

JOURNAL OF THE SENATE

Thursday, June 4, 1970

The Senate was called to order by the President at 8:00 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

INTRODUCTION

By Senators Knopke, McClain, Ott and de la Parte—

SB 1593—A bill to be entitled An act relating to the City of Tampa, Hillsborough County, general employees pension fund; amending section 5 of chapter 23559, Laws of Florida, 1945, as amended; providing for the establishment of a postretirement adjustment account; allowing for cost-of-living adjustment in benefits; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1593.

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

By Senator Hollahan—

SB 1594—A bill to be entitled An act relating to salaries of the judges in the criminal courts of record in counties of the state having a population of more than four hundred thousand (400,000) but less than nine hundred thousand (900,000) according to the latest official decennial census; repealing Senate Bill 1591, 1970, insofar as it may relate to the aforesaid population bracket; providing an effective date.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Stevens and others—

HB 5464—A bill to be entitled An act relating to deputy constables in Pasco County; authorizing the employment of deputy constables; requiring said constables to give bond; providing for compensation and control; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representatives Gillespie and Conway—

HB 5059—A bill to be entitled An act relating to Volusia County; providing for the regulation of activities in the salt waters of Volusia County; providing that described inland salt waters thereof shall be a reservation for the protection and propagation of fish of all kinds; regulating the taking of certain fish by specific methods in described areas of the salt waters of the county; restricting the taking of sea turtles or their eggs; regulating the taking of shrimp; limiting the taking of oysters; regulating the taking of crabs; making violation a misdemeanor;

repealing chapter 67-2159, Laws of Florida, and other laws in conflict with this act; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Gallen—

HB 5410—A bill to be entitled An act relating to Manatee County, commercial fishing; amending sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Chapter 67-1685, Laws of Florida; defining terms; regulating fishing and closing certain inland waters of Manatee County to commercial fishing and netting and making an exception thereto; regulating the bag limits or number of fish in possession thereon; providing that any person so fishing upon said inland waters is deemed to have given his consent for inspection to any law enforcement officer; providing for confiscation and disposition of certain illegal devices and declaring them a nuisance; making a violation of this act a misdemeanor; declaring fishing in such waters to be a privilege and not a right subject to regulation by the state and stating the legislature's intent of this act; providing for severability in the event any part of this act is held to be unconstitutional; repealing all laws in conflict with this act; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Davis and others—

HB 5452—A bill to be entitled An act relating to Indian River County, special improvement service districts; amending Sections 1(a) and 2(f), (g); introductory paragraph, subsections (a), (c) and (e) of Section 3; and Sections 4 and 6 of Chapter 61-2277, Laws of Florida, adding wells and treatment facilities to definition of water systems; changing references to Ninth Judicial Circuit to Nineteenth Judicial Circuit; authorizing creation of districts by resolution of the Board of County Commissioners; decreasing the percentage of qualified electors who may petition for creation of a district; requiring the Supervisor of Elections to verify the names of electors on petitions within a certain time; allowing publication of notice in newspapers other than daily newspapers; amending Chapter 61-2277, Laws of Florida, by adding Section 12A authorizing the Board of County Commissioners to appoint a Board of Governors for a district; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Reeves and others—

HB 5469—A bill to be entitled An act relating to firemen and to the firemen's relief and pension fund of the City of Pensacola, Escambia County; amending subsection (e) of section 5 of chapter 63-1774, Laws of Florida, relating to transfer of funds; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Murphy and others—

HB 5436—A bill to be entitled An act relating to Pinellas County; providing municipalities with power to construct, improve and maintain water, gas, electric and sewer service outside municipal boundaries; providing for the assessment of cost against abutting property owners; providing a limitation on charges for the service provided; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Yancey and others—

HB 5478—A bill to be entitled An act relating to the City of Winter Haven, Polk County; amending the city charter of the City of Winter Haven as provided in chapter 57-1962, Laws of Florida, to change the description of the Greater Winter Haven area in section 1 thereof to enlarge said area (which said enlarged area includes common boundaries with the Cities of Auburndale and Lake Alfred) for the purposes of future expansion of the City of Winter Haven and for present planning and extraterritorial service purposes; repealing all laws or parts of laws, whether general or special, in conflict with this act to the extent of such conflict; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Savage and others—

HB 5479—A bill to be entitled An act creating an additional county judge for Pinellas County, Florida, in addition to those now provided by law; providing for qualifications, election, term of office and compensation of such additional county judge; providing for a senior county judge and the administration of the office of county judge in said county and providing for a savings clause.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Davis and others—

HB 5450—A bill to be entitled An act providing the additional authority for the city of St. Cloud to extend its city limits and annex additional territory to the city.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Fortune and others—

HB 5443—A bill to be entitled An act relating to Walton County, repealing all special acts which provide for the distribution of certain of race track funds to the Trustees of the Walton County Curb Market, providing that said funds shall henceforth be administered by the board of County Commissioners of Walton County, Florida; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Melvin and others—

HB 5442—A bill to be entitled An act relating to Walton County; authorizing the Board of County Commissioners to grant garbage collection franchises and designate districts; describing procedures and requirements for the issuing of a franchise; authorizing the Board to set rates; setting rules and regulations; authorizing the Board to operate a garbage collection system; providing for the firms damaged by the operation of a county garbage collection system; authorizing the establishment of sanitary land fill program; prohibiting the disposal of garbage except within the rules and regulations of the state and county boards of health; authorizing the board to contract with any municipality of the county for collection of garbage, to

have exclusive control and jurisdiction of all garbage collection and disposal, and to fix and collect rates, fees, and other charges for the use of county sanitary land fills; providing a penalty; providing the levy of a tax of one half (1/2) mill for the financing of said program; providing for a referendum, providing for an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representatives Chapman and Middlemas—

HB 5341—A bill to be entitled An act relating to Gulf County; providing for an additional beverage license in such county, to be issued to St. Joseph Bay Country Club, Inc.; providing an effective date.

Proof of Publication attached.

By Representative Powell and others—

HB 5363—A bill to be entitled An act relating to Brevard County, club alcoholic beverage licenses; excepting Columbus Club of Brevard County, Inc., Brevard County, from the provisions of section 561.20(6), Florida Statutes, as the same relates to the number of such licenses that may be issued in Brevard County; excepting said club from the provisions of any other laws of general, special, or local nature of the state; relating to the number of such licenses to be issued in Brevard County; providing an effective date.

Proof of Publication attached.

By Representative Ware and others—

HB 5434—A bill to be entitled An act creating and incorporating a special tax district in Pinellas County, Florida to be known and designated as The Pinellas County Hospital Authority, prescribing the boundaries of said district, providing the County Commissioners of Pinellas County shall constitute the authority, providing for the governing and administration of the same, including the promulgation of regulations by said authority, providing for the conditions of and limitations of payment, partial payment, prepayment and repayment of medical and hospital bills for medically indigent, the qualifications of participants furnishing health care and receiving same, and for the administrative procedure of such authority, providing and defining the power and purposes of said authority and the Board of Commissioners thereof, authorizing and empowering the authority to establish contracts with existing licensed general hospitals, other appropriate licensed health care facilities and medical personnel for the care of the medically indigent of Pinellas County, defining medically indigent, authorize payment for such care, providing for the levy and collection of taxes not to exceed two mills for the purpose of the operation of said hospital district, providing for a referendum.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Yancey and others—

HB 5414—A bill to be entitled An act relating to Polk county, public works; authorizing the board of county commissioners to purchase, acquire, construct, improve, repair, equip, maintain and remodel lands, buildings and personal property; authorizing the board to issue revenue certificates for payment thereof; providing for payment of principal and interest from pari-mutuel pool taxes and cigarette and other tobacco taxes accruing annually to said board; providing method for issuance and limitations upon said certificates; covenanting not to impair the rights of the holders of the certificates; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Gallen—

HB 5431—A bill to be entitled An act relating to Manatee County; amending sections 1, 2, 3, 4, 5, 6, 7, and 8 of chapter 63-1585, Laws of Florida, as amended; regulating fishing and closing certain inland waters of Manatee County to commercial fishing; defining terms; closing certain inland waters of Manatee County to net fishing; providing exceptions; making the possession of nets upon such waters unlawful; regulating the number of fish in possession thereon; providing that any person so fishing upon said inland waters is deemed to have given his consent for inspection to any law enforcement officer; providing for confiscation of certain illegal devices and declaring them a nuisance and providing for the disposition of such illegal devices; declaring fishing in such waters to be a privilege and not a right, and subject to regulation by the state; stating legislative intent; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Yancey and others—

HB 5457—A bill to be entitled An act relating to Winter Haven, Polk County; establishing the Winter Haven Downtown Development Board as a body corporate; prescribing the boundaries of the downtown area; prescribing the number, qualifications, term and methods of appointment and removal of members; providing for filling vacancies in office for service without compensation, for reimbursement of expenses, for bonding and for personal liability in certain instances; providing for by-laws and internal government of board; prescribing its functions and powers, including powers to acquire, own, lease and dispose of property; to request the City of Winter Haven to exercise its eminent domain power for public purposes; to issue, sell and provide security for revenue certificates; to borrow on short term; to fix, regulate, and collect rates and charges; to maintain offices; to employ and prescribe the duties, authority, tenure, compensation and expense reimbursement of a director and other staff, and to exercise all necessary incidental powers; providing for the city to levy in each fiscal year an ad valorem property tax of not more than two and one half (2 1/2) mills to finance board operations; providing for assessment and

collection thereof by the city; requiring maintenance of records, budget and fiscal control; forbidding participation on behalf of the board by personnel financially interested in the matter involved; providing for succession by the city to the property and certain functions of the board if it ceases to exist or operate; regulating issuance of board revenue certificates; prescribing scope of this act; providing for an electors election; providing for liberal construction; providing an effective date.

Proof of Publication attached.

By Representative Gautier and others—

HB 5430—A bill to be entitled An act amending Chapter 69-1319, Laws of Florida, relating to the North Key Largo Development District Act; eliminating personal property from property subject to the taxing authority of the District; providing a discount for early payment of taxes; conforming the delinquent date for taxes to general law; providing fees for the tax collector and tax assessor; and authorizing freeholders to vote the imposition of millage; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Smith—

HB 5423—A bill to be entitled An act relating to Jefferson County; changing the classification of State Road No. 146 from secondary to primary; providing an effective date.

Proof of Publication attached.

By Representative Sweeny and others—

HB 5456—A bill to be entitled An act relating to Volusia County, creating a Special Taxing District in East Volusia County, for the purpose of establishing a Civic Facilities Authority in said district as a public body corporate and politic for the purpose of planning, developing, constructing, acquiring, owning, reconstruction, extending, enlarging, repairing, improving, relocating, equipping, maintaining and operating facilities and sites for the holding of conventions and expositions, and civic, cultural, recreational, athletic and similar events and activities; defining the boundaries of said district; providing for the method and manner of the appointment of and terms of the authority's membership; providing for its organization, powers, functions, financing, privileges, duties, and responsibilities; providing definitions; providing for the issuance by the authority of revenue bonds to carry out the purposes of this act; providing for the rights and remedies of bondholders; providing authority to enter into bond resolutions, deeds of trust, indentures or other agreements; providing effective date of pledge of authority; excluding personal liability on bonds; providing for sources of revenues for paying for said authority and its facilities and for paying for said revenue bonds, including revenues of the facilities, proceeds of certain excise taxes and other legally available revenues, providing that bonds shall not be debts or a pledge of the faith and credit of said authority; providing for tax exemptions; providing for issuance of notes of the authority; providing for repurchase and refunding of the bonds of the authority; authorizing appropriations by said authority for operation and maintenance of said facilities; providing for public or private subscriptions; providing for inapplicability of inconsistent laws; providing a severability clause; providing this act is an alternative method; providing for liberal construction; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative McNulty and others—

HB 5453—A bill to be entitled An act relating to the Melbourne—Tillman Drainage District in Brevard County; providing for the duties of the Brevard County Tax Assessor and the Brevard County Tax Collector; the levy, collection and enforcement of all taxes levied by said district at the same time and in like manner as county taxes; same discount and penalty as county taxes; method of tax certificate sale and redemption; bond of the Tax Collector; fees of the Assessor and Collector; providing that the act shall take precedence over any conflicting law to the extent of such conflict; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Sessums and others—

HB 4635—A bill to be entitled An act relating to Hillsborough County; continuing the powers, duties and functions of the Hillsborough home rule charter commission; providing for termination of its existence; providing for the appropriation of funds from Hillsborough County for the use of said charter commission in carrying out its duties, functions and responsibilities; providing for it to sue and to be sued; providing for it to intervene in litigation concerning the proposed charter; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Murphy and others—

HB 5402—A bill to be entitled An act establishing the Clearwater downtown development board as a body corporate; prescribing the boundaries of the downtown area, and for method of changing those boundaries; prescribing the number, qualifications, term and methods of election and removal of members; providing for filling vacancies in office, for service without compensation, for reimbursement of expenses, for bonding, and for personal liability in certain instances; providing for bylaws and internal governance of the board, prescribing its functions and powers; including powers to acquire, own, lease and dispose of property; to issue, sell and provide security for revenue certificates, to borrow on short term, to fix, regulate and collect rates and charges, to maintain offices, to employ and prescribe the duties, authority, tenure, compensation and expense reimbursement of a director and other staff, and to exercise all necessary incidental powers; prescribing for the county to levy in each fiscal year an ad valorem property tax of not more than one mill on non homestead property to finance board operations; providing for assessment and collection thereof by the county; requiring maintenance of records; budget and fiscal control; forbidding participation on behalf of the board by personnel financially interested in the matter involved; regulating issuance of board

revenue certificates and providing for validations of bonds; providing for succession by the City to the property and certain functions of the board if it ceases to exist or operate; providing for a freeholders election; prescribing scope of this act, specifying policy as to who is eligible voter and clarify intent as to millage limitation; and providing for its liberal construction, severability and effective date.

Proof of Publication attached.

By Representative Grizzle and others—

HB 5424—A bill to be entitled An act further amending Chapter 29438 Laws of Florida, Special Acts of 1953, as amended, being the act creating and establishing the Indian Rocks Special Fire Control District; Providing for the plurality election of commissioners and the staggering of terms; Providing for a single polling place; Setting the election date as the Tuesday after the second Monday in December in even years; Allowing the levy and assessment of ad valorem taxes up to one mill; Providing for the severability of the provisions thereof; Providing for the repeal of all laws in conflict therewith; Providing for an effective date of this act; and providing for reenactment of the entire Chapter 29438 as amended.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Murphy and others—

HB 5435—A bill to be entitled An act relating to the establishment and maintenance of fire control districts in the unincorporated areas of Pinellas county; providing for the filing of a petition with the board of county commissioners by more than twenty-five (25%) percent of the registered freeholders residing in the proposed district; providing for computation of millage required from ad valorem real property taxes to pay cost of fire protection; providing that such millage is excluded from ten (10) mill limit imposed by Constitution and Statutes of Florida; providing that upon approval of petition, board of county commissioners shall call an election by freeholders in the proposed fire control district; providing for matters to be contained on the ballots in said election; providing for the levy of an ad valorem tax on real property within district to pay cost of fire protection if district becomes operative; providing repeal of Chapter 29439, Special Acts, 1953 and all other conflicting laws; providing for severability of provisions; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Davis and others—

HB 5362—A bill to be entitled An act relating to Indian River County, Sebastian River drainage district; providing for the levy, collection, and enforcement of installment and maintenance taxes by said district at the same time and in like manner as county taxes; providing that said taxes shall be extended by the county tax assessor on the county tax roll, and shall be collected by the tax collector in the same manner and time as county taxes; providing for the same discounts and penalties as county taxes; providing for the compensation of the tax assessor and tax collector; providing that district taxes

shall be a lien on lands against which taxes are levied of equal dignity with county and other taxes; providing an effective date.

Proof of Publication attached.

By Representative Sessums and others—

HB 5389—A bill to be entitled An act relating to Hillsborough County Hospital and Welfare Board; amending chapter 63-1402, Laws of Florida, as amended, by adding a section 7A. thereto; providing that the request for additional tax on all taxable property in the county not exceeding one (1) mill per annum for renovating, constructing, equipping, repairing and enlarging facilities of the board is for a municipal purpose and is to be in addition to all other millage requested by the board; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Sweeney and others—

HB 5330—A bill to be entitled An act to abolish the present municipality of the City of DeLand in Volusia County, Florida; to incorporate, create and establish a new municipality to be known as the City of DeLand in Volusia County, Florida; to fix its boundaries and corporate limits; to provide for its government, powers, privileges and immunities, and the means of exercising the same; to repeal all laws in conflict herewith.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Sessums and others—

HB 5462—A bill to be entitled An act relating to Hillsborough County, voter registration; providing that section 98.081, Florida Statutes, shall be applicable to Hillsborough County; providing that Hillsborough County purge its voter registration rolls every two (2) years; providing an effective date.

Proof of Publication attached.

By Representative Reeves and others—

HB 5470—A bill to be entitled An act relating to Escambia County; authorizing, empowering and permitting the school board of Escambia County to provide for group life insurance for its public school teachers and its other professional employees, to enter into agreements with insurance companies to provide such insurance and to pay all or part of the premiums or charges for said life insurance out of any of its available funds; providing for an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Bothwell and others—

HB 5446—A bill to be entitled An act relating to the City of Orlando; repealing chapter 69-1390, Laws of Florida; providing that said chapter 69-1390, which establishes an Orlando downtown development board as a body corporate, shall be repealed in its entirety; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Stevens and others—

HB 5458—A bill to be entitled An act relating to Pasco County; providing that all elections hereafter held for members of the school board of the county shall be nonpartisan elections; repealing all laws or parts of laws in conflict herewith; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Bassett and others—

HB 5447—A bill to be entitled An act relating to the City of Ocoee; amending Chapter 69-1359, Laws of Florida; contracting and re-defining the corporate boundaries of the City of Ocoee; providing for an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Hodes and others—

HB 5461—A bill to be entitled An act relating to Hillsborough County; providing for the transfer of Gordon Keller School of Nursing from the Hillsborough County Hospital and Welfare Board to Hillsborough Junior College; providing for the transfer of contracts and other obligations; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Reeves and others—

HB 5463—A bill to be entitled An act relating to Escambia County; repealing chapter 29061, Special Acts of 1953 which is entitled; "An act providing that subparagraph numbered (2), entitled 'Bids', under section 237.02, Florida Statutes, 1951, shall no longer apply to Escambia County, Florida, or the board of public instruction of Escambia County, Florida, but in lieu thereof said board shall request bids as provided in subparagraph number (2), entitled 'Bids' of this act for any authorized purchase costing more than seven-hundred and fifty dollars; repealing all laws and parts of laws, whether general or special, in conflict with this act to the extent of such conflict."; providing an effective date.

Proof of Publication attached.

By Representatives Pratt and Gallen—

HB 5466—A bill to be entitled An act relating to the application of Florida Statute 849.06 to certain counties having a population of not less than 69,000 and not more than 70,000 according to the last decennial census; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Melvin and others—

HB 5471—A bill to be entitled An act relating to Walton County; providing that the county may pay out of available funds all or part of the premiums or charges for life insurance provided for its employees; providing an effective date.

Proof of Publication attached.

By Representative Reeves and others—

HB 5472—A bill to be entitled An act relating to the county solicitor of Escambia County; amending section 43.011(1), Florida Statutes, to provide for an additional assistant for such county solicitor; providing that said solicitor may also appoint additional assistants when the county is willing to pay their compensation; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Davis and others—

HB 5454—A bill to be entitled An act relating to Indian River County; prohibiting the capture of porpoises in Indian

River County; providing exceptions; providing that violation is a misdemeanor; providing an effective date.

Proof of Publication attached.

By Representative Roberts and others—

HB 5455—A bill to be entitled An act relating to Monroe County, mosquito control district; amending section 13 of chapter 67-1726, Laws of Florida; providing an increase in millage from one (1) mill to one and one half (1½) mills on the dollar of taxable property in said district by the board of commissioners of the district; providing for a referendum.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Reeves and others—

HB 5449—A bill to be entitled An act creating a consolidated charter government for Escambia County and the cities of Pensacola and South Flomaton; providing general and urban services districts; providing legislative, executive, and judicial branches; providing the abolishment of all independent authorities having jurisdiction within Escambia County and providing the transfer of all powers granted to the authorities so abolished to the consolidated government; providing a school board of seven (7) members; providing the levy of ad valorem and other taxes; providing the pledging of taxes to bond issues; providing non-partisan elections for members of the consolidated government council and the school board; providing a civil service system; providing retirement and pension benefits; providing a "Code of Ethics;" providing a referendum; providing transition procedures and an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Gorman and others—

HB 5448—A bill to be entitled An act relating to the City of Ocoee; adopting and re-affirming the charter of the City of Ocoee, as set forth in Chapter 69-1359, Laws of Florida, as amended; providing for a referendum.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representatives Tyre and Shaw—

HB 5445—A bill to be entitled An act relating to all counties of the state having a population of not less than nineteen thousand eight hundred (19,800) nor more than twenty-one thousand (21,000) according to the latest official decennial census; authorizing the hospital authority in any such county to issue revenue bonds at an interest rate not to exceed eight percent (8%) per annum; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Turlington and others—

HB 5473—A bill to be entitled An act relating to the application of Florida Statute 849.06 to certain counties having a population of not less than 70,000 and not more than 74,200 according to the last decennial census; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative MacKay and others—

HB 5426—A bill to be entitled An act relating to Marion County, Florida; providing for the creation of fire control districts by the board of county commissioners when approved in an election of freeholders of said district; providing for the levying of taxes for the payment of costs and expenses; providing for a district board to administer said districts; prescribing duties, authority, and functions of said board; determining that establishment and maintenance of said districts confers special benefits on lands within said districts for which ad valorem taxes may be assessed and collected; providing for allowance of contracts between districts and municipalities; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Savage and others—

HB 5465—A bill to be entitled An act relating to Pinellas County; providing for establishment of the Central Pinellas Transit Authority; providing purposes and powers of the authority for public transit systems in central Pinellas County; providing exemptions to the authority from regulation and taxation; providing special district ad valorem taxing after referendum; defining the transit area and providing for expansion; 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 House Bills 5464, 5059, 5410, 5452, 5469, 5436, 5478, 5479, 5450, 5443, 5442, 5341, 5363, 5434, 5414, 5431, 5457, 5430, 5423, 5456, 5453, 4635, 5402, 5424, 5435, 5362, 5389, 5330, 5462, 5470, 5446, 5458, 5447, 5461, 5463, 5471, and 5454.

House Bills 5464, 5059, 5410, 5452, 5469, 5436, 5478, 5479, 5450, 5443, 5442, 5341, 5363, 5434, 5414, 5431, 5457, 5430, 5423, 5456, 5453, 4635, 5402, 5424, 5435, 5362, 5389, 5330, 5462, 5470, 5446, 5458, 5447, 5461, 5463, 5466, 5471, 5472, 5454, 5455, 5449, 5448, 5445, 5473, 5426 and 5465, contained in the above messages, were read the first time by title and referred to the Committee on Rules and Calendar.

The Senate recessed at 8:15 a.m.

The Senate was called to order by the President at 8:30 a.m. A quorum present—48:

Mr. President	Deeb	Karl	Scarborough
Askew	de la Parte	Knopke	Shevin
Bafalis	Ducker	Lane	Slade
Barron	Fincher	McClain	Stolzenburg
Barrow	Friday	Myers	Stone
Beaufort	Gong	Ott	Thomas
Bell	Gunter	Plante	Trask
Bishop	Haverfield	Pope	Weber
Boyd	Henderson	Poston	Weissenborn
Broxson	Hollahan	Reuter	Williams
Chiles	Horne	Saunders	Wilson
Daniel	Johnson	Sayler	Young

Prayer by Senator Scarborough:

Dear Lord, we, the members of the Senate ask your blessing. Each of us worship you in our own way. We know you as the same God, the one and only God and we love and respect you. On this day, we seek wisdom and truth. Accept today, our prayers and help us, O Lord, to make the decisions that may best serve you and our fellow man. Amen.

The Journal of June 3 was corrected and approved as follows:

Page 789, column 2, strike lines 20 through 23 and insert:

A bill to be entitled An act relating to transportation facilities; providing general authority for expenditures by public bodies for development of balanced transportation systems; adding transportation systems to municipal purposes as used in section 169.02, Florida Statutes; adding definitions; authorizing purchase of mass transit facilities by the division of bond finance of the department of general services and the department of transportation; amending section 334.02, Florida Statutes, to include the development of transportation systems within the authority of the department of transportation; recognizing the public interest in transportation facilities and providing for local authority over such facilities; amending section 339.09, Florida Statutes to prohibit the use of gasoline tax revenues for nontransportation purposes; amending section 344.26, Florida Statutes, relating to debt service of bonds by the state board of administration, to conform with this act; amending section 344.261, Florida Statutes, to require approval by the state board of administration for purchase or lease of transportation facilities; providing an effective date.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills for Special Order Calendar Thursday, June 4, 1970:

SB 807	SB 1474	SB 710
HB 1516	CS for HB 763	SB 1470
HB 2022	SB 958	HB 5084
CS for HB 1308	SB 524	SB 1441
SB 1455	SB 1040	HB 3974
SB 1323	CS for HB 4687	CS for
SB 1009	HB 4190	HB 3719
CS for CS for	HB 3772	SB 801
HB 155	HB 510	SB 280
SB 1101	HB 5130	HB 4731
SB 296	SB 1564	SB 997
SB 1056	HB 4229	SB 1000
SB 1062	HB 4140	HB 4359
HB 3641	HB 5068	HB 1018
HB 1499	CS for HB 4079	HB 3695

SB 377	CS for HB 3892	HB 3373
CS for CS for	CS for HB 3893	HB 606
HB 3882	SB 766	SB 1276
CS for HJR's 3853	SB 1444	SB 567
and 4040	SB 1204	SB 1023
CS for HB 4523	HB 4227	SB 1212
HB 3854	HB 4228	

Elmer O. Friday, Jr.
Chairman, Committee
on Rules and Calendar

The Committee on Rules and Calendar referred the following bills to the Local Calendar:

HB 5250	SB 1588	HB 3761
HB 5415	SB 1586	HB 5214
HB 5416	SB 1591	HB 5278
HB 5417	HB 5422	HB 5282
HB 5418	HB 5428	HB 5281
HB 5419	HB 5429	HB 5058
SB 1583	HB 5393	HB 5279
HB 5421	SB 1590	HB 5252 with 2 amendments
SB 1584	HB 5371	HB 5379 with 1 amendment
SB 1585	HB 5369	
SB 1587	HB 5432	

The Committee on Rules and Calendar requests House Bills 5344 and 5345 be referred to the Committee on Education as the initial committee of reference and that the Committee on Rules and Calendar be the second committee of reference.

The bills were referred to the Committee on Education.

The Committee on Rules and Calendar requests HB 5423 be referred to the Committee on Transportation as the initial committee of reference and that the Committee on Rules and Calendar be the second committee of reference.

The bill was referred to the Committee on Transportation.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 807 with 10 amendments

—reports that the Senate amendments have been incorporated and the bill is returned herewith.

EDWIN G. FRASER
Secretary of the Senate

The bill was placed on the Calendar of bills on third reading.

Your Engrossing Clerk to whom was referred—

SB 522 with 3 amendments	CS for SB 311 with
SB 985 with 2 amendments	1 amendment
SB 1111 with 4 amendments	CS for SB 442 with
SB 1184 with 2 amendments	2 amendments
SB 1232 with 1 amendment	CS for SB 444 with
SB 1303 with 2 amendments	2 amendments

—reports that the House amendments have been incorporated and the bills are returned herewith.

EDWIN G. FRASER
Secretary of the Senate

The bills were ordered enrolled.

Your Engrossing Clerk to whom was referred—

SB 157 with 4 amendments SB 281 with 8 amendments

—reports that the House amendments as amended by Senate amendments have been incorporated and the bills are returned herewith.

EDWIN G. FRASER
Secretary of the Senate

The bills were ordered enrolled.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

CS for SB 84

—reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on June 4, 1970.

EDWIN G. FRASER
Secretary of the Senate

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Plante, by two-thirds vote, House Bills 4451, 4452, 4453, 4454, 4455 and 4456 were withdrawn from the Committees on Rules and Calendar and Education.

On motion by Senator Poston, by two-thirds vote, HB 5273 was withdrawn from the Committee on Ways and Means.

On motion by Senator Friday, by two-thirds vote, HB 5434 was withdrawn from the Committee on Rules and Calendar and placed on the Local Calendar.

Unanimous consent was granted Senator Ducker to be recorded as voting yea on all local bills appearing in the June 3 Journal.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

HB 2344	HB 3698	HB 5232
HB 399	HB 4434	

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required constitutional three-fifths vote of the membership of the House SJR 1592.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has adopted SM 1403, SCR 1550.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

SB 618	SB 410	SB 573
SB 900	SB 796	SB 608
SB 848	SB 827	SB 1020
SB 288	CS for SB 38	

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Graham—

HCR 4038—A concurrent resolution approving the types, amounts and use of registration fees, tuition fees, and course fees to be charged and collected from students enrolled in the institutions of higher learning under the board of regents during the 1970-71 school year.

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

Section 1. The 1970 legislature, in regular session, hereby approves the following registration and tuition fees to be charged each student in the state university system for the school year 1970-71:

For students enrolled in other than the MD program in the university of Florida college of medicine; in the graduate engineering education system; and in continuing education programs:

Full-time Student Per Quarter	Undergraduate	Graduate
Registration Fee:		
Matriculation Fee	\$ 87.50	\$112.50
Building Fee	15.50	15.50
Student Financial Aid Fee	4.50	4.50
Capital Improvements Fee	10.00	10.00
Activity and Service Fee	32.50	32.50
Total Registration Fee	\$150.00	\$175.00

In addition to the above registration fees, the Florida Board of regents is authorized to establish and charge each full time student an additional activity and service fee not to exceed \$10 per quarter.

Out-of-State Tuition:	Undergraduate	Graduate
Tuition for non-Florida students in addition to the registration fee and activity and service fee	\$300.00	\$300.00

Minimum hours considered full time	Undergraduate	Graduate
	<u>7</u>	<u>7</u>

Part-Time Students Per Quarter	Undergraduate	Graduate
Registration Fee per student credit hour	<u>\$ 14.00</u>	\$ 16.00
Tuition per student credit hour for non-Florida students in addition to the registration fee	\$ 25.00	\$ 25.00

Distribution of Part-Time registration fee	Undergraduate	Graduate
Matriculation Fee	85%	
Building Fee	15%	

For students enrolled in continuing education courses

Registration Fee per student credit hour	Undergraduate	Graduate
	\$ 17.00	\$ 19.00
Tuition per student credit hour for non-Florida students in addition to the registration fee	\$ 25.00	\$ 25.00

For students enrolled in the MD program in the university of Florida college of medicine

A Florida student enrolled in the MD program of the college of medicine will pay a fee of \$900.00 per year in installments of \$300.00 each to be paid in September, January, and March. A non-Florida student enrolled in the MD program of the college of medicine will pay a fee of \$2,100.00 a year in installments of \$700.00 each to be paid September, January, and March.

For students enrolled in the university of Florida graduate engineering education system (genesys)

Students enrolled in the graduate engineering education system will pay a fee of \$40 per student credit hour, with a maximum fee of \$250.00.

Section 2. BE IT FURTHER RESOLVED, that the building fee, student financial aid fee, and capital improvements fee shall be remitted to the appropriate fund in the office of the board of regents to be allocated among the several universities by the board of regents.

Section 3. BE IT FURTHER RESOLVED, that these fees may be adjusted by the board of regents for experimental programs of differential fees to even enrollments over four quarters.

Section 4. BE IT FURTHER RESOLVED, that all or any part of these fees may be waived by the board of regents when deemed appropriate provided that provisions for such waiver are included in the board's operating manual which has been approved by the state board of education and filed with the secretary of state.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 4038, contained in the above message, was read the first time in full and referred to the Committee on Ways and Means.

On motion by Senator Boyd, by two-thirds vote, HCR 4038 was withdrawn from the Committee on Ways and Means and placed on the Calendar.

On motion by Senator Boyd, the rules were waived and HCR 4038 was read the second time by title, adopted, and certified to the House.

The vote was:

Yeas—36

Bafalis	Fincher	Knopke	Slade
Barrow	Gong	McClain	Stolzenburg
Beaufort	Gunter	Myers	Stone
Bell	Haverfield	Ott	Thomas
Bishop	Henderson	Plante	Trask
Boyd	Hollahan	Poston	Weber
Broxson	Horne	Reuter	Williams
Deeb	Johnson	Wilson	Wilson
Ducker	Karl	Shevin	Young

Nays—1

Pope

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Wilson and others—

HCR 5159—A concurrent resolution congratulating the Florida State University baseball team.

WHEREAS, the game of baseball is recognized as a national pastime and as a truly American sport, and

WHEREAS, the State of Florida, through its Legislature, recognizes the value of competition in this great American game in the State's University System, and

WHEREAS, the baseball team of young Floridians and Americans of Florida State University has established an outstanding regular season record of 42-7-1, setting a winning percentage of .857, and

WHEREAS, the Florida State University baseball team, because of its accomplishments, has received national recognition by virtue of the high national poll rating for university baseball teams, and

WHEREAS, this baseball team is now the NCAA District III champion having beaten all of their opponents in the District Tournament, thus enabling them to travel to Omaha, Nebraska, to represent the Southeast in the collegiate World Series, and

WHEREAS, these achievements of Florida State University baseball team reflect great credit and honor upon Florida State University, the University System's sports programs and the State of Florida.

NOW, THEREFORE,

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

That we, the Legislature, do hereby congratulate the members of the Florida State University baseball team, a truly outstanding team, their Coach, Jack Stallings, Florida State University President, Dr. Stanley Marshall, and the entire Florida State University student body for bringing prestige and a truly great honor to the State, and

BE IT FURTHER RESOLVED that a copy of this resolution be presented to each member of the Florida State University baseball team, Coach Stallings, and to President Marshall as a token of our appreciation for the honor and glory they have brought to Florida.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 5159, contained in the above message, was read the first time in full. On motion by Senator Askew, the rules were waived and HCR 5159 was read the second time by title, adopted and certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Deeb	Johnson	Saunders
Askew	de la Parte	Knopke	Sayler
Bafalis	Ducker	McClain	Scarborough
Bell	Friday	Myers	Stolzenburg
Bishop	Gong	Plante	Thomas
Broxson	Gunter	Pope	Weber
Chiles	Henderson	Poston	Weissenborn
Daniel	Horne	Reuter	Wilson

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Representative Hodes—

HCR 5343—A concurrent resolution commending Mrs. Bobbie Phillips for her action in saving the life of Charles E. Bradley, Sr.

WHEREAS, Charles E. Bradley, Sr., Captain Tallahassee Police Department, retired, was stricken with a seizure of unknown cause and collapsed on April 22, 1970, at approximately 12:15 PM at the corner of Pensacola and Adams street, Tallahassee, and,

WHEREAS, Mrs. Bobbie Phillips of Branford, Florida, who is currently a member of the staff of the House of Representatives, saw the plight of Captain Bradley and immediately came to his aid, and,

WHEREAS, Mrs. Phillips was successful in dislodging foreign materials that were obstructing Captain Bradley's respiratory passage and, subsequently, in administering mouth-to-mouth resuscitation until the Tallahassee Fire Department Emergency Squad arrived, and,

WHEREAS, Mrs. Phillips' timely action not only saved Captain Bradley's life but also sustained respiration sufficiently to avert brain damage thus enabling Captain Bradley to make a complete recovery, NOW THEREFORE,

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

That Mrs. Bobbie Phillips is hereby commended for her prompt and effective action which resulted in saving the life of Captain Charles E. Bradley, Sr.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HCR 5343, contained in the above message, was read the first time in full. On motion by Senator Broxson, the rules were waived and HCR 5343 was read the second time by title, adopted and certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Deeb	Johnson	Saunders
Askwew	de la Parte	Knopke	Sayler
Bafalis	Ducker	McClain	Scarborough
Bell	Friday	Myers	Stolzenburg
Bishop	Gong	Plante	Thomas
Broxson	Gunter	Pope	Weber
Chiles	Henderson	Poston	Weissenborn
Daniel	Horne	Reuter	Wilson

*The Honorable John E. Mathews, Jr.
President of the Senate*

June 3, 1970

Sir:

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

By Representative Register and others—

HCR 5475—A concurrent resolution urging the deepening of the Tampa harbor channels, as recommended by United States Corps of Engineers.

WHEREAS, the Port of Tampa, Florida, is the transportation hub of the West Coast of Florida and will handle more than thirty (30) million tons of cargo during 1970; and

WHEREAS, the Port of Tampa generates upward of \$210 million in wage and salary payments in the eight-county area of Hillsborough, Pinellas, Citrus, Hernando, Pasco, Polk, Manatee and Sarasota; and

WHEREAS, one wage earner in seven in the eight-county area is employed in businesses related to the Port of Tampa; and

WHEREAS, more than ten (10) million tons of phosphate rock are shipped annually from the Port of Tampa in foreign commerce; and

WHEREAS, the mining of phosphate rock is a basic industry in the State of Florida and its continued well-being depends upon its ability to sell its product in foreign markets; and

WHEREAS, private industry has invested many millions of dollars in phosphate loading terminals in the Port of Tampa; and

WHEREAS, many ships now arriving in the Port of Tampa for phosphate rock must leave the Port without a full load because of insufficient depth of water in the ship channels serving the Port of Tampa; and

WHEREAS, most foreign ports which receive Florida phosphate rock have depth channels deeper than the Port of Tampa; and

WHEREAS, sale of Florida phosphate rock contributes heavily to the balance of payments of the United States and

the maintaining and increasing of sales abroad will make further contributions to the balance of payments; and

WHEREAS, there is a danger Florida phosphate producers will lose their foreign markets to foreign suppliers if harbor channels are not deepened; and

WHEREAS, more than eight (8) million tons of petroleum products enter the Port of Tampa annually, of which many hundreds of thousands of tons are for the generation of electricity, many more hundreds of thousands of fuel industry, and hundreds of thousands more for the fueling of airplanes and other modes of transportation in use for national defense at bases in Tampa and Orlando; and

WHEREAS, petroleum tankers are growing larger each year and in the near future Tampa Harbor in its present state will be unable to accommodate such deep-draft tankers; and

WHEREAS, the United States Corps of Engineers has recommended that Tampa Harbor Channels be deepened to 44 feet and widened to 500 feet in order to handle the large bulk cargo carrying ships in use at present and the larger ships which are now being built and those even larger planned for the future; and

WHEREAS, the loss of jobs and subsequent blow to the economy of Central Florida can be avoided by deepening the Tampa harbor channels; and

WHEREAS, a large segment of our national defense depends upon the deepening of the Tampa harbor channels, NOW, THEREFORE,

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

That the Congress of the United States be asked to give authorization to the deepening of Tampa harbor channels to 44 feet in the River and Harbor Act of 1970.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HCR 5475, contained in the above message, was read the first time in full. On motion by Senator de la Parte, the rules were waived and HCR 5475 was read the second time by title, adopted and certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Deeb	Johnson	Saunders
Askwew	de la Parte	Knopke	Sayler
Bafalis	Ducker	McClain	Scarborough
Bell	Friday	Myers	Stolzenburg
Bishop	Gong	Plante	Thomas
Broxson	Gunter	Pope	Weber
Chiles	Henderson	Poston	Weissenborn
Daniel	Horne	Reuter	Wilson

*The Honorable John E. Mathews, Jr.
President of the Senate*

June 3, 1970

Sir:

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

By Representative Bevis—

HCR 3901—A concurrent resolution thanking Colonel H. Neil Kirkman for his service to law enforcement; providing that a copy of this resolution be sent to Colonel Kirkman.

WHEREAS, Colonel H. Neil Kirkman has been a pioneer in the development of the Florida Highway Patrol, and

WHEREAS, Colonel Kirkman has been a key figure in the promotion of highway safety and in furthering the effectiveness of law enforcement in Florida, and

WHEREAS, for twenty-five years he has served with selfless dedication in the protection of life and property of the people of Florida, and

WHEREAS, he was instrumental in the Florida Highway Patrol receiving numerous national awards for outstanding service, and

WHEREAS, he has instilled a true spirit of loyalty, integrity, courtesy and devotion to duty in all members of said patrol, and

WHEREAS, during his long tenure of service he has been an inspiration to the members of the patrol, the people of Florida, and visitors from all parts of the nation, and

WHEREAS, because of Colonel Kirkman's untiring devotion to duty, the Florida Highway Patrol has become one of the most effective highway police operations in the nation, and

WHEREAS, Colonel H. Neil Kirkman, by virtue of his service, has brought great honor to his profession, his community and his state, NOW, THEREFORE,

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

That on behalf of the people of Florida, the legislature does extend its heartfelt thanks and appreciation to Colonel H. Neil Kirkman for his outstanding contribution to law enforcement and public service in Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate and Speaker of the House of Representatives, with the great seal of the State of Florida attached thereto and appropriate for framing, be presented to Colonel H. Neil Kirkman as a tangible token of the sentiments expressed herein and a lasting symbol of the appreciation and gratitude of his fellow Floridians.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HCR 3901, contained in the above message, was read the first time in full. On motion by Senator Askew, the rules were waived and HCR 3901 was read the second time by title, adopted and certified to the House. The vote was: Yeas—33 Nays—None

Mr. President	de la Parte	Lane	Thomas
Askew	Ducker	McClain	Trask
Bafalis	Friday	Myers	Weber
Bell	Gong	Plante	Weissenborn
Bishop	Gunter	Pope	Williams
Broxson	Henderson	Poston	Wilson
Chiles	Hollahan	Reuter	
Daniel	Johnson	Scarborough	
Deeb	Knopke	Stone	

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Roberts and others—

HM 5495—A memorial to the congress of the United States requesting that consideration be given to the strategic position of the City of Key West, Monroe County, State of Florida, for continued use as an important base.

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

WHEREAS, the surroundings have been utilized as a military base since the early 1800's and

WHEREAS, the Key West community and surrounding area is isolated from the rest of the State of Florida, connected thereto by a single two-lane highway, and

WHEREAS, the surrounding area has depended upon the military and the military has depended upon the citizenry for certain facilities, and

WHEREAS, the military has seen fit to reduce the size of the military operation and the news media has predicted the complete removal of the military, and

WHEREAS, this community of Key West is only 90 miles from a communist country with communist naval vessels operating in the immediate area, NOW, THEREFORE,

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

That the congress of the United States is hereby requested to provide the funds necessary for the continued operation of the military in the area and to maintain a sufficient military force in the area for patrol and other necessary operations, and

BE IT FURTHER RESOLVED that copies of this Memorial be dispatched to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the congress of the United States.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HM 5495, contained in the above message, was read the first time in full. On motion by Senator Hollahan, the rules were waived and HM 5495 was read the second time by title, adopted and certified to the House. The vote was: Yeas—33 Nays—None

Mr. President	de la Parte	Lane	Thomas
Askew	Ducker	McClain	Trask
Bafalis	Friday	Myers	Weber
Bell	Gong	Plante	Weissenborn
Bishop	Gunter	Pope	Williams
Broxson	Henderson	Poston	Wilson
Chiles	Hollahan	Reuter	
Daniel	Johnson	Scarborough	
Deeb	Knopke	Stone	

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Representative Earle and others—

HM 4187—A memorial to the Congress of the United States requesting Congress to propose an amendment to the Constitution of the United States prohibiting any law based upon considerations of race, color or religion.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HM 4187, contained in the above message, was read the first time in full and referred to the Committee on Rules and Calendar.

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senator Broxson—

SB 678—A bill to be entitled An act relating to the public schools; amending section 237.18(1) and (4), Florida Statutes; specifying that the millages set by the school board and voted are for the current operating fund; making minor changes of terminology; providing an effective date.

Amendment 1—

On page 2, following Section 1 add a new Section 2 to read as follows and re-number the remaining Sections.

Section 2. Section 236.25, Florida Statutes, is amended to read:

“Substantial rewording of section. See section 236.25, Florida Statutes, for present text.”

236.25 District School Tax.—The school board of each district shall levy a district school tax which shall include the proceeds derived from the assessment and collection of taxes from the following authorizations:

(1) A levy of not more than ten (10) mills on the dollar of all taxable property in the district for the support of public schools as provided in Section 9 of Article VII of the Constitution. The amount of millage levy shall be determined by the school board.

(2) A levy for the support of schools within the amount authorized by vote of the electors who are owners of freeholds not wholly exempt from taxation as provided in Section 9 of Article VII of the Constitution.

These taxes shall be certified, assessed, and collected as prescribed in Section 237.18, Florida Statutes, and shall be expended as provided by law.

Amendment 2—

In Title, on page 1 after line 8, insert the following: amending section 236.25, Florida Statutes, to permit school boards to levy a district school tax not in excess of ten (10) mills and such additional millage as may be authorized by vote of the freeholders;

Amendment 3—

On page 2, following Section 1 add a new Section 2 to read as follows and re-number the remaining Sections.

Section 2. Section 230.21, Florida Statutes, is amended to read:

Section 230.21 School board to constitute a corporation.—

The governing body of each school district shall be a school board. Each school board is constituted a body corporate by the name of "The School Board of _____ County, Florida." In all suits against school boards, service of process shall be had on the chairman of the school board, or if he cannot be found, on the superintendent as executive officer of the school board, or, in the absence of the chairman and the superintendent, on another member of the school board.

Amendment 4—

In Title, on page 1 after line 8, insert the following: amending section 230.21, Florida Statutes; establishing district school boards as the governing bodies of school districts; constituting such school boards as bodies corporate; providing for the service of process on school boards;

Amendment 5—

On page 2, following Section 1 add a new Section 2 to read as follows and re-number the remaining Sections.

Section 2. Section 230.01, Florida Statutes, is amended to read:

Section 230.01 District unit.—

Each county shall constitute a school district and shall be known as the school district of _____ county, Florida. Each district shall constitute a unit for the control, organization, and administration of schools. The responsibility for the actual operation and administration of all schools needed within the districts in conformity with regulations and minimum standards prescribed by the state, and also the responsibility for the provision of any desirable and practicable opportunities authorized by law beyond those required by the state are delegated by law to the school officials of the respective districts.

Amendment 6—

In Title, on page 1 after line 8, insert the following: amending section 230.01, Florida Statutes, to define school districts and dealing with the responsibility of school districts;

Amendment 7—

On page 2, following Section 1 add a new Section 2 to read as follows and re-number the remaining Sections.

Section 2. Section 236.32, Florida Statutes, is amended to read:

(Substantial rewording of section. See section 236.32, F. S., for present text.)

236.32 Procedure for holding and conducting school district millage elections.—The procedure for holding and conducting school district millage elections shall be:

(1) HOLDING ELECTIONS.—All school district millage elections shall be held and conducted in the manner prescribed by law for holding general elections, except as provided in this chapter. The school board shall appoint inspectors and clerks for said election, whose duties shall be the same as those of similar officers in general elections, except as herein stated.

(2) FORM OF BALLOT.—On the ballot, the school board may propose a single millage or two (2) millages, with one (1) for operating expenses and another for a local capital improvement reserve fund. Where two (2) millage figures are proposed, each millage shall be voted on separately. The school board shall provide substantially the following form of ballot for voting the levy in the school district;

(a) SPECIAL SCHOOL DISTRICT MILLAGE ELECTION FOR THE DISTRICT OF _____ COUNTY, FLORIDA, HELD _____, 19 _____

(b) In districts where paper ballots are used:

INSTRUCTIONS TO VOTERS: The proposed millage for the school term as proposed by the school board is _____ mills for operating expenses and _____ mills for the local capital improvement reserve fund. Each millage will be voted on and determined separately. Indicate your choice by making an "X" in the proper space below. If some other millage for operating expenses is desired, indicate by writing in the millage. On the proposed millage for local capital improvement reserve fund, vote "for" or "against."

- 1. Proposed millage of _____ mills for operating expenses.
 - For proposed levy of _____ mills for operating expenses.
 - Against proposed levy of _____ mills for operating expenses.
- 2. Proposed millage of _____ mills for local capital improvement reserve fund.
 - For proposed millage of _____ mills for local capital improvement reserve fund.
 - Against proposed millage for local capital improvement reserve fund.

(c) In districts where automatic voting machines are used:

INSTRUCTIONS TO VOTERS: The proposed millage for the school term as proposed by the school board is _____ mills for operating expenses and _____ mills for the local capital improvement reserve fund. Each millage will be voted on and determined separately. If you favor the proposed millage for operating expenses so indicate by depressing the "for" lever directly over or under the proposed millage. If you favor a different millage for operating expenses, so indicate by writing in the millage you favor. You may select only one (1) millage for operating expenses. On the proposed millage for the local capital improvement reserve fund, indicate your choice by depressing the "for" lever or the "against" lever over or under the proposed millage.

(d) The school board, at its option, may determine whether to use paper ballots or automatic voting machines for said election.

(3) QUALIFICATIONS OF ELECTORS.—All qualified electors residing within any school district in the state whose voting registrations are in that district, who are owners of freeholds within the said district, and who are not wholly exempt from taxation on such freeholds shall be entitled to vote in the election to set the school tax district millage levy.

(4) CANVASS OF RETURNS.—The school board shall canvass the returns of the election as made to it by the inspectors and clerks of the election and shall declare the results at the

next regular meeting of said board or at a special meeting called for that purpose.

(5) RESULTS OF ELECTION.—Where the school board proposes one (1) tax levy for operating expenses and another for the local capital improvement reserve fund, the results shall be considered separately:

(a) The tax levy for operating expenses receiving the majority of all votes for such tax levies cast by the qualified electors, or, in case no one (1) levy receives a majority, that levy for which, together with the votes cast for higher levies, a majority of the votes are cast, shall become the levy for operating expenses for the district.

(b) The tax levy for the local capital improvement reserve fund shall be levied only in case a majority of the electors participating in the election vote in favor of the proposed special millage.

(6) EXPENSES OF ELECTION.—The cost of the publication of the notice of the election and all expenses of the election in the school district shall be included in the budget and paid by the school board.

Amendment 8—

In Title, on page 1 after line 8, insert the following: amending section 236.32, Florida Statutes; prescribing the procedure for holding and conducting school district millage election;

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

On motions by Senator Broxson, the Senate concurred in House amendments 1, 2, 3, 4, 5, 6, 7 and 8 to SB 678.

SB 678 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	de la Parte	Lane	Stone
Askew	Ducker	McClain	Thomas
Bafalis	Friday	Myers	Trask
Beaufort	Gong	Plante	Weber
Bell	Haverfield	Pope	Weissenborn
Bishop	Henderson	Poston	Williams
Broxson	Hollahan	Reuter	Wilson
Chiles	Johnson	Scarborough	
Daniel	Knopke	Shevin	

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By The Committee on Health, Welfare & Institutions—

CS for SB 734—A bill to be entitled An act relating to state-owned property and public buildings; wheelchair users; permitting that the internationally recognized wheelchair symbol be displayed at the entrance of state-owned buildings and facilities having provisions to accommodate wheelchair users; providing an effective date.

Amendment 1—

On page 1, line 17, strike “may” and insert the following: “shall”

Amendment 2—

In title on page 1, line 5, strike permitting and insert the following: requiring

Amendment 3—

On page 1, line 21, strike all of line 21 and insert the following: July 1, 1970.

Amendment 4—

On page 1, line 14, strike property and

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

On motions by Senator Bell, the Senate concurred in House amendments 1, 2, 3 and 4 to CS for SB 734.

CS for SB 734 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	de la Parte	Johnson	Scarborough
Askew	Ducker	Knopke	Shevin
Bafalis	Fincher	Lane	Thomas
Bell	Friday	McClain	Trask
Bishop	Gong	Myers	Weber
Broxson	Gunter	Plante	Weissenborn
Daniel	Henderson	Poston	Williams
Deeb	Hollahan	Reuter	Wilson

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has receded from House amendment 1 to—

By Senator Shevin and Others—

SB 1186—A bill to be entitled An act to amend Section 253.62, Florida Statutes, by adding thereto a new subsection (3) authorizing the trustees of the internal improvement trust fund to convey lands to the United States for the establishment of Biscayne National Monument; ratifying, confirming and validating all acts and actions of said trustees and all agreements between said trustees and the United States Government regarding the conveyance of any state lands to the United States for the establishment of said Biscayne National Monument; providing that the trustees shall not be required to reserve oil, gas, phosphate or other mineral rights or enter into an agreement for royalties; by adding thereto a new subsection (4) setting forth legislative intent, as well as the right of the United States Government to immediate possession of said lands and setting forth conditions under which the conveyance authorized herein shall become absolute; providing a severability clause; providing an effective date.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

SB 1186 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Daniel	Johnson	Scarborough
Askew	Deeb	Knopke	Shevin
Bafalis	de la Parte	Lane	Stolzenburg
Barrow	Ducker	McClain	Thomas
Beaufort	Fincher	Myers	Trask
Bell	Gong	Plante	Weissenborn
Bishop	Gunter	Pope	Williams
Broxson	Henderson	Poston	Wilson
Chiles	Hollahan	Reuter	

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senator Daniel—

SB 1206—A bill to be entitled An act relating to the department of health and rehabilitative services; amending paragraph (b) of subsection 2 of section 19 of chapter 69-106, laws of Florida; and subsection 4 of chapter 69-106, laws of

Florida; changing the name of the division of adult corrections to the division of corrections; providing an effective date.

Which amendment reads as follows:

On page 2, line 4, strike all of line 4 and insert the following: July 1, 1970.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Daniel, the Senate concurred in the House amendment to SB 1206.

SB 1206 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—31 Nays—None

Mr. President	Daniel	Johnson	Shevin
Askew	Deeb	Knopke	Thomas
Bafalis	Ducker	McClain	Trask
Barrow	Fincher	Myers	Weber
Beaufort	Gong	Plante	Weissenborn
Bell	Gunter	Pope	Williams
Bishop	Henderson	Reuter	Wilson
Broxson	Hollahan	Scarborough	

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senators Askew and Broxson—

SB 1395—A bill to be entitled An act relating to salt water fish; amending section 370.11(2), Florida Statutes, by adding a new paragraph (a) relating to undersized fish; providing an effective date.

Which amendment reads as follows:

On page 2, line 2, strike all of line 2 and insert the following: July 1, 1970.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Askew, the rules were waived and SB 1395 and the foregoing message were referred to the Committee on Natural Resources and Conservation.

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senator Poston—

SB 328—A bill to be entitled An act relating to juveniles; amending section 39.03(7), Florida Statutes, to provide that no child taken into custody shall be held longer than thirty (30) days on an order finding that the release of such child would be inimical to the welfare of such child or of the public; providing an effective date.

Amendment 1—

On page 2, between lines 2 and 3, insert the following new section and renumber Section 2 accordingly:

Section 2. Chapter 959, Florida Statutes, as created by chapter 69-365, Laws of Florida, is amended by adding sections 959.23 and 959.24 to read:

959.23 Duty of juvenile detention inspectors.—Juvenile detention inspectors shall, under the direction of the director of

the division of youth services of the department of health and rehabilitative services, inspect all juvenile detention facilities at least semiannually and on other occasions as directed. The juvenile detention inspectors shall make written reports to the division of youth services of the department of health and rehabilitative services and shall send duplicate copies of said reports to the board of county commissioners of the appropriate county, to the judge of the juvenile court, to the person in charge of the detention facility, and to the sheriff of the appropriate county. Such reports shall at all times be open to public inspection.

959.24 County and state detention facilities.—

(1) "Juvenile detention facility" means a detention home as defined in section 39.01(20), Florida Statutes, or a county detention facility as defined in section 951.23, Florida Statutes, provided that such detention home or county detention facility is used for the detention of children adjudicated delinquent or in need of supervision, or children awaiting hearing in delinquency or child in need of supervision proceedings in juvenile court.

(2)(a) The secretary of the department of health and rehabilitative services is authorized and directed to adopt rules and regulations prescribing standards and requirements with reference to:

1. The construction, equipment, maintenance, staffing, programming, and operation of juvenile detention facilities, and the treatment, training, and education of children confined therein;

2. The cleanliness and sanitation of juvenile detention facilities, the number of children committed to such facilities who may be housed therein per specified unit of floor space, the quality, quantity and supply of bedding furnished to such children, the quality, quantity and diversity of food served and the manner in which it is served, the furnishing of medical attention and health and comfort items, and the disciplinary treatment administered.

(b) In setting standards and requirements, the department of health and rehabilitative services shall consult with counties which operate juvenile detention facilities. After standards and requirements are changed, counties which operate juvenile detention facilities shall be provided with copies of such standards and requirements. After the adoption or alteration of standards and requirements, a reasonable time shall be allowed for counties to implement any required changes.

(3) The director of the division of youth services shall enforce such rules and regulations, and shall designate personnel of the division of youth services to inspect all such detention facilities in order to determine whether such standards and requirements are being met. If the standards and requirements are not being met, the use of such facility may be prohibited by an order of the judge of the juvenile court. In the absence of such an order, the director may file a complaint in circuit court, whereupon an injunction may be granted to prohibit the confinement of any child in any juvenile detention facility which does not meet such standards and requirements.

(4)(a) If the director finds that children are detained in any juvenile detention facility which does not meet such standards and requirements, he may so certify to the juvenile court and thereupon the court shall order such deficiency corrected so as to meet minimum standards and requirements, or shall order such children, or any part of them, removed to and confined in a juvenile detention facility which does meet such standards and requirements, whether it be in the same county or in some other county, provided said county is willing to receive such child or children.

(b) The expense of maintaining children who are removed to another county under the provisions of paragraph (a) of this subsection shall be borne by the county from which they are removed.

(c) Promptly upon the issuing of any order authorized by paragraph (a), copies thereof shall be sent to the officer in charge of the detention facility from which the children affected by such order are required to be removed, to the board of county commissioners and sheriff of the county in which such detention facility is situated, to the officer in charge of the county detention facility to which they are required to be removed, and to the parents or guardians of all children required to be moved. If the order requires the removal of children to a detention facility in another county, a

copy thereof shall also be promptly sent to the board of county commissioners and sheriff of the county in which it is situated, and to the judge of the juvenile court.

Amendment 2—

In title on page 1, line 11, insert the following after the semicolon: amending chapter 959, Florida Statutes, as created by chapter 69-365, Laws of Florida, by adding sections 959.23 and 959.24; providing that inspection of juvenile detention facilities shall be performed by the division of youth services; defining "juvenile detention facility"; providing for the establishment of standards and requirements; providing for enforcement by the division of youth services;

Amendment 3—

On page 2, between lines 2 & 3, insert new section 2 and renumber present Section 2 as Section 3.

Section 2. Section 959.15, Florida Statutes, as created by chapter 69-365, Laws of Florida, is amended by adding a new subsection (3) to read:

959.15 Detention of [furloughed] child on authority of the division.—

(3) *The sheriff of any county or any other peace officer shall, upon request of the director of the division of youth services or his duly authorized agent:*

(a) *Assist in the apprehension and detention of any escapee from the facilities of the division of youth services;*

(b) *Aid in the apprehension and detention of any child who has violated his furlough agreement as provided in this section.*

Amendment 4—

In title on page 1, line 11, after semi-colon, insert: amending section 959.15, Florida Statutes, as created by chapter 69-365, Laws of Florida, by adding a new subsection (3) to provide that sheriffs and other peace officers shall, upon proper request, assist in the apprehension and detention of any escapee from facilities of the division of youth services or any child who has violated his furlough agreement;

Amendment 5—

On page 2, between lines 2 & 3, insert new Section 2 & renumber Section 2 as Section 3.

Section 2. Section 959.13, Florida Statutes, as created by chapter 69-365, Laws of Florida, is amended to read:

959.13 Transfer to the division of mental health or the division of retardation.—

(1) Any child committed to the active custody of the division and who is found by the division to require a complete psychiatric or psychological evaluation may be transferred to the custody of the division of mental health for a period not to exceed ninety (90) days provided advance permission is granted by the division of mental health and space is available.

(2) Any child committed to the active custody of the division who is found by the division to require diagnosis and evaluation by the division of retardation may be transferred to the custody of the division of retardation for a period not to exceed ninety (90) days, provided advance permission is granted by the division of retardation and space is available.

Amendment 6—

In title on page 1, line 11, after the semicolon, insert: amending section 959.13, Florida Statutes, as created by chapter 69-365, Laws of Florida; providing that a child committed to the division of youth services who is found by the division to require diagnosis and evaluation by the division of retardation may be transferred to the division of retardation for a period not to exceed ninety (90) days if advance permission is granted by the division of retardation and if space is available;

Amendment 7—

On page 2, between lines 2 & 3, insert new Section 2 and renumber Section 2 as Section 3.

Section 2. Chapter 959, Florida Statutes, as created by Chapter 69-365, Laws of Florida, is amended by adding a new section 959.25 to read:

959.25 Exceptional child education program

(1) The legislature recognizes that, by reason of their commitment to state custody, the wards of the division of youth services of the department of health and rehabilitative services are as a group the most seriously socially maladjusted children within Florida. It is recognized that a meaningful compensatory education and work readiness program is an essential component of the treatment process for youthful offenders. High priority should be given to the development of innovative educational techniques in order to remedy the deficiencies of children in the division of youth services. It is the intent of the legislature that sufficient funds and personnel be provided for an exceptional child education program for children in the custody of the division of youth services. The educational resources for the division should be equal to or greater than the resources available in the public schools for the education of children with similar social maladjustments and learning disabilities. Funds shall annually be appropriated to the division from the general revenue fund by the methods and for the educational purposes hereinafter specified. Nothing in this section shall be construed to prevent, upon demonstration of need, the appropriation of monies for educational purposes in addition to those monies and purposes provided in this section. Monies for construction and maintenance of physical plant, transportation, and food shall be appropriated separately from this section.

(2) The division of youth services shall establish an exceptional child education program pursuant to the Florida school code and the regulations of the state board of education. The division shall each year, prior to April 1, submit to the commissioner of education a plan for the exceptional child education program. Upon approval of such plan by the commissioner of education, the funds appropriated pursuant to this section shall be released to the division of youth services.

(3) Each year there shall be appropriated from the general revenue fund, educational monies for the division of youth services. Such funds shall be made available for educational programs in facilities under the control and supervision of the division of youth services.

The procedures for determining such appropriation, for expenditures other than for construction and maintenance of physical plant, transportation, food, and salaries for instructional personnel pursuant to subsection (4) of this section shall be as follows:

(a) The number of instructional units shall be projected by the division, and certified by the commissioner of education, for the fiscal year for which funds are being appropriated, and funds shall be appropriated based on such projections. For each ten children, or major fraction thereof, in average daily attendance for two hundred twenty-eight (228) days, the division shall earn one instructional unit. Average daily attendance shall include all children receiving educational services provided by the division of youth services.

(b) For each four (4) instructional units, or fraction thereof, the division shall earn one (1) unit for special teacher services.

(c) The sum of the instructional units and units for special teacher services shall be multiplied by the amount provided per instruction unit for current expenses other than instructional salaries and transportation pursuant to subsection 236.07(5), Florida Statutes.

(d) The sum of the instructional units and the units for special teacher services shall be multiplied by the amount provided per instruction unit for education improvement expense pursuant to subsection 236.07(6), Florida Statutes.

(e) For each two (2) units, determined as provided in paragraph (c) of this subsection, the division may employ one (1) teacher aide, to be paid from funds appropriated pursuant to subsection (4).

(4)(a) There shall annually be appropriated from the general revenue fund to the division of youth services sufficient monies for salaries for instructional personnel.

(b) The division may request positions and salary levels for a director of education, an assistant director of education, specialists in exceptional child education, vocational education, and the evaluation of educational programs, and such other educational personnel as may be needed to exercise administrative and supervisory authority over all educational programs of the division. Monies shall be appropriated for such positions in addition to the monies provided for in paragraph (a) of this subsection.

(5) It is the intent of the legislature that the curriculum utilized in such institutions shall be consistent with that of the public school system, but with emphasis on direct job-related vocational-technical education. The division shall conduct continuous evaluation of its educational programs and shall report annually to the legislature and to the commissioner of education. Such reports shall be submitted to the commissioner of education and the chairmen of the appropriate education committees of the legislature.

Amendment 8—

In title on page 1, line 11, after semi-colon, insert: adding a new Section 959.25, establishing an exceptional child education program within schools in facilities of the division of youth services; providing a formula for appropriations for such exceptional child education program;

Amendment 9—

On page 2, between lines 2 & 3, insert new Section 2 and renumber present Section 2 as Section 3.

Section 2. Chapter 959, Florida Statutes is amended by adding section 959.115 to read:

959.115 Alternate sentencing for children under age 17.—The judge of any court having criminal jurisdiction, or any other court, may, as an alternative to sentencing a child to a state prison, or county or municipal jail, commit such child to the division of youth services, provided that the director of the division of youth services is willing to receive such child. Such commitment shall be for an indeterminate period of time, but shall not exceed the maximum sentence allowable by law for the offense for which the child has been found guilty, or the child's twenty-first birthday, whichever is first. In order for the aforementioned judge to utilize this commitment procedure, the offense for which the child has been found guilty must have been committed prior to the child's attaining his seventeenth birthday. If a child so committed shall escape from the division, or prove not to be amenable to treatment in a program of the division, the court may revoke said commitment and impose whatever other disposition the court deems proper.

Amendment 10—

In title on page 1, line 11, after the semicolon, insert: adding section 959.115, Florida Statutes, as created by Chapter 69-365, Laws of Florida, to provide that the judge of any court having criminal jurisdiction may in an appropriate case, as an alternative to sentencing to state or county prison, commit to the division of youth services;

Amendment 11—

On page 2, lines 3 & 4, strike immediately upon becoming a law and insert the following: July 1, 1970

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Poston, the Senate concurred in House amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 to SB 328.

SB 328 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Daniel	Haverfield	Myers
Askew	Deeb	Henderson	Plante
Barrow	de la Parte	Hollahan	Pope
Beaufort	Ducker	Johnson	Poston
Bishop	Fincher	Knopke	Reuter
Broxson	Friday	Lane	Scarborough
Chiles	Gunter	McClain	Shevin

Stolzenburg	Trask	Weissenborn	Wilson
Thomas	Weber	Williams	

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senator Daniel—

SB 497—A bill to be entitled An act relating to units of departments of government; amending subsection (4) of section 4 of Chapter 69-106, Laws of Florida; providing that no department shall create new units of such department for the administration of functions or activities not authorized by legislative act or transferred by the reorganization act of 1969; providing an effective date.

Amendment 1—

On pages 1 and 2, beginning on line 30, page 1, strike the remainder of Section 1 after the word "department" and insert the following: Provided, however, that no department of state government shall have the authority to establish additional divisions of departments after July 1, 1970.

Amendment 2—

In Section 1, following the words "July 1, 1970" strike the period and insert the following: ", and provided that no new bureaus, sections and subsections of departments may be established until approved by the department of administration or by law."

Amendment 3—

In title, on page 1, beginning on line 7, strike providing that no department shall create new units of such department for the administration of functions or activities not authorized by legislative act or transferred by the reorganization act of 1969; and insert the following: providing that no department shall have the authority to establish additional divisions of departments after July 1, 1970; providing that no new units of government may be established until approved by the department of administration or by law;

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Daniel, the Senate concurred in House amendments 1, 2 and 3 to SB 497.

SB 497 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Deeb	Hollahan	Reuter
Askew	de la Parte	Johnson	Scarborough
Barrow	Ducker	Knopke	Shevin
Beaufort	Fincher	Lane	Stolzenburg
Bell	Friday	McClain	Thomas
Bishop	Gong	Myers	Trask
Broxson	Gunter	Plante	Weber
Chiles	Haverfield	Pope	Williams
Daniel	Henderson	Poston	Wilson

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senators Friday and Henderson—

SB 976—A bill to be entitled An act relating to trustees' powers; amending Section 691.03 (7) Florida Statutes to authorize exchange of investments; providing an effective date.

Which amendment reads as follows:

On page 1, line 28, strike July 1, 1970 and insert the following: January 2, 1971

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Friday, the Senate concurred in the House amendment to SB 976.

SB 976 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Deeb	Johnson	Scarborough
Askew	Ducker	Knopke	Shevin
Bafalis	Fincher	Lane	Stolzenburg
Beaufort	Friday	McClain	Thomas
Bell	Gong	Myers	Trask
Bishop	Gunter	Plante	Weber
Boyd	Haverfield	Poston	Weissenborn
Broxson	Henderson	Reuter	Williams
Daniel	Hollahan	Saunders	Wilson

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senator Horne—

SB 768—A bill to be entitled An act relating to banks and trust companies; amending section 659.08(1), Florida Statutes; reducing minimum par value of capital stock; providing an effective date.

Which amendment reads as follows:

On page 1, line 19, strike: upon becoming law and insert the following: July 1, 1970

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Askew, the Senate concurred in the House amendment to SB 768.

SB 768 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Deeb	Hollahan	Scarborough
Askew	de la Parte	Johnson	Shevin
Bafalis	Ducker	Knopke	Stolzenburg
Beaufort	Fincher	McClain	Thomas
Bell	Friday	Myers	Trask
Bishop	Gong	Plante	Weissenborn
Boyd	Gunter	Poston	Williams
Broxson	Haverfield	Reuter	Wilson
Daniel	Henderson	Saunders	

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senator Saunders—

SB 539—A bill to be entitled An act relating to plant industry division of the department of agriculture and consumer services; amending subsections (1) and (3) of section 570.33, Florida Statutes, to provide minor clarification changes; amending subsection (1) of section 570.34, Florida Statutes, to provide a change in membership of the plant industry technical council; amending subsection (4) of section 570.35, Florida Statutes, to provide a minor clarification change; providing an effective date.

which amendment reads as follows:

On page 2, line 27, strike: immediately upon becoming a law and insert the following: July 1, 1970

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Saunders, the Senate concurred in the House amendment to SB 539.

SB 539 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Ducker	Knopke	Scarborough
Askew	Fincher	Lane	Shevin
Beaufort	Friday	McClain	Stolzenburg
Bell	Gong	Myers	Thomas
Bishop	Gunter	Plante	Trask
Broxson	Haverfield	Pope	Weissenborn
Daniel	Henderson	Poston	Williams
Deeb	Hollahan	Reuter	Wilson
de la Parte	Johnson	Saunders	

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senators Thomas and Slade—

SB 457—A bill to be entitled An act relating to the game and fresh water fish commission; providing that it shall be illegal to possess or transport fresh water game fish in commercial quantities providing for forfeiture of vessels and vehicles; providing penalties; providing an effective date.

which amendment reads as follows:

On page 1, line 25, strike Sections 2 and 3 and renumber remaining section.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Thomas, the Senate refused to concur in the House amendment to SB 457 and requested the House to recede therefrom. The action of the Senate was certified to the House.

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senator Daniel—

SB 500—A bill to be entitled An act relating to procedures for confirmation by the senate of appointments by the governor; amending section 112.071, Florida Statutes, to provide for such a procedure; providing an effective date.

Amendment 1—

On page 1, lines 26 and 27, strike or in his absence and insert the following: [if available; if not available, then] *or in his absence*

Amendment 2—

On page 1, line 29, strike *as provided in the rules of the Senate*

Amendment 3—

On page 4 between lines 16 and 17, insert the following: new Section 2. Section 2. Section 20.07, Florida Statutes, is repealed.

Renumber the remaining section.

Amendment 4—

On page 1, line 8, insert the following after the semi-colon repealing section 20.07, Florida Statutes, relating to confirmation by the senate;

Amendment 5—

On page 4, lines 17 and 18, strike: immediately upon becoming law and insert the following: July 1, 1970

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Daniel, the Senate concurred in House amendments 1, 2, 3, 4 and 5 to SB 500.

SB 500 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—33 Nays—None

Askew	Gong	Plante	Thomas
Barrow	Gunter	Pope	Trask
Beaufort	Haverfield	Poston	Weber
Bell	Henderson	Reuter	Weissenborn
Bishop	Hollahan	Saunders	Williams
Daniel	Horne	Sayler	Wilson
Deeb	Johnson	Scarborough	
Ducker	McClain	Shevin	
Fincher	Myers	Stolzenburg	

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senator Daniel—

SB 499—A bill to be entitled An act relating to the filling of vacancies in public office; amending section 114.04, Florida Statutes, to provide that in regard to offices requiring confirmation of the Senate, appointees may hold office pursuant to the provisions of section 112.071, Florida Statutes; providing an effective date.

Amendment 1—

On page 2, line 1, after the period insert the following: *Each secretary and division director of departments of state government that are required by law to be appointed by the governor and confirmed by the senate shall serve at the pleasure of the governor unless otherwise provided by law, and the appointment will run concurrently with the term of the governor making said appointment. In the event a governor is elected to a second term of office pursuant to section 5, Article IV, of the state constitution, each secretary and division director so appointed shall be reappointed or, at the discretion of the governor, replaced by a new appointment. Reappointments to the same office shall not be subject to confirmation or reconfirmation of the senate as provided in section 112.071, Florida Statutes.*

Amendment 2—

In title on page 1, line 11, following “Statutes;” insert the following: providing that the appointment of officers subject to confirmation by the senate shall run concurrently with the office of the governor; providing instances in which confirmation of the senate is required;

Amendment 3—

On page 2, lines 2 and 3, strike: “immediately upon becoming law” and insert the following: July 1, 1970

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Senator Daniel offered the following amendment to House amendment 1 to SB 499 which was adopted:

Line 15, page 1, after the word “shall”, strike the word “not”

On motion by Senator Daniel, the Senate concurred in House amendment 1 as amended and amendments 2 and 3.

SB 499 passed as amended and the action of the Senate was certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Ducker	McClain	Stone
Askew	Friday	Myers	Thomas
Bafalis	Gong	Plante	Trask
Barrow	Gunter	Pope	Weber
Beaufort	Haverfield	Poston	Weissenborn
Bell	Hollahan	Saunders	Williams
Boyd	Horne	Sayler	Wilson
Chiles	Johnson	Scarborough	
Daniel	Knopke	Shevin	
de la Parte	Lane	Stolzenburg	

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

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

By Senator Boyd—

SB 1089—A bill to be entitled An act relating to state universities and junior colleges; providing for the repeal of section 239.582, Florida Statutes, which is chapter 69-366 of Laws of Florida, 1969; providing that students who are formally charged with unlawful possession or sale of any narcotic drug, central nervous system stimulant, hallucinogenic drug, or barbiturate shall be suspended from school following an administrative hearing which recommends that such students shall be suspended; providing for the discipline and expulsion of students convicted of violating drug laws; providing an effective date.

Amendment 1—

On page 2, line 29, strike all of section 3 and insert the following:

Section 3. Upon suspension from classes as authorized in subparagraph 2 above the administration shall notify the parents or parent or other persons in loco parentis of the suspension and the reason therefor.

Section 4. This act shall take effect October 1, 1970.

Amendment 2—

In title on page 1, line 8, after “1969;” insert the following: providing for notice to parents;

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Boyd, the Senate concurred in House amendments 1 and 2 to SB 1089.

SB 1089 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—38

Mr. President	Ducker	Knopke	Shevin
Askew	Fincher	Lane	Stolzenburg
Bafalis	Friday	McClain	Stone
Beaufort	Gong	Myers	Thomas
Bell	Gunter	Plante	Trask
Boyd	Haverfield	Pope	Weber
Broxson	Hollahan	Poston	Weissenborn
Chiles	Horne	Saunders	Williams
Daniel	Johnson	Sayler	
de la Parte	Karl	Scarborough	

Nays—2

Reuter Wilson

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Senator Hollahan—

SB 152—A bill to be entitled An act relating to autopsies; amending section 872.04(1), Florida Statutes; providing that tissues removed in the course of authorized autopsy may be used for diagnostic, scientific and therapeutic purposes; providing an effective date.

which amendment reads as follows:

On page 2, lines 1 and 2, strike immediately upon becoming law and insert the following: July 1, 1970.

—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 152.

SB 152 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—42 Nays—None

Mr. President	Ducker	Knopke	Shevin
Askew	Fincher	Lane	Stolzenburg
Bafalis	Friday	McClain	Stone
Barrow	Gong	Myers	Thomas
Beaufort	Gunter	Plante	Trask
Bell	Haverfield	Pope	Weber
Bishop	Henderson	Poston	Weissenborn
Boyd	Hollahan	Reuter	Williams
Broxson	Horne	Saunders	Wilson
Chiles	Johnson	Sayler	
de la Parte	Karl	Scarborough	

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Senator Thomas—

SB 510—A bill to be entitled An act relating to sale or lease of county property by county commissioners; amending section 125.35, Florida Statutes, to authorize lease of county real property on competitive bids; providing an effective date.

Amendment 1—

On page 1, line 20, strike the period and insert the following: to the highest and best bidder, for the particular use it deems to be the highest and best use for such length of term, and conditions, as the governing body may in its discretion determine.

Amendment 2—

On page 1, line 27, strike the last comma (,) and insert the following: in the case of a sale, or in case of lease the bid serving the highest public interest as authorized herein,

Amendment 3—

On page 2, lines 6 and 7, strike: upon becoming law and insert the following: July 1, 1970

—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 SB 510.

SB 510 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—40

Mr. President	Ducker	Karl	Scarborough
Askew	Fincher	Knopke	Shevin
Bafalis	Friday	Lane	Stolzenburg
Barrow	Gong	McClain	Stone
Beaufort	Gunter	Myers	Thomas
Bell	Haverfield	Plante	Trask
Bishop	Henderson	Poston	Weber
Boyd	Hollahan	Reuter	Weissenborn
Broxson	Horne	Saunders	Williams
de la Parte	Johnson	Sayler	Wilson

Nays—1

Pope

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Senator Thomas—

SB 509—A bill to be entitled An act relating to lease of municipal owned lands for nonpublic use; amending section 167.77(1), Florida Statutes, to require such lease only upon competitive bid; providing an effective date.

Amendment 1—

On page 1, line 13, strike "Lease" and insert the following: Sale or lease

Amendment 2—

On page 1 starting on line 17, strike "property may not be presently needed for municipal use, but may be so needed at some future time, said property may be leased for nonpublic uses" and insert the following: *property may not be needed for current or future municipal use, said property may be sold or leased for nonpublic uses*

Amendment 3—

On page 1, line 30, insert the following: When the governing body has determined that its real property is not needed for municipal use, said property may be sold but only to the highest and best bidder after notice thereof shall be published once a week for at least two weeks in some newspaper of general circulation in the municipality, calling for bids for the purchase of the real estate so advertised specifying the terms of purchase including the minimum price if such has been set.

Amendment 4—

On page 1, lines 28 and 29, strike "upon becoming a law" and insert the following: July 1, 1970

Amendment 5—

In title, on page 1, line 4, strike all of line 4, 5, 6, 7 and insert the following: An act relating to the sale or lease of municipal owned lands for nonpublic use; amending section 167.77(1), Florida Statutes, to provide that such sales and leases shall be only upon competi-

—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, 3, 4, and 5 to SB 509.

SB 509 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Ducker	Karl
Askew	Fincher	Lane
Bafalis	Gong	McClain
Barrow	Gunter	Myers
Beaufort	Haverfield	Plante
Bell	Henderson	Pope
Boyd	Hollahan	Poston
Broxson	Horne	Reuter
de la Parte	Johnson	Saunders

Sayler
Scarborough
Shevin
Stolzenburg
Thomas
Trask
Weber
Williams
Wilson

Ducker
Fincher
Friday
Gong
Gunter
Haverfield
Henderson

Hollahan
Johnson
Karl
McClain
Plante
Pope
Poston

Reuter
Saunders
Sayler
Scarborough
Shevin
Stolzenburg
Thomas

Trask
Weber
Weissenborn
Williams
Wilson

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Senator Williams—

SB 1074—A bill to be entitled An act relating to sale of liquid fuels; amending chapter 526, Florida Statutes, to provide injunction against violations of law and rules; providing effective date.

Which amendment reads as follows:

On page 1, line 28, strike: all of line 28 and insert the following: July 1, 1970.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Williams, the Senate concurred in the House amendment to SB 1074.

SB 1074 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Ducker	Johnson	Scarborough
Askew	Fincher	Karl	Shevin
Bafalis	Friday	McClain	Stolzenburg
Beaufort	Gong	Myers	Thomas
Bell	Gunter	Plante	Trask
Boyd	Haverfield	Reuter	Weber
Broxson	Henderson	Saunders	Williams
de la Parte	Horne	Sayler	Wilson

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Senators Karl and Beaufort—

SB 839—A bill to be entitled An act relating to consumer protection organizations; providing a definition; providing for registration; providing a fee; requiring an annual financial statement; providing a penalty; providing an effective date.

Which amendment reads as follows:

On page 3, lines 4 and 5, strike: upon becoming a law and insert the following: July 1, 1970

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Karl, the Senate concurred in the House amendment to SB 839.

SB 839 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	Beaufort	Boyd	Daniel
Bafalis	Bell	Broxson	de la Parte

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

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

By Senator Johnson—

SB 1107—A bill to be entitled An act relating to the Florida Commission on human relations; removing the lieutenant-governor as chairman of the commission; naming the secretary of the department of community affairs as chairman of the commission; amending subsection 3(d) of chapter 69-287, Laws of Florida (1969); providing an effective date;

Which amendment reads as follows:

On page 1, line 22, strike all of line 22 and insert the following: July 1, 1970.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Johnson, the Senate concurred in the House amendment to SB 1107.

SB 1107 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Ducker	Johnson	Stolzenburg
Askew	Fincher	Karl	Stone
Bafalis	Friday	McClain	Thomas
Beaufort	Gong	Plante	Trask
Bell	Gunter	Poston	Weber
Boyd	Haverfield	Reuter	Weissenborn
Broxson	Henderson	Saunders	Williams
Daniel	Hollahan	Scarborough	Wilson
de la Parte	Horne	Shevin	

The Honorable John E. Mathews, Jr.
President of the Senate

June 4, 1970

Sir:

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

By Representative Reed—

HB 4398—A bill to be entitled An act relating to interest and usury amending section 687.03, Florida Statutes, providing a formula for determining true interest rate to be calculated under agreed term of loan, including spread of payments despite prepayment; providing that the corporate rate of interest shall apply to individual borrowers and endorsers under certain circumstances; providing an effective date.

By Representative Redman—

HB 1819—A bill to be entitled An act relating to occupational license taxes; amending subsection 205.181(1), Florida Statutes, exempting piscicultural and fish farms from the payment of all forms of license tax when the product is being offered for sale or sold by the producer; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 4398, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

HB 1819, 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.

The Honorable John E. Mathews, Jr. June 2, 1970
President of the Senate

Sir:

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

By Senator Scarborough—

SB 1569—A bill to be entitled An act amending Chapter 67-1320, Laws of Florida, as amended, the Charter of the City of Jacksonville, by adding Article 27, relating to municipal employees of the city; granting municipal employees the right to organize and bargain collectively with their public employer as to the terms and conditions of their employment; establishing a general public employees' bargaining act and a police officers; and firemen's bargaining act; providing procedures for the registration, election, and certification of municipal employee organizations as bargaining agents; requiring and providing procedures for collective bargaining; providing procedures for the arbitration of disputes by an arbitration board; defining and prohibiting strikes by municipal employees; repealing conflicting laws; providing an effective date.

Proof of Publication attached.

Amendment 1—

On page 38, line 18, strike "October 1, 1970" and insert the following: immediately upon its becoming a law

Amendment 2—

On page 31, line 14, strike "27.303" and insert the following: 27.307(b)

Amendment 3—

On page 32, lines 8-14, strike after the word "selected." on line 8 through the word "thereafter." on line 14. and insert the following: The employer and the bargaining agent shall alternatively subtract one (1) name from the list until one name remains.

Amendment 4—

On page 35, lines 8-14, strike everything after "27.313." on line 8 through line 14 and insert the following: The bargaining agent shall provide for the expenses of its arbitrator, and the employer shall provide for the expenses of its arbitrator. The bargaining agent and the employer shall share equally the expense of the remaining arbitrator and any other costs or expenses incurred in arbitration, including stenographic and clerical expenses.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Scarborough, the Senate concurred in House amendments 1, 2, 3 and 4 to SB 1569.

SB 1569 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—22

Mr. President	Ducker	Karl	Shevin
Askew	Fincher	McClain	Thomas
Beaufort	Friday	Myers	Weber
Broxson	Gong	Pope	Williams
Daniel	Haverfield	Poston	
de la Parte	Hollahan	Scarborough	

Nays—10

Bafalis	Henderson	Reuter	Saylor
Bell	Johnson	Saunders	Wilson
Gunter	Plante		

The Honorable John E. Mathews, Jr. June 3, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has granted the request of the Senate and returns—

By Senator Daniel—

SB 610—A bill to be entitled An act relating to public utilities, water and sewer systems; amending sections 367.02, 367.04, 367.05, 367.06, 367.07, 367.08, 367.09, 367.10, 367.11(1), (3), 367.12, 367.13, 367.14, 367.15, 367.21 and 367.22, Florida Statutes, relating to definitions; redefining public utility; requiring water system and sewer system certificates, applications and fees; providing for deposit of fees in the public service regulatory trust fund; prescribing powers of commission to issue, amend, and revoke certificates; providing for extension of systems and amendment of certificates; relating to unlawful construction or operation of public utility lines or systems; providing for amendment and transfer of certificates; relating to duties of public utility to furnish service; prescribing procedures for fixing and changing rates; prescribing regulatory powers of commission; providing for exclusive jurisdiction throughout the state; repealing sections 367.03 and 367.23, Florida Statutes, relating to requirements of registration and jurisdiction dependent on county commissioners' resolutions; providing an effective date.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Reuter, the Senate reconsidered the vote by which SB 610 passed on June 2.

On motion by Senator Reuter, the Senate reconsidered the vote by which SB 610 was placed on third reading.

Senator Scarborough offered the following amendment which was adopted:

Following the word "exclusive" insert: ; provided, however, the provisions of this law shall not apply in any county which provides for local regulation and such regulation is in operation upon the effective date of this law. Further providing that when the governing body of such county adopts a resolution declaring the county subject to the provisions of this law and the resolution has been submitted to the Florida Public Service Commission, this law shall apply.

The vote was:

Yeas—25

Mr. President	Gong	Pope	Stone
Beaufort	Haverfield	Poston	Thomas
Bell	Henderson	Saunders	Weber
Boyd	Hollahan	Scarborough	Weissenborn
Broxson	Knopke	Shevin	
de la Parte	McClain	Slade	
Fincher	Plante	Stolzenburg	

Nays—13

Barron	Deeb	Johnson	Reuter
Barrow	Ducker	Lane	Williams
Bishop	Gunter	Ott	Wilson
Daniel			

Senator Scarborough offered the following amendment which was adopted:

In title, line 1, page 2, following the word "resolutions" insert the following: ; providing exceptions

Senators Myers, Hollahan and Daniel offered the following amendment which was adopted on motion by Senator Daniel:

In Section 1, line 24, page 3, after the words "a governmental agency" strike the semi-colon and insert the following: or a utility operating in a county which prior to the effective date of chapter 59-372, Laws of Florida, established home rule pursuant to the specific provision of the Constitution of the state of Florida;

Senators Slade and Daniel offered the following amendment which was adopted on motion by Senator Slade:

Insert the following: Section 17. If any provision of this Act is declared unconstitutional the entire act shall be unconstitutional

And renumber the effective date section

SB 610, as amended was read by title, passed and ordered engrossed. The vote was:

Yeas—33

Mr. President	Daniel	McClain	Slade
Bafalis	Ducker	Ott	Stolzenburg
Barron	Fincher	Plante	Thomas
Barrow	Friday	Pope	Weber
Beaufort	Gong	Poston	Williams
Bell	Haverfield	Reuter	Young
Bishop	Horne	Saylor	
Boyd	Johnson	Scarborough	
Broxson	Karl	Shevin	

Nays—4

Hollahan	Saunders	Weissenborn	Wilson
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ABSTENTION FROM VOTING

I have recused myself from voting on this bill because of a possible question of conflict of interest, in that the law firm of which I am a member represents an entity which may be affected by this bill.

Kenneth M. Myers, 45th District

Senator Horne presiding.

The Honorable John E. Mathews, Jr.
President of the Senate

June 3, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has recalled, reconsidered, further amended and passed—

By Senator Daniel and Others—

SB 612—A bill to be entitled An act relating to chapter 366 to provide electric consumer protection, in that rural electric cooperatives and municipal electric systems shall be subject to the jurisdiction of the Florida Public Service Commission in certain respects; to prescribe certain rights and restrictions with respect to the furnishing of electric service within municipalities and in areas outside municipalities; to provide for the establishment of electric service areas by the Florida Public Service Commission; to subject such utilities to the gross receipts provisions of Section 350.78, Florida Statutes; to amend Chapter 366 by adding new provisions thereto; amending section 366.06, Florida Statutes, by adding subsection (4) requiring refunds to consumers for unreasonable rates with interest at the legal rate, providing any refunds the public utility is unable to make shall escheat to the state to be used for recreational purposes; providing rate regulation; providing provisions relating to refunds; providing escheat provision; and to prohibit the requirement that a consumer must purchase one type of utility service as a condition to receiving any other type of utility service; providing exceptions from the provisions of this act; providing for a franchise fee; providing a severability clause; providing an effective date.

Amendment 1—

On page 1, strike Everything after the enacting clause and insert the following:

Section 1. Chapter 366, Florida Statutes, is hereby amended by adding a new section 366.111 to read:

366.111 Approval of territorial agreements, application fees; power of commission.—

(1) The exemptions enumerated in section 366.11 shall not be deemed to include approval of territorial agreements nor the authority of the Florida Public Service Commission to prescribe service areas outside the limits of any municipality.

(2) The Florida Public Service Commission is hereby empowered to approve, or disapprove territorial agreements between municipalities, cooperatives and private electric utilities after notice and hearing pursuant to rules and regulations to be adopted by the commission.

(3) The present service areas of municipal and cooperative utilities outside the limits of any municipality are hereby preserved until such time as the same may be changed by order of the commission. The commission may, after notice and hearing, upon application or on its own motion require, in the public interest, extension of service by either a municipality, or private electric utilities cooperative into any reasonable area not presently receiving electric service from any source when such areas are within the immediate area of either or both upon such terms and conditions as may be reasonably required when such extension will not create an undue hardship on the utility.

(4) Nothing in this act shall prohibit or restrict an improvement district authorized by law to furnish electric energy to persons within the corporate limits of such district from exercising such authority within its corporate limits as such corporate limits exist as of the effective date of this act.

(5) All applications made hereunder shall be accompanied by a fee of five hundred (\$500) dollars to be placed in the Florida public service regulatory trust fund.

(6) Notwithstanding the provisions of this act, investor-owned utility corporations operating in that portion of Florida west of the Apalachicola River shall not be precluded from furnishing electric service to any premises outside the corporate limits of a municipality, and the Florida Public Service Commission shall not make assignments of service areas outside municipalities in that portion of Florida.

(7) This act shall not authorize the commission to make assignment of service areas in counties authorized by law to establish utility districts furnishing utility services including electric energy within the boundaries of such districts.

Section 2. It is hereby declared to be the intention of the legislature that the sections, paragraphs, sentences, clauses and phrases of this act are severable, and if any phrase, clause, sentence, paragraph or section of this act shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this act.

Section 3. This act shall become effective July 1, 1970.

Amendment 2—

In Title on page 1, strike entire title and insert the following: A bill to be entitled An act relating to private, municipal and cooperative electric utilities; adding a new section 366.111 exempting territorial agreements and disputes between such utilities from certain exemptions of Section 366.11; empowering the Florida Public Service Commission to prescribe service areas lying outside municipal limits; preserving present service areas outside the limits of municipalities; preserving the rights of improvement districts to furnish electric energy; prescribing application fees for proceedings to approve service area agreements; authorizing the commission to adopt rules and regulations; providing a severability clause; providing certain exemptions; precluding assignment of service areas in certain respects, and providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Senator Daniel moved that the Senate concur in House amendment 1 to SB 612.

Senator Saunders offered the following amendment to the House amendment which was adopted:

At the end of section 1 add a new subsection as follows: The provisions of this act shall not apply within the seventh senatorial district.

The vote was:

Yeas—21

Askew	Haverfield	Saunders	Weber
Boyd	Hollahan	Scarborough	Weissenborn
Chiles	Horne	Shevin	Williams
Fincher	Knopke	Slade	
Gong	Pope	Stolzenburg	
Gunter	Poston	Thomas	

Nays—16

Bafalis	Deeb	Johnson	Ott
Beaufort	Ducker	Karl	Plante
Bishop	Friday	Lane	Reuter
Daniel	Henderson	McClain	Wilson

Senator Deeb offered the following amendment to the amendment which failed:

In Section 1, strike Subsection 1(6)

Senator Weissenborn offered the following amendment to the House amendment which failed:

Add a new Section 3 to read: Section 3. All counties operating under a Home Rule Charter pursuant to Article VIII Section 6, Constitution of State of Florida as adopted in 1968, are hereby exempt from the provisions of this section of the law.

The vote was:

Yeas—14

Boyd	Horne	Saunders	Thomas
Fincher	Knopke	Shevin	Weissenborn
Gong	Myers	Stolzenburg	
Hollahan	Poston	Stone	

Nays—18

Bafalis	Daniel	Karl	Weber
Barrow	Deeb	McClain	Williams
Beaufort	Ducker	Ott	Wilson
Bishop	Friday	Plante	
Broxson	Henderson	Reuter	

Senator Saunders offered the following amendment to the amendment which failed:

At the end of Section 1 add a new subsection (8) to read as follows: No person, firm, or cooperative shall furnish or supply electricity to another within the corporate limits of a municipality, as the same now exists or as later changed, without the consent of such municipality. In the absence of such consent, the municipality shall have the authority to acquire the electrical lines and facilities of any such electrical supplier within such corporate limits by eminent domain under the provisions of chapters 73 and 74, Florida Statutes, which acquisition is hereby declared to be for a public purpose.

By permission, Senator Daniel withdrew SB 612 from the Senate.

The President presiding.

On motion by Senator Hollahan, by two-thirds vote, SB 1276 was placed on the Special Order Calendar immediately following the order of Unfinished Business. The vote was:

Yeas—26

Mr. President	Friday	McClain	Stone
Askew	Gong	Ott	Thomas
Barrow	Haverfield	Plante	Weissenborn
Beaufort	Henderson	Reuter	Williams
Broxson	Hollahan	Sayler	Wilson
Chiles	Horne	Shevin	
de la Parte	Knopke	Stolzenburg	

Nays—12

Bishop	Gunter	Pope	Slade
Boyd	Johnson	Poston	Weber
Ducker	Lane	Scarborough	Young

The Honorable John E. Mathews, Jr.
President of the Senate

June 4, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has receded from amendments to SB 417 and—

By Senator Poston—

SB 115—A bill to be entitled An act relating to eminent domain proceedings; amending section 74.051(3), Florida Statutes, authorizing clerks of the circuit courts to invest in interest-earning accounts certain deposits into the court registries; providing an effective date.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

SB 417, contained in the above message, passed and was ordered enrolled.

SB 115, contained in the above message, passed as further amended and was ordered engrossed. The vote was: Yeas—30
Nays—None

Mr. President	Friday	McClain	Stolzenburg
Askew	Gong	Ott	Stone
Beaufort	Gunter	Plante	Thomas
Bell	Haverfield	Pope	Weber
Bishop	Hollahan	Poston	Weissenborn
Broxson	Horne	Sayler	Wilson
de la Parte	Knopke	Shevin	
Ducker	Lane	Slade	

The Honorable John E. Mathews, Jr.
President of the Senate

June 4, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendments 1, 3 & 4 to—

By The Committee on Judiciary—

CS for SB 176—A bill to be entitled An act relating to campaign expenses; amending section 99.161(6), Florida Statutes, by imposing a ceiling on amounts which may be spent in campaigns for certain public offices; providing exceptions; providing an effective date.

Amendment 1—

On page 1, lines 14-16, strike all of lines 14 through and including line 16 and insert the following:

Section 1. Subsection (1) of section 99.161, Florida Statutes, is repealed, and paragraph (a) of subsection (2) thereof, and subsection (6), thereof, are amended to read:

99.161 Contributions, expenditures, etc.—

(2) Maximum contributions; indirect and prohibited contributions; advertising; initial date of expenditures.—

(a) No person shall contribute to a candidate for election or nomination to political office in the state, directly or indirectly, in moneys, material, supplies, or by way of loan, or value in excess of [one thousand dollars in any primary or general election.] *the following amounts: countywide office, two thousand dollars (\$2,000); legislative or multi-county office, two thousand dollars (\$2,000); statewide office, five thousand dollars (\$5,000); congressional office, five thousand dollars (\$5,000). The contribution limits set herein shall not apply to amounts contributed by a candidate to his own campaign. The limits set herein shall apply collectively to the primaries and again in the general election.*

Amendment 3—

On page 3, line 9, strike "fifty thousand dollars (\$50,000)" and on line 11, strike *fifty thousand dollars (\$50,000)* and insert the following: *one hundred thousand dollars (\$100,000)* on lines 9 & 11

Amendment 4—

In Title on page 1, line 5, after the semicolon insert the following: repealing subsection 99.161(1), Florida Statutes, which prohibits persons holding horse or dog racing permits, and alcoholic beverage licenses from making political contributions; amending paragraph 99.161(2)(a), Florida Statutes, establishing maximum amounts of contributions to candidates for political office; excepting a candidate's personal contributions from the limits established;

and again requests the Senate to concur. In the event the Senate refuses to concur requests the appointment of a Conference Committee.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Shevin, the Senate again refused to concur in House amendments 1, 3 and 4 to CS for SB 176 and the House was requested to appoint a conference committee to confer with a like committee on the part of the Senate to adjust the existing differences on the House amendments. The President appointed Senators Shevin, McClain and Horne as the committee.

On motion by Senator Stone, by two-thirds vote, SB 1104 was removed from the table and placed on the Calendar.

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

SB 1104—A bill to be entitled An act relating to the department of state; amending section 265.15, Florida Statutes, authorizing Stephen Foster memorial commission to operate land and water conveyances and sell souvenirs and Fosteriana in keeping with the theme of the Stephen Foster era; and providing an effective date.

—which was read the second time by title.

Senators Stone and Bishop offered the following amendment which was adopted on motion by Senator Stone:

Line 24, page 1, insert the following: Section 2. There is hereby appropriated from the General Revenue Fund the sum of ten thousand dollars (\$10,000) in addition to the appropriations contained in HB 5210 as enacted for the Stephen Foster Memorial Commission.

(renumber remaining sections accordingly)

Senators Stone and Bishop offered the following amendment which was adopted on motion by Senator Stone:

In title, line 10, page 1, following "era;" insert the following: providing an appropriation

On motion by Senator Stone, the rules were waived and SB 1104 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—32 Nays—None

Mr. President	Daniel	Knopke	Shevin
Barrow	Ducker	Lane	Slade
Beaufort	Friday	McClain	Stolzenburg
Bell	Gong	Myers	Stone
Bishop	Gunter	Ott	Thomas
Boyd	Henderson	Poston	Weber
Broxson	Horne	Reuter	Weissenborn
Chiles	Johnson	Scarborough	Wilson

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

CS for HB 3365—A bill to be entitled An act relating to corporations; combining and amending subsection (14) and (15) of section 608.13, Florida Statutes, and adding new subsections (15), (16), and (17) to said section, to expand the powers of corporations to indemnify their directors, officers, employees, and agents, and to authorize purchase and maintenance of insurance by corporations for directors, officers, employees, and agents; providing an effective date.

—which was read the second time by title. On motion by Senator Myers, the rules were waived and CS for HB 3365 was read the third time by title, passed and certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	Deeb	Lane	Slade
Askew	Ducker	McClain	Stolzenburg
Barrow	Friday	Myers	Thomas
Beaufort	Gong	Ott	Trask
Bell	Gunter	Poston	Weber
Boyd	Henderson	Reuter	Weissenborn
Broxson	Horne	Sayler	Williams
Chiles	Johnson	Scarborough	
Daniel	Knopke	Shevin	

On motion by Senator Myers, the House was requested to return SB 262.

RESOLUTIONS

HCR 4128—A concurrent resolution commending Clinton Huxley Coulter, former State Forester of the Florida Forest Service and former director of the Division of Forestry of the Department of Agriculture and Consumer Services for his efforts and achievements in reforestation in the State of Florida.

WHEREAS, forty-two years ago, a young man came to Florida filled with inspiration, energy, and a love for trees and forests, and

WHEREAS, at that time the once-great forest lands of Florida had been decimated due to uncontrolled wildfires, over-cutting, and other wanton practices, and

WHEREAS, Clinton Huxley Coulter saw a great need existing and proceeded to fill it, and, more than any individual in Florida's forest history, took up the challenge of depleted forests through the development of nurseries for the propagation of seedling trees and by providing the organization and leadership necessary for the planting of these seedlings on barren or deforested lands, and

WHEREAS, he worked to provide a greater understanding of forest economics affecting industry, the development and use of new and improved forest products, the recreational opportunities of woodlands, and the tremendous value of reforestation in promoting conservation and ecological balance, and

WHEREAS, the devoted work of "Hux" Coulter is a shining example now evident to those who follow that the growing forests of Florida today mean better things for Florida and Floridians, and such devotion and service is deserving of legislative recognition, NOW, THEREFORE,

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

That Clinton Huxley Coulter is hereby recognized and commended for his outstanding contributions to the development of Florida's forests in his capacity as State Forester and as director of the Division of Forestry of the Department of Agriculture and Consumer Services.

BE IT FURTHER RESOLVED that a copy of this Resolution, signed by the Speaker of the House of Representatives and the President of the Senate, be presented to Clinton Huxley Coulter as a token of pride and respect for his outstanding accomplishments in the service of Florida.

BE IT FURTHER RESOLVED that this citation regarding the work of Clinton Huxley Coulter be entered as permanent record so that future generations drawing on the fruit of his labor be reminded of his effort and zeal in their behalf.

Was taken up and read the second time in full. On motion by Senator Friday, HCR 4128 was adopted and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	de la Parte	Lane	Stolzenburg
Askew	Ducker	McClain	Thomas
Barrow	Fincher	Ott	Trask
Beaufort	Friday	Pope	Weber
Bell	Gong	Poston	Weissenborn
Bishop	Gunter	Reuter	Williams
Boyd	Haverfield	Sayler	Wilson
Broxson	Henderson	Scarborough	
Daniel	Horne	Shevin	
Deeb	Johnson	Slade	

HCR 5397—A concurrent resolution commending Michael Gus Frankel for his outstanding forensic achievements.

WHEREAS, excellence in public speaking is a highly laudable achievement due to the necessity for clear and concise communication of concepts in rational decision making, and

WHEREAS, Michael Gus Frankel, a senior at Miami Beach Senior High School, has demonstrated his outstanding forensic abilities by being named the winner of the Florida competition for historical oration in the Douglas G. High Oratorical contest sponsored by the Sons of the American Revolution, thus becoming entitled to compete this June in the national competition to be held in Houston, Texas, and

WHEREAS, among Mike Frankel's many other honors, he has twice been the state champion in congressional Debate, has won second place in the Florida Forensic State Championship, and was the third place winner of the National Debate held at Marquette University, as well as being nominated for the 1970 Silver Knight award in speech by the Miami Herald and being on the winning teams in the 1969 and 1970 Dade County Debate championships, and

WHEREAS, in addition to his forensic activities, Mike Frankel is treasurer of his senior class, the founder of the Law Club, president of the National Forensic League, and belongs to the National Honor Society and the Junior Optimist Service Club, and

WHEREAS, Mike Frankel intends to begin a pre-law program at the University of Florida this fall and to continue on through law school with the hope of someday using his speaking talents at the bar of this state, and

WHEREAS, such outstanding achievement and leadership ability is worthy of legislative recognition, NOW, THEREFORE,

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

That Michael Gus Frankel is hereby commended for his outstanding forensic achievements and his exceptional display of leadership and dedication, which should serve as an inspiration to the young citizens of Florida.

BE IT FURTHER RESOLVED that Michael Gus Frankel is extended the best wishes of this Legislature in the forthcoming competition for the National Douglas G. High Award of the Sons of the American Revolution.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the Speaker of the House of Representatives and the President of the Senate with the great seal of the State of Florida attached, be presented to Michael Gus Frankel as a tangible token of the sentiments expressed herein and a lasting symbol of the respect and admiration of his fellow Floridians.

Was taken up and read the second time in full. On motion by Senator Shevin, HCR 5397 was adopted and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	de la Parte	Lane	Stolzenburg
Askew	Ducker	McClain	Thomas
Barrow	Fincher	Ott	Trask
Beaufort	Friday	Pope	Weber
Bell	Gong	Poston	Weissenborn
Bishop	Gunter	Reuter	Williams
Boyd	Haverfield	Saylor	Wilson
Broxson	Henderson	Scarborough	
Daniel	Horne	Shevin	
Deeb	Johnson	Slade	

HCR 4436 was indefinitely postponed.

UNFINISHED BUSINESS

HB 850—A bill to be entitled An act amending Chapter 509, Florida Statutes; amending the requirements for inspection during construction for apartment houses, town houses, and cooperative or condominium apartment buildings; amending Section 509.211 by adding a new subsection; repealing subsection (10) of Section 509.211; adding a new section 509.2111; providing an effective date.

Was taken up with the following pending amendment which was adopted on motion by Senator Boyd:

In Section 4, lines 5 and 6, page 2, strike: all of section 4 and insert the following:

Section 4. Paragraph (b) of subsection (1) of section 509.241, Florida Statutes, is amended to read:

509.241 Licenses required; public lodging and food service establishments; exceptions.—

(1) PUBLIC LODGING ESTABLISHMENTS; DEFINITION; LICENSES; EXCEPTION.—

(b) The following are exempted from the provisions of paragraph (a) hereof:

1. All individually or collectively owned one, two, or three family dwelling houses or dwelling units, regardless of the number of such dwelling houses or units clustered together, unless they are regularly rented to transients or held out to or advertised to the public as places regularly rented to transients. For the purposes of the chapter transients are persons who are not legal residents of the community and who rent for less than six months.

2. Dormitories and other living or sleeping facilities maintained by public or private schools, colleges, or universities primarily for the use of students, faculty or visitors.

3. All hospitals, nursing homes, sanitariums, and other similar places.

4. All places renting three rooms or less, unless they are advertised or held out to the public to be places that are regularly rented to transients.

Section 5. This act shall take effect September 1, 1970.

Senator Boyd offered the following amendment which was adopted:

In the title, line 12, page 1, strike all of line 12 and insert the following: 509.2111; amending section 509.241(1)(b), Florida Statutes, making exceptions to licenses required for public lodging establishments; providing an effective date.

Senator Weissenborn offered the following amendment which failed:

Strike: all of Sections 1, 2, and 3, and insert:

Section 509.211(10), Florida Statutes, is amended to read (substantial rewording)

509.211 Safety Regulations.—

(10)(1) The plans and specifications of all cooperative and condominium apartments for residential use, irrespective of intended occupancy by the owner of such apartments, shall be submitted to the supervising architect of the division for approval prior to the permit for such construction being issued by any governmental authority, and said apartments shall be constructed in accordance with the requirements of public lodging establishments within the jurisdiction of the division under this chapter and the rules and regulations promulgated thereunder. [The regular construction permit fees shall be paid the division for approval of] *Each applicant for approval shall pay to the division a fee of two hundred fifty dollars (\$250.00) to cover the cost of examining such plans by the supervising architect and for inspection during construction; provided, however, such apartments shall not be required to be licensed under this chapter so long as the owners of such apartments actually occupy them or none of the apartments are rented to tenants or guests.*

(2) *Prior to approving any plans and specifications, the division shall make certain that the intended construction complies with all applicable state, county and municipal building, planning and pollution control codes.*

(3) *The division shall withhold approval until such time as the division is satisfied that the developer is in a sufficiently sound financial condition to assure the completion of the*

project, and the delivery of all furnishings, appliances, recreational facilities, and all improvements to the property promised in any contract or sales and promotional material, either written or oral.

(4) No articles of incorporation or limited partnership or declaration of association shall be accepted for filing by any public officers until such time as the department of business regulation, division of hotels and restaurants has approved the same and noted such approval by appropriate language on the face of said instrument.

On motion by Senator Boyd, the rules were waived and HB 850 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Deeb	Horne	Poston
Askew	de la Parte	Johnson	Reuter
Bafalis	Fincher	Karl	Sayler
Barrow	Friday	Knopke	Scarborough
Beaufort	Gong	McClain	Stolzenburg
Bishop	Gunter	Myers	Thomas
Boyd	Haverfield	Ott	Weber
Broxson	Henderson	Plante	
Daniel	Hollahan	Pope	

Nays—6

Bell	Shevin	Weissenborn	Wilson
Ducker	Stone		

On motion by Senator Friday, by two-thirds vote, SB 1594 was withdrawn from the Committee on Rules and Calendar and placed on the local calendar.

Unanimous consent was granted Senator de la Parte to take up SB 1276 out of order, together with:

By The Committee on Judiciary—

CS for SB 1276—A bill to be entitled An act relating to tort liability; amending section 768.15, Florida Statutes, created by section 1 of chapter 69-116, Laws of Florida, limiting the liability of the state, its counties, agencies, and instrumentalities; repealing chapter 69-357, Laws of Florida, which provides for the repeal of section 768.15, Florida Statutes, on July 1, 1970; providing an effective date.

—which was read the first time by title and SB 1276 was laid on the table.

Senator Pope offered the following amendment which failed:

In Section 4, line 25, page 2, strike lines 25, 26, 27, 28

The vote was:

Yeas—14

Beaufort	Fincher	Plante	Stolzenburg
Bishop	Gunter	Pope	Weber
Boyd	Karl	Scarborough	
Deeb	Lane	Slade	

Nays—22

Askew	Ducker	McClain	Shevin
Bafalis	Haverfield	Myers	Thomas
Barron	Henderson	Ott	Weissenborn
Broxson	Hollahan	Poston	Wilson
Daniel	Horne	Reuter	
de la Parte	Knopke	Sayler	

A motion by Senator Wilson that debate on CS for SB 1276 be limited failed.

Senator Scarborough offered the following amendment which failed:

In Section 1, line 21, page 1, strike the period and insert the following: until July 1, 1971.

Senator Boyd offered the following amendment:

In Section 1, line 29, page 2, insert the following new subsection:

Fees paid to an attorney for services rendered in a cause or controversy permitted hereunder shall in no particular exceed:

- a. 10% of any sum recovered by settlement; or
- b. 15% of any sum recovered by trial of the cause; or
- c. 20% of any sum recovered after appeal of the cause.

Senator Wilson offered and moved the following substitute amendment:

In Section 1, line 29, page 2 insert a new sub-section (5) as follows:

(5) The court shall set a reasonable fee to be paid to the attorney for the plaintiff from the proceeds of the recovery. The court may consider but shall not be bound by the local minimum bar fee schedule.

Senator Barrow offered the following amendment to the substitute amendment which was adopted:

Strike . and insert: provided however such amount shall not exceed 25% of the recovery.

The question recurred on the adoption of the substitute amendment as amended, which was adopted.

On motion by Senator de la Parte, the rules were waived and CS for SB 1276 as amended was read the third time by title.

Senator Thomas moved that debate on CS for SB 1276 be limited to ten minutes to be allotted proponents and ten minutes to be allotted opponents of the bill.

Senator Stone moved as a substitute motion that a period of five minutes be allotted.

Senator Pope offered and moved as an amendment to the substitute motion that a period of thirty minutes be allotted. The amendment failed.

The question recurred on the substitute motion which was adopted. The vote was:

Yeas—27

Mr. President	de la Parte	Johnson	Shevin
Barron	Fincher	Knopke	Stone
Barrow	Gong	McClain	Thomas
Bell	Haverfield	Myers	Weber
Broxson	Henderson	Ott	Weissenborn
Chiles	Hollahan	Reuter	Wilson
Deeb	Horne	Saunders	

Nays—13

Askew	Lane	Scarborough	Young
Beaufort	Plante	Slade	
Bishop	Pope	Stolzenburg	
Gunter	Poston	Williams	

Senator Bishop offered the following amendment which failed:

In Section 2, line 28, page 2, add new section: This Act shall not apply to the 6th Senatorial District

A motion by Senator Pope that the rule be waived and he be allowed to speak for seven minutes failed.

On motion by Senator de la Parte, the rules were waived and the hour of adjournment was extended until final disposition of CS for SB 1276.

CS for SB 1276 passed as amended and was ordered engrossed. The vote was:

Yeas—28

Mr. President	Daniel	Henderson	Reuter
Askew	Deeb	Hollahan	Sayler
Barron	de la Parte	Horne	Shevin
Barrow	Fincher	Knopke	Stone
Bell	Friday	McClain	Thomas
Broxson	Gong	Myers	Weissenborn
Chiles	Haverfield	Ott	Wilson

Nays—17

Bafalis	Johnson	Saunders	Williams
Beaufort	Lane	Scarborough	Young
Boyd	Plante	Slade	
Ducker	Pope	Stolzenburg	
Gunter	Poston	Weber	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Karl on CS for SB 1276.

If he were present he would vote yea and I would vote nay.

W. E. Bishop, 6th District

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

HB 5396—A bill to be entitled An act relating to U.S. Highways 19 and 192, and state roads 516 and 530; providing name for certain bridges over the Econfin River; providing for naming a portion of United States highway 192, in Osceola and Brevard Counties and state road 516 from Melbourne to Indialantic and state road 530 in Osceola, Orange and Lake Counties as the "Space Coast Parkway"; providing for suitable markers; providing an effective date.

—which was read the second time by title. On motion by Senator Bishop, the rules were waived and HB 5396 was read the third time by title, passed and certified to the House. The vote was: Yeas—46 Nays—None

Mr. President	Deeb	Knopke	Slade
Askew	de la Parte	Lane	Stolzenburg
Bafalis	Ducker	McClain	Stone
Barron	Fincher	Myers	Thomas
Barrow	Friday	Ott	Trask
Beaufort	Gong	Plante	Weber
Bell	Gunter	Pope	Weissenborn
Bishop	Haverfield	Poston	Williams
Boyd	Henderson	Reuter	Wilson
Broxson	Hollahan	Saunders	Young
Chiles	Horne	Scarborough	
Daniel	Johnson	Shevin	

The hour for recess having arrived, a point of order was called and the Senate recessed at 12:37 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. A quorum present—48:

Mr. President	Deeb	Karl	Scarborough
Askew	de la Parte	Knopke	Shevin
Bafalis	Ducker	Lane	Slade
Barron	Fincher	McClain	Stolzenburg
Barrow	Friday	Myers	Stone
Beaufort	Gong	Ott	Thomas
Bell	Gunter	Plante	Trask
Bishop	Haverfield	Pope	Weber
Boyd	Henderson	Poston	Weissenborn
Broxson	Hollahan	Reuter	Williams
Chiles	Horne	Saunders	Wilson
Daniel	Johnson	Sayler	Young

The Senate resumed—

SPECIAL ORDER

SB 807—A bill to be entitled An act relating to policemen and firemen generally as herein defined; specifically authorizing collective bargaining and collective bargaining agreements between policemen, firemen and their public employers; establishing the right to organize and bargain collectively; providing for the recognition of bargaining agents; providing for arbitration of disputes by an arbitration board; providing for appointment of arbitrators and payment of same; providing decisions of board shall be binding; defining collective bargaining contract; limits items to be bargained for; prohibiting the right to strike; repealing conflicting laws; providing effective date.

Was taken up. Senator Poston moved that SB 807 as amended be read the third time by title and placed on final passage.

Senator Thomas raised a point of order that because of the passage of a legislative day, SB 807 was on third reading and should properly appear on the calendar on Third Reading and not on the Special Order Calendar. The President advised that the point of order was not well taken because the bill had been carried over on the Special Order Calendar and its reading had not been considered.

Senator Thomas made a substitute motion that the Senate now take up and consider a Report of the Committee on Rules and Calendar setting a new Special Order Calendar.

Senator Wilson raised a point of order that, pursuant to Rule 6.2, the substitute motion was out of order in that a matter was now under debate by the Senate and the motion was not one of precedence. The President ruled that the point of order was well taken and the substitute motion was out of order.

The question recurred on the motion by Senator Poston that SB 807 as amended be read the third time by title and the motion failed.

Senator Poston moved that the Senate reconsider the vote by which the foregoing motion failed and the Senate refused to reconsider.

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

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills for Special Order Calendar, June 4, 1970, at 2:00 p.m.:

SB 392	SB 1444	HB 4190	HB 4227
SB 702	CSHB 4207	HB 1062	HB 4359
SB 703	SB 1021	SB 886	SB 280
SB 1470	HB 4260	SB 593	SB 801
SB 997	CSHB 2170	HB 1819	CSHB 3719
HB 4846	HB 5168	HB 5176	HB 3974
HB 4847	CSSB 1270	SB 593	SB 1564
SB 1554	HB 4394	HB 4161	HB 606
SB 1555	HB 3384	HB 4435	HB 3373
SB 1556	HB 4604	SB 1014	HB 3695
SB 1557	HB 4609	SB 1212	SB 1204
HB 5084	SB 1030	SB 1023	HB 1018
HB 3892	SB 411	SB 567	SB 1000
HB 3893	SB 412	SB 1276	HB 4731
HB 1122	SB 416	HB 4228	

Elmer O. Friday, Jr.
Chairman, Committee on
Rules and Calendar

Senator Hollahan moved the adoption of the report.

A substitute motion by Senator de la Parte was adopted that the Special Order Calendar consist of only those bills that would raise fees; that upon completion of action on those bills, the Senate would recess for a period to allow the Senators to meet with the select committee of Rules and Calendar in order to set a new Special Order for the balance of the day.

By unanimous consent, on motion by Senator Myers, SB 1582 was added to the Special Order Calendar.

SPECIAL ORDER

SB 392—A bill to be entitled An act relating to the department of motor vehicles, amending subsection (5) of section 319.23, Florida Statutes, providing for the increase of the delinquency fee for failure to apply for transfer of ownership of a motor vehicle; providing an effective date.

Was taken up pending roll call, passed and certified to the House. The vote was: Yeas—44 Nays—None

Mr. President	Bishop	de la Parte	Henderson
Askew	Boyd	Ducker	Hollahan
Bafalis	Broxson	Friday	Horne
Barrow	Chiles	Gong	Johnson
Beaufort	Daniel	Gunter	Karl
Bell	Deeb	Haverfield	Knopke

McClain	Reuter	Slade	Weber
Myers	Saunders	Stolzenburg	Weissenborn
Ott	Sayler	Stone	Williams
Plante	Scarborough	Thomas	Wilson
Poston	Shevin	Trask	Young

SB 702—A bill to be entitled An act relating to department of highway safety and motor vehicles, division of motor vehicles; amending section 320.829, Florida Statutes, by requiring fees to be deposited in the general revenue fund; providing funds for the enforcement of sections 320.821-320.832, Florida Statutes, to be appropriated from the general revenue fund and abolishing the mobile home standards code trust fund; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Chiles, the rules were waived and SB 702 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	Deeb	Karl	Slade
Askew	de la Parte	Knopke	Stolzenburg
Bafalis	Ducker	McClain	Thomas
Barrow	Friday	Myers	Trask
Beaufort	Gong	Ott	Weber
Bell	Gunter	Plante	Weissenborn
Bishop	Haverfield	Pope	Wilson
Boyd	Henderson	Poston	Young
Broxson	Hollahan	Reuter	
Chiles	Horne	Saunders	
Daniel	Johnson	Sayler	

SB 703—A bill to be entitled An act relating to the department of highway safety and motor vehicles; amending chapter 321, Florida Statutes, by adding section 321.051 authorizing the division of the Florida highway patrol to charge fees for providing certain services; providing a schedule for said fees; amending chapter 322, Florida Statutes, by adding section 322.025, providing certain duties, functions, and powers of the division of driver licenses; setting forth a schedule of fees for providing certain services; providing that all such fees collected shall be deposited in the general revenue funds; transferring moneys in the accident reports trust fund to the general revenue fund; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Gunter, the rules were waived and SB 703 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

Mr. President	Deeb	Johnson	Sayler
Askew	de la Parte	Karl	Slade
Barrow	Ducker	Knopke	Stolzenburg
Beaufort	Friday	McClain	Stone
Bell	Gong	Myers	Thomas
Bishop	Gunter	Ott	Trask
Boyd	Haverfield	Plante	Weber
Broxson	Henderson	Poston	Williams
Chiles	Hollahan	Reuter	Wilson
Daniel	Horne	Saunders	Young

SB 1470—A bill to be entitled An act relating to the tax on sales, use and transaction; amending section 212.02(9), Florida Statutes, relating to the definition of business; amending section 212.08(3)(a), Florida Statutes, and adding subsection (10) to said section, relating to taxation of equipment and motor vehicles and to the superseding of conflicting laws; clarifying legislative intent expressed in chapter 68-119, Laws of Florida, relative to state and other public instrumentalities, that activities for public gain are defined as business as are those for private gain and that other laws pertaining thereto are superseded to the extent of the conflict with chapter 212, Florida Statutes; clarifying that occasional or isolated sales of motor vehicles are subject to the tax imposed thereby and that farm equipment and commercial equipment are not; providing an effective date.

Was taken up and read the second time by title.

Senator Stone offered the following amendment which was adopted on motion by Senator Chiles:

In Section 1, line 18, page 2 after words and symbols "quarters," insert: other than low rent housing operated under Chapter 421, F.S.

Senator Stone offered the following amendment which was adopted:

In Section 1, line 21, page 2, after the word and symbol "property," insert: other than low rent housing operated under Chapter 421, F.S.

Senator Stone offered the following amendment which was adopted:

In Section 3, line 19, page 4, strike: the figures "423.02,"

Senator Chiles offered the following amendment which was adopted:

In Section 3, line 19, page 4, strike all of line 19 and insert: 349.13, 374.132, 616.07, 623.09, 637.131,

Senator Chiles offered the following amendment which was adopted:

In Section 3, line 12, page 4, strike all of line 12 and insert: pressly exempt. Except for section 423.02, Florida Statutes, all special or general laws granting

On motion by Senator Chiles, the rules were waived and SB 1470 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—37

Mr. President	Friday	Myers	Stolzenburg
Bafalis	Gong	Ott	Stone
Beaufort	Gunter	Plante	Thomas
Bell	Henderson	Pope	Trask
Boyd	Hollahan	Poston	Weissenborn
Chiles	Horne	Reuter	Wilson
Daniel	Johnson	Saunders	Young
Deeb	Karl	Sayler	
de la Parte	Knopke	Shevin	
Ducker	McClain	Slade	

Nays—2

Barrow Bishop

Consideration of SB 997 was deferred, the bill retaining its place on the Calendar.

HB 4846—A bill to be entitled An act relating to industrial savings banks; amending section 656.031(2), Florida Statutes, providing for fee to accompany applications for authority to organize such banks; amending section 656.22, Florida Statutes, providing for semiannual examination fees and assessments and the deposit of such fees and assessments in a trust fund; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Sayler, the rules were waived and HB 4846 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

Mr. President	Ducker	McClain	Slade
Bafalis	Friday	Myers	Stolzenburg
Beaufort	Gong	Ott	Stone
Bell	Gunter	Plante	Thomas
Bishop	Henderson	Pope	Trask
Boyd	Hollahan	Poston	Weissenborn
Chiles	Horne	Reuter	Wilson
Daniel	Johnson	Saunders	Young
Deeb	Karl	Sayler	
de la Parte	Knopke	Scarborough	

Nays—1

Barrow

HB 4847—A bill to be entitled An act relating to the banking code, first and second parts; amending section 658.08, Florida Statutes, providing for semiannual examination fees and assessments; providing for the deposit of fees and assessments in a trust fund; amending section 659.02(2), Florida Statutes, providing for fee to accompany applications for authority to organize a bank; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Sayler, the rules were waived and HB 4847 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

Mr. President	Ducker	McClain
Bafalis	Friday	Myers
Beaufort	Gong	Ott
Bell	Gunter	Plante
Bishop	Henderson	Pope
Boyd	Hollahan	Poston
Chiles	Horne	Reuter
Daniel	Johnson	Saunders
Deeb	Karl	Sayler
de la Parte	Knopke	Scarborough

Nays—1

Barrow

SB 1554—A bill to be entitled An act relating to the department of education; amending section 233.063(2), Florida Statutes, to increase to one dollar (\$1) the additional fee to the driver's license as required by section 322.21; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Chiles, the rules were waived and SB 1554 was read the third time by title, passed and certified to the House. The vote was:

Yeas—26

Mr. President	Friday	McClain	Stolzenburg
Bafalis	Gong	Myers	Stone
Beaufort	Gunter	Ott	Trask
Bell	Hollahan	Poston	Weissenborn
Boyd	Horne	Saunders	Wilson
Deeb	Johnson	Sayler	
Ducker	Knopke	Slade	

Nays—8

Barrow	Daniel	Plante	Thomas
Bishop	Karl	Pope	Young

SB 1555—A bill to be entitled An act relating to the department of highway safety and motor vehicles, division of drivers licenses, relating to commercial driving schools; amending sections 488.03(1) and 488.04, Florida Statutes, increasing fees for licensing commercial driving schools; providing for a certification fee on instructors; limiting validity of instructors certificate to one year; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Chiles, the rules were waived and SB 1555 was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

Mr. President	de la Parte	Knopke	Slade
Bafalis	Ducker	McClain	Stolzenburg
Barrow	Friday	Myers	Stone
Beaufort	Gong	Ott	Thomas
Bell	Gunter	Plante	Trask
Bishop	Henderson	Pope	Weissenborn
Boyd	Hollahan	Poston	Wilson
Chiles	Horne	Reuter	Young
Daniel	Johnson	Saunders	
Deeb	Karl	Sayler	

SB 1556—A bill to be entitled An act relating to labor organizations; amending subsection (2) of section 447.04, Florida Statutes, by increasing the license or permit fee of business agents; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Chiles, the rules were waived and SB 1556 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Bafalis	Ducker	McClain	Slade
Barrow	Gong	Myers	Stolzenburg
Beaufort	Gunter	Plante	Thomas
Bell	Henderson	Poston	Trask
Boyd	Hollahan	Reuter	Wilson
Chiles	Horne	Saunders	Young
Deeb	Johnson	Sayler	
de la Parte	Knopke	Scarborough	

Nays—5

Bishop	Haverfield	Pope	Weissenborn
Daniel			

SB 1557—A bill to be entitled An act relating to insurance; amending section 624.0313(1), Florida Statutes, to increase the state fire marshal's regulatory assessment imposed upon domestic, alien and foreign insurers from three-eighths of one per cent to five-eighths of one percent; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Chiles, the rules were waived and SB 1557 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

Mr. President	de la Parte	Knopke	Scarborough
Bafalis	Ducker	McClain	Slade
Barrow	Friday	Myers	Stolzenburg
Beaufort	Gong	Ott	Stone
Bell	Gunter	Plante	Thomas
Bishop	Haverfield	Pope	Trask
Boyd	Henderson	Poston	Weissenborn
Chiles	Hollahan	Reuter	Williams
Daniel	Horne	Saunders	Wilson
Deeb	Johnson	Sayler	Young

SB 1582—A bill to be entitled An act relating to insurance; amending subsections (5), (6), (7), (8), (9), (12) and (14) of section 624.0300, Florida Statutes, to increase appointment fees of agents, solicitors and adjusters; amending subsections (15) and (16) of section 624.0300, Florida Statutes, to increase service charges; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Myers, the rules were waived and SB 1582 was read the third time by title.

Senator Slade moved that further consideration of SB 1582 be deferred and the motion failed.

SB 1582 passed and was certified to the House. The vote was:

Yeas—28

Bafalis	Friday	McClain	Scarborough
Bishop	Gong	Myers	Stone
Boyd	Gunter	Ott	Thomas
Chiles	Henderson	Plante	Trask
Deeb	Hollahan	Poston	Weissenborn
de la Parte	Karl	Reuter	Wilson
Ducker	Knopke	Sayler	Young

Nays—9

Beaufort	Daniel	Pope	Stolzenburg
Bell	Johnson	Slade	Williams
Broxson			

By unanimous consent, on motion by Senator Hollahan, Senate Bills 1101 and 296 were added to the Special Order Calendar.

SB 1101—A bill to be entitled An act relating to taxation; amending section 200.121, Florida Statutes, extending county millages above ten mills to 1972; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Sayler, the rules were waived and SB 1101 was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Mr. President	Friday	Myers	Shevin
Askew	Gong	Ott	Slade
Barrow	Gunter	Pope	Stone
Boyd	Henderson	Poston	Trask
Chiles	Hollahan	Reuter	Weissenborn
Daniel	Knopke	Sayler	Wilson
de la Parte	McClain	Scarborough	Young

Nays—12

Beaufort	Deeb	Johnson	Thomas
Bell	Ducker	Plante	Weber
Bishop	Haverfield	Stolzenburg	Williams

SB 296 was taken up, together with:

By The Committee on Health, Welfare, and Institutions—

CS for SB's 268, 296 and 246—A bill to be entitled An act relating to drug abuse; providing a legislative intent; providing definitions; authorizing the secretary of the department of health and rehabilitative services to establish programs for drug abuse treatment and education and outlining duties; providing treatment for drug dependants; providing for application regulations; providing cooperation with the courts; repealing section 398.18(1)—(4); section 398.18(7), (8), providing an appropriation; providing an effective date; providing a severability section.

—which was read the first time by title and SB 296 was laid on the table.

On motion by Senator Myers, the rules were waived and CS for SBs 268, 296 and 246 was read the second time by title.

Senator Myers offered the following amendment which was adopted:

In Section 7, line 12, page 6, strike: entire Section 7, lines 12 through 18, and renumber succeeding sections

Senator Myers offered the following amendment which was adopted:

In Title, lines 15-16, page 1, strike: "providing an appropriation"

On motion by Senator Myers, the rules were waived and CS for SB's 268, 296 and 246 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—41 Nays—None

Mr. President	Ducker	Ott	Stone
Askew	Friday	Plante	Thomas
Bafalis	Gong	Pope	Trask
Barrow	Gunter	Poston	Weber
Beaufort	Haverfield	Reuter	Weissenborn
Bell	Henderson	Saunders	Williams
Bishop	Hollahan	Saylor	Wilson
Boyd	Johnson	Scarborough	Young
Daniel	Knopke	Shevin	
Deeb	McClain	Slade	
de la Parte	Myers	Stolzenburg	

On motion by Senator Friday, consideration of the printed Special Order Calendar for June 4 was resumed.

Consideration of House Bills 1516, 2022 and CS for HB 1308 was deferred, the bills retaining their places on the Calendar.

By permission, Senator Friday withdrew SB 1323 from the Senate.

SB 1009—A bill to be entitled An act relating to securities, amending section 517.091, Florida Statutes, providing for registration of securities by announcement, providing for contents and filing of registration statement; providing an effective date.

Was taken up and read the second time by title.

The Committee on Commerce and Licensed Businesses offered the following amendment which was adopted on motion by Senator Thomas:

In Section 1, line 20, page 2, strike lines 20 through 25 and insert:

(j) Certified copy of issuer's most recent financial statement prepared in accordance with generally accepted accounting principles which statement shall not precede the close of issuer's most recent fiscal year which shall include a balance sheet and profit and loss statement.

On motion by Senator Thomas, the rules were waived and SB 1009 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—34 Nays—None

Mr. President	Bishop	de la Parte	Gong
Beaufort	Daniel	Ducker	Gunter
Bell	Deeb	Friday	Haverfield

Henderson	Plante	Shevin	Weissenborn
Hollahan	Pope	Slade	Williams
Johnson	Poston	Stolzenburg	Wilson
Knopke	Reuter	Stone	Young
McClain	Saunders	Thomas	
Ott	Scarborough	Trask	

CS for CS for HB 155—A bill to be entitled An act relating to the establishment and implementation of publicly financed erosion control and beach restoration projects; declaring public policy; authorizing the Trustees of the Internal Improvement Trust Fund to establish in connection with a beach restoration program a surveyed "erosion control line" to serve as a boundary between State and privately owned lands; directing that such beach restoration programs be considered upon local application and requiring a determination of necessity by the State Department of Natural Resources and the Trustees of the Internal Improvement Trust Fund requiring the consent of certain riparian upland owners prior to establishment of the erosion control line; providing for objections by property owners affected; providing for judicial review of the decision of the Trustees of the Internal Improvement Trust Fund; providing for the recording of the survey depicting the erosion control line and the area of beach to be restored; establishing the rights of property owners in newly restored beaches; abrogating the common law effect of erosion and accretion to conform with the purpose of the act; preserving riparian rights; restricting construction on newly restored beaches; providing for abolishment of the erosion control line upon undue delay or failure in the construction or maintenance of the erosion control project; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Stone, the rules were waived and CS for CS for HB 155 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Deeb	Johnson	Slade
Askew	de la Parte	McClain	Stolzenburg
Bafalis	Ducker	Plante	Stone
Barron	Friday	Pope	Thomas
Beaufort	Gong	Poston	Trask
Bell	Gunter	Reuter	Weissenborn
Bishop	Haverfield	Saunders	Wilson
Boyd	Henderson	Saylor	Young
Daniel	Hollahan	Shevin	

Nays—1

Barrow

SB 1056—A bill to be entitled An act relating to state and county officers and employees retirement; amending section 122.02(1), Florida Statutes, to include full-time officers or employees of fire control tax districts within the definition of state and county officers and employees; providing an effective date.

Was taken up and read the second time by title.

Senator Karl offered the following amendment which was adopted:

In title, line 8, page 1, after "of" insert: special water districts and

Senator Karl offered the following amendment which was adopted:

In Section 1, line 24, page 1, after "control district" insert: special water districts

On motion by Senator Pope, the rules were waived and SB 1056 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—35 Nays—None

Mr. President	Daniel	Karl	Stolzenburg
Askew	Deeb	McClain	Stone
Bafalis	Ducker	Plante	Thomas
Barron	Friday	Pope	Trask
Barrow	Gong	Poston	Weber
Beaufort	Gunter	Saunders	Weissenborn
Bell	Haverfield	Scarborough	Wilson
Bishop	Henderson	Shevin	Young
Boyd	Johnson	Slade	

SB 1062 was taken up and on motion by Senator Thomas—

HB 3691—A bill to be entitled An act relating to the everglades fire control district; amending section 20.14(15), Florida Statutes, to provide functions of the everglades fire control district be assigned to the division of forestry; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3691 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Stolzenburg
Bafalis	de la Parte	Knopke	Stone
Barron	Ducker	McClain	Thomas
Barrow	Friday	Plante	Trask
Beaufort	Gong	Pope	Weber
Bell	Gunter	Poston	Weissenborn
Bishop	Haverfield	Saunders	Wilson
Boyd	Henderson	Scarborough	Young

HB 3641—A bill to be entitled An act relating to forestry; amending section 589.01, Florida Statutes; providing the composition of the Florida forestry council, term of office, method of appointment and powers and duties; providing effective date.

Was taken up and read the second time by title. On motion by Senator Bishop, the rules were waived and HB 3641 was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

Mr. President	Deeb	Knopke	Stone
Askew	de la Parte	McClain	Thomas
Bafalis	Ducker	Plante	Trask
Barron	Friday	Pope	Weber
Barrow	Gong	Poston	Weissenborn
Beaufort	Gunter	Reuter	Williams
Bell	Haverfield	Saunders	Wilson
Bishop	Henderson	Scarborough	Young
Boyd	Hollahan	Shevin	
Daniel	Johnson	Stolzenburg	

On motion by Senator Poston, by two-thirds vote, HB 5033 was withdrawn from the Committee on Ways and Means.

SB 1474 was taken up and on motion by Senator Poston, by unanimous consent—

HB 5033—A bill to be entitled An act relating to taxation on fuels; creating chapter 206, Florida Statutes, levying and imposing excise taxes on gasoline and like products and other special motor fuels; regulating fuel distributors; providing for the report of sale of such commodities and the collection and payment of taxes; creating special funds for the receipt of taxes; providing for distribution of revenues from the additional tax upon gasoline in accordance with the ratio studies conducted by the auditor general; prescribing the duties of the department of revenue regarding taxes and the regulation of distributors; providing enforcement procedures and penalties: repealing sections 207.01, 207.02, 207.03, 207.04, 207.05, 207.06, 207.07, 207.08, 207.09, 207.10, 207.11, 207.12, 207.13, 207.14, 207.15, 207.16, 207.17, 207.18, 207.19, 207.20, 207.21, 207.22, 207.23, 207.24, 207.25, 207.27, 207.28, 207.29, 207.30, 207.31, 207.32, 207.33, 207.34, 207.35, 207.36, 207.37, 207.38, 207.39, 207.40, 207.41, 207.42, 207.43, 207.44, 207.45, 207.46, 207.47, 207.48, 207.49, 207.51, 208.01, 208.02, 208.03, 208.04, 208.041, 208.05, 208.06, 208.07, 208.08, 208.09, 208.10, 208.11, 208.111, 208.15, 208.16, 208.17, 208.18, 208.181, 208.182, 208.183, 208.184, 208.185, 208.186, 208.19, 208.20, 208.21, 208.22, 208.23, 208.24, 208.25, 208.26, 208.27, 208.28, 208.43, 208.44, 208.45, 208.47, 208.48, 208.49, 208.50, 208.51, 208.52, 208.53, 208.54, 208.55, 208.56, 208.57, 208.58, 208.59, 208.60, 208.61, 208.63, 209.001, 209.01, 209.02, 209.03, 209.04, 209.05, 209.06, 209.07, 209.08, 208.09, 209.10, 209.11, 209.111, 209.12, 209.13, 209.14, 209.15, 209.16, 209.17, 209.19, 209.20, 209.21, 209.22, 209.23, and 209.24, which comprise all of chapters 207, 208, and 209, Florida Statutes, relating to taxes on gasoline and like products, motor fuels, and to regulation of distributors; providing an effective date.

—a similar measure was substituted therefor and read the second time by title.

On motion by Senator Poston, the rules were waived and HB 5033 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Mr. President	Ducker	McClain	Stolzenburg
Askew	Gong	Plante	Trask
Barron	Gunter	Pope	Weber
Beaufort	Haverfield	Poston	Weissenborn
Boyd	Henderson	Reuter	Williams
Daniel	Hollahan	Saunders	Young
Deeb	Johnson	Scarborough	
de la Parte	Knopke	Shevin	

Nays—5

Barrow	Bishop	Thomas	Wilson
Bell			

SB 1474 was laid on the table.

CS for HB 763—A bill to be entitled An act relating to shoplifting; amending Section 811.022, Florida Statutes, by adding new subsections (1) and (2); renumbering present subsections (1), (2) and (3) as subsections (3), (4) and (5); providing penalties for 1st, 2nd and 3rd offense of shoplifting; providing for what constitutes prima facie evidence of concealment on premises; providing an effective date.

Was taken up and read the second time by title.

The President Pro Tempore presiding.

Senator McClain offered the following amendment which was adopted:

In Sections 1 and 2, lines 2-11, page 2, strike: all of sub-section 2 and Section 2 and insert: Section 2. Present subsections (1), (2) and (3) are hereby renumbered (2), (3) and (4) respectively

and on line 16, page 1, strike: “, subsections (1) and (2)” and insert subsection (1)

Senator McClain offered the following amendment which was adopted:

In title, lines 6, 7, and 8, page 1, strike: new subsections (1) and (2); renumbering present subsections (1), (2), and (3) as subsections (3), (4), and (5); and insert new subsection (1) and renumbering present subsections (1), (2), and (3) as subsections (2), (3), and (4);

On motion by Senator Stone, the rules were waived and CS for HB 763 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Askew	Deeb	Karl	Shevin
Bafalis	de la Parte	McClain	Stolzenburg
Barron	Ducker	Myers	Stone
Barrow	Gong	Plante	Thomas
Beaufort	Gunter	Pope	Trask
Bell	Haverfield	Poston	Weber
Bishop	Henderson	Reuter	Weissenborn
Boyd	Hollahan	Saunders	Wilson
Broxson	Horne	Saylor	Young
Daniel	Johnson	Scarborough	

HB 2022—A bill to be entitled An act relating to the manufacture, distribution and use of explosives; amending section 552.141, Florida Statutes, to provide for the adoption of rules by the state fire marshal in the administration of chapter 552, Florida Statutes, in conformity with the provisions of section 120.041, Florida Statutes; amending paragraph (b), subsection (1), section 633.051, Florida Statutes, to provide for the adoption of rules by the state fire marshal in the administration of chapter 633, Florida Statutes, in conformity with the provisions of section 120.041, Florida Statutes; providing an effective date.

Was taken up and read the second time by title.

Senator Barron offered the following amendment which was adopted:

On page 1, line 23, strike everything after the enacting clause and insert the following:

Section 1. Section 552.13, Florida Statutes, is amended to read:

552.13 Promulgation of regulations by department.—

The department shall make, promulgate and enforce regulations setting forth minimum general standards covering manufacture, transportation (including loading and unloading) use, sale, handling and storage of explosives. Said regulations shall be such as are reasonably necessary for the protection of the health, welfare and safety of the public and persons possessing, handling and using such materials, and shall be in substantial conformity with generally accepted standards of safety concerning such subject matters. It is hereby declared that regulations in substantial conformity with the published rules and standards of the institute of makers of explosives in relation to said subject matters other than locks and locking devices used to secure magazine doors and safeguard the storage of explosives shall be deemed to be in substantial conformity with accepted standards of safety concerning such subject matters. Such regulations shall be adopted by the department only after a public hearing thereon pursuant to [notice previously given to persons it shall deem interested therein.] *the procedures for the filing and taking effect of rules as provided in section 120.041, Florida Statutes.*

Section 2. Paragraph (b) of subsection (1) of section 633.051, Florida Statutes, is amended to read:

(substantial rewording of paragraph. See section 633.051, Florida Statutes, for present text.)

(b) Such regulations and any addition to or amendment thereof shall be adopted after a full public hearing and in accordance with the procedures for the filing and taking effect of rules as provided in section 120.041, Florida Statutes.

Section 3. The introductory paragraph of section 633.01, Florida Statutes, is amended to read:

633.01 Department of insurance; powers and duties.—

The *head of department of insurance shall be designated as state fire marshal and hereinafter shall enforce all laws and provisions of this chapter relating to:*

Section 4. This act shall take effect on July 1, 1970.

Senator Barron offered the following amendment which was adopted:

In title, line 5, strike everything after the word, "explosives;" and insert amending section 552.13, Florida Statutes to provide for the adoption of rules by the department in conformity with subsection (1), section 633.051, Florida Statutes, to provide for adoption of rules and regulations by the department in conformity with section 120.041, Florida Statutes; amending section 633.01, Florida Statutes, to designate the head of the department of insurance as state fire marshal; providing an effective date.

The Committee on Insurance offered the following amendment which was moved by Senator Barron and failed:

In Section 3, line 14, page 2, renumber section 3 to be section 4 and insert Section 3. Section 633.01, Florida Statutes, is amended by amending the introductory unnumbered paragraph to read:

The [state treasurer, ex officio insurance commissioner,] *head of the department of insurance shall [also] be designated as "state fire marshal" and shall hereinafter in this chapter be referred to as "state fire marshal." The "state fire marshal" shall enforce all laws and provisions of this chapter relating to:*

On motion by Senator Barron, the rules were waived and HB 2022 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Daniel	Karl	Stolzenburg
Askew	de la Parte	Knopke	Thomas
Bafalis	Ducker	McClain	Trask
Barron	Friday	Myers	Weber
Barrow	Gong	Ott	Weissenborn
Beaufort	Gunter	Plante	Wilson
Bell	Haverfield	Pope	Young
Bishop	Henderson	Reuter	
Boyd	Horne	Saunders	
Broxson	Johnson	Scarborough	

HB 1516—A bill to be entitled An act for relief of James E. Allen; providing an appropriation to compensate him for injuries sustained in the interest of public safety for the State of Florida; to require the Florida Department of Public Safety to investigate said claim and to settle the payment out of their designated funds or to settle said claim from the general funds of said agency in such amount as they may determine, not to exceed two thousand dollars (\$2,000); providing an effective date.

Was taken up pending roll call, the vote by which it passed the Senate as amended having been reconsidered and the bill deferred on June 3.

HB 1516 passed as amended and was certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Chiles	Johnson	Stolzenburg
Askew	Daniel	Karl	Stone
Bafalis	Deeb	McClain	Thomas
Barron	de la Parte	Plante	Trask
Barrow	Ducker	Pope	Weber
Beaufort	Gunter	Reuter	Weissenborn
Bell	Haverfield	Saunders	Williams
Bishop	Henderson	Saylor	Wilson
Boyd	Hollahan	Scarborough	Young
Broxson	Horne	Shevin	

CS for HB 1308—A bill to be entitled An act relating to police training programs; amending section 23.069, Florida Statutes, by adding subsections (4), (5), (6), (7), (8), (9), and (10); defining private police schools; providing for the regulation of private police training schools; providing for certain exemptions; providing for injunctions against any school operating in violation of this section; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Pope, the rules were waived and CS for HB 1308 was read the third time by title, passed and certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Broxson	Johnson	Scarborough
Askew	Daniel	Karl	Shevin
Bafalis	de la Parte	McClain	Stolzenburg
Barron	Ducker	Myers	Thomas
Barrow	Gong	Plante	Trask
Beaufort	Gunter	Pope	Weber
Bell	Haverfield	Poston	Wilson
Bishop	Henderson	Reuter	Young
Boyd	Horne	Saunders	

SB 958—A bill to be entitled An act relating to regulation of traffic on highways; amending chapter 317, Florida Statutes, by adding a new section 317.192; providing for the yielding of right of way to a funeral procession; requiring headlights of funeral procession vehicles to be lighted; prohibiting driving between vehicles while procession is in motion except when directed by a police officer; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Pope, the rules were waived and SB 958 was read the third time by title, passed and certified to the House. The vote was: Yeas—42 Nays—None

Mr. President	Ducker	McClain	Stolzenburg
Askew	Friday	Myers	Stone
Bafalis	Gong	Ott	Thomas
Barrow	Gunter	Plante	Trask
Beaufort	Haverfield	Pope	Weber
Bell	Henderson	Poston	Weissenborn
Bishop	Hollahan	Reuter	Williams
Boyd	Horne	Saunders	Wilson
Broxson	Johnson	Saylor	Young
Daniel	Karl	Scarborough	
Deeb	Knopke	Shevin	

On motion by Senator Daniel, by two-thirds vote, HB 3722 was withdrawn from the Committee on Ways and Means.

SB 524 was taken up and on motion by Senator Daniel—

HB 3722—A bill to be entitled An act relating to harness tracks; amending section 550.37(4), Florida Statutes, requiring that closing dates be not later than June 1 of any year; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Daniel, the rules were waived and HB 3722 was read the third time by title passed and certified to the House. The vote was:

Yeas—37

Askew	Ducker	McClain	Stolzenburg
Bafalis	Gong	Mathews	Thomas
Barrow	Gunter	Ott	Trask
Beaufort	Haverfield	Plante	Weber
Bell	Henderson	Pope	Weissenborn
Bishop	Hollahan	Poston	Williams
Boyd	Horne	Reuter	Wilson
Broxson	Johnson	Saunders	
Daniel	Karl	Scarborough	
Deeb	Knopke	Slade	

Nays—1

Young

SB 524 was laid on the table.

SB 1040—A bill to be entitled An act relating to motor carriers; amending section 323.29(4), Florida Statutes, by additionally exempting from those vehicles which are deemed as operating for compensation, motor vehicles owned or leased and used by an authorized manufacturer's dealer to transport heavy equipment such as tractors, wheel or track loaders, draglines, and cranes, or their engines and component parts, to and from his own garages and repair shops for servicing and repairs at the request of the owner; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Pope, the rules were waived and SB 1040 was read the third time by title, passed and certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Daniel	Johnson	Scarborough
Askew	Deeb	Knopke	Slade
Bafalis	Ducker	McClain	Stolzenburg
Barrow	Gong	Plante	Thomas
Beaufort	Gunter	Pope	Trask
Bell	Haverfield	Poston	Williams
Bishop	Henderson	Reuter	Wilson
Boyd	Hollahan	Saunders	Young
Broxson	Horne	Saylor	

CS for HB 4687—A bill to be entitled An Act relating to Ad Valorem Taxation; amending Chapters 192, 193, 194, 195 and 199, Florida Statutes; defining common terms relating to ad valorem taxation; simplifying the procedure for the preparation of tax rolls and county tax assessors; reorganizing and consolidating statutory language relating to the assessment process and procedural aspects of finalizing the tax rolls; repealing certain sections which are redundant, obsolete and unnecessary; providing an effective date.

Was taken up and read the second time by title.

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Broxson:

In Section 12, lines 29, 30, 31, page 17, strike: "The Tax Assessor shall grant an extension not to exceed thirty (30) days for filing a return upon request of the taxpayer."

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Broxson:

In Section 13, line 24, page 18, after "all ad valorem" insert personal property

Senator Horne presiding.

Senator Broxson offered the following amendment which was adopted:

In Section 3, line 29, page 6, strike period and insert , provided, that tangible personal property brought into the State of Florida after January 1st and before April 1st of any years shall be taxable for that year only if the assessor has reason to believe that such property will be removed from the State of Florida prior to January 1st of the next succeeding year.

Senator Stone offered the following amendment which failed:

In Section 8, line 9, page 13, strike the period '.' and insert "provided, however, if property is classified so that it is assessed other than under this section, the value shall be determined as provided by law for its classified use; however, if such property is zoned as agricultural, the just value for assessment purposes may be determined under regulations of the Department of Revenue adopted as required by law providing for the capitalization of the potential annual income that, reasonably, may be anticipated from such property when being used for the purpose for which it is zoned."

Senator Saylor offered the following amendment which was adopted:

In Section 13, line 1, page 18a, strike "undervaluing"

Senators Broxson and Reuter offered the following amendment which was moved by Senator Broxson:

Line 24, page 44 insert the following:

Section 48. Section 197.065, Florida Statutes is amended to read

(substantial rewording, see section 197.065 for present text):

197.065 Notice by mail, etc.—

(1) The tax collector shall mail to each taxpayer at the address shown on the tax roll, for the current year a notice of all taxes levied against an item of property taxable to him. Such notice shall be given, by first class mail, on or before November 1 of each year. If the tax rolls are certified to the tax collector (as required in section 193.122) after October 15, such notice shall be mailed within fifteen (15) days of such certification.

(2) Notice of taxes due on real property, tangible personal property or inventories shall include the following information:

(a) All taxes currently due on each item of taxable property owned or taxable to the taxpayer.

(b) A schedule showing the discounts, penalties, and interest set out in this title.

(c) A separate statement clearly identifying and separately designating the rate of taxation and the amount of any special assessment tax or installment tax for use by the county, school board, municipality, special taxing district, or any other authority, board, commission or district authorized by general, special or local law to levy ad valorem taxes, special assessment taxes, installment taxes or any other tax levied against the property.

(3) Upon request of any holders of a mortgage or other lien upon any property against which any taxes may be assessed, accompanied by a fee of one (1) dollar, the tax collector shall mail to such mortgagee or lien holder a copy of the notice of taxes as required in subsection (2), or a copy of the newspaper, if available, containing the list of land advertised for non-payment of taxes, as may be requested.

(4) All general and special acts to the extent that they are in conflict herewith, are hereby repealed.

Committee comment—This section has been amended to insure that the taxpayer receives notice (on one form) of all taxes due on any parcel of real property or on tangible personal property.

Sections 48 and 49 shall be renumbered as sections 49 and 50 respectively.

A motion by Senator Barrow that consideration of the amendment be temporarily deferred failed, and the amendment was adopted.

Senators Broxson and Reuter offered the following amendment which was adopted on motion by Senator Broxson:

Title, line 15, page 1, at the end of the line, add the following language: amending 197.065 to require notice of all taxes of all types due on property;

Senator Barrow offered the following amendment which failed:

In Section 13(b), page 18, strike lines 13 through 15 and insert two per cent for each month, or portion thereof, that a

return is filed after the due date but not to exceed six per cent (6%) of the total tax

Senator Barrow offered the following amendment which failed:

In Section 13(a), line 11, page 18, strike the period '.' and insert if such failure was wilful or intentional and otherwise 5% of the total tax

Senator Barrow offered the following amendment which was adopted:

In Section 11(4), line 17, page 16, after the word 'reflect' and before the word 'the' insert owners estimate of

Senator Myers offered the following amendment which was adopted:

In Section 27, page 30, strike lines 10 and 11 and insert and if his petition is not heard in that time he may, at his option, report to chairman of the meeting that he intends to leave and, if he is not heard immediately, his administrative remedies will be deemed to be exhausted and he may seek further relief as he deems appropriate.

On motion by Senator Broxson, the rules were waived and CS for HB 4687 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—39

Mr. President	Fincher	McClain	Slade
Bafalis	Friday	Myers	Stolzenburg
Beaufort	Gong	Ott	Stone
Bell	Gunter	Plante	Thomas
Boyd	Haverfield	Pope	Trask
Broxson	Henderson	Reuter	Weber
Daniel	Hollahan	Saunders	Williams
Deeb	Horne	Sayler	Wilson
de la Parte	Johnson	Scarborough	Young
Ducker	Knopke	Shevin	

Nays—2

Barron	Barrow
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On motion by Senator Friday, by two-thirds vote, the following bills were withdrawn from the Committee on Rules and Calendar and placed on the Local Calendar:

SB 1593, House Bills 4350, 4635, 5059, 5158 with 2 amendments, 5330 with 3 amendments, 5341, 5362, 5363, 5389, 5402, 5410, 5414, 5424, 5426, 5430, 5431, 5435, 5436, 5442, 5443, 5445, 5446, 5447, 5448, 5449, 5450, 5452, 5453, 5454, 5455, 5456, 5457, 5458, 5461, 5462, 5463, 5464, 5465, 5466, 5469, 5470, 5471, 5472, 5473, 5478, 5479, 5370, and 4753 with 3 amendments.

On motion by Senator Friday, HB 4884 was removed from the Committee on Rules and Calendar and placed on the local calendar.

The President presiding.

HB 4190—A bill to be entitled An act relating to the department of natural resources; amending section 370.02(4)(b), Florida Statutes; providing for payment of expenses incurred in attending conferences and meetings in connection with duties and responsibilities of said department; limiting expenditures to two thousand dollars (\$2,000) per fiscal year; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Pope, the rules were waived and HB 4190 was read the third time by title, passed and certified to the House. The vote was: Yeas—43 Nays—None

Mr. President	Daniel	Horne	Scarborough
Askew	Deeb	Johnson	Shevin
Bafalis	de la Parte	Knopke	Slade
Barron	Ducker	McClain	Stolzenburg
Barrow	Fincher	Myers	Stone
Beaufort	Friday	Ott	Thomas
Bell	Gong	Plante	Trask
Bishop	Gunter	Pope	Williams
Boyd	Haverfield	Reuter	Wilson
Broxson	Henderson	Saunders	Young
Chiles	Hollahan	Sayler	

HB 1499—A bill to be entitled An act relating to toll projects of the state of Florida; providing that no changes may be made in the toll rate for use of such projects without the approval of the state agency which issued the bonds and the approval of the state board of administration; providing an effective date.

Was taken up and read the second time by title.

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Pope:

In Section 1, line 20, page 1, strike the period (.) and insert the following: ; however, nothing herein shall be construed as prohibiting the legislature from making adjustments in toll schedules by law.

On motion by Senator Pope, the rules were waived and HB 1499 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—42

Mr. President	Deeb	Knopke	Slade
Askew	de la Parte	McClain	Stolzenburg
Bafalis	Ducker	Myers	Stone
Barrow	Fincher	Ott	Thomas
Beaufort	Friday	Plante	Trask
Bell	Gong	Pope	Weber
Bishop	Gunter	Reuter	Williams
Boyd	Henderson	Saunders	Wilson
Broxson	Hollahan	Sayler	Young
Chiles	Horne	Scarborough	
Daniel	Johnson	Shevin	

Nays—1

Haverfield

SB 377 was taken up and by unanimous consent, on motion by Senator Broxson—

HB 3604—A bill to be entitled An act relating to education; providing for the establishment of an environmental education program for the state; creating an advisory council; providing for an appropriation; providing an effective date.

—a similar measure was substituted therefor and read the second time by title.

Senator Daniel offered the following amendment which was adopted:

In Section 4, line 16, page 2, strike entire Section 4, and renumber subsequent sections.

On motion by Senator Daniel, the rules were waived and HB 3604 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

Mr. President	Ducker	McClain	Stone
Askew	Friday	Myers	Thomas
Bafalis	Gong	Ott	Trask
Barrow	Gunter	Plante	Weber
Beaufort	Haverfield	Pope	Weissenborn
Bell	Henderson	Poston	Williams
Bishop	Hollahan	Reuter	Wilson
Boyd	Johnson	Sayler	Young
Broxson	Karl	Shevin	
de la Parte	Knopke	Slade	

CS for CS for HB 3882—A bill to be entitled An act establishing the Florida environmental inventory council; providing that said council shall be advisory to the department of natural resources; providing for the membership of the council; providing for the duties, responsibilities, expenses and personnel of the department with respect to compiling an inventory of the natural resources of the state; prescribing a report; providing appropriation; providing for the termination of the council; providing an effective date.

Was taken up and read the second time by title.

Senator Williams offered the following amendment which was adopted:

In Section 4, lines 7-8, page 6, strike "two hundred forty thousand dollars (\$240,000)" and insert the following: fifty thousand dollars (\$50,000)

On motion by Senator Williams, the rules were waived and CS for CS for HB 3882 as amended was read the third time by

title, passed and certified to the House. The vote was: Yeas—38
Nays—None

Mr. President	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Stone
Barrow	Fincher	McClain	Thomas
Beaufort	Friday	Ott	Trask
Bell	Gong	Plante	Weber
Bishop	Gunter	Pope	Williams
Boyd	Henderson	Poston	Wilson
Broxson	Hollahan	Reuter	Young
Chiles	Horne	Scarborough	
Deeb	Johnson	Shevin	

On motion by Senator Horne, the rules were waived and time of adjournment was extended until 6:30 p.m. and consideration of local bills was scheduled for 6:15 p.m.

By permission, the following report was received:

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 1470 with 5 amendments	SB 982 with 3 amendments
CS for SBs 268, 296, 246	SB 978 with 1 amendment
with 2 amendments	

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

EDWIN G. FRASER
Secretary of the Senate

The bills were immediately certified to the House.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

CS for SB 1368	SB 771
SB 659	SB 869
SB 1382	SB 772
SB 1476	

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 461.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed CS for SB 986, SB 1178.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

SB 982	SB 978	SB 979
SB 980	SB 981	SB 615

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

SB 408	SB 1579	SB 1015
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Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 755.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed CS for SBs 268, 296 and 246, SB 1470.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has receded from amendment to SB 1543.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

HB 4192	HB 4120	HB 4107
HB 2382	CS for HB 4358	

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By Senators Thomas and Plante—

SB 326—A bill to be entitled An act relating to credit cards; prohibiting the mailing or delivery of such cards; making card

holder not liable for unauthorized use of unsolicited card; providing penalties; providing exceptions; providing an effective date.

which amendment reads as follows:

On page 2, line 5, strike the period and insert the following: , after the effective date of this act.

—and requests the concurrence of the Senate therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

On motion by Senator Thomas, the Senate concurred in the House amendment to SB 326.

SB 326 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—35 Nays—None

Mr. President Ducker McClain Stolzenburg
Bafalis Fincher Myers Stone
Barron Gong Ott Thomas
Barrow Gunter Plante Trask
Beaufort Henderson Pope Weber
Bell Hollahan Poston Williams
Bishop Horne Reuter Wilson
Boyd Johnson Scarborough Young
Deeb Karl Shevin

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By Senator Weissenborn and Others—

SB 312—A bill to be entitled An act relating to safety inspection of motor vehicles; amending section 325.19(1), Florida Statutes, adding emission control devices to equipment to be inspected; providing exceptions; providing an effective date.

—which amendment reads as follows:

On page 1, strike all of lines 27-30 on page 1 and all of lines 1-2 on page 2 and on line 3 page 2 strike "(2)" and insert the following: (h) Engine operation is checked to determine that no excessive visible emissions are caused, and emission control devices installed pursuant to regulations prescribed by the Secretary of Health, Education and Welfare under Title II of the "Air Quality Act of 1967," Public Law 90-148, (81 Stat. 499) are in place and are in operational order. The foregoing shall apply only to 1968 and later model vehicles.

—and requests the concurrence of the Senate therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

On motion by Senator Weissenborn, the Senate concurred in the House amendment to SB 312.

SB 312 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—35 Nays—None

Mr. President Ducker Knopke Stolzenburg
Bafalis Fincher McClain Thomas
Barron Gong Myers Trask
Barrow Gunter Ott Weber
Beaufort Henderson Plante Weissenborn
Bell Hollahan Poston Williams
Bishop Horne Reuter Wilson
Boyd Johnson Scarborough Young
Deeb Karl Shevin

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By Senator Hollahan—

SB 626—A bill to be entitled An act to amend chapter 123, section 123.06, subsection 2, Florida Statutes; providing that average final compensation as used in determining retirement benefits for supreme court justices, district court of appeals judges and circuit court judges shall mean the average cash compensation received from the state and county as salary for the best five (5) of the last ten (10) years of service; providing an effective date.

Amendment 1—

On page 1, strike: everything after the enacting clause and insert the following: Section 1. The benefits and the terms of the comprehensive retirement act (Senate Bill 444 of the 1970 regular session or similar legislation of the 1970 session) shall be available to the members of the judicial retirement system at their option. Upon exercising this option, the contributions to the judicial retirement system and the matching contributions shall be transferred to the comprehensive retirement system (created by Senate Bill 444 or the act of the 1970 session which creates a comprehensive retirement system).

Section 2. Section 123.06(2), Florida Statutes, is amended to read:

(2) The average final compensation as used in this chapter shall mean the average cash compensation received from the state and county as salary for the best ten years of the last fifteen years of service[.], Except where the person is entitled to retire or is sixty-five years of age on the effective date of this act or if a person retires by reason of disability or dies in office in which cases the average final compensation shall be computed on the best five (5) years of the last ten (10) years of service. A year shall mean twelve (12) consecutive months.

Section 3. Any judge who elects to retire under the provisions of section 1 above, shall still be eligible for judicial service under the provisions of law.

Section 4. This act shall become effective immediately upon becoming law.

Amendment 2—

In title, line 1, strike the title and insert the following: a bill to be entitled An act relating to the judicial retirement system; amending subsection 123.06(2), Florida Statutes, providing certain exceptions to the manner of computation of retirement benefits providing an option to allow members of the judicial retirement system to come within the provisions of any new comprehensive retirement act; providing that judicial officers shall be eligible for judicial service as otherwise provided by law where said officers elect to come within the provisions of the comprehensive retirement system; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

On motion by Senator Hollahan, the Senate concurred in House amendments 1 and 2 to SB 626.

SB 626 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—32 Nays—None

Mr. President Ducker Knopke Shevin
Bafalis Fincher McClain Stolzenburg
Barron Gong Myers Thomas
Barrow Gunter Ott Trask
Beaufort Henderson Plante Weber
Bell Hollahan Pope Weissenborn
Bishop Johnson Reuter Williams
de la Parte Karl Scarborough Wilson

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By the Committee on Commerce—

CS for HB 4943—A bill to be entitled An act relating to factory built housing; providing for the duties and powers of the division of technical assistance of the department of community affairs; providing for the inspection and approval of factory built housing; providing penalties; providing an effective date.

Amendment 1—

In Section 3, line 12, page 4, following "agency" insert the following: except in those counties and municipalities which require standards superior to those required by this act

Amendment 2—

In Section 3, line 15, page 4, following "the division shall" insert the following: not

Amendment 3—

In Section 3, line 20, page 4, following "apply to" insert the following: domestic

Amendment 4—

In Section 4, line 18, page 6, strike: "Broward, Dade and Monroe Counties" and insert the following: those counties and municipalities which require standards that are superior to those standards required by this act

Amendment 5—

In Section 4, line 14, page 7, strike: secretary of community affairs and insert the following: governor

Amendment 6—

In section 7, lines 9-11, page 9, strike: "provided however" and the balance of lines 10 and 11 and insert the following: (.) period

Amendment 7—

In Section 2, line 26, page 3, strike: entire lines 26 and 27 and insert the following: (12) "Division" means the division of building construction and maintenance of the department of general services.

Amendment 8—

In Section 3, line 30, page 3, after the word "division" strike the remainder of the line and insert the following: of building construction and maintenance is

Amendment 9—

Title, line 7, page 1, strike "Community affairs" and insert the following: General Services

Amendment 10—

Title, line 6, page 1, strike "technical assistance" and insert the following: building construction and maintenance

—and requests the Senate to recede therefrom, in the event the Senate refuses to recede to appoint a conference committee.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Myers, the Senate refused to recede from amendments 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 to CS for HB 4943 and requested the Speaker to appoint a conference committee on the part of the House to confer with a like committee to be appointed by the President on the part of the Senate to adjust the existing differences on the amendments. The action of the Senate was certified to the House.

The Honorable John E. Mathews, Jr.
President of the Senate

June 4, 1970

Sir:

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives An-

draws, E. L. Martinez and Stafford as a Conference Committee on CS for SB 176.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.
President of the Senate

June 4, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has receded from amendments 1, 3, 7, 8 and 9 to—

By The Committee on Natural Resources and Conservation—

CS for SB 450—A bill to be entitled An act relating to pollutants; providing definitions; prohibiting such pollution; providing for authority in the department of natural resources to act in preventing and controlling oil spills and other pollution; authorizing the department to provide employees and equipment in ports and other places; providing for recovery of cost in controlling and cleaning pollution; providing for licenses for terminal facilities, and for fees and exceptions; creating Florida coastal protection fund; providing for strict liability; providing for criminal and civil penalties; providing for the removal of derelict vessels by the state; providing for cooperation and coordination of all state agencies; authorizing the department of natural resources to require by rules and regulations that terminal facilities and vessels establish and maintain evidence of financial responsibility to reimburse the state and private citizens for damages caused by discharges of pollutants; providing an appropriation; providing an effective date.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for SB 450 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	de la Parte	Knopke	Shevin
Askew	Ducker	Lane	Stone
Bafalis	Fincher	McClain	Thomas
Barron	Friday	Myers	Trask
Barrow	Gong	Ott	Weber
Beaufort	Gunter	Plante	Weissenborn
Bell	Haverfield	Pope	Williams
Boyd	Henderson	Poston	Wilson
Daniel	Horne	Reuter	Young
Deeb	Johnson	Sayler	

The Honorable John E. Mathews, Jr.
President of the Senate

June 4, 1970

Sir:

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

By Senator Deeb—

SB 383—A bill to be entitled An act relating to dredge and fill permits, approval by trustees of internal improvement trust fund; amending chapter 253, Florida Statutes, by adding new section 253.1281, providing action shall be subject to approval of such trustees with power to approve, reject or issue; providing an effective date.

Amendment 1—

On page 1, line 24, strike approve, reject or issue and insert the following: reject

Amendment 2—

On page 2, lines 3 and 4, strike: approve, reject or issue and insert the following: reject

Amendment 3—

In title on page 1, line 10, strike approve, reject or issue and insert the following: reject

Amendment 4—

In Section 1, on page 1, line 17, strike and general acts of local application

Amendment 5--

In Section 1, on page 1, lines 29 and 30, strike or general act of local application,

--and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Deeb, the Senate concurred in House amendments 1, 2, 3, 4 and 5 to SB 383.

SB 383 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas--23

Bafalis	Gong	Myers	Stone
Beaufort	Gunter	Plante	Thomas
Bell	Henderson	Reuter	Trask
Boyd	Horne	Saylor	Wilson
Deeb	Johnson	Scarborough	Young
Ducker	Lane	Slade	

Nays--8

Bishop	Haverfield	McClain	Pope
Friday	Knopke	Ott	Williams

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee report in its entirety on--

By The Committee on Judiciary--

CS for SB 176--A bill to be entitled An act relating to campaign expenses; amending section 99.161(6), Florida Statutes, by imposing a ceiling on amounts which may be spent in campaigns for certain public offices; providing exceptions; providing an effective date.

--and has passed CS for SB 176 as amended by the Conference Committee Report.

--and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CONFERENCE COMMITTEE REPORT ON CS FOR SB 176

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

The Honorable Fred Schultz
Speaker, House of Representatives

Dear Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on the House amendments to Committee Substitute for Senate Bill 176, same being:

An act relating to campaign expenses; amending section 99.161(6), Florida Statutes, by imposing a ceiling on amounts which may be spent in campaigns for certain public offices; providing exceptions; 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:

That the House recede from House amendments 1, 3, and 4 and adopt Conference Committee amendments 1, 2, and 3 and that the Senate concur therein.

Mallory E. Horne	William C. Andrews
Robert L. Shevin	Elvin L. Martinez
David McClain	Don H. Stafford
Managers on the part of the Senate	Managers on the part of the House Of Representatives

Conference Committee Amendment 1:

On page 1, lines 14-16, strike all of line 14 through and including line 16.

and insert the following:

Section 1. Subsection (1) of section 99.161, Florida Statutes, and paragraph (a) of subsection (2) thereof, and subsection (6) thereof, are amended to read:

(Substantial rewording of subsection (1). See section 99.161(1) for present text.)

(1) **CERTAIN PERSONS PROHIBITED FROM MAKING CONTRIBUTIONS.**--No person holding a pari-mutuel permit for horse racing of any kind, dog racing or a Jai Alai fronton, nor any member of an unincorporated association holding such a permit, nor any officer, director or supervisory employee of a corporation holding such a permit, or trustee authorized by trust agreement to vote stock in such a corporation where such stock is owned by person or persons sui juris, shall make, directly, or indirectly, any contribution of any nature to any political party or to any candidate for nomination for or election to, political office in the state.

(2) **MAXIMUM CONTRIBUTIONS; INDIRECT AND PROHIBITED CONTRIBUTIONS; ADVERTISING; INITIAL DATE OF EXPENDITURES.**--

(a) No person shall contribute to a candidate for election or nomination to political office in the state, directly or indirectly, in moneys, material, supplies, or by way of loan, or value in excess of [one thousand dollars in any primary or general election.] *the following amounts: countywide office, one thousand dollars (\$1,000); legislative or multi-county office, one thousand dollars (\$1,000); statewide office, three thousand dollars (\$3,000); congressional office, two thousand dollars (\$2,000). The contribution limits set herein shall not apply to amounts contributed by a candidate to his own campaign. The limits set herein shall apply collectively to the primaries and again in the general election.*

Conference Committee Amendment 2:

On page 3, line 9, strike "fifty thousand dollars (\$50,000)" and on line 11, strike: "fifty thousand dollars (\$50,000)" and insert the following: "seventy-five thousand dollars (\$75,000)" on lines 9 and 11

Conference Committee Amendment 3:

In title, page 1, line 5, insert the following after the semicolon: amending subsection 99.161(1), Florida Statutes, to prohibit persons holding pari-mutuel permits for horse racing, dog racing or Jai Alai from making political contributions; amending paragraph 99.161(2)(a), Florida Statutes, establishing maximum amounts of contributions to candidates for political office; excepting a candidate's personal contributions from the limits established:

The Conference Committee Report on CS for SB 176 was read the first time and considered.

On motion by Senator Shevin, the Report was adopted in its entirety. The vote was:

Yeas--28

Mr. President	Daniel	Horne	Shevin
Bafalis	Deeb	Johnson	Slade
Barrow	Ducker	Knopke	Stolzenburg
Beaufort	Fincher	McClain	Thomas
Bell	Friday	Myers	Trask
Bishop	Henderson	Poston	Weber
Boyd	Hollahan	Reuter	Wilson

Nays--9

Askew	Haverfield	Pope	Williams
Gong	Ott	Saylor	Young
Gunter			

CS for SB 176 as amended by the Conference Committee Report was read by title, passed and ordered engrossed. The vote was:

Yeas--29

Mr. President	Bishop	Fincher	Horne
Bafalis	Boyd	Friday	Johnson
Barrow	Deeb	Henderson	Knopke
Beaufort	Ducker	Hollahan	Lane

McClain Scarborough Stone Wilson
 Myers Shevin Thomas
 Poston Slade Trask
 Reuter Stolzenburg Weber
 Nays—10
 Askew Gunter Pope Young
 Bell Haverfield Saylor
 Gong Ott Williams

The action of the Senate was certified to the House.

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has adopted the conference committee report in its entirety and has passed as amended by the Conference Committee amendment—

CS for HB 3117

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By Senator Trask—

SB 1359—A bill to be entitled An act relating to clerks of courts of record; amending chapter 145, Florida Statutes, by adding section 145.065, providing salary schedule; providing an effective date.

Amendment 1—

On page 2, lines 12-13, strike all of Section 2 and insert the following:

Section 2. Section 145.051, Florida Statutes, is amended to read:

145.051 Clerk of circuit court.—Each clerk of circuit court shall receive as salary the amount indicated, based on the population of his county:

(1) Counties having a population of less than 7,500	[\$10,000]	\$10,800
(2) Counties having a population of at least 7,500 but less than 15,000	[11,000]	11,880
(3) Counties having a population of at least 15,000 but less than 30,000	[12,000]	12,960
(4) Counties having a population of at least 30,000 but less than 50,000	[13,500]	14,580
(5) Counties having a population of at least 50,000 but less than 75,000	[14,500]	15,805
(6) Counties having a population of at least 75,000 but less than 100,000	[15,500]	16,895
(7) Counties having a population of at least 100,000 but less than 200,000	[16,500]	17,985
(8) Counties having a population of at least 200,000 but less than 300,000	[18,000]	19,620
[(9) Counties having a population of 300,000 and more	18,000]	
(9) Counties having a population of at least 300,000 but less than 400,000		20,000
(10) Counties having a population of at least 400,000 but less than 500,000		21,000
(11) Counties having a population of 500,000 and more		22,000

Section 3. Section 145.10, Florida Statutes, is amended to read:

145.10 Tax assessor.—Each tax assessor shall receive as salary the amount indicated, based on the population of his county:

(1) Counties having a population of less than 7,500	[\$10,000]	\$10,800
(2) Counties having a population of at least 7,500 but less than 15,000	[11,000]	11,880
(3) Counties having a population of at least 15,000 but less than 30,000	[12,000]	12,960
(4) Counties having a population of at least 30,000 but less than 50,000	[13,500]	14,580
(5) Counties having a population of at least 50,000 but less than 75,000	[14,500]	15,805
(6) Counties having a population of at least 75,000 but less than 100,000	[15,500]	16,895
(7) Counties having a population of at least 100,000 but less than 200,000	[16,500]	17,985
(8) Counties having a population of at least 200,000 but less than 300,000	[18,000]	19,620
[(9) Counties having a population of 300,000 and more	18,000]	
(9) Counties having a population of at least 300,000 but less than 400,000		20,000
(10) Counties having a population of at least 400,000 but less than 500,000		21,000
(11) Counties having a population of 500,000 and more		22,000

Section 4. Section 145.11, Florida Statutes, is amended to read:

145.11 Tax collector.—Each tax collector shall receive as salary the amount indicated, based on the population of his county:

(1) Counties having a population of less than 7,500	[\$10,000]	\$10,600
(2) Counties having a population of at least 7,500 but less than 15,000	[11,000]	11,660
(3) Counties having a population of at least 15,000 but less than 30,000	[12,000]	12,720
(4) Counties having a population of at least 30,000 but less than 50,000	[13,500]	14,310
(5) Counties having a population of at least 50,000 but less than 75,000	[14,500]	15,370
(6) Counties having a population of at least 75,000 but less than 100,000	[15,500]	16,430
(7) Counties having a population of at least 100,000 but less than 200,000	[16,500]	17,490
(8) Counties having a population of at least 200,000 but less than 300,000	[18,000]	19,080
[(9) Counties having a population of 300,000 and more	18,000]	
(9) Counties having a population of at least 300,000 but less than 400,000		19,400
(10) Counties having a population of at least 400,000 but less than 500,000		19,800
(11) Counties having a population of 500,000 and more		20,200

Section 5. The salary scales enumerated in sections 1, 2, and 3 are deemed to have taken effect on and shall operate retroactively to January 1, 1970.

Section 6. This act shall take effect immediately upon becoming a law.

Amendment 2—

In title on page 1, line 5, insert after "record;" clerks of the circuit court; tax collectors; tax assessors;

Amendment 3—

On page 1, line 14, add after "court of record" the following: where he holds no other position of emolument.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Trask, the Senate concurred in House amendment 3 to SB 1359 and refused to concur in House amendments 1 and 2, and the House was requested to recede therefrom. The action of the Senate was certified to the House.

The Honorable John E. Mathews, Jr.
President of the Senate

June 4, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of the membership of the House—

By the Committee on Rules & Calendar—

HJR 5512—A joint resolution proposing a revision of Article V of the State Constitution relating to the judicial department of the government.

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

That the following proposed revision of Article V of the State Constitution is agreed to and shall be submitted to the electors of Florida for ratification or rejection at the next general election to be held in November, 1970.

(Substantial rewording of article. For present text see Article V, State Constitution.)

ARTICLE V JUDICIARY

SECTION 1. Courts.—The judicial power shall be vested in a supreme court, district courts of appeal, circuit courts, county courts, magistrate courts, courts established for the trial of offenses against ordinances of municipalities or chartered counties, and, if established by law, a court of review of administrative action. Administrative officers or bodies may be granted quasi-judicial power in matters connected with the functions of their offices, and their orders shall be reviewed as provided by law.

SECTION 2. Administration; practice and procedure.— The supreme court shall adopt rules governing:

(a) the administrative supervision of all courts except courts established for the trial of offenses against ordinances of municipalities or chartered counties;

(b) the assignment of justices and judges, including consenting retired justices and judges, to temporary duty in any courts;

(c) practice and procedure in all courts, including the time for seeking appellate review;

(d) the locations for holding court; and

(e) the transfer of any matter to the proper court when the jurisdiction of a court has been improvidently invoked.

SECTION 3. Chief justice.

(a) The chief justice of the supreme court shall be the chief administrative officer of the judicial system.

(b) At the beginning of each regular session of the legislature the chief justice shall by message inform it of the condition of the judicial system and recommend measures for the improvement of the administration of justice.

SECTION 4. Supreme Court.

(a) **ORGANIZATION.**—The supreme court shall consist of seven justices, one of whom shall be chosen chief justice by the members of the court. Five justices shall constitute a quorum. The concurrence of four shall be necessary to a decision.

(b) **JURISDICTION.**—The supreme court:

(1) Shall hear appeals from final judgments of trial courts imposing the death penalty and from orders of trial courts and decisions of district courts of appeal initially and directly passing on the validity of a state statute or a federal statute or treaty, or construing a provision of the state or federal constitution.

(2) May review by certiorari any decision of a district court of appeal that affects a class of constitutional or state officers, that passes upon a question certified by the district court of appeal to be of great public interest, or that is in direct conflict with a decision of another district court of appeal or of the supreme court on the same question of law, and may issue writs of prohibition to courts and commissions in causes within the jurisdiction of the supreme court to review, and all writs necessary to the complete exercise of its jurisdiction.

(3) When provided by law, shall hear appeals from final judgments and orders of trial courts imposing life imprisonment or entered in proceedings for the validation of bonds or certificates of indebtedness, and issue writs of certiorari to the court of review of administrative action and commissions established by law and writs of mandamus and quo warranto to state officers and state agencies.

(4) The supreme court or any justice may issue writs of habeas corpus returnable before the supreme court or any justice, a district court of appeal or any judge thereof, or any circuit judge.

SECTION 5. District courts of appeal.

(a) **APPELLATE DISTRICTS.**—The state by law shall be divided into not more than four appellate districts of one county or contiguous counties. There shall be a district court of appeal in each district consisting of not less than three judges. Three judges shall consider each case, and the concurrence of two shall be necessary to a decision.

(b) **JURISDICTION.**—

(1) District courts of appeal shall have jurisdiction to hear appeals, which may be taken as a matter of right, from final judgments or orders of trial courts, including those entered on review of administrative action, not directly appealable to the supreme court or a circuit court. They may review interlocutory orders in such cases to the extent provided in rules adopted by the supreme court.

(2) They shall have the power of direct review of administrative action as may be prescribed by law.

(3) A district court of appeal or any judge thereof may issue writs of habeas corpus returnable before that court or any judge thereof or before any circuit judge in that district. A district court of appeal may issue writs of mandamus, certiorari, prohibition, quo warranto, and other writs necessary to the complete exercise of its jurisdiction. To the extent necessary to dispose of all issues in a cause properly before it, a district court of appeal may exercise any of the appellate jurisdiction of the circuit courts.

SECTION 6. Court of review of administrative action.— There may be established by law a court of review of administrative action composed of not less than three judges. It shall have appellate jurisdiction to hear appeals from such administrative action as may be prescribed by law. Three judges shall consider each case, and the concurrence of two shall be necessary to a decision. The judges of the court shall be subject to impeachment.

SECTION 7. Circuits courts.

(a) **JUDICIAL CIRCUITS.**—The state by law shall be divided into judicial circuits, each composed of one county or contiguous counties and containing a population of not less than one hundred thousand according to the last decennial census or other census authorized by general law except, the County of Monroe shall constitute one of the circuits.

(b) **CIRCUIT COURTS.**—There shall be a circuit court in each county.

(c) **CIRCUIT JUDGES.**—There shall be at least one circuit judge for each fifty thousand inhabitants or major fraction thereof in each circuit according to the last decennial census or other census authorized by law. Each circuit judge shall be a judge of the circuit court in each county in the circuit, except as otherwise provided herein. The county of residence of a circuit judge may be fixed by law, but shall not be changed with respect to an incumbent during his continuous tenure in office without his consent.

(d) **JURISDICTION.**—The circuit courts shall have all original jurisdiction not vested in other courts, and such jurisdiction of appeals from other trial courts as is prescribed by law. They shall have power to issue writs of mandamus, injunction, certiorari, prohibition, quo warranto, habeas corpus, and all other writs necessary or proper to the complete exercise of their jurisdiction. They shall have the power of direct review of administrative action prescribed by law.

SECTION 8. *County courts.*—

(a) **COUNTY COURTS.**—In each county having a population not in excess of one hundred thousand according to the last decennial census or census authorized by general law, and in no other county, there shall be a county court unless that court shall have been abolished, and not reestablished, by vote of the electors pursuant to law except, a county court in counties without a magistrate court exercising countywide territorial jurisdiction shall not be abolished.

(b) **COUNTY JUDGES.**—There shall be provided by law one or more judges for each county court.

(c) **JURISDICTION.**—County courts shall have the jurisdiction prescribed by general law. When provided by law, the county judge of any county shall be ex officio judge of a magistrate court within the county. Conditions upon which chartered counties or municipalities may authorize county courts to issue process and try violations of their ordinances may be prescribed by law.

SECTION 9. *Magistrate courts.*—

(a) **COURTS.**—There shall be a magistrate court in each county or, if the county be divided by law into magistrate court districts, in each magistrate court district, unless that court shall have been abolished, and not reestablished, by vote of the electors pursuant to law except, a magistrate court exercising countywide territorial jurisdiction in counties without a county court shall not be abolished. Magistrate court districts may be consolidated or changed by law.

(b) **NUMBER OF JUDGES.**—There shall be one or more judges for each magistrate court as provided by law.

(c) **JURISDICTION.**—The judges of magistrate courts shall perform such duties and exercise such jurisdiction as shall be prescribed by general law. Conditions upon which chartered counties or municipalities may authorize magistrate courts to issue process and try violations of their ordinances may be prescribed by law except, in the case of chartered counties, no such authority shall be given to a magistrate court to try violations of county ordinances unless authorized in the charter of the county or approved by vote of the electors of the county.

SECTION 10. *Additional judges.*—Additional judges for any court except the supreme court may be authorized by law upon certification of need by the supreme court.

SECTION 11. *Specialized divisions of circuit courts.*—

(a) **DIVISIONS; JURISDICTION.**—A uniform system of specialized divisions of the circuit court may be established by general law in all counties having a population in excess of one hundred thousand according to the last decennial census or other census authorized by general law, each division exercising the specific jurisdiction fixed by general law.

(b) **JUDGES.**—There shall be provided by law one or more circuit judges for each specialized division of a circuit court who shall be judges only of the circuit court in the county in which their respective divisions are situate. Judges of specialized divisions shall be elected to their respective divisions by the electors of the county in which their divisions are situate.

(c) **JURISDICTION OF JUDGES.**—All judges of the circuit court in each county, including judges of specialized divisions, shall have jurisdiction to hear all cases within the jurisdiction of the circuit court in that county.

SECTION 12. *Eligibility.*—A justice or judge shall be a citizen and elector of the state and reside in the territorial jurisdiction of his court. A justice of the supreme court or judge of a district court of appeal or court of review of administrative action must have been a member of the bar of Florida for the preceding ten years. A judge of a circuit court must have been a member of the bar of Florida for the preceding five years. Each judge of a county court or magistrate court must be a member of the bar of Florida unless otherwise provided by general or special law.

SECTION 13. *Vacancies.*—The governor shall fill by appointment each vacancy in judicial office. Judicial nominating commissions may be established by law, and appointments to judicial office may be limited to nominees of such commissions. All appointments to judicial nominating commissions shall be subject to confirmation by the Senate.

SECTION 14. *Elections; terms.*—

(a) Justices and judges shall be chosen by the electors within the territorial jurisdiction of their respective courts in the same manner as other state and county officers are elected or, when provided by general law, in nonpartisan elections; except, the method of selection of judges of the court of review of administrative action may be prescribed by law.

(b) The terms of all justices of the supreme court, judges of district courts of appeal, judges of the court of review of administrative action and circuit judges shall be for six years. The terms of judges of county courts and magistrate courts shall be prescribed by general law. The terms of justices of the supreme court and judges of the district courts of appeal shall be appropriately staggered.

SECTION 15. *Discipline; retirement; removal.*—

(a) There shall be a judicial qualifications commission composed of:

(1) two judges of district courts of appeal appointed by the judges of those courts and two judges of circuit courts appointed by the judges of those courts; and, when provided by law, not more than two judges of the court of review of administrative action appointed by the judges of that court, one judge of a county court appointed by the judges of those courts and one judge of a magistrate court appointed by the judges of those courts;

(2) two electors who have resided in the state and been members of the bar of the state for eight years, appointed by the governing body of the bar of Florida; and

(3) three electors who have resided in the state for five years and have never held judicial office or been members of the bar, appointed by the governor.

(b) The members of the judicial qualifications commission shall serve appropriately staggered terms not longer than six years fixed by law. No member of the commission shall hold office in a political party or, except as provided herein, public office. The commission shall elect one of its members as its chairman.

(c) The supreme court shall adopt rules regulating proceedings of the commission, the filling of vacancies by the appointing authorities and the temporary replacement of disqualified or incapacitated members. After recommendation of removal of any justice or judge, the record of the proceedings of the commission relating thereto shall be made public.

(d) Upon recommendation of the judicial qualifications commission, concurred in by two thirds of its members, the supreme court may order that any justice of the supreme court, judge of district court of appeal, judge of the court of review of administrative action, judge of a circuit court, and when provided by law any judge of a county court or judge of a magistrate court, may be disciplined by private reprimand; removed from office, with termination of compensation, for willful or persistent failure to perform his duties or for other conduct unbecoming a member of the judiciary; or involun-

tarily retired for any disability which seriously interferes with the performance of his duties and which is permanent.

(e) A justice or judge shall not serve after attaining the age of seventy years except to complete a term half of which he has served or upon temporary assignment.

(f) The power of removal conferred by this section shall be cumulative to the power of impeachment and to the power of suspension by the governor and removal by the senate as to judges of county courts and judges of magistrate courts.

(g) A justice or judge removed from office shall be subject to discipline as an attorney for professional misconduct prior to or during his tenure in office.

SECTION 16. Prohibited activities.—Justices of the supreme court, judges of district courts of appeal, judges of the court of review of administrative actions and judges of circuit courts shall devote full time to their judicial duties. They shall not engage in the practice of law or hold office in any political party. Similar prohibitions with respect to judges of other courts may be provided by law.

SECTION 17. Judicial salaries.—Justices of the supreme court and judges of district courts of appeal, the court of review of administrative action and circuit courts shall be compensated by salaries fixed by general law which shall not be diminished during the terms for which they have been elected or appointed, unless as a part of a general reduction of salaries applying uniformly to all salaried officers of the state. No circuit judge shall be paid a salary equal to or greater than the salary paid judges of district courts of appeal nor shall any judge of a district court of appeal be paid a salary equal to or greater than the salary paid to the justices of the supreme court. Judges of county courts and magistrate courts shall be compensated by salaries fixed by law, and may also be compensated for nonjudicial services as provided by law.

SECTION 18. Grand juries.—

(a) The composition, length of service and number of grand juries shall be prescribed by general law. For these purposes, counties may be reasonably classified on the basis of population.

(b) A grand jury shall be convened in each county at least once in each year.

(c) The proceedings of grand juries shall be regulated by rules adopted by the supreme court.

(d) Except as a reasonable incident to a report of its findings relating to the adequacy and care of public property and facilities, the conduct of public business or the performance of duties by public officers or employees, no grand jury shall make a presentment, other than a formal charge of crime, which is derogatory of any person.

SECTION 19. State attorneys.—In each judicial circuit a state attorney shall be elected for a term of four years to perform duties prescribed by law. State attorneys shall appoint such number of assistant state attorneys as may be authorized by law. The salaries of state attorneys and assistant state attorneys shall be fixed by general law.

SECTION 20. Attorneys; admission and discipline.—The supreme court shall have exclusive jurisdiction to regulate, in such manner and through such agencies as may be prescribed by its rules, the admission of persons to the practice of law and the discipline of persons admitted.

SECTION 21. Trial by jury.—Every charge of violation of a county or municipal ordinance, which is also a violation of state law, in a court in which a jury trial is not provided shall be transferred, upon demand of the defendant, to an appropriate court in which a trial by jury may be secured.

SECTION 22. Schedule.—

(a) This article shall replace all of Article V of the Constitution of 1885, as amended, which shall then stand repealed.

(b) Except to the extent inconsistent with the provisions of this article, all provisions of law and rules of court in force on the effective date of this article shall continue in effect until superseded in a manner authorized by the constitution.

(c) On the effective date of this article and until changed by general law adopted thereafter, there shall be established in the circuit court in each county in which the population is in excess of one hundred thousand according to the last decennial census or other census authorized by general law, a juvenile and domestic relations division, a probate division and a criminal division. Until provided by general law as required in section 11(a) herein, each such division shall hear cases assigned to it pursuant to rules adopted by the supreme court.

(d) After this article becomes effective, and until changed by law consistent with this article:

(1) The supreme court shall have the jurisdiction immediately theretofore exercised by it.

(2) District courts of appeal shall have the jurisdiction immediately theretofore exercised by them.

(3) Circuit courts shall have the jurisdiction immediately theretofore exercised by them and by all the courts abolished by this article, except the jurisdiction vested by this article in other courts.

(4) In addition to the trial of misdemeanors, each county court shall have all of the jurisdiction immediately theretofore exercised by the county judge's court, the county court, the juvenile court, and any small claims court presided over by the county judge, wherein such courts existed in the respective county immediately before this article became effective.

(5) Magistrate courts in each county shall exercise in their respective counties and districts the jurisdiction in civil cases and the trial jurisdiction in criminal cases exercised by the respective small claims courts whose judges held no other office, small claims-magistrate courts, magistrates court of Brevard County, traffic court of Hillsborough County, and justice of the peace courts immediately before this article became effective, each judge being limited to the jurisdiction theretofore exercised by the court of which he was judge. All judges of magistrate courts shall be coroners and committing magistrates.

(e) When this article becomes effective:

(1) All courts not herein authorized shall cease to exist and jurisdiction to conclude all pending cases and enforce all prior judgements shall vest in the court which, under this article, would have jurisdiction of the cause if thereafter instituted. All records of, and property held by, courts abolished hereby shall be transferred to the proper officer of the appropriate court under this article.

(2) In counties having a population in excess of one hundred thousand according to the last decennial census or other census authorized by general law, judges of county judges' courts, juvenile courts and juvenile and domestic relations courts shall become judges of the circuit court in the county in which they reside. The judges of the civil courts of record of Dade and Hillsborough Counties, the criminal courts of record of Dade, Duval, Hillsborough, Monroe, Orange, Palm Beach, and Polk Counties and of the felony court of record of Volusia County, the civil and criminal court of record of Pinellas County and the courts of record of Broward, Brevard, Escambia, Lee, Manatee and Sarasota Counties shall become judges of the circuit court in the county in which they reside. All judges of various courts who become judges of circuit courts pursuant to this section shall serve as circuit judges for the remainder of terms expiring with terms of other circuit judges. All judges of the criminal courts of record of Dade, Duval, Hillsborough, Orange, Palm Beach, and Polk Counties and of the felony court of record of Volusia County and an appropriate number of judges of the courts of record of Broward, Brevard, Escambia, and Sarasota Counties shall be assigned by the chief justice of the supreme court to service in criminal divisions of the circuit court in the county in which they reside. Judges of the juvenile division of the court of record of Escambia County and judges of juvenile courts and juvenile and domestic relations courts who become judges of circuit courts shall be assigned to the juvenile and domestic relations divisions of the circuit court in the county in which they reside, and judges of county judges' courts who become judges of circuit courts shall be assigned to the probate division of the circuit court in the county in which they reside.

(3) In counties having a population not in excess of one hundred thousand according to the last decennial census or

other census authorized by general law, judges of the county judges' courts shall become judges of the county court in the county in which they reside. In counties having a population not in excess of one hundred thousand according to the last decennial census or other census authorized by general law, judges of juvenile courts who hold no other office shall become judges of the county court in that county, and for the remainder of their terms, they shall receive a salary not less than they received as juvenile court judges immediately before the effective date of this article. The judge of the court of record of Alachua County shall become a judge of the county court of Alachua County.

(4) Justices of the peace, judges of the small claims-magistrate courts, magistrates court of Brevard County, traffic court of Hillsborough County, and the judges of small claims courts who hold no other office, shall become judges of magistrate courts, each serving, for the remainder of his term, a magistrate court district identical with his former territorial jurisdiction.

(5) Until otherwise provided by county charter or by vote of the electors pursuant to law, there shall be a constable, elected for a term of four years, in each magistrate court district succeeding to the territory of a justice of the peace district existing immediately before the effective date of this article.

(6) When no provision has been made for the judge of any court abolished by this article, such judge shall become a judge of the court in which is vested the greater part of the jurisdiction of his previous court for the remainder of his term or, in the event he becomes a circuit judge, for the remainder of a term expiring with the terms of other circuit judges.

(f) SPECIAL LOCAL PROVISIONS.—The following special provisions shall apply to the designated courts and counties superseding inconsistent general provisions:

(1) For purpose of this article, with the exception of section 7, Alachua County shall be considered as having a population not in excess of one hundred thousand until after the 1980 federal decennial census.

(2) In Escambia County until otherwise provided by law approved by vote of the electors, and in Broward County until otherwise provided by law there shall be a county clerk who shall also be clerk of the board of county commissioners, county recorder, and ex officio auditor and shall perform the duties prescribed by law.

(3) In Escambia and Broward Counties until otherwise provided by law, the clerk of the circuit court shall serve as clerk of all magistrate courts in the respective counties and perform duties prescribed by law. In Polk County the clerk of the criminal court of record shall, until otherwise provided by law, serve as clerk of all magistrate courts and perform duties prescribed by law.

(4) No magistrate court shall be established by this article in any county in which immediately before the effective date of this article there was no justice of the peace court, magistrates court, or small claims court whose judge holds no other office, except a magistrate court shall be established in Pinellas County upon the effective date hereof.

(g) LIMITED OPERATION OF SOME PROVISIONS.—

(1) The qualifications for appointment or election to judicial office fixed by section 12 shall not apply to the future election of persons to judicial offices held by them immediately after this article becomes effective.

(2) No justice or judge holding office immediately after this article becomes effective who held judicial office on June 30, 1957, shall be subject to retirement from judicial office pursuant to section 15 (e).

(3) Except as provided in sections 1, 2(c), 3, 8(c), 9(c) and 21, this article shall not apply to courts having jurisdiction for the trial of offenses against ordinances of municipalities or counties.

(4) The court authorized by Article VIII, sections 6(e) and 6(f), of the Constitution as amended in 1968 shall not be affected by this article except as provided in sections 1, 2(c), 3, and 21.

(5) Notwithstanding the provisions of section 7(a), and until otherwise provided by law, the third judicial circuit as consti-

tuted immediately prior to the adoption of the Article shall continue to constitute a judicial circuit.

(h) NUMBER OF JUDGES.—Until changed by law the number of judges of the circuit court in each circuit shall be that number required by section 7(c), increased by the number of judges of other courts becoming circuit judges by operation of this section, with one additional judge in the circuit in which is located Duval County and one additional judge in the circuit in which is located the state capital.

(i) ELECTION OF JUDGES.—Should provision be made by law for the nonpartisan election of justices and judges in odd-numbered years, the first such law may provide that the term of each judicial office beginning next after the first such election shall be one year shorter than as otherwise provided herein.

(j) NONJUDICIAL DUTIES OF COUNTY JUDGES.—Until otherwise provided by law, the nonjudicial duties required of county judges shall be performed by the judges of the county courts in counties in which that office exists, and in counties in which there is no county court they shall be performed by the officers to whom they may be assigned by proclamation of the governor.

(k) COUNTY SOLICITORS, PROSECUTING ATTORNEYS.—Until otherwise provided by law, county solicitors or county prosecuting attorneys, when those offices exist by law, shall prosecute the classes of crime within the jurisdiction of their respective offices immediately prior to the date this article becomes effective. The offices of county solicitor or county prosecuting attorney, if elected, shall not be abolished in any county except by vote of the electors of that county.

(l) POPULATION CHANGES.—Each judge of a county court in a county which attains a population in excess of one hundred thousand according to the decennial census or other census authorized by general law taken next after this article becomes effective shall become a judge of the circuit court in that county for the remainder of a term expiring with the term of other circuit judges and shall be assigned by the chief justice of the supreme court to service in an appropriate specialized division of the circuit court in that county.

(m) CLERKS OF COURTS.—After the effective date of this article, clerks of courts shall continue to serve as follows:

(1) Except as hereinafter provided, the clerks of the circuit court will continue to serve in such offices in their respective counties.

(2) In counties having a population not in excess of one hundred thousand according to the last decennial census or census authorized by general law, the elective clerks of the courts abolished by this article who are in office immediately before the effective date of this article shall serve the remainder of their term as clerks of the county courts in their respective counties with salaries not less than they were receiving immediately before the effective date of this article.

(3) Except as hereinafter provided, in counties having a population in excess of one hundred thousand, the elective clerks of the courts abolished by this article who are in office immediately before the effective date of this article shall serve the remainder of their term as deputies to the clerk of the circuit court in their respective counties with salaries not less than they were receiving immediately before the effective date of this article.

(4) In Escambia and Broward Counties the persons holding the offices of clerk of the circuit court immediately before the effective date of this article shall become, for the remainder of their term, the county clerk of their respective counties, which offices are established in section 22(f)(2) of this article.

(5) In Escambia and Broward Counties the persons holding the offices of clerk of the court of record immediately before the effective date of this article shall become the clerk of the circuit court in their respective counties for the remainder of their term.

(n) DELETION OF OBSOLETE SCHEDULE ITEMS.—The legislature shall have power, by concurrent resolution, to delete from this article any subsection of this section 22, including this subsection, when all events to which the subsection to be deleted is or could become applicable have occurred. A legislative determination of fact made as a basis for application of this subsection shall be subject to judicial review.

(o) EFFECTIVE DATE.—Unless otherwise provided herein, this article shall become effective at 12:01 o'clock A.M. Eastern Standard Time, July 1, A.D., 1971.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HJR 5512, contained in the above message, was read the first time by title and referred to the Committee on Constitutional Amendments and Revision.

On motion by Senator Askew, by two-thirds vote, HJR 5512 was withdrawn from the Committee on Constitutional Amendments and Revision and placed on the Calendar.

Unanimous consent was granted Senator Askew to take up HJR 5512 out of order.

On motions by Senator Askew, the rules were waived and HJR 5512 was read the second time by title, the third time in full, passed by the required Constitutional three-fifths vote of all members elected to the Senate, and certified to the House. The vote was:

Yeas—38

Mr. President	Ducker	McClain	Shevin
Askew	Fincher	Myers	Slade
Bafalis	Friday	Ott	Thomas
Barrow	Gunter	Plante	Trask
Beaufort	Haverfield	Pope	Weber
Bishop	Henderson	Poston	Weissenborn
Boyd	Hollahan	Reuter	Williams
Broxson	Horne	Saunders	Young
Daniel	Karl	Sayler	
de la Parte	Knopke	Scarborough	

Nays—3

Bell Stolzenburg Wilson

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By Representative Shaw and others—

HB 4062—A bill to be entitled An act relating to the department of health and rehabilitative services; providing an appropriation for aid to aged, blind and disabled public assistance recipients; prohibiting transfers of appropriation out of appropriations provided; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 4062, 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.

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By the Committee on Education—

CS for SBs 349 and 634—A bill to be entitled An act relating to education; providing for the drug abuse education act of 1970, establishing a program of drug, narcotic, alcohol and tobacco education; providing for the commissioner of education to administer the program pursuant to regulations of the state board of education; providing an appropriation; and providing an effective date.

Which amendment reads as follows:

In Section 7, on page 4, lines 16-19, strike: , including elementary, and shall require courses of at least one semester duration be offered in all junior and senior high schools

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Broxson, the Senate concurred in the House amendment to CS for SBs 349 and 634.

CS for SBs 349 and 634 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—35

Mr. President	Fincher	Karl	Scarborough
Bafalis	Friday	Knopke	Shevin
Beaufort	Gong	McClain	Slade
Bell	Gunter	Myers	Stolzenburg
Bishop	Haverfield	Ott	Thomas
Boyd	Henderson	Plante	Trask
Broxson	Hollahan	Poston	Weber
de la Parte	Horne	Reuter	Williams
Ducker	Johnson	Saunders	

Nays—1

Wilson

The Honorable John E. Mathews, Jr.
President of the Senate

June 4, 1970

Sir:

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

By Senator Askew—

SB 1389—A bill to be entitled An act relating to elected public officers; giving definitions; requiring the filing of annual statements of any contributions received and expenditures made from such contributions; providing penalties; providing an effective date.

Amendment 1—

On page 2, line 5, after the word "officer": insert the following: which are not otherwise required by Chapter 99, Florida Statutes, be reported,

Amendment 2—

On page 2, line 20, after the word "each" insert the following: half of the

Amendment 3—

On page 2, line 2, strike "an annual" and insert the following: a

Amendment 4—

On page 3, line 25, strike January 1, 1971 and insert the following: July 1, 1970

Amendment 5—

On page 1, line 5, after the word "of": insert the following: semi-

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Askew, the Senate concurred in House amendments 1, 2, 3, 4 and 5 to SB 1389.

SB 1389 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	de la Parte	Karl	Shevin
Askew	Ducker	Knopke	Stolzenburg
Bafalis	Fincher	McClain	Thomas
Barrow	Friday	Myers	Trask
Beaufort	Gong	Ott	Weber
Bell	Gunter	Plante	Williams
Bishop	Haverfield	Poston	Wilson
Boyd	Henderson	Reuter	Young
Broxson	Hollahan	Saunders	
Daniel	Horne	Sayler	
Deeb	Johnson	Scarborough	

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By the Committee on Retirement & Personnel—

CS for HB 4542—A bill to be entitled An act relating to the funding of the state and county retirement system; establishing legislative intent that local agencies covered under section 122.35, Florida Statutes, pertaining to all county agencies except boards of public instruction; each agency to receive a fifty per cent (50%) credit in the form of a debit memorandum on their 1967-1969 actual cost for retirement and social security; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 4542, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Haverfield, by two-thirds vote, CS for HB 4542 was withdrawn from the Committee on Ways and Means and placed on the Calendar.

Unanimous consent was granted Senator Haverfield to take up CS for HB 4542 out of order. On motion by Senator Haverfield, the rules were waived and CS for HB 4542 was read the second time by title.

A motion by Senator Sayler failed that the rules be waived and consideration of CS for HB 4542 be deferred.

On motion by Senator Haverfield, the rules were waived and CS for HB 4542 was read the third time by title and failed to pass. The vote was:

Yeas—19

Mr. President	Ducker	Hollahan	Saunders
Barrow	Fincher	Karl	Shevin
Bell	Gong	Lane	Stone
Broxson	Gunter	Myers	Weissenborn
de la Parte	Haverfield	Poston	

Nays—19

Barron	Henderson	Pope	Weber
Beaufort	Horne	Reuter	Williams
Bishop	Johnson	Sayler	Wilson
Boyd	McClain	Stolzenburg	Young
Daniel	Plante	Trask	

On motion by Senator Sayler, the Senate reconsidered the vote by which CS for HB 4542 failed to pass.

Consideration of CS for HB 4542 was deferred, the bill retaining its place on the Calendar.

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By Senator Karl—

SB 975—A bill to be entitled An act relating to motor vehicle dealers; motor vehicle manufacturers, distributors, factory branches, factory representatives, and importers; and the division of motor vehicles, of the department of highway safety and motor vehicles; amending Section 320.27 (1)(3)(9), Florida Statutes, by providing additional definitions; increasing the fees paid by dealers for license applications and investigations therefor; and providing additional grounds for the denial, suspension, or revocation of dealer licenses; creating sections 320.273 and 320.274, Florida Statutes, authorizing reinstatement of licenses under certain conditions; and providing for the conduct of hearings and procedures; amending Section 320.60 (1) (7), Florida Statutes, and adding subsections (2), (5), (8) through (11), (12) (a) and (b), and (13), providing for additional definitions; amending Section 320.61, Florida Statutes, requiring licenses for manufacturers, factory branches, factory representatives, distributors, and importers of motor vehicles to engage in business in this state; providing for license renewal, granting or refusing a license and effect of obtaining license; creating Section 320.615, Florida Statutes, designating agent for service of process; amending Sections 320.62 and 320.63, Florida Statutes, increasing fees for licenses, and prescribing additional information required on applications for licenses; amending Section 320.64, (6), (7), and adding subsections (8) (a) (b) (c), and (9) through (15) providing additional locations and grounds for the denial, suspension, or revocation of licenses; providing for notice of discontinuation, cancellation, or failure to renew franchise agreement; procedure after notice; providing for attorneys' fees and costs; creating Sections 320.664 and 320.665, Florida Statutes, authorizing reinstatement of licenses under certain conditions; and providing for the conduct of hearings and procedures; amending Sections 320.67 and 320.68, Florida Statutes, granting subpoena powers to the director, division of motor vehicles, and making licensees responsible for acts of employees; creating Section 320.694, Florida Statutes, providing for advisory council, consisting of dealers, manufacturer, distributor or importer, and consumer representatives appointed by the director; providing per diem, but no other compensation to members; creating Sections 320.695, 320.696, 320.697, 320.698, Florida Statutes, providing for powers of injunction, describing warranty responsibility and compensation, providing civil damages procedure, recovery of attorneys' fees and costs, and burden of proof; providing for civil fines; providing a severability clause; and providing an effective date of January 1, 1971.

Amendment 1—

On page 4, line 1, strike everything after the enacting clause and insert the following:

Section 1. Subsections (1) (a) and (d), (3), and (9) of Section 320.27, Florida Statutes, are amended to read:

320.27. Motor vehicle dealers.—

(1) DEFINITIONS.—The following words, terms and phrases when used in this section shall have the meanings respectively ascribed to them in this subsection, except where the context clearly indicates a different meaning:

(a) "Director" means the director of the [department] division of motor vehicles.

(d) "Motor vehicle dealers" means any person engaged in the business of buying, selling or dealing in motor vehicles or offering or displaying motor vehicles for sale. Any person who buys, sells or deals in three or more motor vehicles in any twelve month period or who offers or displays for sale three or more motor vehicles in any twelve month period shall be prima facie presumed to be engaged in such business. The terms "selling" and "sale" include lease-purchase transactions. The term "motor vehicle dealer" does not include: public officers while performing their official duties; receivers; trustees, administrators, executors, guardians or other persons appointed by or acting under the judgement or order of any court; banks and finance companies or other loan agencies, who acquire motor vehicles as an incident to their regular business and does not include motor vehicle rental and leasing companies who sell motor vehicles to motor vehicle dealers licensed under this section.

(3) APPLICATION AND FEE.—The application for said license shall be in such form as may be prescribed by the director and subject to such rules and regulations with respect thereto as may be so prescribed by him. Such application shall

be verified by oath or affirmation and shall contain a full statement of the name or names of the person or persons applying therefor, the name of the firm or partnership with the names and places of residence of all members thereof, if such applicant be a firm or copartnership, the names and places of residence of the principal officers, if the applicant be a body corporate or other artificial body, the name of the state under whose laws the corporation is organized, the former place or places of residence of said applicant and prior business or businesses in which said applicant has been engaged and the location thereof. Such application shall describe the exact location of the place of business and shall state whether the place of business is owned in fee simple by the applicant and when acquired or, if leased, a true copy of the lease shall be attached to the application. The applicant shall certify that the location is a permanent one, is not the residence of the applicant, is not a tent or a temporary stand or other temporary quarters, that the location affords sufficient unoccupied space upon and within which to adequately store all motor vehicles offered and displayed for sale and is a suitable place where the applicant can in good faith carry on such business and keep and maintain books, records and files necessary to conduct such business which will be available at all reasonable hours to inspection by the director or any of his inspectors or other employees. The applicant shall certify that the business of a motor vehicle dealer is the principal business which shall be conducted at the said location; provided, however, that such certification shall not apply to any applicant who held a current license as a motor vehicle dealer on January 1, 1964. Such application shall contain a statement that the applicant is either: Franchised by a manufacturer of motor vehicles and, if so, the name of each motor vehicle that the applicant is franchised to sell, or an independent (non-franchised) motor vehicle dealer. Such application shall contain such other relevant information as may be required by the director. Such application shall be accompanied by a sworn statement of two reputable persons of the community in which the principal place of business is to be located, certifying to the good moral character of the person or persons applying for such license and certifying that the facts set forth in the application are true. Upon making such initial application, the person applying therefor shall pay to the director a fee of [five] twenty-five dollars (\$25.00) in addition to any other fees now required by law; upon making such subsequent applications the person applying therefor shall pay to the director a fee of ten dollars (\$10.00) in addition to any other fees now required by law. Upon making an application for a change of location, said person shall pay a fee of twenty-five dollars (\$25.00) in addition to any other fees now required by law. The director shall if he deems it necessary cause an investigation to be made to ascertain if the facts set forth in such application are true and shall not issue a license to the applicant until he is satisfied that the facts set forth in said application are true; provided, that if the director causes such an investigation to be made, then such application fee shall be twenty-five dollars (\$25.00).

(9) DENIAL, SUSPENSION OR REVOCATION.—The director may deny, suspend or revoke any license issued hereunder for the violation by the licensee of any of the provisions of this section, or on any of the following grounds:

(a) Willful violation of any other law of this state having to do with dealing in motor vehicles, or willful failure to comply with any administrative rules promulgated by the director.

(b) The perpetration of a fraud upon any person as a result of said dealing in motor vehicles.

(c) The representation that a "demonstrator" is a new motor vehicle, the attempt to sell, or the sale of a demonstrator as a new motor vehicle, without written notice to the purchaser that the vehicle is a demonstrator; for the purposes of this section 320.27, a "demonstrator", a "new motor vehicle", and a "used motor vehicle", shall be defined as under section 320.60, Florida Statutes.

(d) The unjustifiable refusal to comply with licensee's responsibility under the terms of the new motor vehicle warranty issued by its respective manufacturer, distributor or importer; provided, however, if such refusal is at the direction of said manufacturer, distributor, or importer, shall not be grounds under this section.

(e) Any misrepresentation, false, deceptive, or misleading statement with regard to the sale or financing of motor vehicles which any motor vehicle dealer has or causes to have advertised, printed, displayed, published, distributed, broadcast,

televised, or made in any manner whatsoever with regard to the sale or financing of motor vehicles.

(f) Requirement by any motor vehicle dealer for a customer or purchaser to accept equipment on his motor vehicle which was not ordered by said customer or purchaser.

(g) Requirement by any motor vehicle dealer that any customer or purchaser finance said motor vehicle with a specific financial institution or company.

(h) Failure by any motor vehicle dealer to provide a customer or purchaser with a copy of any bona fide written, executed sales contract or agreement of purchase connected with the purchase of the motor vehicle purchased by said customer or purchaser.

(i) The failure of any motor vehicle dealer to comply with the terms of any bona fide written, executed, agreement, pursuant to the sale of a motor vehicle.

(j) Provided, however, that at least ten (10) days notice of the intention to revoke such license shall be served by the sheriff or constable as provided by law or by registered mail with return receipt upon the licensee, fixing time and place of a hearing upon the cause of such suspension or revocation and giving to such licensee an opportunity to appear and be heard in defense of such charge, to produce witnesses as he may deem necessary and the right to be represented by counsel in such hearing.

(k) Requirement that purchaser of motor vehicle contracts with dealer for physical damage insurance.

Section 2. New section 320.273, Florida Statutes, is created to read:

320.273. Reinstatement of license.—When any license of any motor vehicle dealer has been revoked or suspended by the director pursuant to the provisions of section 320.27, the director may for good cause, and pursuant to notice and hearing reinstate the license of any former licensee under this law, provided that the director determines that said former licensee is rehabilitated, provided that said former licensee meet the requirements of this law, and that said former licensee file an application for license pursuant to this law and comply with this law. The director may determine the time and place of such hearing on reinstatement.

Section 3. New section 320.274, Florida Statutes, is created to read:

320.274. Hearing procedure, etc.—

(a) In the event that the director shall conduct any hearing pursuant to any provisions of sections 320.27 through 320.274, inclusive, Florida Statutes, said hearing or hearings shall be conducted pursuant to Chapter 120, Florida Statutes, the Administrative Procedure Act, and the director shall have the power to conduct said hearings pursuant to that act. The director shall have further power in hearings arising under this law to determine the place, in the state of Florida, where they shall be held; to issue subpoenas for the attendance of witnesses and for the production of documentary evidence; to take depositions of witnesses residing within or without the state, and in the manner provided for in civil actions in circuit courts of this state; and to pay such witnesses the fees and mileage for their attendance as is provided for witnesses in civil actions in circuit courts in this state.

(b) Whenever such a hearing shall be held by the director, or by a hearing examiner, the same shall be recorded; and when such a hearing shall be held by a hearing examiner, he shall report his findings in writing to the director, who shall thereupon make his rulings and orders. Any information obtained from such hearings may not be used against such licensee as a basis for criminal prosecution under the laws of this state.

Section 4. Section 320.60, Florida Statutes, is amended, and subsections (2), (5), (8), (9), (10), (11), (12) (a) and (b), and (13) are added, and the remaining subsections are renumbered, to read:

320.60. Definitions for 320.61-320.70.—Whenever used in 320.61-320.70, unless the context otherwise requires, the following words and terms have the following meaning:

(1) "Manufacturer" means any person, resident or non-resident in this state, who manufactures or assembles motor vehicles, or who manufactures or installs on previously assembled truck chassis, special bodies or equipment which when installed form an integral part of the motor vehicle and which constitute a major manufacturing alteration, and includes in the case of a corporation or copartnership its central or principal sales corporation or other agency through which it distributes its products.

(2) "Distributor" means a person, resident or non-resident, who in whole or part, sells, or distributes motor vehicles to motor vehicle dealers, or who maintains distributor representatives.

(3) "Factory branch" means a branch office maintained by a manufacturer for the sale of motor vehicles to distributors, or for the sale of motor vehicles to motor vehicle dealers, or for directing or supervising in whole or part, its representatives in this state.

(4) "Factory representative" means a representative employed by a manufacturer or by a factory branch, for the purpose of making or promoting the sale of its motor vehicles, or for supervising or contacting its dealers or prospective dealers.

(5) "Importer" means any person who imports from a foreign country vehicles into the United States or into this state, for the purpose of sale or lease.

(6) "Person" means a person, firm, corporation, or association.

(7) "Director" means the director of the [department] division of motor vehicles, sometimes referred to under this law as the "licensor".

(8) "Licensee" means any person licensed or required to be licensed under section 320.61, Florida Statutes.

(9) "Motor vehicle" means any new automobile or new truck, the equitable or legal title to which has never been transferred by a manufacturer, distributor, importer, or dealer to an ultimate purchaser.

(10) "Used motor vehicle" means every motor vehicle, title to or possession of which has been transferred from the person who first acquired it from the manufacturer, distributor, importer or dealer, and is commonly known as "second hand" within the ordinary meaning thereof.

(11) "Demonstrator" means any new motor vehicle, which is carried on the records of the dealer as a demonstrator and is used by being inspected or driven by said dealer, his employees, or prospective customers for the purpose of demonstrating vehicle characteristics in the sale or display of motor vehicles sold by the dealer.

(12) "Motor vehicle dealer" means any person, firm or corporation who for commission, money or other things of value, sells, exchanges, buys or rents, or offers or attempts to negotiate, a sale or exchange of any interest in motor vehicles, or who is engaged wholly or in part in the business of selling motor vehicles, whether or not such motor vehicles are owned by such person, firm or corporation.

(a) Any person who buys, sells, or deals in three or more motor vehicles in any twelve month period or who offers or displays for sale three or more motor vehicles in any twelve month period shall be prima facie presumed to be engaged in such business. The term "selling" and "sale" include lease-purchase transactions.

(b) Provided, that the term "motor vehicle dealer" does not include: public officers, while performing their official duties; receivers; trustees, administrators, executors, guardians or other persons appointed by or acting under the judgement or order of any court; banks, finance companies, or other loan agencies who acquire motor vehicles as an incident to their regular business; motor vehicle rental and leasing companies who sell motor vehicles to motor vehicle dealers licensed under Florida Statute 320.27.

(13) "Agreement" means contract, franchise, new motor vehicle franchise, selling agreement, or any other terminology used to describe the contractual relationship between manufacturers, distributors, importers and dealers.

Section 5. Section 320.61, Florida Statutes, is amended to read:

(Substantial rewording of section. See section 320.61, Florida Statutes, for present text)

320.61. Licenses required of motor vehicle manufacturers, factory branches, factory representatives, distributors, importers, etc.

(a) No manufacturer, factory branch, factory representative, distributor or importer (all sometimes referred to hereinafter as "licensee") shall engage in business as such in this state without a license therefor as provided in this law; and no such licensee's vehicles shall be sold in this state unless either the manufacturer or factory branch or direct dealerships of either domestic or foreign vehicles, are licensed under this law.

(b) The director may prescribe an abbreviated application for renewal of said license, if said licensee had previously filed an initial application pursuant to Florida Statute 320.63; said application for renewal shall include any information necessary to bring current the information required in the initial application.

(c) All licenses shall be granted or refused within thirty (30) days after application therefor and shall expire, unless sooner revoked or suspended, as provided in this law.

(d) Where a complaint of unfair cancellation of dealer agreement is made by the motor vehicle dealer against the licensee, and is in the process of being heard pursuant to this law by the director, no replacement application for such agreement shall be granted until a final decision is rendered by the director on the complaint of unfair cancellation.

(e) The obtaining of a license under this law shall conclusively establish that such licensee is doing business in this state and shall subject said licensee to all provisions of Florida law.

Section 6. New section 320.615, Florida Statutes, is created to read:

320.615. Agent for service of process.—The acceptance by any person of a license under this law shall be deemed equivalent to an appointment by such person of the secretary of state of the state as the agent of such person upon whom may be served all lawful process in any action, suit or proceeding against such person arising out of any transaction or operation connected with or incidental to any activities of such person carried on under such license and the acceptance of such license shall be signification of the agreement of such person that any such process against him which is so served shall be of the same legal force and validity as if served personally on such person. Service of such process shall be in accordance with and in the same manner as now provided for service of process upon non-residents under the provisions of Chapter 48, Florida Statutes.

Section 7. Section 320.62, Florida Statutes, is amended to read:

320.62. Licenses; amount; disposition of proceeds.—The annual license for each manufacturer, factory branch, factory representative, distributor, or importer, shall be [five] ten dollars (\$10.00) and shall be in addition to all other licenses or taxes, now or hereafter levied, assessed or required of the applicant. The proceeds from all such licenses under this law shall be paid into the state treasury to the credit of the general revenue fund. All licenses shall be payable on or before the first day of October of each year, and shall expire, unless sooner revoked or suspended, on the 30th day of the following September.

Section 8. Section 320.63, Florida Statutes, is amended to read:

(Substantial rewording of section. See section 320.63, Florida Statutes, for present text)

320.63. Application for license; contents.—Any person desiring to be licensed as a licensee shall make application therefor to the director upon a form containing such information as the director shall require. The director may require with such

application, or otherwise, and from time to time, all of the following, which may be considered by said director in determining the fitness of said applicant to engage in the business for which said applicant desires said license:

(a) Information relating to the applicant's solvency and his financial standing.

(b) A certified copy of applicant's new motor vehicle warranty, or warranties, in any way connected with said motor vehicle, or any component thereof, accompanied by a detailed explanation thereof.

(c) From each manufacturer on direct dealerships or distributor on indirect dealerships or importer on direct dealerships which utilizes an identical blanket basic agreement for its dealers or distributors in Florida which agreement comprises all or any part of applicant's agreements with motor vehicle dealers in Florida, a copy of such written agreement and all supplements thereto, together with a list of applicant's authorized dealers or distributors and their addresses. Such applicant shall further notify the division of motor vehicles immediately of the appointment of any additional dealers or distributors, of any revisions of or additions to the basic agreement on file, or of any individual dealer or distributor supplements to such agreements.

(d) A certified copy of the delivery and preparation obligations of its motor vehicle dealers, which obligations shall constitute the motor vehicle dealers' only responsibility for product liability as between the dealer and manufacturer.

(e) An affidavit stating the rates that said applicant pays or agrees to pay any authorized motor vehicle dealer for parts and labor by the authorized motor vehicle dealer for the manufacturer under delivery and preparation obligations or the new vehicle warranty.

(f) The fee for the annual license.

(g) Any other pertinent matter commensurate with the safeguarding of the public interest.

Section 9. Section 320.64, Florida Statutes, is amended to read:

(Substantial rewording of section. See section 320.64, Florida Statutes, for present text)

320.64. Denial, suspension or revocation of license; grounds.—A license may be denied, suspended or revoked within the entire state or at any specific location, or locations, at which licensee engages in business, and at which a violation of this law has occurred, on the following grounds:

(1) Proof of unfitness of applicant.

(2) Material misstatement of applicant in his application for a license.

(3) Willful failure of the applicant or licensee to comply with any provision of this law.

(4) Because the applicant or licensee has indulged in any illegal act relating to his business.

(5) Because the applicant or licensee has coerced or attempted to coerce any motor vehicle dealer to accept delivery of any motor vehicle or vehicles, parts or accessories therefor, or any other commodities which shall not have been ordered by said dealer.

(6) Because the applicant or licensee has attempted to coerce, or has coerced, any motor vehicle dealer to enter into any agreement with the licensee, as the case may be.

(7) Because the applicant or licensee has unfairly or without due regard to the equities of a motor vehicle dealer, or without just provocation, threatened to cancel, or threatened not to renew, the franchise agreement of such motor vehicle dealer.

(8) Because the applicant or licensee has unfairly or without due regard to the equities of a motor vehicle dealer, or without just provocation, cancelled, or failed to renew, the franchise agreement of such motor vehicle dealer. Provided that such applicant or licensee shall notify the motor vehicle dealer and forward a copy of such notice to the director of the licensee's intention to discontinue, cancel or fail to renew the franchise agreement of any of its motor vehicle dealers at least ninety

(90) days before the effective date thereof, together with the specific grounds for discontinuation, cancellation, or failure to renew of said agreement, if discontinued, cancelled or not renewed. The failure by licensee to comply with the ninety (90) day notice period and procedure prescribed herein shall render voidable, at the option of the motor vehicle dealer, any discontinuation, cancellation or non-renewal of any franchise agreement. Designation of a franchise agreement at a specific location as a "nondesignated point" shall be deemed an evasion of this section and shall constitute an unfair cancellation.

(a) Franchise agreements are deemed to be continuing unless the applicant or licensee has notified the department of the discontinuation of, cancellation of or failure to renew the agreement of any of its motor vehicle dealers, and annual renewal of the license provided for under this law is not necessary for any cause of action against licensee.

(b) Any motor vehicle dealer whose franchise agreement is discontinued, cancelled, or not renewed, may within such ninety (90) day notice period, file with the division a verified complaint in triplicate for a determination of unfair discontinuation or cancellation. Agreements and certificates of appointment shall continue in effect until final determination by the director of the issues raised in such complaint by the motor vehicle dealer, and no replacement motor vehicle dealer shall be named for this point or location to engage in business, prior to the final adjudication by the director, on the discontinuation, cancellation, or failure to renew.

(c) If said complainant motor vehicle dealer prevails, he shall have a cause of action against the defendant for reasonable attorneys' fees and costs incurred by him in such proceeding for unfair discontinuation, cancellation or failure to renew, pursuant to this law.

(9) The director shall deny an application for a motor vehicle dealer license in any community or territory where the licensee's presently licensed franchised motor vehicle dealer or dealers have complied with licensee's agreements and are providing adequate representation in the community or territory for such licensee. The burden of proof in showing inadequate representation shall be on the licensee.

(10) Because the applicant or licensee has attempted to or entered into a franchise agreement with a motor vehicle dealer who does not, at the time of the franchise agreement, have proper facilities to provide the services to his purchasers of new motor vehicles which are covered by the new motor vehicle warranty issued by the applicant or licensee.

(11) Because the applicant or licensee has coerced a motor vehicle dealer to provide installment financing for the motor vehicle dealers' purchasers with a specified financial institution.

(12) Because the applicant or licensee has advertised, printed, displayed, published, distributed, broadcast or televised or caused or permitted, to be advertised, printed, displayed, published, distributed, broadcast or televised in any manner whatsoever, any statement or representation with regard to the sale or financing of motor vehicles which is false, deceptive or misleading.

(13) Proof of any willful failure to comply with the provisions of this law or with any lawful rule or regulation adopted and promulgated by the director.

(14) Because the applicant or licensee has refused to deliver in reasonable quantities and within a reasonable time after receipt of an order to any duly licensed motor vehicle dealer, having an agreement with such applicant or licensee for the retail sale of new motor vehicles and parts for such motor vehicles sold or distributed by such applicant or licensee, any such motor vehicles or parts as are covered by such agreement specifically publicly advertised by such applicant or licensee to be available for immediate delivery. Provided, however, the failure to deliver any motor vehicle or part shall not be considered a violation of this act if such failure be due to acts of God, work stoppages or delays due to strikes or labor difficulties, freight embargoes or other causes over which the applicant or licensee has no control. Provided, failure to deliver parts or components for the current and five (5) preceding year models within sixty (60) days from date of order shall be deemed prima facie unreasonable.

(15) Any previous conduct which would have been grounds for revocation or suspension of a license, if the applicant were licensed, shall be sufficient grounds for the disapproval of the application.

(16) Because the applicant or licensee has sold, exchanged or rented a motorcycle or motor scooter which produces in excess

of 5 brake horsepower knowing the use thereof to be by or intended for the holder of a restricted Florida driver's license.

Section 10. *New section 320.664, Florida Statutes, is created to read:*

320.664. Reinstatement of license.—When any license has been revoked or suspended by the director pursuant to the provisions of sections 320.60 through 320.70, inclusive, Florida Statutes, the director may for good cause, and pursuant to notice and hearing, reinstate the license of any former licensee under this law, provided that the director determines that said former licensee is rehabilitated, provided that said licensee meets the requirements of this law, and that said former licensee files an application for license pursuant to this law and complies with this law. The director may determine the time and place of such hearing on reinstatement.

Section 11. *New section 320.665, Florida Statutes, is created to read:*

320.665. Hearing procedures, etc.

(a) In the event the director shall conduct any hearing pursuant to any provisions of sections 320.60 - 320.70, inclusive, Florida Statutes, said hearing or hearings shall be conducted pursuant to Chapter 120, Florida Statutes, the Administrative Procedure Act, and the director shall have the power to conduct said hearings pursuant to that act. The director shall have the further power in hearings arising under this law to determine the place, in the state of Florida, where they shall be held; to issue subpoenas for the attendance of witnesses and for the production of documentary evidence; to take depositions of witnesses residing within or without the state, in the manner provided for in civil actions in circuit courts of this state, and to pay such witnesses the fees and mileage for their attendance as is provided for witnesses in civil actions in circuit courts of this state.

(b) Whenever such a hearing shall be held by the director, or by a hearing examiner, the same shall be recorded; and when such a hearing shall be held by a hearing examiner, he shall report his findings in writing to the director, who shall thereupon make his rulings and orders. Any information obtained from such hearings may not be used against such licensee as the basis for a criminal prosecution under the laws of this state.

Section 12. Section 320.67, Florida Statutes, is amended and subsection (b) is added to read:

320.67. Inspection of license, books, etc.—

(a) The director may inspect the pertinent books, records, letters and contracts of a licensee relating to any written complaint made to him against such licensee.

(b) *In the exercise of his duties under this law, the director is hereby granted and authorized the power of subpoena for the attendance of witnesses and for the production of any documentary evidence, necessary to the disposition by him of any written complaint under this section. Any information obtained may not be used against such licensee as the basis for a criminal prosecution under the laws of this state.*

Section 13. Section 320.68, Florida Statutes, is amended to read:

320.68. Revocation of license held by firms or corporations.—If an applicant or a licensee is a firm or corporation, it shall be sufficient cause for the denial, suspension or revocation of a license that any officer, director or trustee of the firm or corporation, or any member in case of a partnership, has been guilty of any act or omission which would be cause for refusing, suspending or revoking a license to such party as an individual. Each licensee shall be responsible for the acts of any or all of his [salesmen] *employees* while acting as his agent, if such licensee approved of or had knowledge of said acts or other similar acts and after such approval or knowledge retained the benefit, proceeds, profits or advantages accruing from said acts or otherwise ratified said acts.

Section 14. *New section 320.694, Florida Statutes, is created to read:*

320.694. Advisory council.—The director shall appoint an advisory council, consisting of not more than seven (7) members. The council shall be composed as follows: Three (3)

franchised motor vehicle dealers, licensed under section 320.27, Florida Statutes, one (1) manufacturer, distributor or importer, licensed under section 320.60-320.70, Florida Statutes, and two (2) members of the public who shall represent the consumers of this state. The director shall be chairman of the council. The council upon request of the director shall advise and assist the director in administration of this law. The members of said council shall receive no compensation for their services, provided that per diem may be paid upon authorization of the director, pursuant to section 112.061, Florida Statutes.

Section 15. *New section 320.695, Florida Statutes, is created to read:*

320.695. Injunction.—In addition to the remedies provided in this Chapter and notwithstanding the existence of any adequate remedy at law, the director, or any motor vehicle dealer in the name of the director and state and for the use and benefit of the motor vehicle dealer, is authorized to make application to any circuit court of the state, and such circuit court shall have jurisdiction, upon a hearing and for cause shown, to grant a temporary or permanent injunction, or both, restraining any person from acting as a licensee under the terms of this law without being properly licensed hereunder, or from violating or continuing to violate any of the provisions of this law, or for failing or refusing to comply with the requirements of this law, or any rule or regulation adopted hereunder, such injunction to be issued without bond. A single act in violation of the provisions of this law shall be sufficient to authorize the issuance of an injunction. Provided, however, that this statutory remedy shall not be applicable to any motor vehicle dealer after final determination by the director under section 320.64 (8) (b) of this law.

Section 16. *New section 320.696, Florida Statutes, is created to read:*

320.696. Warranty responsibility.—The licensee shall reasonable compensate any authorized motor vehicle dealer who performs work to rectify the licensee's product or warranty defects, or delivery and preparation obligations. In the determination of what constitutes reasonable compensation under this law, the factors to be given consideration shall include, among others, the compensation being paid by other licensees to their dealers, the prevailing wage rate being paid by the dealers, and the prevailing labor rate being charged by the dealers, in the city or community in which the dealer is doing business.

Section 17. *New section 320.697, Florida Statutes, is created to read:*

320.697. Civil damages.—Any person suffering pecuniary loss because of a violation by a licensee under Florida Statute 320.60 through 320.70, notwithstanding the existence of any other remedies under this law, shall have a cause of action against such licensee for damages, and may recover damages therefor in any court of competent jurisdiction in an amount equal to three times the pecuniary loss, together with costs, and a reasonable attorney's fee to be assessed by said court. Upon a prima facie showing by the motor vehicle dealer that such a violation by the licensee occurred, the burden of proof shall then be upon the licensee to prove that such a violation or unfair practice did not occur.

Section 18. *New section 320.698, Florida Statutes, is created to read:*

320.698. Civil fines; procedure.—In addition to the exercise of other powers under this law, the director is hereby authorized to assess, impose, levy, and collect by legal process, civil fines against licensees as follows:

(a) The director may fine any licensee a sum not exceeding one thousand dollars (\$1,000.00), who refuses to furnish all information required under Florida Statute 320.63, or who furnishes erroneous information, or who fails to notify the director of any revisions or changes in said information as they occur, and such fine may be levied for each and every such violation.

(b) The director may fine any licensee a sum not exceeding five thousand dollars (\$5,000.00) when any licensee, or agent or employee thereof, is adjudged by the director to be guilty of a violation of Florida Statute 320.64, and said fine may be levied for each and every such violation.

(c) Any licensee shall be entitled to a hearing before the director should said licensee wish to contest the fine levied, or about to be levied, upon said licensee.

(d) The director may waive or suspend any fine authorized hereunder upon a showing of good cause by the licensee for failure to comply with this law.

Section 19. Severability clause.—If any section, sentence, clause, phrase or word of this act, or the application thereof to any person or circumstances, is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this act nor the application thereof to other persons or circumstances; and it shall be construed to have been the legislative intent to pass this act without such unconstitutional, invalid or inoperative part therein; and the remainder of this act, after the exclusion of such part or parts, and the application of said remainder to other persons or circumstances shall be deemed and held to be valid as if such parts had not been included herein.

Section 20. Effective date.—This act shall take effect January 1, 1971.

Amendment 2—

On pages 1, 2 & 3, strike all the title and insert the following:

A bill to be entitled An act relating to motor vehicle dealers; motor vehicle manufacturers, distributors, factory branches, factory representatives, and importers; and the division of motor vehicles, of the department of highway safety and motor vehicles; amending Section 320.27 (1)(3)(9), Florida Statutes, by providing additional definitions; increasing the fees paid by dealers for license applications and investigations therefor; and providing additional grounds for the denial, suspension, or revocation of dealer licenses; creating sections 320.273 and 320.274, Florida Statutes, authorizing reinstatement of licenses under certain conditions; and providing for the conduct of hearings and procedures; amending Section 320.60 (1)(7), Florida Statutes, and adding subsections (2), (5), (8) through (11), (12) (a) and (b), and (13), providing for additional definitions; amending Section 320.61, Florida Statutes, requiring licenses for manufacturers, factory branches, factory representatives, distributors, and importers of motor vehicles to engage in business in this state; providing for license renewal, granting or refusing a license and effect of obtaining license; creating Section 320.615, Florida Statutes, designating agent for service of process; amending Sections 320.62 and 320.63, Florida Statutes, increasing fees for licenses, and prescribing additional information required on applications for licenses; amending Section 320.64 providing additional locations and grounds for the denial, suspension, or revocation of licenses; providing for notice of discontinuation, cancellation, or failure to renew franchise agreement; procedure after notice; providing for attorneys' fees and costs; creating Sections 320.664 and 320.665, Florida Statutes, authorizing reinstatement of licenses under certain conditions; and providing for the conduct of hearings and procedures; amending Sections 320.67 and 320.68, Florida Statutes, granting subpoena powers to the director, division of motor vehicles, and making licensees responsible for acts of employees; creating Section 320.694, Florida Statutes, providing for advisory council, consisting of dealers, manufacturer, distributor or importer, and consumer representatives appointed by the director; providing per diem, but no other compensation to members; creating Sections 320.695, 320.696, 320.697, 320.698, Florida Statutes, providing for powers of injunction, describing warranty responsibility and compensation, providing civil damages procedure, recovery of attorneys' fees and costs, and burden of proof; providing for civil fines; providing a severability clause; and providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Karl, the Senate concurred in House amendments 1 and 2 to SB 975.

SB 975 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Ducker	Karl	Stolzenburg
Bafalis	Fincher	McClain	Thomas
Barron	Friday	Ott	Trask
Barrow	Gong	Plante	Weber
Beaufort	Gunter	Pope	Weissenborn
Bell	Haverfield	Poston	Williams
Bishop	Henderson	Reuter	Wilson
Boyd	Horne	Saunders	Young
Broxson	Johnson	Shevin	

The Honorable John E. Mathews, Jr.
President of the Senate

June 4, 1970

Sir:

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

By Representative E. L. Martinez and others—

HB 5489—A bill to be entitled An act relating to the City of Tampa, Hillsborough County, general employees pension fund; amending section 5 of chapter 23559, Laws of Florida, 1945, as amended; providing for the establishment of a postretirement adjustment account; allowing for cost-of-living adjustment in benefits; providing an effective date.

Proof of Publication attached.

By Representatives Walker and Randall—

HB 5492—A bill to be entitled An act authorizing Naples Mosquito Control district to provide group insurance for its employees; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

House Bills 5489 and 5492, contained in the above message, were read the first time by title. On motions by Senator Friday, the rules were waived and the bills were placed on the Local Calendar.

The Honorable John E. Mathews, Jr.
President of the Senate

June 4, 1970

Sir:

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

By Senator Horne—

SB 1324—A bill to be entitled An act to amend section 145.121(2)(c), Florida Statutes, which statute relates to the salaries for county officials; to provide, in substance, that those county officials whose total compensation was in excess of the salary payable under chapter 145, Florida Statutes, as amended effective July, 1969, are to continue to be compensated under the terms and conditions which prevailed immediately prior to July 1, 1969, until the expiration of their present term of office, thereafter the salary for those officials to be reduced to that provided by said chapter; providing an effective date.

Amendment 1—

On page 2, line 31, insert the following:

Section 2. Section 145.121(2), Florida Statutes, is amended by the addition of a new paragraph (d) to read:

(d) Any board of county commissioners which prior to July 1, 1969 had not authorized an additional monthly expense allowance for the chairman of the commission may authorize such an allowance of up to fifty dollars (\$50.00) per month for travel and other expenses related to the performance of his duties, and compensation shall not be considered as part of the chairman's income from office.

Renumber section 2 as section 3.

Amendment 2—

In title on page 1, line 19, following the word "chapter;" insert the following: amending section 145.121 by adding a new paragraph (d), relating to additional monthly expense allowance;

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
 Clerk, House of Representatives

Senator Bishop offered the following amendment to House amendment 1 which was adopted:

In House amendment 1 strike Section 2 in its entirety and insert the following: Section 2. Paragraph (b) of subsection (2) of section 145.121, Florida Statutes, is amended and new paragraph (d) is added to said subsection to read:

145.121 Other income to be the income of the office; implementation of salary schedules.—

(2) On July 1, 1969, the compensation of county officials shall be adjusted as follows:

(b) Those, other than members of school boards and supervisor of elections, whose total compensation for the immediately preceding year under which the office operates, including fees, commissions, and other extra compensation was less than the salary payable under this chapter shall have their salary increased each year at the rate of twenty percent of their total annual compensation until their salary reaches the amount provided in this chapter. School board members and supervisors of elections whose total compensation was less than the salary payable under this chapter, including those who previously received no compensation, shall have their salary adjusted to the amount provided in sections 145.041 and 145.09, Florida Statutes, respectively and shall not be subject to the twenty percent limitation unless otherwise specified by special or local law.

(d) Any board of county commissioners which prior to July 1, 1969 had not authorized an additional monthly expense allowance for the chairman of the commission may authorize such an allowance of up to fifty dollars (\$50) per month for travel and other expenses related to the performance of his duties, and compensation shall not be considered as part of the chairman's income from office.

On motion by Senator Horne, the Senate concurred in House amendment 1 as amended.

Senator Bishop offered the following amendment to House amendment 2 which was adopted:

In title, page 1, strike: in lines 4 and 5 section 145.121 (2)(c), Florida Statutes, in line 19 strike: providing an effective date. In lines 4 and 5 insert: section 145.121 (2)(b) and (c), Florida Statutes, and adding new paragraph (d) to subsection 2

In line 19 insert: excluding salaries of supervisors of elections from the twenty percent limitation provided therein; providing for an additional monthly expense allowance for the chairmen of the county commissions of the various counties; providing an effective date.

On motion by Senator Horne, the Senate concurred in House amendment 2 as amended.

SB 1324 passed as amended and the action of the Senate was certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	Deeb	Johnson	Slade
Askew	de la Parte	Karl	Stolzenburg
Bafalis	Ducker	McClain	Thomas
Barron	Friday	Ott	Trask
Beaufort	Gong	Plante	Weber
Bell	Gunter	Pope	Williams
Bishop	Haverfield	Poston	Wilson
Boyd	Henderson	Reuter	
Broxson	Horne	Scarborough	

The Honorable John E. Mathews, Jr.
 President of the Senate

June 4, 1970

Sir:

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

By Senator Friday and others—

SB 305—A bill to be entitled An act relating to aquatic plant control; amending section 20.25, Florida Statutes, created by section 25 of chapter 69-106, Laws of Florida, and section 370.02, Florida Statutes, to create a division of aquatic plant control within the department of natural resources; providing for the powers, duties and personnel of such division; amending section 372.931, Florida Statutes, and section 403.271(4) and (5), Florida Statutes, as created by section 1, chapter 69-158, Laws of Florida, to provide for coordination with the Florida game and fresh water fish commission and the department of air and water pollution control; providing for transfer of appropriated funds; providing an effective date.

Amendment 1—

On pages 1 & 2, strike all of line 25 through and including line 30 on page 1 and all of line 2 through and including line 14 on page 2 and insert the following:

Section 1. Short title.—This act shall be known as the Florida aquatic weed control act.

Section 2. Legislative declaration; public policy.—

(1) It is declared to be the public policy of this state that the department of natural resources be vested with the authority to direct the control, eradication, and regulation of noxious aquatic weeds and the research and planning related to said activities, as provided by law, so as to protect human health, safety, and recreation and to the greatest degree practicable prevent injury to plant and animal life and property.

Amendment 2—

On page 2, lines 15 and 16 and on page 2, line 21 strike "division of aquatic plant control" and insert the following: department

Amendment 3—

On page 2, line 20, after the word "plants." insert the following:

It may delegate all or part of such functions to the division of game and fresh water fish.

Amendment 4—

On page 3, lines 11-22, strike all of line 11 through and including line 22 and insert the following:

(c) Upon receipt of satisfactory proof from any special district or other local authority charged with the responsibility of controlling or eradicating aquatic plants that it has sufficient funds on hand to match the state funds herein referred to on an equal basis, upon approval by the department of natural resources of the control techniques to be used by the district or authority, and upon review and approval of the program of the district or authority by the department to be in conformance with the state control plan, the department may disburse funds to such district or authority.

Amendment 5—

On page 3, strike all of lines 23 through 30

Amendment 6—

On page 4, line 23 and on page 5, lines 30 and 31 and also on page 6, line 3 strike "the division of aquatic plant control of"

Amendment 7—

On page 4, line 26, strike such division and insert the following: the department

Amendment 8—
IN SECTION 4

On page 5, lines 13-15, strike *division of aquatic plant control of the department of natural resources* and insert the following: *department of air and water pollution control*

Amendment 9—

In title on page 1, lines 5-12, strike all of line 5 through and including line 12 and insert the following: trol; authorizing the department of natural resources to direct such control; providing that implementation may be delegated to the division of game and fresh water fish; providing for the powers and duties of the department; providing for transfer of appropriated funds;

Amendment 10—

In Section 6, on page 6, line 6, strike: August 1, 1970 and insert the following: June 20, 1970

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Friday, the Senate concurred in House amendments 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 to SB 305.

SB 305 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—38 Nays—None

Mr. President	de la Parte	Karl	Slade
Bafalis	Ducker	McClain	Stolzenburg
Barron	Friday	Myers	Stone
Barrow	Gong	Ott	Thomas
Beaufort	Gunter	Plante	Trask
Bell	Haverfield	Pope	Weber
Bishop	Henderson	Poston	Williams
Boyd	Hollahan	Reuter	Wilson
Broxson	Horne	Scarborough	
Deeb	Johnson	Shevin	

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By Representative Fortune and others—

HCR 5476—A concurrent resolution commending the Jay High School Baseball Team

WHEREAS, the legislature has learned of the exceptional record of achievement of the Jay High School baseball team in 1970, and

WHEREAS, on the path to attaining this honor the Jay High baseball team, known as the Jay Royals, consisting of thirteen players, Coach Tom Singletary and Assistant Coach Nick Kolinski, won 17 games and lost 3, and

WHEREAS, the team's batting feats and superb defensive play allowed the team to win in area, district, regional, and state tournaments to become the Florida State Class "B" Baseball Champions, and

WHEREAS, the Jay High Royals outstanding accomplishments in athletic competition and exemplary conduct during tournament play mark them as outstanding citizens from the community of Jay, Florida, NOW, THEREFORE,

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

That on behalf of the people of the State of Florida, this Legislature does commend and congratulate the Jay High Royals baseball team for their exceptional record of achievement in sports competition and for their being State class "B" champions; and does further commend and congratulate the citizens of the community of Jay, Florida for their support.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the appropriate constitutional officers, be presented to the Jay High Royals baseball team as tangible token of the sentiment expressed herein and lasting symbol of the appreciation and gratitude of their fellow Floridians.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 5476, contained in the above message, was read the first time in full. On motion by Senator Broxson, the rules were waived and HCR 5476 was read the second time by title, adopted and certified to the House.

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By Representative Lancaster—

HCR 5516—A Concurrent Resolution requesting the Governor of the State of Florida to return House Bill No. 4628 to the House of Representatives for the purpose of further consideration.

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

Section 1. The House of Representatives respectfully requests His Excellency, the Governor of Florida, to return House Bill No. 4628 introduced by Representative Lancaster to the House of Representatives for the purpose of further consideration.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 5516, contained in the above message, was read the first time in full. On motion by Senator Friday, the rules were waived and HCR 5516 was read the second time by title, adopted and certified to the House.

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required constitutional three-fifths vote of the membership of the House—

By the Committee on Rules and Calendar—

HJR 5515—A joint resolution withdrawing Senate Joint Resolution No. 36 (69) entitled, "A joint resolution proposing a revision of Article V of the state constitution relating to the judicial department of the government."

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

That Senate Joint Resolution No. 36 (69) entitled, "A joint resolution proposing a revision of Article V of the state constitution relating to the judicial department of the government," be and the same is hereby rescinded, revoked, annulled and withdrawn; the amendment to the constitution of Florida proposed thereby shall not be submitted to the electors and the secretary of state is directed to withhold said resolution from the ballot in the general election to be held in November 1970.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HJR 5515, 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.

Unanimous consent was granted Senator Askew to take up HJR 5515 out of order.

On motions by Senator Askew, the rules were waived and HJR 5515 was read the second time by title, the third time in full, passed by the required Constitutional three-fifths vote of all members elected to the Senate, and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Friday	McClain	Thomas
Askew	Gong	Myers	Trask
Bafalis	Gunter	Ott	Weber
Barron	Haverfield	Plante	Weissenborn
Barrow	Henderson	Pope	Williams
Bell	Hollahan	Poston	Wilson
Boyd	Horne	Reuter	Young
Deeb	Johnson	Shevin	
de la Parte	Karl	Slade	
Ducker	Knopke	Stone	

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By Representative Reeves and others—

HCR 5511—A concurrent resolution commending James R. Lowe for his outstanding service to the Legislature.

WHEREAS, James R. Lowe is currently serving as Chief of the Legislative Drafting Service of the Legislative Service Bureau, a position from which he supervises the constant flow of legislation prepared by the service bureau staff, and

WHEREAS, Mr. Lowe constantly strives to attain the highest standards of excellence in everything he does, and inspires those working with him to do likewise, and

WHEREAS, it is not uncommon for Mr. Lowe to work fourteen or more hours per day, and his weekends are often devoted to making sure his desk is clear on each Monday for the new onslaught of requests for drafting and of bills drafted by his staff, which require his final check before being delivered to a legislator, and

WHEREAS, despite his long hours of work and the added stress of constant interruption by a flow of visitors and telephone calls, Mr. Lowe maintains his patience and his relaxed attitude, as well as his spirit of cooperation and service, and

WHEREAS, the energy and dedication of Mr. Lowe are directly reflected in the high caliber of legislation prepared by him and his staff, and

WHEREAS, in so ably performing his important function, Mr. Lowe performs an invaluable service to this Legislature and to the citizens of Florida, and is extremely worthy of legislative recognition, NOW, THEREFORE,

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

That James R. Lowe is hereby commended for his outstanding service to the Legislature as Chief of the Legislative Drafting Service of the Legislative Service Bureau, and the appreciation and respect of the members of both chambers is extended to him for his devotion of his duties and his high standards of excellence in the preparation of legislation.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the Speaker of the House of Representatives and the President of the Senate with the great seal of the State of Florida attached, be presented to James R. Lowe as a tangible token of the sentiments expressed herein and a lasting symbol of the gratitude and respect of the Legislature of the State of Florida.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 5511, contained in the above message, was read the first time in full. On motion by Senator Horne, the rules were waived and HCR 5511 was read the second time by title, adopted and certified to the House.

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By Representative E. L. Martinez and others—

HCR 5510—A concurrent resolution commending the University of South Florida College Bowl Team for their achievements on network television.

WHEREAS, the University of South Florida College Bowl Team has won three consecutive victories on the NBC television network show "General Electric College Bowl," and

WHEREAS, the team has won a total of \$9,000 in scholarship money for its university as a result of these three victories, and

WHEREAS, on Sunday, June 7, in a match against Albright College, the University of South Florida Team will continue its quest to remain undefeated for a total of five consecutive weeks and thereby to retire as champion with \$16,500 in scholarship money to its credit, and

WHEREAS, the knowledge and demeanor of these young scholars distinguishes them as well as the higher education system of this state, and

WHEREAS, this legislature is proud to acknowledge outstanding accomplishments in the display of knowledge before a nationwide audience by our fellow Floridians, NOW, THEREFORE,

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

That the members of the University of South Florida Team, James Stockard, 21, of Lakeland; Thomas M. Swihart, 20 of Bradenton; Barbara Ann Little, 18, of Brandon; and team captain Chester B. McMullen III, 23, of Clearwater, as well as their coach, Dr. Steve Rubin, are hereby commended for their remarkable achievements and display of knowledge in recent weeks on the NBC television network show "General Electric College Bowl," and are encouraged to further victory in the weeks ahead.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the Speaker of the House of Representatives and the President of the Senate with the great seal of the State of Florida attached, be sent to each member of the University of South Florida College Bowl Team, to their coach, and to John S. Allen, the president of the University of South Florida, as a tangible token of the sentiments contained herein.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 5510, contained in the above message, was read the first time in full. On motion by Senator Knopke, the rules were waived and HCR 5510 was read the second time by title, adopted and certified to the House.

The Honorable John E. Mathews, Jr. June 4, 1970
President of the Senate

Sir:

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

By the Committee on General Legislation—

HCR 5514—A concurrent resolution designating the term "Sunshine State" as the official nickname of the State of Florida.

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

Section 1. The term "Sunshine State" is hereby designated as the official nickname of the State of Florida.

Section 2. The Statutory Revision Service of the Legislative Service Bureau is directed to reflect the designation of the term "Sunshine State" as the official nickname of the State of Florida where appropriate in the Florida Statutes.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HCR 5514, contained in the above message, was read the first time in full. On motion by Senator Gunter, the rules were waived and HCR 5514 was read the second time by title, adopted and certified to the House.

The Senate resumed—

SPECIAL ORDER CALENDAR

CS for HJR 3853 and 4040—A joint resolution proposing an amendment to Article VII of the Constitution of the State of Florida adding section 14, permitting the issuance, when authorized by law, of state bonds to finance the construction of air and water pollution control and abatement and solid waste disposal facilities to be operated by the state or by municipalities, counties, districts, authorities and other governmental agencies, to be primarily secured by a pledge of all or any part of revenues or rentals to be derived from operation of such facilities, special assessments, and other revenues legally available for such purpose, and additionally secured by the full faith and credit of the State of Florida; providing for certification by a state fiscal agency, created by law, that sufficient pledged revenues will be available for such bonds; providing for the pledge of the full faith and credit of counties, municipalities, districts, authorities, and agencies thereof for payment of rentals to the state under lease-purchase agreements; providing for loans to local governmental agencies.

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

That the following amendment to Article VII of the State Constitution, adding section 14, is agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November 1970:

Section 14. Bonds for pollution control and abatement facilities.—(a) When authorized by law, state bonds pledging the full faith and credit of the state may be issued without an election to finance the construction of air and water pollution control and abatement and solid waste disposal facilities (herein referred to as "facilities") to be operated by any municipality, county, district or authority, or any agency thereof (herein referred to as "local governmental agencies"), or by any agency of the State of Florida. Such bonds shall be secured by a pledge of and shall be payable primarily from all or any part of revenues to be derived from operation of such facilities, special assessments, rentals to be received under lease-purchase agreements herein provided for, any other revenues that may be legally available for such purpose, including revenues from other facilities, or any combination thereof (herein collectively referred to as "pledged revenues"), and shall be additionally secured by the full faith and credit of the State of Florida.

(b) No such bonds shall be issued unless a state fiscal agency, created by law, has made a determination that in no state fiscal year will the debt service requirements of the bonds proposed to be issued and all other bonds secured by the pledged revenues exceed seventy-five (75) per cent of the pledged revenues.

(c) The state may lease any of such facilities to any local governmental agency, under lease-purchase agreements for such periods and under such other terms and conditions as may be mutually agreed upon. The local governmental agencies may pledge the revenues derived from such leased facilities or any other available funds for the payment of rentals thereunder; and, in addition, the full faith and credit and taxing power of such local governmental agencies may be pledged for the payment of such rentals without any election of freeholder electors or qualified electors.

(d) The state may also issue such bonds for the purpose of loaning money to local governmental agencies, for the construc-

tion of such facilities to be owned or operated by any of such local governmental agencies. Such loans shall bear interest at not more than one-half of one per cent per annum greater than the last preceding issue of state bonds pursuant to this section, shall be secured by the pledged revenues, and may be additionally secured by the full faith and credit of the local governmental agencies.

(e) The total outstanding principal of state bonds issued pursuant to this section 14 shall never exceed fifty (50) per cent of the total tax revenues of the state for the two preceding fiscal years.

Was taken up and read the second time by title. On motion by Senator Williams, the rules were waived and CS for HJR 3853 and 4040 was read the third time in full, passed by the required Constitutional three-fifths vote of all members elected to the Senate, and certified to the House. The vote was:

Yeas—38

Mr. President	Ducker	McClain	Stone
Askew	Fincher	Myers	Thomas
Bafalis	Friday	Ott	Trask
Barrow	Gong	Plante	Weber
Beaufort	Gunter	Poston	Weissenborn
Bell	Haverfield	Reuter	Williams
Bishop	Henderson	Sayler	Wilson
Boyd	Hollahan	Shevin	Young
Deeb	Horne	Slade	
de la Parte	Knopke	Stolzenburg	

Nays—1

Pope

CS for HB 4523—A bill to be entitled An act implementing the provisions of Article VII, Section 14, of the Florida Constitution upon ratification thereof by the electors; authorizing the issuance of state bonds to finance air and water pollution control and solid waste disposal facilities in the manner provided by said Article VII, Section 14, subject to the provisions of the state bond act; designating the state board of administration as the state fiscal agency to make the determinations required thereby; providing that the department of general services, division of bond finance, shall determine the amount of such state bonds to be issued, not to exceed \$100,000,000 in any state fiscal year; providing that the facilities to be financed with the proceeds of the bonds shall be determined and approved by the department of air and water pollution control; providing for the construction, acquisition, maintenance and operation of such facilities; authorizing the execution of lease-purchase agreements or loan agreements to carry out such purposes; providing for fees, rentals or other charges for the use or benefit of such facilities; providing that said facilities will be a public governmental purpose and shall not be subject to taxation; providing that the provisions hereof shall be separable; providing an effective date and providing that this act shall be null and void if said Section 14 is rejected by the electors.

Was taken up and read the second time by title. On motion by Senator Williams, the rules were waived and CS for HB 4523 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	de la Parte	Johnson	Slade
Askew	Ducker	Knopke	Stolzenburg
Bafalis	Fincher	McClain	Stone
Barrow	Friday	Myers	Thomas
Beaufort	Gong	Plante	Trask
Bell	Gunter	Poston	Weber
Bishop	Haverfield	Reuter	Williams
Boyd	Henderson	Sayler	Wilson
Deeb	Horne	Shevin	Young

Nays—2

Broxson Pope

CS for HB 4542—A bill to be entitled An act relating to the funding of the state and county retirement system; establishing legislative intent that local agencies covered under section 122.35, Florida Statutes, pertaining to all county agencies except boards of public instruction; each agency to receive a fifty per cent (50%) credit in the form of a debit memorandum on their 1967-1969 actual cost for retirement and social security; providing an effective date.

Was taken up pending roll call having been reconsidered this day. CS for HB 4542 was read by title, passed and certified to the House. The vote was:

Yeas—31

Mr. President	de la Parte	Horne	Shevin
Barron	Ducker	Johnson	Slade
Barrow	Fincher	Lane	Stone
Bell	Friday	McClain	Trask
Bishop	Gong	Myers	Weissenborn
Boyd	Gunter	Poston	Williams
Broxson	Haverfield	Reuter	Wilson
Daniel	Hollahan	Saunders	

Nays—10

Bafalis	Henderson	Stolzenburg	Weber
Beaufort	Saylor	Thomas	Young
Deeb	Scarborough		

HB 3854—A bill to be entitled The Florida Water Pollution Control and Sewage Treatment Plant Grant Act of 1970; establishing a state water pollution control fund administered by the air and water pollution control board to provide grants to local agencies for sewage treatment projects eligible for federal funds; setting grant requirements; providing that the air and water pollution board approve plans, set priorities, confirmation and ratification of present priorities, promulgate rules and regulations, give technical assistance, cooperate with other agencies, report to the legislature, obtain federal funds, and authorize certain advances to local agencies in anticipation of federal funds; containing a severability clause; providing an effective date.

Was taken up and read the second time by title.

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Williams:

In title, line 20, page 1, after the word "clause;" insert: providing an appropriation;

On motion by Senator Williams, the rules were waived and HB 3854 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Deeb	Johnson	Shevin
Askew	de la Parte	Knopke	Slade
Bafalis	Ducker	McClain	Stolzenburg
Barron	Friday	Myers	Stone
Barrow	Gong	Ott	Thomas
Beaufort	Gunter	Pope	Trask
Bell	Haverfield	Poston	Weissenborn
Bishop	Henderson	Reuter	Williams
Boyd	Hollahan	Saunders	Wilson
Daniel	Horne	Scarborough	

CS for HB 4079—A bill to be entitled An act relating to the administration commission; providing procedures for the commission to take affirmative action in the absence of the governor where his concurrence would otherwise be required; providing procedures for such affirmative action to be reconsidered; providing procedures for reconsidering any commission action that fails because of the lack of concurrence of the governor; providing that the commission shall set the salaries of the policy-making employees of the cabinet officers exempted under section 110.051, Florida Statutes, unless fixed by law; providing an effective date.

Was taken up and read the second time by title.

Senator Saylor offered the following amendment which failed:

In Section 1, line 9, page 2, strike "three (3)" and insert: thirty (30)

Senator Saylor offered the following amendment which failed:

In Section 1, line 19, page 2, strike "present"

Senator Saylor offered the following amendment which failed:

Line 15, page 3, strike "July 1" and insert: January 1

Senator Weber offered and moved the following amendment:

In Section 1, line 13-26, page 2, strike "In the event the governor signifies his disapproval within such period, then, at the next regular meeting, the commission shall reconsider said action and may approve the same without the concurrence of the governor upon an affirmative vote of two-thirds (2/3) of the members present. Whenever the governor is present and action of the commission fails because it lacks his concurrence therein, then such matter may be reconsidered by the commission at its next regular meeting following the original vote and approved without the concurrence of the governor upon an affirmative vote of two-thirds (2/3) of the members of the commission present."

Further consideration of CS for HB 4079 was deferred.

By permission, SB 1455 was withdrawn from the Senate.

The President presiding.

Pursuant to the motion by Senator Horne, the hour of 6:15 p.m. having arrived, the Senate proceeded to the consideration of—

LOCAL CALENDAR

Consideration of SB 1583 was deferred, the bill retaining its place on the Calendar.

SB 1584—A bill to be entitled An act providing for the amendment of section 9 of the municipal charter of the city of New Port Richey, Florida, otherwise known as section 9, chapter 65-1962, Special Acts of the Florida State Legislature; providing further for the increase in the term of mayor-councilman and city councilmen from a two year term to a four year term; providing further for the date on which the regular general election of said city shall be held; providing for said act to become effective when approved by a majority of the votes of said city at a referendum to be held on the first Tuesday after the first Monday of December, 1970.

Was taken up and read the second time by title. On motion by Senator Deeb, the rules were waived and SB 1584 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

SB 1585—A bill to be entitled An act relating to the City of New Port Richey; section 17, chapter 21419, Laws of Florida, 1941 as amended in section 1, chapter 65-1962, Laws of Florida; providing acts or occurrences constituting a vacancy in any elective office of the city of New Port Richey and the action to be taken when a vacancy does occur; providing, further, for said act to become effective when approved by a majority of the voters of said city at a referendum.

Was taken up and read the second time by title. On motion by Senator Deeb, the rules were waived and SB 1585 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

SB 1587—A bill to be entitled An act relating to Volusia County providing that Robert C. Williams, Nat Ruland and Albert R. May as County inspectors of Volusia County shall be entitled to participate as employees of Volusia County in the State and County retirement systems from the date of their respective appointments as County inspectors upon their payment into the State and County retirement fund of amounts that would have been deducted from the funds which they received as fees if said fees had been salaries from the respective dates from which they were appointed until the respective dates upon which they were placed upon salaries together with interest and such other amount as may be determined by the department of administration handling the State and County retirement systems including any amounts which would normally be paid by the County thereby relieving the County from the payment of any funds pertaining thereto.

Was taken up and read the second time by title. On motion by Senator Daniel, the rules were waived and SB 1587 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

SB 1588—A bill to be entitled An act relating to Okaloosa County; repealing chapter 67-1808, Laws of Florida, which creates the twin city water district; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Barrow, the rules were waived and SB 1588 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of SB 1586 was deferred, the bill retaining its place on the Calendar.

SB 1591—A bill to be entitled An act fixing the salaries of the judges in the criminal courts of record in any county having a population in excess of four hundred thousand (400,000), according to the latest official decennial census; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Hollahan, the rules were waived and SB 1591 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

SB 1590—A bill to be entitled An act amending section 12, chapter 21491, Special Acts of the Florida State Legislature of 1941; providing that candidates for elective office in the city of New Port Richey, Florida, shall be freeholders and owners of real estate located within the corporate limits of said city and shall have been a bona fide resident of said city for at least one year prior to the qualification date for said office and shall be a

registered voter of said city; providing for said act to become effective when approved by a majority of the voters of said city at a referendum to be held on the first Tuesday after the first Monday of December, 1970.

Was taken up and read the second time by title. On motion by Senator Deeb, the rules were waived and SB 1590 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of Senate Bills 1357 and 1571 was deferred, the bills retaining their places on the Calendar.

SB 1577—A bill to be entitled An act relating to Walton County; exempting certain water systems from certification by Florida public service commission; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Barrow, the rules were waived and SB 1577 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

SB 1594—A bill to be entitled An act relating to salaries of the judges in the criminal courts of record in counties of the state having a population of more than four hundred (400,000) but less than nine hundred thousand (900,000) according to the latest official decennial census; repealing Senate Bill 1591, 1970, insofar as it may relate to the aforesaid population bracket; providing an effective date.

Was taken up. On motions by Senator Hollahan, the rules were waived and SB 1594 was read the second time by title, the third time by title, passed and certified to the House. The vote was:

Yeas—39

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Nays—1

Wilson

Consideration of HB 3421 was deferred, the bill retaining its place on the Calendar.

HB 3891—A bill to be entitled An act designating certain railroad crossings in Manatee County as dangerous crossings; providing a speed limit for trains unless crossings are equipped with automatic flashing lights; providing effective date.

Was taken up and read the second time by title. On motion by Senator Boyd, the rules were waived and HB 3891 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 3969 was deferred, the bill retaining its place on the Calendar.

HB 5136—A bill to be entitled An act relating to the City of Key West, Monroe County; authorizing said city to determine that certain buildings are unfit for human habitation or dangerous and further authorizing said city to adopt ordinances to cause the demolition and removal of buildings which are unfit for human habitation or dangerous and to place a lien for the actual costs and expenses of such demolition and removal against the property on which such buildings were located; providing an effective date.

Was taken up and read the second time by title.

The Committee on Rules and Calendar offered the following amendment which was adopted on motion by Senator Weber:

In Section 6, lines 10-18, page 5, strike: all of Section 6 and renumber subsequent sections.

On motion by Senator Weber, the rules were waived and HB 5136 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 5178 was deferred, the bill retaining its place on the Calendar.

HB 5280—A bill to be entitled An act relating to the Pinellas county park board, amending Section 2, Chapter 59-1736, Special Laws of Florida, 1959, as amended by Section 2, Chapter 61-2671, Special Acts, 1961, and Section 1, Chapter 69-1491, Special Acts, 1969, and amending Section 6, Chapter 61-2671, Special Acts, 1961.

Was taken up and read the second time by title.

Senator Deeb offered the following amendment which was adopted:

In Section 1, line 20, page 1, strike: all after line 18 and insert: by providing that the Pinellas County Park Board shall be expanded from five members to seven members. The two additional members shall be appointed at the convenience of the Board of County Commissioners in the manner and for the term as now provided by law.

Section 2. This act shall be effective October 1, 1970.

On motion by Senator Deeb, the rules were waived and HB 5280 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 5291 was deferred, the bill retaining its place on the Calendar.

HB 5434—A bill to be entitled An act creating and incorporating a special tax district in Pinellas County, Florida, to be known and designated as The Pinellas County Hospital Authority, prescribing the boundaries of said district, providing the County Commissioners of Pinellas County shall constitute the authority, providing for the governing and administration of the same, including the promulgation of regulations by said authority, providing for the conditions of and limitations of payment, partial payment, prepayment and repayment of medical and hospital bills for medically indigent, the qualifications of participants furnishing health care and receiving same, and for the administrative procedure of such authority, providing and defining the power and purposes of said authority and the Board of Commissioners thereof, authorizing and empowering the authority to establish contracts with existing licensed general hospitals, other appropriate licensed health care facilities and medical personnel for the care of the medically indigent of Pinellas County, defining medically indigent, authorize payment for such care, providing for the levy and collection of taxes not to exceed two mills for the purpose of the operations of said hospital district, providing for a referendum.

Was taken up. On motion by Senator Deeb, the rules were waived and HB 5434 was read the second time by title.

Senator Deeb offered the following amendment which was adopted:

In Section 13, line 26, page 5, strike the period (.) and insert: “, at an election that may be called by the Board of County Commissioners at a time they may deem necessary and proper.”

On motion by Senator Deeb, the rules were waived and HB 5434 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 5297 was deferred, the bill retaining its place on the Calendar.

HB 5347—A bill to be entitled An act relating to Okaloosa County; amending section 2 of chapter 69-1362, Laws of Florida; removing the requirement that an applicant must have been in the garbage business in the county for at least one (1) year to petition for a franchise; providing an effective date.

Was taken up and read the second time by title.

Senator Barrow offered the following amendment which was adopted:

In Section 2, line 11, page 2, strike “upon becoming a law” and insert September 1, 1970

On motion by Senator Barrow, the rules were waived and HB 5347 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5250—A bill to be entitled An act relating to the Hillsborough County Civil Service Board; Chapter 69-1121, Laws of Florida; amending Section 1, relating to membership of the board; Section 4, relating to board employees; Section 7, relating to powers of the board; Section 9, relating to the classification and pay plan; Section 13, relating to examinations and eligibility lists; Section 15, relating to filling of vacancies; Section 23, relating to appropriation of funds; providing an effective date.

Was taken up and read the second time by title. On motion by Senator de la Parte, the rules were waived and HB 5250 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5415—A bill to be entitled An act relating to counties 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 preceding federal census, fees and commissions to the clerk of the circuit court; providing that the clerk of the circuit court in each such county may accept checks for payment of fees, commissions or service charges; providing for deduction from his excess fees of any losses therefrom; authorizing county to recover any losses; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and HB 5415 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5416—A bill to be entitled An act relating to the Town of Kenneth City, Pinellas County, Florida, relating to its boundaries as provided in its Charter, House Bill 395, Session Law 1957, as amended; providing that the said boundaries of the said City are to be redefined as set out herein; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Deeb, the rules were waived and HB 5416 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5417—A bill to be entitled An act relating to Palm Beach county, providing that the county solicitor shall receive an equal salary to that of the lowest paid Judge of the Judicial Circuit Court in and for Palm Beach county; providing that the county solicitor shall be authorized to employ assistant county solicitors and investigators; providing that the county solicitor and his assistants shall not engage in the private practice of law during their tenure of office; providing for the authorization of certain expenditures, including compensation of experts utilized in the investigation and preparation of criminal cases and educational projects directly related to criminal law problems; providing for the repeal of Chapter 69-626, Laws of 1969, providing effective date.

Was taken up and read the second time by title. On motion by Senator Bafalis, the rules were waived and HB 5417 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5418—A bill to be entitled An act relating to constables and justices of the peace in Madison County; providing for salaries and expenses; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Bishop, the rules were waived and HB 5418 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5419—A bill to be entitled An act relating to Madison County; providing for reduction of justice of peace districts; providing referendum approval; providing boundaries for districts upon reduction; providing for referendum to abolish justice of peace districts; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Bishop, the rules were waived and HB 5419 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5421—A bill to be entitled An act relating to Broward County; providing for purchase by sheriff and district school board of canned fruits, vegetables, meat and poultry processed by the division of corrections; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Bell, the rules were waived and HB 5421 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5422—A bill to be entitled An act to amend section 44.12 of chapter 69-403, laws of Florida, general laws, 1969, to provide that the salary of the county judges of Broward County shall be increased to twenty four thousand five hundred dollars (\$24,500) per year; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Weber, the rules were waived and HB 5422 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan
Askew	Deeb	Johnson
Bafalis	de la Parte	Karl
Barron	Ducker	Knopke
Barrow	Fincher	Lane
Beaufort	Friday	McClain
Bell	Gong	Myers
Bishop	Gunter	Poston
Boyd	Haverfield	Reuter
Broxson	Henderson	Saunders

Shevin
Slade
Stolzenburg
Thomas
Trask
Weber
Weissenborn
Williams
Young

Stolzenburg	Trask
Thomas	Weber

Weissenborn	Young
Williams	

HB 5371—A bill to be entitled An act relating to alcoholic beverage licenses 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; providing that the limitation as to the number of alcoholic beverage licenses as provided by section 561.20(1), Florida Statutes, shall not prohibit issuance of such licenses to bona fide restaurants fulfilling certain requirements; providing an effective date.

Consideration of HB 4347 was deferred, the bill retaining its place on the Calendar.

HB 5428—A bill to be entitled An act relating to Hollywood Reclamation District incorporated by Chapter 67-904, General Laws of Florida, 1967; providing for the subsequent annexation of certain lands; providing for the subsequent amendment to Section 8 of said act to include the lands if annexed within the boundaries of Hollywood Reclamation District and subjecting all of said lands to the provisions of Chapter 67-904, General Laws of Florida, 1967; providing for a referendum; and providing for an effective date.

Was taken up and read the second time by title. On motion by Senator Stolzenburg, the rules were waived and HB 5428 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and HB 5371 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Mr. President	Daniel	Hollahan
Askew	Deeb	Johnson
Bafalis	de la Parte	Karl
Barron	Ducker	Knopke
Barrow	Fincher	Lane
Beaufort	Friday	McClain
Bell	Gong	Myers
Bishop	Gunter	Poston
Boyd	Haverfield	Reuter
Broxson	Henderson	Saunders

Shevin
Slade
Stolzenburg
Thomas
Trask
Weber
Weissenborn
Williams
Young

HB 5369—A bill to be entitled An act relating to Polk county, alcoholic beverage licenses; limiting the number of licenses for the sale of intoxicating beverages within Polk county to one license for each four thousand population or major fraction thereof; excepting from the operation thereof licenses good throughout the state and other non-quota licenses for clubs, hotels, motels and restaurants; providing that the number of licenses now authorized shall not be reduced hereby; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and HB 5369 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

HB 5429—A bill to be entitled An act relating to Broward County; amending Chapter 27438, Laws of Florida, Special Acts, 1951, as amended, relating to the North Broward Hospital District, amending Section 2 of Chapter 27438, Laws of Florida, 1951, as amended, to realign and redefine the boundaries of the subdistricts of said North Broward Hospital District with the proviso that by said realignment and redefinition of boundaries that the terms and commissions of the Commissioners of the North Broward Hospital District serving said District at the time this act becomes law shall not be shortened or otherwise affected; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Weber, the rules were waived and HB 5429 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5252—A bill to be entitled An act relating to Pinellas County, Florida; providing that the county Tax Collector shall pay proportionately to certain municipalities in the county and to the county, library funds collected pursuant to the 1964 assessment, as provided by law; providing an effective date.

Was taken up and read the second time by title.

The Committee on Rules and Calendar offered the following amendment which was adopted on motion by Senator Deeb:

In Section 1, lines 14 and 15, page 1, strike "as provided in paragraph (4) of Chapter 150.08, Florida Statutes, the" and before the word tax collector insert "the"

The Committee on Rules and Calendar offered the following amendment which was adopted on motion by Senator Deeb:

In Section 1, line 2, page 2, strike the period and insert, provided, however, that the Pinellas County commission shall provide from the funds \$25,000.00 (twenty-five thousand dollars) to fund the library in the Seminole area of Pinellas County.

On motion by Senator Deeb, the rules were waived and HB 5252 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan
Askew	Deeb	Johnson
Bafalis	de la Parte	Karl
Barron	Ducker	Knopke
Barrow	Fincher	Lane
Beaufort	Friday	McClain
Bell	Gong	Myers
Bishop	Gunter	Poston
Boyd	Haverfield	Reuter
Broxson	Henderson	Saunders

Shevin
Slade
Stolzenburg
Thomas
Trask
Weber
Weissenborn
Williams
Young

HB 5393—A bill to be entitled An act relating to the Court of Record in and for Manatee County, Florida; amending Section 20 of Chapter 68-79, Laws of Florida; prescribing the criminal jurisdiction of the court.

Was taken up and read the second time by title. On motion by Senator Boyd, the rules were waived and HB 5393 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Boyd	Gong	Lane
Askew	Broxson	Gunter	McClain
Bafalis	Daniel	Haverfield	Myers
Barron	Deeb	Henderson	Poston
Barrow	de la Parte	Hollahan	Reuter
Beaufort	Ducker	Johnson	Saunders
Bell	Fincher	Karl	Shevin
Bishop	Friday	Knopke	Slade

Mr. President	Bafalis	Barrow	Bell
Askew	Barron	Beaufort	Bishop

Boyd	Gong	Lane	Stolzenburg
Broxson	Gunter	McClain	Thomas
Daniel	Haverfield	Myers	Trask
Deeb	Henderson	Poston	Weber
de la Parte	Hollahan	Reuter	Weissenborn
Ducker	Johnson	Saunders	Williams
Fincher	Karl	Shevin	Young
Friday	Knopke	Slade	

Gong	Karl	Reuter	Trask
Gunter	Knopke	Saunders	Weber
Haverfield	Lane	Shevin	Weissenborn
Henderson	McClain	Slade	Williams
Hollahan	Myers	Stolzenburg	Young
Johnson	Poston	Thomas	

HB 5379—A bill to be entitled An act authorizing the cities of Kissimmee and St. Cloud, Florida, to jointly construct, acquire, own, improve and extend, operate and maintain facilities for the production and distribution of electrical energy; authorizing said cities to enter into contracts relating thereto under such terms and conditions and for such periods as may be mutually agreed upon; authorizing such cities to finance the cost of such electric facilities by the issuance of revenue bonds payable from the revenues derived from the electric systems of said cities or from combined utilities systems of said cities which includes the electric system of said cities; providing for the terms and conditions of said revenue bonds and the rights, securities and remedies of the holders thereof; providing for alternative methods of financing such electric facilities, including the issuance of general obligation bonds, and providing when this act shall take effect.

Was taken up and read the second time by title.

The Committee on Rules and Calendar offered the following amendment which was adopted on motion by Senator Trask:

In Section 14, page 13, strike the entire Section 14 and renumber the remaining sections.

On motion by Senator Trask, the rules were waived and HB 5379 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 3761—A bill to be entitled An act relating to professional negotiations for firemen in Pinellas county; defining certain terms; establishing the right to organize and bargain collectively; providing for recognition of bargaining agents; providing for arbitration of disputes by an arbitration board; providing for composition of hearings by and expenses of the board; providing that the decisions of the board shall be advisory; defining collective bargaining contract; providing that firemen under the act shall not strike; providing for requests for collective bargaining; providing a savings clause; repealing conflicting laws; providing an effective date.

Was taken up and read the second time by title.

Senator Deeb offered the following amendment which was adopted:

In Section 3, line 19, page 2, strike: all of lines 19 through 27 and insert: Notwithstanding any other law to the contrary, nothing shall prohibit any political subdivision of this county from entering into an agreement to bargain collectively with the firefighters of such subdivision and have such firefighters be represented by a vocational organization in the collective bargaining as to wages, rates of pay, hours, working conditions and all other terms and conditions of employment. No firefighter shall be required to be a member of a vocational organization as a requirement for work or any other purpose.

On motion by Senator Deeb, the rules were waived and HB 3761 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Barrow	Boyd	de la Parte
Askew	Beaufort	Broxson	Ducker
Bafalis	Bell	Daniel	Fincher
Barron	Bishop	Deeb	Friday

HB 5214—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 for said provisions.

Was taken up and read the second time by title. On motion by Senator Deeb, the rules were waived and HB 5214 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5278—A bill to be entitled An act relating to Pinellas County; providing that all dogs while at places other than the property of the owner be controlled by a leash or be in complete voice control of the owner or his agent; providing for impounding of dogs running at large; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Deeb, the rules were waived and HB 5278 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 5282 was deferred, the bill retaining its place on the Calendar.

HB 5281—A bill to be entitled An act relating to Pinellas County amending sections 4, 5, and 9, Special Acts of Florida, 1967, Chapter 67-1925; providing that the cost of license certificates and license tags is to be determined by the board of county commissioners; providing that certificates and tags are to be issued by shelter manager or other agent appointed by the board of county commissioners; providing that dogs or other animals may be redeemed upon payment of board and handling costs at a cost established by the board of county commissioners; prohibiting disposition of dogs for vivisection or experimental purposes; providing for the repeal of chapter 962, General Laws of Florida, 1963, Chapter 17-85, Special Acts of Florida, 1963, and any other conflicting laws; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Deeb, the rules were waived and HB 5281 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Boyd	Gong	Lane
Askew	Broxson	Gunter	McClain
Bafalis	Daniel	Haverfield	Myers
Barron	Deeb	Henderson	Poston
Barrow	de la Parte	Hollahan	Reuter
Beaufort	Ducker	Johnson	Saunders
Bell	Fincher	Karl	Shevin
Bishop	Friday	Knopke	Slade

Stolzenburg Trask Weissenborn Young
Thomas Weber Williams

HB 5058—A bill to be entitled An act relating to alcoholic beverage licenses; authorizing one (1) additional club beverage license in Pinellas County to be issued under the authority of subsection (11) of Section 561.34 Florida Statutes, to the Veterans of Foreign Wars, Old Fort Harrison Post No. 2473; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Deeb, the rules were waived and HB 5058 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

Mr. President	Daniel	Johnson	Slade
Askew	Deeb	Karl	Stolzenburg
Bafalis	de la Parte	Knopke	Thomas
Barron	Ducker	Lane	Trask
Barrow	Fincher	McClain	Weber
Beaufort	Friday	Myers	Weissenborn
Bell	Gong	Poston	Williams
Bishop	Haverfield	Reuter	Young
Boyd	Henderson	Saunders	
Broxson	Hollahan	Shevin	

Nays—2

Gunter Wilson

Consideration of HB 5279 was deferred, the bill retaining its place on the Calendar.

HB 5432—A bill to be entitled An act relating to Brevard County government study commission; prescribing its duties and powers; providing for the appointment of its members; providing an appropriation; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Reuter, the rules were waived and HB 5432 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 4635—A bill to be entitled An act relating to Hillsborough County; continuing the powers, duties and functions of the Hillsborough home rule charter commission; providing for termination of its existence; providing for the appropriation of funds from Hillsborough County for the use of said charter commission in carrying out its duties, functions and responsibilities; providing for it to sue and to be sued; providing for it to intervene in litigation concerning the proposed charter; providing an effective date.

Was taken up and read the second time by title. On motion by Senator de la Parte, the rules were waived and HB 4635 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5059—A bill to be entitled An act relating to Volusia County; providing for the regulation of activities in the salt waters of Volusia County; providing that described inland salt waters thereof shall be a reservation for the protection and

propagation of fish of all kinds; regulating the taking of certain fish by specific methods in described areas of the salt waters of the county; restricting the taking of sea turtles or their eggs; regulating the taking of shrimp; limiting the taking of oysters; regulating the taking of crabs; making violation a misdemeanor; repealing chapter 67-2159, Laws of Florida, and other laws in conflict with this act; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Daniel, the rules were waived and HB 5059 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5330—A bill to be entitled An act to abolish the present municipality of the City of DeLand in Volusia County, Florida; to incorporate, create and establish a new municipality to be known as the City of DeLand in Volusia County, Florida; to fix its boundaries and corporate limits; to provide for its government, powers, privileges and immunities, and the means of exercising the same; to repeal all laws in conflict herewith.

Was taken up.

On motion by Senator Daniel, the rules were waived and HB 5330 was read the second time by title.

Senator Karl offered the following amendment which was adopted:

In Section 3, subsection (29), line 11, page 12, strike “;” and insert pursuant to Chapter 253, Florida Statutes;

Senator Karl offered the following amendment which was adopted:

In Section 3, subsection (31), line 25, page 12, strike “;” and insert in accordance with the general laws of Florida;

Senator Karl offered the following amendment which was adopted:

In Section 76, line 25, page 62, strike all of lines 25 through 31 and insert: manner provided by law, and two (2) members of the City Commission of the City of DeLand shall sit with the board of tax adjustment for Volusia County, Florida, and with said board of tax adjustment constitute the board of tax adjustment for the review and equalization of assessments, hear complaints against denials of homestead exemption by the tax assessor, and hear applications for exemptions from ad valorem taxation, for all property situated within the corporate boundaries of the City of DeLand, pursuant to general law pertaining to boards of tax adjustment. Upon review and equalization of such

On motion by Senator Daniel, the rules were waived and HB 5330 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5341—A bill to be entitled An act relating to Gulf County; providing for an additional beverage license in such county, to be issued to St. Joseph Bay Country Club, Inc.; providing an effective date.

Was taken up. On motions by Senator Bishop, the rules were waived and HB 5341 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Was taken up. On motions by Senator de la Parte, the rules were waived and HB 5389 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5362—A bill to be entitled An act relating to Indian River County, Sebastian River drainage district; providing for the levy, collection, and enforcement of installment and maintenance taxes by said district at the same time and in like manner as county taxes; providing that said taxes shall be extended by the county tax assessor on the county tax roll, and shall be collected by the tax collector in the same manner and time as county taxes; providing for the same discounts and penalties as county taxes; providing for the compensation of the tax assessor and tax collector; providing that district taxes shall be a lien on lands against which taxes are levied of equal dignity with county and other taxes; providing an effective date.

Was taken up. On motions by Senator Reuter, the rules were waived and HB 5362 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5402—A bill to be entitled An act establishing the Clearwater downtown development board as a body corporate; prescribing the boundaries of the downtown area, and for method of changing those boundaries; prescribing the number, qualifications, term and methods of election and removal of members; providing for filling vacancies in office, for service without compensation, for reimbursement of expenses, for bonding, and for personal liability in certain instances; providing for bylaws and internal governance of the board, prescribing its functions and powers; including powers to acquire, own, lease and dispose of property; to issue, sell and provide security for revenue certificates, to borrow on short term, to fix, regulate and collect rates and charges, to maintain offices, to employ and prescribe the duties, authority, tenure, compensation and expense reimbursement of a director and other staff, and to exercise all necessary incidental powers; prescribing for the county to levy in each fiscal year an ad valorem property tax of not more than one mill on non homestead property to finance board operations; providing for assessment and collection thereof by the county; requiring maintenance of records; budget and fiscal control; forbidding participation on behalf of the board by personnel financially interested in the matter involved; regulating issuance of board revenue certificates and providing for validations of bonds; providing for succession by the City to the property and certain functions of the board if it ceases to exist or operate; providing for a freeholders election; prescribing scope of this act, specifying policy as to who is eligible voter and clarify intent as to millage limitation; and providing for its liberal construction, severability and effective date.

Was taken up. On motion by Senator Deeb, the rules were waived and HB 5402 was read the second time by title.

Senator Deeb offered the following amendment which was adopted:

In Section 17, line 21, page 22, strike all of Section 17 and insert:

Section 17. This act shall become effective only when the same shall be approved by a majority of the votes cast by the qualified electors of the city of Clearwater at the next primary or general election.

On motion by Senator Deeb, the rules were waived and HB 5402 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

HB 5363—A bill to be entitled An act relating to Brevard County, club alcoholic beverage licenses; excepting Columbus Club of Brevard County, Inc., Brevard County, from the provisions of section 561.20(6), Florida Statutes, as the same relates to the number of such licenses that may be issued in Brevard County; excepting said club from the provisions of any other laws of general, special, or local nature of the state; relating to the number of such licenses to be issued in Brevard County; providing an effective date.

Was taken up. On motions by Senator Reuter, the rules were waived and HB 5363 was read the second time by title, the third time by title, passed and certified to the House. The vote was:

Yeas—39

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Nays—1

Wilson

HB 5389—A bill to be entitled An act relating to Hillsborough County Hospital and Welfare Board; amending chapter 63-1402, Laws of Florida, as amended, by adding a section 7A. thereto; providing that the request for additional tax on all taxable property in the county not exceeding one(1) mill per annum for renovating, constructing, equipping, repairing and enlarging facilities of the board is for a municipal purpose and is to be in addition to all other millage requested by the board; providing an effective date.

HB 5410—A bill to be entitled An act relating to Manatee County, commercial fishing; amending sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Chapter 67-1685, Laws of Florida; defining terms; regulating fishing and closing certain inland waters of Manatee County to commercial fishing and netting and making an exception thereto; regulating the bag limits or number of fish in possession thereon; providing that any person so fishing upon said inland waters is deemed to have given his consent for inspection to any law enforcement officer; providing for confiscation and disposition of certain illegal devices and

declaring them a nuisance; making a violation of this act a misdemeanor; declaring fishing in such waters to be a privilege and not a right subject to regulation by the state and stating the legislature's intent of this act; providing for severability in the event any part of this act is held to be unconstitutional; prohibiting the use of nets in any manner so as to block the opening of any waterway; authorizing the Board of County Commissioners to regulate the taking of finfish within all the waters of Manatee County and in connection therewith to adopt such reasonable rules and regulations as are necessary to fulfill this purpose; repealing all laws in conflict with this act; providing an effective date.

Was taken up. On motions by Senator Boyd, the rules were waived and HB 5410 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5414—A bill to be entitled An act relating to Polk county, public works; authorizing the board of county commissioners to purchase, acquire, construct, improve, repair, equip, maintain and remodel lands, buildings and personal property; authorizing the board to issue revenue certificates for payment thereof; providing for payment of principal and interest from pari-mutuel pool taxes and cigarette and other tobacco taxes accruing annually to said board; providing method for issuance and limitations upon said certificates; covenanting not to impair the rights of the holders of the certificates; providing an effective date.

Was taken up. On motions by Senator Trask, the rules were waived and HB 5414 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 5424 was deferred, the bill retaining its place on the Calendar.

HB 5426—A bill to be entitled An act relating to Marion County, Florida; providing for the creation of fire control districts by the board of county commissioners when approved in an election of freeholders of said district; providing for the levying of taxes for the payment of costs and expenses; providing for a district board to administer said districts; prescribing duties, authority, and functions of said board; determining that establishment and maintenance of said districts confers special benefits on lands within said districts for which ad valorem taxes may be assessed and collected; providing for allowance of contracts between districts and municipalities; providing an effective date.

Was taken up. On motions by Senator Williams, the rules were waived and HB 5426 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Boyd	Gong	Lane
Askew	Broxson	Gunter	McClain
Bafalis	Daniel	Haverfield	Myers
Barron	Deeb	Henderson	Poston
Barrow	de la Parte	Hollahan	Reuter
Beaufort	Ducker	Johnson	Saunders
Bell	Fincher	Karl	Shevin
Bishop	Friday	Knopke	Slade

Stolzenburg	Trask	Weissenborn	Young
Thomas	Weber	Williams	

HB 5430—A bill to be entitled An act amending Chapter 69-1319, Laws of Florida, relating to the North Key Largo Development District Act; eliminating personal property from property subject to the taxing authority of the District; providing a discount for early payment of taxes; conforming the delinquent date for taxes to general law; providing fees for the tax collector and tax assessor; and authorizing freeholders to vote the imposition of millage; providing an effective date.

Was taken up. On motions by Senator Bell, the rules were waived and HB 5430 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5431—A bill to be entitled An act relating to Manatee County; amending sections 1, 2, 3, 4, 5, 6, 7, and 8 of chapter 63-1585, Laws of Florida, as amended; regulating fishing and closing certain inland waters of Manatee County to commercial fishing; defining terms; closing certain inland waters of Manatee County to net fishing; providing exceptions; making the possession of nets upon such waters unlawful; regulating the number of fish in possession thereon; providing that any person so fishing upon said inland waters is deemed to have given his consent for inspection to any law enforcement officer; providing for confiscation of certain illegal devices and declaring them a nuisance and providing for the disposition of such illegal devices; declaring fishing in such waters to be a privilege and not a right, and subject to regulation by the state; stating legislative intent; providing an effective date.

Was taken up. On motions by Senator Boyd, the rules were waived and HB 5431 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 5435 was deferred, the bill retaining its place on the Calendar.

HB 5436—A bill to be entitled An act relating to Pinellas County; providing municipalities with power to construct, improve and maintain water, gas, electric and sewer service outside municipal boundaries; providing for the assessment of cost against abutting property owners; providing a limitation on charges for the service provided; providing an effective date.

Was taken up. On motion by Senator Deeb, the rules were waived and HB 5436 was read the second time by title.

Senator Deeb offered the following amendment which was adopted:

On page 1, strike: all after the enacting clause and insert:

Section 1. Any municipality in Pinellas County is hereby authorized and granted the power to install, improve and maintain water or sewer lines and facilities outside the boundaries of such municipality and to assess the abutting property so benefited by such facilities under the following conditions:

(1) When the municipality receives a petition requesting such water or sewer service signed by at least fifty percent (50%) of the property owners within a given unincorporated geographic area; or

(2) When the Florida Division of Health shall officially notify the municipality that a health hazard exists within a given unincorporated geographic area that is hazardous to the municipality as determined by a field survey and appropriate tests of the state Division of Health.

Section 2. Upon receiving said petition or the written official report of the state Division of Health, the government body of the municipality shall, by resolution, declare its intention to hold a public hearing to determine the need and necessity to construct water or sanitary sewer lines and facilities in said geographic area. Notice of the hearing shall be published in a newspaper primarily serving the municipality and published in the county once a week for at least two (2) weeks; the first publication of the notice to be not less than ten (10) days prior to the hearing provided for in the notice. In addition, the municipality shall send written notice to all property owners within said geographic unincorporated area as determined by the current Pinellas County tax roll at least ten (10) days before the scheduled hearing. The notice shall require all persons interested to show cause why said water or sewer lines and facilities should not be constructed. If at the time designated in the notice no objections are filed with the Clerk of the municipality, or after public hearing, the governing body of the municipality deems the objections made are insufficient, then said governing body shall by resolution order the water or sanitary sewer lines and facilities constructed in accordance with plans and specifications therefor to be kept on file in the office of the Clerk for the municipality.

Section 3. After completion of construction of the water or sewer lines and facilities, the municipality shall assess the actual costs thereof against the property abutting said water or sewer lines and facilities and said costs shall be itemized and subject to audit. If the assessments are not paid within thirty (30) days from the making thereof, the municipality may at any time thereafter issue certificates of indebtedness against the abutting property for such assessment or such part thereof as is unpaid, said certificates to be payable in not more than ten (10) equal annual installments and shall bear interest at a rate not to exceed eight percent (8%) per annum until paid, interest payable annually, which said certificates shall constitute and be a prior lien to all other liens, except the lien for taxes. The method of collecting said assessments and processing said certificates shall be in accordance with similar improvements within the corporate limits of the municipality.

Section 4. The municipality may charge and collect reasonable rates, prices and compensation for the service provided outside the boundaries of the municipality; provided, however, that the price or rate charged shall be no more than fifty percent (50%) higher than is charged for a like class of service to a like class of consumers or users within the municipal boundaries.

Section 5. Should any part or provision of this act be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this act as a whole or any part thereof other than the part declared to be invalid.

Section 6. All laws or parts of laws in conflict herewith are hereby repealed.

Section 7. This act shall take effect October 1, 1970.

Senator Deeb offered the following amendment which was adopted:

In Title, line 8, page 1, strike lines 7 and 8 and insert: and sewer service outside municipal boundaries; providing for public hearing; providing for the

On motion by Senator Deeb, the rules were waived and HB 5436 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Bell	de la Parte	Haverfield
Askew	Bishop	Ducker	Henderson
Bafalis	Boyd	Fincher	Hollahan
Barron	Broxson	Friday	Johnson
Barrow	Daniel	Gong	Karl
Beaufort	Deeb	Gunter	Knopke

Lane	Reuter	Stolzenburg	Weissenborn
McClain	Saunders	Thomas	Williams
Myers	Shevin	Trask	Young
Poston	Slade	Weber	

HB 5442—A bill to be entitled An act relating to Walton County; authorizing the Board of County Commissioners to grant garbage collection franchises and designate districts; describing procedures and requirements for the issuing of a franchise; authorizing the Board to set rates; setting rules and regulations; authorizing the Board to operate a garbage collection system; providing for the firms damaged by the operation of a county garbage collection system; authorizing the establishment of sanitary land fill program; prohibiting the disposal of garbage except within the rules and regulations of the state and county boards of health; authorizing the board to contract with any municipality of the county for collection of garbage, to have exclusive control and jurisdiction of all garbage collection and disposal, and to fix and collect rates, fees, and other charges for the use of county sanitary land fills; providing a penalty; providing the levy of a tax of one half (1/2) mill for the financing of said program; providing for a referendum, providing for an effective date.

Was taken up. On motions by Senator Barrow, the rules were waived and HB 5442 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5443—A bill to be entitled An act relating to Walton County, repealing all special acts which provide for the distribution of certain of race track funds to the Trustees of the Walton County Curb Market, providing that said funds shall henceforth be administered by the board of County Commissioners of Walton County, Florida; providing an effective date.

Was taken up. On motions by Senator Barrow, the rules were waived and HB 5443 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5445—A bill to be entitled An act relating to all counties of the state having a population of not less than nineteen thousand eight hundred (19,800) nor more than twenty-one thousand (21,000) according to the latest official decennial census; authorizing the hospital authority in any such county to issue revenue bonds at an interest rate not to exceed eight percent (8%) per annum; providing an effective date.

Was taken up. On motions by Senator Bishop, the rules were waived and HB 5445 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5446—A bill to be entitled An act relating to the City of Orlando; repealing chapter 69-1390, Laws of Florida; providing that said chapter 69-1390, which establishes an Orlando downtown development board as a body corporate, shall be repealed in its entirety; providing an effective date.

Was taken up. On motions by Senator Ducker, the rules were waived and HB 5446 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5447—A bill to be entitled An act relating to the City of Ocoee; amending Chapter 69-1359, Laws of Florida; contracting and re-defining the corporate boundaries of the City of Ocoee; providing for an effective date.

Was taken up. On motions by Senator Gunter, the rules were waived and HB 5447 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5448—A bill to be entitled An act relating to the City of Ocoee; adopting and re-affirming the charter of the City of Ocoee, as set forth in Chapter 69-1359, Laws of Florida, as amended; providing for a referendum.

Was taken up. On motions by Senator Ducker, the rules were waived and HB 5448 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 5449 was deferred, the bill retaining its place on the Calendar.

HB 5450—A bill to be entitled An act providing the additional authority for the city of St. Cloud to extend its city limits and annex additional territory to the city.

Was taken up. On motions by Senator Trask, the rules were waived and HB 5450 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5452—A bill to be entitled An act relating to Indian River County, special improvement service districts; amending Sections 1(a) and 2(f), (g); introductory paragraph, subsections (a), (c) and (e) of Section 3; and Sections 4 and 6 of Chapter 61-2277, Laws of Florida, adding wells and treatment facilities to definition of water systems; changing references to Ninth Judicial Circuit to Nineteenth Judicial Circuit; authorizing creation of districts by resolution of the Board of County Commissioners; decreasing the percentage of qualified electors who may petition for creation of a district; requiring the Supervisor of Elections to verify the names of electors on petitions within a certain time; allowing publication of notice in newspapers other than daily newspapers; amending Chapter 61-2277, Laws of Florida, by adding Section 12A authorizing the Board of County Commissioners to appoint a Board of Governors for a district; providing an effective date.

Was taken up. On motions by Senator Reuter, the rules were waived and HB 5452 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5453—A bill to be entitled An act relating to the Melbourne—Tillman Drainage District in Brevard County; providing for the duties of the Brevard County Tax Assessor and the Brevard County Tax Collector; the levy, collection and enforcement of all taxes levied by said district at the same time and in like manner as county taxes; same discount and penalty as county taxes; method of tax certificate sale and redemption; bond of the Tax Collector; fees of the Assessor and Collector; providing that the act shall take precedence over any conflicting law to the extent of such conflict; providing an effective date.

Was taken up. On motions by Senator Reuter, the rules were waived and HB 5453 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5454—A bill to be entitled An act relating to Indian River County; prohibiting the capture of porpoises in Indian River County; providing exceptions; providing that violation is a misdemeanor; providing an effective date.

Was taken up. On motions by Senator Reuter, the rules were waived and HB 5454 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5455—A bill to be entitled An act relating to Monroe County, mosquito control district; amending section 13 of chapter 67-1726, Laws of Florida; providing an increase in millage from one (1) mill to one and one half (1½) mills on the dollar of taxable property in said district by the board of commissioners of the district; providing for a referendum.

Was taken up. On motions by Senator Stolzenburg, the rules were waived and HB 5455 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 5456 was deferred, the bill retaining its place on the Calendar.

HB 5457—A bill to be entitled An act relating to Winter Haven, Polk County; establishing the Winter Haven Downtown Development Board as a body corporate; prescribing its boundaries of the downtown area; prescribing the number, qualifications, term and methods of appointment and removal of members; providing for filling vacancies in office, for service without compensation, for reimbursement of expenses, for bonding and for personal liability in certain instances; providing for by-laws and internal government of board; prescribing its functions and powers, including powers to acquire, own, lease and dispose of property; to request the City of Winter Haven to exercise its eminent domain power for public purposes; to issue, sell and provide security for revenue certificates; to borrow on short term; to fix, regulate, and collect rates and charges; to maintain offices; to employ and prescribe the duties, authority, tenure, compensation and expense reimbursement of a director and other staff, and to exercise all necessary incidental powers; providing for the city to levy in each fiscal year an ad valorem property tax of not more than two and one half (2 1/2) mills to finance board operations; providing for assessment and collection thereof by the city; requiring maintenance of records, budget and fiscal control; forbidding participation on behalf of the board by personnel financially interested in the matter involved; providing for succession by the city to the property and certain functions of the board if it ceases to exist or operate; regulating issuance of board revenue certificates; prescribing scope of this act; providing for a freeholders election; providing for liberal construction; providing an effective date.

Was taken up. On motions by Senator Trask, the rules were waived and HB 5457 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 5458 was deferred, the bill retaining its place on the Calendar.

HB 5461—A bill to be entitled An act relating to Hillsborough County; providing for the transfer of Gordon Keller School of Nursing from the Hillsborough County Hospital and Welfare Board to Hillsborough Junior College; providing for the transfer of contracts and other obligations; providing an effective date.

Was taken up. On motions by Senator de la Parte, the rules were waived and HB 5461 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Bishop	Fincher	Johnson
Askew	Boyd	Friday	Karl
Bafalis	Broxson	Gong	Knopke
Barron	Daniel	Gunter	Lane
Barrow	Deeb	Haverfield	McClain
Beaufort	de la Parte	Henderson	Myers
Bell	Ducker	Hollahan	Poston

Reuter	Slade	Trask	Williams
Saunders	Stolzenburg	Weber	Young
Shevin	Thomas	Weissenborn	

HB 5462—A bill to be entitled An act relating to Hillsborough County, voter registration; providing that section 98.081, Florida Statutes, shall be applicable to Hillsborough County; providing that Hillsborough County purge its voter registration rolls every two (2) years; providing an effective date.

Was taken up. On motions by Senator de la Parte, the rules were waived and HB 5462 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5463—A bill to be entitled An act relating to Escambia County; repealing chapter 29061, Special Acts of 1953 which is entitled; "An act providing that subparagraph numbered (2), entitled 'Bids', under section 237.02, Florida Statutes, 1951, shall no longer apply to Escambia County, Florida, or the board of public instruction of Escambia County, Florida, but in lieu thereof said board shall request bids as provided in subparagraph number (2), entitled 'Bids' of this act for any authorized purchase costing more than seven-hundred and fifty dollars; repealing all laws and parts of laws, whether general or special, in conflict with this act to the extent of such conflict."; providing an effective date.

Was taken up. On motions by Senator Askew, the rules were waived and HB 5463 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 5464 was deferred, the bill retaining its place on the Calendar.

HB 5465—A bill to be entitled An act relating to Pinellas County; providing for establishment of the Central Pinellas Transit Authority; providing purposes and powers of the authority for public transit systems in central Pinellas County; providing exemptions to the authority from regulation and taxation; providing special district ad valorem taxing after referendum; defining the transit area and providing for expansion; providing for a referendum.

Was taken up. On motions by Senator Deeb, the rules were waived and HB 5465 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5466—A bill to be entitled An act relating to the application of Florida Statute 849.06 to certain counties having a population of not less than 69,000 and not more than 70,000 according to the last decennial census; providing an effective date.

Was taken up. On motions by Senator Boyd, the rules were waived and HB 5466 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5469—A bill to be entitled An act relating to firemen and to the firemen's relief and pension fund of the City of Pensacola, Escambia County; amending subsection (e) of section 5 of chapter 63-1774, Laws of Florida, relating to transfer of funds; providing an effective date.

Was taken up. On motions by Senator Askew, the rules were waived and HB 5469 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5470—A bill to be entitled An act relating to Escambia County; authorizing, empowering and permitting the school board of Escambia County to provide for group life insurance for its public school teachers and its other professional employees, to enter into agreements with insurance companies to provide such insurance and to pay all or part of the premiums or charges for said life insurance out of any of its available funds; providing for an effective date.

Was taken up. On motions by Senator Askew, the rules were waived and HB 5470 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5471—A bill to be entitled An act relating to Walton County; providing that the county may pay out of available funds all or part of the premiums or charges for life insurance provided for its employees; providing an effective date.

Was taken up. On motions by Senator Barrow, the rules were waived and HB 5471 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5472—A bill to be entitled An act relating to the county solicitor of Escambia County; amending section 43.011(1), Florida Statutes, to provide for an additional assistant for such county solicitor; providing that said solicitor may also appoint additional assistants when the county is willing to pay their compensation; providing an effective date.

Was taken up. On motions by Senator Askew, the rules were waived and HB 5472 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5473—A bill to be entitled An act relating to the application of Florida Statute 849.06 to certain counties having a population of not less than 70,000 and not more than 74,200 according to the last decennial census; providing an effective date.

Was taken up. On motions by Senator Saunders, the rules were waived and HB 5473 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5478—A bill to be entitled An act relating to the City of Winter Haven, Polk County; amending the city charter of the City of Winter Haven as provided in chapter 57-1962, Laws of Florida, to change the description of the Greater Winter Haven area in section 1 thereof to enlarge said area (which said enlarged area includes common boundaries with the Cities of Auburndale and Lake Alfred) for the purposes of future expansion of the City of Winter Haven and for present planning and extraterritorial service purposes; repealing all laws or parts of laws, whether general or special, in conflict with this act to the extent of such conflict; providing an effective date.

Was taken up. On motions by Senator Trask, the rules were waived and HB 5478 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Consideration of HB 5479 was deferred, the bill retaining its place on the Calendar.

HB 5489—A bill to be entitled An act relating to the City of Tampa, Hillsborough County, general employees pension fund; amending section 5 of chapter 23559, Laws of Florida, 1945, as amended; providing for the establishment of a postretirement adjustment account; allowing for cost-of-living adjustment in benefits; providing an effective date.

Was taken up. On motions by Senator de la Parte, the rules

were waived and HB 5489 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 4884—A bill to be entitled An act relating to Indian reservations and affairs; amending section 285.11, Florida Statutes, to authorize leases of reservation land to Florida Indians for terms of twenty-five (25) years; providing for renewal of such leases; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Bell, the rules were waived and HB 4884 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 4753—A bill to be entitled An act relating to committing magistrates; amending section 901.01, Florida Statutes; providing that judges of courts created by home-rule charters shall be committing magistrates; providing an effective date.

Was taken up and read the second time by title.

The Committee on Rules and Calendar offered the following amendment which was adopted on motion by Senator Hollahan:

In Section 1, line 15, page 1, strike: "including all judges of courts created by home-rule charter counties which have five or less justices of the peace,"

The Committee on Rules and Calendar offered the following amendment which was adopted on motion by Senator Hollahan:

Section 1, line 29, page 1, insert the following after the word "produce.": Judges of Courts created by home-rule charter counties where there are five or less justice of the peace districts shall be empowered to sit as committing magistrates under this section as a supplement to or in lieu of a justice or justices of the peace of any district or districts when the senior circuit judge of the circuit wherein said justice district is located determines that to do so is convenient and necessary in the expeditious dispensing of criminal justice.

The Committee on Rules and Calendar offered the following amendment which was adopted on motion by Senator Hollahan:

In Title, line 6, page 1, strike: "providing that judges of courts created by home-rule charters shall be committing magistrates;" and insert the following: providing for circumstances where judges of courts created by home-rule charters may serve as committing magistrates;

On motion by Senator Hollahan, the rules were waived and HB 4753 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Bafalis	Barrow	Bell
Askew	Barron	Beaufort	Bishop

Boyd	Gong	Lane	Stolzenburg
Broxson	Gunter	McClain	Thomas
Daniel	Haverfield	Myers	Trask
Deeb	Henderson	Poston	Weber
de la Parte	Hollahan	Reuter	Weissenborn
Ducker	Johnson	Saunders	Williams
Fincher	Karl	Shevin	Young
Friday	Knopke	Slade	

Consideration of HB 5158 was deferred, the bill retaining its place on the Calendar.

HB 5370—A bill to be entitled An act relating to the City of Lakeland, Polk County; authorizing the city to issue ten million dollars (\$10,000,000) in hospital revenue bonds for capital improvements to Lakeland General Hospital; authorizing the pledge of gross revenues from the operation of Lakeland General Hospital by the municipal hospital board of the City of Lakeland, and the City of Lakeland, and the pledge of excise taxes or other funds of the City of Lakeland other than ad valorem taxes as security for the payment of such bonds; providing the terms and conditions for the issuance of said bonds and maximum interest rate thereon; authorizing various covenants and agreements for the rights and remedies of the holders of such bonds; repealing and amending any act in conflict with the provisions hereof; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and HB 5370 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

On motion by Senator Young, by two-thirds vote, SB 4727 was withdrawn from the Committee on Ways and Means and placed on the Calendar.

HB 4727—A bill to be entitled An act creating the Tampa Bay conservation and development study commission; prescribing the membership, appointment, powers, duties, and expiration of the commission; providing an effective date.

Was taken up and read the second time by title.

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

In Section 3, line 18, page 2, strike: all of subsection (1)(a), (b),(c) and (d) and insert:

(1) The Tampa Bay Conservation and Development Commission is hereby created. The commission shall consist of ten (10) members to be selected as follows:

(a) One (1) senator representing Hillsborough county to be selected by the senators representing Hillsborough county.

(b) One (1) senator representing Pinellas county to be selected by the senators representing Pinellas county.

(c) One (1) senator representing Manatee county.

(d) One (1) member of the house of representatives representing Hillsborough county to be selected by the members of the house of representatives representing Hillsborough county.

(e) One (1) member of the house of representatives representing Pinellas county to be selected by the members of the house of representatives representing Pinellas county.

(f) One (1) member of the house of representatives representing Manatee county to be selected by the members of the house of representatives representing Manatee county.

(g) One (1) member of the board of county commissioners from each of the respective boards of county commissioners for Hillsborough, Pinellas and Manatee counties to be appointed by the chairmen of the respective boards of county commissioners.

(h) The chairman of the Tampa Bay regional planning council.

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

In Section 3, line 25, page 3, strike "governor" and insert: the chairman of the Tampa Bay regional planning council

On motion by Senator Young, the rules were waived and HB 4727 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5043—A bill to be entitled An act authorizing and empowering the Hillsborough County, a Political Subdivision, to sell and convey its reversionary interest in and to the following described real estate, to wit: Lots 1 to 24, inclusive, Block 24, John H. Drew's Subdivision of North West Tampa, with the exception of the West 12.50 feet of Lots 12 and 13, Block 24, beginning at a point 12.50 feet East and 37.50 feet North of the Southwest corner of Lot 13, Block 24 of Subdivision, run thence southeasterly along the arc of a curve to the left 39.27 feet, radius 25.00 feet, lying Southwest of a chord whose length is 35.35 feet to a point 12.50 feet North and 37.50 feet East of the Southwest corner of said Lot 13, thence west parallel to the South boundary of said Lot 13 a distance of 25.00 feet, thence North parallel to the West boundary thereof 25.00 feet to the point of beginning, as per map or plat thereof recorded in Plat Book 4, page 73, of the public land records of Hillsborough County, Florida; RESERVING HOWEVER, the South twenty feet of lots 12 to 24, inclusive, of said Block 24 for public road purposes; Providing an effective date.

Was taken up and read the second time by title. On motion by Senator de la Parte, the rules were waived and HB 5043 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 5204—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; authorizing the city council to lease or sell the land known as Spring Park without referendum; providing for appraisal and notice of sale prior thereto; providing for sale to highest bidder at not less than appraised value; providing an effective date.

Was taken up and read the second time by title. On motion by Senator de la Parte, the rules were waived and HB 5204 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

On motion by Senator Thomas, by two-thirds vote, House Bills 3911 and 4379 were withdrawn from the Committee on Rules and Calendar and placed on the Local Calendar.

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

HB 3911—A bill to be entitled An act relating to Palm Beach County, Northwestern Palm Beach County Public Hospital District; providing that the district shall be exempt from the provisions of section 200.071 Florida Statutes, relating to the aggregate ad valorem tax millage of counties and special districts; taking effect immediately upon becoming a law.

—which was read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3911 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

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

HB 4379—A bill to be entitled An act relating to Northwestern Palm Beach County Public District, Southeastern Palm Beach County District and Southwestern Palm Beach County Public Hospital District; providing that the districts shall be exempt from the provisions of section 200.071 Florida Statutes, relating to the aggregate ad valorem tax millage of counties and special districts; providing an effective date.

—which was read the second time by title. On motion by Senator Thomas, the rules were waived and HB 4379 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

On motion by Senator Daniel, by two-thirds vote, SB 1493 was withdrawn from the Committee on Rules and Calendar and placed on the Local Calendar.

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

SB 1493—A bill to be entitled An act amending section 5, chapter 9820, laws of Florida, special acts of 1923, being the charter of the city of Leesburg, Florida, as amended by chapter 18656, section 1, special acts of 1937, chapter 29243, section 1, special acts of 1953, and chapter 57-1523, section 1, special acts of 1957; providing authority for the grant or extension of franchises for the operation of public utilities within the city and the manner of exercise of such authority; and authorizing regulation by the city commission of rates and charges of such public utilities, including those owned by the city, except as such rates and charges are regulated by any state agency under authority of general state law.

—which was read the second time by title. On motion by Senator Daniel, the rules were waived and SB 1493 was read the third time by title, passed and certified to the House. The vote was:

Yeas—39

Mr. President	Bell	de la Parte	Haverfield
Askew	Bishop	Ducker	Henderson
Bafalis	Boyd	Fincher	Hollahan
Barron	Broxson	Friday	Johnson
Barrow	Daniel	Gong	Knopke
Beaufort	Deeb	Gunter	Lane

McClain	Saunders	Thomas	Williams
Myers	Shevin	Trask	Wilson
Poston	Slade	Weber	Young
Reuter	Stolzenburg	Weissenborn	

Nays—1

Karl

HB 4182—A bill to be entitled An act relating to alcoholic beverage licenses in Duval County; providing for an additional beverage license for the American Legion Post, Number 197, Inc., of Jacksonville, Florida; providing for the waiver of the term of existence of the licensee; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4182 was read the third time by title, passed and certified to the House. The vote was:

Yeas—39

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Nays—1

Wilson

HB 4350—A bill to be entitled An act authorizing the judge of the municipal court of the City of Jacksonville Beach to issue search warrants to be executed within the territorial jurisdiction of said municipal court, and to regulate their issuance, service and return; providing penalties; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4350 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

HB 4348—A bill to be entitled An act relating to alcoholic beverage licenses in Duval County; providing for an additional beverage license for the Southside Lodge Number 2014 Benevolent and Protective Order of Elks of the United States of America, Inc., of Jacksonville, Florida; providing for the waiver of the term of existence of the licensee; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4348 was read the third time by title, passed and certified to the House. The vote was:

Yeas—39

Mr. President	Daniel	Hollahan	Shevin
Askew	Deeb	Johnson	Slade
Bafalis	de la Parte	Karl	Stolzenburg
Barron	Ducker	Knopke	Thomas
Barrow	Fincher	Lane	Trask
Beaufort	Friday	McClain	Weber
Bell	Gong	Myers	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	

Nays—1

Wilson

On motion by Senator Friday, it was agreed by two-thirds vote that when the Senate adjourns it adjourn to reconvene at 8:30 a.m., Friday, June 5, 1970.

By permission, Senator Reuter was recorded as a co-introducer of SB 328.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 6:39 p.m. to reconvene at 8:00 a.m., Friday, June 5, 1970.