



# Journal of the Senate

Number 2—Special Session A

Thursday, December 10, 1992

## CALL TO ORDER

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

Mr. President	Diaz-Balart	Holzendorf	Myers
Bankhead	Dudley	Jenne	Scott
Beard	Dyer	Jennings	Siegel
Boczar	Foley	Johnson	Silver
Brown-Waite	Forman	Jones	Sullivan
Burt	Grant	Kirkpatrick	Thomas
Casas	Grogan	Kiser	Turner
Childers	Gutman	Kurth	Weinstein
Crist	Harden	McKay	Wexler
Dantzler	Hargrett	Meadows	Williams

## PRAYER

The following prayer was offered by Dr. Len Turner, Pastor, East Hill Baptist Church, Tallahassee:

Good afternoon, Lord. I want to thank you for hearing this prayer. As busy as you are at overseeing this world I am so grateful that you always have time to hear the prayers of your children.

Father, this season of the year so reflects your true character—joy, happiness, peace, love and gifts. To know you is to know the true meaning of this season.

I have a wish-list for you, Lord. Just as a child might walk the aisles of Toys-R-U's or flip through the pages of a Sears catalogue and make a list of all he or she wants, I have a wish-list for these legislators.

I wish for each Senator, their staff and their families, health. Father, that is health of body, health of mind, and health of spirit.

I wish for this group great wisdom as they discuss, debate, deliberate and decide these grave issues facing them. They are not operating in a clean, sterile, antiseptic environment. They deal with dollars, deadlines, difficulties and demands. Wisdom, Lord, great wisdom is my wish.

The third thing on my wish-list, Father, is that each Senator might have a Rudolph-the-Rednose Reindeer complex. May they always be conscious of their personal importance. They are Senators in the government of the great State of Florida. Many aspire to their place but few are chosen. There is always the herd, but only a few have what it takes to lead. Each is very important as they lead this state through the dark, cold, wintery night to help accomplish their stated mission.

And like Rudolph, each Senator must return to the barn. There they are not known as Senator but as Dad or Mom, Grandma or Grandpa, friend, Honey, Darling, maybe even Sweet Pea. And that is the really great part of the Rudolph Complex.

Well, Lord, enough of this. It's time to go to work. Thanks for hearing my prayer. Thanks for caring for each of us. Thanks for the gift of life, love and leading. Amen.

## CONSIDERATION OF RESOLUTIONS

On motion by Senator Turner, by the required constitutional two-thirds vote of the Senate, the following resolution was admitted for introduction:

On motion by Senator Turner, by unanimous consent—

By Senator Turner—

**SR 26-A**—A resolution expressing regret at the death of Wallace McCall, chairman of the Advisory Board of the Miami Job Corps Center.

WHEREAS, for many years, Wallace McCall unselfishly devoted his time and effort to improving this state, particularly south Florida, and

WHEREAS, Mr. McCall paid special attention to the students of Charles R. Drew Elementary School, an inner-city school that has become a model for other such schools throughout the nation, and

WHEREAS, Wallace McCall was the president of the Miami Job Corps Advisory Council, vice president of the Martin Luther King Parade Festival, vice president of the Greater Miami Branch of the N.A.A.C.P., and a founding member of the Inner City Scholarship Foundation, and

WHEREAS, Mr. McCall annually hosted the reception to salute Dr. Martin Luther King, Jr., which is held at the Bayside Marketplace, and

WHEREAS, we are saddened to learn of Mr. McCall's death on November 28, 1992, NOW, THEREFORE,

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

That this legislative body does pause in its deliberations to pay its respect to the late Wallace McCall and remember him for his lifetime of service to this state.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate, with the Seal of the Senate affixed, be presented to the family of Wallace McCall as a tangible token of the sentiments expressed herein.

—was introduced out of order and read by title. On motion by Senator Turner, **SR 26-A** was read the second time in full and adopted.

On motion by Senator Silver, by the required constitutional two-thirds vote of the Senate, the following resolution was admitted for introduction:

On motion by Senator Silver, by unanimous consent—

By Senator Silver—

**SR 28-A**—A resolution urging the development of an accord among southern states for cooperation in disaster relief and emergency preparedness.

WHEREAS, the counsel and assistance offered from our neighboring states was of tremendous help to officials of this state in responding to the chaotic conditions created by Hurricane Andrew, and

WHEREAS, the resources of experienced personnel and equipment from our border states were provided in a practical and timely fashion, and

WHEREAS, an inventory of trained personnel and available equipment would be of invaluable assistance to a state to provide an effective immediate response to disaster and emergency conditions, and

WHEREAS, help from areas in proximity to this state is often available more expeditiously than is federal aid, and

WHEREAS, consequences of disasters and emergencies often cross border lines and have an interstate impact on people, technologies, commerce, and industries, and

WHEREAS, certain actions by states in responding to disaster and emergency situations require the approval by legislatures and governors, NOW, THEREFORE,

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

That the Florida Senate recommends that the Governor and appropriate agencies of the executive branch work with our southern neighbor states, including their emergency management operations, to develop a

cooperative strategy or interstate compact, and legislation if necessary, for responding to disasters or emergency conditions; that this strategy or compact outline the operations, personnel, and resources each state has to draw upon to respond to such conditions; and that the strategy, compact, and implementing legislation be reviewed periodically to provide an accurate, effective inventory.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Governors and to the presiding officers of the houses of the legislatures of the States of Texas, Louisiana, Mississippi, Alabama, Georgia, South Carolina, and North Carolina.

—was introduced out of order and read by title. On motion by Senator Silver, **SR 28-A** was read the second time in full and adopted.

### SPECIAL ORDER

On motion by Senator Jones, by two-thirds vote—

**CS for CS for SB 8-A**—A bill to be entitled An act relating to sales tax revenues; providing for deposit of certain increases in sales tax collections resulting from Hurricane Andrew into the Hurricane Andrew Recovery and Rebuilding Trust Fund under the Department of Community Affairs for a specified period; providing for the use of such funds; providing for the Governor to submit certain requests for funding to the Legislature; providing for recovery of funds improperly expended; amending s. 215.22, F.S.; exempting the trust fund from certain service charges; providing an effective date.

—was read the second time by title.

Senator Jones moved the following amendment which was adopted:

**Amendment 1**—On page 4, line 5, strike “Other” and insert: Private

On motion by Senator Jones, by two-thirds vote **CS for CS for SB 8-A** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

**SB 6-A**—A bill to be entitled An act relating to Miami-Dade Community College; deferring the reversion of funds appropriated for certain projects for the college; providing an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote **SB 6-A** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

**SB 14-A**—A bill to be entitled An act relating to unemployment compensation; amending s. 443.131, F.S.; revising language with respect to contributions, providing that certain benefits paid to individuals separated from an employer due to certain natural disasters on the basis of wages shall not be charged to the employer’s account; providing an effective date.

—was read the second time by title. On motion by Senator Casas, by two-thirds vote **SB 14-A** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34 Nays—None

Consideration of **SB 12-A** was deferred.

**SB 4-A**—A bill to be entitled An act relating to the Department of Citrus; amending s. 601.111, F.S.; authorizing the department to lower by a certain amount the minimum requirement of anhydrous citric acid for oranges; providing an effective date.

—was read the second time by title. On motion by Senator Dantzer, by two-thirds vote **SB 4-A** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40 Nays—None

On motions by Senator Dantzer, by two-thirds vote—

**CS for SB 20-A**—A bill to be entitled An act relating to permits for solid waste disposal areas; amending s. 403.707, F.S.; authorizing rather than requiring water management districts to prepare impact reports for certain solid waste disposal area permit applications; providing that the

failure of agencies to comply with report provisions shall not be the basis for denial, revocation, or remand of the permit; providing for retroactive application; providing an effective date.

—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—40 Nays—None

### MOTION TO INTRODUCE BILL

On motion by Senator Jennings, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senator Thomas—

**SB 30-A**—A bill to be entitled An act relating to saltwater fishing licenses; amending s. 370.0605, F.S.; deleting requirements for increased fees for residents of states contiguous to Florida; providing an effective date.

—which was referred to the Committee on Natural Resources and Conservation.

### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, December 10, 1992: **CS for CS for SB 8-A, SB 6-A, SB 14-A, SB 12-A, SB 4-A, CS for SB 20-A**

Respectfully submitted,  
*Toni Jennings, Chairman*

The Committee on Commerce recommends the following pass: **SB 10-A with 9 amendments**

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

The Committee on Agriculture recommends the following pass: **SB 4-A**

The Committee on Appropriations recommends the following pass: **SB 6-A**

The Committee on Commerce recommends the following pass: **SB 14-A**

The Committee on Criminal Justice recommends the following pass: **SB 12-A**

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

The Committee on Judiciary recommends the following not pass: **SB 16-A**

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

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: **SB 8-A**

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

The Committee on Appropriations recommends a committee substitute for the following: **CS for SB 8-A**

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: **SB 20-A**

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

**COMMITTEE SUBSTITUTES**

**FIRST READING**

By the Committee on Finance, Taxation and Claims; and Senators Jones, Diaz-Balart, Casas, Silver, Weinstein, Turner, Dudley, Forman, Meadows, Foley, Jenne, Kirkpatrick and Gutman—

**CS for SB 8-A**—A bill to be entitled An act relating to sales tax revenues; providing for deposit of certain increases in sales tax collections resulting from Hurricane Andrew into the Hurricane Andrew Recovery and Rebuilding Trust Fund under the Department of Community Affairs for a specified period; providing for the use of such funds; providing for the Governor to submit certain requests for funding to the Legislature; providing for recovery of funds improperly expended; amending s. 215.22, F.S.; exempting the trust fund from certain service charges; providing an effective date.

By the Committees on Appropriations; Finance, Taxation and Claims; and Senators Jones, Diaz-Balart, Casas, Silver, Weinstein, Turner, Dudley, Forman, Meadows, Foley, Jenne, Kirkpatrick and Gutman—

**CS for CS for SB 8-A**—A bill to be entitled An act relating to sales tax revenues; providing for deposit of certain increases in sales tax collections resulting from Hurricane Andrew into the Hurricane Andrew Recovery and Rebuilding Trust Fund under the Department of Community Affairs for a specified period; providing for the use of such funds; providing for the Governor to submit certain requests for funding to the Legislature; providing for recovery of funds improperly expended; amending s. 215.22, F.S.; exempting the trust fund from certain service charges; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senator Dantzler—

**CS for SB 20-A**—A bill to be entitled An act relating to permits for solid waste disposal areas; amending s. 403.707, F.S.; authorizing rather than requiring water management districts to prepare impact reports for certain solid waste disposal area permit applications; providing that the failure of agencies to comply with report provisions shall not be the basis for denial, revocation, or remand of the permit; providing for retroactive application; providing an effective date.

**ROLL CALLS ON SENATE BILLS**

**SB 4-A**

Yeas—40

Mr. President	Diaz-Balart	Holzendorf	Myers
Bankhead	Dudley	Jenne	Scott
Beard	Dyer	Jennings	Siegel
Boczar	Foley	Johnson	Silver
Brown-Waite	Forman	Jones	Sullivan
Burt	Grant	Kirkpatrick	Thomas
Casas	Grogan	Kiser	Turner
Childers	Gutman	Kurth	Weinstein
Crist	Harden	McKay	Wexler
Dantzler	Hargrett	Meadows	Williams

Nays—None

**SB 6-A**

Yeas—38

Mr. President	Dudley	Jenne	Siegel
Bankhead	Dyer	Jennings	Silver
Beard	Foley	Johnson	Sullivan
Boczar	Forman	Jones	Thomas
Brown-Waite	Grant	Kirkpatrick	Turner
Casas	Grogan	Kiser	Weinstein
Childers	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams
Dantzler	Hargrett	Myers	
Diaz-Balart	Holzendorf	Scott	

Nays—None

Vote after roll call:

Yea—Burt

**CS for CS for SB 8-A**

Yeas—38

Mr. President	Dyer	Jennings	Siegel
Beard	Foley	Johnson	Silver
Boczar	Forman	Jones	Sullivan
Brown-Waite	Grant	Kirkpatrick	Thomas
Casas	Grogan	Kiser	Turner
Childers	Gutman	Kurth	Weinstein
Crist	Harden	McKay	Wexler
Dantzler	Hargrett	Meadows	Williams
Diaz-Balart	Holzendorf	Myers	
Dudley	Jenne	Scott	

Nays—None

Vote after roll call:

Yea—Burt

**SB 14-A**

Yeas—34

Mr. President	Diaz-Balart	Jennings	Siegel
Bankhead	Dudley	Johnson	Silver
Beard	Dyer	Jones	Sullivan
Boczar	Foley	Kirkpatrick	Thomas
Brown-Waite	Forman	Kiser	Turner
Casas	Grant	Kurth	Weinstein
Childers	Grogan	McKay	Williams
Crist	Gutman	Myers	
Dantzler	Harden	Scott	

Nays—None

Vote after roll call:

Yea—Hargrett

**CS for SB 20-A**

Yeas—40

Mr. President	Diaz-Balart	Holzendorf	Myers
Bankhead	Dudley	Jenne	Scott
Beard	Dyer	Jennings	Siegel
Boczar	Foley	Johnson	Silver
Brown-Waite	Forman	Jones	Sullivan
Burt	Grant	Kirkpatrick	Thomas
Casas	Grogan	Kiser	Turner
Childers	Gutman	Kurth	Weinstein
Crist	Harden	McKay	Wexler
Dantzler	Hargrett	Meadows	Williams

Nays—None

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of December 9 was corrected and approved.

**RECESS**

On motion by Senator Jennings, the Senate recessed at 2:38 p.m. for the purpose of holding committee meetings and conducting other Senate business until 9:00 a.m., Friday, December 11.