

JOURNAL OF THE SENATE

Wednesday, July 12, 1967

The Senate was called to order by the President Pro Tempore at 9:00 a. m. The following Senators were recorded present:

Mr. President	Edwards	Horne	Slade
Askew	Elrod	Johnson	Spencer
Bafalis	Fincher	Knopke	Stockton
Barron	Fisher	McClain	Stolzenburg
Barrow	Friday	Mathews	Stone
Bell	Gibson	O'Grady	Thomas
Boyd	Gong	Ott	Weber
Broxson	Griffin	Plante	Weissenborn
Chiles	Gunter	Poston	Wilson
Clayton	Haverfield	Reuter	Young
Cross	Henderson	Saylor	
de la Parte	Hollahan	Shevin	

46. A quorum present.

Excused: Senator Deeb.
Senator Lane for the morning session.

Prayer by the Secretary of the Senate:

THE PRAYER OF A MIDSHIPMAN

Almighty Father, whose way is in the sea and whose paths are in the great waters, whose command is over all and whose love never faileth: Let me be aware of Thy presence and obedient to Thy will. Keep me true to my best self, guarding me against dishonesty in purpose and in deed, and helping me so to live that I can stand unashamed and unafraid before my shipmates, my loved ones, and Thee. Protect those in whose love I live. Give me the will to do the work of a man and to accept my share of responsibilities with a strong heart and a cheerful mind. Make me considerate of those intrusted to my leadership and faithful to the duties my country has intrusted to me. Let my uniform remind me daily of the traditions of the service of which I am a part. If I am inclined to doubt, steady my faith; if I am tempted, make me strong to resist; if I should miss the mark, give me courage to try again. Guide me with the light of truth and keep before me the life of Him by whose example and help I trust to obtain the answer to my prayer, Jesus Christ our Lord. Amen.

The reading of the Journal was dispensed with.

The Journal of July 11 was corrected and approved.

The Journal of July 10 was further corrected and approved as follows:

Page 1422, column 2, line 28, strike "SB 1207 with 3 amendments"

Page 1422, counting from the bottom of column 2, between lines 10 and 11 insert the following: SB 1207 with 3 amendments

Page 1436, column 1, line 18, strike "141" and insert 181

Page 1437, column 2, line 15, strike "SB" and insert HB

Page 1439, counting from the bottom of column 1, line 31, after "to" insert the following: the budget of the public defender

The Journal of July 7 was further corrected and approved as follows:

Page 1393, counting from the bottom of column 1, line 13, strike "128" and insert 218

Page 1398, counting from the bottom of column 2, line 22, strike "radio repairman" and insert the following: repairmen of radios

Page 1416, column 1, between lines 15 and 16 insert the following: by Broward county, which lands shall be selected by said board

The Journal of July 6 was further corrected and approved as follows:

Page 1331, column 2, line 3, strike "SB 1679"

Page 1336, column 2, line 22, strike "624" and insert 1263

Page 1337, counting from the bottom of column 1, line 33, strike "HB" and insert SB

Page 1338, counting from the bottom of column 1, line 18, after first "of" insert any

Page 1345, column 1, strike line 9 and insert the following: written permission, providing an effective date.

Page 1345, column 2, line 19, strike "bearing a federal caution legend" and insert the following: which require a prescription

Page 1345, column 2, strike lines 23 through 26 and insert the following:

county health units, amending chapter 154, Florida Statutes; authorizing boards of county commissioners to establish fees for services rendered; establishing a formula for distribution of state funds to county health units; and providing an effective date.

Page 1345, counting from the bottom of column 2, strike lines 18 through 24 and insert the following:

Commission on Aging; amending section 412.021 of the Florida Statutes to provide that the member of the commission, who must be an officer of the state association of county commissioners, shall be appointed to a four (4) year term and shall remain a member of the commission so long as he continues to hold public office as a county commissioner, without regard to whether he continues to remain an officer in the state association of county commissioners; providing an effective date.

Page 1345, counting from the bottom of column 2, line 1, strike "affidavit"

Page 1346, column 1, line 1, strike "of person contributing;"

Page 1346, column 1, line 17, before "Florida" insert Sub-section (1),

Page 1346, counting from the bottom of column 1, line 27, strike the period and insert the following: ; providing exceptions.

Page 1346, column 2, strike lines 22, 23, 24 and insert the following:

nursing home licensure; section 400.10 Florida Statutes, minimum standards nursing homes providing fee for reviewing plans; sections 395.04, Florida Statutes and 395.05 Florida Statutes, hospital licensure fees; section 395.09 Florida Statutes, inspections and consultations, providing fee for reviewing plans; and providing an effective date.

Page 1353, counting from the bottom of column 2, strike line 1

Page 1354, column 1, strike lines 1 through 8 and insert the following:

HB 1101—A bill to be entitled An act relating to private employment agencies, agents and agency employees; prohibiting attempts to obtain licenses by fraud, misrepresentation or concealment; prohibiting purchase of resume services as prerequisite to obtaining agency services; requiring the agent to supervise each agency; providing an effective date.

REPORTS OF COMMITTEES

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

Your Committee on Rules and Calendar submits herewith as Special and Continuing Order pursuant to Rule 7.2 for Wednesday, July 12, 1967, immediately following consideration of Unfinished Business, the consideration of the following bills:

Special and Continuing Order

SB 807—By Senator Barron et al.—Relating to relief from oppressive taxation, limitation on amount of ad valorem taxes.

- HB 925—By Representative Kennelly—Relating to collection of ad valorem taxes.
- SB 564—By Senators Thomas and Fincher—Relating to assessment of real property.
- HB 908—By Representative Graham—Relating to board of commissioners of state institutions.
- SB 36—By Senators Poston and Sayler—Relating to preparation of road department budget.
- SB 208—By Senators Chiles and Griffin—Relating to sales tax refunds.
- SB 774—By Senator Friday et al.—Relating to use of ad valorem taxes in central and southern Florida flood control district.
- SB 34—By Senator Poston—Relating to chairman and members of the state road board.
- SB 780—By Senators Horne and Gibson—Relating to schools of law of Florida public university.
- HB 3113—By Representatives Yarborough and Ashler—Relating to Junior Colleges.
- SB 663—By Senator Gibson et al.—Relating to junk yards, recordation of sales.
- SB 1505—By Senator de la Parte—Relating to juvenile courts.
- SB 1506—By Senator de la Parte—Relating to division of youth services.
- SB 951—By Senator Haverfield—Relating to higher education.
- SB 997—By Senator Chiles—Relating to form and manner of presenting claims.
- SB 1297—By Senator Friday—Relating to chapter 125, Florida statutes, county commissioners, etc.
- SB 834—By Senator Fincher et al.—Relating to urban renewal by counties and municipalities.
- SB 888—By Senator Ott et al.—Relating to drivers' licenses.
- SB 871—By Senator Bell—Relating to regulation of traffic on highways.
- SB 1330—By Senator Mathews—Relating to education.
- SB 1574—By Senator Hollahan et al.—Relating to state purchasing and contracts.
- SB 788—By Senator Sayler et al.—Relating to department of aviation.
- CS for HB 27,
HB 499 and
HB 664—By the Committee on Mental Health—Relating to mentally disordered sex offenders.
- SB 1024—By Senator Cross—Relating to employment of a stenographer for state attorney of the eighth judicial circuit.
- SB 1029—By Senator Lane—Relating to physical therapy practice act.
- CS for
HB 1317—By the Committee on Judiciary D—Relating to abolishing common law marriages.
- SB 1027—By Senators Thomas and Reuter—Relating to regulation of boats, etc.
- HB 522—By Representative Chappell—Relating to motor vehicles.
- SB 739—By Senators Gibson and Sayler—Relating to department of motor vehicles.
- SB 1022—By Senator Cross—Relating to physically handicapped.
- SB 847—By Senators Ott and Horne—Relating to unauthorized presence upon campus of a state university or junior college.
- SB 810—By Senator Fincher et al.—Relating to race, color, creed or national origin.
- SB 1570—By Senator Boyd—Relating to pest control.
- SB 462—By Senator Hollahan et al.—Relating to education.
- SB 1175—By Senator Weissenborn et al.—Relating to public schools, additional kindergarten units.
- SM 1507—By Senator Spencer et al.—Relating to informing Congress of the rescission and nullification of House Memorial 2433.
- SB 1237—By Senator Horne—Relating to chiropractic.
- SB 1305—By Senator Askew—Relating to state personnel board.
- SB 1463—By the Committee on Ethics and Privileged Businesses—Relating to clubs, individual drinks.
- HB 1957—By Representative Pettigrew—Relating to the levy of special assessments for water and sewer improvements.
- HB 1958—By Representative Pettigrew—Relating to the levy of liens against property, etc.
- SB 1154—By Senator McClain—Relating to naturopathy.
- SB 1040—By Senator Barron—Relating to maximum weights of vehicles on the highways.
- Beginning at 1:30 p.m.**
- SB 551—By Senator Hollahan—Relating to thoroughbred horse racing.
- SB 700—By Senator Fincher—Relating to summer thoroughbred horses.
- Speedy Calendar—1 hour**
- SB 1193—By Senators Haverfield and Horne—Relating to feasibility study for state office building complexes in metropolitan areas.
- HB 1146—By Representatives Tyre and Shaw—Relating to Suwannee River authority.
- SB 1491—By Senator Deeb—Relating to Florida industrial commission, appropriating funds.
- SB 1559—By Senator Mathews—Relating to Florida Statutes, a reviser's bill.
- SB 770—By Senator Gunter—Relating to proration of taxes.
- SB 529—By Senators Poston and Weissenborn—Relating to second gas tax.
- SB 1289—By Senators McClain and Hollahan—Relating to workmen's compensation.
- SB 1229—By Senator Friday—Relating to Florida industrial commission; making appropriations for annual periods beginning July 1, 1967, and July 1, 1968.
- SB 839—By Senator Horne—Relating to circuit courts, circuits, judges, etc.
- SB 1201—By Senator Thomas—Relating to the levy of special assessments for water and sewer improvements.
- SB 1202—By Senator Thomas—Relating to municipalities.
- SB 1271—By Senator Hollahan—Relating to the financing by the issuance of revenue bonds of waterworks systems, etc.
- SB 1258—By Senator Thomas—Relating to the levy of special assessments for water and sewer improvements, etc.
- HB 1830—By Representative Alvarez et al.—Relating to crimes, fraud in obtaining groceries.
- SB 801—By Senator McClain et al.—Relating to uniform commercial code.
- SB 849—By Senator Slade—Relating to land surveyors.

board of commissioners of state institutions; providing an effective date.

Was read the first time by title and referred to the Committees on Governmental Reorganization and Appropriations.

By Senators Saylor and Young—

SB 1743—A bill to be entitled An act setting annual salaries of the members of the state cabinet, justices of the supreme court, judges of district courts of appeal, circuit court judges, state attorneys, and commissioners of the public service commission for the 1967-1969 biennium; providing an effective date.

Was read the first time by title and referred to the Committee on Appropriations.

By Senators Mathews and Fisher—

SB 1744—A bill to be entitled An act relating to counties having a population of in excess of 450,000 (four hundred fifty thousand) according to the last decennial census and not having home rule; authorizing the boards of county commissioners of said counties to regulate the operation of all water supply systems and sanitary sewerage systems having not less than 25 (twenty-five) connections in the unincorporated areas of the county excluding municipalities operating systems beyond their corporate limits; to compel owners of property to connect with any such regulated system; to grant exclusive or nonexclusive franchises to private utility companies and imposing certain conditions to said franchises; to provide authority to fix rates of private utility companies; to authorize the county commissions of such counties to make rules and regulations for the operation of water supply systems and sanitary sewerage systems; to require private utilities subject to this act to pay a gross receipts tax to defray the costs of regulation; providing that such counties may elect to come under the provisions of Chapter 367, Florida Statutes; providing that in event such counties elect to come within provisions of Chapter 367, Florida Statutes, the regulatory jurisdiction of the Public Service Commission in such counties shall extend to utilities having not less than 25 connections; providing an effective date.

Was read the first time by title and referred to the Committee on Rules and Calendar.

By Senator Fisher—

SB 1745—A bill to be entitled An act relating to motor carriers; amending subsection (1) of section 323.29, Florida statutes, by providing that motor carriers of persons having a capacity of nine persons or more, including the driver thereof, in that certain area of Duval county lying east of the range line dividing range 26 east and range 27 east shall be exempt from Public Service Commission jurisdiction and control; providing an effective date.

Was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator Fisher, by two-thirds vote, SB 1745 was withdrawn from the Committee on Rules and Calendar and placed on the Calendar.

Unanimous consent was granted Senator Fisher to take up SB 1745 out of order.

On motions by Senator Fisher, the rules were waived and SB 1745 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—46 Nays—None

Mr. President	Edwards	Horne	Slade
Askew	Elrod	Johnson	Spencer
Bafalis	Fincher	Knopke	Stockton
Barron	Fisher	McClain	Stolzenburg
Barrow	Friday	Mathews	Stone
Bell	Gibson	O'Grady	Thomas
Boyd	Gong	Ott	Weber
Broxson	Griffin	Plante	Weissenborn
Chiles	Gunter	Poston	Wilson
Clayton	Haverfield	Reuter	Young
Cross	Henderson	Saylor	
de la Parte	Hollahan	Shevin	

The bill was certified to the House.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Askew, by two-thirds vote, HB 1238 was withdrawn from the Committee on Appropriations and placed on the Calendar of the Committee on Rules and Calendar.

On motion by Senator Askew, by two-thirds vote, HB 1293 was withdrawn from the Committee on Appropriations and placed on the Local Calendar.

On motions by Senator Griffin, by two-thirds vote, Senate Bills 1673 and 1702 were withdrawn from the Committee on Finance and Taxation and placed on the Local Calendar.

Senator Fisher moved that SB 194 be withdrawn from the Committee on Finance and Taxation and placed on the Calendar. The motion failed to receive the required two-thirds vote. The vote was:

Yeas—22

Askew	Gong	Poston	Thomas
Barron	Haverfield	Reuter	Weissenborn
Bell	Henderson	Saylor	Wilson
Boyd	Hollahan	Shevin	Young
Broxson	Knopke	Spencer	
Fisher	McClain	Stockton	

Nays—21

Bafalis	Elrod	Johnson	Stolzenburg
Barrow	Friday	Mathews	Stone
Chiles	Gibson	O'Grady	Weber
Clayton	Griffin	Ott	
Cross	Gunter	Plante	
de la Parte	Horne	Slade	

On motion by Senator de la Parte, by two-thirds vote, HB 1173 was withdrawn from the Committee on Judiciary "A" and placed on the Calendar of the Committee on Rules and Calendar.

On motion by Senator Clayton, by two-thirds vote, HB 2361 was withdrawn from the Committee on Ethics and Privileged Businesses and placed on the Calendar of the Committee on Rules and Calendar.

On motion by Senator Friday, by two-thirds vote, HB 3281 was withdrawn from the Committee on Water Conservation, Salt Water and Natural Resources and placed on the Local Calendar.

On motion by Senator Broxson, the House was requested to return SCR 1189.

On motion by Senator Horne, the House was requested to return HB 597.

MESSAGES FROM THE GOVERNOR

The Honorable Verle A. Pope July 12, 1967
President of the Senate
The Capitol
Tallahassee, Florida

Dear Sir:

I have filed with the office of the Secretary of State the following act which originated in the Senate, Regular Session, 1967, same having remained in my office for the full constitutional period of five days and will become law without my approval:

SB 589

Respectfully,
CLAUDE KIRK
 Governor

The Honorable Verle A. Pope July 11, 1967
President of the Senate
The Capitol
Tallahassee, Florida

Dear Sir:

I have today filed with the office of the Secretary of State the

following acts which originated in the Senate, Regular Session, 1967, and which I approved on July 11, 1967, at 3:00 P. M.:

CSSB 533

SB 584

Respectfully,
 CLAUDE KIRK
 Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

The Honorable Verle A. Pope July 12, 1967
President of the Senate

Sir:

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

SB 662 SB 1737 SB 1197

Respectfully,
 ALLEN MORRIS
 Clerk, House of Representatives

The bills, contained in the above message, were ordered enrolled.

The Honorable Verle A. Pope July 11, 1967
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments to—

HB 819 HB 2235
 HB 821 HB 2000
 CS for HBs 907 and 965 HB 2359
 HB 2776 HB 2715
 HB 822 HB 3158

Respectfully,
 ALLEN MORRIS
 Clerk, House of Representatives

The Honorable Verle A. Pope July 11, 1967
President of the Senate

Sir:

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

By Representative Reedy and others—

HB 1961—A bill to be entitled An act making appropriations from the general revenue fund to the Board of Commissioners of State Institutions for capital outlay—buildings and improvements for the biennium 1967-69; providing an effective date.

By Representatives Rowell and Wells—

HB 1828—A bill to be entitled An act relating to disposition of intangible personal property taxes; amending subsection (3) of section 199.331, Florida Statutes, authorizing the comptroller to pay, from the intangible tax trust fund, the entire cost of all forms required to be furnished counties and county officers; providing effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
 ALLEN MORRIS
 Clerk, House of Representatives

HB 1961, contained in the above message, was read the first time by title and referred to the Committee on Appropriations.

HB 1828, contained in the above message, was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar of the Committee on Rules and Calendar.

The Honorable Verle A. Pope July 10, 1967
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives returns as requested—

By Representatives Whitson and Fleece—

HB 3105—A bill to be entitled An act relating to the payment of commissions to tax assessors and tax collectors for taxes levied, assessed and collected by, for or on behalf of the board of public instruction in any county of the state having a population of not less than three hundred fifty thousand (350,000) inhabitants and not more than three hundred eighty-five thousand (385,000) inhabitants according to the latest official decennial census; providing an effective date.

Respectfully,
 ALLEN MORRIS
 Clerk, House of Representatives

On motions by Senator Wilson, the Senate reconsidered the vote by which HB 3105, contained in the above message, passed on July 6, and the bill was placed on the Local Calendar pending roll call.

The Honorable Verle A. Pope July 11, 1967
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has adopted—

By the Committee on Judiciary A—

CS for HCR 2459—A concurrent resolution directing the legislative council to make a comprehensive study of building and loan association institutions in the state of Florida, including revision of existing laws as needed; requiring a report with findings and recommendations to the next legislature.

—and requests the concurrence of the Senate therein.

Respectfully,
 ALLEN MORRIS
 Clerk, House of Representatives

CS for HCR 2459, contained in the above message, was read the first time in full and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope July 10, 1967
President of the Senate

Sir:

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

By Representative Mann and others—

HB 2662—A bill to be entitled An act relating to legislators expenses; repealing laws which provide county supplements for legislator's expenses; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
 ALLEN MORRIS
 Clerk, House of Representatives

HB 2662, contained in the above message, was read the first time by title and referred to the Committee on Judiciary "A".

The Honorable Verle A. Pope July 11, 1967
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Mixson—

HB 2612—A bill to be entitled An act making appropriations; providing moneys for the annual periods beginning July 1, 1967, and July 1, 1968, to pay salaries, expenses and operating capital outlay for a station and laboratory of the institute of food and agricultural sciences of the university of Florida; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
 ALLEN MORRIS
 Clerk, House of Representatives

HB 2612, contained in the above message, was read the first time by title and referred to the Committee on Appropriations.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required two-thirds vote and passed as amended—

By Representative Sweeny—

HB 3051—A bill to be entitled An act amending Section 364.01, Florida Statutes, relating to regulation of telegraph, telephone and radio rates by the Florida public service commission; clarifying the legislative intent where conflict of authority may exist between chapter 364 and any local or special act or municipal charter; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3051, contained in the above message, was read the first time by title and referred to the Committee on Ethics and Privileged Businesses.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives returns as requested—

By Representative Briggs—

HB 2913—A bill to be entitled An act relating to the city of Pensacola, Escambia county; amending section 2 of chapter 31167, Laws of Florida, 1955, providing for a method of annexation of territory into said city; providing an effective date.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Askew, the Senate reconsidered the vote by which HB 2913, contained in the above message, passed on June 28.

By consent of the Senate, Senator Askew offered the following amendment which was adopted by two-thirds vote:

In Section 2, line 17, page 1, insert the following after "therein": who are registered as freeholders on the registration books of Escambia County, Florida,

On motion by Senator Askew, HB 2913 as amended was read in full and passed. The vote was: Yeas—46 Nays—None

Mr. President	Edwards	Horne	Slade
Askew	Elrod	Johnson	Spencer
Bafalis	Fincher	Knopke	Stockton
Barron	Fisher	McClain	Stolzenburg
Barrow	Friday	Mathews	Stone
Bell	Gibson	O'Grady	Thomas
Boyd	Gong	Ott	Weber
Broxson	Griffin	Plante	Weissenborn
Chiles	Gunter	Poston	Wilson
Clayton	Haverfield	Reuter	Young
Cross	Henderson	Saylor	
de la Parte	Hollahan	Shevin	

The bill as amended was certified to the House.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report on—

By the Committee on Retirement & Personnel—

HB 738—A bill to be entitled An act relating to retirement, state and county officers and employees; amending section

122.35, Florida Statutes, by establishing an account B within the intangible tax trust fund; providing for contributions to said account and requiring payments made by state agencies after July 1, 1967, and other agencies after October 1, 1967, to be payable within ten (10) days after the first (1st) of each month; setting forth the state funds to be provided; providing a priority schedule for disbursements from account B; requiring legislative appropriations for state agencies beginning with the 1967-69 biennium to include the amounts necessary for social security and retirement matching contributions; prohibiting employment by state agencies unless there are allotted sufficient funds to make said payments; allocating intangible tax collections for obligations accruing from the state's funded retirement systems; providing a formula for the distribution of a portion of the intangible tax collections to the counties including minimum allocations for the 1967-68 fiscal year and for the distribution of the remainder; providing procedures for use by the comptroller, tax collectors and boards of county commissioners in collecting the amounts to be paid to account B of the intangible tax trust fund; providing an effective date.

—and has adopted the Conference Committee Report in its entirety and has passed HB 738 as amended by the Conference Committee Report.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The following Conference Committee Report was received and read:

CONFERENCE COMMITTEE REPORT ON HB 738

Honorable Verle A. Pope
President of the Senate
Tallahassee, Florida

July 11, 1967

Honorable Ralph D. Turlington
Speaker, House of Representatives
Tallahassee, Florida

Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on Senate Amendments to House Bill 738, the same being—

An act relating to retirement, state and county officers and employees; amending section 122.35, Florida Statutes, by establishing an account B within the intangible tax trust fund; providing for contributions to said account and requiring payments made by state agencies after July 1, 1967, and other agencies after October 1, 1967, to be payable within ten (10) days after the first (1st) of each month; setting forth the state funds to be provided; providing a priority schedule for disbursements from account B; requiring legislative appropriations for state agencies beginning with the 1967-69 biennium to include the amounts necessary for social security and retirement matching contributions; prohibiting employment by state agencies unless there are allotted sufficient funds to make said payments; allocating intangible tax collections for obligations accruing from the state's funded retirement systems, providing a formula for the distribution of a portion of the intangible tax collections to the counties including minimum allocations for the 1967-68 fiscal year and for the distribution of the remainder; providing procedures for use by the comptroller, tax collectors and boards of county commissioners in collecting the amounts to be paid to account B of the intangible tax trust fund; providing an effective date.—

having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

1. That the Senate recede from its amendments Nos. 1, 2, 3 and 4 to House Bill No. 738.
2. That the Senate and the House of Representatives adopt the Conference Committee bill in its entirety, as attached hereto, and by reference made a part of this report.

3. That the Senate and House of Representatives pass House Bill No. 738, as revised in its entirety by said Conference Committee, and as attached hereto.

TOM SLADE

KENNETH M. MYERS

ROBERT H. ELROD

JOEL K. GUSTAFSON

LOUIS de la PARTE, JR.

JAMES L. REDMAN

Managers on the part
of the Senate

Managers on the part of the
House of Representatives

CCS for HB 738—A bill to be entitled An act relating to retirement, state and county officers and employees; amending section 122.35, Florida Statutes, by establishing an account B within the intangible tax trust fund; providing for contributions to said account and requiring payments made by state agencies after July 1, 1967, and other agencies after October 1, 1967, to be payable within ten (10) days after the first (1st) of each month; setting forth the state funds to be provided; providing a priority schedule for disbursements from account B; requiring legislative appropriations for state agencies beginning with the 1967-69 biennium to include the amounts necessary for social security and retirement matching contributions; prohibiting employment by state agencies unless there are allotted sufficient funds to make said payments; allocating part of the intangible tax collections to account B of the intangible tax trust fund; providing a formula for the distribution of a portion of the intangible tax collections to the counties and for the distribution of the remainder; providing procedures for use by the comptroller, tax collectors and boards of county commissioners in collecting the amounts to be paid to account B of the intangible tax trust fund; making special provisions during the 1967-69 biennium for handling the intangible tax allocations to the counties and the retirement and social security matching payments required of counties, county agencies and county boards of public instruction; amending section 199.331(4), Florida Statutes, relating to the disposition of intangible personal property taxes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 122.35, Florida Statutes, is amended to read:

(Substantial rewording of section. See Section 122.35, Florida Statutes, for present text.)

122.35 Funding.—

(1) Commencing July 1, 1967 for all state agencies and commencing October 1, 1967 for all other agencies with employees who are members under this chapter, sections 122.17 and 122.30(4), Florida Statutes, shall be of no further force and effect and each officer or board paying salaries to members and withholding contributions required of members under this chapter for purposes of providing retirement benefits and social security benefits to or on behalf of such members, shall budget, set aside and pay over to account B of the intangible tax trust fund, herein created, matching payments in the following specified amounts:

(a) An amount equal to the amount of member contributions paid to the state and county officers and employees retirement trust fund as specified in sections 122.03 and 122.27, Florida Statutes, but excluding any additional contributions required of "high hazard" members under section 122.34, Florida Statutes; and

(b) An amount equal to the amount of member contributions paid to the social security contribution trust fund as specified in section 122.27, Florida Statutes.

2. The monthly payments required by subsection (1) of this section shall be payable within ten (10) days after the first (1st) day of each calendar month after July 1, 1967 for all state agencies and October 1, 1967 for all other agencies. The state funds required to be paid hereunder shall be provided and paid from the sources as set forth in subsections (3) and (4) of this section.

(3) The appropriations provided each state agency, beginning with the 1967-69 biennium and each biennium thereafter, shall include sufficient amounts to pay the matching contributions for social security and retirement as required by this section and the matching contributions for retirement required of state agencies under section 238.11(1)(a), Florida Statutes.

No state agency, whether its funds are provided by state appropriation or not, shall employ any person or maintain any person on its payroll unless it has allotted for such person sufficient funds to meet these required payments.

(4) Effective October 1, 1967, the proceeds of the intangible tax collections of the state remaining after the payment of administrative expenses, commissions which are applicable, and other costs incident to its collection shall be set aside into an account designated as account B of the intangible tax trust fund, which account shall also receive all of the matching payments for retirement and social security remitted by each officer or board as provided in subsection (1) of this section. The amounts received and deposited into account B of the intangible tax trust fund are appropriated and shall be used for the following purposes and paid out on the priority basis as shown below:

(a) First, from the funds accumulated in account B there shall be transferred:

1. To the social security contribution trust fund, an amount equal to the social security contributions remitted by each officer or board to said fund as specified in section 122.27, Florida Statutes.

2. To the state and county officers and employees retirement fund, an amount equal to the retirement contributions withheld from the salaries of members and remitted by each officer or board to said fund as required by sections 122.03 and 122.27, Florida Statutes, but excluding any additional contributions required of "high hazard" members under section 122.34; provided, however, that during the 1967-69 biennium the amount transferred to said account shall not exceed the total amount received in account B from the various state and county agencies for retirement matching purposes.

(b) After the retirement and social security contributions of all members have been matched as provided in paragraph (a) of this subsection, the balance remaining in account B of the intangible tax trust fund shall be distributed as follows:

1. Each county shall receive each fiscal year ending June 30 an allocation in an amount equal to fifty-five percent (55%) of the total net intangible taxes collected and remitted to the comptroller by the tax collector of the county during the prior fiscal year.

A. Commencing October 1, 1967 and every October 1 thereafter and continuing on the first day of each subsequent month through June 30 of each fiscal year each board of county commissioners of the several counties of the State of Florida, shall receive an allocation from account B of the intangible tax trust fund. This allocation shall not include the county boards of public instruction of the several counties of the State of Florida. The amount of said monthly allocation shall be equal to the average amount required to be matched by the intangible tax trust fund for the corresponding months during the 1966-67 fiscal year as computed by the comptroller, or one-twelfth (1/12) of the comptroller's estimate of the county's allocation, whichever is smaller, and an adjustment to reconcile the monthly allocations with the actual amount to be received pursuant to section 122.35(4)(b)1 shall be made not later than sixty (60) days after the end of the fiscal year.

B. During the 1967-69 biennium the total intangible tax allocations to the counties as provided in this act shall be deposited into a special retirement clearing account administered by the comptroller. The monies deposited into said clearing account shall be to the credit of the several counties and shall be used to pay the retirement and/or social security contributions of said counties in the following manner. Under rules prescribed by the comptroller each county or county agency shall issue a debit memorandum to accompany its payrolls. Said debit memorandum shall cover the matching cost for retirement and social security and shall be used by the comptroller as the basis for charging the county's allocation and transferring the matching contributions to the retirement and social security trust funds. After June 30 of each year of the biennium the comptroller shall remit to the board of county commissioners any surplus remaining in the county's allocation. The provisions set forth in this paragraph shall be effective during the 1967-69 biennium notwithstanding any conflict with other sections or provisions of this chapter or any other section or provision of the Florida Statutes. Effective July 1, 1969 these special provisions shall no longer apply and the intangible tax allocations to the counties and the matching payments for retirement and

social security required of counties and county agencies shall be made as otherwise provided in this law.

C. Each county, county agency and county board of public instruction shall pay all matching cost for retirement and social security as required by this act and section 238.11(1), Florida Statutes, notwithstanding the provisions of any other law, except that portion of such cost which is exempted during the 1967-69 biennium as provided below in paragraph D.

D. The total cost of matching the retirement and social security contributions of all members of the state and county and teachers retirement systems for each county, including all agencies of said county, and for each county board of public instruction shall be calculated by the comptroller for the 1966-67 fiscal year. In calculating the cost for any county covered under section 122.32, F. S., the comptroller shall use 8.2 per cent of the payrolls submitted by the board of county commissioners for the 1966-67 fiscal year. Using the costs thus calculated as a base, each county whose allocation in the first year under this act is insufficient to meet said costs may reduce its contributions to the retirement fund by the amount of such deficiency during each year of the 1967-69 biennium. Any county board of public instruction whose calculated costs for the 1966-67 fiscal year exceeds an amount equivalent to \$500 multiplied by the number of instruction units of said county for the 1967-68 fiscal year said board may reduce its contributions to the appropriate retirement fund by the amount of such deficiency during each year of the 1967-69 biennium. Any questions arising as to which retirement fund is to absorb said deficiency shall be resolved by the state budget commission. The provisions of this paragraph shall be effective during the 1967-69 biennium notwithstanding any conflict with other provisions of this chapter or any other section or provision of the Florida Statutes. Effective July 1, 1969 these special provisions shall no longer apply and each county, county agency and county board of public instruction shall fully match the retirement and social security contributions made by its employees as members of the state and county officers and employees retirement system and/or the teachers' retirement system.

E. The legislative council through its appropriate standing committee shall review the allocations made to the various counties under the provisions of this law prior to the convening of the 1969 regular session of the legislature and the county allocations made subsequent to July 1, 1969 shall be revised as the legislature may determine following said review. Should no change be made by the 1969 legislature the allocation of each county shall continue to be the amount provided by this act.

2. The balance remaining in account B of the intangible tax trust fund after the retirement and social security contributions have been matched and the allocations to each county have been paid as provided in this act, shall be paid over to the general revenue fund of the state.

(c) The amounts allocated to the several counties from account B of the intangible tax trust fund shall be paid by the comptroller to the respective boards of county commissioners who shall deposit same in the general fund of the county, and may expend them for any lawful county purpose. These amounts may be used to assist any county officer or agency within the county including county boards of public instruction to make the matching payments for retirement and social security as required by law. Provided, however, should the income of any constitutional fee officer in any year be insufficient to make the matching payments required by this act, the boards of county commissioners shall provide such fee officer sufficient funds from the allocation received under this law to make these required payments.

(d) Should any officer or board other than a state officer or board fail to make the retirement and social security contributions required herein, the comptroller shall deduct the amount owed by the officer or board from the allocation accruing to the credit of the county affected, or the comptroller shall deduct the amount owed from any other funds to be distributed by him to the officer or board using the procedure he shall deem most appropriate. The amounts so deducted shall remain in or be transferred to account B of the intangible tax trust fund for further distribution in accordance with this subsection.

(e) Should any officer or board other than a state officer or board, for whom the tax collector collects taxes fail to make the retirement and social security contributions required by this

act the tax collector at the request of the comptroller and upon receipt of a certificate from him showing the amount owed account B by the officer or board shall deduct the amount so certified from any taxes collected for the officer or board and remit the amount to the comptroller for deposit in account B of the intangible tax trust fund.

(f) The boards of county commissioners of each county and the comptroller, acting individually or jointly, are hereby authorized to file and maintain action in the courts of this state against any county agency to require it to remit any retirement or social security matching payments due account B of the intangible tax trust fund under the provisions of this law.

Section 2. Section 199.331(4), Florida Statutes, is amended to read:

(Substantial rewording of subsection. See Section 199.331(4), F. S., for present text.)

Section 199.331 Disposition of intangible personal property taxes; appropriations for expenses of assessment and collection and for retirement systems.—

(4)(a) From the balance, after all of the above amounts have been paid, there is hereby annually appropriated from the intangible tax trust fund a sufficient amount to meet the financial requirements of Chapter 122, Florida Statutes, and the amounts so appropriated shall be disbursed as provided in said Chapter 122. Any balance remaining after these requirements are met shall be placed in the general revenue fund of the state.

(b) Any and all expenditures made by the comptroller subsequent to January 1, 1966, from the intangible tax trust fund to meet the financial requirements of Chapter 122, Florida Statutes, are hereby validated, ratified and confirmed.

Section 3. This act shall take effect upon becoming a law.

On motion by Senator Elrod, the Conference Committee Report on HB 738 was adopted.

On motion by Senator Elrod, the Senate receded from amendments 1, 2, 3 and 4 to HB 738.

On motion by Senator Elrod, the Senate adopted the Conference Committee bill in its entirety.

CCS for HB 738, as contained in the Conference Committee Report, was read the first time by title. On motions by Senator Elrod, the rules were waived and CCS for HB 738 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—46 Nays—None

Mr. President	Edwards	Horne	Slade
Askew	Elrod	Johnson	Spencer
Bafalis	Fincher	Knopke	Stockton
Barron	Fisher	McClain	Stolzenburg
Barrow	Friday	Mathews	Stone
Bell	Gibson	O'Grady	Thomas
Boyd	Gong	Ott	Weber
Broxson	Griffin	Plante	Weissenborn
Chiles	Gunter	Poston	Wilson
Clayton	Haverfield	Reuter	Young
Cross	Henderson	Saylor	
de la Parte	Hollahan	Shevin	

The conference committee substitute was certified to the House.

By permission, the following communication from the office of the Governor was filed with the Secretary:

Honorable Verle A. Pope
President of the Senate
The Capitol
Tallahassee, Florida

July 11, 1967

Dear Sir:

Senate Bill 765 was received in this office on June 28, 1967, and it became a law at midnight on July 4, 1967. I regret to inform you that the original document cannot be located in this office or in the Laws Division of the Secretary of State's office.

The companion to this bill, House Bill 1374, was withdrawn from further consideration at the time Senate Bill 765 passed in the House.

On July 9, 1967, the House of Representatives resurrected House Bill 1374 and acted favorably on it. It was transmitted to the Senate in messages today, July 11.

It would be appreciated if House Bill 1374 could be acted on favorably by the Senate as it would assist us in properly recording this law in both the Governor's office and in the Secretary of State's office.

—and requests the Senate to recede therefrom.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Thank you for your assistance.

Sincerely,
WADE L. HOPPING
Administrative Assistant

On motion by Senator Friday, the Senate refused to recede from the Senate amendment to HB 530, and the House was again requested to concur. The action of the Senate was certified to the House.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Senator Broxson presiding.

The Honorable Verle A. Pope
President of the Senate

July 10, 1967

Sir:

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

Sir:

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

By the Committee on Public Health & Welfare—

CS for HB 467—A bill to be entitled An act relating to the physical therapy practice act, amending section 486.021 to redefine physical therapy and to define licensed physical therapy assistant; amending section 486.031 to lower the age limit to twenty (20) years, to remove the requirement for United States citizenship and to eliminate the prerequisite of high school graduation for those persons who have graduated from a school giving a course in physical therapy; amending section 486.051 to require examinations in the subjects of anatomy and physiology and further amending this section as it relates to the employment of physical therapists by the board of medical examiners and relocating the provisions for annual fees from this section to a new section; amending section 486.061 to eliminate automatic registration to those persons who have passed the American registry of physical therapists examination; amending sections 486.061, 486.081 and 486.101 to eliminate the phrase physical therapy technician and the letters PTT; amending section 486.071 to make it unlawful to practice physical therapy without a license; amending section 486.091(5) relating to grounds for revocation, adding new sections to establish the qualifications of licensed physical therapy assistants and relating to the application for registration, examination and annual fees of licensed physical therapy assistants; amending section 486.141 to delete the reference to physical therapist; amending section 486.171 by making present section subsection (1) and adding subsection (2) to provide for aides to physical therapists; repealing section 486.111 and providing for an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1374—A bill to be entitled An act authorizing assistance to the Organization of American States in establishing and maintaining a regional headquarters in the state of Florida; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1374, contained in the above message, was read the first time by title. On motion by Senator Hollahan, the rules were waived and the bill was placed on the Calendar.

Unanimous consent was granted Senator Hollahan to take up HB 1374 out of order.

On motions by Senator Hollahan, the rules were waived and HB 1374 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—46 Nays—None

Mr. President	Edwards	Horne	Slade
Askew	Elrod	Johnson	Spencer
Bafalis	Fincher	Knopke	Stockton
Barron	Fisher	McClain	Stolzenburg
Barrow	Friday	Mathews	Stone
Bell	Gibson	O'Grady	Thomas
Boyd	Gong	Ott	Weber
Broxson	Griffin	Plante	Weissenborn
Chiles	Gunter	Poston	Wilson
Clayton	Haverfield	Reuter	Young
Cross	Henderson	Saylor	
de la Parte	Hollahan	Shevin	

The bill was certified to the House.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendment to—

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

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

By Senator Elrod and others—

By Representative Chappell—

HB 530—A bill to be entitled An act relating to weapons and firearms generally; amending chapter 790 by amending section 790.08; providing for the disposal of weapons or arms forfeited to the state by the sheriffs; providing for the disposition of the proceeds received from the disposition from the said weapons or arms; repealing subsection (5); renumbering subsections (6) and (7); and providing an effective date.

SB 1190—A bill to be entitled An act to amend chapter 17217, Laws of Florida, 1935, being the same as section 695.11, Florida Statutes, providing that all instruments to be recorded in the office of the clerk of the circuit court of any county in the state of Florida, and to be recorded in the "official records" shall be deemed to be notice to all persons when officially accepted by the said officer and the consecutive official register numbers required under section 28.22, Florida Statutes, has been placed thereon; repealing clause; providing for an effective date.

Which amendment reads as follows:

Page 3, following Section 6 add new Section 7. All weapons and arms confiscated, loaned, or otherwise disposed of by the Sheriff shall be reported by the Sheriffs to the Florida Sheriffs' Bureau or its' successor. Such a report giving serial number and other complete description, shall be filed by the tenth (10) of each month, on a form prescribed and furnished by the Bureau.

Amendment 1

In Section 1, page 1, line 18, following the words "Section 1." insert the following: Section 695.11 is amended to read as follows:

Amendment 2

In Title, page 1, line 14, strike the words: repealing clause;

Renumber following sections.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Elrod, the Senate concurred in House amendments 1 and 2 to SB 1190.

The action of the Senate was certified to the House and SB 1190 was ordered engrossed.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

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

By Senator Hollahan—

SB 763—A bill to be entitled An act relating to larceny of tropical and semitropical fruit; amending chapter 811, Florida Statutes, by adding section 811.271, requiring sales certificates and work orders; providing a penalty; providing an effective date.

Which amendment reads as follows:

Section 1, page 1, line 20, after words "purchaser of" insert the following: more than (1) one bushel or crate of

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Hollahan, the Senate concurred in the House amendment to SB 763.

The action of the Senate was certified to the House and SB 763 was ordered engrossed.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

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

By Senator Chiles—

SB 1038—A bill to be entitled An act making appropriations to Florida public service commission from Florida public service regulatory trust fund for certain salaries, expenses, operating capital outlay, and other personal service, providing sufficient monies are available in said trust fund, and fixing the effective date.

Which amendment reads as follows:

Section 1, page 1, strike: all of Section 1 and insert the following: Section 1. There is hereby appropriated to the Florida Public Service Commission the amount of two-hundred forty thousand dollars (\$240,000) lump sum from Florida Public Service Regulatory Trust Fund to be used by said commission during the 1967-69 biennium for salaries (including nine new positions), expenses, operating capital outlay and other personal services.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Chiles, the Senate concurred in the House amendment to SB 1038.

The action of the Senate was certified to the House and SB 1038 was ordered engrossed.

The Honorable Verle A. Pope
President of the Senate

July 10, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Campbell and others—

HB 1615—A bill to be entitled An act relating to Okaloosa county, county boards and agencies; authorizing all public boards and agencies of said county to publish annual financial statements and monthly reports of the minutes of all meetings; providing for publication; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 1615.

HB 1615, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required two-thirds vote and passed—

By Representative Nichols and others—

HB 3342—A bill to be entitled An act relating to all counties having a population in excess of 450,000 (four hundred fifty thousand) under the last decennial census and not having home rule; providing authority for the county commissioners of such counties to borrow funds to defray election expenses which may be required in the event of a majority vote favoring a consolidated government in such counties; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3342, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required two-thirds vote and passed as amended—

By Representative Elmore and others—

HB 2871—A bill to be entitled An act relating to the city of Crestview, Okaloosa county; authorizing the city council to impose license taxes for the privilege of carrying on business in the city; providing that said license taxes not exceed twenty per cent (20%) above those license taxes now authorized by chapter 12 of city code; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 2871.

HB 2871, contained in the above message, was read the first time by title and referred to the Committees on Rules and Calendar; and Finance and Taxation.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Repre-

sentatives has admitted for introduction by the required two-thirds vote and passed—

By Representative Campbell and others—

HB 3338—A bill to be entitled **An act creating a county court in and for Walton county; prescribing terms of said court; providing for judge and prosecuting attorney; providing an effective date.**

Proof of Publication attached.

By Representative Beck—

HB 3340—A bill to be entitled **An act relating to Putnam county, superintendent of public instruction; authorizing the board of public instruction of Putnam county to fix the annual salary of the superintendent of public instruction of said county; providing for a referendum.**

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 3338.

House Bills 3338 and 3340, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required two-thirds vote and passed—

By Representative Smith—

HB 3344—A bill to be entitled **An act relating to Madison county, amending section 10 of chapter 28551, Laws of Florida, 1953, increasing the amount of fee for filing a claim in the small claims court of said county; providing an effective date.**

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 3344.

HB 3344, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required two-thirds vote and passed—

By Representatives Miers and Tucker—

HB 3348—A bill to be entitled **An act authorizing the board of county commissioners of any county having a population of not less than seventy-four thousand two-hundred (74,200) and in any county having a population of not more than seventy-six thousand (76,000) according to the latest official decennial census to use county equipment and labor for improvement and maintenance of certain roads at cost and providing an effective date.**

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3348, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required two-thirds vote and passed as amended—

By Representative King—

HB 3024—A bill to be entitled **An act relating to Broward county, Florida, authorizing the board of county commissioners of Broward county, Florida, to pay the Florida East Coast Railway Company for the relocation of the Hillsboro Boulevard crossing in Deerfield Beach; authorizing payment to the Florida East Coast Railway Company the amount of \$18,732.67, which amount is outstanding and owing to the said Railway Company for the relocation of said crossing; declaring such expenditure to be a county purpose; and providing for an effective date.**

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 3024.

HB 3024, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

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

By Representative Campbell and others—

HB 2301—A bill to be entitled **An act relating to office building construction; authorizing state department of public welfare to construct office building in De Funiak Springs, Walton county, pursuant to section 288.17, Florida Statutes; authorizing the state agency to issue revenue certificates for payment thereof; providing an effective date.**

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 2301, contained in the above message, was read the first time by title and referred to the Committee on Health and Welfare.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required two-thirds vote and passed as amended—

By Representative Powell and others—

HB 3343—A bill to be entitled **An act relating to Brevard county, public utilities; amending paragraph (q) of section 5 of house bill 2091 enacted during the 1967 session of the legislature, providing rate fixing procedure; providing an effective date.**

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 3343.

HB 3343, contained in the above message, was read the first

time by title and referred to the Committees on Rules and Calendar; and Ethics and Privileged Businesses.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required two-thirds vote and passed—

By Representative Grizzle—

HB 3345—A bill to be entitled An act relating to counties having a population of not less than three hundred fifty thousand (350,000) and not more than three hundred eighty-five thousand (385,000) inhabitants according to the latest official decennial census; authorizing civil service for employees of the clerk of the circuit court; creating a civil service board; providing for its powers, duties, and compensation; providing for competitive tests; providing for classification of employees; providing for public hearings and appeals; authorizing expenditures of the board; prohibiting classified employees from political activities; providing penalties; providing an effective date.

By Representative Rainey—

HB 3347—A bill to be entitled An act pertaining to Pinellas County providing for the licensing of dance halls and regulating their operation for the protection of the public health, safety, morals and general welfare; providing for enforcement; providing that violations of this act shall be misdemeanors; providing for an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 3347.

House Bills 3345 and 3347, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Papy and others—

HB 2709—A bill to be entitled An act to provide for the rehabilitation, clearance, and redevelopment of that portion of the City of Key West, Monroe County, Florida, lying north of Flagler Avenue, west of the east right-of-way line of President Kennedy Drive, east of the east right-of-way line of 12th Street, and south of the land described in official record book 301, pages 149 thru 152, of the public records of Monroe County, Florida, the same known as Flagler Apartments; and also, that portion of the said city lying east of the east right-of-way of President Kennedy Drive, west of the east right-of-way line of 16th Street, north of Flagler Avenue, and south of the north right-of-way line of Duck Avenue; and also the area known as Village Apartments lying north of Duck Avenue, west of the east right-of-way line of 16th Street (extended), and east of the west right-of-way line of 15th Street (extended); and also that parcel of land known as the Key West city hall annex described in official record book 112 at pages 3 and 4, of the public records of Monroe County, Florida; and also that parcel of land on the Island of Key West, Monroe County, Florida commencing at the intersection of the North right of way of Duck Avenue and the East right of way of 14th Street, and run thence easterly along the said North right of way of Duck Avenue, a distance of 75.02 feet to the Point of Beginning; thence run northerly, perpendicular to the said Duck Avenue, a distance of 478.97 feet; thence run easterly, parallel to the said Duck Avenue, a distance of 272.50 feet; thence run southerly, perpendicular to the said Duck Avenue, a distance of 74.10 feet; thence run easterly, parallel to the said Duck Avenue, a distance of 146.42 feet; thence run southerly, perpendicular to the said Duck Avenue, a distance of 404.87 feet to the North

right of way of the said Duck Avenue; thence run westerly along the North right of way of the said Duck Avenue, a distance of 418.92 feet back to the Point of Beginning, containing 4.36 acres, more or less, in accordance with urban renewal plans approved by the city commission; to limit the duties, liabilities, exemptions, and powers of said city to the areas described in this act, including the power to acquire the properties described herein through the exercise of the power of eminent domain or otherwise, to dispose of said properties subject to any restrictions deemed necessary to prevent the development or spread of future slums or blight in said areas, to issue bonds or other obligations and give security therefore and to enter into agreements to secure federal aid and comply with conditions imposed in connection therewith; to provide for an urban renewal agency to exercise powers hereunder if said city determines is to be in the public interest; to authorize said city to furnish funds, services, facilities and property in aid of the urban renewal projects described in this act and to obtain funds therefore by the issuance of obligations; and to provide that securities issued and properties while held, by a public agency hereunder shall be exempt from taxation; providing when this act shall take effect.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 2709.

HB 2709, contained in the above message, was read the first time by title and referred to the Committees on Rules and Calendar; and Finance and Taxation.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required two-thirds vote and passed—

By Representatives Conway and Gillespie—

HB 2964—A bill to be entitled An act relating to higher education; authorizing and directing the board of regents to establish a continuing education center in Volusia county; providing an appropriation; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 2964, contained in the above message, was read the first time by title and referred to the Committee on Appropriations.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Mixson and Inman—

HB 1754—A bill to be entitled An act authorizing the Liberty county chamber of commerce to cooperate with the Florida board of parks and historic memorials in establishing a certain feature in Torreya state park in Liberty county; providing effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1754, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

By permission, the following reports of Committee were received:

REPORTS OF COMMITTEE

The Committee on Rules and Calendar recommends that the following bills be placed on the Local Calendar:

HB 1615	HB 3338	HB 3345	HB 3347
HB 3348	HB 3024	SB 1744	SB 1740
HB 1754	HB 3340	HB 3344	

The Committee Report was adopted.

The Committee on Rules and Calendar recommends the following pass:

HB 2871	HB 2709
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The bills were referred to the Committee on Finance and Taxation under the original reference.

The Committee on Rules and Calendar recommends the following pass:

HB 3343

The bill was referred to the Committee on Ethics and Privileged Businesses under the original reference.

Unanimous consent was granted Senator Thomas to take up out of order—

SB 1729—A bill to be entitled An act making appropriations; providing additional moneys for the annual periods beginning July 1, 1967 and July 1, 1968, to pay for operations of the institute of food and agricultural sciences of the university of Florida; providing an effective date.

On motion by Senator Thomas, the rules were waived and SB 1729 was read the second time by title.

Senator Thomas offered the following amendment which was adopted:

In Section 1, line 22, page 1, strike: "1967-68 1968-69"
 \$1,065,828 \$1,670,994

—and insert the following: 1967-68 1968-69
 \$ 805,091 \$ 958,318

On motion by Senator Thomas, the rules were waived and SB 1729 as amended was read the third time in full and passed. The vote was: Yeas—46 Nays—None

Mr. President	Edwards	Horne	Slade
Askew	Elrod	Johnson	Spencer
Bafalis	Fincher	Knopke	Stockton
Barron	Fisher	McClain	Stolzenburg
Barrow	Friday	Mathews	Stone
Bell	Gibson	O'Grady	Thomas
Boyd	Gong	Ott	Weber
Broxson	Griffin	Plante	Weissenborn
Chiles	Gunter	Poston	Wilson
Clayton	Haverfield	Reuter	Young
Cross	Henderson	Sayler	
de la Parte	Hollahan	Shevin	

The bill was ordered engrossed.

The President Pro Tempore presiding.

Unanimous consent was granted Senator Gunter to take up out of order—

HB 426—A bill to be entitled An act relating to citrus; amending subsection (3) of section 601.10, Florida Statutes, authorizing the commission to pay, or participate in the payment of, not to exceed one half (½) of the annual premiums for health, accident and life insurance for its full-time employees in addition to the regular salaries paid to such full-time employees, and providing an effective date.

On motions by Senator Gunter, the rules were waived and HB 426 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—46 Nays—None

Mr. President	Edwards	Horne	Slade
Askew	Elrod	Johnson	Spencer
Bafalis	Fincher	Knopke	Stockton
Barron	Fisher	McClain	Stolzenburg
Barrow	Friday	Mathews	Stone
Bell	Gibson	O'Grady	Thomas
Boyd	Gong	Ott	Weber
Broxson	Griffin	Plante	Weissenborn
Chiles	Gunter	Poston	Wilson
Clayton	Haverfield	Reuter	Young
Cross	Henderson	Sayler	
de la Parte	Hollahan	Shevin	

The bill was certified to the House.

The President presiding.

On motion by Senator Friday, the rules were waived and the Senate reverted to the order of—

INTRODUCTION

By the required Constitutional two-thirds vote of the Senate the following bills were admitted for introduction and consideration:

By Senators Friday, Mathews, Pope, McClain, Askew, Bafalis, Barron, Barrow, Bell, Boyd, Broxson, Chiles, Clayton, Cross, Deeb, de la Parte, Edwards, Elrod, Fincher, Fisher, Gibson, Gong, Griffin, Gunter, Haverfield, Henderson, Hollahan, Horne, Johnson, Knopke, Lane, O'Grady, Ott, Plante, Poston, Reuter, Sayler, Shevin, Slade, Spencer, Stockton, Stolzenburg, Stone, Thomas, Weber, Weissenborn, Wilson and Young—

SR 1746—A RESOLUTION IN COMMENDATION OF HONORABLE EDWIN G. FRASER, SECRETARY OF THE SENATE.

WHEREAS, his tenure as Secretary of the Senate has been marked with a manifest devotion to duty and diligence of purpose, and

WHEREAS, his constant insistence on the highest of standards and performance has been a shining example to all of his associates, and

WHEREAS, his continuous efforts to assist all who seek his service has been of inestimable value to each of the members of the Senate and to the Senate as a body, and

WHEREAS, his ability to counsel with all and his willingness to share his many years of experience with any member of the Senate, with complete and total confidentiality, has created a relationship of trust and respect between him and the members of the Senate, and

WHEREAS, all of the above contribute to his success and accomplishments as Secretary of the Senate, and

WHEREAS, his success and accomplishments as Secretary of the Senate have contributed immeasurably to the operation of the Senate, NOW, THEREFORE,

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

That we, his colleagues, extend our highest commendation to the Honorable Edwin G. Fraser, Secretary of the Senate, along with our sincere appreciation for all of his attributes which endear him to us and render his activities invaluable to the accomplishment of the work of the Senate.

BE IT FURTHER RESOLVED that by a standing ovation we give him further evidence of our gratitude and commendation for a job so well and ably done.

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the pages of the Journal of the Florida Senate as a permanent record of the Senate.

Was read the first time by title. On motions by Senator Friday, SR 1746 was read the second time in full and unanimously adopted.

By Senators Friday, Mathews, Pope, Askew, Bafalis, Barron, Barrow, Bell, Boyd, Broxson, Chiles, Clayton, Cross, Deeb, de la Parte, Edwards, Elrod, Fincher, Fisher, Gibson, Gong, Griffin, Gunter, Haverfield, Henderson, Hollahan, Horne, Johnson, Knopke, Lane, McClain, O'Grady, Ott, Plante, Poston, Reuter,

Sayler, Shevin, Slade, Spencer, Stockton, Stolzenburg, Stone, Thomas, Weber, Weissenborn, Wilson and Young—

SR 1747—A resolution in commendation of Honorable LeRoy Adkison, Sergeant-at-Arms of the Florida Senate.

WHEREAS, he has throughout these many years given to the Florida Senate unselfishly of his time and experience, and

WHEREAS, absent his valuable aid and assistance the task of the Senate would be rendered immeasurably greater, if not impossible of accomplishment, and

WHEREAS, his daily attention to all of the myriad details of the operation of the Florida Senate has made possible once again the completion of an orderly session, and

WHEREAS, his qualities of wit, honesty, sincerity and unwavering devotion to duty would be impossible of replacement, NOW, THEREFORE,

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

That we hereby express our appreciation to Honorable LeRoy Adkison, Sergeant-at-Arms of the Florida Senate, for his contribution to another session of the Florida Legislature and express our hope that he shall continue to help make possible many more such sessions, and

BE IT FURTHER RESOLVED that by standing ovation we give him further evidence of our gratitude and commendation for a job so well and ably done.

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the pages of the Journal of the Florida Senate as a permanent record of the Senate.

Was read the first time by title. On motions by Senator McClain, SR 1747 was read the second time in full and unanimously adopted.

By Senators Friday, Mathews, Pope, Askew, Bafalis, Barron, Barrow, Bell, Boyd, Broxson, Chiles, Clayton, Cross, Deeb, de la Parte, Edwards, Elrod, Fincher, Fisher, Gibson, Gong, Griffin, Gunter, Haverfield, Henderson, Hollahan, Horne, Johnson, Knopke, Lane, McClain, O'Grady, Ott, Plante, Poston, Reuter, Sayler, Shevin, Slade, Spencer, Stockton, Stolzenburg, Stone, Thomas, Weber, Weissenborn, Wilson, and Young—

SR 1748—A resolution in commendation of the staff of the Florida Senate.

WHEREAS, without their services no legislative body could proceed to the accomplishment of its appointed task, and

WHEREAS, the Florida Senate has again been fortunate to enjoy the benefits of a devoted, able, hard-working and experienced staff, and

WHEREAS, they manifest a constant attention to the work assigned to them, and

WHEREAS, they continue to reflect an unwavering desire to perform with a maximum degree of excellence, and

WHEREAS, they have worked unhesitatingly to perform the additional duties required by this extended regular session of the 1967 legislature and have again proven their loyalty and devotion to duty by the long hours of additional work they have given to their tasks during this regular extended session, and

WHEREAS, the speed and efficiency with which their work is performed, the unobtrusive manner of their behavior, the quick and speedy accomplishment of near impossible assignments cause the value of their contribution to be underestimated, NOW, THEREFORE,

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

That we do hereby recognize and acknowledge with gratitude the value of the contribution of the staff of the Senate, that we do take cognizance of the same, and that we do hereby express our appreciation to our staff for their excellence of performance so unselfishly contributed during the 1967 session of the Florida legislature, and

BE IT FURTHER RESOLVED that by a standing ovation we give them further evidence of our gratitude and commendation for a job so well and ably done.

BE IT FURTHER RESOLVED that a copy of this Resolution

be spread upon the pages of the Journal of the Florida Senate as a permanent record of the Senate.

Was read the first time by title. On motions by Senator Mathews, SR 1748 was read the second time in full and unanimously adopted.

On motion by Senator Thomas, by two-thirds vote, CS for HCR 2459 was withdrawn from the Committee on Rules and Calendar and placed on the Speedy Calendar.

On motion by Senator Elrod, the House was requested to return HB 2010.

Unanimous consent was granted Senator Clayton to take up out of order—

HB 2361—A bill to be entitled An act adding to chapter 551, Florida Statutes, following section 551.15 of said chapter a section designated 551.16, relating to amateur contests and games of jai alai or pelota being conducted at any fronton, plant or facility and providing the times and conditions under which such amateur contests or games may be held and fixing the effective date thereof.

On motions by Senator Clayton, the rules were waived and HB 2361 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—46 Nays—None

Mr. President	Edwards	Horne	Slade
Askew	Elrod	Johnson	Spencer
Bafalis	Fincher	Knopke	Stockton
Barron	Fisher	McClain	Stolzenburg
Barrow	Friday	Mathews	Stone
Bell	Gibson	O'Grady	Thomas
Boyd	Gong	Ott	Weber
Broxson	Griffin	Plante	Weissenborn
Chiles	Gunter	Poston	Wilson
Clayton	Haverfield	Reuter	Young
Cross	Henderson	Sayler	
de la Parte	Hollahan	Shevin	

The bill was certified to the House.

UNFINISHED BUSINESS

CS for CS for HB 181—A bill to be entitled An act increasing the present rate of sales, use and other privilege taxes so as to provide funds for the reduction of ad valorem taxes levied for school and district purposes; amending Sections 212.03(1), (3); 212.04(1); the introductory paragraph of Section 212.05 and subsections (1), (2), (3), and (4) thereof; 212.06(1); 212.08(3) (a), (b), and (c) and 212.12(10), Florida Statutes, relating to sales, use and other privilege taxes so as to accomplish the above purposes; providing for the distribution and appropriation of funds collected thereunder to the General Revenue Fund and the several Boards of Public Instruction and school districts; and for the procedure to be followed in reducing ad valorem taxes and budgets and the conditions under which distributions will be made; limiting application of millage reduction provisions in counties having a 7 member board of public instruction and having abolished the office of special school district trustees and having an appointive superintendent; providing duties of the State Revenue Commission, Budget Commissions and Boards, the Treasurer, Comptroller and other state and county officers and departments and agencies thereof; amending subsection 212.02(2), F.S. to include rental of office and commercial properties in the definition of sale; repealing subsection 212.08 (4), F.S.; and providing an effective date of August 1, 1967.

Was taken up pending roll call, the vote by which it failed to pass as amended having been reconsidered on July 11. The vote was:

Yeas—21

Mr. President	Chiles	Gibson	Poston
Askew	Cross	Gong	Stockton
Barron	Edwards	Griffin	Weissenborn
Barrow	Fincher	Knopke	
Boyd	Fisher	Mathews	
Broxson	Friday	Ott	

Nays—22

Bafalis	Elrod	Henderson	McClain
Bell	Gunter	Hollahan	O'Grady
Clayton	Haverfield	Johnson	Plante

Reuter	Slade	Thomas	Young
Saylor	Spencer	Weber	
Shevin	Stolzenburg	Wilson	

Unanimous consent was granted Senator Thomas to change his vote from "yea" to "nay" after the roll call was announced.

PAIRS

The following Pairs were announced by the Secretary in accordance with Senate Rule 8.4:

I am paired with Senator Lane on CS for CS for HB 181. If he were present he would vote "Nay" and I would vote "Yea."

LOUIS de la PARTE
Senator, 26th District

Dated July 12, 1967

I am paired with Senator Deeb on CS for CS for HB 181. If he were present he would vote "Nay" and I would vote "Yea."

RICHARD B. STONE
Senator, 48th District

Dated July 12, 1967

EXPLANATIONS OF VOTE

My primary reason for voting for CS for CS for HB 181 was to provide homeowner property tax relief. It is my opinion the homeowner should not be required to carry the large burden presently imposed by our county government. Consequently I felt homeowner tax relief was necessary.

RALPH R. POSTON
Senator, 46th District

I voted for CS for CS for HB 181 because in my opinion there must be immediate property tax relief for the homeowners of the State of Florida.

LOUIS de la PARTE, JR.
Senator, 26th District

SPECIAL AND CONTINUING ORDER

SB 807—A bill to be entitled An act providing for relief from oppressive taxation by providing a limitation on the amount of ad valorem taxes which may be collected annually by the counties of this state on homestead property and on other land and improvements, except for educational purposes and certain existing obligations as provided by the constitution of the state of Florida; and providing an effective date.

Was taken up. On motion by Senator Barron, the rules were waived and SB 807 was read the second time by title.

Further consideration of SB 807 was deferred, the bill retaining its place on the Calendar.

Senator Askew presiding.

On motion by Senator Cross, the Senate reverted to the consideration of Messages from the House of Representatives.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message was read:

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

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

By Senator Cross—

SB 1025—A bill to be entitled An act relating to the state attorney and assistant state attorneys of the eighth judicial circuit; providing for one (1) additional assistant state attorney in said circuit and prescribing his duties, powers, etc.; prescribing the salary of such assistant state attorney and providing for its payment from state funds; and providing an effective date.

Amendment 1

In Section 1, page 2, lines 6 & 7, strike: ten thousand five hundred dollars (\$10,500.00) and insert the following: ten thousand dollars (\$10,000.00)

Amendment 2

In Section 2, page 2, line 24, strike: entire Section 2. and insert the following: Section 2. The state attorney of the eighth judicial circuit is authorized to employ a stenographer to assist him in the performance of his official duties, in addition to the stenographers now authorized by law for said state attorney.

Section 3. There is hereby appropriated from the general revenue fund of the state the sum of twenty-three thousand four hundred ninety-eight dollars (\$23,498.00) for the biennium 1967-69. This amount is in addition to other amounts appropriated during the 1967 session of the legislature.

Section 4. This act shall take effect on July 1, 1967.

Amendment 3

In Title, page 1, line 10, Following the words "from state funds;" insert the following: authorizing the employment of an additional stenographer; providing an appropriation;

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Cross, the Senate concurred in House amendments 1, 2 and 3 to SB 1025.

The action of the Senate was certified to the House and SB 1025 was ordered engrossed.

On motion by Senator Boyd, further consideration of HB 2770 was indefinitely postponed and the action of the Senate was certified to the House.

Senator Friday moved that the Conference Committee Report on CS for SB 520 be read and adopted.

Senator Weissenborn raised a point of order that the Conference Committee had exceeded its authority as the Committee Report included material not contained in the original bill or amendments and, pursuant to Rule 5.13, Conference Committees shall consider and report only on the differences existing between the Senate and House. The President appointed Senators Mathews, Cross, Young, Hollahan and Chiles as a Parliamentary Committee to examine the Conference Committee Report to determine if it were in order.

On motion by Senator Friday, the Conference Committee Report was temporarily deferred.

The Senate resumed consideration of bills on the Special Order Calendar.

Consideration of HB 925 was deferred, the bill retaining its place on the Calendar.

SB 564 was taken up, and unanimous consent was granted Senator Thomas to substitute in lieu thereof—

CS for HB's 766 and 1408—A bill to be entitled An act relating to outdoor recreational or park lands; amending chapter 193, Florida Statutes, adding new section 193.202; providing that owners in fee of outdoor recreational or park lands may convey development right in said land to governing board of county or may execute covenants running with the land to governing board of county; authorizing and empowering said governing board to accept such instruments; requiring recording of such instruments; authorizing said governing board to delegate its authority to a municipality; providing for assessment of such lands after such conveyance or covenant has been accepted only at use value; prohibiting conveyance by county of development right to anyone other than record owner of fee interest in the land; providing that section 125.35, Florida Statutes, shall not apply to conveyances of development right; providing for regulations and procedures for such conveyances; defining terms; and, providing an effective date.

Was taken up. On motion by Senator Thomas, the rules were waived and CS for HB's 766 and 1408 was read the second time by title.

Senators Thomas and Fincher offered the following amendment which was adopted on motion by Senator Thomas:

In Section 1, line 7, page 3, strike: "twenty five (25)" and insert the following: ten (10)

On motion by Senator Thomas, the rules were waived and CS for HB's 766 and 1408 as amended was read the third time in full and passed. The vote was:

Yeas—43

Mr. President	de la Parte	Hollahan	Shevin
Askew	Edwards	Horne	Slade
Bafalis	Elrod	Johnson	Spencer
Barron	Fincher	Knopke	Stockton
Barrow	Fisher	McClain	Stolzenburg
Bell	Friday	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Young
Cross	Henderson	Sayler	

Nays—3

Gibson	Reuter	Wilson
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The bill as amended was certified to the House.

SB 564 was laid on the table.

HB 908—A bill to be entitled An act relating to the board of commissioners of state institutions, amending section 272.121, by adding subsections (7), (8), (9) and (10), to provide a planning and architectural advisory council to the capitol center planning committee; providing for membership, powers and duties of the council; providing for per diem and mileage for members; and providing an effective date.

Was taken up, having been reconsidered and retained on second reading on motion by Senator Friday on July 7.

Senator Weissenborn offered the following amendment which was adopted:

In Section 1, line 29, strike Section 9

On motion by Senator Horne, HB 908 as amended was read in full and passed. The vote was: Yeas—46 Nays—None

Mr. President	Edwards	Horne	Slade
Askew	Elrod	Johnson	Spencer
Bafalis	Fincher	Knopke	Stockton
Barron	Fisher	McClain	Stolzenburg
Barrow	Friday	Mathews	Stone
Bell	Gibson	O'Grady	Thomas
Boyd	Gong	Ott	Weber
Broxson	Griffin	Plante	Weissenborn
Chiles	Gunter	Poston	Wilson
Clayton	Haverfield	Reuter	Young
Cross	Henderson	Sayler	
de la Parte	Hollahan	Shevin	

The bill as amended was certified to the House.

On motions by Senator Chiles, by two-thirds vote, SB 1582 and HB 3051 were withdrawn from the Committee on Ethics and Privileged Businesses and placed on the Calendar of the Committee on Rules and Calendar.

SB 36—A bill to be entitled An act relating to preparation of road department budget; amending section 334.21, Florida Statutes; providing for a five year plan; repealing subsections 9(a)(5) and 9(b) of section 334.21, Florida Statutes; providing an effective date.

Was taken up. On motion by Senator Poston, the rules were waived and SB 36 was read the second time by title.

The Committee on Public Roads and Highways offered the following amendment which was adopted on motion by Senator Poston:

In Section 1, lines 1 and 2, page 1, strike: "Section 1. Section 334.21(5), Florida Statutes, 1965, is amended to read," and

insert in lieu thereof the following: "Section 1. Section 334.21 (4) (a) and (5), Florida Statutes, is amended to read:"

The Committee on Public Roads and Highways also offered the following amendment which was adopted on motion by Senator Poston:

In Section 1, line 12, page 1, following the words, "and amendment.—" insert the following:

"(4) Nature and scope of the budget:

"(a) The budget shall present a complete, balanced financial plan for the ensuing budget year. The receipt side of the budget shall set forth all anticipated fund balances to be brought forward at the beginning of the budget year. The fund balance shall be the difference between the current assets and current liabilities and reserves, as commonly defined in accounting terminology, of each fund enumerated herein. It shall set forth all estimated revenues and receipts by source anticipated to be available during the ensuing year for which the budget is prepared; except that no anticipated receipts estimated to be received under the various federal aid road or highway acts of congress shall be budgeted in excess of the amount of state receipts set aside to match such federal aid, and the state money thus set aside [to match federal aid money] shall be used only for [no other purpose than the construction of roads under agreements entered into by and between the United States bureau of public roads and the department.] such matching purposes. Provided, however, the board shall prior to the preparation of the budget ascertain the amount of federal aid funds which shall be available to the department for expenditure in the fiscal year for which the budget is prepared, and shall budget sufficient appropriate funds for matching [and other] purposes. [not to exceed one half the receipts of the first (4 cent) gas tax for expenditure on United States numbered highways, and funds so budgeted shall be used for no other purpose. Such highways shall be the United States numbered highways in accordance with the official log of the American association of state highway officials, as of January 1, 1955, and any subsequent extensions thereto and shall constitute a priority system until all such roads shall have a sufficiency rating of good, or better in accordance with regulations prescribed by the board.]

The Committee on Public Roads and Highways also offered the following amendment which was adopted on motion by Senator Poston:

Strike the entire title and insert the following: "An act relating to the preparation of state road department budget; amending section 334.21(4)(a) and (5), Florida Statutes; providing for a five-year plan; repealing subsection (8)(b), paragraph numbered 5 of subsection (9)(a), and subsection (9)(b), of Section 334.21, Florida Statutes; providing an effective date."

Consideration of SB 36 as amended was deferred, the bill retaining its place on the Calendar.

The President presiding.

Senator Barrow presiding.

HB 925—A bill to be entitled An act relating to the collection of ad valorem taxes; amending section 193.50, Florida Statutes, to authorize the tax collector to accept payment of tax bills in as many as twelve (12) equal monthly payments; providing an effective date.

Was taken up. On motion by Senator Ott, the rules were waived and HB 925 was read the second time by title.

Senator Horne presiding.

On motion by Senator Mathews, the rules were waived and the time of adjournment was extended until final disposition of HB 925.

On motion by Senator Ott, the rules were waived and HB 925 was read the third time in full.

Senator O'Grady moved the previous question on the passage of HB 925, which was agreed to.

The question was put on the passage of HB 925, which passed, title as stated. The vote was:

Yeas—29

Mr. President	Fisher	Knopke	Slade
Askew	Friday	McClain	Spencer
Barron	Gibson	Mathews	Stockton
Boyd	Griffin	O'Grady	Stolzenburg
Broxson	Gunter	Ott	Thomas
Chiles	Henderson	Plante	
Clayton	Hollahan	Poston	
Fincher	Horne	Shevin	

Nays—11

Bafalis	Edwards	Johnson	Wilson
Bell	Elrod	Reuter	Young
Cross	Haverfield	Weber	

The bill was certified to the House.

PAIR

The following Pair was announced by the Secretary in accordance with Senate Rule 8.4:

I am paired with Senator Deeb on HB 925 and all partisan issues. If he were present he would vote "Nay" and I would vote "Yea."

RICHARD B. STONE
Senator, 48th District

Dated July 12, 1967

On motion by Senator Mathews, it was agreed by two-thirds vote that when the Senate adjourns it recess to reconvene at 2:00 p. m. and remain in session until 5:00 p. m.

Senator de la Parte moved that immediately upon reconvening for the afternoon session, the Senate take up Senate Bills 1505 and 1506, now on page 3 of the Special and Continuing Order.

Senator Shevin objected.

The Chair ruled that rearranging bills on the Special and Continuing Order required two-thirds vote and not unanimous consent.

The motion by Senator de la Parte prevailed.

Unanimous consent was granted Senator Boyd to take up out of order—

HB 3331—A bill to be entitled An act relating to the Ellenton fire control district amending chapter 59-1539 special acts of 1959, Laws of Florida, for the purpose of extending the boundaries of said district, increasing the maximum rate of assessments, increasing the total amount of money which the district may borrow, authorizing a reasonable charge for the fighting of fires in motor vehicles, providing for a lien on said motor vehicle to enforce collection of the charge, and providing for an effective date, and providing for a referendum.

On motions by Senator Boyd, the rules were waived and HB 3331 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—46 Nays—None

Mr. President	Edwards	Horne	Slade
Askew	Elrod	Johnson	Spencer
Bafalis	Fincher	Knopke	Stockton
Barron	Fisher	McClain	Stolzenburg
Barrow	Friday	Mathews	Stone
Bell	Gibson	O'Grady	Thomas
Boyd	Gong	Ott	Weber
Broxson	Griffin	Plante	Weissenborn
Chiles	Gunter	Poston	Wilson
Clayton	Haverfield	Reuter	Young
Cross	Henderson	Saylor	
de la Parte	Hollahan	Shevin	

The bill was certified to the House.

On motion by Senator Knopke, by two-thirds vote, HB 2299 was withdrawn from the Committee on Urban Affairs and Local Government and placed on the Local Calendar.

Unanimous consent was granted Senator Knopke to take up out of order—

HB 2299—A bill to be entitled An act relating to submerged lands in the Hillsborough county port district; providing procedures and conditions for the granting of dredge or fill permits by the Tampa port authority; requiring preliminary biological and hydrographic surveys and ecological study by the state board of conservation; requiring recommendations from the state board of conservation and the city-county planning commission to the Tampa port authority upon all applications for such permits; providing that the board of county commissioners of Hillsborough county may approve or rescind permits granted by the Tampa port authority; providing certain exceptions; providing for removal of unauthorized fill; providing a manner for appeal; providing a severability clause; providing an effective date.

On motion by Senator Knopke, the rules were waived and HB 2299 was read the second time by title.

Senator de la Parte offered the following amendment which was adopted:

In Section 5, line 29, page 3, strike: "forty-five (45) days from the date of last publication." and insert the following: forty-five (45) days nor more than sixty (60) days from the date of last newspaper publication.

Senator de la Parte also offered the following amendment which was adopted:

In Section 6, line 1, page 5, strike: "hazards; have found that no substantial interference with the conservation of fish, marine and wildlife or other natural resources will result therefrom; and have found that no substantial destruction of oyster beds, clam beds or marine productivity, including but not limited to destruction of natural marine habitats, grass flats suitable as nursery or feeding grounds for marine life and established marine soils suitable for producing plant growth of a type useful as nursery or feeding grounds for marine life, will result therefrom." and insert the following: hazards to the extent as to be contrary to the public interest; have found that no interference with the conservation of fish, marine and wildlife or other natural resources will result therefrom to the extent as to be contrary to the public interest; and have found that no destruction of oyster beds, clam beds or marine productivity, including but not limited to destruction of natural marine habitats, grass flats suitable as nursery or feeding grounds for marine life and established marine soils suitable for producing plant growth of a type useful as nursery or feeding grounds for marine life, will result therefrom to the extent as to be contrary to the public interest.

Senator de la Parte also offered the following amendment which was adopted:

Strike all of section 16 and insert the following as new section 16: Section 16. This act shall prevail and control over general law, and to the extent that conflicts exist with the provisions of Chapter 253, Florida Statutes, such provisions of Chapter 253 are hereby specifically repealed, pursuant to Section 253.126, Florida Statutes, insofar as the same relate to the Hillsborough county port district, and add the following new section 17 to read:

Section 17. This act shall take effect immediately upon becoming a law.

Senator de la Parte also offered the following amendment which was adopted:

Following line 14, page 8, insert a new Section 16, to read as follows:

"Section 16. This act shall in no manner affect or limit any project proposed by the state road department pursuant to the Florida highway code."

"Renumber present Section 17 to read Section 18."

On motion by Senator Knopke, the rules were waived and HB 2299 as amended was read the third time in full and passed. The vote was: Yeas—46 Nays—None

Mr. President	Boyd	Edwards	Gong
Askew	Broxson	Elrod	Griffin
Bafalis	Chiles	Fincher	Gunter
Barron	Clayton	Fisher	Haverfield
Barrow	Cross	Friday	Henderson
Bell	de la Parte	Gibson	Hollahan

Horne	Ott	Slade	Weber	Gunter	Lane	Reuter	Stone
Johnson	Plante	Spencer	Weissenborn	Haverfield	McClain	Saylor	Thomas
Knopke	Poston	Stockton	Wilson	Henderson	Mathews	Shevin	Weber
McClain	Reuter	Stolzenburg	Young	Hollahan	O'Grady	Slade	Weissenborn
Mathews	Saylor	Stone		Horne	Ott	Spencer	Wilson
O'Grady	Shevin	Thomas		Johnson	Plante	Stockton	Young
				Knopke	Poston	Stolzenburg	

The bill as amended was certified to the House.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:05 p. m. to reconvene at 2:00 p. m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p. m. The following Senators were recorded present:

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

47. A quorum present.

Unanimous consent was granted Senator Askew to take up out of order—

HB 1293—A bill to be entitled An act defraying expenses incurred by the city of Vero Beach in constructing and furnishing temporary housing for the headquarters of the fourth appellate district; providing an appropriation; providing for an audit; providing an effective date.

On motions by Senator Askew, the rules were waived and HB 1293 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

Unanimous consent was granted Senator Elrod to be recorded as voting "Nay" on the passage of CS for HB 456 on July 6.

Unanimous consent was granted Senator de la Parte to take up out of order—

SB 1505—A bill to be entitled An act relating to juvenile courts; amending subsection (11) of section 39.01, Florida Statutes, redefining the term "delinquent child"; creating a new subsection (12) of section 39.01, Florida Statutes, defining term "child in need of supervision" and prescribing conditions under which such a child may be alleged to be a delinquent child; amending section 39.11, Florida Statutes, by adding a new subsection (1) authorizing the court to place a child in need of supervision under exclusive supervision of counselor; providing an effective date.

On motions by Senator de la Parte, the rules were waived and SB 1505 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Bell	Cross	Fisher
Askew	Boyd	de la Parte	Friday
Bafalis	Broxson	Edwards	Gibson
Barron	Chiles	Elrod	Gong
Barrow	Clayton	Fincher	Griffin

The bill was certified to the House.

Unanimous consent was granted Senator de la Parte to take up out of order—

SB 1506—A bill to be entitled An act relating to the division of youth services; amending section 965.01(2), Florida Statutes, as amended by chapter 67-46, Laws of Florida, as enacted by the 1967 session of the legislature, by adding a new paragraph (k) providing for the creation within the division of a department of legal services, prescribing the duties of the department in connection with juvenile court matters and providing for the appointment of a director of such department and the employment of attorneys; providing an effective date.

On motions by Senator de la Parte, the rules were waived and SB 1506 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

On motion by Senator Barrow, the rules were waived and the Senate reverted to the order of—

INTRODUCTION

By the required Constitutional two-thirds vote of the Senate the following bills were admitted for introduction and consideration:

By Senator Weber—

SB 1749—A bill to be entitled An act to amend chapter 57-1322, laws of Florida, special acts of 1957, as amended, being the charter of the city of Fort Lauderdale, in the following respects:

To enact a new section 184.1 providing for authority of the city of Fort Lauderdale to levy and collect a municipal resort tax

Was read the first time by title. On motion by Senator Weber, the rules were waived and the bill was placed on the Local Calendar.

Senator Weber requested unanimous consent to take up and consider SB 1749 out of order. Senator Bell objected.

SB 1750 failed to receive the required Constitutional two-thirds vote of the Senate for admission for introduction and consideration.

By Senators Mathews, Slade, Fisher and Pope—

SB 1751—A bill to be entitled An act affecting the government of the city of Jacksonville; authorizing said city to provide for the elimination of dwellings that are unfit for human habitation by the establishment and enforcement of minimum standards of housing; to provide for and enforce vacation, demolition and removal of buildings and structures that are unsafe and insanitary, and dangerous and injurious to the health, safety or welfare of the residents of the city; to provide for the assessment and collection of the cost of demolition and removal of such buildings and structures as a lien or assessment against the premises upon which same are located by procedure

substantially in the same manner as provided by chapter 7659, Laws of Florida, Acts of 1917; to further provide for establishment and enforcement of a lien for the cost of demolition and removal of such buildings and structures in judicial proceedings and the award of reasonable attorney's fees therein; confirming the authority of the city to establish minimum standards of housing; providing an effective date.

Was read the first time by title. On motion by Senator Mathews, the rules were waived and the bill was placed on the Calendar.

Unanimous consent was granted Senator Mathews to take up SB 1751 out of order.

On motions by Senator Mathews, the rules were waived and SB 1751 was read the second time by title, the third time in full and passed, title as stated. The vote was:

Yeas—46

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stolzenburg
Barrow	Friday	McClain	Stone
Bell	Gibson	Mathews	Thomas
Boyd	Gong	O'Grady	Weber
Broxson	Griffin	Ott	Weissenborn
Chiles	Gunter	Plante	Wilson
Clayton	Haverfield	Poston	Young
Cross	Henderson	Reuter	
de la Parte	Hollahan	Sayler	

Nays—1

Stockton

The bill was certified to the House.

By Senator Barrow—

SB 1752—A bill to be entitled An act relating to Apalachicola river navigation district; creating a navigation district; providing boundaries for said district; providing a governing authority; providing for supervision and control by the Florida board of conservation; providing for cooperation with other agencies; providing for a method of funding said district; providing an effective date.

Was read the first time by title. On motion by Senator Barrow, the rules were waived and the bill was placed on the Calendar.

Unanimous consent was granted Senator Barrow to take up SB 1752 out of order.

On motions by Senator Barrow, the rules were waived and SB 1752 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

By Senator Cross—

SCR 1753—A concurrent resolution requesting the Governor of the State of Florida to return SB 1581 to the Senate for the purpose of further consideration.

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

Section 1. The Senate respectfully requests His Excellency, the Governor of Florida, to return Senate Bill No. 1581, introduced by Senator Cross of the 7th Senatorial District, to the Senate for the purpose of further consideration.

Was read the first time in full. On motions by Senator Cross,

the rules were waived and SCR 1753 was read the second time by title, adopted, and certified to the House.

By Senators Mathews, Stockton, Fisher and Pope—

SB 1754—A bill to be entitled An act relating to all counties having a population in excess of 450,000 (four hundred fifty thousand) under the last decennial census and not having home rule; providing authority for the county commissioners of such counties to borrow funds to defray election expenses which may be required and necessary in excess of budgeted funds for holding a referendum election in such counties during 1967; providing an effective date.

Was read the first time by title. On motion by Senator Mathews, the rules were waived and the bill was placed on the Calendar.

Unanimous consent was granted Senator Mathews to take up SB 1754 out of order.

On motions by Senator Mathews, the rules were waived and SB 1754 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Sayler to take up out of order—

HB 985—A bill to be entitled An act relating to the division of mental retardation; authorizing the establishment and construction of a regional community center for the mentally retarded in Pinellas County; stating the purposes of said center; providing for administration by the board of commissioners of state institutions; providing for transfer of persons between centers; providing an appropriation; providing an effective date.

On motion by Senator Sayler, the rules were waived and HB 985 was read the second time by title.

The Committee on Appropriations offered the following amendment which was adopted on motion by Senator Sayler:

In Section 5, line 24, page 2, strike: Section 5. and renumber Section 6. as Section 5.

The Committee on Appropriations also offered the following amendment which was adopted on motion by Senator Sayler:

In title, line 11, page 1, strike: "providing an appropriation;"

On motion by Senator Sayler, the rules were waived and HB 985 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill as amended was certified to the House.

Unanimous consent was granted Senator Mathews to take up out of order—

SB 1744—A bill to be entitled An act relating to counties

having a population of in excess of 450,000 (four hundred fifty thousand) according to the last decennial census and not having home rule; authorizing the boards of county commissioners of said counties to regulate the operation of all water supply systems and sanitary sewerage systems having not less than 25 (twenty-five) connections in the unincorporated areas of the county excluding municipalities operating systems beyond their corporate limits; to compel owners of property to connect with any such regulated system; to grant exclusive or non-exclusive franchises to private utility companies and imposing certain conditions to said franchises; to provide authority to fix rates of private utility companies; to authorize the county commissions of such counties to make rules and regulations for the operation of water supply systems and sanitary sewerage systems; to require private utilities subject to this act to pay a gross receipts tax to defray the costs of regulation; providing that such counties may elect to come under the provisions of Chapter 367, Florida Statutes; providing that in event such counties elect to come within provisions of Chapter 367, Florida Statutes, the regulatory jurisdiction of the Public Service Commission in such counties shall extend to utilities having not less than 25 connections; providing an effective date.

On motion by Senator Mathews, the rules were waived and SB 1744 was read the second time by title.

Senator Mathews offered the following amendment which was adopted:

In Section 5(d), line 16, page 6, strike: the period and insert the following: , provided that in setting ratings, the board shall include contributions in aid to construction in the rate base where such factor is necessary to insure a fair, just, reasonable and compensatory rate of return to the utility.

Senator Mathews also offered the following amendment which was adopted:

In Section 8, lines 2-12, page 8, strike: entire section and insert the following:

Section 8. Gross Receipts Tax: In any county wherein the board of county commissioners elects to exercise the powers provided for by this act, each private utility subject to the provisions of this act shall pay a gross receipts tax of one dollar and fifty cents (\$1.50) for each one hundred dollars (\$100.00) or fraction thereof of the gross receipts of said private utilities. The gross receipts tax herein provided for shall be due and payable on the 1st day of September of each year commencing on the first day of September, 1967. Said tax shall be computed on the basis of the gross receipts of each utility for the year 1966. Thereafter, said tax shall be computed on the basis of the gross receipts of each utility for the year preceding the year in which said tax becomes due and payable. All revenues collected pursuant to this section shall be used exclusively by the county collecting same for the purpose of defraying the costs of administering this act, except as otherwise provided in Section 11 hereof. Provided, however, that in the event the costs of administering this act in any one budgetary year shall be less than the total revenues derived from the gross receipts tax hereby provided for, the utilities paying same shall be allowed a credit against said tax for the subsequent year equal to each utility's proportionate share of the amount of the revenue from said tax in excess of the actual costs of administering this act.

Senator Mathews also offered the following amendment which was adopted:

In Section 14, line 3, page 10, strike: "This act shall take effect immediately upon becoming a law." and insert the following: This act shall take effect on October 1, 1967.

On motion by Senator Mathews, the rules were waived and SB 1744 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Clayton	Gong	Lane
Askew	Cross	Griffin	McClain
Bafalis	de la Parte	Gunter	Mathews
Barron	Edwards	Haverfield	O'Grady
Barrow	Elrod	Henderson	Ott
Bell	Fincher	Hollahan	Plante
Boyd	Fisher	Horne	Poston
Broxson	Friday	Johnson	Reuter
Chiles	Gibson	Knopke	Sayler

Shevin	Stockton	Thomas	Wilson
Slade	Stolzenburg	Weber	Young
Spencer	Stone	Weissenborn	

The bill was ordered engrossed.

A motion by Senator Friday was adopted that the rules be waived and the Conference Committee Report on CS for SB 520 be received and considered. The vote was:

Yeas—29

Mr. President	Edwards	Johnson	Reuter
Bafalis	Elrod	Knopke	Sayler
Barrow	Friday	Lane	Slade
Bell	Gibson	McClain	Stockton
Boyd	Griffin	Mathews	Weber
Broxson	Gunter	Ott	
Chiles	Hollahan	Plante	
Clayton	Horne	Poston	

Nays—13

Askew	Fisher	Spencer	Young
Barron	Haverfield	Stolzenburg	
Cross	Henderson	Weissenborn	
Fincher	Shevin	Wilson	

The following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS FOR SB 520

The Honorable Verle A. Pope July 11, 1967
President of the Florida Senate
Tallahassee, Florida

The Honorable Ralph D. Turlington
Speaker of the Florida House of Representatives
Tallahassee, Florida

Sirs:

Your Conference Committee on the disagreeing votes of the two houses on the Committee Substitute for Senate Bill 520, the same being—

A bill to be entitled

An act relating to the control, regulation and prohibition of the pollution of the environment of this state; amending Chapter 381 of the Florida Statutes by redesignating the state board of health as the board of health and environment; relating to the powers, duties and responsibilities of the board; expanding the membership of the board to nine (9); providing qualifications and appointment of the members; redesignating the state health officer as the commissioner of health and environment; establishing and assigning duties to a division of health and a division of environment control within the board; authorizing a deputy commissioner for health and a deputy commissioner for environmental control and assigning duties; providing for the classification of the air, water and land of this state for the purpose of pollution control; providing for construction in relation to other law; providing for civil and criminal penalties; repealing Chapter 403 of the Florida Statutes; providing an effective date.—

having met, and after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

1. That the Senate and the House of Representatives adopt the Conference Committee amendments attached hereto, and by reference made a part of this report; and
2. That the Senate and the House of Representatives pass the Committee Substitute for Senate Bill 520, as amended by the attached Conference Committee amendments.

ELMER O. FRIDAY, JR.	LOUIS WOLFSON, II
BEN HILL GRIFFIN, JR.	RICHARD S. HODES
L. K. EDWARDS, JR.	KENNETH M. MYERS
RICHARD B. STONE	JAMES J. REEVES
LAWTON M. CHILES, JR.	RAY MATTOX
C. S. "CLIFF" REUTER	JACK MURPHY

Managers on the part of the Senate	Managers on the part of the House of Representatives
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Conference Committee amendment 1 to CS for SB 520:

Strike everything after the enacting clause and insert the following:

Section 1. Chapter 403, Florida Statutes, and section 381.031(1)g(7), Florida Statutes, are hereby repealed. All rule-making jurisdiction over air and water pollution matters now held by other agencies within the state of Florida is hereby repealed including, but without limitation, such jurisdiction held by the Florida state board of health, the Florida game and fresh water fish commission, the Florida state board of conservation and the several water management districts within the state.

Section 2. Short title.—This act shall be known and cited as the Florida air and water pollution control act.

Section 3. Legislative declaration.—The pollution of the air and waters of this state constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish and other aquatic life, and impairs domestic, agricultural, industrial, recreational, and other beneficial uses of air and water.

It is declared to be the public policy of this state to conserve the waters of the state and to protect, maintain, and improve the quality thereof for public water supplies, for the propagation of wildlife, fish and other aquatic life, and for domestic, agricultural, industrial, recreational, and other beneficial uses, and to provide that no wastes be discharged into any waters of the state without first being given the degree of treatment necessary to protect the beneficial uses of such water.

It is declared to be the public policy of this state and the purpose of this act to achieve and maintain such levels of air quality as will protect human health and safety, and to the greatest degree practicable, prevent injury to plant and animal life and property, foster the comfort and convenience of the people, promote the economic and social development of this state and facilitate the enjoyment of the natural attractions of this state.

It is declared that local and regional air and water pollution control programs are to be supported to the extent practicable as essential instruments to provide for a coordinated statewide program of air and water pollution prevention, abatement and control for the securing and maintenance of appropriate levels of air and water quality.

It is hereby declared that the prevention, abatement and control of the pollution of the air and waters of this state are affected with a public interest, and the provisions of this act are enacted in the exercise of the police powers of this state for the purpose of protecting the health, peace, and safety, and general welfare of the people of this state.

The legislature finds and declares that control, regulation, and abatement of the activities which are causing or may cause pollution of the air or water resources in the state of Florida and which are or may be detrimental to human, animal, aquatic, or plant life, or to property, or unreasonably interfere with the comfortable enjoyment of life or property be increased to insure conservation of natural resources, to insure a continued safe environment, to insure purity of air and water, to insure domestic water supplies, to insure protection and preservation of the public health, safety, welfare, and economic well-being, to insure and provide for recreational and wildlife needs as the population increases and the economy expands, to insure a continuing growth of the economy and industrial development.

The legislature further finds and declares that:

(a) Compliance with this law will require capital outlays of hundreds of millions of dollars for the installation of machinery, equipment, and facilities for the treatment of industrial wastes which are not productive assets and increased operating expenses to owners without any financial return and should be separately classified for assessment purposes;

(b) Industry should be encouraged to install new machinery, equipment and facilities as technology in environmental matters advances, thereby improving the quality of the air and waters of the state and benefiting the citizens of the state without pecuniary benefit to the owners of industries, and the legislature should prescribe methods where-

by just valuation may be secured to such owners and exemptions from certain excise taxes should be offered with respect to such installations;

(c) Facilities as herein defined should be classified separately from other real and personal property of any manufacturing or processing plant or installation, as such facilities contribute only to general welfare and health and are assets producing no profit return to owners; and

(d) In existing manufacturing or processing plants it is more difficult to obtain satisfactory results in treating industrial wastes than in new plants being now planned or constructed and that with respect to existing plants in many instances it will be necessary to demolish and remove substantial portions thereof and replace the same with new and more modern equipment in order to more effectively treat, eliminate or reduce the objectional characteristics of any industrial wastes and that such replacements should be classified and assessed differently from replacements made in the ordinary courses of business.

Section 4. Definitions.—In construing this chapter, or rules and regulations adopted pursuant thereto, the words, phrases or terms, unless the context otherwise indicates, shall have the following meanings:

(1) "Commission" is the Florida air and water pollution control commission.

(2) "Director" is the director of the commission.

(3) "Pollution" is the presence in the outdoor atmosphere or waters of the state of any one or more substances or contaminants in quantities which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property, including outdoor recreation.

(4) "Waters" shall include, but not be limited to rivers, lakes, streams, springs, impoundments, and all other waters or bodies of water, including fresh, brackish, saline, tidal, surface or underground; waters owned entirely by one person other than the state are included only in regard to possible discharge on other property or water. Underground waters include, but are not limited to, all underground waters passing through pores of rock or soils or flowing through in channels, whether man-made or natural.

(5) "Contaminant" is any substance which is harmful to plant, animal or human life.

(6) "Wastes" mean sewage, industrial wastes, and all other liquid, gaseous, solid, radioactive, or other substances which may pollute or tend to pollute any waters of the state.

(7) "Treatment works" and "disposal systems" means any plant or other works used for the purpose of treating, stabilizing, or holding wastes.

(8) "Sewage system" means pipelines or conduits, pumping stations, and force mains, and all other structures, devices, appurtenances, and facilities used for collecting or conducting wastes to an ultimate point for treatment or disposal.

(9) "Installation" is any structure, equipment, facility, or appurtenances thereto, or operation which may emit air or water contaminants in quantities prohibited by rules of the commission.

(10) "Plant" is any unit operation, complex, area, or multiple of unit operations that produce, process, or cause to be processed any materials, the processing of which can, or may, cause air or water pollution.

(11) "Source" is any and all points or origin of the items defined in subsection (5) of this section, whether privately or publicly owned or operated.

(12) "Person" means the state or any agency or institution thereof, any municipality, political subdivision, public or private corporation, individual, partnership, association, or other entity, and includes any officer or governing or managing body of any municipality, political subdivision, or public or private corporation.

Section 5. Florida air and water pollution control commission.—There is hereby created and established the Florida air and water pollution control commission, hereinafter referred to as the commission. The commission shall be composed of the

governor, the secretary of state, the attorney general, the commissioner of agriculture, and two (2) discreet citizens appointed by the governor and confirmed by the senate. The governor shall serve as the chairman of the commission. Members of the commission shall serve without compensation, but shall be entitled to per diem and travel expenses as provided by section 112.061, Florida Statutes.

Section 6. Commission meetings; hearings; and procedure.—

(1) The commission shall hold regular meetings not less than quarterly and such additional meetings as may be required for the proper discharge of its duties. Meetings may be called by the governor or at the request of a majority of the commission.

(2) No rule or regulation, or amendment or repeal thereof, shall be adopted by the commission except after public hearing held for that purpose after thirty (30) days prior notice given in the manner which the commission shall prescribe. The manner prescribed shall at least include notice by mail to all parties known by the commission to be affected by the matters under consideration and some system of newspaper publication reasonably calculated to bring the matter under consideration to the attention of the general public. There shall be stated in such notice the date, time and place of the hearing at which time opportunity to be heard shall be given to all affected parties and the public. To insure due process to all parties affected, the procedures of part II, chapter 120, Florida Statutes, shall be followed at all hearings of the commission, including rule-making hearings.

(3) The commission shall cause a transcript of the proceedings at all hearings and meetings to be made.

(4) The decision of the commission to adopt, modify or repeal a rule or regulation shall be based solely on the preponderance of the competent substantial evidence presented at the public hearing.

(5) A quorum of the commission shall consist of four (4) members and a majority vote of the entire commission shall be required to take action on any matter before the commission.

(6) The commission shall have the power, and upon application of any affected party shall have the duty, to compel the attendance of witnesses and the production of evidence on behalf of the state or any affected party.

Section 7. Commission; powers and duties.—The commission shall have the power and the duty to control and prohibit pollution of air and water in accordance with the law and rules and regulations adopted and promulgated by it, and for this purpose to:

(1) Approve and promulgate current and long-range plans developed to provide for air and water quality control and pollution abatement.

(2) Hire only such employees as may be necessary to effectuate the responsibilities of the commission.

(3) Utilize the facilities and personnel of other state agencies, including the state board of health, and delegate to any such agency any duties and functions as the commission may deem necessary to carry out the purposes of this act.

(4) Secure necessary scientific, technical, research, administrative and operational services by interagency agreement, contract, or otherwise. All state agencies, upon direction of the commission, shall make these services and facilities available.

(5) Accept state appropriations, loans and grants from the federal government and from other sources, public or private, which loans and grants shall not be expended for other than the purposes of this act.

(6) Exercise general supervision of the administration and enforcement of the laws, rules and regulations pertaining to air and water pollution.

(7) Adopt, modify and repeal rules and regulations to carry out the intent and purposes of this act. Any rules or regulations adopted pursuant to this act shall be consistent with provisions of federal law, if any, relating to control of emissions from motor vehicles.

(8) Hold hearings relating to the adoption of rules to

control or prohibit air and water pollution, including hearings upon complaints for violations.

(9) To designate a hearing officer to conduct hearings, who shall have the power to issue notices of hearings, subpoenas requiring the attendance of witnesses and the production of evidence, to administer oaths and to take testimony as may be necessary or in conformity with this chapter, and such hearing officer shall certify and file with the commission, recommendations, findings of fact, and a proposed order; provided, however, that all hearings for the adoption of rules shall be before the commission.

(10) Issue such orders as may be necessary to effectuate the control of air and water pollution and enforce the same by all appropriate administrative and judicial proceedings.

(11) Adopt a comprehensive program for the prevention, control, and abatement of pollution of the air and waters of the state, and from time to time review and modify such program as necessary.

(12) In order to develop a comprehensive program for the prevention, abatement, and control of the pollution of the waters of the state, a grouping of the waters into classes may be made in accordance with the present and future most beneficial uses, such classifications may from time to time be altered or modified; provided, however, before any such classification is made, or any modifications made thereto, public hearings shall be held by the commission.

(13) Establish ambient air quality and water quality standards for the state as a whole or for any part thereof.

(14) (a) Cause field studies to be made and samples to be taken out of the air and from the waters of the state periodically and in a logical geographic manner so as to determine the levels of air quality of the air and water quality of the waters of the state.

(b) Whenever a study is made or a sample collected which proves to be below the air or water quality standard set for air or water, then the commission shall determine the source of the pollution.

(15) Require persons engaged in operations which may result in pollution, to file reports which may contain information relating to locations, size of outlet, height of outlet, rate and period of emission and composition and concentration of effluent and such other information as the commission shall prescribe to be filed relative to pollution.

(16) Establish a permit system whereby a permit may be required for the operation, construction or expansion of any installation that may be a source of air or water pollution; provide for the issuance and revocation of such permits and for the posting of an appropriate bond to operate.

(17) Consult with any person proposing to construct, install, or otherwise acquire a pollution control device or system, concerning the efficacy of such device or system, or the pollution problem which may be related to the source, device or system. Nothing in any such consultation shall be construed to relieve any person from compliance with this act, rules and regulations of the commission, or any other provision of law.

(18) Require that notice be given to it prior to the undertaking of the construction or installation or expansion of any new air or water contaminant sources. Within thirty (30) days of its receipt of such notice, the commission shall require, as a condition precedent to the construction or installation or expansion of such sources, the submission of plans, specifications, and such other information as it deems necessary in order to determine whether the proposed construction or installation will be in accord with applicable laws, rules and regulations. If within sixty (60) days of the receipt of plans, specifications or other information required pursuant to this chapter, the commission determines that the proposed construction or installation will not be in accord with the requirements of this act or applicable rules and regulations, it shall issue an order prohibiting the construction or installation. Failure of such an order to issue within the time prescribed herein shall be deemed a determination that the construction or installation may proceed; provided, that it is in accordance with plans, specifications or other information, if any, required to be submitted.

(19) Encourage voluntary cooperation by persons and affected groups to achieve the purposes of this act.

(20) Encourage local units of government to handle pollution problems within their respective jurisdictions on a cooperative basis, and provide technical and consultative assistance therefor.

(21) Encourage and conduct studies, investigations, and research relating to pollution and its causes, effects, prevention, abatement and control.

(22) Make a continuing study of the effects of the emission of air contaminants from motor vehicles on the quality of the outdoor atmosphere of this state and the several parts thereof, and make recommendations to appropriate public and private bodies with respect thereto.

(23) Collect and disseminate information and conduct educational and training programs relating to pollution.

(24) Advise, consult, cooperate, and enter into agreements with other agencies of the state, the federal government, other states, interstate agencies, groups, political subdivisions, and industries affected by the provisions of this act, rules or policies of the commission.

(25) Adopt, modify and repeal rules governing the specifications, construction and maintenance of industrial reservoirs, dams and containers which store or retain industrial wastes of a deleterious nature.

(26) Perform any other act necessary to control and prohibit air and water pollution, and to delegate any of its responsibilities, authority and powers, other than rule-making powers, to the director or any state agency now or hereinafter established.

Section 8. Director; powers and duties.—There shall be a director of the commission who shall be employed by the commission. The commission shall fix the director's compensation unless it is otherwise provided by law. The director shall possess experience in bioenvironmental or sanitary engineering and such other qualifications as the commission may prescribe. It shall be the duty of the director to:

(a) act as the chief administrative officer for all environmental pollution control programs of the state;

(b) formulate and recommend rules and regulations for approval or rejection by the commission;

(c) coordinate all pollution control programs of the state carried on from time to time by all state agencies; and

(d) act as agent for the commission in all matters relating to its activities and the discharge of its responsibilities.

Section 9. Performance by other state agencies.—All state agencies, including the state board of health, shall be available to the commission to perform, at its direction, the duties required of the commission under this act.

Section 10. Inspections.—Any duly authorized representative of the commission may enter and inspect any property, premises or place, except a building which is used exclusively for a private residence, on or at which an air or water contaminant source is located or is being constructed or installed at any reasonable time for the purpose of ascertaining the state of compliance with the law, or rules and regulations of the commission. No person shall refuse immediate entry or access to any authorized representative of the commission who requests entry for purposes of inspection, and who presents appropriate credentials; nor shall any person obstruct, hamper or interfere with any such inspection. If requested, the owner or operator of the premises shall receive a report setting forth all facts found which relate to compliance status.

Section 11. Classification and reporting.—

(1) The commission, by rule or regulation, may classify air and water contaminant sources, which in its judgment may cause or contribute to air or water pollution, according to levels and types of emissions and other characteristics which relate to air or water pollution, and may require reporting for any such class or classes. Classifications made pursuant to this section may be for application to the state as a whole or to any designated area of the state, and shall be made with special reference to effects on health, economic, social and recreational factors, and physical effects on property.

(2) Any person operating or responsible for the operation of air or water contaminant sources of any class for which the rules and regulations of the commission require reporting shall make reports containing information as may be required concerning location, size and height of contaminant outlets, processes employed, fuels used and the nature and time period or duration of emissions, and such other information as is relevant to air and water pollution and available or reasonably capable of being assembled.

Section 12. Confidential records.—Any information relating to secret processes, methods of manufacture or production which may be required, ascertained or discovered by inspection or investigation, shall not be disclosed in public hearings and shall be kept confidential by any member, officer or employee of the commission. Provided that nothing herein shall be construed to prevent the use of such records in judicial proceedings in connection with the prosecution of violations of this act, when ordered to be produced by appropriate subpoena or by order of the court. No such subpoena or order of the court shall abridge or alter the rights or remedies of persons affected in the protection of trade secrets or secret processes, in the manner provided by law, and such persons affected may take any and all steps available by law to protect such trade secrets or processes.

Section 13. Enforcement; procedure.—

(1) If the commission has reason to believe a violation of any provision of this act has occurred, it shall cause written notice to be served upon the alleged violator or violators. The notice shall specify the provision of the law, rule or regulation alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order that corrective action be taken within a reasonable time. No such order shall become effective except after reasonable notice and the order is served upon the person or persons named therein and a hearing held if requested within the time specified in the notice; except that injunctive relief may be sought as provided under section 14.

(2) If, after hearing, the commission finds that a violation or violations have occurred, it shall affirm or modify its order previously issued, or issue an appropriate order or orders for the prevention, abatement or control of the emissions or pollution involved or for the taking of such other corrective action as may be appropriate. Any order issued prior to a hearing as a part of a notice provided in subsection (1) of this section, or any order issued after a hearing may prescribe the date by which the violation shall cease by fixing reasonable timetables for necessary action to prevent, abate or control the pollution. If after hearing on an order contained in a notice, the commission finds that no violation is occurring, it shall rescind the order.

(3) All testimony taken at any such hearing before the commission shall be under oath or affirmation. A full and complete record of all proceedings and testimony presented shall be taken and filed, and upon payment and receipt of all costs or fees allowed therefor, a certified transcript of the whole or any part of the record shall be furnished to any party in such hearing requesting the same. Upon application of any party, the commission shall compel the attendance of witnesses and the production of evidence.

Section 14. Injunctive relief; emergency procedure.—If preventive or corrective measures are not taken in accordance with any order of the commission, or if the director finds that a generalized condition of air or water pollution exists and that it creates an emergency requiring immediate action to protect human health or safety, the director shall institute proceedings in a court of competent jurisdiction for injunctive relief to enforce this act or rules or regulations or orders pursuant hereto. Such injunctive relief may include both temporary and permanent injunctions.

Section 15. Additional civil liability; assessment of damages.—Whoever causes an unlawful discharge of contaminants into the waters of this state which results in damage to the fish and fish food or other damage to said waters is liable to the state for such damages and the reasonable costs and expenses of the state incurred in tracing the source of the discharge and in restoring the waters to their former condition. Upon the request of any state agency or the alleged violator, the commission may consider and assess these damages. If the amount so assessed is not paid within a reasonable time as prescribed by the commission, the commission may institute civil action in the appropriate court for a judicial determination

of liability and damages. Nothing herein shall give the commission the right to bring an action on behalf of any private person. Nothing herein shall prohibit the commission from proceeding forthwith to obtain a judicial determination of the liability and damages. No finding, written report or recommendation of the commission made pursuant to this section shall be admissible in evidence in any action.

Section 16. Compliance with rules or orders of commission.—All rules or orders of the commission which require action to comply with standards adopted by it, or orders to comply with any provisions of this act, may specify a reasonable time for such compliance.

Section 17. Prohibition, violation, penalty, intent.—

(1) It shall be unlawful for any person to cause the pollution of any of the air or waters of this state in violation of or by failure to comply with any order of the commission, including orders or rules fixing standards of air and water quality, or permits issued pursuant to its authority.

(2) Violation is punishable by a civil penalty of not more than one thousand dollars (\$1,000.00) for the first offense and of not more than one thousand dollars (\$1,000.00) for each offense thereafter. Each day during any portion of which such violation occurs constitutes a separate offense.

(3) Violation of any order issued by the commission is a misdemeanor and is punishable by imprisonment for not more than one (1) year or a fine of not more than one thousand dollars (\$1,000.00) for each violation. Each day during any portion of which such violation occurs constitutes a separate offense.

(4) It is the legislative intent that the civil and criminal penalties and fines imposed by the court be of such amount as to insure immediate and continued compliance with this act and rules or regulations pursuant thereto.

Section 18. Judicial review.—Any party aggrieved by any action of the commission may seek appropriate judicial review.

Section 19. Local pollution control programs.—

(1) Each county and municipality or any combination thereof may establish and administer a local pollution control program if it complies with this act. Local pollution control programs in existence on the effective date of this act shall not be ousted of jurisdiction if such local program complies with this act. All local pollution control programs, whether established before or after the effective date of this act, must:

(a) Be approved by the commission as adequate to meet the requirements of this act and any applicable rules and regulations pursuant thereto.

(b) Provide by ordinance, regulation, or local law for requirements compatible with, or stricter or more extensive than those imposed by this act and regulations issued thereunder.

(c) Provide for the enforcement of such requirements by appropriate administrative and judicial process.

(d) Provide for administrative organization, staff, financial and other resources necessary to effectively and efficiently carry out its program.

(2) The commission shall have the exclusive authority and power to require and issue permits; provided, however, that the commission may delegate its power and authority to local pollution control organizations if the commission finds it necessary or desirable to do so.

(3) If the commission finds that the location, character or extent of particular concentrations of population, contaminant sources, the geographic, topographic or meteorological considerations, or any combinations thereof, are such as to make impracticable the maintenance of appropriate levels of air and water quality without an areawide pollution control program, the commission may determine the boundaries within which such program is necessary and require it as the only acceptable alternative to direct state administration.

(4)(a) If the commission has reason to believe that a pollution control program in force pursuant to this section is inadequate to prevent and control pollution in the jurisdiction to which such program relates, or that such program is being administered in a manner inconsistent with the requirements

of this act, the commission shall, on due notice, conduct a hearing on the matter.

(b) If, after such hearing, the commission determines that such program is inadequate to prevent and control pollution in the municipality, county, or municipalities or counties to which such program relates, or that such program is not accomplishing the purposes of this act, it shall require that necessary corrective measures be taken within a reasonable period of time, not to exceed ninety (90) days.

(c) If the municipality, county, or municipalities or counties fail to take such necessary corrective action within the time required, the commission shall administer within such municipality, county, or municipalities or counties all of the regulatory provisions of this act. Such pollution control program shall supersede all municipal or county pollution laws, regulations, ordinances and requirements in the affected jurisdiction.

(d) If the commission finds that the control of a particular class of contaminant source because of its complexity or magnitude is beyond the reasonable capability of the local pollution control authorities or may be more efficiently and economically performed at the state level, it may assume and retain jurisdiction over that class of contaminant source. Classifications pursuant to this paragraph may be either on the basis of the nature of the sources involved or on the basis of their relationship to the size of the communities in which they are located.

(5) Any municipality or county in which the commission administers its pollution control program pursuant to subsection (4) of this section may with the approval of the commission establish or resume a municipal or county pollution control program which meets the requirements of subsection (1) of this section.

Section 20. Construction in relation to other law.—

(1) It is the purpose of this act to provide additional and cumulative remedies to prevent, abate, and control the pollution of the air and waters of the state. Nothing contained herein shall be construed to abridge or alter rights of action or remedies in equity under the common law or statutory law, criminal or civil, nor shall any provisions of this act, or any act done by virtue thereof, be construed as estopping the state or any municipality, or person affected by air or water pollution, in the exercise of their rights in equity or under the common law or statutory law to suppress nuisances or to abate pollution.

(2) No civil or criminal remedy for any wrongful action which is a violation of any rule or regulation of the commission shall be excluded or impaired by the provisions of this chapter.

(3) This act shall limit and restrict the application of chapter 24952, laws of Florida, acts of 1947, to any person operating any industrial plant that has located in the state of Florida in reliance thereon and exercised rights and powers granted thereby on and before the effective date of this act; provided such person shall henceforth in the exercise of such rights and powers install and use treatment works or control measures generally equivalent to those installed and used by other similar industrial plants pursuant to the requirements of the commission.

Section 21. Variances.—

(1) Upon application the commission in its discretion may grant a variance from the provisions of this act or the rules and regulations adopted pursuant hereto. Variances and renewals thereof may be granted for any one of the following reasons:

(a) There is no practicable means known or available for the adequate control of the pollution involved.

(b) Compliance with the particular requirement or requirements from which a variance is sought will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time. A variance granted for this reason shall prescribe a timetable for the taking of the measures required.

(c) To relieve or prevent hardship of a kind other than those provided for in items (a) and (b) above. Variances and renewals thereof granted under authority of this paragraph (c) shall each be limited to a period of twenty-four (24) months.

(2) The commission or its duly designated hearing officer shall hold a hearing on each application for a variance. The hearing procedures of section 6 shall apply at such hearing.

(3) The commission may prescribe such time limits and other conditions to the granting of a variance as it shall deem appropriate.

Section 22. Regulations validated.—Any regulations adopted or orders issued by the Florida air pollution control commission and effective in any air pollution control district on the effective date of this act and rules, regulations and orders of the state board of health relating to air or water quality or pollution, are hereby validated as though adopted pursuant to the provisions of this chapter, and shall continue in effect and be enforced until repealed by the commission.

Section 23. Pending proceedings.—No legal proceedings shall be abated because of any transfers made in this section, but the appropriate party exercising like authority or performing like duties or functions shall be substituted in said proceedings.

Section 24. Attorney general to represent the state.—The attorney general shall represent the state and its agencies as legal advisor in carrying out the provisions of this act.

Section 25. Classification of control devices for tax purposes.—

(1) If it becomes necessary for any person, firm or corporation owning or operating a manufacturing or industrial plant or installation to construct or install a facility, as is hereinafter defined, in order to eliminate or reduce industrial air or water pollution, any such facility or facilities shall be deemed to have value for purposes of assessment for ad valorem property taxes no greater than its market value as salvage. Any facility as herein defined heretofore constructed shall be assessed in accordance with this section.

(2) If the owner of any manufacturing or industrial plant or installation shall find it necessary in the control of industrial contaminants to demolish and reconstruct that plant or installation in whole or part and the tax assessor determines that such demolition or reconstruction does not substantially increase the capacity or efficiency of such plant or installation or decrease the unit cost of production, then in that event, such demolition or reconstruction shall not be deemed to increase the value of such plant or installation for ad valorem tax assessment purposes.

(3) Notwithstanding the foregoing provisions, nothing in this section shall prevent an increase in in the assessment of the plant or installation (a) in any year where the taxable property in the county is being reassessed or revalued in the manner provided by chapter 193.03, Florida Statutes; or (b) if the assessed value of such plant or installation or parts thereof, during the year preceding the removal, was less than its just value as required by section 1, article IX, of the constitution of the state of Florida, and section 193.021, Florida Statutes; or (c) in the tenth (10th) year after the completion of the reconstruction and replacement and thereafter. The provisions of this subsection shall apply only if the demolition or removal shall commence prior to September 1, 1969, and if the reconstruction and replacements, in lieu thereof are completed and installed prior to September 1, 1971.

(4) The terms "facility" or "facilities" as used in this section shall be deemed to include any device, fixture, equipment, or machinery used primarily for the control or abatement of pollution or contaminants from manufacturing or industrial plants or installations, but shall not include any public or private domestic sewage system or treatment works.

(5) Any taxpayer claiming the right of assessments for ad valorem taxes under the provisions of this law shall so state in a return filed as provided by law giving a brief description of the facility. The tax assessor may require the taxpayer to produce such additional evidence as may be necessary to establish taxpayer's right to have such properties classified hereunder for assessments.

(6) No sales, use or privilege taxes under chapter 212, Florida Statutes, shall be collected with respect to any facility as herein defined nor shall any such tax be collected with respect to any structures, machinery or equipment installed in the reconstruction or replacement of such articles in the

manner provided in subsection (2) hereof. The revenue commission shall prescribe rules and regulations to implement this subsection.

(7) If a tax assessor is in doubt whether a taxpayer is entitled, in whole or in part, to an assessment under this act, he may refer the matter to the commission for a recommendation. If he so refers the matter, he shall notify the taxpayer of such action. The commission shall immediately consider whether or not such taxpayer is so entitled and certify its recommendation to the tax assessor.

(8) The commission shall promulgate rules and regulations regarding the application of the tax assessment provisions of this act for the consideration of the several city and county tax assessors of this state. Such rules and regulations shall be distributed to the several city and county tax assessors of this state and to the Florida revenue commission.

Section 26. Severability clause.—If any provision of this act or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 27. Safety clause.—The legislature hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health and safety.

Section 28. This act shall take effect September 1, 1967.

The Conference Committee on the Committee Substitute for Senate Bill 520, offers the following amendment:

Amendment 2

Strike everything preceding the enacting clause and insert the following:

A bill to be entitled

An act relating to air and water pollution control; repealing chapter 403, and section 381.031(1)g(7), Florida Statutes, and the rule-making jurisdiction of all other state agencies with respect to pollution control; declaring legislative intent; defining terms; establishing and assigning duties to the Florida air and water pollution control commission; enumerating powers of the commission; establishing hearing procedure; providing for a director; providing for enforcement procedure and injunctive relief; imposing additional civil liability and providing for the assessment of damages; making pollution of the air and water unlawful and establishing penalties therefor; providing for local pollution control programs; validating regulations; providing for variances; classifying certain pollution control devices for tax purposes, exemptions and assessments; and providing an effective date.

Senator Friday moved the adoption of the Conference Committee Report on CS for SB 520.

Senator Shevin offered a substitute motion that the Conference Committee report be rejected, that the conferees be discharged, new conferees appointed and instructed to resolve the differences between the Senate and the House and not write any new language or provisions into the bill. The substitute motion failed and the vote was:

Yeas—10

Cross	Hollahan	Stolzenburg	Wilson
Fincher	Shevin	Thomas	
Haverfield	Spencer	Weissenborn	

Nays—33

Mr. President	Edwards	Johnson	Reuter
Askew	Elrod	Knopke	Sayler
Bafalis	Fisher	Lane	Slade
Barrow	Friday	McClain	Stockton
Bell	Gibson	Mathews	Weber
Boyd	Griffin	O'Grady	Young
Broxson	Gunter	Ott	
Chiles	Henderson	Plante	
de la Parte	Horne	Poston	

The question recurred on the adoption of the Conference Committee report and the report was adopted. The vote was:

Yeas—43

Mr. President	Elrod	Horne	Saylor
Askew	Fincher	Johnson	Shevin
Bafalis	Fisher	Knopke	Slade
Barrow	Friday	Lane	Spencer
Bell	Gibson	McClain	Stockton
Boyd	Gong	Mathews	Stolzenburg
Broxson	Griffin	O'Grady	Thomas
Chiles	Gunter	Ott	Weber
Clayton	Haverfield	Plante	Wilson
de la Parte	Henderson	Poston	Young
Edwards	Hollahan	Reuter	

Nays—2

Cross Weissenborn

EXPLANATIONS OF VOTE

On motion to accept report of Conference Committee on disagreeing votes of the two Houses on CS for SB 520.

At the twelfth hour the polluters succeeded in polluting the anti-pollution bill. Although there was no disagreement between the two houses on the point, the Conference Committee wrote in a section giving tax exemptions and tax relief to the polluters with reference to their anti-pollution equipment and reconstruction, etc. I am reminded of a political cartoon showing two fat senators rolling an oil barrel out the United States' capitol and over a pathetic figure identified as John Q. Public. The oil barrel was labeled "Tideland Oil Bill". The caption of the cartoon was: "Roll Out The Barrel." The people lost again with the inclusion of Section 25 (the tax exemption section) in the Conference Committee Report on this bill. I, for one, refuse to be a part of this and, I accordingly, voted against accepting the Conference Committee Report.

LEE WEISSENBORN
Senator, 42nd District

When the 1967 regular session opened, I was vitally concerned with the immediate need for effective legislation to control air and water pollution. I introduced what I believe to be the best legislation to accomplish this aim. My bill was killed in the Committee on Water Conservation, Salt Water and Natural Resources. The bill reported out of the Conference Committee was a good bill, with one exception which made it impossible for me to vote for it. The Conference Committee wrote into the bill a provision requiring the tax assessors of the various counties to assess all equipment at salvage value used by any industry for the purpose of preventing pollution regardless of its true value. This equipment would also be exempt from the sales tax. These same industries enjoy at the present time an exemption from payment of the sales tax above the value of \$5,000.00 on all heavy equipment they purchase. In short, the special interests prevailed in polluting a good anti-pollution bill.

J. EMORY CROSS
Senator, 7th District

On motion by Senator Friday, Conference Committee Amendment 1, attached to and made a part of the foregoing Conference Committee report, was adopted.

On motion by Senator Friday, Conference Committee Amendment 2, attached to and made a part of the foregoing Conference Committee report, was adopted.

On motion by Senator Friday, CS for SB 520, as amended by the Conference Committee Report, was read in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill as amended was certified to the House.

The Senate resumed consideration of the—

SPECIAL AND CONTINUING ORDER

SB 807—A bill to be entitled An act providing for relief from oppressive taxation by providing a limitation on the amount of ad valorem taxes which may be collected annually by the counties of this state on homestead property and on other land and improvements, except for educational purposes and certain existing obligations as provided by the constitution of the state of Florida; and providing an effective date.

Was taken up, having been read the second time by title and deferred this day.

Senators Boyd, Barron, Chiles and Mathews offered the following amendment which was adopted on motion by Senator Barron:

Strike everything after the enacting clause and insert the following:

Section 1. (1) The board of county commissioners of any county and all other governing boards or governing authorities of all other taxing districts, within or partially within, or within any portion of such county, shall not levy more than a total of ten (10) mills on the dollar of assessed value, for the fiscal years 1968-69 and 1969-70, except for special benefits and debt service on obligations issued after a freeholders election held pursuant to law. This section shall not apply to the board of public instruction of such county.

(2) The millage levied in accordance with this section shall be apportioned by the board of county commissioners among the said board and the other governing boards and governing authorities of all other taxing districts, within or partially within, or within any portion of such county. No part of the millage levied pursuant to this section shall be apportioned to the board of public instruction.

Section 2. The board of public instruction of any county shall not levy more than a total of ten (10) mills on the dollar of assessed value, for the fiscal years 1967-68, 1968-69 and 1969-70, except for special benefits and debt service on obligations issued after a freeholders election held pursuant to law.

Section 3. Millage in excess of the limits prescribed in sections 1 and 2 hereof, may be levied if approved by a majority of those voting at a referendum election of the freeholders of that county. In order to hold such a referendum election the governing board, authority or taxing district requesting such increase in the millage shall adopt a resolution calling a public meeting for the purpose of explaining and discussing such proposed increase in the millage and fixing the time and place for such meeting, and it shall thereupon publish a notice of such meeting for two (2) successive weeks in a newspaper of general circulation published in the county in which the meeting is to be held, said meeting shall be held not less than five (5) nor more than ten (10) days from the date of the last publication of the notice. Such notice shall briefly state the amount of increase sought and reasons for such increase. At the meeting the proposed increase in the millage shall be explained and discussed and an opportunity shall be afforded the taxpayers present to discuss and object to the same. The referendum election shall be held not more than sixty (60) days nor less than thirty (30) days following the public meeting. Notice of such referendum election shall be published in the newspaper of general circulation in the county once a week for at least four (4) successive weeks prior to the election. No increase shall be effective for more than two (2) years.

Section 4. If upon the effective date of this act the millage in any county exceeds the limits prescribed in either sections 1 and 2 hereof, such millage shall be reduced to that provided for in sections 1 and 2 on or before the fiscal year 1970-71 unless such excess millage is approved at a referendum election of the freeholders of that county in the manner prescribed in section 3 hereof.

Section 5. (1) The board of county commissioners of any county and all other governing boards or governing authorities of all other taxing districts, within or partially within, or within any portion of such county, shall not levy more than a total of seven and one-half (7 1/2) mills on the dollar of assessed value for the fiscal years 1970-71 and subsequent years except for special benefits and debt service on obligations issued after a freeholders election held pursuant to law. This section shall not apply to the board of public instruction of such county.

(2) The millage levied in accordance with this section shall be apportioned by the board of county commissioners among the said board and the other governing boards and governing authorities of all other taxing districts, within or partially within, or within any portion of such county. No part of the millage levied pursuant to this section shall be apportioned to the board of public instruction.

Section 6. The board of public instruction of any county shall not levy more than seven and one-half (7 1/2) mills on the dollar of assessed value, for the fiscal years 1970-71, and subsequent years, except for special benefits and debt service on obligations issued after a freeholders election held pursuant to law.

Section 7. Millage in excess of the limits prescribed in sections 5 and 6 hereof, may be levied if approved by a majority of those voting at a referendum election of the freeholders of that county. In order to hold such a referendum election the governing board, authority or taxing district requesting such increase in millage shall adopt a resolution calling a public meeting for the purpose of explaining and discussing such proposed increase in the millage and fixing the time and place for such meeting, and it shall thereupon public a notice of such meeting for two (2) successive weeks in a newspaper of general circulation published in the county in which the meeting is to be held, which meeting shall be held not less than five (5) nor more than ten (10) days from the date of the last publication of the notice. Such notice shall briefly state the amount of increase sought and reasons for such increase. At the meeting the proposed increase in the millage shall be explained and discussed and an opportunity shall be afforded the taxpayers present to discuss and object to the same. The referendum election shall be held not more than sixty (60) days nor less than thirty (30) days following the public meeting. Notice of such referendum election shall be published in the newspaper of general circulation in the county once a week for at least four (4) successive weeks prior to the election. No increase shall be effective for more than two (2) years.

Section 8. The comptroller of the state of Florida is hereby directed to determine each year whether the several counties of this state are assessing the real and personal property within their jurisdiction in accordance with law. If the comptroller determines that any county is assessing property at less than that prescribed by law, the comptroller shall withhold from such county a portion of any state funds to which the county so assessing may be entitled equal to the taxes that would have been assessed by the county if its property were assessed in accordance with law.

Section 9. If any provision of this act is held to be inoperative or unconstitutional, the remainder hereof shall be unaffected thereby and shall remain in full force and effect.

Section 10. All general, special and local laws in conflict herewith are hereby repealed.

Section 11. This act shall become effective January 1, 1968.

Senators Boyd, Barron and Chiles offered the following amendment which was adopted on motion by Senator Barron:

Strike: the entire title and insert the following:

A bill to be entitled an act limiting the millages levied by the board of county commissioners and all other governing boards or governing authorities of all other taxing districts within or partially within, or within any portion of such county to not more than ten (10) mills for fiscal years 1967-68, 1968-69 and 1969-70; providing for the apportionment thereof between the governing boards and governing authorities of all other taxing districts by the board of county commissioners; providing a limit on millage for the board of public instruction to ten (10) mills for fiscal years 1967-68, 1968-69 and 1969-70; providing for limit of seven and one half (7 1/2) mills for fiscal year 1970-71 and subsequent years for county commissioners and all other governing boards or governing authorities of all other taxing districts as well as the boards of public instruction; providing for an increase by referendum after public hearing by a vote of the freeholders; providing for an exception for specified fiscal years; providing for the withholding of state funds upon determination by the comptroller of the state of Florida; providing for the repeal of all general, special and local laws in conflict; providing severability of provisions; and providing an effective date.

On motion by Senator Barron, the rules were waived and SB 807 as amended was read the third time in full and passed. The vote was:

Yeas—41

Mr. President	de la Parte	Henderson	Slade
Askew	Edwards	Hollahan	Spencer
Bafalis	Elrod	Horne	Stockton
Barron	Fincher	Knopke	Stolzenburg
Barrow	Fisher	McClain	Stone
Bell	Friday	Mathews	Thomas
Boyd	Gibson	O'Grady	Weber
Broxson	Gong	Ott	Young
Chiles	Griffin	Plante	
Clayton	Gunter	Poston	
Cross	Haverfield	Shevin	

Nays—6

Johnson	Reuter	Weissenborn	Wilson
Lane	Sayler		

The bill was ordered engrossed.

SPECIAL AND CONTINUING ORDER FOR 1:30 P.M.

SB 551 was taken up, together with:

By the Committee on Finance and Taxation—

CS for CS for SB 551—A bill to be entitled An act relating to thoroughbred horse racing; amending section 550.081, Florida Statutes, by creating a one hundred twenty (120) day annual summer thoroughbred horse racing season and by authorizing the state racing commission to issue an additional permit for such summer thoroughbred horse racing; providing that no single horse race track shall operate in both summer and winter horse racing seasons; providing a deadline for selection of racing periods; amending section 550.084, Florida Statutes, to provide for time of operation and charity days for summer thoroughbred horse racing; amending section 550.085, Florida Statutes, to provide for tax, commission, breakage on summer thoroughbred racing; repealing section 550.086, Florida Statutes, relating to summer thoroughbred racing periods; amending section 550.087, Florida Statutes, to provide for a minimum purse per race of two thousand dollars (\$2,000.00); amending section 550.088, Florida Statutes, to provide for allocation and reallocation of racing periods; providing an effective date.

—which was read the first time by title and SB 551 was laid on the table.

On motion by Senator Hollahan, the rules were waived and CS for CS for SB 551 was read the second time by title.

Senator Barrow offered the following amendment:

In Section 1, lines 20 and 21, page 6, strike: "November, 1967, and on or before the first day of November" and insert the following: October, 1967, and on or before the first day of October

Senator Hollahan offered and moved the adoption of the following substitute amendment:

Strike: everything after the enacting clause and insert the following: "Section 1. Subsections (1), (2), (3), (4), and (6) of section 550.081, Florida Statutes, are amended to read:

550.081 Allocation of horse racing periods of operation.—

(1) It is the finding of the legislature of the state that the operation of horse racing and legalized pari-mutuel and mutuel betting at horse race tracks in this state is a substantial business compatible to the best interests of the state and the taxes derived therefrom constitute an integral part of the tax structures of the state and counties. It is the further finding of the legislature that two (2) or more horse race tracks located within a radius of one hundred (100) air miles of each other cannot operate on the same racing days without endangering the tax revenue derived therefrom and the general welfare of the public. It is the further finding of the legislature that where more than one (1) horse race track is located in a radius of one hundred (100) air miles of one (1) or more horse race tracks and the allocation and distribution of periods of operation to and between said horse race tracks is vested solely in the discretion of the state racing commission, that the power to change, alter and vary such racing periods from year to year,

as it may see fit, is unsound and unwise, and creates a condition of uncertainty which retards the natural expansion and development of this business and influences and affects the financial stability of the state and counties. It is the further finding of the legislature that due to the emergence of Florida as a year round tourist state, a one hundred twenty (120) day summer thoroughbred horse racing season would be a substantial business compatible to the best interest of the state and the taxes derived therefrom would constitute an integral part of the tax structures of the state and counties. It is the further finding of the legislature that in order to operate a racing season profitably in the summer, the period of operation must be substantially longer than forty (40) days and that the tax structure to be applied to such summer racing must, at least temporarily, be somewhat more favorable to such track operating during the summer season than the tax structure presently applicable to the winter racing season. It is therefore declared to be the policy of the state that the present danger to the growth and welfare of horse racing and to the tax structure of the state and counties be eliminated insofar as the discretionary powers of the state racing commission in allocating dates to the horse tracks is concerned and this enactment is made pursuant to and for the purpose of carrying out such policy.

(2) Where three (3) or more horse race tracks in this state are located in a radius of one hundred (100) air miles of each other, there shall be four (4) annual periods of operating such horse race tracks, as follows:

(a) Period 1: A period of forty (40) consecutive days, exclusive of Sundays, beginning no earlier than December 1 of each year.

(b) Period 2: A period of forty (40) consecutive days, exclusive of Sundays, immediately following period 1.

(c) Period 3: A period of forty (40) consecutive days, exclusive of Sundays, immediately following period 2.

(d) Period 4: A period of one hundred twenty (120) consecutive days, exclusive of Sundays, beginning no sooner than ten (10) days following the close of period 3.

Periods 1 through 3 in the aggregate, shall be known as the annual winter thoroughbred horse racing season.

Period 4 shall be known as the annual summer thoroughbred horse racing season.

(3) The racing periods herein above established shall be annually allocated by the state racing commission in the following manner: The horse race track having produced the largest amount of tax revenue during the preceding year of its operation shall be granted its choice of the established racing periods. The horse race track having produced the second largest amount of tax revenue during the preceding year of its operation shall then be granted its choice of the remaining established racing periods. The horse race track having produced the third largest amount of tax revenue during the preceding year of its operation shall then be granted its choice of the remaining established racing periods. The horse race track having produced the fourth largest amount of tax revenue during the preceding year of its operation shall be allocated the remaining established racing period; provided, however, that if any one (1) or more tracks entitled to a choice of racing periods as provided for herein shall fail to make a selection, the state racing commission shall thereupon assign a racing period to said track or tracks, which period it shall be required to operate unless relieved therefrom by order of the state racing commission; provided further, that if any track heretofore allocated racing dates, shall fail or refuse to operate for its full racing period, unless prohibited by law or causes beyond its control then the state racing commission may, upon request of any one (1) of the remaining tracks affected by this law, allocate the remaining racing dates to any or all of the remaining established horse racing tracks; provided further, that no horse racing track shall operate during both the annual winter thoroughbred horse racing season and the annual summer thoroughbred horse racing season within a period of twelve (12) calendar months, but each horse racing track must choose the season in which it will operate.

(4) On or before the first day of November, 1967, and on or before the first day of November of each succeeding year, each of the horse race tracks shall file in writing with the state racing commission in accordance with the procedure set forth in subsections (2) and (3) of this section, its selection

of the racing period herein above established that it desires to operate and conduct its racing meet. On or before the fifteenth day of November, 1967, and on or before the fifteenth day of November of each succeeding year, the state racing commission shall issue an annual license authorizing the permit holder to conduct a racing meet during the period set forth therein. Such license shall be issued by the state racing commission to the permit holder on the basis of and in accordance with the procedure set forth in subsections (2) and (3) of this section.

(6) The state racing commission is hereby prohibited from granting any permit and there shall be no election in any county for the ratification of rejection of any permit to conduct horse racing, sulky or harness racing at a location in the area in which there are three (3) horse race tracks located within one hundred (100) air miles of each other; provided, however, that permits issued prior to May 21, 1966, shall not be affected by this subsection of this section; provided further, that the state racing commission shall issue one (1) additional horse race track permit so as to raise the total number of such permit holders in such area to a maximum of four (4), so that there shall be one (1) horse race track permit holder for each of the four (4) racing periods set forth in subsection (2) of this section; and provided further, that the provisions of this chapter which prohibit the location and operation of a licensed horse race track within one hundred (100) air miles of the location of an existing horse race track authorized to conduct racing under the provisions of this chapter and which prohibit the state racing commission from granting any permit to a horse race track at a location within an area in which there are three (3) horse race tracks located within one hundred (100) air miles of each other shall not be applicable to the issuance of a fourth horse race track permit as provided for in this section.

Section 2. Section 550.084, Florida Statutes, is amended to read:

(Substantial rewording of section. See section 550.084, Florida Statutes, for present text.)

550.084 Summer thoroughbred horse racing period authorized.—

(1) In any area in which summer racing is permitted under the terms of section 550.081, Florida Statutes, such racing may be held for a period of one hundred twenty (120) consecutive days, exclusive of Sundays, beginning no sooner than ten (10) days following the close of the annual winter thoroughbred horse racing season, and such summer racing shall be conducted between the hours of 12 o'clock noon and 6 o'clock p.m., eastern standard time or daylight saving time, if daylight saving time is effective in Florida.

(2) The "annual period" of operation for thoroughbred horse race tracks as used and referred to in section 550.081, Florida Statutes, shall mean and refer to the annual racing period of such horse race tracks, whether during the winter or summer racing seasons.

(3) The limitation of days of horse racing provisions of sections 550.04, 550.08 and 550.29, Florida Statutes, shall not apply to the summer thoroughbred racing season. No racing shall be permitted on Sunday and no minors, except jockey apprentices, exercise boys, and grooms, shall be permitted to attend said races or to be employed in any manner by a track.

(4) (a) Notwithstanding anything in this act to the contrary, the Florida state racing commission may extend the summer thoroughbred horse racing period not to exceed one (1) day for each forty (40) day period of racing beyond the period provided in subsection (1) so that any track may conduct a charity day of racing for each forty (40) day period of its operation, for any one (1) or more recognized and established charitable institutions located within one hundred (100) miles road travel of the race track holding such charity day of racing; and provided further, that for the purposes of this act the university of Miami, Jacksonville university, Nova university of advanced technology and other institutions of higher learning, including junior colleges not already participating in charity or scholarship racing days, shall be deemed to be charitable institutions and that a portion of the proceeds available for the charitable purposes in an amount not less than twenty-five per cent (25%) may be paid over to and for the benefit of the said charitable institutions of higher learning in said areas; and provided further, that the total of all profits derived from the operations of such racing on such charity day, including all moneys which would otherwise be received by the state racing

commission as taxes for such day's operation shall be and become a part of the charity trust fund for which such racing on such days is conducted.

(b) Provided further, that in determining profits derived from such racing on such charity day, which profits shall include all taxes payable to the state or any agency thereof for such day's operations without the initial expense of operational allowance provided by law for dog tracks, said tracks shall only be entitled to deduct from the profits accruing from all receipts on such charity day of racing their actual operating costs, which costs shall be those expenses incurred by the race track solely by reason of holding said charity day of racing and shall not be deemed to include such expenses constant from day to day and which would have been incurred had the race on that day not been held; including, but not limited to, such items as capital expenditures; interest on debts; real estate taxes and annual license fees; donations; bad debts; and such other items of daily or prorated expense as the racing commission may by rule prescribe.

(c) Provided further, that in addition to any charity days as herein provided the state racing commission is authorized to grant one (1) additional day of racing for each forty (40) day period during the summer thoroughbred horse racing period upon application and agreement by any track in which one (1) specific day of any meet shall be set aside, and all profit, less actual operating cost, from such specific day's operation of such track, including all taxes payable to the state or any agency thereof for such day's operation shall be paid into the state treasury for a scholarship trust fund which shall be administered by the board of regents of the state for the granting of scholarships for the purpose of attending the institutions of higher learning of the state upon such terms and conditions as the said board may from time to time prescribe. Actual operating costs of any track conducting such additional day of racing to be deducted from all receipts on such additional day of racing shall not include expenses constant from day to day and which would have been incurred had the race on that day not been held; including, but not limited to, such items as capital expenditures; interest on debts; real estate taxes and annual license fees; donations; bad debts; and such other items of daily or prorated expense as the racing commission may by rule prescribe.

(d) The provisions of this subsection will be in addition to and supplemental to sections 550.03 and 550.08, Florida Statutes, and this section, and shall be construed as authority for granting additional days of racing above the total days provided in said sections.

Section 3. Subsection (1) of section 550.085, Florida Statutes, is amended to read:

550.085 Summer thoroughbred racing; tax; commission; breakage; admissions and occupational license tax.—

(1) Each licensee conducting a horse race meeting during the summer thoroughbred racing season shall pay a tax equal to eight per cent (8%) of the total contributions to all pari-mutuel pools there conducted and made on any every horse race, which tax shall be paid to the state treasurer in his capacity as ex officio treasurer of the commission. After expenses of the commission are paid, the state treasurer as ex officio treasurer of the commission shall divide the proceeds realized from the eight per cent (8%) tax hereby imposed into as many equal parts as there are counties in the state and shall remit one (1) part to each county on or before December 1 of each year during which summer thoroughbred horse racing has been conducted; provided that for the first year in which a licensee shall conduct a summer thoroughbred racing meet, such licensee, in lieu of the tax provided above, shall be permitted to operate the sale of pari-mutuel pools on the basis of a fixed daily license fee as provided in section 550.161, Florida Statutes, for pari-mutuel pools determined on the basis of the current meet rather than on the daily average mutuel pool of its preceding meet; provided further, that thereafter through the 1971 thoroughbred horse racing season, in any year following a year in which the average daily pari-mutuel pool of such licensee was less than four hundred thousand dollars (\$400,000.00) per day, such licensee shall, in lieu of the eight per cent (8%) tax provided above, be permitted to operate the sale of pari-mutuel pools on the basis of a fixed daily license fee as provided in section 550.161, Florida Statutes, determined as above.

Section 4. Section 550.087, Florida Statutes, is amended to read:

550.087 Minimum purse per race.—A permit holder licensed to conduct a summer thoroughbred horse race meeting shall pay a minimum purse of each race conducted by it of not less than two thousand dollars (\$2,000.00) and shall distribute in total purse money during its meet not less than ten per cent (10%) more than its daily minimum purse requirement. Such permit holders by application for and acceptance of a license for a summer race meeting shall be deemed to have agreed as a condition of the grant thereof that such minimum purses will be paid.

Section 5. Section 550.088, Florida Statutes, is amended to read:

550.088 Allocation or reallocation of racing days.—The state racing commission shall have the right to allocate or assign to another track or other tracks authorized to conduct summer thoroughbred horse racing, upon application therefore, any days or dates during the summer thoroughbred racing season which have not been applied for, provided the aggregate total number of summer thoroughbred horse racing days shall not exceed one hundred twenty (120) days, exclusive of Sundays, and exclusive of charity days and scholarship days as provided for in subsection (4) of section 550.084, Florida Statutes, for any one (1) horse racing licensee during the summer thoroughbred racing period and provided further that such application must be filed on or before November 10 of each year, beginning November 10, 1967, and provided further, that no single track shall conduct both summer thoroughbred horse racing and winter thoroughbred horse racing within a period of twelve (12) calendar months. The state racing commission shall have the right to reallocate or reassign to any other track or other tracks authorized to conduct summer thoroughbred horse racing any racing dates previously allocated or assigned to a licensed thoroughbred horse racing track when said summer racing dates have been abandoned, surrendered, or will not be used for any reason whatsoever, provided the aggregate total number of summer thoroughbred horse racing days permitted hereunder shall not exceed one hundred twenty (120) days, exclusive of Sundays, and exclusive of charity days and scholarship days as provided for in subsection (4) of section 550.084, Florida Statutes, for any one (1) horse racing licensee. The failure of any thoroughbred horse race track to apply for dates to conduct a summer thoroughbred racing meet in any one (1) or more years shall preclude such track from making such application in any subsequent year.

Section 6. Section 550.086, Florida Statutes, is repealed.

Section 7. This act shall take effect immediately upon becoming a law."

Senator Boyd moved the previous question on the adoption of the substitute amendment and the substitute amendment was adopted. The vote was:

Yeas—23

Bafalis	de la Parte	Johnson	Poston
Barron	Edwards	McClain	Reuter
Barrow	Friday	Mathews	Slade
Bell	Gibson	O'Grady	Stolzenburg
Chiles	Hollahan	Ott	Weber
Cross	Horne	Plante	

Nays—22

Mr. President	Fincher	Henderson	Stockton
Askew	Fisher	Knopke	Weissenborn
Boyd	Gong	Lane	Wilson
Broxson	Griffin	Saylor	Young
Clayton	Gunter	Shevin	
Elrod	Haverfield	Spencer	

Pending further consideration of CS for CS for SB 551 as amended, on motion by Senator Hollahan, the rules were waived and CS for HB 802 was withdrawn from the Committees on Ethics and Privileged Businesses; and Finance and Taxation and placed on the Calendar.

Unanimous consent was granted Senator Hollahan to take up out of order—

CS for HB 802—A bill to be entitled An act relating to thoroughbred horse racing; amending section 550.081, Florida Statutes, by creating a one hundred twenty (120) day annual summer thoroughbred horse racing season and by authorizing the state racing commission to issue an additional permit for such summer thoroughbred horse racing; providing that no

single horse race track shall operate in both summer and winter horse racing seasons; providing a deadline for selection of racing periods; amending section 550.084, Florida Statutes, to provide for time of operation and charity days for summer thoroughbred horse racing; amending section 550.085, Florida Statutes, to provide for tax, commission, breakage on summer thoroughbred racing; repealing section 550.086, Florida Statutes, relating to summer thoroughbred racing periods; amending section 550.087, Florida Statutes, to provide for a minimum purse per race of two thousand dollars (\$2,000.00); amending section 550.088, Florida Statutes, to provide for allocation and reallocation of racing periods; providing an effective date.

On motions by Senator Hollahan, the rules were waived and CS for HB 802 was read the second time by title, the third time in full and failed to pass. The vote was:

Yeas—18

Bafalis	Edwards	Johnson	Reuter
Barron	Friday	Mathews	Stolzenburg
Barrow	Gibson	O'Grady	Weber
Bell	Hollahan	Plante	
Cross	Horne	Poston	

Nays—24

Mr. President	de la Parte	Gunter	Shevin
Askew	Elrod	Haverfield	Spencer
Boyd	Fincher	Henderson	Stockton
Broxson	Fisher	Knopke	Weissenborn
Chiles	Gong	McClain	Wilson
Clayton	Griffin	Sayler	Young

PAIRS

The following Pairs were announced by the Secretary in accordance with Senate Rule 8.4:

I am paired with Senator Ott on CS for HB 802. If he were present he would vote "Yea" and I would vote "Nay."

DAVID C. LANE
Senator, 36th District

Dated July 12, 1967

I am paired with Senator Deeb on CS for HB 802. If he were present he would vote "Nay" and I would vote "Yea."

TOM SLADE
Senator, 9th District

Dated July 12, 1967

EXPLANATION FOR ABSTAINING FROM VOTING

The principal proponent of CS for HB 802 is a customer of a bank of which I serve as chairman of the board. Further, an investment banking firm which I serve as president formerly provided a substantial public underwriting for a company in which said proponent was a principal stockholder.

It is the undersigned's opinion that the foregoing business relations with the aforesaid proponent could possibly constitute a conflict of interest; therefore, I hereby disqualify myself from voting on this measure pursuant to Senate Rule 4.11(6).

JERRY THOMAS
Senator, 35th District

CS for CS for SB 551 as amended was laid on the table.

Senator Horne presiding.

SB 700 was taken up, together with:

By the Committee on Ethics and Privileged Businesses—

CS for SB 700—A bill to be entitled An act relating to summer thoroughbred horse racing; amending sections 550.084 (1), (3), 550.085, 550.086, 550.087 and 550.088, all Florida Statutes; providing that certain provisions of sections 550.04, 550.08 and 550.29, Florida Statutes, shall not apply to such summer horse racing; providing that the tax imposed by section 550.26, Florida Statutes, shall not apply to summer horse racing; changing racing dates and hours; fixing tax and commission; providing that the tax imposed by section 550.09, Florida

Statutes, shall not apply to summer horse racing; fixing racing dates and allocation of certain racing days respectively; creating section 550.091, Florida Statutes, regulating breeders' awards; providing an effective date.

—which was read the first time by title and SB 700 was laid on the table.

On motion by Senator Fincher, the rules were waived and CS for SB 700 was read the second time by title.

Senator Fincher offered the following amendment which was adopted:

In Section 6, lines 22 through 26, page 6, strike the following: "The failure of any thoroughbred horse race track to apply for dates to conduct a summer thoroughbred racing meet in any one (1) or more years shall not preclude such track from making such application in any subsequent year." and insert the following: In the event one or more of said permittees herein designated does not apply each year for the Summer Thoroughbred Horse Racing dates herein provided then said permittees shall thereafter be prohibited from applying for summer thoroughbred horse racing dates and in that event the racing commission is hereby authorized to issue a new permit for summer thoroughbred horse racing.

The Committee on Finance and Taxation offered the following amendment which was adopted on motion by Senator Fincher:

In Section 1, line 22, page 1, strike: the words and figures "Subsections (1) and (3)" and insert the following: Subsection (1)

The Committee on Finance and Taxation also offered the following amendment which was adopted on motion by Senator Fincher:

Line 18, page 2, following the words "horse racing season," and preceding the figure "(3)" on line 19, add the following:

Section 2. Subsection (3) of section 550.084 Florida Statutes is amended to read:

550.084 Summer thoroughbred horse racing period authorized.—

The Committee on Finance and Taxation also offered the following amendment which was adopted on motion by Senator Fincher:

In Section 1, Subsection (1), line 10, page 2, strike: "[6:00] 7:00 p.m., [eastern standard] daylight saving" and insert the following: [6:00] 6:30 p.m., eastern standard or daylight saving

The Committee on Finance and Taxation also offered the following amendment which was adopted on motion by Senator Fincher:

In Section 2, line 28, page 2, through line 2, page 3, strike all of Section 2.

The Committee on Finance and Taxation also offered the following amendment which was adopted on motion by Senator Fincher:

In Section 3, line 3, page 3, strike: "All of Section 3" and insert the following:

Section 3. Section 550.085, Florida Statutes, is amended to read: (Substantial rewording of section. See Section 550.085, F. S., for present text.)

550.085 Summer thoroughbred racing; tax; commission; breakage; admissions and occupational license tax.—

(1) Each licensee conducting a horse race meeting during the summer thoroughbred racing season shall pay the fixed daily license fee provided for in section 550.161, Florida Statutes, provided, however, that when the daily average mutuel pool during any such meeting exceeds four hundred thousand dollars (\$400,000), then each licensee in addition to said daily license fee shall pay a tax equal to eight per cent (8%) of the contributions to such mutuel pools in excess of four hundred thousand (\$400,000) computed on a daily average basis. Only the fixed daily license fee shall apply to and be payable in connection with the first four hundred thousand dollars (\$400,000) of such daily average contributions, and not the eight per cent (8%) excess tax hereby imposed. Said license fee and tax shall be determined on the basis of the licensee's then current meet rather than on the daily average mutuel pool of its preceding meet, as provided in Section 550.161, Florida Statutes.

The daily license fee and the tax herein provided for shall be paid to the State Treasurer in his capacity as ex officio treasurer of the commission. After expenses of the commission are paid, the state treasurer shall divide the proceeds realized from the tax hereby imposed into as many equal parts as there are counties in the state and shall remit one part to each county on or before December 1 of each year during which summer thoroughbred horse racing has been conducted.

(2) The commission on a pari-mutuel pool on every horse race which may be withheld by the licensee and the state from the total contribution shall in no event exceed fifteen per cent (15%) of the amount contributed thereto, which commission shall include the tax hereinabove provided for.

(3) In addition to the foregoing tax each licensee shall also pay the tax on admissions as provided for in section 550.09, F. S., which tax revenues shall be distributed as provided by subsection (1).

(4) Section 550.26, Florida Statutes, shall not apply to summer thoroughbred horse racing.

(5) All persons connected with a horse race track in connection with its summer thoroughbred racing meet shall pay the annual occupational tax provided for in section 550.10, Florida Statutes; provided, however, that nothing herein contained shall be construed as requiring such person to pay more than one annual occupational license tax.

(6) The provisions of section 550.11, Florida Statutes, shall apply to a horse race track conducting a summer thoroughbred racing meet and no other license, excise, admission or occupational tax shall be levied or charged by any city, county or town against any such horse race track, or patron thereof, whether heretofore or hereafter authorized by special act of the legislature.

The Committee on Finance and Taxation offered the following amendment which was moved by Senator Fincher and adopted:

Strike: title of bill and insert the following: An Act relating to summer thoroughbred horse racing; amending sections 550.084, 550.085, 550.086, 550.087 and 550.088, all Florida Statutes; providing that certain provisions of sections 550.04, 550.08, 550.26 and 550.29 shall not apply to such summer racing; changing racing dates, fixing taxes and commission, fixing racing dates and allocation of racing days; creating section 550.091, Florida Statutes, regulating breeders' awards; providing an effective date.

The President presiding.

Senator Bell offered the following amendment which failed:

After Section 6, line 15, page 6, insert new Section 7 and renumber old Section 7 as Section 8, as follows:

Section 7. Such pool shall consist of all monies collected on bets after state tax monies have been earmarked. Such tax collected and held by said person or corporation conducting racing and jai alai shall be paid to the state treasurer of the state racing commission for educational purposes only. The commission on a pari-mutuel pool on every horse race which may be withheld by the licensee and the state from the total contributions made to such pari-mutuel pool shall in no event exceed [fifteen] eighteen per cent of the amount contributed thereto, and the commission on a pari-mutuel pool on every dog race which may be withheld by the licensee and the state from the total contributions made to such pari-mutuel pool shall in no event exceed [seventeen] twenty per cent of the amounts contributed thereto, which said maximum commissions shall include the three per cent tax heretofore provided by \$550.09, together with the additional tax of five per cent of the total contributions to all pari-mutuel pools conducted on every horse race and the additional tax of four per cent of the total contributions to all pari-mutuel pools conducted on every dog race, hereinafter provided for old age assistance and other purposes.

Senator Fisher offered the following amendment which failed:

In present section 3, line 25, page 3, renumber present subsections (2) through (5) as subsections (3) through (6) and insert new subsection (2) to read:

(2) Each licensee shall compute its total cost of operation during the period of summer racing which cost shall include

expenses which would have been incurred whether or not summer racing was conducted, including but not limited to capital expenditures, real estate taxes and interest on debts. Once the licensee's share of the commission withheld from the pari-mutuel pools equals the licensee's computed expenses for summer racing, all the commission withheld shall be paid to the state. The racing commission shall supervise the computation of expenses called for under this provision.

On motion by Senator Fincher, the rules were waived and CS for SB 700 as amended was read the third time in full and passed. The vote was:

Yeas—24

Mr. President	Edwards	Henderson	Poston
Bafalis	Fincher	Horne	Shevin
Barron	Friday	Johnson	Stolzenburg
Barrow	Gibson	Mathews	Stone
Bell	Griffin	O'Grady	Weber
Cross	Haverfield	Plante	Wilson

Nays—20

Askew	de la Parte	Hollahan	Spencer
Boyd	Elrod	Knopke	Stockton
Broxson	Fisher	McClain	Thomas
Chiles	Gong	Reuter	Weissenborn
Clayton	Gunter	Saylor	Young

CS for SB 700 was ordered engrossed.

PAIRS

The following Pairs were announced by the Secretary in accordance with Senate Rule 8.4:

I am paired with Senator Deeb on CS for SB 700. If he were present he would vote "Nay" and I would vote "Yea."

TOM SLADE
Senator, 9th District

Dated July 12, 1967

I am paired with Senator Ott on CS for SB 700. If he were present he would vote "Nay" and I would vote "Yea."

DAVID C. LANE
Senator, 36th District

Dated July 12, 1967

Unanimous consent was granted Senator Wilson to taken up out of order—

SB 1720—A bill to be entitled An act amending Chapter 61-2735 Special Laws of Florida, Acts of 1961, Being the Charter of the City of Safety Harbor, Florida, as previously amended by Chapter 65-2155, Chapter 65-2156 and Chapter 65-2157 Special Laws of Florida, Acts of 1965, by re-defining the boundaries and limits of the City in Section 4 thereof; and providing for the Effective Date of Said Provisions.

On motion by Senator Wilson, the rules were waived and SB 1720 was read the second time by title.

Senator Wilson offered the following amendment which was adopted:

Strike: everything after the enacting clause and insert the following: Section 1. That chapter 61-2735 special laws of Florida, acts of 1961, as amended by chapter 65-2155, chapter 65-2156, and chapter 65-2157 special laws of Florida, acts of 1965, being the charter of the city of Safety Harbor, Florida, be and the same is hereby amended as follows:

Section 4 of said city charter shall be amended to include the following additional land within the description therein contained: Beginning in Safety Harbor, an arm of old Tampa Bay, at a point one-half mile (2640.0') east of the western shore line of said Safety Harbor and 679.35' south and 2415.87' east of the NE corner of the SE¼ of the SE¼ of section 34, township 28S, range 16E and thence running due west, through the water of said Safety Harbor, one-half mile (2640.0') to a point on said western shore line of Safety Harbor; thence westerly along the north line of the S¼ of the SE¼ of section 34, township 28S, range 16E to a point of intersection with the north and south one-half section line of said section 34; thence northerly along the north and south one-half section line of said section 34 to the center of said section 34, said corner also being the

NW corner of the SE $\frac{1}{4}$ of said section 34; thence continue northerly along the north and south one-half section line of said section 34 to the SW corner of Harbor Heights Estates subdivision as recorded in plat book 49, page 49 of the public records of Pinellas county, Florida; thence easterly along the south boundary of said Harbor Heights Estates subdivision to a point on intersection with the westerly right-of-way line of west coast boulevard (state road 590); thence southerly along the westerly right-of-way line of west coast boulevard (state road 590) to a point of intersection with the east-west one-half section line of said section 34; thence continue southerly along the westerly right-of-way line of west coast boulevard (state road 590) to a point of intersection with the north line of the S $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section 34; thence easterly along the north line of the S $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section 34 to a point of intersection with the southerly projection of the east right-of-way line of west coast boulevard (state road 590); thence northerly along the east right-of-way line of said west coast boulevard (state road 590) to a point of intersection with the east and west centerline of section 34, township 28S, range 16E; thence continue northerly along said east right-of-way line of west coast boulevard (state road 590) to a point, said point being the SW corner of lot 11, block 2 of DeSoto Estates subdivision as recorded in plat book 13, pages 55 and 56 of the public records of Pinellas county, Florida; thence westerly along the westerly projection of the south boundary of said lot 11, block 2 of said DeSoto Estates subdivision to a point of intersection with the westerly right-of-way line of west coast boulevard (state road 590); thence southerly along the westerly right-of-way line of west coast boulevard (state road 590); to a point of intersection with the north line of section 34, township 28S, range 16E; thence easterly along the north line of said section 34 to a point of intersection with the easterly right-of-way line of west coast boulevard (state road 590); thence northerly along the easterly right-of-way line of west coast boulevard (state road 590) to the SW corner of lot 11, block 2 of said DeSoto Estates subdivision; thence run easterly along the south line of lots 11 and 30, block 2 of said DeSoto Estates subdivision to the SE corner of lot 30, block 2 of said DeSoto Estates subdivision; thence run easterly to the SW corner of lot 4, block 6 of said DeSoto Estates subdivision; thence run easterly along the south line of lot 4, block 6 of said DeSoto Estates subdivision to the SE corner of said lot 4, block 6 of said DeSoto Estates subdivision; thence southerly along the east boundary of lots 5 to 13 inclusive all in block 6 of said DeSoto Estates subdivision to the SE corner of lot 13, block 6 of said DeSoto Estates subdivision; thence easterly along the south line of lot 14, block 6 of said DeSoto Estates subdivision to the SE corner of said lot 14, block 6 of said DeSoto Estates subdivision; thence easterly to the most southwesterly corner of lot 5, block 9 of said DeSoto Estates subdivision; thence along the north and northeasterly right-of-way line of Pinellas avenue, this line being the southerly and southwesterly boundary of block 9 of said DeSoto Estates subdivision to a point of intersection with the northerly extension of the easterly right-of-way line of rajel avenue, this line also being the westerly boundary of block 13 of said DeSoto Estates subdivision; from this point run southerly to the NW corner of lot 26, block 13 of DeSoto Estates subdivision; thence continue southerly along the easterly right-of-way line of rajel avenue to the SW corner of lot 8, block 13 of said DeSoto Estates subdivision; thence in a straight line across philippe drive to the NW corner of lot 19, block 14 of said DeSoto Estates subdivision; thence southeasterly along the easterly right-of-way line of rajel avenue, said line also being the westerly boundary line of block 14 of said DeSoto Estates subdivision, to the most southwesterly corner of lot 6, block 14 of said DeSoto Estates subdivision; thence in a straight line to the most southerly corner of lot 8, block 16 of said DeSoto Estates subdivision; thence northerly along the easterly boundary of block 16 to the most northeasterly corner of lot 9, block 16 of said DeSoto Estates subdivision, said corner also being the most southeasterly corner of lot 10, block 16 of said DeSoto Estates subdivision; thence easterly to the point of intersection with a line 2415.87' east of and parallel to the east line of section 34, township 28S, range 16E; thence southerly along a line, said line being 2415.87' east of and parallel to the east line of said section 34 to the P. O. B.

Section 2. Any tract of unplatted and unimproved land contained in the area described in section 1 of this act shall be taxed at a rate no greater than that imposed upon unincorporated areas of Pinellas county, Florida until such time as fire and police protection, trash and garbage collection, street maintenance, and municipal water service have been furnished or made available to such tract of land by the city of Safety

Harbor, and such fact certified to the tax collector of Pinellas county by the city clerk of Safety Harbor, Florida.

Section 3. It is declared to be the legislative intent that, if any section, subsection, sentence, clause, or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 4. All laws or parts of laws in conflict herewith are repealed.

Section 5. This act shall be effective after it has been enacted in accordance with law and has been approved by a majority of those qualified electors who reside in the area which comprises the corporate limits of the city of Safety Harbor immediately prior to the effective date of this act and who participate in voting on the question of the approval or disapproval of this act at any special election or at the next general municipal election held in said city, as well as a majority of those persons residing in that presently unincorporated area of Pinellas county, Florida, described in this act who participate in voting on the question of the approval or disapproval of this act at any special election or at the next general municipal election held in said city.

On motion by Senator Wilson, the rules were waived and SB 1720 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was ordered engrossed.

Unanimous consent was granted Senator Wilson to take up out of order—

SB 1721—A bill to be entitled An act amending Chapter 61-2735 Special Laws of Florida, Acts of 1961, Being the Charter of the City of Safety Harbor, Florida, as previously amended by Chapter 65-2155, Chapter 65-2156 and Chapter 65-2157 Special Laws of Florida, Acts of 1965, by Providing For the Annexation of Certain Additional Properties Onto the Corporate Limits of the City of Safety Harbor, Florida, and Providing for the Effective Date of said Provisions.

On motion by Senator Wilson, the rules were waived and SB 1721 was read the second time by title.

Senator Wilson offered the following amendment which was adopted:

In Section 1, lines 26-27, page 4, strike: "east and west centerline of section 4, township 29S, range 16E; thence continue northerly along" and insert the following: westerly projection of the northerly right-of-way line of county road 194, thence easterly to the southwest corner of

Senator Wilson also offered the following amendment which was adopted:

Strike all of page 5

Senator Wilson also offered the following amendment which was adopted:

In Section 1, lines 1-7, page 6, strike: section 33, township 28S, range 16E; thence southerly along the easterly right-of-way line of haines road (state road 593) to a point of intersection with the east and west one-half section line of said section 33; thence continue along the easterly right-of-way line of haines road (state road 593) to a point of intersection with the south boundary line of

Senator Wilson also offered the following amendment which was adopted:

Page 6, insert new sections to read: Section 2. Any tract of unplatted and unimproved land contained in the area described in section 1 of this act shall be taxed at a rate no

greater than that imposed upon unincorporated areas of Pinellas county, Florida until such time as fire and police protection, trash and garbage collection, street maintenance, and municipal water service have been furnished or made available to such tract or land by the city of Safety Harbor, and such fact certified to the tax collector of Pinellas county by the city clerk of Safety Harbor, Florida.

Section 3. It is declared to be the legislative intent that, if any section, subsection, sentence, clause, or provision of this act is held invalid, the remainder of the act shall not be affected.

Renumber subsequent sections accordingly.

On motion by Senator Wilson, the rules were waived and SB 1721 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was ordered engrossed.

On motion by Senator Mathews, the Senate reverted to the consideration of Messages from the House of Representatives.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

The Honorable Verle A. Pope July 12, 1967
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives returns as requested—

By Senator Ott and others—

SCR 1189—A concurrent resolution urging all local law enforcement authorities to cooperate with and support any state-wide effort to combat crime.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Barron, the Senate reconsidered the vote by which SCR 1189, contained in the above message, was adopted on June 1 and the concurrent resolution was placed on the Calendar of the Committee on Rules and Calendar pending roll call.

The Honorable Verle A. Pope June 26, 1967
President of the Senate

Sir:

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

By Senator Boyd and others—

SB 317—A bill to be entitled An act relating to education, transportation; amending sections 236.05 and 236.07(4), Florida Statutes; prescribing a method for determining the apportionment of funds to each county for transportation for kindergarten through grade twelve (12); providing for the apportionment of transportation funds to county boards; providing an appropriation; providing an effective date.

Amendment 1

Strike everything after the enacting clause and insert the following:

Section 1. Chapter 248, Florida Statutes, is created to read:

QUALITY EDUCATION PROGRAM DEVELOPMENT

248.01 Long-range Planning.—The state board of education shall recommend to the next regular session after the

1967 session of the legislature a quality education program to replace the minimum foundation program whereby a system affording equality of educational opportunity to each child in Florida at a high level of excellence shall be instituted and shall be fully implemented as rapidly as possible and in no event later than the 1977-79 biennium to provide for county contribution based upon the principle of an equal level of sacrifice required within each county for maintenance of an excellent system.

248.02 Immediate Planning.—The state board of education and the several county school boards under the direction of the state board of education shall forthwith adopt and implement plans which shall place emphasis upon excellence of instruction in the public free school system; such plans shall provide for additional responsibilities of leadership to be exercised by educators.

248.03 Incentive Grant Program.—Incentive grants to counties, from such funds as shall be appropriated by the legislature for the incentive grant program or made available through gifts or grants, shall be awarded by the state board of education to any or all of the several counties in such a manner and in such amounts as will in the opinion of the state board of education most effectively enhance educational progress in the state. Such awards shall be based upon detailed proposals submitted by the counties showing either existing or anticipated use of incentive grant fund awards for the improvement of quality education within the county, considering the following factors:

(1) The ratio of actual local tax effort to required local tax effort.

(2) All funds available to the county for governmental purposes, including but not limited to race track funds, federal impact funds and federal forest funds.

(3) The likelihood that a program conducted or proposed to be conducted in one county will prove of value to other county school systems within the state.

(4) The development by the county school board of salary schedules consisting of an adequate basic salary based upon rank and years of service together with provisions for salary supplements commensurate with added professional responsibilities.

(5) The efficiency of management of school funds and the school program within the county.

(6) Such other factors indicative of a program of educational excellence within the county as in the opinion of the state board will accomplish the goals stated herein.

(7) The provision of auxiliary personnel, planning and lunch time for professional instructional personnel.

248.04 Florida Educational Leadership Institute.—There is hereby created the Florida educational leadership institute, a body corporate, which shall have the following composition, powers, and duties:

(1) The institute shall be governed by a board of eighteen (18) trustees, one (1) of whom shall be the governor, one (1) of whom shall be the state superintendent of public instruction and sixteen (16) of whom shall be appointed by the governor and confirmed by the senate for the terms hereinafter provided, of whom one (1) shall be a member of a county board of public instruction, one (1) shall be a county superintendent, one (1) shall be a principal of a school and one (1) shall be professionally engaged in the education of teachers. No more than three (3) trustees may reside outside of Florida. The governor and the state superintendent of public instruction shall have the same right of vote as the other members of the board of trustees. The institute shall not grant academic degrees or credits.

(2) The trustees shall appoint a director of the institute who shall recommend to the state board of education such programs as may be necessary to improve the quality of educational leadership in grades kindergarten through twelve (12) and in those institutions educating teachers for the public schools.

(3) The trustees shall meet annually with the teacher education advisory council, the standing committees of the House and Senate on public schools, the Courses of Study Committee and the Professional Practices Commission, for the purpose of

coordinating efforts toward improvement of the quality of education in Florida.

(4) The trustees shall have the responsibility of encouraging the development and testing of promising practices in education, of supporting research and development of programs of school grades kindergarten through twelve (12) and in teacher education institutions, and providing for in-service education of instructional personnel. The trustees shall also provide for the evaluation of innovative practices and, where appropriate, provide for the dissemination of such practices to all of the school systems of Florida. The trustees shall be empowered to make monetary grants for the furtherance of the programs provided for herein.

(5) The trustees shall study criteria for excellence in teaching and shall recommend the establishment of a salary structure of adequate scale based upon rank and years of service and providing for additional compensation commensurate with added professional responsibilities.

(6) The trustees shall recommend to the state board of education standards and guidelines for the awarding, by the state, of incentive grants to county school systems in order to insure that such grants shall be made in support of programs of excellence related to instruction in public schools.

(7) The trustees shall propose long-range plans for education in Florida and shall communicate such proposals to the legislature together with suggested means of implementation. The trustees shall foster cooperative efforts by the state department of education, the county school systems and the institutions of higher learning, and may assist in arranging joint appointments of professional personnel by more than one agency.

(8) The institute shall conduct in-service programs for persons occupying leadership roles within the schools and within county school systems and shall develop plans for the implementation of sound programs of in-service education for all teachers within each school.

(9) The trustees shall have the power to accept, receive and disburse moneys provided to the institute by law as well as moneys and property received by grants, gifts, donations, and bequests.

(10) Four (4) of the original appointed trustees shall be appointed for a term of one (1) year, four (4) others shall be appointed for a term of two (2) years, four (4) others shall be appointed for a term of three (3) years, and four (4) others shall be appointed for a term of four (4) years, thereafter, all appointments shall be for a term of four (4) years except that an appointment to fill a vacancy shall be for the unexpired term of the trustee whose term is being filled. No trustee shall serve more than two (2) consecutive full four (4) year terms. The trustees shall be paid travel and per diem as provided in section 112.061, Florida Statutes, while in the performance of their duties, and in traveling to, from, or upon the same.

(11) To the maximum extent practicable, each program conducted by the institute will involve participants from the entire state.

(12) The actual cost of travel and subsistence may be furnished to participants in programs of the institute, not to exceed the amounts provided in section 112.061, Florida Statutes.

Section 2. Subsection (2) of section 230.0114, Florida Statutes, is amended to read:

230.0114 State superintendent to determine units for junior colleges; state board to authorize recalculation.—

(2) **RECALCULATION AUTHORIZED.**—If in any junior college in any year the average daily attendance of students for the first two (2) months of any academic year as defined by regulations of the state board exceeds the average daily attendance for the first two (2) months of the preceding year the amount of state funds allocated to the junior college minimum foundation program shall be increased by the percentage by which average daily attendance during the current year exceeds the average daily attendance during the previous year; provided, however, the increase in the amount of state funds allocated for that junior college shall be the percentage of increase which is in excess of five percent (5%) in the fiscal years 1967-68 and 1968-69; provided that the per-

centage referred to herein shall be computed to the nearest one one-hundredth per cent (0.01%); provided further effective July 1, 1969, and for each year thereafter, the state funds provided in section 230.0117(5), Florida Statutes, relating to capital outlay and debt service, shall be increased by the same percentage by which the state funds for the junior college minimum foundation program are increased pursuant to this section.

The increase in the junior college minimum foundation program funds authorized under this section shall be paid to the county board of public instruction for the junior college under regulations of the state board of education to the extent that funds are available for this purpose.

Section 3. Paragraphs (a) and (b) of subsection (2), and subsection (4) of section 230.0117, Florida Statutes, are amended to read:

230.0117 Procedure for determining annual apportionment to each county for junior colleges.—The procedure for determining the annual apportionment for the junior college minimum foundation program fund of each county authorized to operate a junior college under the provisions of section 230.0101, Florida Statutes, shall be as follows:

(2) **DETERMINING THE AMOUNT TO BE INCLUDED FOR INSTRUCTIONAL SALARIES.**—

(a) Multiply the number of instruction units in Rank I by six thousand three hundred dollars (\$6,300.00), in Rank II by five thousand seven hundred dollars (\$5,700.00), in Rank III by five thousand two hundred fifty dollars (\$5,250.00), and in Rank IV by three thousand dollars (\$3,000.00).

Effective July 1, 1968, the above amounts shall be increased by one hundred dollars (\$100.00).

(b) 1. For each instruction unit sustained by instructional personnel in Ranks I, II and III who have served continuously, except for authorized leave, for three (3) years in the county, there shall be added three hundred dollars (\$300.00).

2. In addition to the above amounts there shall be added three hundred dollars (\$300.00) in Ranks I, II, and III for each instruction unit sustained by instructional personnel under continuing contracts who have completed ten (10) years of efficient teaching service in Florida public schools.

3. In any county, in which by local law a tenure program is established in lieu of continuing contracts, the state board of education shall by regulations provide for the recognition and application of comparable tenure requirements in lieu of the requirements herein relating to continuing contracts.

(4) **Determining the Amount for Current Expenses.** Multiply the number of instruction units for junior colleges as prescribed by law by one thousand four hundred forty dollars (\$1,440.00), and effective July 1, 1968, and for each year thereafter, one thousand five hundred dollars (\$1,500.00); add seventeen thousand five hundred dollars (\$17,500.00) for administrative expenses including salaries of the first approved junior college center in each county, and add ten thousand dollars (\$10,000.00) for administrative expenses including salaries of each additional center approved by the state board of education; and the sum of these shall be the amount included for current expenses [other than instructional salaries and transportation] for the junior college program in each county where a junior college is operated; provided that all of the money provided hereunder is used exclusively for junior colleges; and, provided further, that the state board shall establish minimum standards to be met by county boards in expending these funds for junior colleges.

Section 4. Subsection (7) of section 230.0117, Florida Statutes, is amended to read:

230.0117 Procedure for determining annual apportionment to each county for junior colleges.—The procedure for determining the annual apportionment for the junior college minimum foundation program fund of each county authorized to operate a junior college under the provisions of section 230.0101, Florida Statutes, shall be as follows:

(7) **DETERMINING THE MINIMUM FINANCIAL EFFORT IN EACH FISCAL YEAR REQUIRED OF EACH PARTICIPATING COUNTY FOR THE JUNIOR COLLEGE MINIMUM FOUNDATION PROGRAM.**—The amount which

each county approved by the state board to operate a junior college or to participate in the support of a junior college shall provide toward the cost of the junior college minimum foundation program is that county's percent of the financial ability of the state as determined by an index of relative taxpaying ability prescribed by law multiplied by five per cent (5%) of ninety-five per cent (95%) of the calculated yield of six (6) mills of taxes levied on the nonexempt assessed valuation of the state subject to the provisions of section 236.071, Florida Statutes, provided that [the required amount shall be subject to the limitation in subsection 230.0111], beginning with the 1969-70 fiscal year to increase in the calculated yield of six (6) mills levied on nonexempt assessed valuation of the state shall be limited to no more than five per cent (5%) in any year; and provided further that effective for the 1966-67 fiscal year and each year thereafter no county board or group of county boards operating a junior college shall be required to make a financial effort to support the junior college of more than fifty per cent (50%) of the total cost of the minimum foundation program for such junior college.

Section 5. Paragraph (a) of subsection (6) of section 236.02, Florida Statutes, is amended to read:

236.02 Minimum requirements of the foundation program.—Each county which participates in the state appropriations for the foundation program shall provide evidence of its effort to maintain an adequate school program throughout the county and shall meet at least the following requirements:

(6) SALARY SCHEDULES.—Expend funds for salaries in accordance with a salary schedule or schedules adopted by the county board in accordance with the provisions of law and regulations of the state board.

(a) Such schedule or schedules for instructional personnel shall make provisions for the following:

1. A minimum salary of not less than five thousand dollars (\$5,000.00) for instructional personnel who hold a Rank III or higher certificate.

2. No member of the instructional staff shall be paid an amount less than ninety per cent (90%) of the salary allotment prescribed in section 236.07 (3), Florida Statutes, for the rank certificate and contract status of that person, or the amount prescribed in subsection (6) (a) 1, above, whichever is the greater.

3. The state board may authorize the adoption by any county board of plans under which the yearly increments and minimum salaries prescribed in this section may be withheld in special cases when such are found not to be warranted; and in case of special hardship the state board may exempt a county or counties from the said minimum salary requirements if after full investigation it is found that such county or counties are financially unable to meet such requirements in any school year, but any such exemption shall not extend beyond the particular year authorized and in no event may exemption be authorized for more than two (2) successive years.

Section 6. Section 236.03, Florida Statutes, is amended to read:

236.03 State superintendent to determine instruction units; transportation factors; state board to authorize recalculation.—

(1) Instruction Units; Transportation Units.—The state superintendent shall determine from reports submitted as prescribed by regulations of the state board by county superintendents and principals of schools the average daily attendance of students, the instructional personnel employed, the public school transportation factors and the number of pupils transported as provided by law, in the public schools of each county in Florida, and also in the kindergartens, in counties which meet the requirements of law for such instruction. On the basis of said reports, the state superintendent shall calculate the number of instruction units and transportation allocation in each county as hereinafter prescribed. The state board shall determine by regulation the basis for classifying small schools and special classes or courses for the purpose of computing instruction units.

(2) RATIO UNITS.—If, for any reason beyond the control of the county board of any county, the ratio between the total average daily attendance and the total average daily membership of students in the entire county for the year is below the ratio for the highest two (2) of the preceding four (4) years in that county, the state superintendent shall, in

accordance with regulations prescribed by the state board, use the average ratio between the average daily attendance and the average daily membership in that county for the highest two (2) of the preceding four (4) years as the basis for calculating the total number of instruction units for instructional personnel for the county.

(3) RECALCULATION.—The county superintendent in each county of the state shall be required to submit to the state superintendent of public instruction, not later than December 1 of each school year, a report of the average daily attendance for each school for the first two (2) months of the current school year. If in any county the average daily attendance of all pupils in the county for the first two (2) months of any school year is greater than the average daily attendance in the county during the first two (2) months of the preceding school year, the state superintendent shall report the facts to the state board, which shall have authority to authorize an increase in the amount of state funds allocated for the minimum foundation program fund for that county by the percentage of increase; provided, however, the increase in the amount of state funds allocated for that county shall be the percentage of increase which is in excess of two percent (2%) in the fiscal year 1967-68 and the percentage of increase which is in excess of one percent (1%) in the fiscal year 1968-69; provided that the percentage referred to herein shall be computed to the nearest one one-hundredth per cent (0.01%), provided further that state funds provided in section 236.07(6), Florida Statutes, relating to capital outlay and debt service and the state funds provided in section 236.075, Florida Statutes, relating to county school sales tax funds shall be increased by the same percentage by which the state funds for the minimum foundation program are increased for that county pursuant to this section.

Section 7. Section 128, chapter 65-239, Laws of Florida, is hereby repealed.

Section 8. Subsections (7), (8) and (10) of section 236.04, Florida Statutes, are amended to read:

236.04 Procedure for determining number of instruction units.—The number of instruction units for instructional personnel for elementary, junior and senior or four (4) year high schools in each county, and for kindergartens in counties which meet the requirements of law for instruction for such [groups] group, shall be determined from the average daily attendance in the public schools of the county for the preceding year and from reports on instructional personnel for the ensuing year in the manner prescribed below, provided the attendance of students may not be counted more than once in determining instruction units.

(7) UNITS FOR ADMINISTRATIVE AND SPECIAL INSTRUCTIONAL SERVICES.

(a) For each eight (8) instruction units in a county, determined as provided in subsections (1) to (6) inclusive of this section: One (1) instruction unit or proportionate fraction of a unit shall be allowed for administrative and special instructional services when used in accordance with regulations prescribed by the state board.

(b) For each five hundred (500) pupils in average daily attendance or [proportionate] fraction thereof in grades one (1) through twelve (12): One (1) instruction unit shall be allowed for school library services when approved by the state superintendent pursuant to regulations of the state board which shall include but not necessarily be limited to the following:

1. The person employed on such a unit shall be a qualified librarian as defined by the state board.

2. [After the 1966-67 school year the number of library service instruction units allocated to any county shall be decreased by the number of full time librarians provided in 1963-64 in that county except that.] Each county shall be allocated at least one (1) library unit each year.

3. The personnel employed on the library service instruction unit shall develop plans to secure funds from federal, state, and other sources for the acquisition of instructional materials in the schools of the county.

4. That the personnel employed on a library service instruction unit shall assist the instructional staff at the primary school level in the selection of instructional materials which extends basic skills and develops reading abilities.

5. The personnel employed on the library service instruc-

tion unit shall assist other members of the instructional staff in reviewing, evaluating and effectively utilizing instructional materials in the instructional program of the schools.

6. The personnel employed on a library service instruction unit shall provide guidance and help which will afford each pupil an opportunity to strengthen his reading skills in the content areas and develop reading habits which fulfill his varied and changing needs throughout his school career.

[7. Provided further that for each of the fiscal years 1965-66 and 1966-67 the state superintendent shall approve one such library service instruction unit in each county each year.]

(8) [UNITS FOR SUPERVISORS OF INSTRUCTION.] *Units for improvement of instruction.*—Each county board [which employs for the purpose of improving instruction in the county one (1) or more qualified supervisors of instruction and] which adopts and carries out a plan for improvement of instruction in the county, in accordance with regulations of the state board and which employs qualified personnel to implement such plan shall be entitled to [additional instruction] *instructional improvement* units [for each supervisor of instruction employed] in the county as prescribed below; provided, that any adjacent counties may propose a plan which may be approved in accordance with regulations of the state board for [cooperative employment of a supervisor or supervisors of instruction] cooperation. The number of [instruction] *instructional improvement* units [for supervisors] to which each county is entitled shall be determined as follows:

(a) For the first one hundred (100) instruction units or fraction thereof, [one (1)] *two* (2) [instruction] *instructional improvement* units shall be allowed. [for the employment of a general supervisor of instruction.]

(b) For each additional one hundred (100) instruction units or fraction thereof, one (1) additional [instruction] *instructional improvement* unit shall be allowed; provided, that for the fiscal year 1967-68 only, no county shall be entitled to more than six such additional instructional improvement units.

(c) *All instructional improvement units not filled by full-time instructional personnel shall be computed at the average value of instruction units in ranks II, and I as prescribed by law for twelve (12) months employment.*

(d) Instructional improvement units are provided for the purpose of solving specific educational problems and providing within the schools of the state materials and services related directly to the quality of instruction and not for merely administrative purposes. The use of all units shall be in accordance with regulations promulgated by the state board, and the effectiveness of the use of these units shall be evaluated critically by the respective county board of public instruction and the state superintendent and results reported to the state board.

(10) INSTRUCTIONAL PERSONNEL PAID FROM MINIMUM FOUNDATION PROGRAM.—

(a) The total number of instructional personnel in any county employed and paid in whole or in part from funds used to support the minimum foundation program during any year shall not be less than [the percentages prescribed herein in relation to] the total number of instruction units for instructional personnel [: 1965-66 and 1966-67 not less than ninety-five] exclusive of instructional improvement units; one hundred per cent (100%) of the instruction units exclusive of instructional improvement units must be filled by personnel qualified to participate in the minimum foundation program; [and in subsequent years the following minimum percentage shall apply in lieu of the ninety-five per cent prescribed above; 1967-68, ninety-six per cent; 1968-69, ninety-seven per cent; 1969-70, ninety-eight per cent; 1970-71, ninety-nine per cent; and in 1971-72 and all years thereafter one hundred per cent;] provided that if any county board authorizes instructional salary payments from funds used to support the minimum foundation program to instructional personnel employed in the county less than the [minimum] minimum prescribed above, the state superintendent shall forthwith notify the state comptroller of the amounts of such discrepancy and an equal amount shall be withheld from each subsequent monthly apportionment for instructional salaries to said county until full correction has been made; provided further than in determining the number of instructional personnel full-time equivalent instructional positions shall be determined as provided by regulations of the state board.

(b) For the first fiscal year after any county board of public instruction has ceased to operate a federally owned school facility located on federal property the computation of the allocations for the minimum foundation program fund shall include the number of teachers and the salaries paid said teachers who taught in the federally owned school during the preceding school year.

Section 9. Effective July 1, 1968, section 236.05, Florida Statutes, is amended to read:

236.05 Procedure for determining annual apportionment for transportation to each county.—The annual apportionment to each county board of public instruction for transportation to the public schools of pupils in kindergarten through grade twelve (12) and for physically handicapped pupils shall be determined as follows:

(1) The number of pupils in average daily attendance, who during the period prescribed by law, are transported at public expense to public schools in the county approved for transportation under regulations of the state board and whose homes are two (2) or more miles from the nearest appropriate school shall be determined and certified to the state superintendent by the county superintendent; provided that the mileage limitation shall not apply to transportation of physically handicapped pupils as authorized under regulations of the state board.

(2) The one-way miles in the morning, as adjusted by the state superintendent, traveled by school transportation vehicles operated at public expense for purposes of apportionment shall be determined annually from certified data and maps of school bus routes submitted by each county superintendent by adding:

(a) The loaded one-way miles of each school bus route in the morning when designated in accordance with section 234.10, Florida Statutes, and served by a bus having a combined passenger seating capacity in excess of eighteen (18) linear feet, and one-half (1/2) of the loaded miles of each school bus route served by a bus of a capacity of eighteen (18) linear feet or less, when used to transport pupils whose homes are two (2) miles or more from school except that miles traveled for a side route to pick up children living within one and one-half (1 1/2) miles of the trunk route and mileage not essential in transporting pupils eligible for transportation, as prescribed by regulations of the state board shall not be added.

(b) Fifty per cent (50%) of the one-way miles traveled without pupils in the morning on any school bus route by any vehicles meeting criteria of paragraph (a)

(c) Ten per cent (10%) of the one-way miles traveled in the morning on any school bus route on unpaved or unimproved roads by any bus meeting criteria in paragraphs (a) and (b).

(3) A density index for each county shall be determined by dividing the average daily attendance of pupils transported as determined in subsection (1) by the adjusted one-way miles of vehicular travel as determined in subsection (2) for each county.

(4) The minimum foundation program allocation for transportation for any one (1) county shall be calculated as follows:

(a) Multiply the average daily attendance for transported pupils as determined in subsection (1) by the allowance per pupil determined by the density index of the county and multiply the adjusted one-way miles traveled as determined in subsection (2) by the allowance per adjusted bus mile as prescribed below:

Density Index	Annual allowance per pupil in average daily attendance in kindergarten through grade twelve (12)	Annual allowance per adjusted bus mile
6.00 and more	\$10.00	\$51.20
5.50 through 5.99	11.00	59.40
5.00 through 5.49	12.00	57.60
4.50 through 4.99	13.00	55.80
4.00 through 4.49	14.00	54.00
3.50 through 3.99	15.00	52.20
3.00 through 3.49	16.00	50.40
2.50 through 2.99	17.00	48.60
2.00 through 2.49	18.00	46.80
1.50 through 1.99	19.00	45.00
1.49 and less	20.00	43.20

(b) When authorized by regulations of the state board, in lieu of average daily attendance in this subsection one thousand two hundred fifty dollars (\$1,250.00) shall be allowed for each bus used exclusively for the purpose of transporting ten (10) or more physically handicapped pupils to a public school, and a proportionate amount shall be allowed for a vehicle used exclusively for the transportation of a smaller number of exceptional children in average daily attendance as prescribed by regulations of the state board.

(c) When authorized by regulations of the state board an annual allocation of twenty-one dollars and sixty cents (\$21.60) per mile shall be allowed for miles traveled by passenger cars one-way in the morning with pupils as prescribed by regulations of the state board.

(5) The following procedure shall be used in computing the allocation of funds under the minimum foundation program for the transportation of pupils who are enrolled in and transported at public expense to vocational-technical centers designated by the state board for vocational education to serve the area:

(a) For each thirty (30) pupils in average daily attendance as prescribed by the state board who live two (2) miles or more from school, a transportation unit of one thousand two hundred fifty dollars (\$1,250.00) shall be added to the minimum foundation program for transportation, and a proportionate part of one thousand two hundred fifty dollars (\$1,250.00) shall be allowed for any number of such transported pupils in average daily attendance of less than thirty (30) whenever:

1. The vocational-technical center is operated as a separate school center and pupils attending from the county of location are assigned primarily to such centers by the county board.

2. The pupils are transported to the school designated as a vocational-technical center from a cooperating county for instruction primarily in the vocational-technical program.

(b) For each pupil enrolled in a school center providing basic education who during the school day is transported to or from said center for a distance of two (2) or more miles to a vocational-technical center designated for the area and located within the same county and who is in attendance as prescribed by regulations of the state board at such vocational-technical center, there shall be allowed additional funds for transportation to be determined as follows:

1. The equivalent vehicular units shall be determined by dividing the average daily number of pupils transported by fifty (50).

2. Then multiply the equivalent vehicular units as determined in paragraph (a) by twice the mileage distance between the two (2) schools by the nearest traveled road.

3. Then multiply the number of miles traveled by twenty cents (20¢).

(c) During the first two (2) years of operation of a vocational-technical center a transportation unit of one thousand two hundred fifty dollars (\$1,250.00) shall be allowed the county board furnishing transportation for each thirty (30) pupils or fraction thereof in average daily attendance during the first month of each year of operation of the vocational-technical center.

(6) The sum of paragraphs (a), (b) and (c) of subsections (4) and (5) shall be the minimum foundation program allocation for transportation for each county.

Section 10. Subsection (3), (4), (5), (8) and (9) of section 236.07, Florida Statutes, are amended to read:

236.07 Procedure for determining annual apportionment to each county.—The procedure for determining the apportionment annually to each county foundation program fund shall be as follows:

(3) DETERMINING THE AMOUNT TO BE INCLUDED FOR INSTRUCTIONAL SALARIES.—

(a) For each instruction unit sustained by instructional personnel under annual contract multiply such instruction units in Rank I by six thousand fifty dollars (\$6,050.00), in Rank II by five thousand four hundred fifty dollars (\$5,450.00), in Rank III by five thousand dollars (\$5,000.00), in Rank IV by three thousand dollars (\$3,000.00), and in Rank V by two thousand eight hundred dollars (\$2,800.00).

Effective July 1, 1968, the above amounts shall be increased one hundred dollars (\$100.00).

(b) For each instruction unit sustained by instructional personnel who have served continuously, except for authorized leave, for three (3) years within the county, the above amount for Ranks I, II, and III shall be increased by four hundred dollars (\$400.00).

(c) For each instruction unit sustained by instructional personnel under continuing contract who have completed ten (10) years of efficient teaching service in Florida public schools the above amounts shall be increased by an additional four hundred dollars (\$400.00).

(d) Provided, that for any county, which by local law a tenure program is provided in lieu of continuing contracts, the state board of education shall by regulations provide for the recognition and application of comparable tenure requirements in lieu of the requirements herein relating to continuing contracts.

(e) The amounts included for salaries for instructional improvement personnel, administrative and special instructional personnel, adult education teachers, and vocational teachers under the minimum foundation program in each county shall be increased by up to twenty per cent (20%) when such money is used to pay the salaries of personnel who are employed, pursuant to regulations of the state board, for the two (2) month period, or fractional part thereof, beyond the ten (10) months of employment required in section 236.02, Florida Statutes. Such regulations of the state board shall permit during such two (2) month period, or fractional part thereof, employment of instructional improvement personnel, administrative and special instructional services personnel, adult education teachers, and vocational teachers, and shall likewise also permit use of salaries for administrative and special instructional services personnel for the employment of teachers to teach, during such two (2) month period, or fractional part thereof, academic subjects or preschool orientation classes which such teachers are certified to teach and are regularly engaged in teaching in the county during the preceding or succeeding regular ten (10) month school year. Classes in academic subjects during such two (2) month period or fractional part thereof shall be of such minimum size as shall be prescribed by the state board, and may be composed of students taking advance work for acceleration purposes, or of students repeating subjects previously taken either for make-up or remedial work, or both, and such work shall be credited as work taken during the regular school year.

These amounts are to be used only for apportionment purposes and are not to be construed as a state salary schedule. No member of the instructional staff shall be paid an amount less than ninety per cent (90%) of the salary allotment for the rank of the certificate and contract status of that person, or the amount prescribed in section 236.02 (6), Florida Statutes, whichever is the greater. The sum of these products shall be the total amount included in the minimum foundation program for instructional salaries, which shall not exceed the amount paid as salaries in any case.

(f) The state board of education shall promulgate and adopt necessary regulations for the determination of the classification of instructional personnel and instruction units with relation to continuing contracts and efficient teaching service in Florida public schools.

(4) Determining the Amount to Be Included for Transportation.—Multiply the number of units for transportation determined for each county according to law by one thousand two hundred fifty dollars (\$1,250.00) and the product shall be the amount included in the minimum foundation program for transportation and effective July 1, 1968, and for each year thereafter, the amount included in the minimum foundation program for transportation shall be as provided in section 236.05, Florida Statutes. No county shall use foundation program funds to purchase transportation equipment and supplies at prices which exceed those found by the state department of education to be the lowest which can be obtained as prescribed in section 229.79, Florida Statutes.

(5) Determining the amount for current expenses [other than instructional salaries and transportation.] Multiply the number of instruction units, determined for each county according to law by nine hundred twenty-five dollars (\$925.00) and effective July 1, 1968, and for each year thereafter, by one thousand dollars (\$1,000.00) and this product shall be the

amount included for current expenses. [other than instructional salaries and transportation; provided, that of this product twenty-five dollars per instruction unit shall be specifically designated for the purchase of instructional materials; and provided, further, that the state board shall establish minimum standards to be met by county boards in expending funds for other current expenses.]

(8) Determining the minimum financial effort in each fiscal year required of each county for the minimum foundation program.—The amount which each county shall provide toward the cost of the minimum foundation program is that county's per cent of the financial ability of the state as determined by an index of relative taxpaying ability prescribed by law in section 236.071, Florida Statutes, multiplied by twenty-five per cent (25%) of the total calculated cost of the minimum foundation program for kindergarten and grades one (1) through twelve (12) for all counties for the preceding fiscal year for instructional salaries, transportation, and current expense, and recalculation funds provided in sections 236.03 and 236.031, Florida Statutes, but exclusive of adjustments for prior years as provided in section 236.07 (9), Florida Statutes. Provided, however, that the combined required effort of all counties for grades one (1) through twelve (12) shall not increase more than five per cent (5%) in any year. The financial effort of any county toward meeting the cost of the minimum foundation program for that county shall consist of the proceeds of either county or district or of both the county and district current school taxes; provided, that when a county is levying the maximum mills permitted by law, race track, federal impact, and national forest funds may be included. If a county requests that instruction units for kindergartens be included in its minimum foundation program and is entitled to such units under the laws of the state, the financial effort required of that county as prescribed herein shall be increased by five per cent (5%); provided, however, that during each of the first six (6) years in which kindergarten units are approved in the minimum foundation program the increased local effort shall not exceed three thousand dollars (\$3,000.00) for each kindergarten unit approved in the respective counties; provided, further, that effective July 1, 1969, and for each year thereafter, no county shall be required to increase the financial effort required of such county for grades one (1) through twelve (12) as herein prescribed when kindergarten units are included in the minimum foundation program for that county.

(9) DETERMINING THE ALLOCATION FROM STATE FUNDS.—The total allocation to each county foundation program fund shall be the total calculated cost of the minimum foundation program for that county as determined in subsection (7) less the minimum financial effort required of that county as determined in subsection (8); provided, however, from this amount shall be deducted in the succeeding fiscal year:

(a) Any amount required to be deducted from the full apportionment for any school or schools that operated less than one hundred eighty (180) teaching days during the preceding year;

(b) In such counties as fail to pay instructional personnel at least the amount included in the minimum foundation program for instructional salaries, the difference between the amount included in the minimum foundation program for instructional salaries and the amount actually paid [to teachers] in such counties;

(c) Any portion of the amount included in the minimum foundation program for capital outlay and debt service which a county board expends in violation of the state board regulations;

(d) Any unused portion of the amount included in the minimum foundation program for instruction units of any type or classification.

Section 11. Subsection (3) and paragraph (a) of subsection (4) of section 236.074, Florida Statutes, is amended to read:

236.074 County school additional capital outlay trust fund created.—

(3) APPROPRIATION FOR ADDITIONAL CAPITAL OUTLAY.—There is created in the office of the state treasurer a county school additional capital outlay trust fund. There is hereby annually appropriated from the general revenue fund

to the county school additional capital outlay trust fund of the several counties maintained in the office of the state treasurer [the] a sum [of thirteen million seven hundred fifty thousand dollars to be distributed at the rate of an amount] which shall be equal to two hundred dollars (\$200.00) and effective July 1, 1968, and for each year thereafter, sum which shall be equal to three hundred dollars (\$300.00) multiplied by the number of pupils in average daily attendance for the last completed school year commencing with the school year 1958-1959 which is in excess of the number of pupils in average daily attendance during the next preceding school year as determined by law; provided that the average daily attendance for the next preceding school year shall never be computed for the purposes of this section as less than the average daily attendance for any school year commencing with and subsequent to the 1955-1956 school year; provided further, that any undistributed balance of the appropriation herein made remaining at the end of the first year of the biennium may be carried forward and added to the amount available in the second year of the biennium.

(4) Limitations on appropriation.—The annual appropriation made in subsection (3) of this section is subject to the following limitations:

(a) In order for a county board of public instruction to avail itself of the appropriation in subsection (3) of this section, it must create in its county school fund a separate fund known as the school construction fund, and place in the school construction fund from any source available to such board an amount equal to two-thirds (2/3) the amount it seeks to obtain from the appropriation under subsection (3) of this section; provided, however, for the fiscal 1967-68 the county board shall place in the school construction fund an amount equal to the amount it seeks to obtain from the appropriation under subsection (3) of this section; provided that no money received from capital outlay funds other than as provided in this section or proceeds from loans against state appropriations for capital outlay shall be included in the school construction fund. The school construction fund so placed in the county school fund shall be used solely for school construction or reconstruction.

Section 12. Section 236.075, Florida Statutes, is hereby repealed.

Section 13. Section 231.24, Florida Statutes, is amended to read:

231.24 Extension of certificates.—

(1) All certificates except temporary and provisional certificates issued under the provisions of the Florida Statutes, shall be extendible for successive periods under regulation of the state board prescribing such additional training or experience, or both, as may be deemed necessary for said extension; provided, that the applicant for the extension of the certificate has not reached his seventieth birthday, and provided, however, that when any person holding a valid Florida teacher's certificate is called into or volunteers for actual wartime service or required peace-time military training, his certificate shall be extended for a period of time equal to the time he spends in military service, providing such person makes proper application and presents substantiating evidence to the state superintendent regarding such military service.

(2) Each county board of public instruction shall, upon recommendation of the county superintendent, adopt a plan for in-service education of all instructional personnel designed to assist each member to maintain current competence in the field or fields in which he is assigned. Such plans shall be formulated in cooperation with the state department of education, the educational leadership institute, and the university system and when adopted or amended shall be filed with the state superintendent. To the maximum extent practicable each county board shall make available to each member of the instructional staff time for interaction with other members in the same or related field or fields of assignment, an adequate professional library, and an opportunity to participate in programs offered through the educational leadership institute, the university system and the county board as may be required to maintain the current competence of each member. Effective participation in county in-service education programs approved by the State superintendent shall be acceptable toward meeting the requirements prescribed by the state board of education for the extension of certificates, provided that college credit courses which are not earned as part of a county in-service

program as described above shall not be required for the extension of certificates.

Section 14. Sums appropriated to the state department of education for salaries may be expended for other personal services related to curriculum and instruction for salaries of persons appointed jointly by the state superintendent and any university for part-time services related to curriculum and instruction irrespective of the number of positions stated and the provisions of section 282.051, Florida Statutes.

Section 15. There is appropriated to the state board of education for the purpose of implementing sections 248.01 and 248.02, Florida Statutes, the sum of fifty thousand dollars (\$50,000.00) for the biennium 1967-69.

There is appropriated out of the general revenue fund to the trustees of the educational leadership institute for the biennium 1967-69 four hundred thousand dollars (\$400,000.00) in 1967-68 and four hundred and fifty thousand dollars (\$450,000.00) in 1968-69.

Funds appropriated to the county school sales tax trust fund under Section 236.07(5), Florida Statutes, shall be retained in the general revenue fund and applied to other current expense under Section 236.07(5), Florida Statutes, as to grades K-12, and Section 230.0117(4) as to junior colleges.

Except as specifically provided herein, or as otherwise provided by law, any increase in any allocation affected hereby shall be funded according to Chapters 230 and 236, Florida Statutes, 1965, during the biennium 1967-69.

Section 16. Section 4 of this act shall be effective for the fiscal year 1966-67 and for each year thereafter and the remainder of this act shall become effective July 1, 1967.

Amendment 2

Strike entire title and insert:

An act relating to education; amending the Florida Statutes by adding chapter 248; providing for the development of a quality education program; providing immediate and long-range planning; providing an incentive grant program; creating the Florida educational leadership institute and providing for the payment of mileage and per diem for trustees; providing for the payment of travel and subsistence of participants; amending section 230.0114 (2), Florida Statutes; relating to the procedure for providing recalculation funds for junior colleges; amending section 230.0117 (2) (a) and (b) and (4), Florida Statutes; revising the procedure for determining the annual apportionment for junior colleges; amending section 230.0117 (7), Florida Statutes; providing a limitation on the required county financial effort for junior colleges; amending section 236.02 (6) (a), Florida Statutes; providing minimum salaries for instructional personnel; amending section 236.03, Florida Statutes; relating to procedure for providing recalculation funds in kindergarten and grades one through twelve; repealing section 128, chapter 65-239, Laws of Florida; relating to instruction units, ratio units, and recalculation; amending section 236.04 (7), Florida Statutes; by deleting the limitation on the number of library units for each county based on the number of librarians employed for the year 1963-64; amending section 236.04 (8), Florida Statutes; providing for instructional improvement units; amending section 236.04 (10), Florida Statutes; by requiring that the number of persons employed or paid from minimum foundation program funds shall not be less than the number of instruction units; amending section 236.05, Florida Statutes; prescribing a method for determining the apportionment of funds to each county for transportation; amending section 236.07 (3), (4), (5), (8) and (9), Florida Statutes; increasing the amount to be included for instructional salaries; providing for the apportionment of transportation funds to county school boards; increasing the amount to be included for current expenses; removing the required increased financial effort of counties for participating in kindergarten programs to become effective July 1, 1969; deleting the present requirement that allocations for each rank must be paid to personnel in that rank; amending section 236.074 (3), Florida Statutes; increasing the allocation for additional capital outlay; amending section 236.074 (4) (a), Florida Statutes; providing a limitation on county matching funds; repealing section 236.075, Florida Statutes; relating to the county school sales tax trust fund; amending section 231.24, Florida Statutes; providing that the state board of education shall adopt regulations requiring instructional personnel to maintain current competence without specific requirements relative to recency of credit; authorizing the state superintendent to expend funds appropriated for salaries for other

personal services and for salaries of part-time persons under certain conditions; providing for transfer of county school sales tax funds; providing for an appropriation; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Senators Boyd and Mathews offered the following amendment to House Amendment 1 which was adopted on motion by Senator Boyd:

Strike: Everything after the enacting clause and insert the following:

Section 1. Subsection (7) of section 230.0117, Florida Statutes, is amended to read:

230.0117 Procedure for determining annual apportionment to each county for junior colleges.—The procedure for determining the annual apportionment for the junior college minimum foundation program fund of each county authorized to operate a junior college under the provisions of section 230.0101, Florida Statutes, shall be as follows:

(7) DETERMINING THE MINIMUM FINANCIAL EFFORT IN EACH FISCAL YEAR REQUIRED OF EACH PARTICIPATING COUNTY FOR THE JUNIOR COLLEGE MINIMUM FOUNDATION PROGRAM.—The amount which each county approved by the state board to operate a junior college or to participate in the support of a junior college shall provide toward the cost of the junior college minimum foundation program is that county's percent of the financial ability of the state as determined by an index of relative taxpaying ability prescribed by law multiplied by five percent (5%) of ninety-five percent (95%) of the calculated yield of six (6) mills of taxes levied on the nonexempt assessed valuation of the state subject to the provisions of section 236.071, Florida Statutes, provided that beginning with the 1969-70 fiscal year the increase in the calculated yield of six (6) mills levied on nonexempt assessed valuation of the state shall be limited to no more than five percent (5%) in any year; and provided further that effective for the 1966-67 fiscal year and each year thereafter no county board or group of county boards operating a junior college shall be required to make a financial effort to support the junior college of more than fifty percent (50%) of the total cost of the minimum foundation program for such junior college.

Section 2. This act shall take effect immediately upon becoming a law.

Senators Boyd and Mathews also offered the following amendment to House amendment 2 which was adopted on motion by Senator Boyd:

Strike: the entire title and insert the following: An act relating to junior colleges; amending section 230.0117(7), Florida Statutes; limiting the required local share of the junior college minimum foundation program; providing an effective date.

On motions by Senator Boyd, the Senate concurred in House amendments 1 and 2 as amended to SB 317.

The action of the Senate was certified to the House.

The Honorable Verle A. Pope
President of the Senate

July 11, 1967

Sir:

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

By the Committee on Judiciary "A"—

CS for SB 729—A bill to be entitled An act relating to licenses issued by the Florida hotel and restaurant commission; amending section 509.241, Florida Statutes, by adding subsection (5), exempting owners or operators of licensed public lodging establishments under this section from having also to obtain a license under section 475.01, Florida Statutes; providing an effective date.

Amendment 1

Section 1, page 1, line 19, strike: section 475.01 and insert the following: chapter 475

Amendment 2

In Section 1, page 2, line 9, strike: the sentence starting with the words "The provisions of" through line 15.

Amendment 3—

In Title, line 9, strike: section 475.01 and insert the following: chapter 475

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Thomas, the Senate concurred in House amendments 1, 2 and 3 to CS for SB 729.

The action of the Senate was certified to the House and CS for SB 729 was ordered engrossed.

The Honorable Verle A. Pope
President of the Senate

July 12, 1967

Sir:

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

By Senator Weissenborn and others—

SB 1125—A bill to be entitled An act relating to higher education; authorizing and directing the board of regents to open a continuing education center in Dade county; providing an appropriation; providing an effective date.

Which amendment reads as follows:

In Section 3, page 2, lines 7 & 8, strike: Entire section and insert the following: Section 3. This act shall take effect immediately upon its becoming a law.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Weissenborn, the Senate concurred in the House amendment to SB 1125.

The action of the Senate was certified to the House and SB 1125 was ordered engrossed.

The Honorable Verle A. Pope
President of the Senate

July 12, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has returned as requested—

By Representative Sweeny and others—

HB 2000—A bill to be entitled An act designating and naming that section of U. S. highway 92, also known as state highway 600, extending easterly from the intersection of U. S. highway 17, also known as state highway 15, mile post 0.000 north of De Land, Volusia county, Florida, to the intersection of U. S. highway 92, also known as state highway 600, with Lake Shore Drive, mile post 18.682, lying and being within the city limits of the city of Daytona Beach, county of Volusia, state of Florida, authorizing the county commissioners of Volusia county to erect markers bearing the name given, prescribing uniform requirements for these markers and prohibiting the changing of the name given; providing an effective date.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator O'Grady, the Senate reconsidered the vote by which HB 2000 as amended, contained in the above message, passed on July 7.

By consent of the Senate, Senator Clayton offered the following amendment which was adopted:

In title strike: "and prohibiting the changing of the name given"

On motion by Senator O'Grady, HB 2000 as further amended was read in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill as further amended was certified to the House.

The Honorable Verle A. Pope
President of the Senate

July 12, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has receded from House amendments 3 and 11 to—

By Senator Stolzenburg and others—

SB 1641—A bill to be entitled An act creating and incorporating a special tax district in Monroe county, to be known as "The Lower Florida Keys Hospital District"; fixing and prescribing boundaries of the district; naming the first board of commissioners and providing for the appointment by the governor of successor boards of commissioners and for filling any vacancies on said board; providing for the governing and administration of any hospital or hospitals established within the district; providing and defining the powers and purposes of the district and board of commissioners thereof; authorizing the board to establish, contract for, lease, operate and maintain any hospital established in the district; providing for sealed bids for purchases of supplies, equipment and contracts for construction or repairs in excess of two thousand dollars (\$2,000.00); authorizing and providing for the issuance and sale of district bonds; authorizing the board to borrow money; authorizing and providing for levy and collection of ad valorem taxes on all property in the district for payment of bonds and notes and interest thereon, and for the repair, maintenance and operation of a hospital or hospitals; authorizing the establishment of hospital medical staffs, nursing school and a nursing home; providing a referendum of the freeholders within said hospital tax district.

—and refuses to recede from House Amendments 1, 2, 4, 5, 6, 7, 8, 9, 10—

House Amendment 1

In Section 2, page 2, line 20, strike: eleven (11) and insert the following: fifteen (15)

House Amendment 2

In Section 2, page 3, line 1, strike: two (2) and insert the following: three (3)

House Amendment 4

In Section 2, page 3, line 20, following the words: out-of-pocket expenses insert the following: not to exceed twenty dollars (\$20.00) per day per Commissioner

House Amendment 5

In Section 13, page 10, line 26, strike: board and insert the following: Supervisor of Registration of Monroe County

House Amendment 6

In Section 21, page 15, line 7, following the words "the credit of" insert the following: the tax monies derived from

House Amendment 7

In Section 21, page 15, line 22, strike: the period (.) and insert the following: other than the provisions of section 19 of this act which shall be applicable to this section.

House Amendment 8

In Section 28, page 19, line 11 strike "and personal"

Line 21 strike: the period (.) and insert the following "or one thousandth of a dollar."

House Amendment 9

In Section 30, page 21, line 12, strike: the comma (,) and insert the following: approved and certified by the board,

House Amendment 10

In Section 36, page 25, line 23, strike: all of Section 36

Renumber Section 37 as Section 36

Renumber Section 38 as Section 37

Renumber Section 39 as Section 38

Renumber Section 40 as Section 39

—and has further amended with amendments 12 and 13:

House Amendment 12

In Section 2, page 3, line 3, following the words: "Key West." strike: Three (3) of said commissioners shall serve for three (3) years; four (4) shall serve for four (4) years; and the other four (4) shall serve for a period of five (5) years. The first board shall be Phillip Toppino, Rev. Russell Burns and Radford Crane who shall hold office for three (3) years; Robert A. Dion, Paul W. Landrum, DVM, Norman P. Artman and Earl Duncan who shall hold office for four (4) years; J. J. Pinder, Bill E. Johnson, Samuel L. Golan and Mrs. May Hill Russell who shall hold office for five (5) years. and insert the following:

Five (5) shall serve for three (3) years; five (5) shall serve for four (4) years; and the other five (5) shall serve for five (5) years. The first board shall be Robert A. Dion, Rev. Russell Burns, J. J. Pinder, Mrs. May Hill Russell, and Mrs. Gwen McCook who shall hold office for three (3) years; Paul W. Landrum, DVM, Norman P. Artman, Earl Duncan, Roosevelt Sands and Al Laughlin who shall hold office for four (4) years; Radford Crane, Phillip Toppino, Bill E. Johnson, Samuel L. Golan and Charles M. Machin who shall hold office for five (5) years.

House Amendment 13

In Section 40, page 26, line 18, following the words "a majority vote of the" strike: electors voting in a referendum election and insert the following: qualified freeholder electors voting in a referendum election in which a majority of the freeholders who are qualified registered electors in the district shall participate,

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Stolzenburg, the Senate concurred in House Amendments 1, 2, 4, 5, 6, 7, 8, 9, 10, 12 and 13 to SB 1641.

The action of the Senate was certified to the House and SB 1641 was ordered engrossed.

The Honorable Verle A. Pope July 12, 1967
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has discharged Conference Committee to—

By Representative Pettigrew—

HB 833—A bill to be entitled An act relating to elections; amending section 99.161 (10) to allow the campaign depository forty-five days to file its report; amending section 98.051 (1) to allow registration books to be opened at night before the general election; amending section 98.051 (4) to change time of opening of office of supervisor to 9:00 a. m. until 5:00 p. m. each weekday; amending section 101.71 (1) to change the words polling place to voting booth; providing an effective date.

—and requests the Senate to recede from Senate Amendments 1 and 2—

Senate amendment 1

Renumber Section 4 as Section 5 and insert the following:

Section 4. Paragraph (b) of subsection (4) of Section 99.161, Florida Statutes, is amended to read: (b) Campaign contributions may be both received and expended by the campaign treasurer or deputy treasurer until the filing of the final report by the candidate, 45 days after the election as required by subsection (8) paragraph (a) (3) of this section, which final report shall include all of such receipts and expenditures;

Senate amendment 2

In title insert the following: (prior to effective date) amending paragraph (b) subsection (4) of section 99.161 to repeal prohibition of receiving contribution less than 5 days before election and to authorize contributions & expenditures until the filing of final reports 45 days after election;

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Stockton, the Senate receded from Senate amendments 1 and 2 to HB 833.

The action of the Senate was certified to the House and the conferees on the part of the Senate were discharged.

The Honorable Verle A. Pope July 12, 1967
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives requests the return of SB 1347 and HB 3211.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Knopke, SB 1347 was recalled from the enrolling clerk and returned to the House as requested.

On motion by Senator Barrow, HB 3211 was returned to the House as requested.

The Honorable Verle A. Pope July 11, 1967
President of the Senate

Sir:

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives D'Alemberte, Spicola, and Stevens as a Conference Committee to confer with a like committee on the part of the Senate to adjust the differences on Senate amendments to HB 489.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Verle A. Pope July 12, 1967
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has returned as requested—

By Representative Gibson and others—

HB 2010—A bill to be entitled An act relating to the acquisition, construction, erection, building, enlarging and improving of school buildings, and the furnishing and equipping of school buildings of Orange County, Florida and the acquisition of school equipment; authorizing the issuance of certificates of indebtedness by the board of public instruction of Orange County, Florida, payable from sales tax receipts accruing annually to the board of public instruction pursuant to section 236.075, Florida statutes, to pay the cost of such projects; and providing an effective date.

Proof of Publication attached.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Elrod, the Senate reconsidered the vote by which HB 2010, contained in the above message, passed on July 1.

By consent of the Senate, Senator Elrod offered the following amendment which was adopted by two-thirds vote:

In Section 2, line 19, page 2, strike: Section 3 in its entirety and insert the following:

Section 3. The principal of and interest on the certificates herein authorized shall be payable from funds allocated for current expenses pursuant to Section 236.07(5), Florida Statutes or from sales tax receipts accruing annually to the Board pursuant to section 236.075, Florida statutes.

By consent of the Senate, Senator Elrod also offered the following amendment which was adopted:

In title, line 8, page 1, following: "payable from " insert the following: funds allocated for current expenses pursuant to Section 236.07(5), Florida Statutes or from

On motion by Senator Elrod, HB 2010 as amended was read in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill as amended was certified to the House.

The Honorable Verle A. Pope
President of the Senate

July 12, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report on—

By Senator Mathews and others—

SB 1263—A bill to be entitled An act to provide for the membership and apportionment of the senate and the house of representatives of the legislature of the state of Florida; establishing terms of office of members of both houses; providing that subsequent legislature shall establish staggered terms; repealing chapter 10, Florida Statutes; repealing chapter 1, Laws of Florida 1966; repealing chapter 1 (x), Laws of Florida 1967; providing an effective date.

—and has adopted the Conference Committee Report in its entirety and has passed SB 1263 as amended by the Conference Committee Report.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The bill, contained in the above message, was ordered engrossed.

On motion by Senator Gunter, the rules were waived and the Senate reverted to the order of—

INTRODUCTION

By the required Constitutional two-thirds vote of the Senate the following bill was admitted for introduction and consideration:

By Senators Gunter, Griffin, Elrod, Plante and Chiles—

SCR 1755—A concurrent resolution pursuant to section 26.011, Florida Statutes, directing the governor to appoint three (3) commissioners from the ninth judicial circuit to determine the number of inhabitants of said judicial circuit.

WHEREAS, there is sufficient reason to believe the population in the ninth judicial circuit warrants an additional circuit judge and this legislature deems advisable that a census commission be appointed by the governor, NOW, THEREFORE,

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

Section 1. That the legislature hereby requests that the governor of the state of Florida be authorized and directed, pursuant to section 26.011, Florida Statutes, to appoint three

(3) commissioners from the ninth judicial circuit for the purpose of determining the population of said ninth judicial circuit.

Section 2. That upon being so appointed, the commissioners shall forthwith proceed to determine the number of inhabitants of such circuit in accordance with the procedures and requirements set forth in section 26.011, Florida Statutes.

Was read the first time in full. On motions by Senator Gunter, the rules were waived and SCR 1755 was read the second time by title, adopted, and certified to the House.

Unanimous consent was granted Senator Mathews to take up out of order—

SCR 1614—A concurrent resolution providing for appointment of a committee to study the needs and opportunities of the blind, mute and/or deaf students of the new area vocational technical center; providing for an appropriation.

WHEREAS, the state board of education has approved the establishment of an area vocational technical center in St. Johns county to serve St. Johns, Putnam and Clay counties, and

WHEREAS, it is expected that this educational institution will service the educational needs of individuals from these counties having varying abilities and backgrounds, and

WHEREAS, many of the occupational training needs of the students of the Florida school for the deaf and the blind could very well be served by the area vocational technical center, and

WHEREAS, it is necessary that students from the Florida school for the deaf and the blind be prepared to enter the world of work after receiving their training, and

WHEREAS, by allowing these students to receive appropriate training along with other students, their transition into their new jobs will be easier, and

WHEREAS, a careful analysis of employment opportunities, the occupational training needs and possible ways in which these needs may be met, must be carefully determined, clarified and evaluated, NOW, THEREFORE,

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

Section 1. It is the purpose of this resolution through the instrumentality of a study team to make a detailed study and determine the following:

(1) Employment opportunities for blind, mute and/or deaf students and types of training needed to prepare them for these jobs.

(2) Types of training that the area vocational technical center can provide to serve the above identified needs.

(3) Special facility considerations and/or adaptations that should be included in the construction of this new center at the appropriate time.

Section 2. There is hereby created a study team which shall consist of the following individuals:

(1) Superintendent of St. Johns county board of public instruction.

(2) President of the Florida school for the deaf and blind.

(3) Director of the St. Johns, Clay and Putnam area vocational technical center.

(4) Representative from the vocational rehabilitation division of the state department of education.

(5) Representative from the Florida council for the blind.

(6) Representatives from the division of vocational, technical and adult education, state department of education.

Section 3. The study team will function under the supervision of the St. Johns county board of public instruction and under the direction and guidelines established by the Florida state board of education. The findings and recommendations of this study team will be made available for use in the overall planning of the area vocational technical center.

Section 4. The St. Johns county board of public instruction is authorized to employ necessary personnel with the qualifications needed to fulfill the research, report writing and other duties which the study team determines necessary for the accomplishment of the intent of this resolution.

Section 5. There is hereby appropriated by the legislature from the general revenue fund of the state for the accomplishment of the purposes of this resolution the sum of forty thousand dollars (\$40,000.00) for the biennium 1967-69 for the purpose of conducting the study, for the salary and travel expenses of the employed personnel, for travel expenses of the study team, for consultative services needed and for such other staff expenses relating to this study as may be found necessary by the St. Johns county board of public instruction. The funds herein appropriated shall be expended pursuant to the regulations of the state board of education.

On motion by Senator Mathews, SCR 1614 was read the second time in full, adopted and certified to the House.

On motion by Senator Mathews, it was agreed by two-thirds vote that when the Senate adjourns it adjourn to reconvene at 9:00 a. m., July 13, 1967.

The Senate resumed consideration of the Special and Continuing Order Calendar.

SB 208—A bill to be entitled An act relating to sales tax refunds; amending section 212.17, Florida Statutes, by adding new subsection (2) and renumbering present subsections (2) through (5) as subsections (3) through (6) of said section; allowing refunds or credit to be given for sales taxes previously paid when goods are repossessed; providing an effective date.

Was taken up. On motion by Senator Chiles, the rules were waived and SB 208 was read the second time by title.

The Committee on Finance and Taxation offered the following amendment which was adopted on motion by Senator Chiles:

In Section 1, line 3, page 1, strike: "(3), (4), (5), and (6), respectively, and by adding new subsection (2) to read" and insert the following: (4), (5), (6), and (7), respectively, and by adding new subsections (2) and (3) to read:

(3) A dealer who had paid the tax imposed by this chapter on tangible personal property may take credit in any return filed under the provisions of this chapter for the tax paid by him on the unpaid balance due on accounts which during the period covered by the current return have been found to be worthless and are actually charged off for federal income tax purposes; provided that if any accounts so charged off are thereafter in whole or in part paid to the dealer, the amount so paid shall be included in the first return filed after such collection and the tax paid accordingly.

Pending further tax consideration of SB 208 as amended, on motion by Senator Chiles, by two-thirds vote, HB 237 was withdrawn from the Committee on Finance and Taxation and placed on the Calendar.

Unanimous consent was granted Senator Chiles to take up out of order—

HB 237—A bill to be entitled An act relating to sales tax refunds; amending section 212.17, Florida Statutes, by adding new subsection (2), and (3) and by renumbering present subsections (2), (3), (4), and (5) as subsections (4), (5), and (6), and (7); allowing refunds or credit to be given for sales taxes previously paid when goods are repossessed; providing an effective date.

On motions by Senator Chiles, the rules were waived and HB 237 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Chiles	Friday	Horne
Askew	Clayton	Gibson	Johnson
Bafalis	Cross	Gong	Knopke
Barron	de la Parte	Griffin	Lane
Barrow	Edwards	Gunter	McClain
Bell	Elrod	Haverfield	Mathews
Boyd	Fincher	Henderson	O'Grady
Broxson	Fisher	Hollahan	Ott

Plante	Shevin	Stolzenburg	Weissenborn
Poston	Slade	Stone	Wilson
Reuter	Spencer	Thomas	Young
Saylor	Stockton	Weber	

The bill was certified to the House.

SB 208 as amended was laid on the table.

On motion by Senator Slade, by two-thirds vote, HB 2099 was removed from the table and recommitted to the Committee on Retirement and Claims, the unfavorable report of the Committee notwithstanding.

Unanimous consent was granted Senator Spencer to take up out of order—

SB 1464—A bill to be entitled An act relating to provisions supplemental to criminal procedure law; amending chapter 932, Florida Statutes, by adding sections 932.58, 932.59 and 932.60, providing for the suppression of criminally operated businesses; authorizing proceedings by attorney general to forfeit charter of domestic corporation, revoke permit of foreign corporation whose officer or manager has been convicted of a felony or has engaged in certain criminal activities and enjoin business operations engaging in certain illegal conduct; providing for venue and rules of procedure; providing an effective date.

On motions by Senator Spencer, the rules were waived and SB 1464 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

Unanimous consent was granted Senator Askew to take up out of order—

HB 1584—A bill to be entitled An act relating to education, establishing training programs for industry; creating the Industry Services Advisory Board; providing an appropriation; providing an effective date.

On motion by Senator Askew, the rules were waived and HB 1584 was read the second time by title.

Consideration of HB 1584 was deferred, the bill retaining its place on the Calendar.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Askew, by two-thirds vote, HB 2612 was withdrawn from the Committee on Appropriations and placed on the Calendar of the Committee on Rules and Calendar.

On motion by Senator Hollahan, by two-thirds vote, HB 2740 was withdrawn from the Committee on Governmental Reorganization and placed on the Calendar of the Committee on Rules and Calendar.

On motions by Senator Griffin, by two-thirds vote, House Bills 2709, 2865 and 2871 were withdrawn from the Committee on Finance and Taxation and placed on the Local Calendar.

On motions by Senator Cross, by two-thirds vote, House Bills 302 and 239 were withdrawn from the Committee on Health and Welfare and placed on the Calendar of the Committee on Rules and Calendar.

On motions by Senator Barrow, by two-thirds vote, House Bills 2398 and 2641 were withdrawn from the Committee on Judiciary "A" and placed on the Local Calendar.

By permission, Senator Henderson withdrew SB 1654 from the Senate.

By permission, Senator Cross withdrew SB 1024 from the Senate.

By permission, Senator Griffin withdrew SB 542 from the Senate.

Unanimous consent was granted Senator Boyd to take up out of order—

HB 2604—A bill to be entitled An act authorizing and empowering the Board of County Commissioners of Highlands County, Florida, to adopt zoning and building regulations in the territory within Highlands County which is not included in the corporate limits of any city or town; authorizing and empowering said Board of County Commissioners to divide said territory into districts or zones, and to regulate and restrict the uses of lands, water, buildings and other structures for trade, industry, residence or other purposes within said districts or zones, and to regulate and restrict the construction, reconstruction, erection, alteration, repair, height, number of stories, size and location of buildings and other structures within said districts or zones, and to regulate and restrict the area, dimensions and size of lots or tracts of land or yards, and the percentage and portion of lots that may be occupied in connection with the construction and location of buildings or other structures within said districts or zones; authorizing the adoption, change and enforcement of codes; providing for the method of procedure and appointment of a Zoning Board and prescribing its powers and duties; appointment of a Board of Adjustment and prescribing its powers and duties, and of administrative officials and their powers and duties; providing for certain appeals to such Board of Adjustment from orders, requirements, decisions, determinations or actions of administrative officials; providing for review by the Board of County Commissioners of decisions and actions taken by the Board of Adjustment; limiting the time for taking such appeals or applying for such reviews; providing for application to the Circuit Court of the county for relief in certain cases, and limiting the time in which such application may be made; authorizing a system of fees to be charged, and authorizing expenditures in order to carry out the provisions of this Act; prescribing procedures of enforcing the rules, orders and regulations adopted under authority of this Act; and prescribing penalties for the violation of this Act or any code; repealing all laws and parts of laws in conflict herewith; and providing an effective date.

On motions by Senator Boyd, the rules were waived and HB 2604 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Boyd to take up out of order—

HB 2806—A bill to be entitled An act relating to Highlands County; authorizing the Clerk of the Circuit Court of Highlands County to place on Time Deposit, Registry of Court monies; and providing an effective date.

On motions by Senator Boyd, the rules were waived and HB 2806 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Boyd to take up out of order—

HB 3140—A bill to be entitled An act to be known and cited as the "Hardee County Pollution Control Act", relating to Hardee County; setting forth a declaration of legislative intent; providing that the authority conferred by the act shall be deemed alternative, supplemental and cumulative; providing that all territory within the boundaries of Hardee County outside the corporate limits of any municipality shall be embraced by the provisions of the act and that all municipalities in which there is an affirmative vote in the referendum herein provided for shall be embraced by the provisions of this act; setting forth definitions of terms used in the act, authorizing the Board of County Commissioners to adopt a code for air and water pollution control, setting reasonable standards regulating the emission and/or discharge of air and water contaminants and providing for permits; setting forth the procedure for the adoption of such code; authorizing the employment of a pollution control engineer; setting forth the duties and powers of the pollution control engineer; authorizing the appointment of an air and water pollution control board; setting forth the powers and duties of the said air and water pollution control board; providing for access of authorized personnel for inspections and other duties provided for; providing for a procedure to be followed upon the finding of violations; making violations of this act or any code adopted hereunder a misdemeanor and providing for a penalty; providing for a referendum election and the procedure to be followed in such election; and providing an effective date.

On motions by Senator Boyd, the rules were waived and HB 3140 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Boyd to take up out of order—

HB 3235—A bill to be entitled An act relating to deputy coroner or coroners of Highlands county, compensation; amending section 2 of chapter 65-1638, Laws of Florida, by increasing the compensation of deputy coroner; providing an effective date.

On motions by Senator Boyd, the rules were waived and HB 3235 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Broxson to take up out of order—

HB 3048—A bill to be entitled An act authorizing issuance of one additional license under Chapter 561.34(4) Florida Statutes, notwithstanding the provisions of Chapter 561.20,

Florida Statutes, in counties having a population of more than 100,000 according to the last preceding census, for a business location on an island within the exterior boundaries of land leased by a county and administered by a county agency of the lessee; providing an effective date.

On motions by Senator Broxson, the rules were waived and HB 3048 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Broxson to take up out of order—

HB 3287—A bill to be entitled An act creating and establishing the Santa Rosa County Airport and Industrial Authority for the acquisition, construction, operating, and regulation of industrial sites, airports, and air navigation facilities in Santa Rosa County, Florida, and prescribing its jurisdiction, purposes, functions, powers, and duties; and to create its governing body and regulatory body to be known as the Santa Rosa County Airport and Industrial Authority; declaring the ownership and operation of such industrial sites, airports, and air navigation facilities, to be a public and governmental purpose, authorizing the said Santa Rosa County Airport and Industrial Authority to acquire private property for such purpose by eminent domain, authorizing appropriations and the issuance of bonds and the levying of taxes by political subdivisions for such purposes; and empowering the municipalities of said Authority to transfer the fee simple title of property to the said Authority for Industrial Sites and Airport Purposes; to authorize the Authority to employ a Director of Aviation; authorizing the Board of County Commissioners of Santa Rosa County to appropriate monies and cause to be raised by taxation or otherwise monies to accomplish the purposes of said Authority and to repeal all laws in conflict; providing an effective date.

On motion by Senator Broxson, the rules were waived and HB 3287 was read the second time by title.

Senator Broxson offered the following amendment which was adopted:

Page 9, after subsection (d) of Section 7 insert the following: (e) To enter into cooperative contracts or compacts with Escambia and Okaloosa Counties authorizing said counties to participate in the use of the Authority's facilities and functions under the provisions of this act.

Senator Broxson also offered the following amendment which was adopted:

In Section 9, line 11, page 10, strike: semi-colon and insert the following: and confirmed by the state senate;

On motion by Senator Broxson, the rules were waived and HB 3287 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill as amended was certified to the House.

Unanimous consent was granted Senator Askew to take up out of order—

CS for HB 2767—A bill to be entitled An act relating to Santa Rosa county; providing for regulation of refuse and garbage collection and disposal; repealing section 2 of chapter 57-1828, Laws of Florida; providing for an effective date:

On motions by Senator Askew, the rules were waived and CS for HB 2767 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Knopke to take up out of order—

HB 3268—A bill to be entitled An act relating to the Tampa port authority; amending the introductory paragraph of section 7, chapter 23338, Laws of Florida, 1945, and repealing chapter 63-1399, Laws of Florida, to eliminate prospectively and retroactively any requirement that the Tampa port authority give notice of or conduct a public hearing to give private capital the opportunity to engage in the business of a project before the Tampa port authority acquires the ownership, control or operation of any project, and any requirement that the Tampa port authority give private capital the opportunity to engage in the business of a project before the Tampa port authority acquires the ownership, control or operation of any project; providing an effective date.

On motions by Senator Knopke, the rules were waived and HB 3268 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Knopke to take up out of order—

HB 3308—A bill to be entitled An act relating to county judge's court, clerks; authorizing the county judge of all counties of the state having a population of not less than three hundred ninety thousand (390,000) and not more than four hundred fifty thousand (450,000), according to the latest official decennial census, to appoint a clerk, or clerks of county judge's court with duties in addition to those provided in section 36.04, Florida Statutes; prescribing the duties to be performed by said clerks; prescribing the method of payment of said clerks and the term of office, providing an effective date.

On motions by Senator Knopke, the rules were waived and HB 3308 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Bell	Cross	Fisher
Askew	Boyd	de la Parte	Friday
Bafalis	Broxson	Edwards	Gibson
Barron	Chiles	Elrod	Gong
Barrow	Clayton	Fincher	Griffin

Gunter	Lane	Reuter	Stone
Haverfield	McClain	Sayler	Thomas
Henderson	Mathews	Shevin	Weber
Hollahan	O'Grady	Slade	Weissenborn
Horne	Ott	Spencer	Wilson
Johnson	Plante	Stockton	Young
Knopke	Poston	Stolzenburg	

The bill was certified to the House.

Unanimous consent was granted Senator Stockton to take up out of order—

SB 1661—A bill to be entitled An act amending section 1 of chapter 63-1447, Laws of Florida, Special Acts of 1963, creating the Jacksonville port authority, by providing for senate confirmation of appointments of members of the authority by the governor; and further, providing that officers of the authority shall be elected from its members, except for an assistant secretary and assistant treasurer, who need not be members and who shall perform such duties as the authority may direct, providing an effective date.

On motions by Senator Stockton, the rules were waived and SB 1661 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Mathews to take up out of order—

SB 1702—A bill to be entitled An act amending Section 12 of Chapter 63-1447, Laws of Florida, entitled, "An Act creating the Jacksonville port authority, establishing its membership, providing its jurisdiction powers and duties, authorizing a tax levy to provide for financing projects of said authority; providing for the transfer of certain assets by the city of Jacksonville and the county of Duval to said port authority and for the method of payment by the authority to the City of Jacksonville for the transfer of said assets; providing for the protection of the rights of employees of the City of Jacksonville who shall become employees of the said authority; providing that the Laws relating to the Duval county budget commission shall not be applicable to said authority during the first two years of its existence; providing for the issuance of revenue certificates, general obligation bonds and refunding bonds by said authority by grants, purchase, gift, devise, condemnation by eminent domain proceedings, exchange or otherwise; providing for the conveyance to the authority of submerged lands and islands belonging to the State of Florida, contained within the boundaries of the authority; providing for other matters relating to the establishment and operation of said port authority and providing for this act to take effect immediately upon its becoming a law"; providing service pay raises; providing an effective date.

On motion by Senator Mathews, the rules were waived and SB 1702 was read the second time by title.

Senator Mathews offered the following amendment which was adopted:

In Section 1, line 12, page 2, strike: all of Section 1 and insert a new Section 1 to read as follows:

Section 1. Section 11 of Chapter 63-1447, Laws of Florida, is amended by adding a new section (C) thereof to read as follows:

(C) All employees of the authority who became employees of the authority with the transfer and conveyance of the municipal docks and terminals by the city to the authority shall be employed subject to the following:

(1) Each of said employees shall have and retain all civil service rights under the civil service law now and from time to time applicable to the city and shall be subject to and entitled to the benefits of said civil service law so long as he remains an employee of the authority. The authority shall not set or change the classification plan for said employees established under the civil service law of the city, nor abolish the position of any such employee, nor reduce or set the salary of any such employee, nor suspend, dismiss, demote or promote any such employee except in accordance with the civil service law of the city and with the approval of the civil service board of the city, in actions and proceedings wherein the authority shall act as the appointing authority.

(2) Each of said employees shall receive at the end of each five years of continuous service with the Jacksonville port authority an increase in salary to be known as a "Service Raise," which shall be in addition to any general or special raises which might be granted. Such service raises shall be in the amount of twenty dollars (\$20.00) per month for every five years of continuous service.

(3) Each of said employees shall be entitled to the benefits of and shall receive and continue to receive from the authority the statutory service raises to which he is entitled under the statutory service raise law applicable to the city; and the authority is hereby required and authorized to make such payments; provided that no service raises as provided by this act shall be retroactive, and such service raises shall take effect only at the time this act becomes effective and thereafter, and no such service raises shall exceed in the aggregate amount a total of more than twenty dollars (\$20.00) per month for every five years of continuous service of any employee affected.

(4) Each of said employees shall have and retain all benefits and rights now and from time to time applicable under city of Jacksonville ordinances, codes, and commission resolutions to city employees relating to:

- Terminal leave pay benefits;
- Sick leave benefits;
- Vacation privileges;
- Service raises;

provided that such benefits shall take effect upon the effective date of this act and shall not be retroactive.

Senator Mathews also offered the following amendment which was adopted:

In title, line 2, page 1, strike: Section 12 and insert the following: Section 11

On motion by Senator Mathews, the rules were waived and SB 1702 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was ordered engrossed.

Unanimous consent was granted Senator Slade to take up out of order—

HB 3269—A bill to be entitled An act relating to counties in the state having a population in excess of 450,000 according to the latest official decennial census and not having home rule; regulating the taking of shrimp; declaring shrimp regulation in such counties to be a public need; providing for such shrimp regulation to be dependent upon the results of regular sampling in the waters of the counties concerned; providing for issuance of permits; providing for public notification of shrimp regulation; providing for the continuance of live bait shrimp operations under close supervision; providing penalty for violations; providing an effective date.

On motions by Senator Slade, the rules were waived and

HB 3269 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Stockton to take up out of order—

HB 3335—A bill to be entitled An act relating to alcoholic beverage licenses; authorizing one (1) additional club beverage license in Duval County to be issued under the authority of subsection 11 of Section 561.34, Florida Statutes, to the Rudder Club of Jacksonville, Inc.; providing an effective date.

On motions by Senator Stockton, the rules were waived and HB 3335 was read the second time by title, the third time in full and passed, title as stated. The vote was:

Yeas—46

Mr. President	Edwards	Johnson	Slade
Askew	Elrod	Knopke	Spencer
Bafalis	Fincher	Lane	Stockton
Barron	Friday	McClain	Stolzenburg
Barrow	Gibson	Mathews	Stone
Bell	Gong	O'Grady	Thomas
Boyd	Griffin	Ott	Weber
Broxson	Gunter	Plante	Weissenborn
Chiles	Haverfield	Poston	Wilson
Clayton	Henderson	Reuter	Young
Cross	Hollahan	Sayler	
de la Parte	Horne	Shevin	

Nays—1

Fisher

The bill was certified to the House.

Unanimous consent was granted Senator Fisher to take up out of order—

HB 3329—A bill to be entitled An act amending section 18, Article V of chapter 3775, Laws of Florida, Acts of 1887, entitled "An act to establish the municipality of Jacksonville, provide for its government and prescribe its jurisdiction and powers" relating to sworn statements to be furnished by persons, vendors and contractors with the city; making the false giving of such sworn statement perjury; providing exceptions to act; superseding House Bill 1744, Regular Session, 1967 Legislature and providing an effective date.

On motions by Senator Fisher, the rules were waived and HB 3329 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator de la Parte to take up out of order—

HB 3318—A bill to be entitled An act providing for an

aggregate millage levy up to ten (10) mills for support of the free public schools in those counties having a population of not less than three hundred fifty thousand (350,000) nor more than four hundred fifty thousand (450,000) according to the most recent official federal census, and which were subject to a revaluation of all property subject to ad valorem taxation in 1967, providing an effective date.

On motions by Senator de la Parte, the rules were waived and HB 3318 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Askew to take up out of order—

HB 2862—A bill to be entitled An act relating to the city of Pensacola, Escambia county, civil service system; amending sections 8, 19, 20, 22 and 23 of chapter 63-1775, Laws of Florida, amending promotional procedures; requiring mandatory revision of membership in personnel of the civil service and civil service executive committee; setting residence requirements for employees.

On motion by Senator Askew, the rules were waived and HB 2862 was read the second time by title.

Senators Askew and Broxson offered the following amendment which was adopted on motion by Senator Askew:

In Section 3, line 29, page 2, strike: "Until such time as the city council adopts other or different residency requirements there shall be no requirement as to residence in the selection or hiring of new employees." and insert the following: There shall be no requirement as to residence either in the selection of new employees or their service after such selection and said employees may reside anywhere within a practical and workable radius of the City of Pensacola.

Senators Askew and Broxson also offered the following amendment which was adopted on motion by Senator Askew:

In Section 5, line 5, page 5, strike: "23" and insert the following: 25

Senators Askew and Broxson also offered the following amendment which was adopted on motion by Senator Askew:

Page 5, add new section 7: Section 7. This act shall take effect immediately upon becoming law.

Senators Askew and Broxson also offered the following amendment which was adopted on motion by Senator Askew:

In title, line 11, page 1, strike: period at the end of the title and insert the following: ; and providing an effective date.

On motion by Senator Askew, the rules were waived and HB 2862 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill as amended was certified to the House.

Unanimous consent was granted Senator Mathews to take up out of order—

HB 3282—A bill to be entitled An act clarifying and fixing the pension status of John E. Goode under the provisions of subsection (a) of section 5 of chapter 18615, Laws of Florida, special acts of 1937, as amended by section 2 of chapter 63-1448, laws of Florida, providing pensions for members of the police and fire departments of the city of Jacksonville; providing an effective date.

On motions by Senator Mathews, the rules were waived and HB 3282 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

Unanimous consent was granted Senator Cross to take up out of order—

SB 1613—A bill to be entitled An act relating to the town of Mayo, Lafayette county; abolishing present town charter and establishing new charter; providing for transition of certain assets, debts and powers from former town to new town; prescribing town boundaries; establishing a town government; providing an elected town council; prescribing powers of the municipality; providing for issuance of bonds; providing for levy and collection of taxes and for expenditures; providing for adoption of charter by a referendum election.

On motion by Senator Cross, the rules were waived and SB 1613 was read the second time by title.

Senator Cross offered the following amendment which was adopted:

In Section 14(1), line 21, page 9, strike: "state" and insert the following: municipal

Senator Cross also offered the following amendment which was adopted:

In Section 14(15), line 12, page 13, at the end of subsection (15), strike the semi-colon and insert the following: a comma (,) subject to the limitations of Section 14(1) hereof.

Senator Cross also offered the following amendment which was adopted:

In Section 14(13), line 24, page 12, strike: "state" and insert the following: municipalities

On motion by Senator Cross, the rules were waived and SB 1613 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was ordered engrossed.

Unanimous consent was granted Senator Poston to take up out of order—

SB 720—A bill to be entitled An act relating to the Florida highway code; exempting all counties of the state having a

population of over four hundred thousand (400,000), according to the latest official decennial census, from the provision of section 336.59, Florida Statutes, providing that taxes levied by the board of county commissioners of such counties for road and bridge purposes need not be divided with any municipality; providing an effective date.

On motions by Senator Poston, the rules were waived and SB 720 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

Unanimous consent was granted Senator Stone to take up out of order—

SB 772—A bill to be entitled An act relating to wrecked and derelict property in all counties of the state having a population of more than four hundred thousand (400,000), according to the latest official decennial census; defining abandoned property; establishing procedures cumulative to the provisions of chapter 705, Florida Statutes, whereby counties may remove abandoned property from public and private property and destroy such abandoned property; providing penalty for obstructing enforcement of the act; granting immunity from prosecution to officers enforcing the act; authorizing incorporated municipalities in the counties to adopt the act by reference; providing an effective date.

On motion by Senator Stone, the rules were waived and SB 772 was read the second time by title.

The Committee on Judiciary "A" offered the following amendment which was adopted on motion by Senator Stone:

In Section 1, lines 22 and 23, page 1, strike: "four hundred thousand (400,000)" and insert the following: three hundred twenty-five thousand (325,000)

The Committee on Judiciary "A" also offered the following amendment which was adopted on motion by Senator Stone:

On page 3, line 6, strike "ten (10) days"; on page 4, line 20, strike "ten (10) days"; on page 5, line 1, strike "ten (10) days"; on page 5, line 8, strike "ten (10) days" and insert the following: seventy-two (72) hours

The Committee on Judiciary "A" also offered the following amendment which was adopted on motion by Senator Stone:

In Section 7, line 5, page 6, strike: "four hundred thousand (400,000)" and insert the following: three hundred twenty-five thousand (325,000)

The Committee on Judiciary "A" also offered the following amendment which was adopted on motion by Senator Stone:

Title lines 4 and 5, page 1, strike: "four hundred thousand (400,000)" and insert the following: three hundred twenty-five thousand (325,000)

On motion by Senator Stone, the rules were waived and SB 772 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was ordered engrossed.

Unanimous consent was granted Senator Weissenborn to take up out of order—

SB 858—A bill to be entitled An act relating to public schools, county boards of public instruction; providing for the purchase of goods, materials, foodstuffs and other commodities, whose price is regulated by the federal government in counties having a seven (7) member board of public instruction, having abolished the office of special tax school district trustees and having an appointive superintendent, at the lowest and best bid, quoting the regulated price plus the lowest additional sum of money per unit above said regulated price; providing an effective date.

On motions by Senator Weissenborn, the rules were waived and SB 858 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Haverfield to take up out of order—

SB 899—A bill to be entitled An act relating to public schools, county boards of public instruction; providing for the purchase of petroleum products in counties having a seven (7) member board of public instruction, having abolished the office of special tax school district trustees and having an appointive superintendent, authorizing said boards to purchase petroleum products at the lowest and best bid, including the highest fixed discount from posted tank wagon prices; providing an effective date.

On motions by Senator Haverfield, the rules were waived and SB 899 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Weissenborn to take up out of order—

SB 1510—A bill to be entitled An act relating to weights, measures and standards, in all counties in the state having a population of not less than four hundred thousand (400,000) nor more than nine hundred thousand (900,000) according to the latest official decennial census; repealing senate bill 631, 1967, insofar as they may relate to the aforesaid population bracket; providing an effective date.

On motions by Senator Weissenborn, the rules were waived and SB 1510 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Bell	Cross	Fisher
Askew	Boyd	de la Parte	Friday
Bafalis	Broxson	Edwards	Gibson
Barron	Chiles	Elrod	Gong
Barrow	Clayton	Fincher	Griffin

Gunter	Lane	Reuter	Stone
Haverfield	McClain	Sayler	Thomas
Henderson	Mathews	Shevin	Weber
Hollahan	O'Grady	Slade	Weissenborn
Horne	Ott	Spencer	Wilson
Johnson	Plante	Stockton	Young
Knopke	Poston	Stolzenburg	

The bill was certified to the House.

Unanimous consent was granted Senator O'Grady to take up out of order—

HB 3302—A bill to be entitled An act relating to each county in the state having a population of not less than one hundred twelve thousand (112,000) nor more than one hundred seventy thousand (170,000) by the latest official state-wide decennial census, authorizing the Board of County Commissioners of such county to employ a county medical examiner; fixing his qualifications, the term of his employment and his compensation; prescribing the powers and duties of such county examiner; providing for an alternate county medical examiner; providing for autopsies; requiring such examiner to appear and testify at coroner's inquest when required; requiring examination of all dead bodies intended for cremation by such medical examiner or alternate; requiring authorization of such disposition; providing for a penalty for violation of such provisions; providing an effective date.

On motions by Senator O'Grady, the rules were waived and HB 3302 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator O'Grady to take up out of order—

HB 3085—A bill to be entitled An act to abolish existing justice of the peace districts in Volusia county; to establish five (5) justice of the peace districts in the county; providing for a referendum election on this act at the next special or general election; providing an effective date.

On motions by Senator O'Grady, the rules were waived and HB 3085 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Gibson to take up out of order—

HB 3281—A bill to be entitled An act relating to Gulf, Franklin and Wakulla counties; amending chapter 65-905, Laws of Florida 1965; relating to oysters by regulating transportation; providing an effective date.

On motions by Senator Gibson, the rules were waived and HB 3281 was read the second time by title, the third time in

full and passed, title as stated. The vote was: Yeas—47
Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

Unanimous consent was granted Senator Cross to take up out of order—

HB 2883—A bill to be entitled An act relating to Bradford county, county code; providing cumulative and supplemental county powers; providing the method for implementing and retracting certain powers; providing the administration of certain facilities; providing revenue sources, the use thereof, and means of financing; providing for a referendum.

On motions by Senator Cross, the rules were waived and HB 2883 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47
Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

Unanimous consent was granted Senator Johnson to take up out of order—

SB 1691—A bill to be entitled An act relating to the Canaveral Port Authority; amending Article IV, chapter 28922, Laws of Florida, 1953; as amended, to provide group insurance for Canaveral Port Authority officers and employees; providing an effective date.

On motions by Senator Johnson, the rules were waived and SB 1691 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47
Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

Unanimous consent was granted Senator Reuter to take up out of order—

HB 3339—A bill to be entitled An act relating to alcoholic beverages, club beverage licenses, in any county in the state having a population of not less than eighty thousand (80,000) nor more than one hundred twenty thousand (120,000), according to the latest official decennial census; providing for one (1) additional beverage license; providing an effective date.

On motions by Senator Reuter, the rules were waived and HB 3339 was read the second time by title, the third time in

full and passed, title as stated. The vote was: Yeas—47
Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

Unanimous consent was granted Senator Reuter to take up out of order—

HB 2702—A bill to be entitled An act relating to the city of Eau Gallie, urban renewal, providing for the rehabilitation, clearance, and redevelopment of slums and blighted areas in the city of Eau Gallie in accordance with urban renewal plans approved by the city council; to define the duties, liabilities, exemptions and powers of said city in undertaking such activities, including the power to acquire property through the exercise of the power of eminent domain or otherwise, to dispose of property subject to any restrictions deemed necessary to prevent the development or spread of future slums or blighted areas, to issue bonds and other obligations and give security therefor, to provide for approval of any bond issue by the electors of the city of Eau Gallie; to levy taxes and assessments and to enter into agreements to secure federal aid and comply with conditions imposed in connection therewith; to provide for an urban renewal agency to exercise powers hereunder if said city determines it to be in the public interest; to authorize said city to furnish funds, services, facilities and property in aid of urban renewal projects hereunder and to obtain funds therefor by the issuance of obligations, by taxation or otherwise; and to provide that securities issued, and properties while held, by a public agency hereunder shall be exempt from taxation; to provide for a referendum.

On motions by Senator Reuter, the rules were waived and HB 2702 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47
Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

Unanimous consent was granted Senator Stolzenburg to take up out of order—

HB 2709—A bill to be entitled An act to provide for the rehabilitation, clearance, and redevelopment of that portion of the City of Key West, Monroe County, Florida, lying north of Flagler Avenue, west of the east right-of-way line of President Kennedy Drive, east of the east right-of-way line of 12th Street, and south of the land described in official record book 301, pages 149 thru 152, of the public records of Monroe County, Florida, the same known as Flagler Apartments; and also, that portion of the said city lying east of the east right-of-way of President Kennedy Drive, west of the east right-of-way line of 16th Street, north of Flagler Avenue, and south of the north right-of-way line of Duck Avenue; and also the area known as Village Apartments lying north of Duck Avenue, west of the east right-of-way line of 16th Street (extended), and east of the west right-of-way line of 15th Street (extended); and also that parcel of land known as the Key West city hall annex described in official record book 112 at pages 3 and 4, of the public records of Monroe County, Florida; and also that parcel of land on the Island of Key West, Monroe County,

Florida commencing at the intersection of the North right of way of Duck Avenue and the East right of way of 14th Street and run thence easterly along the said North right of way of Duck Avenue, a distance of 75.02 feet to the Point of Beginning; thence run northerly, perpendicular to the said Duck Avenue, a distance of 478.97 feet; thence run easterly, parallel to the said Duck Avenue, a distance of 272.50 feet; thence run southerly, perpendicular to the said Duck Avenue, a distance of 74.10 feet; thence run easterly, parallel to the said Duck Avenue, a distance of 146.42 feet; thence run southerly, perpendicular to the said Duck Avenue, a distance of 404.87 feet to the North right of way of the said Duck Avenue; thence run westerly along the North right of way of the said Duck Avenue, a distance of 418.92 feet back to the Point of Beginning, containing 4.36 acres, more or less, in accordance with urban renewal plans approved by the city commission; to limit the duties, liabilities, exemptions, and powers of said city to the areas described in this act, including the power to acquire the properties described herein through the exercise of the power of eminent domain or otherwise, to dispose of said properties subject to any restrictions deemed necessary to prevent the development or spread of future slums or blight in said areas, to issue bonds or other obligations and give security therefore and to enter into agreements to secure federal aid and comply with conditions imposed in connection therewith; to provide for an urban renewal agency to exercise powers hereunder if said city determines is to be in the public interest; to authorize said city to furnish funds, services, facilities and property in aid of the urban renewal projects described in this act and to obtain funds therefore by the issuance of obligations; and to provide that securities issued and properties while held, by a public agency hereunder shall be exempt from taxation; providing when this act shall take effect.

On motion by Senator Stolzenburg, the rules were waived and HB 2709 was read the second time by title.

Senator Stolzenburg offered the following amendment which was adopted:

In Section 20, page 37, strike: entire Section 20 and insert the following:

Section 20. This act shall not take effect unless approved by a majority of registered qualified electors voting in a referendum election held either during a special, primary election or at the general election to be held in the city of Key West, Florida.

Senator Stolzenburg also offered the following amendment which was adopted:

In title, lines 3 and 4, on page 2, strike: "when this act shall take effect" and insert the following: for a referendum.

On motion by Senator Stolzenburg, the rules were waived and HB 2709 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill as amended was certified to the House.

Unanimous consent was granted Senator Askew to take up out of order—

CS for HB 3193—A bill to be entitled An act relating to Escambia county; establishing a data processing board with authority to create; operate and plan a unified data processing system for certain participating county and city agencies; providing board membership; providing terms of office; providing for necessary personnel, equipment and building space; providing financing; providing for a referendum.

On motion by Senator Askew, the rules were waived and CS for HB 3193 was read the second time by title.

Senators Askew and Broxson offered the following amendment which was adopted on motion by Senator Askew:

On page 1, strike: all after the enacting clause and insert the following:

Section 1. Short title.—This act may be cited as the Escambia county electronic data processing management act.

Section 2. Definitions.—For the purposes of this act:

(1) "Agency" means any public officer, department, division, board, bureau, commission or agency within Escambia county including but not limited to the county board of public instruction and every municipality.

(2) "Board" means the Escambia electronic data processing management board.

(3) "Center" means any electronic data processing center established or operated by the board.

Section 3. Escambia electronic data processing management board; creation; membership.—There is hereby created Escambia electronic data processing management board to consist of: chairman of the board of county commissioners, chairman of the county board of public instruction, one member of the legislative body of the largest municipality in the county, to be appointed by the Governor and confirmed by the state Senate, all to serve for and during their term of office, and two (2) citizens of Escambia county who have had not less than five (5) years experience in a supervisory capacity in the field of electronic data processing to be appointed by the governor and confirmed by the state senate to serve for a term of four (4) years. The clerk of the circuit court, as county auditor, shall serve as an ex officio member of the board without vote and shall be secretary of such board. Immediately upon appointment by the governor of the three members of the board the secretary of the board shall call an organization meeting thereof.

Section 4. Executive director.—The board may employ an executive director.

Section 5. Employees.—The board may employ such personnel as deemed necessary to administer its responsibilities under this act.

Section 6. Rules and regulations.—The board shall adopt such rules and regulations deemed necessary to carry out its duties and responsibilities under this act which rules shall be binding on all agencies and persons affected thereby.

Section 7. Powers and duties.—The board shall be authorized to:

(1) Establish and supervise the administration of data processing centers deemed necessary by the board to best serve the data processing needs of all agencies. The board may designate an existing agency as a data processing center.

(2) Arrange for and effect the centralization, consolidation and community use of equipment and services deemed necessary by the board to obtain maximum utilization and efficiency in data processing operations. In event the board shall use as one of its centers any existing agency electronic data processing facility the board shall pay to such agency reasonable rental for space and reimburse the agency for any expenses incurred by the agency.

(3) Transfer to any data processing center the data processing activities of any agency.

(4) Transfer to, or utilize in, any data processing center the data processing equipment presently in use on the effective date of this act or on order prior to July 1, 1967, by any agency whose data processing activities are assigned to a data processing center. The board shall compensate any municipality transferring assets to board by paying the market value thereof or by paying rentals or by entering into a lease rental agreement with option to purchase, mutually agreeable to the board and the municipality concerned, but if the parties cannot agree by January 1, 1968, as to such compensation or as to one appraiser who will fix the value thereof, each party shall within five days appoint one appraiser and these two within five days shall appoint a third appraiser and the decision of at least a majority shall be rendered within ten days thereafter and shall be binding and conclusive on both parties.

(5) Direct and coordinate the efforts of data processing centers and operating personnel employed by the various agencies as deemed necessary to achieve effective and economical data processing services.

(6) (a) Personnel employed by any agency on November 30, 1967, shall, at the request of the board, be transferred to, and employed by, the board as of January 1, 1968; provided, however, in event any employee shall object to such transfer, then such employee shall be retained by the employing agency in a position requiring qualifications as similar as possible to those required by the current position of the employee. Personnel transferred shall be assigned to duties and positions as the board shall direct with rank and pay as the board shall determine but at a salary which is not less than the amount such transferred employee was receiving from the agency.

(b) The county shall comply with the provisions of Chapter 122.03, Florida Statutes, and the employees transferred, prior to their transfer, shall be informed in writing of their pension rights thereunder.

(c) No officer or employee of the board shall be a member of the Escambia county civil service and no officer or employee shall be subject to civil service laws now or hereafter in effect in Escambia county. No employee transferred, prior to March 1, 1968, from any municipality to the board for employment under the provisions of this act shall be discharged except for misconduct or inefficiency, including but not limited to insubordination, tardiness, absenteeism, inefficiency or carelessness in the discharge of his or her duties, drunkenness, conviction of misdemeanors or crimes, dishonesty and multiple arrests irrespective of final results of trial.

(7) Cooperate with the interested agencies in acquiring the retention and reassignment of any employee.

(8) Conduct data processing and communicating systems studies prior to the acquisition of data processing equipment and provide long range planning.

(9) Approve specifications for data processing or teleprocessing systems and equipment, coordinating with the county auditor all system development involving auditing, accounting and financial reporting in accordance with an over all plan for accounting.

(10) Acquire by purchase, lease or otherwise, any data processing, data transmission or teleprocessing equipment, communication lines, devices or instruments necessary for the operation of any data processing center; provided, however, that any such acquisition where the purchase price or annual rental of equipment or supplies exceeds one thousand dollars (\$1,000.00), competitive bids shall be requested by the board in the manner prescribed by the board of county commissioners, and contracts shall be awarded to the lowest responsible bidder after giving due consideration to all economic factors involved, including but not limited to, expense involved in removal and reinstalling of different equipment; in the retraining of operating personnel; in the re-programming of data and in discarding of recorded data, but no contracts shall be awarded which require the payment of rental for a period in excess of four (4) years; provided, however, in event the board shall determine that it is necessary to assume the obligations of any leases or contracts relating to electronic data equipment or supplies in order to avoid a breach of contract of any agency or in order to avoid a disruption of services, the board may assume the obligations of any such lease or contract for a period not to exceed two years.

(11) Perform occasional services for public agencies requiring service that are not contributing funds under section 9 hereof, upon payment to the board of reasonable compensation therefor, but no services of any kind shall be performed for any person, firm or corporation not included in the definition of "agency."

(12) The board in determining its cost of operations shall apply proper depreciation rates to property owned by the county operated in any center.

(13) Coordinate and cooperate with the Florida electronic data processing board.

Section 8. The board:

(1) Prior to December 1, 1967, shall adopt plans for

- (a) Establishing of at least one data processing center;
- (b) the procuring of adequate space therefor;

(c) the orderly transfer of personnel from agencies (including notification of such personnel) which will utilize the services of the center;

(d) the locating of personnel, in addition to personnel to be transferred, if any, necessary for the proper operation of the center; and

(e) the continuing of or terminating of contracts, leases or other obligations relating to data processing equipment or agencies and in so doing shall exercise due care not to create any liability upon any agency for material and equipment, which will be valueless to such agency;

(f) the procuring of necessary equipment for proper operation of the center;

(g) the presenting of a proposed budget to the board of county commissioners for the operation of the center or centers, which shall include an estimate of income and expenses for the fiscal year of 1967-8; and

(h) all matters necessary for the orderly transfer of functions and operations of the center.

(2) The board shall on January 1, 1968:

(a) establish at least one data processing center;

(b) transfer to such data processing center the data processing activities of all agencies in the county.

Section 9. Electronic equipment; purchase by agencies; restrictions.—No agency shall be authorized to acquire by purchase, lease or otherwise, any electronic data processing, electronic data transmission or teleprocessing equipment or related communication lines, devices and instruments without the prior approval of the board. On and after January 1, 1968, all agencies requiring electronic data or electronic computer service shall procure the same from a center operated by the board, unless the board otherwise directs; provided, however, if after January 1, 1971, any agency shall demonstrate to the board by credible evidence that it can procure equal service by contract from others at a lesser cost than was charged by the board for similar service during the preceding year the board shall reduce its charges comparably to contract for such services at the lesser cost.

Section 10. Budgets and charges.—The board of county commissioners shall budget for the fiscal year of 1967-8 and each year thereafter, out of the county general fund, an amount sufficient to defray the cost of operations of the center or centers and the anticipated revenue therefrom. Each agency shall be charged monthly the cost of monthly operation of the center or centers on a pro rata basis according to the use of each agency of the facilities and services of the center or centers. All collections for services shall be deposited in the county general fund.

Section 11. Advisory committee, duties, etc.—

(1) There is hereby created a data processing advisory committee for the processing center created pursuant to the provisions of this act. Such advisory committee shall consist of a representative of each agency served by the data processing center. A designee of the board's chairman shall serve as the secretary to the committee so created.

(2) It shall be the responsibility of the data processing advisory committee to make periodic reviews of the data processing center's operation with particular emphasis on the services being performed, work priorities, schedules and operating policies and procedures. The committee shall make such recommendations to the board as deemed necessary for the efficient operation of the data processing center.

Section 12. County auditor, audits and reports.—The county auditor shall recommend, from time to time, programs for the overall development of accounting and financial reporting. The county auditor shall conduct semiannual management audits of all data processing activities, reporting to the board concerning his findings and recommendations in such audits.

Section 13. The provisions of this act shall not apply to data processing equipment which is acquired for and being exclusively used for instructional and research purposes in the public schools of the county; provided, however, the Pensacola junior college may use such instructional equipment now or hereafter installed on its present campus for its internal administrative purposes, as well as for instructional and research purposes but for no other purpose, except that unless prohibited by the terms of its acquisition, nothing herein

shall prevent the board of public instruction from permitting the use of any data processing equipment for county governmental use whenever appropriate in the interest of economy and maximum utilization of existing equipment, which said use shall be approved by the board and will be coordinated by the executive director.

Section 14. All laws and parts of laws in conflict herewith be and the same are hereby repealed.

Section 15. This act shall take effect immediately upon becoming a law.

On motion by Senator Askew the rules were waived and CS for HB 3193 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill as amended was certified to the House.

Unanimous consent was granted Senator Askew to take up out of order—

HB 2863—A bill to be entitled An act relating to Escambia county; creating a county civil service system; providing for governing board; providing powers and authorities; requiring board to adopt rules and regulations; providing classification plan and conditions of employment; providing for expenditures; providing appropriations by county; providing an effective date.

On motion by Senator Askew, the rules were waived and HB 2863 was read the second time by title.

Senators Askew and Broxson offered the following amendment which was adopted on motion by Senator Askew:

In Section 1, line 10, page 2, after the words "and qualified." insert the following: All appointments to the board shall be subject to confirmation by the state senate.

Senators Askew and Broxson also offered the following amendment which was adopted on motion by Senator Askew:

In Section 3, line 19, page 5, strike: "LPN's." and insert the following: licensed practical nurses.

Senators Askew and Broxson also offered the following amendment which was adopted on motion by Senator Askew:

In Section 3, line 4, page 6, after the words "enumerated above" insert the following: on the effective date of this act

Senators Askew and Broxson also offered the following amendment which was adopted on motion by Senator Askew:

In Section 8, line 10, page 11, after the words "such accrued leave" insert the following: only

Senators Askew and Broxson also offered the following amendment which was adopted on motion by Senator Askew:

In Section 9 (1), line 26, page 15, strike: the period and insert the following: ; provided, however, that for purposes of determining eligibility for employment in any classified position at Pensacola Junior College, the board shall accept the residence of any person in any county which financially supports the said junior college, as equivalent to any requirement of residence in Escambia county.

Senators Askew and Broxson also offered the following amendment which was adopted on motion by Senator Askew:

In Section 9, line 26, page 18, strike: "thirty (30)" and insert the following: forty-five (45)

Senators Askew and Broxson also offered the following amendment which was adopted on motion by Senator Askew:

In Section 12, pages 23 and 24, strike: entire Section 12. and insert the following:

Section 12.

(1) *Provisional appointment.*—If necessary to prevent the stoppage of public business or inconvenience to the public, but not otherwise, the civil service board may authorize the filling of a position by provisional appointment pending the establishment of a re-employment or employment list. No person who does not possess the minimum required qualifications for such positions as may be prescribed by the board shall be permitted to serve in such temporary position. Such provisional appointment shall continue only until the establishment of a re-employment or employment list.

(2) *Emergency appointment.*—In case of any emergency and the board is unable to furnish a suitable appointee, an appointment may be made by the appointing authority which appointment, nature of the emergency and rate of pay promised shall be immediately reported to the board. No such emergency appointment shall continue beyond sixty (60) days without the approval of said board.

(3) *Temporary employment.*—When any part of any service to be performed by employees is of such character that the civil service board finds temporary employees are needed periodically for limited times the appointing authorities may, with the approval of said board employ the needed temporary employees for such service. No such temporary employment of any individual shall continue beyond sixty (60) days without the approval of said board and in no case may it continue beyond one hundred twenty (120) days.

Senators Askew and Broxson also offered the following amendment which was adopted on motion by Senator Askew:

In Section 17, line 19, page 29, strike: "with" and insert the following: without

Senators Askew and Broxson also offered the following amendment which was adopted on motion by Senator Askew:

In Section 22, lines 9 and 10, page 33, strike: "thirty thousand dollars (\$30,000.00)." and insert the following: forty thousand dollars (\$40,000.00).

On motion by Senator Askew, the rules were waived and HB 2863 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill as amended was certified to the House.

Unanimous consent was granted Senator Chiles to take up out of order—

HB 3276—A bill to be entitled An act relating to salaries of certain county officials in each county having a population of not less than one hundred seventy-five thousand (175,000) nor more than two hundred thousand (200,000) according to the last official decennial census, and having a criminal court of record; providing effective dates of salaries; providing an effective date of the act.

On motions by Senator Chiles, the rules were waived and HB 3276 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Bafalis	Barrow	Boyd
Askew	Barron	Bell	Broxson

Chiles	Gong	McClain	Spencer
Clayton	Griffin	Mathews	Stockton
Cross	Gunter	O'Grady	Stolzenburg
de la Parte	Haverfield	Ott	Stone
Edwards	Henderson	Plante	Thomas
Elrod	Hollahan	Poston	Weber
Fincher	Horne	Reuter	Weissenborn
Fisher	Johnson	Sayler	Wilson
Friday	Knopke	Shevin	Young
Gibson	Lane	Slade	

The bill was certified to the House.

Unanimous consent was granted Senator Chiles to take up out of order—

HB 3228—A bill to be entitled An act relating to the arresting authority of any police officer of the city of Lake Wales, Polk county; authorizing the arrest within Polk county outside of said city of any person who within the said city violates a municipal ordinance, commits a misdemeanor or a felony when the arresting officer is in fresh and continuous pursuit; providing an effective date.

On motions by Senator Chiles, the rules were waived and HB 3228 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Chiles to take up out of order—

HB 3323—A bill to be entitled An act relating to Polk county; fire district; amending chapter 63-1824, Laws of Florida; authorizing the commissioners of fire district no. 1 of Polk county to render fire control and protection services to areas outside of the boundaries of said district and to make reasonable charges for such service; providing an effective date.

On motions by Senator Chiles, the rules were waived and HB 3323 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Mathews to take up out of order—

HB 2884—A bill to be entitled An act relating to Union county, county code; providing cumulative and supplemental county powers; providing the method for implementing and retracting certain powers; providing the administration of certain facilities; providing revenue sources, the use thereof, and means of financing; providing for a referendum.

On motions by Senator Mathews, the rules were waived and HB 2884 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Fisher to take up out of order—

HB 2866—A bill to be entitled An act relating to Nassau county, county code; providing cumulative and supplemental county powers; providing the method for implementing and retracting certain powers; providing the administration of certain facilities; providing revenue sources, the use thereof, and means of financing; providing for a referendum.

On motions by Senator Fisher, the rules were waived and HB 2866 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Henderson to take up out of order—

HB 3256—A bill to be entitled An act relating to regulation of water and sewerage systems and bulk water utilities in Sarasota county, Florida; providing for definition of terms used in the act; authorizing the board of county commissioners to prescribe classes and conditions of service, to set rates and charges for services, to adopt rules and regulations for administering this act, to grant franchises for water and sewerage systems and bulk water utilities, to prescribe conditions for such issuance, to evaluate property for rate purposes, to inspect utility property, to modify rates and charges, to invoke penalties and revoke franchises under certain conditions; requiring furnishing of service by such utilities; prohibiting rates and charges not approved as provided in this act; providing exemptions and penalties; repealing laws in conflict; authorizing the county of Sarasota to expend public funds for a fire hydrant system and providing for the repayment by property owners of the cost thereof; providing an effective date.

On motions by Senator Henderson, the rules were waived and HB 3256 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Sayler	

The bill was certified to the House.

Unanimous consent was granted Senator Griffin to take up out of order—

HB 3322—A bill to be entitled An act relating to the county health unit in each county of the State having a population of more than one hundred seventy-five thousand (175,000) and less than two hundred thousand (200,000) according to the last official decennial census, authorizing implementation of the State merit system by authorizing the board of county commissioners of each such county to supplement the compensation of any member or employee of such health unit to an amount not exceeding the maximum allowable under the State merit system; providing an effective date.

On motions by Senator Griffin, the rules were waived and HB 3322 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

Unanimous consent was granted Senator Griffin to take up out of order—

HB 3309—A bill to be entitled An act relating to Haines City, Polk county, public utilities; granting or renewing of public utility franchises by the city of Haines City; amending sections 158, 159, 166 and repealing sections 167, 168, 170, 171, chapter 12790, Laws of Florida, 1927.

On motions by Senator Griffin, the rules were waived and HB 3309 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Barron	Boyd	Clayton
Askew	Barrow	Broxson	Cross
Bafalis	Bell	Chiles	de la Parte

Edwards	Haverfield	O'Grady	Stockton
Elrod	Henderson	Ott	Stolzenburg
Fincher	Hollahan	Plante	Stone
Fisher	Horne	Poston	Thomas
Friday	Johnson	Reuter	Weber
Gibson	Knopke	Saylor	Weissenborn
Gong	Lane	Shevin	Wilson
Griffin	McClain	Slade	Young
Gunter	Mathews	Spencer	

The bill was certified to the House.

Unanimous consent was granted Senator Griffin to take up out of order—

HB 1631—A bill to be entitled An act relating to appointing of deputy constables in all counties of the state having a population of not less than one hundred seventy-five thousand (175,000) and not more than two hundred thousand (200,000), according to the latest official decennial census; amending section 1 of chapter 63-658, laws of Florida, to authorize three deputy constables in justice of the peace district number five (5) of each such county; and providing an effective date.

On motions by Senator Griffin, the rules were waived and HB 1631 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	

The bill was certified to the House.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:03 p. m. to reconvene at 9:00 a. m., July 13, 1967.