and proper cause in order to discipline or discharge certain employees; amending s. 447.401, F.S.; revising the requirements for public employee grievance procedures; amending s. 447.605, F.S.; allowing the recording of certain negotiations; amending s. 112.0801, F.S.; deleting the prohibition against the negotiation or bargaining of certain provisions relating to participation in group insurance by retired employees; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senators Frank, Dunn, Jenne, Stuart, Kirkpatrick and Malchon—

CS for 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 legislative intent; providing coastal management element content; creating s. 163.3179, F.S.; requiring local governments to identify undeveloped coastal barrier areas; revising requirements relating to adoption of comprehensive plans and submission to specified agencies; providing duties of state land planning agency; directing the state land planning agency to adopt minimum criteria for the review of local comprehensive plans; directing counties and municipalities, to comply with adopted requirements concerning local comprehensive plans; providing for review and hearings; providing that local governments found to be not in compliance are ineligible for certain funding, specified grants, and certain 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.

By the Committee on Health and Rehabilitative Services and Senators Hair, Girardeau, Barron and Fox—

CS for SB 1162—A bill to be entitled An act relating to medical services; amending s. 458.313, F.S.; providing alternative qualifications for medical licensure by endorsement; creating s. 458.3155, F.S.; authorizing certain persons licensed to practice medicine in another state to be registered to perform locum tenens medical services in the state under certain circumstances; amending s. 617.01, F.S.; authorizing certain medical education and research corporations to be incorporated as not-for-profit corporations to practice medicine; providing an effective date.

By the Committee on Governmental Operations and Senator Johnson—

CS for SB 1211—A bill to be entitled An act relating to education; creating the Bicentennial Constitutional Commission of Florida; providing for the appointment of members; establishing duties of the commission; providing for meetings and public hearings; requiring reports; authorizing an executive director and personnel; specifying administration by the office of the Governor; providing for appropriations and contributions; authorizing the power of contract to the commission; providing an effective date.

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

CS for SB 1253—A bill to be entitled An act relating to comprehensive protective services for abused or neglected children; providing legislative intent; requiring the Florida Department of Law Enforcement to convene a task force; specifying membership on the task force; requiring the task force to submit recommendations on specified topics; providing an effective date.

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

CS for SB 1258—A bill to be entitled An act relating to adult foster homes; creating part VI of chapter 400, F.S., the "Adult Foster Home Care Act"; providing legislative intent; providing definitions; providing for licensure by the Department of Health and Rehabilitative Services; providing for investigation of applicants; providing for access to licensed facilities; providing grounds for denial, suspension, or revocation of a license; directing the department to establish minimum standards and licensure procedures by rule; providing for injunction; providing for recruitment of adult foster homes by the department; providing for cancellation of a license under certain circumstances; providing for review and repeal; providing an effective date.

CONSIDERATION OF RESOLUTIONS

On motion by Senator Thomas, the rules were waived and by two-thirds vote SR 2 was withdrawn from the Committee on Rules and Calendar.

SR 2—A resolution honoring Marle Glisson for his heroism in preventing a robbery and catching the suspect.

WHEREAS, Marle Glisson on June 21, 1984, foiled an attempted robbery at the Trailways bus station in Ocala, Florida, and

WHEREAS, on that occasion, Mr. Glisson, who is a bus driver for Trailways, knocked down an armed man who was holding the ticket agent at gunpoint, and was hit on the head in a struggle for possession of the weapon, and

WHEREAS, despite his injury, Mr. Glisson pursued the gunman, even after the man threatened his life and shot at him, and

WHEREAS, he caught the suspect, tackled and disarmed him, and held him until the police arrived, and

WHEREAS, Mr. Glisson previously displayed similar quick-wittedness and bravery by chasing a pickpocket who took an elderly man's wallet in Atlanta, and

WHEREAS, Mr. Glisson, brother of former State Senator Jim Glisson, is a model citizen, who deserves the gratitude of us all, for it is our safety that he has helped to protect, NOW, THEREFORE,

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

That the Florida Senate recognizes Marle Glisson of Tallahassee for the outstanding bravery and the bold action he has displayed in foiling crime and apprehending criminals, and expresses gratitude for his deep sense of public spirit and his willingness to aid his fellow man.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Florida Senate affixed, be presented to Mr. Marle Glisson as a token of the sentiments expressed herein.

—was read the second time in full. On motion by Senator Thomas, SR 2 was unanimously adopted.

On motion by Senator Neal, the rules were waived and by two-thirds vote SR 866 was withdrawn from the Committee on Rules and Calendar.

SR 866—A resolution commending Vick and Faye Blackstone for their accomplishments.

WHEREAS, Vick and Faye Blackstone were married in 1937 and have shared a lifetime of love for and participation in rodeo life, and

WHEREAS, Vick Blackstone enjoyed the Florida Rodeo Circuit best and participated in steer wrestling, calf roping and bronc riding events in rodeos in Kissimmee, Deland, Arcadia, and Bushnell, while Faye originated three difficult tricks in trick riding competition, and

WHEREAS, in the 1950's Vick and Faye retired from all out-of-state rodeos and settled down in Parrish, Florida, and

WHEREAS, in 1982 Vick was inducted into the National Cowboy Hall of Fame in Oklahoma City, Oklahoma and Faye was inducted into the National Cowgirl Hall of Fame in Hereford, Texas, in 1982 also, and

WHEREAS, Vick and Faye Blackstone are the only married couple to have been so honored by their peers, and

WHEREAS, it is fitting and appropriate that the Senate take this time to honor Vick and Faye Blackstone for their accomplishments, NOW, THEREFORE,

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

That the Senate of the State of Florida hereby commends Vick Blackstone for his accomplishments in being inducted into the National Cowboy Hall of Fame and hereby commends Faye Blackstone for her accomplishments in being inducted into the National Cowgirl Hall of Fame and for their contribution to the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Vick and Faye Blackstone as a tangible token of the sentiments expressed herein.

—was read the second time in full. On motion by Senator Neal, SR 866 was unanimously adopted.

On motion by Senator Jenne, Rule 10.2 was waived for the purpose of permitting certain guests in the chamber to participate in the annual Senate reunion.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Carlucci, by two-thirds vote SB 1118 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Neal, the rules were waived and by two-thirds vote Senate Bills 551 and 631 were withdrawn from the Committee on Appropriations.

On motion by Senator Peterson, the rules were waived and the Committee on Education and Subcommittee B of the Committee on Appropriations were granted permission to meet jointly May 13 from 10:30 a.m. until 12:00 noon.

On motions by Senator Vogt, by two-thirds vote Senate Bills 421 and 892 were withdrawn from the committees of reference and indefinitely postponed.

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 30.

Allen Morris, Clerk

The bill contained in the foregoing message was ordered enrolled.

SPECIAL ORDER

SB 284—A bill to be entitled An act relating to the sale of art; providing definitions; providing restrictions upon the sale of art on consignment; requiring written consignment agreements and specifying certain provisions thereof; creating certain warranties of authenticity in the sale of art by art dealers; providing for the construction of warranties and limitations thereon; providing for the effect of the act on existing rights and liabilities; limiting liability in certain circumstances; providing a penalty for violations; providing exemptions; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote SB 284 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Fox, Peterson

On motion by Senator Johnson, the rules were waived and SB 284 was ordered immediately certified to the House.

On motions by Senator Mann, the rules were waived and by two-thirds vote HM 378 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Mann—

HM 378—A memorial to the Congress of the United States, urging Congress to take whatever action is necessary to provide for the deauthorization of the Cross Florida Barge Canal Project.

—a companion measure, was substituted for SM 1002 and read the second time in full. HM 378 was adopted and certified to the House. The vote on passage was:

Yeas—33

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

Nays—3

Barron Carlucci Hair

SM 1002 was laid on the table.

SB 427—A bill to be entitled An act relating to insurance; amending ss. 627.6375, 627.6695, and 626.9541, F.S.; relating to contracts with licensed health care providers for alternative rates of payment; deleting provisions excluding certain persons from the definition of “licensed health care providers”; providing an effective date.

—was read the second time by title. On motion by Senator Fox, by two-thirds vote SB 427 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Langley

Vote after roll call:

Nay to Yea—Langley

SB 308—A bill to be entitled An act relating to criminal proceedings; amending s. 914.04, F.S.; allowing compelled testimony or evidence to be used against a witness in criminal investigations or proceedings for perjury; amending s. 837.021, F.S.; specifying circumstances under which a person may not be prosecuted for perjury under said section; providing an effective date.

—was read the second time by title. On motion by Senator Weinstein, by two-thirds vote SB 308 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 438—A bill to be entitled An act relating to commercial motor vehicles; requiring such vehicles to display certain identifying information when operated in the state; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 9, strike everything after the enacting clause and insert:

Section 1. Subsection (14) of section 316.003, Florida Statutes, 1984 Supplement, is amended, and subsections (79) and (80) are added to said section to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(14) GROSS WEIGHT.—*The net weight of a motor vehicle in pounds plus the weight of the load carried by it* ~~The weight of a vehicle without load plus the weight of any load thereon.~~

(79) NET WEIGHT.—*The actual scale weight in pounds with complete catalog equipment.*

(80) *MOTOR CARRIER.*—Any person owning, controlling, operating, or managing any motor vehicle used in the business of transporting persons or property over any public highway.

Section 2. Section 316.570, Florida Statutes, is created to read:

316.570 Display of information on certain commercial motor vehicles.

(1) Every commercial motor vehicle shall prominently display, as a minimum, the following information:

- (a) The full and current name of the motor carrier;
- (b) The current telephone number of the motor carrier;
- (c) The city and state in which the primary office of the motor carrier is located, or if such office is in an unincorporated area, then the name of the city nearest the office shall be displayed;
- (d) The net weight;
- (e) The maximum gross weight permitted by law; and
- (f) Any number issued to the vehicle by the motor carrier.

(2) The required information shall be displayed in letters not less than 3 inches in height, of a contrasting color to the surface upon which they are affixed. Such letters shall be displayed on the front door of each side of the vehicle; provided, however, that a truck tractor equipped with a sleeper cab may display the required information upon each side of such cab.

(3) This section does not apply to any vehicle engaged in interstate commerce that is certificated by the Interstate Commerce Commission or registered under the international registration plan as provided in s. 320.03(7) or to any motor vehicle used in public or mass transit service which is owned or operated by any county, municipality, or public transportation authority.

(4) A violation of this section shall be a noncriminal traffic infraction, incurring a civil penalty as set forth in s. 318.18(2).

Section 3. This act shall take effect January 1, 1986.

Amendment 2—In title, on page 1, lines 1-5, strike everything before the enacting clause and insert: An act relating to uniform traffic control; amending s. 316.003, F.S.; providing a uniform definition of gross weight; providing definitions of net weight and motor carrier; creating s. 316.570, F.S.; requiring the display of information upon certain commercial motor vehicles; providing a penalty; providing an effective date.

On motion by Senator Thurman, by two-thirds vote SB 438 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Senator Crawford presiding

SB 593—A bill to be entitled An act relating to insurance; creating s. 627.3515, F.S.; requiring the adoption of a market assistance plan by the Department of Insurance to place certain property insurance and casualty insurance risks; requiring participation by certain insurers and requiring them to fund and staff the plan; providing for placement fees; providing an effective date.

—was read the second time by title.

The Committee on Commerce recommended the following amendment which was moved by Senator Meek and adopted:

Amendment 1—On page 1, line 23, strike “in the voluntary market at standard rates.” and insert: from authorized insurers when such insurance is otherwise generally available from insurers authorized to transact and actually writing that kind and class of insurance in this state.

On motion by Senator Meek, by two-thirds vote SB 593 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—2

Johnson Langley

Vote after roll call:

Yea—Deratany, Gordon, Jenne

SB 845—A bill to be entitled An act relating to public lands; amending section 3 of chapter 19133, Laws of Florida, 1939; providing for the use of certain parcels of land by the Palm Beach Junior College for performing arts, the Palm Beach Habilitation Center, Inc., for the aid of retarded persons, and the county for aviation uses; authorizing the Board of Trustees of the Internal Improvement Trust Fund to execute certain title documents; validating certain modifications of deed restrictions previously executed by the board; directing the board to execute title documents required by this act as soon as practical; providing an effective date.

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

Yeas—35

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

Nays—None

Consideration of SB 852 was deferred.

CS for SB 454—A bill to be entitled An act relating to the sale of water; creating s. 381.285, F.S.; providing legislative intent; providing definitions; requiring bottled water plant operators and water dealers to obtain a permit; providing for fees; establishing duties and responsibilities for the Department of Health and Rehabilitative Services; establishing duties and responsibilities of water plant operators; providing for enforcement; providing penalties; preempting to the state the authority to regulate bottled water plants, bottled water plant operators, and water dealers; amending s. 381.112, F.S.; providing an administrative fine; creating s. 500.455, F.S.; providing operating standards; prescribing label requirements; providing for cooperation between the Department of Health and Rehabilitative Services and the Department of Agriculture and Consumer Services in administering the act; requiring a cooperative agreement; providing an effective date.

—was read the second time by title. On motion by Senator McPherson, by two-thirds vote CS for SB 454 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

CS for SB 507—A bill to be entitled An act relating to state planning and budgeting; providing definitions; providing for consensus estimating conferences to develop official information relating to the economy, demographics, revenues, education, the criminal justice system, the social service system, and transportation; requiring state agencies to use such official information in the planning and budgeting process; providing for membership, areas of responsibilities, duties, and sessions of such conferences; providing for the Florida Education Finance Program Appropriation Allocation Conference, its membership, and its duties; providing an effective date.

—was read the second time by title. On motion by Senator Jenne, by two-thirds vote CS for SB 507 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

SB 840—A bill to be entitled An act relating to uniform traffic control; amending s. 316.003, F.S.; defining "passenger motor vehicle" and "multipurpose passenger vehicle"; creating s. 316.310, F.S.; requiring the installation and maintenance of bumpers on passenger motor vehicles; adopting an impact-resistance standard; creating s. 316.312, F.S.; requiring the installation and maintenance of bumpers on multipurpose passenger vehicles and certain trucks; establishing a maximum bumper height; providing an exemption; creating s. 316.314, F.S.; prohibiting the operation upon the streets and highways of a passenger motor vehicle, a multipurpose passenger vehicle, or a certain type of truck with an altered or modified suspension system; establishing a standard of measurement; providing an exemption for vehicles in tow; providing penalties; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 3, lines 23 and 24, strike ", which is titled and registered in this state prior to January 1, 1986, may" and insert: shall

Amendment 2—On page 4, strike all of lines 4-11 and renumber subsequent subsections.

Senator Johnson moved the following amendment which was adopted:

Amendment 3—On page 5, line 16, strike "with a net weight of 5,000 pounds or less"

Senator Langley moved the following amendment which was adopted:

Amendment 4—On page 4, line 20, insert new section:

Section 4. The Department of Highway Safety and Motor Vehicles shall adopt rules to provide exemptions for vehicles used primarily for off-road operation for agricultural use.

(Renumber subsequent sections.)

The President presiding

Senators Grant and Scott offered the following amendment which was moved by Senator Grant:

Amendment 5—On page 3, line 14, strike "25" and insert: 36

On motion by Senator Carlucci, further consideration of SB 840 with pending amendment was deferred.

SB 852—A bill to be entitled An act relating to lobbying; amending s. 11.061, F.S.; requiring an employee of a political subdivision of the state to register as a lobbyist; providing a penalty; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, lines 15, 16, 27 and 28; and on page 2, lines 14, 15, 24 and 25, strike "political subdivision" and insert: *community college*

Further consideration of SB 852 with pending amendment was deferred.

A point of order was called and the President declared the Senate in informal recess at 10:33 a.m.

The Senate was called to order by the President at 10:38 a.m. A quorum present.

Special Ceremony

The following former members of the Senate in attendance for the 1985 Senate reunion were welcomed by the President:

Dick Anderson, Randolph Hodges, Lynwood Arnold, Beth Johnson, Reubin O'D. Askew, Dewey M. Johnson, William D. Barrow, Thomas H. Johnson, C. W. (Bill) Beaufort, Frederick B. Karl, W. E. Bishop, Paul Kickliter, Ralph Blank, Jr., Gerald A. Lewis, LeRoy Collins, Hal Y. Maines, James E. Connor, Clark Maxwell, Jr., Hal Davis, David H. McClain, Richard J. Deeb, T. Truett Ott, Fred O. Dickinson, Kenneth A. Plante, Robert Elrod, Van B. Poole, Vince Fechtel, Jr., John S. Rawls, Dick Fincher, Richard (Dick) Renick, George Firestone, J. B. Rodgers, Jr., Tom Gallen, Tom Slade, William M. Gillespie, Bruce Smathers, Bill Gorman, Guy Spicola, Bob Graham, Paul Steinberg, Tom Greene, Russell E. Sykes, Bill Gunter, Dave Thomas, Warren Henderson, Tom Tobiassen, Cliff Herrell

The following special guests were also welcomed:

LeRoy Adkison, former Sergeant at Arms
Gwen Mathews, wife of Senator John E. Mathews, Jr.

President Johnston asked Senator George Kirkpatrick and former Senator Warren Henderson, co-chairmen of the reunion, to outline the day's activities and make any remarks they wished. The President then gave a brief history of the reunion and compared the Senate, and the State, to 1972 when the reunions began. He then called, introduced and invited to the rostrum, former Senator "Wig" Barrow, who entertained the senators with his "down-home philosophies and good humor". The reunion session was then recessed for a picture-taking session on the west portico of the Capitol, with luncheon following at the Silver Slipper, and a dinner party at 6:00 p.m. at Wakulla Springs Lodge.

ENROLLING REPORTS

Senate Bills 228 and 313 and CS for SB 76 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 8, 1985.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 7 was corrected and approved.

CO-INTRODUCERS

Senator Girardeau—SB 454; Senator Carlucci—SB 908; Senator Kirkpatrick—SB 1070; Senator Gordon—SB 1137; Senator Meek—SB 1150

RECESS

The Senate recessed at 11:07 a.m. to reconvene at 9:00 a.m., Thursday, May 9.