

JOURNAL OF THE FLORIDA SENATE

Tuesday, May 4, 1971

The Senate was called to order by the President at 8:30 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 Senator Barrow—

SB 1113—A bill to be entitled An act relating to clerk of the circuit court; amending chapter 28, Florida Statutes, by adding section 28.001, designating the clerk as the clerk of the circuit court and county comptroller; adding section 28.002, requiring an annual budget; amending sections 28.17, 28.24(17) and adding new subsection (34), 28.241(1), all Florida Statutes; amending chapter 28, Florida Statutes, by adding section 28.33, authorizing acceptance of payment of charges by check; repealing sections 28.10, 28.11, 28.221(2)-(6), 28.26 and 28.27, all Florida Statutes; providing an effective date.

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

By Senator Bishop—

SB 1114—A bill to be entitled An act relating to trading stamps; creating Section 559.042, Florida Statutes, providing for an annual report to be filed with the comptroller by all trading stamp companies doing business in the state; providing for an annual gross issue tax of four percent (4%) on trading stamps; providing an effective date.

Was read the first time by title and referred to the Committees on Commerce and Ways and Means.

By Senator Bishop—

SB 1115-SF—A proposal to be entitled An act relating to retirement.

Was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

By Senators de la Parte and Bishop—

SB 1116—A bill to be entitled An act relating to trading stamps; amending Section 559.03, Florida Statutes, to require trading stamps to reflect the month and year of issuance; creating Section 559.051, Florida Statutes, to provide that trading stamps not redeemed within five (5) years shall belong to the state to be deposited in the general revenue fund; providing for records and enforcement; providing for credit for stamps subject to claim by the state; providing an effective date.

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

By Senator Weissenborn—

SB 1117—A bill to be entitled An act relating to condominiums; imposing a limitation of fees or charges for resale of condominium apartment units or for lease of an apartment unit in excess of one tenth of one percent of the value of such apartment or one percent of the annual rental of such apartment per year; providing an effective date.

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

By Senator Weissenborn—

SB 1118—A bill to be entitled An act relating to Florida Sunshine State Parkway; amending section 340.12(2), Florida Statutes, to require the operation at each service plaza of at least two service stations selling different brands of gasoline; providing that the leasing of food service rights shall be governed by the same rules as the fuel services are now under; providing an effective date.

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

By Senators Johnson (34th), Johnson (29th) and McClain—

SB 1119—A bill to be entitled An act relating to veterans and their dependents; adding subsection (4) to §240.052, Florida Statutes, as amended by chapter 70-51, Laws of Florida, to provide that such persons attending institutions in the state university system under the federal educational assistance acts shall have an extra sixty (60) days for payment of registration fees; providing an effective date.

Was read the first time by title and referred to the Committee on Universities and Community Colleges.

By Senators Johnson (34th) and McClain—

SB 1120—A bill to be entitled An act relating to relief under the soldiers and sailors civil relief act; requiring representation by the state attorney's office to any person in service or going into service who desire relief under the same; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil A.

By Senators Johnson (34th) and McClain—

SJR 1121—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution, relating to homestead exemption of veterans who have been disabled as the result of military service.

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

By Senators Johnson (34th) and McClain—

SB 1122—A bill to be entitled An act relating to recreation and parks; adding subsection (3) to §125.46, Florida Statutes, and adding subsection (3) to §592.072, Florida Statutes, to exempt exservicemen with fifty percent (50%) disability from the requirement of paying an admission fee for entry into any state or county park; providing an effective date.

Was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

By Senators Johnson (34th) and McClain—

SB 1123—A bill to be entitled An act relating to veterans; directing the division of veterans' affairs of the department of community affairs to study the feasibility of establishing a state veterans' nursing home; providing for a report to the legislature; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

By Senators Johnson (34th) and McClain—

SR 1124—A resolution creating a standing committee on veterans' affairs.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Johnson (34th), Johnson (29th) and McClain—

SB 1125—A bill to be entitled An act relating to corporations; creating §608.615, Florida Statutes, to prohibit the use of the words "veteran" or "veterans" in the name of any corporation except upon prior approval of the veterans' affairs advisory council; amending §608.67, Florida Statutes, to provide a penalty; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senators Johnson (34th) and McClain—

SB 1126—A bill to be entitled An act relating to game and fresh water fish; amending §372.57, Florida Statutes, as amended by chapter 70-26, Laws of Florida, to exempt veterans with ten percent (10%) disability from the requirement of

purchasing a fishing or hunting license; providing an effective date.

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

By Senators Johnson (34th) and McClain—

SB 1127—A bill to be entitled An act relating to veterans; creating §295.14, Florida Statutes, providing that the state shall pay a portion of the expense of transporting the body of an indigent veteran who dies in this state for burial in a national cemetery in this state; providing an effective date.

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

By Senators Johnson (34th) and McClain—

SB 1128—A bill to be entitled An act relating to scholarships for veterans' dependents; amending §295.01, Florida Statutes, to provide that scholarships shall be available for such dependents regardless of whether the parent entered the armed forces from this state; providing an effective date.

Was read the first time by title and referred to the Committees on Universities and Community Colleges and Ways and Means.

By Senator Reuter—

SB 1129—A bill to be entitled An act relating to milk and milk products; amending sections 502.061 (2) and (3), 502.062 (1), (2) and (3)(a) and 502.071 (1) and (2)(a) and (e) 5., Florida Statutes; providing standards and procedures for the control of excessive somatic cell counts in milk; providing sanitation standards for milk house; providing an effective date.

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

By Senator Reuter—

SB 1130—A bill to be entitled An act relating to filled milk and filled milk products; amending section 502.012 (31) (a), Florida Statutes, to define milk products; amending section 502.012, Florida Statutes, by adding subsection (49) to define filled milk or filled milk products; amending section 502.041 (2), Florida Statutes, by adding paragraph (e) to require labeling for filled milk and filled milk products; repealing section 502.151, Florida Statutes; providing an effective date.

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

By Senator Daniel—

SB 1131—A bill to be entitled An act relating to communications personnel, office furniture and equipment, records, functions and systems responsibilities and unexpended appropriations, allocations or other funds relating thereto; authorizing the department of administration to transfer any state agency's communications personnel, office furniture and equipment records, functions and systems responsibilities and any unexpended monies relating thereto to the division of communications as necessary to achieve effective and economical communications services in accordance with chapter 287, Florida Statutes; amending section 287.25, Florida Statutes, to provide that the division of communications of the department of general services shall receive said personnel, office furniture and equipment, records, functions and responsibilities and any unexpended monies relating thereto and proceed to consolidate the communications systems for all state agencies; providing an effective date.

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

By the Committee on Governmental Efficiency—

SB 1132—A bill to be entitled An act relating to the legislative service bureau, amending section 11.146, Florida Statutes; providing that the legislative service bureau furnish to each standing committee professional assistance as may be requisitioned by the committee; providing an effective date.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Boyd, Horne, Henderson and Fincher—

SB 1133—A bill to be entitled An act relating to compensation of tax assessors; amending §145.10, Florida Statutes, to provide for a formula for compensation based upon county population, total number of parcels on the tax roll, and the total value of all property on these rolls; providing an effective date.

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

By Senators Beaufort, Arnold and Brantley—

SB 1134—A bill to be entitled An act amending Chapter 61-2329, Laws of Florida; providing that the Jacksonville Area Planning Board shall be the planning agency for Jacksonville and certain other counties; providing that the Board shall be composed of nine (9) appointed voting members plus the Mayor and President of the Council of the City of Jacksonville in an ex officio, non-voting status; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1134.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Arnold, Brantley and Beaufort—

SB 1135—A bill to be entitled An act relating to the City of Jacksonville; amending chapter 61-2329, Laws of Florida, as amended by chapters 65-1490 and 67-1329, Laws of Florida; changing the name of the Jacksonville-Duval Area Planning Board to Jacksonville Area Planning Board; deleting all reference to the Board of County Commissioners of Duval County; correcting the name of the Duval County Board of Public Instruction to the Duval County School Board; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1135.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Scarborough—

SB 1136—A bill to be entitled An act amending chapter 67-1320, Laws of Florida, as amended, being the charter of the City of Jacksonville, by adding Article 28, creating the Jacksonville Downtown Development Authority, having the general function and purpose of planning, coordinating, and assisting in the implementation of the revitalization and redevelopment of the Jacksonville downtown area; providing for its membership, powers and duties; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1136.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Beaufort and Arnold—

SB 1137—A bill to be entitled An act relating to Chapter 63-1447, Laws of Florida, as amended by Chapter 67-1542, Laws of Florida, relating to the Jacksonville Port Authority; requiring the Jacksonville Port Authority to determine the amount of, and to pay Terminal Leave Pay Benefits to L. Q. Buie; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1137.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Scarborough—

SB 1138—A bill to be entitled An act relating to Section 6.06 of Chapter 67-1320, Laws of Florida; deleting paragraph (a) which provides for a chief administrative officer; deleting the letter designation of paragraph (b); providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1138.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Beaufort, Arnold and Brantley—

SB 1139—A bill to be entitled An act amending Article 25 of Chapter 67-1320, Laws of Florida, being the Charter of the City of Jacksonville, relating to annual ad valorem tax levies; providing for increase and decrease in millage by election; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1139.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Beaufort, Arnold and Brantley—

SB 1140—A bill to be entitled An act amending Article 12 of Chapter 67-1320, Laws of Florida, being the Charter of the City of Jacksonville; providing staggered terms of three (3) years for members of the Zoning Board and Building Codes Adjustment Board and a procedure for changing the terms of present board members; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1140.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Beaufort, Arnold and Brantley—

SB 1141—A bill to be entitled An act amending Section 3 of Chapter 61-2329, Laws of Florida; providing duties of the Area Planning Board; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1141.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Beaufort and Brantley—

SB 1142—A bill to be entitled An act amending the laws of the Jacksonville Port Authority, Chapter 63-1447, Laws of Florida, as amended, to provide the Mayor of Jacksonville the power of appointment of an additional or fourth member of the seven-member Authority; reducing the number of appointments to the board by the Governor from four to three; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1142.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Arnold and Brantley—

SB 1143—A bill to be entitled An act amending chapter 67-1320, Laws of Florida, as amended, being the charter of the City of Jacksonville, to authorize the council to provide for payment of reasonable per diem and travel expenses incurred in travel and other duties performed for public purposes by officials and employees of the consolidated government and its independent agencies, and candidates for such positions, and for payment of relocation expenses for new officials and employees thereof, subject to certain limitations; repealing section 5 of chapter 61-2329, Laws of Florida, as amended; amending section 5.04 of chapter 67-1320, Laws of Florida, as amended; amending section 3 of chapter 67-1569, Laws of Florida, as amended; amending section 349.03(2), Florida Statutes, as amended by chapter 70-381, Laws of Florida; amending section 1(c) of chapter 67-1447, Laws of Florida, as amended, and section 3 of chapter 70-751, Laws of Florida, all of which laws and portions thereof relate to the same subject; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1143.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Beaufort, Arnold and Brantley—

SB 1144—A bill to be entitled An act amending Sections 3 and 4 of Chapter 18610, Laws of Florida, Acts of 1937, entitled "An act providing for pensions for employees of the city of Jacksonville," as amended, so as to increase the amounts required to be paid into said fund and to authorize the trustees of the pension fund thereby created to invest a portion of the pension fund in corporation bonds, preferred stock and common stock upon certain conditions; and bonds and certificates of indebtedness of the Jacksonville Electric Authority; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1144.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Beaufort, Arnold and Brantley—

SB 1145—A bill to be entitled An act relating to the City of Jacksonville; amending article 12 of chapter 67-1320, Laws of Florida, and article 21 of said chapter, as amended by chapter 67-1535, Laws of Florida, being the Charter of the City of Jacksonville; creating a building codes adjustment board and describing its duties and powers; redefining the powers and duties of the zoning board; eliminating the zoning and building codes adjustment board; providing for review of decisions of the zoning board and the building codes adjustment board; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1145.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Scarborough—

SB 1146—A bill to be entitled An act relating to the career service system; amending §110.051(2) (j), Florida Statutes, relating to exemptions, by deleting the provision that the department of administration may set the salary of officers and employees of the judicial branch of government; providing an effective date.

Was read the first time by title and referred to the Committees on Governmental Efficiency and Personnel, Retirement and Claims.

By Senator Scarborough—

SB 1147—A bill to be entitled An act relating to the Florida retirement system; amending §2(15) of chapter 70-112, Laws of Florida, appearing as §121.021(15), Florida Statutes, 1970 Supplement, to include public defenders, their investigators and staff as special risk members of said system; providing an effective date.

Was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

By Senator Johnson (34th)—

SB 1148—A bill to be entitled An act relating to sick and emergency leave for school teachers; amending section 231.40(1)(b), Florida Statutes, providing for mandatory leave for school teachers for religious holidays and emergencies; providing an effective date.

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

By Senator Karl—

SCR 1149—A concurrent resolution commending the Stetson Model United States Senate to be held November 11, 12, 13 and 14, 1971, at Stetson University, DeLand, Florida.

Was read the first time in full and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Karl—

SB 1150—A bill to be entitled An act relating to the Florida retirement system; providing that any member of the Florida

retirement system who has served as a city or municipal judge may claim retirement credit for such judicial service; providing procedures and requirements relating to evidence to be given and amounts to be paid to the Florida retirement system in order to obtain such retirement credit; providing that the creditable service granted shall be credited as provided in §121.091(1), Florida Statutes, 1970 Supplement; providing an effective date.

Was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

By Senator Karl—

SB 1151—A bill to be entitled An act relating to the disposal of evidence; providing for the destruction or sale of certain items of physical evidence held in excess of ten (10) years in the custody of clerks of the circuit court or of any civil or criminal court of record; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil A.

By Senators Karl and Deeb—

SB 1152—A bill to be entitled An act relating to the practice of medicine; providing that any law, rule or regulation, of the state, that requires a person to be licensed to practice medicine, surgery or osteopathic medicine, shall be deemed to be satisfied by any person licensed under chapters 458 or 459, Florida Statutes, relating to medical and osteopathic physicians; providing for an exemption for the board of medical examiners and the state board of osteopathic medical examiners; providing an effective date.

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

By Senator Haverfield—

SB 1153—A bill to be entitled An act relating to junior colleges or community colleges; amending subsection (2) of section 230.754, Florida Statutes, by adding paragraph (g); giving the board of trustees authority to control and dispose of property; providing an effective date.

Was read the first time by title and referred to the Committee on Universities and Community Colleges.

By Senator Deeb—

SB 1154—A bill to be entitled An act relating to wages; repealing §215.19, Florida Statutes, which relates to the payment of prevailing wages to laborers, mechanics and apprentices employed on public works; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senator Brantley—

SB 1155—A bill to be entitled An act relating to educational television; amending subsection (1) of section 229.805, Florida Statutes; including radio within the scope of state policy; providing an effective date.

Was read the first time by title and referred to the Committee on Universities and Community Colleges.

By Senator Lewis (33rd)—

SB 1156—A bill to be entitled An act relating to land surveyors; amending §472.08, Florida Statutes, exempting professional engineers from provisions of chapter 472, Florida Statutes; amending §472.10, Florida Statutes, authorizing the board to revoke or suspend a certificate of registration because of an adjudication of mental incompetency or conviction of a felony; providing for procedural guarantees for a certificate holder before said revocation or suspension, and providing exceptions; providing that an aggrieved certificate holder may appeal to the circuit court, pursuant to §471.28, Florida Statutes; adding subsections (6) and (7) to §472.11, Florida Statutes, authorizing the issuance of a certificate of registration to corporations, partnerships, associations or persons practicing under fictitious names; requiring the approval

of the board prior to incorporation; providing an effective date.

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

By Senator Lewis (33rd)—

SB 1157—A bill to be entitled An act relating to professional engineers; adding subsection (6) to §471.05, Florida Statutes, to exempt registered land surveyors who take or contract for professional engineering services from the provisions of chapter 471, Florida Statutes; adding subsection (3) to §471.20, Florida Statutes, to provide a registration fee for engineers-in-training; amending §§471.38(1) and (2), 471.39, 471.40, 471.41 and 471.42, Florida Statutes, which relate to engineering scholarship loans, to provide for the award of scholarship loans for the study of land surveying and the procedures therefor; providing an effective date.

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

By Senator Lewis (33rd)—

SB 1158—A bill to be entitled An act relating to professional engineers; amending §471.26, Florida Statutes; providing for the revocation or suspension of a certificate of registration of a person adjudicated incompetent; excepting any person guilty of a felony or adjudicated incompetent from provisions requiring notice and hearing before his certificate is revoked or suspended or he is placed on probation; authorizing an appeal from a decision of the board for such persons; providing an effective date.

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

By Senator Myers—

SB 1159—A bill to be entitled An act relating to the department of health and rehabilitative services, division of corrections and division of health, amending section 402.17(7), Florida Statutes, entitled deposit or investment of funds of clients, to include the divisions of corrections and health, and providing an effective date.

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

By Senator Myers—

SB 1160—A bill to be entitled An act relating to minors; authorizing maternal health and birth control information and services to be provided to minors under certain conditions; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

By Senator Barrow—

SB 1161—A bill to be entitled An act relating to the department of health and rehabilitative services, providing funds collected by the department for sale of goods and services to officers and employees in accordance with section 216.262(1) (e), Florida Statutes, may be used as a refund to the appropriation account from which the expenditure was made to furnish the goods and services; providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare and Institutions and Ways and Means.

By Senators Weissenborn and Lewis (33rd)—

SB 1162—A bill to be entitled An act relating to farm labor; regulating the transportation, hiring and supervision of migrant farm workers; requiring persons importing ten (10) or more such workers into the state, and labor contractors, as defined, to register with the farm labor and rural manpower service of the bureau of employment services of the department of commerce; providing for application for, issuance of, and revocation or suspension of certificates of registration; requiring the procurement of liability insurance by persons

transporting farm workers; prohibiting contracts with farm labor contractors not registered with farm labor department; providing for the promulgation of rules and regulations; providing penalties for violations; providing an effective date.

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

By Senators Weissenborn and Lewis (33rd)—

SB 1163—A bill to be entitled An act relating to child labor; amending sections 450.011, 450.081(4), and 450.111 (2) and (3), Florida Statutes, to provide for elimination of farm work as an exemption from the provisions of chapter 450, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senators Weissenborn and Lewis (33rd)—

SB 1164—A bill to be entitled An act relating to public health; requiring the provision of toilet and handwashing facilities and drinking water for every food crop growing and harvesting operation; granting to the division of health of the department of health and rehabilitative services authority to enforce the provisions of this act and to promulgate regulations necessary for such enforcement; prescribing the duty of every state and county attorney, sheriff, constable, police officer and other appropriate city and county officials to assist with enforcement; providing penalties for violations; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

By Senator Lane —

SB 1165—A bill to be entitled An act relating to dentistry, dental hygiene and dental laboratories; amending subsections (1) and (2) of section 466.17, Florida Statutes, providing for an increase in the fee for annual and conditioned renewal of licenses; amending subsection (1) of section 466.08, Florida Statutes, providing a salary range for the executive director of the Florida state board of dentistry; providing an effective date.

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

By Senator Lane—

SB 1166—A bill to be entitled An act relating to dentistry, dental hygiene and dental laboratories; amending section 466.-20, Florida Statutes, providing for an increase in compensation to board members and modifying the procedure for payment of expenses; providing an effective date.

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

By Senator Lane—

SB 1167—A bill to be entitled An act relating to hotels and restaurants, amending section 509.221 (9), Florida Statutes, to provide health certificates required by this section to be filed by physicians licensed under either chapter 458 or 459, Florida Statutes; providing an effective date.

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

By Senator Lane—

SB 1168—A bill to be entitled An act relating to dentistry, dental hygiene and dental laboratories; amending section 466.-02, Florida Statutes, by adding subsection (4), and section 466.24(3)(e) and section 466.38, Florida Statutes, providing for limited dental services to be performed by dental auxiliaries and dental hygienists; amending chapter 466, Florida Statutes, by adding section 466.59, declaring a violation of the chapter; amending sections 466.03(4) and 466.28(3), Florida Statutes to provide for changing words "state dental society" to "dental association"; amending section 466.08(4) Florida Statutes, to provide for changing word "assisting" to "auxiliary programs"; amending section 466.08, Florida Statutes, by adding subsec-

tions (10) and (11), providing that the board establish educational and training requirements and promulgate rules and regulations in regard to dental auxiliaries and dental hygienists; amending section 466.09, Florida Statutes, by adding subsection (7), defining dental auxiliaries, subsection (8), defining supervision, and subsection (9) defining direct supervision; amending section 466.41(3)(a), Florida Statutes to provide for changing word "assistants" to "auxiliaries"; amending section 466.41 (1) and (4) by striking the words "supervision and"; amending section 466.41 (2) by striking the words "and supervision"; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

By Senator Lane—

SB 1169—A bill to be entitled An act relating to anatomical gifts; amending section 736.25(2), Florida Statutes, which was created by section 6, chapter 69-88, Laws of Florida; authorizing a uniform donor card; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

By Senator Lane—

SB 1170—A bill to be entitled An act relating to workmen's compensation law, amending section 440.13(1), Florida Statutes, to limit payments of practitioners licensed under chapter 460, Florida Statutes, to services related to the musculoskeletal system; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

By Senator Lane—

SB 1171—A bill to be entitled An act relating to the medical practice act, amending section 458.15 (2) (a), Florida Statutes, by limiting the diagnosis, prescribing for or fitting lenses for any diseased conditions of the eye to those individuals authorized to practice under the provisions of chapter 458, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

By Senator Broxson—

SB 1172—A bill to be entitled An act relating to the holding of school bond elections after adverse election, amending section 236.42 Florida Statutes, to provide for notice as provided for by 236.39 Florida Statutes.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senator Broxson—

SB 1173—A bill to be entitled An act relating to the reorganization of school boards, amending section 230.15 Florida Statutes, to provide that school boards shall be reorganized every year, to provide for the election of a chairman, with the superintendent acting as ex officio secretary and to provide for procedures for recordings and filing the proceedings.

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

By Senator Broxson—

SB 1174—A bill to be entitled An act relating to the annual capital outlay program and budget amending section 235.18, Florida Statutes, to provide for the adoption of a capital outlay program and budget, to provide for designated capital outlay projects, to prohibit the expenditure of public school funds on any project not included in the budget, and to provide the use of capital outlay funds for relocatable classrooms provided a proven need exists.

Was read the first time by title and referred to the Committees on Public Schools and Ways and Means.

By Senator Horne—

SB 1175—A bill to be entitled An act relating to public assistance; adding a new section to chapter 409, Florida Statutes,

providing for the computation of financial assistance for recipients of aid to the aged, blind, and disabled when residing together under certain conditions; authorizing the division of family services to promulgate rules and regulations; providing an effective date.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

April 30, 1971

Sir:

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

By Representative Fleece and others—

HB 41—A bill to be entitled An act relating to nuisances and doors on abandoned iceboxes, refrigerators, etc., amending sections 823.07 and 823.08, Florida Statutes, to include clothes washers, clothes dryers, and similar airtight units; providing an effective date.

By the Committee on Appropriations—

CS for HB 690—A bill to be entitled An act relating to retail food stores, food manufacturing, processing and packaging; creating section 500.121, Florida Statutes, to authorize the department of agriculture and consumer services to impose fines against or revoke or suspend permits of retail food stores, food manufacturers, processors or packers for violation of food quality and sanitation and consumer protection provisions of chapter 500, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 41, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

CS for HB 690, contained in the above message, was read the first time by title and referred to the Committees on Agriculture and Judiciary—Criminal.

The Honorable Jerry Thomas
President of the Senate

April 30, 1971

Sir:

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

By Representatives Harris and Tobiasen—

HB 440—A bill to be entitled An act relating to textbook allocation; amending section 233.33, Florida Statutes, to provide that up to twenty-five percent (25%) of the textbook allocation may be used for instructional materials not on the adopted list; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 440, contained in the above message, was read the first time by title and referred to the Committees on Public Schools and Ways and Means.

The Honorable Jerry Thomas
President of the Senate

May 3, 1971

Sir:

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

By the Committee on Judiciary and Representative Featherstone and others—

HB 816—A bill to be entitled An act relating to estates by survivorship; amending §689.15, Florida Statutes; providing that a joint tenancy with right of survivorship may be created; providing an effective date.

By the Committee on Appropriations and Representative Turlington—

HB 1360—A bill to be entitled An act relating to appropriations; amending §216.231, Florida Statutes, to provide the governor, lieutenant governor, cabinet, president of the senate and speaker of the house with authority to expend funds appropriated as discretionary contingency funds to promote general government, intergovernmental cooperation, and to enhance the image of the state; providing for accountability; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 816, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

HB 1360, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Jerry Thomas
President of the Senate

April 30, 1971

Sir:

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

By Representative Poole and others—

HB 241—A bill to be entitled An act relating to motorcycles; creating §317.983, Florida Statutes, to require that motorcycle headlights be turned on while such vehicle is operated on the public streets or highways; providing an effective date.

By Representative Conway—

HB 447—A bill to be entitled An act relating to seized, abandoned, wrecked or derelict property; amending chapter 705, Florida statutes, by adding sections 705.17 and 705.18 thereto to except items lost or abandoned on any campus in the state university system and to provide for the disposal of and the use of the proceeds from the sale of such items; providing an effective date.

By Representative Forbes—

HB 679—A bill to be entitled An act relating to service of process; amending §48.021, Florida Statutes, to allow public defenders and their investigators to serve process under certain conditions; providing an effective date.

By Representative Savage—

HB 766—A bill to be entitled An act relating to retail merchandising; adding subsection (5) to §849.092, Florida Statutes, relating to the awarding of prizes to persons selected by lot; providing that all brochures, advertisements, promotional material, and entry blanks promoting such undertakings shall contain a clause stating that residents of Florida are entitled to

participate in such undertakings and are eligible to win a gift or prize; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 241, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

HB 447, contained in the above message, was read the first time by title and referred to the Committee on Universities and Community Colleges.

HB 679, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

HB 766, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Jerry Thomas April 30, 1971
President of the Senate

Sir:

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

By Representative Martinez—

HB 289—A bill to be entitled An act relating to elections; amending §98.051(1), Florida Statutes, increasing the nighttime hours during which the supervisor may keep offices open for registration purposes; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 289, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

The Honorable Jerry Thomas April 30, 1971
President of the Senate

Sir:

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

By Representatives Gillespie (by request) and Sykes—

HB 538—A bill to be entitled An act relating to the state fire marshal; amending chapter 633, Florida Statutes, by amending section 633.061, Florida Statutes, by deleting present subsection (4) and renumbering present subsections (5) and (6) as new subsections (4) and (5) and adding new subsections (6) and (7) to provide that it shall also be unlawful to engage in the business of testing, repairing, inspecting or installing fire extinguishers and systems unless a license or permit is obtained from the state fire marshal; that such extinguishers and systems shall be serviced only by a licensed organization or individual; increasing license and permit fees; and eliminating present exemptions for fire departments for license fees; amending the license year to run from January 1 to December 31 of each year; exempting fire chiefs, fire inspectors and fire marshals or insurance company inspectors from requirement of license or permit with respect to inspections and exempting those engaged in the business of servicing, recharging, repairing, testing and inspecting certain enumerated sprinkler systems; and providing that any stated action taken in connection with all fire extinguishers covered by this chapter shall be done in compliance with pamphlet 10, 1970 edition, of the national fire protection association; amending section 633.071, Florida Statutes, to provide that a service tag shall also be required on all systems and amending said section to cover all extinguishers, whether portable, stationary or on wheels when

required by rules and regulations of the state fire marshal, requiring a service tag to be completed in detail for testing, repairing, inspecting or installing any extinguisher or system, providing that, when required by rules or regulations, all portable extinguishers must be approved by Underwriters' Laboratories, Inc. or Factory Mutual and such approval shall be properly stamped on extinguishers in a permanent manner; amending section 633.161, Florida Statutes, by deleting present subsections (2), (3), (4), (5) and (6) and providing that the state fire marshal may issue notices to cease and desist or to correct hazardous conditions and, if any person fails to comply therewith, he may issue and order to cease and desist or to correct hazardous conditions; providing that any aggrieved person may demand a hearing and providing that violation of such order shall constitute a misdemeanor; adding new section 633.162, Florida Statutes, to provide for suspension or revocation of license or permit for violation of any provisions of this chapter, rules and regulations, or for failure to comply with order to cease and desist or to correct hazardous conditions and providing for issuance of written notice and charges and procedure thereon; adding new section 633.163, Florida Statutes, to provide for administrative fine or revocation of license or permit for violation of any order to cease and desist or to correct hazardous condition; adding new section 633.19, Florida Statutes, to provide for review by certiorari to circuit court of Leon County on any orders relating to suspension or revocation of license or permit or imposition of administrative penalties and providing that no such appeal shall operate as a supersedeas as to any such order, unless so ordered by the court; amending section 633.171, Florida Statutes, to provide that violation of any cease and desist order or order to correct condition shall constitute a misdemeanor and that it shall also be unlawful to improperly service, repair, recharge, test, inspect or install a fire extinguisher or system; it is unlawful to use another's permit or for a holder to allow use by another person; and it is unlawful to use or allow the use of a license by anyone other than to whom issued; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 538, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Jerry Thomas April 30, 1971
President of the Senate

Sir:

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

By Representative Savage—

HB 763—A bill to be entitled An act relating to the police standards council; amending §23.071, Florida Statutes, to provide that a trainee who attends the police standards council training program at the expense of a municipality, state agency, or political subdivision be obligated to that body for one (1) year or reimburse that body for expenditures for such training when any termination results from the trainee's own initiative; providing for means of collection in event reimbursement is not made; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 763, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

The Honorable Jerry Thomas April 30, 1971
President of the Senate

Sir:

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

By Representative Wolfson—

HB 937—A bill to be entitled An act relating to state-owned tangible personal property, providing for a separate list for lost or stolen property, providing a method of removing lost or stolen property from property records, providing that custodian shall certify to search and investigation to locate lost or stolen property from property records, providing that custodian shall certify to search and investigation to locate lost or stolen property prior to its removal from the property records and providing an effective date.

By Representative Spicola—

HB 428—A bill to be entitled An act relating to franchises and distributorships; making certain acts unlawful when selling or establishing a franchise or distributorship, and providing a civil remedy for persons harmed through a violation of this act; authorizing injunctive relief; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 937, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

HB 428, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Jerry Thomas
President of the Senate

May 3, 1971

Sir:

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

By Representative Johnson and others—

HB 1093—A bill to be entitled An act relating to Sarasota County, Florida, ratifying, confirming and validating \$1,500,000 recreation revenue bonds of the county, the pledge for the payment of such bonds and interest thereon of the portion of the cigarette tax levied pursuant to Chapter 210, Florida Statutes within the unincorporated areas of the county and distributed to the county pursuant to law and of other funds of the county legally available but derived from sources other than ad valorem taxation, and all acts and proceedings taken and had by the board of county commissioners of the county in connection with the authorization and issuance of the recreation revenue bonds; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 1093.

HB 1093, contained in the above message, was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Honorable Jerry Thomas
President of the Senate

April 30, 1971

Sir:

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

By the Committee on Agriculture & Citrus and Representative Harlee—

HB 1242—A bill to be entitled An act relating to citrus; amending §601.48, Florida Statutes, relating to grading processed citrus products, to exempt certain intrastate shipments

from the labeling provisions of said section; providing an effective date.

By the Committee on Judiciary and Representative Johnson—

HB 1293—A bill to be entitled An act relating to death benefits; providing for payment of proceeds of life, health, accident, endowment, and annuity insurance policies, proceeds of an employees' trust, or other death benefits, to a trustee named in a revocable or irrevocable trust or to a trustee named in a will; providing for disposition of proceeds to an executor or administrator where there is no trustee to receive proceeds; providing that proceeds payable to trustee shall not be part of decedent's estate and may be commingled with other trust assets; providing that such act does not affect validity of trusts established before the effective date of this act; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1242, contained in the above message, was read the first time by title and referred to the Committee on Agriculture.

HB 1293, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

The Honorable Jerry Thomas
President of the Senate

April 30, 1971

Sir:

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

By the Committee on Elections and Representative Trombetta—

HB 950—A bill to be entitled An act relating to national elections; amending sections 97.041 and 97.051, Florida Statutes, and creating section 98.442, Florida Statutes, prescribing procedures for the registration of electors between the ages of eighteen and twenty-one to vote in national elections under Public Law 91-285; providing an effective date.

By Representative David Clark and others—

HB 1258—A bill to be entitled An act relating to municipal annexation; providing a procedure supplemental to all other laws for voluntary annexation of unincorporated area into a municipality upon petition of all owners of real property and adoption of annexation ordinance; providing an effective date.

By the Committee on Judiciary and Representative Johnson—

HB 1297—A bill to be entitled An act relating to inter vivos trusts; amending §689.075(1)(g), and (2), Florida Statutes, relating to validity of inter vivos trust instruments and those trust accounts including, but not limited to, bank accounts, share accounts, deposits, certificates of deposit, savings certificates, and other similar arrangements; providing that trusts as to which grantor is sole trustee are not invalid if valid under laws of jurisdiction in which executed at time of execution or if executed with the formalities for the execution of wills required in such jurisdiction; providing that no provisions of this section shall affect the validity of trust accounts and other similar arrangements; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 950, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

HB 1258, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

HB 1297, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

*The Honorable Jerry Thomas
President of the Senate*

April 30, 1971

Sir:

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

By Representatives Gallen and Harlee—

HCR 1348—A concurrent resolution recommending to the United States Department of Health, Education, and Welfare that Manatee and Hardee Counties, Florida, be placed in the proposed Southwestern Florida Intrastate Air Quality Control Region rather than in the West Central Florida Intrastate Air Quality Control Region.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HCR 1348, contained in the above message, was read the first time in full and referred to the Committee on Natural Resources and Conservation.

*The Honorable Jerry Thomas
President of the Senate*

April 30, 1971

Sir:

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

By Representatives Pettigrew and Reed—

HCR 1419—A concurrent resolution expressing the deep regret of the Legislature at the passing of Stanley E. Wimberly, Vice President of Academic Affairs at Florida Atlantic University.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HCR 1419, contained in the above message, was read the first time in full and referred to the Committee on Universities and Community Colleges.

The Senate recessed at 8:45 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—46:

Mr. President	Deeb	Johnson (34th)	Saunders
Arnold	de la Parte	Karl	Sayler
Barron	Ducker	Knopke	Scarborough
Barrow	Fincher	Lewis (33rd)	Stolzenburg
Beaufort	Gong	Lewis (43rd)	Trask
Bell	Graham	McClain	Ware
Bishop	Gunter	Myers	Weber
Boyd	Haverfield	Ott	Weissenborn
Brantley	Henderson	Plante	Williams
Broxson	Hollahan	Pope	Wilson
Childers	Horne	Poston	
Daniel	Johnson (29th)	Reuter	

Excused: Senators Brannen and Lane

Prayer by Senator Brantley:

A Collect for Grace

Our Lord, our Heavenly Father, almighty and everlasting God, who hast safely brought us to the beginning of this day; defend us in the same with thy mighty power; and grant that this day we fall into no sin, neither run into any kind of danger; but that all our doings, being ordered by thy governance, may be righteous in thy sight; through Jesus Christ our Lord. Amen.

The Journal of May 3 was corrected and approved.

REPORTS OF COMMITTEES

The Committee on Judiciary—Civil B recommends the following pass:

CS for HB 284 with 1 amendment	SB 593
HM 427	SB 594
CS for HB's 430 & 386 with 2 amendments	SB 595
SB 592	SB 596

The Committee on Ways and Means recommends the following pass: SB 611

The Committee on Governmental Efficiency recommends the following pass: SB 798, SB 894

The Committee on Public Schools recommends the following pass: SB 968

The Committee on Universities and Community Colleges recommends the following pass: HCR 510, SB 868

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

The Committee on Governmental Efficiency recommends the following pass: SB 819

The Committee on Universities and Community Colleges recommends the following pass: SB 626 with 3 amendments

The Committee on Personnel, Retirement and Claims recommends the following pass: SB 385, SB 873

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

The Committee on Commerce recommends a Committee Substitute for the following: SB 882

The Committee on Rules, Calendar, Privileged Business and Ethics recommends a Committee Substitute for the following: SB 166

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the Calendar.

The Committee on Commerce recommends a Committee Substitute for the following: SB 826

The Committee on Public Schools recommends a Committee Substitute for the following: SB 921

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Judiciary—Civil B recommends the following not pass: Senate Bills 469, 179, 468

The Committee on Governmental Efficiency recommends the following not pass: SB 339

The Committee on Universities and Community Colleges recommends the following not pass: SB 799, SB 849

328, 436, 448, 463, 464, 471, 577, 674, 836, 876, 887, 896, 901, 905, 928 and 933.

The bills contained in the foregoing reports were laid on the table.

On motion by Senator Broxson, the Committee on Public Schools was granted an additional 7 days for the consideration of Senate Bills 815 and 817.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 624 with 2 amendments SB 1005 with 4 amendments

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

ELMER O. FRIDAY
Secretary of the Senate

The bills were certified to the House.

On motion by Senator Scarborough, the Committee on Personnel, Retirement and Claims was granted an additional 15 days for the consideration of Senate Bills 7, 142, 238, 252, 329, 459, 591, 600, 820, 821, 829, 859 and 867.

On motion by Senator Trask, by two-thirds vote, SB 285 was removed from the Calendar and referred to the Committee on Ways and Means.

On motion by Senator Horne HB 813 was indefinitely postponed.

Your Engrossing Clerk to whom was referred—

SB 122 with 4 amendments SB 370 with 1 amendment
SB 199 with 1 amendment

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

ELMER O. FRIDAY
Secretary of the Senate

The bills were ordered enrolled.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

May 4, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 603.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

BILLS REFERRED TO SUBCOMMITTEES

SB 970 referred to a Select Committee of the Committee on Public Schools.

Privileged Business Subcommittee: SB 749

By unanimous consent Senator Johnson (29th) was recorded as voting yea on HB 932 which passed May 3.

By unanimous consent Senators Deeb, de la Parte and Barron were recorded as voting yea on SM 860 which was adopted May 3.

The bill, contained in the above message, was ordered enrolled.

The Honorable Jerry Thomas
President of the Senate

May 4, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment to House amendment 1 and has passed as further amended, SB 195.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Johnson (29th), by two-thirds vote, SB 1024 was withdrawn from the Committee on Judiciary—Civil B and from further consideration of the Senate.

On motion by Senator Sayler, by two-thirds vote, SB 34 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics and from further consideration of the Senate.

On motion by Senator Horne, the Committee on Judiciary—Civil B was granted an additional 15 days for the consideration of Senate Bills 46, 150, 273, 368, 423, 431, 437, 450, 474, 486, 500, 501, 534, 571, 575, 607, 608, 639, 681, 682, 703, 722, 777, 790, 791, 792, 793, 794, 795, 808, 810, 843, 850, 851, 853, 854, 855, 856, 857, 861, 858, 865, 884, 886, 915, 948, 979, 981, 982, 983, and House Bills 810, 818, 809, 827, 287, 378, 893, 951, 739, 621, 179, 822, 648 and 952.

On motion by Senator Myers, the Committee on Health, Welfare and Institutions was granted an additional 15 days for the consideration of Senate Bills 43, 143, 167, 200, 220, 275, 303, 305, 429, 496, 862, 870, 900, 903 and House Bills 805 and 126.

On motion by Senator Barrow, the Committee on Judiciary—Criminal was granted an additional 15 days for the consideration of SB 800.

On motion by Senator Karl, the Committee on Commerce was granted an additional 15 days for the consideration of Senate Bills 106, 109, 110, 111, 155, 194, 202, 205, 231, 320, 322,

The bill, contained in the above message, was ordered engrossed.

The Honorable Jerry Thomas
President of the Senate

May 4, 1971

Sir:

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

By Senator McClain—

SB 367—A bill to be entitled An act relating to payment or reimbursement by personal representative of unfiled or improperly filed debt of decedent paid by third person; amending chapter 733, Florida Statutes, by adding subsection (e) to section 733.16; providing that third person paying the unfiled or improperly filed decedent's debt acquires payee's rights to file and enforce claim against decedent's estate; providing that personal representatives proposing to pay or reimburse such third person must file a written statement of that proposal; providing for form and procedure to be followed in drafting and filing such statements; providing for filing of objections to such statements; providing that filing of such statements shall not in and of itself cause personal representative to be deemed creditor or claimant against decedent's estate; providing an effective date.

Which amendment reads as follows:

On page 3, lines 25 and 26, strike "upon becoming a law" and insert the following: October 1, 1971

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator McClain, the Senate concurred in the House amendment to SB 367.

SB 367 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Ducker	Karl	Sayler
Arnold	Gong	Knopke	Scarborough
Barron	Graham	Lewis (33rd)	Stolzenburg
Barrow	Gunter	Lewis (43rd)	Trask
Beaufort	Haverfield	McClain	Ware
Bell	Henderson	Myers	Williams
Brantley	Hollahan	Ott	Wilson
Broxson	Horne	Plante	
Childers	Johnson (29th)	Poston	
de la Parte	Johnson (34th)	Saunders	

The Honorable Jerry Thomas May 4, 1971
President of the Senate

Sir:

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

By Senator McClain—

SB 365—A bill to be entitled An act relating to nontestamentary disclaimers; amending chapter 689, Florida Statutes, by adding section 689.21; providing for disclaimer of interests in property passing by nontestamentary transfer in whole or in part; specifying scope of right to disclaim; providing for disclaimer on behalf of incompetents and deceased persons; providing for disposition of disclaimed interests; providing for filing and recording of disclaimer and specifying time therefor; providing for service of disclaimers; providing for waivers and bars to the right to disclaim; specifying effect of spendthrift restraints and spouse's consent; saving all rights existing apart from this act; providing an effective date.

Which amendment reads as follows:

On page 7, strike all of lines 18 and 19 and insert the following: Section 2. This act shall take effect October 1, 1971.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator McClain, the Senate concurred in the House amendment to SB 365.

SB 365 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—40 Nays—None

Mr. President	Childers	Johnson (29th)	Poston
Arnold	de la Parte	Johnson (34th)	Saunders
Barron	Ducker	Karl	Sayler
Barrow	Gong	Knopke	Scarborough
Beaufort	Graham	Lewis (33rd)	Stolzenburg
Bell	Gunter	Lewis (43rd)	Trask
Bishop	Haverfield	McClain	Ware
Boyd	Henderson	Myers	Weber
Brantley	Hollahan	Ott	Williams
Broxson	Horne	Plante	Wilson

The Honorable Jerry Thomas
President of the Senate

May 4, 1971

Sir:

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

By Senator McClain—

SB 372—A bill to be entitled An act relating to bequests and devises to trustees; amending chapter 736, Florida Statutes, by amending subsection (2)(d) of section 736.17 and adding subsection (2)(e) to section 736.17; providing that bequests and devises referenced in section 736.17, Florida Statutes, shall not be invalid because of any provisions of section 689.075, Florida Statutes; providing an effective date.

Which amendment reads as follows:

On page 2, strike all of lines 1 and 2 and insert the following: Section 2. This act shall take effect October 1, 1971.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator McClain, the Senate concurred in the House amendment to SB 372.

SB 372 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—40 Nays—None

Mr. President	Daniel	Johnson (29th)	Reuter
Arnold	de la Parte	Johnson (34th)	Saunders
Barron	Ducker	Karl	Sayler
Barrow	Gong	Knopke	Scarborough
Beaufort	Graham	Lewis (33rd)	Stolzenburg
Bell	Gunter	Lewis (43rd)	Trask
Bishop	Haverfield	McClain	Ware
Brantley	Henderson	Myers	Weber
Broxson	Hollahan	Plante	Williams
Childers	Horne	Poston	Wilson

The Honorable Jerry Thomas
President of the Senate

May 4, 1971

Sir:

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

By Senator McClain—

SB 369—A bill to be entitled An act relating to disclaimer of interests; amending chapter 731, Florida Statutes, by adding section 731.37; providing for disclaimer of interests in property of a decedent in whole or in part; specifying scope of right to disclaim; providing for disclaimer on behalf of incompetents and deceased persons; providing for disposition of disclaimed interests; providing for filing and recording of disclaimer and specifying time therefor; providing for service of disclaimers; providing for waivers and bars to the right to disclaim; specifying effect of spendthrift restraints and spouse's consent; saving all rights existing apart from this act; providing an effective date.

Which amendment reads as follows:

On page 7, strike all of lines 22 and 23 and insert the following: Section 2. This act shall take effect October 1, 1971.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator McClain, the Senate concurred in the House amendment to SB 369.

SB 369 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—40 Nays—None

Mr. President	Childers	Johnson (29th)	Poston
Arnold	de la Parte	Johnson (34th)	Reuter
Barron	Ducker	Karl	Sayler
Barrow	Gong	Knopke	Scarborough
Beaufort	Graham	Lewis (33rd)	Stolzenburg
Bell	Gunter	Lewis (43rd)	Trask
Bishop	Haverfield	McClain	Ware
Boyd	Henderson	Myers	Weber
Brantley	Hollahan	Ott	Williams
Broxson	Horne	Plante	Wilson

Mr. President	Daniel	Johnson (29th)	Reuter
Arnold	Deeb	Johnson (34th)	Saunders
Barron	de la Parte	Karl	Sayler
Barrow	Ducker	Knopke	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Trask
Bishop	Gunter	Myers	Ware
Boyd	Haverfield	Ott	Weber
Brantley	Henderson	Plante	Williams
Broxson	Hollahan	Pope	Wilson
Childers	Horne	Poston	

The Honorable Jerry Thomas
President of the Senate

April 30, 1971

Sir:

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

By Senator de la Parte—

SB 124—A bill to be entitled An act relating to public education; amending section 232.01(1)(c), Florida Statutes; repealing subsection (2) of section 232.01, Florida Statutes; removing the authority from district school boards to adopt regulations governing the attendance of married students as such; clarifying the rights of married and pregnant students within the required age to attend school; providing an effective date.

Amendment 1

On page 1, lines 22-29, and on page 2, line 1, strike all of (1) (c) and insert the following:

(1) (c) (1) This section shall not apply to students who become or have become married, unmarried students who are pregnant, and students who have already had a child outside of wedlock.

(c) (2) *Students who become or have become married, unmarried students who are pregnant and students who have already had a child outside of wedlock shall not be prohibited from attending school, and these students shall be entitled to the same educational instruction or its equivalent as other students, but may be assigned to a special class or program better suited to their special needs.*

Amendment 2

On page 1, in title, strike all of lines 4 through 14 and insert the following: An act relating to public education; amending section 232.01 (c), Florida Statutes, to provide that married and pregnant students and students who have already had a child outside of wedlock shall not be prohibited from attending public schools; providing that such students be entitled to same educational instruction as other students; providing that such students may be assigned to special classes or programs; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator de la Parte, the Senate concurred in the House amendments to SB 124.

SB 124 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—43 Nays—None

By unanimous consent Senator McClain was recorded as voting yea.

The President recognized Senator Plante who inquired as to how HB 1257, pertaining to the corporate income tax, appeared on today's calendar under the Order of 'Unfinished Business'.

The President responded by recounting that the bill was under consideration, having been read the second time and an amendment adopted (leaving no pending amendment), when he had to clear the Senate Chamber because of the bomb threat. That under these circumstances, and the rules, the same was considered as 'Unfinished Business', and on third reading by passage of a legislative day. The President declared this would be a precedent, unless there was objection or question; there being none, the President so ruled.

RESOLUTION

SCR 334—A Concurrent Resolution designating United States Highway 17 within the State of Florida as the Spessard L. Holland Parkway.

WHEREAS, Spessard L. Holland has served the people of Florida for more than half a century, and

WHEREAS, Spessard L. Holland, a native of Bartow, in his youth became an outstanding scholar and an outstanding athlete at the University of Florida, and

WHEREAS, early in life he demonstrated his unselfishness by foregoing a professional baseball career to become a teacher, and thereafter entered the United States Army during World War I, serving overseas and winning the Distinguished Service Cross, and

WHEREAS, following World War I he returned to Polk County and shortly thereafter embarked on an unbroken succession of elections and reelections to public office, and

WHEREAS, he thereafter ably served as a Senator in the Florida Legislature for eight years, sponsoring measures that included those for revitalization of a depressed tax structure, for improvement of schools and the welfare of teachers, and for the development of Florida's citrus industry, and

WHEREAS, he served as Florida's governor for four years, under the pressure of worldwide war, and his administration sponsored needed amendments of the State Constitution, greater public responsibilities to the aged and blind, increases in the strength and fairness in the state's property tax structure, reductions in the cost of bonded indebtedness, and improvements in the public school system, and

WHEREAS, he has served as a United States Senator from Florida since 1946 with distinction and honor, and

WHEREAS, he has diligently participated as a member of the United States Senate's standing committees on Appropriations, Agriculture and Forestry, and Aeronautical and Space Sciences, committees he purposely chose because they provided special opportunities for service to Florida, and

WHEREAS, he has consistently championed the preservation of state, local and individual rights and responsibilities in all areas where centralization and expansion of governmental power is not clearly necessary to the public good, and

WHEREAS, he worked for many years, at times almost alone, to increase the relevancy of democracy by abolishing poll taxes, but to do so by clearly constitutional means, and his efforts resulted in the 24th Amendment to the United States Constitution, sometimes known as the Holland Amendment, and

WHEREAS, a fellow United States Senator has publicly proclaimed that Spessard L. Holland has "made an unexcelled record as a skillful athlete, as a brilliant student, as a gallant soldier, as an effective teacher, as an able trial lawyer, as a wise legal counselor, as a citizen and churchman, as a diligent prosecuting attorney, as a just judge . . . and as one of the most beloved, dedicated, and effective members of the Senate," and

WHEREAS, the Florida Legislature in 1970 did recognize and designate Spessard L. Holland as Florida's "Most Distinguished Son," and

WHEREAS, in naming United States Highway 17 for Spessard L. Holland the citizens of this state and the nation will be reminded of his leadership and dedication throughout his long career of unselfish public service, NOW, THEREFORE,

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

That out of gratitude for a long and distinguished career of service to the State of Florida and in recognition of Spessard L. Holland's contribution to this state and this nation, United States Highway 17 within the State of Florida is designated as the Spessard L. Holland Parkway.

BE IT FURTHER RESOLVED that copies of this resolution under the Great Seal of the State of Florida shall be forwarded to the Honorable Spessard L. Holland, to the Honorable Richard M. Nixon, President of the United States of America and to the Library of Congress.

Was read the second time in full. On motion by Senator Trask, SCR 334 was adopted and certified to the House. The vote was: Yeas—40 Nays—None

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barrow	Ducker	Knopke	Saylor
Beaufort	Gong	Lewis (33rd)	Scarborough
Bell	Graham	Lewis (43rd)	Stolzenburg
Boyd	Gunter	McClain	Trask
Brantley	Haverfield	Ott	Ware
Broxson	Henderson	Plante	Weissenborn
Childers	Hollahan	Pope	Williams
Daniel	Horne	Poston	Wilson

By unanimous consent Senator Myers was recorded as voting yea.

UNFINISHED BUSINESS

HB 1257—A bill to be entitled An act relating to a special election to be held on July 6, 1971, pursuant to Section 5 of Article XI of the State Constitution for the approval or rejection by the electors of Florida of a joint resolution limiting the prohibition against estate, inheritance and income taxes to natural persons only; providing for publication of notice and procedures; providing an effective date.

—was taken up and read by title. On motion by Senator de la Parte, by two-thirds vote, the Senate reconsidered the vote by which HB 1257 was placed on third reading.

On motion by Senator Boyd, the Senate reconsidered the vote by which the following amendment was adopted on May 3:

On page 1, line 17, section 1, strike "July 6, 1971," and insert: September 14, 1971,

Senators Boyd, Broxson, Barrow, Barron, Ott and Gunter offered the following substitute amendment which was moved by Senator Boyd:

On page 1, line 17, section 1, strike "July 6, 1971," and insert November 2, 1971,

Senator Henderson moved the adoption of the following amendment to the substitute amendment which failed:

On page 1, line 17, section 1, strike "November 2, 1971" and insert the following: September 28, 1971

The vote was:

Yeas—17

Daniel	Hollahan	Poston	Williams
Deeb	Johnson (34th)	Reuter	Wilson
Ducker	Lewis (33rd)	Saylor	
Fincher	McClain	Scarborough	
Henderson	Plante	Ware	

Nays—29

Mr. President	Brantley	Horne	Saunders
Arnold	Broxson	Johnson (29th)	Stolzenburg
Barron	Childers	Karl	Trask
Barrow	de la Parte	Knopke	Weber
Beaufort	Gong	Lewis (43rd)	Weissenborn
Bell	Graham	Myers	
Bishop	Gunter	Ott	
Boyd	Haverfield	Pope	

By unanimous consent Senator Arnold changed his vote from nay to yea.

The substitute amendment was adopted.

On motion by Senator Broxson the following amendment was adopted:

On page 1, line 5, title, strike "July 6, 1971," and insert November 2, 1971,

Senators Henderson, Barrow and Gunter offered the following amendment which was adopted on motion by Senator Henderson:

On page 1, line 27, add new section 3: Section 3. The Several counties shall be reimbursed as to any costs expended hereunder from the general revenue fund of the State

Renumber 3 to 4

The vote was:

Yeas—24

Barron	Deeb	Johnson (29th)	Saylor
Barrow	Ducker	Johnson (34th)	Scarborough
Bell	Gunter	Lewis (33rd)	Stolzenburg
Bishop	Henderson	McClain	Ware
Brantley	Hollahan	Plante	Weber
Daniel	Horne	Reuter	Wilson

Nays—21

Mr. President	de la Parte	Lewis (43rd)	Trask
Arnold	Gong	Myers	Weissenborn
Beaufort	Graham	Ott	Williams
Boyd	Haverfield	Pope	
Broxson	Karl	Poston	
Childers	Knopke	Saunders	

On motion by Senator de la Parte, by two-thirds vote, HB 1257 as amended was read the third time by title.

The Secretary called the roll and HB 1257 passed with the required constitutional three-fourths vote of the membership. The vote was:

Yeas—39

Mr. President	Daniel	Horne	Pope
Arnold	de la Parte	Johnson (34th)	Poston
Barron	Ducker	Karl	Reuter
Barrow	Fincher	Knopke	Saunders
Beaufort	Gong	Lewis (33rd)	Scarborough
Bishop	Graham	Lewis (43rd)	Trask
Boyd	Gunter	McClain	Weissenborn
Brantley	Haverfield	Myers	Williams
Broxson	Henderson	Ott	Wilson
Childers	Hollahan	Plante	

Nays—7

Bell	Johnson (29th)	Stolzenburg	Weber
Deeb	Sayler	Ware	

On motion by Senator de la Parte, the rules were waived and HB 1257 was immediately certified to the House.

Pursuant to Rule 4.14, Senator Daniel gave notice of intention to move to take up SB 457 out of order.

SPECIAL AND CONTINUING ORDER

SB 493—A bill to be entitled An act relating to probation and parole; amending Section 947.16(1), Florida Statutes; providing the time within which an inmate shall be eligible for parole; providing mandatory initial interview for parole within the first six months of sentence with respect to inmates sentenced to terms of five years or less, and mandatory initial interview within first year for inmates sentenced to terms in excess of five years; adding a new subsection (3) requiring that the inmate be advised of the decision of the parole commission within a specified period of time, and if parole is denied, providing that the reason for such denial shall be given; providing that the inmate shall be advised of his next interview date; requiring review for parole at periodic intervals; providing an effective date.

Was read the second time by title.

Senator Barron offered and moved the following amendment:

On page 3, lines 1 through 9, strike: Subsection (3)

Senator McClain moved the adoption of the following substitute amendment which failed:

On page 3, lines 2, 4, 5 and 7, section 2, strike word "shall" and insert: "may"

Senators de la Parte and Williams offered the following substitute amendment which was adopted on motion by Senator de la Parte:

On page 3, line 3, following "commission" strike ", and if parole is denied the reason for such denial shall be given to him, and the inmate shall be advised of his next interview date"

Senator Ware moved the adoption of the following amendment which failed:

On page 2, line 19, section 1, strike "within" and insert: approximately

The vote was:

Yeas—16

Mr. President	Brantley	Horne	Scarborough
Barron	Daniel	Knopke	Stolzenburg
Bell	Deeb	Lewis (33rd)	Ware
Boyd	Ducker	Pope	Williams

Nays—22

Beaufort	Graham	Lewis (43rd)	Reuter
Bishop	Gunter	McClain	Trask
Broxson	Haverfield	Myers	Weissenborn
Childers	Henderson	Ott	Wilson
de la Parte	Johnson (29th)	Plante	
Fincher	Johnson (34th)	Poston	

By unanimous consent Senator Scarborough changed his vote from yea to nay.

Senator Pope moved the adoption of the following amendment which failed:

On page 2, line 17, after the word "shall" insert: , if feasible,

On motion by Senator Myers the following amendment was adopted:

In the title, lines 20—24, strike ", and if parole is denied, providing that the reason for such denial shall be given; providing that the inmate shall be advised of his next interview date"

On motion by Senator Myers, by two-thirds vote, SB 493 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—25

Mr. President	Fincher	Knopke	Scarborough
Arnold	Graham	Lewis (43rd)	Stolzenburg
Barrow	Haverfield	McClain	Weissenborn
Beaufort	Henderson	Myers	Wilson
Brantley	Hollahan	Plante	
Broxson	Johnson (34th)	Saunders	
Ducker	Karl	Sayler	

Nays—10

Barron	Childers	Lewis (33rd)	Williams
Bell	Daniel	Trask	
Boyd	Deeb	Ware	

By unanimous consent, Senators Poston, Johnson (29th), Horne, Bishop, Reuter and Gunter were recorded as voting yea.

Notice having been given pursuant to Rule 4.14, on motion by Senator Daniel, consent was obtained to take up out of order—

SB 457—A bill to be entitled An act relating to the legislature; fixing the date for convening the regular session of legislature in each even-numbered year; providing an effective date.

Which was read the second time by title.

The President Pro Tempore presiding.

The Committee on Governmental Efficiency offered the following amendment which was adopted on motion by Senator Daniel:

In Section 1, lines 15 and 16, page 1, strike: "third Tuesday after the first Monday in February." and insert: first Tuesday in February.

On motion by Senator Daniel, by two-thirds vote, SB 457 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

Arnold	de la Parte	Johnson (29th)	Poston
Barron	Ducker	Johnson (34th)	Reuter
Barrow	Fincher	Knopke	Saunders
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Thomas
Boyd	Gunter	McClain	Trask
Childers	Haverfield	Myers	Weissenborn
Daniel	Henderson	Ott	Williams
Deeb	Hollahan	Pope	Wilson

Nays—6

Bishop	Karl	Ware
Brantley	Sayler	Weber

By unanimous consent, Senator Plante was recorded as voting yea.

On motion by Senator Daniel, the rules were waived and SB 457 was ordered immediately certified to the House after engrossing.

The President presiding.

SB 494—A bill to be entitled An act relating to parole; amending subsection (1) of Section 947.22, Florida Statutes, providing that if any member of the probation and parole commission has grounds to believe a parolee has violated the conditions of his parole, such member may issue a warrant for the arrest of the parolee, said warrant to be returnable before a member of the commission; providing for examination of the parolee and a determination of admission to bail pending a hearing before the commission; providing an effective date.

Was read the second time by title. On motion by Senator Myers, by two-thirds vote SB 494 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

Mr. President	Daniel	Horne	Pope
Arnold	Deeb	Johnson (29th)	Poston
Barron	de la Parte	Johnson (34th)	Reuter
Barrow	Ducker	Karl	Sayler
Beaufort	Fincher	Knopke	Scarborough
Bell	Graham	Lewis (33rd)	Stolzenburg
Bishop	Gunter	Lewis (43rd)	Trask
Boyd	Haverfield	McClain	Ware
Brantley	Henderson	Myers	Weber
Childers	Hollahan	Ott	Wilson

By unanimous consent Senator Plante was recorded as voting yea.

Consideration of SB 495 was deferred, the bill retaining its place on the Calendar.

SB 497—A bill to be entitled An act relating to the Division of Corrections; amending Section 945.091 (1), Florida Statutes, removing the provision regarding investigations and recommendations by the Probation and Parole Commission; removing the twenty-four hour limit on visits; authorizing visits to aid in the rehabilitation of the inmate; extending the time inmates may participate in paid employment programs to the last one (1) year of confinement; providing an effective date.

Was read the second time by title. On motion by Senator Myers, by two-thirds vote SB 497 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

Mr. President	Daniel	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Sayler
Barrow	Fincher	Lewis (33rd)	Scarborough
Beaufort	Graham	Lewis (43rd)	Stolzenburg
Bell	Gunter	McClain	Trask
Bishop	Haverfield	Myers	Ware
Boyd	Henderson	Ott	Weber
Brantley	Hollahan	Pope	Williams
Childers	Johnson (29th)	Poston	Wilson

By unanimous consent Senators Broxson and Plante were recorded as voting yea.

SB 50 was taken up, together with:

By the Committee on Health, Welfare and Institutions—

CS for SB 50—A bill to be entitled An act relating to the abuse of children; providing definitions; providing for mandatory reports of abuse from physicians, nurses, teachers, social workers, and employees of public or private organizations serving children; providing for such reports to be made to the department of health and rehabilitative services; providing for central registries; providing for transmittal of records to the juvenile courts; providing for immunity from liability by those who report abuse; providing waiver of certain privileged communications in judicial proceedings; providing a penalty for violation of the act; providing an effective date.

—which was read the first time by title and SB 50 was laid on the table.

On motions by Senator Bell, by two-thirds vote, CS for SB 50 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

Mr. President	Deeb	Horne	Poston
Arnold	de la Parte	Johnson (29th)	Reuter
Barron	Ducker	Johnson (34th)	Saunders
Barrow	Fincher	Knopke	Sayler
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Trask
Boyd	Gunter	McClain	Ware
Brantley	Haverfield	Myers	Weber
Broxson	Henderson	Plante	Williams
Daniel	Hollahan	Pope	Wilson

By unanimous consent Senators Karl, Scarborough and Childers were recorded as voting yea.

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

CS for SB 50—A bill to be entitled An act relating to the abuse of children; providing definitions; providing for mandatory reports of abuse from physicians, nurses, teachers, social workers, and employees of public or private organizations serving children; providing for such reports to be made to the department of health and rehabilitative services; providing for central registries; providing for transmittal of records to the juvenile courts; providing for immunity from liability by those who report abuse; providing waiver of certain privileged communications in judicial proceedings; providing a penalty for violation of the act; providing an effective date.

—passed this day.

On motion by Senator Wilson the following amendment was adopted by two-thirds vote:

In Section 1, lines 11 and 12, page 5, strike: "or any privilege except the attorney-client privilege," and insert: or any privilege except the attorney-client privilege and the privilege provided in Chapter 90.241 of The Florida Statutes,

On motion by Senator Wilson, CS for SB 50 as amended was read by title, passed and ordered engrossed. The vote was: Yeas—43 Nays—None

Mr. President	Deeb	Johnson (29th)	Saunders
Arnold	de la Parte	Johnson (34th)	Sayler
Barron	Ducker	Karl	Scarborough
Barrow	Fincher	Lewis (33rd)	Stolzenburg
Beaufort	Gong	Lewis (43rd)	Trask
Bell	Graham	McClain	Ware
Boyd	Gunter	Myers	Weber
Brantley	Haverfield	Ott	Weissenborn
Broxson	Henderson	Plante	Williams
Childers	Hollahan	Poston	Wilson
Daniel	Horne	Reuter	

SB 280 was taken up, together with:

By the Committee on Health, Welfare and Institutions—

CS for SB 280—A bill to be entitled An act relating to the public health; amending the medical practice act, chapter 458, Florida Statutes, by adding a new section to provide a framework for the development of a new category of health manpower—the physician's assistant; establishing legislative findings and statement of purposes; providing definitions; providing for performance of certain medical services by physician's assistants or trainees in approved programs under certain circumstances; providing for issuance of certificates of approval

for physician's assistant training programs and setting forth guidelines for determining such approval; providing a procedure for applications by physicians to supervise physician's assistants; providing for a report to the legislature by the board of medical examiners; establishing certain application and renewal fees for supervisory physicians and for training programs; providing for adoption of rules and regulations by the board; providing an effective date.

Which was read the first time by title and SB 280 was laid on the table.

On motion by Senator Myers, by two-thirds vote, CS for SB 280 was read the second time by title.

On motion by Senator Horne the following amendment was adopted:

On page 7, line 6, subsection (10), add a new sentence to read: Rules and regulations shall be adopted to assure that every physician's assistant performs his services under the responsible supervision and control of a physician or group of physicians.

Senator Weissenborn, offered and moved the following amendment:

In Section 1, lines 8-27, page 2, strike lines 8-27 and insert the following: (1) Legislative intent.—In its concern with the increasing shortage and geographic maldistribution of health care services in Florida, and to meet the consequent pressing need, the legislature establishes in this section a framework of law providing for a new emergency category of health manpower: the physician's assistant.

The purpose of this section is to recognize the current lack of sufficient medical and osteopathic physicians to meet the health care needs of the people of this state and the particularly acute shortage of said physicians in the rural areas; to provide for the establishment of the category of physician's assistant; and, in order to insure that this new manpower category shall not be utilized to render services properly performed only by medical or osteopathic physician, to require close and appropriate supervision by the medical doctor for whom the assistant works.

Senator Beaufort presiding.

The President presiding.

Senators McClain and Barrow offered the following substitute amendment which was adopted on motion by Senator McClain:

On page 8, section 1, add subsection (14):

(14) All physicians or physician groups utilizing physician assistants shall be liable for any acts or omissions of physician assistants while acting under their supervision and control.

Senator Daniel moved that debate be limited to two minutes per amendment and two minutes on the bill and the motion was adopted.

On motion by Senator Weissenborn the following amendment was adopted:

On page 5, section 1(d), strike all of lines 20 through 27 and insert the following: (d) The board shall certify no more than one (1) physician's assistant for each physician.

On motion by Senator Scarborough the following amendment was adopted:

On page 7, line 12, section 1(11), following the period insert the following: The report shall contain the Doctor-Patient ratio as related to the several counties and the counties such physician's assistants are being utilized.

On motion by Senator Barrow the following amendment was adopted:

On page 5, lines 20-27, section 1(6)(d), strike "1(6)(d)" and insert the following: The Board shall certify no more than one (1) physician's assistant for any physician practicing alone; two (2) physician's assistants for two (2) physicians practicing together; a ratio of two (2) physicians assistants to three (3) physicians in any group.

On motion by Senator Myers, by two-thirds vote, CS for SB 280 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—42

Mr. President	de la Parte	Johnson (34th)	Reuter
Arnold	Ducker	Karl	Saunders
Barron	Fincher	Knopke	Saylor
Barrow	Gong	Lewis (33rd)	Scarborough
Beaufort	Graham	Lewis (43rd)	Trask
Boyd	Gunter	McClain	Ware
Brantley	Haverfield	Myers	Weber
Broxson	Henderson	Ott	Williams
Childers	Hollahan	Plante	Wilson
Daniel	Horne	Pope	
Deeb	Johnson (29th)	Poston	

Nays—3

Bell Stolzenburg Weissenborn

The following question posed by Senator Horne and response by Senator Myers, establishing legislative intent regarding the amendment by Senator Horne to CS for SB 280, were recorded in the Journal on motion by Senator Horne:

Senator Horne: For the record and to establish the intent of this measure, is it the legislative intent that the reasonable supervision and control contemplated by this bill, now with my amendment engrossed into it, would permit such an assistant to go about the town alone in making house calls and that sort of thing?

Senator Myers: No, not at all, Senator Horne. The whole thrust and purpose of the physician's assistant act is to relieve the physician from the menial tasks relating to the practice of medicine in his office, to allow more time to develop and to further the physician in his practice, to devote to the medical practice and his patients, and for that reason this category of health manpower is solely an arm and agent of the physician in his office, in surgery or in a hospital by hospital rounds, etc., and not intended to be a new category of manpower setting out unsupervised.

SB 343—A bill to be entitled An act relating to drug wholesalers and drug manufacturers; adding subsections (22) and (23) to §500.03, Florida Statutes; creating §§500.50 and 500.51, Florida Statutes; defining drug wholesaler and drug manufacturer; providing for permits for drug wholesalers and drug manufacturers; providing for notification and renewal of permits; authorizing investigations by department of health and rehabilitative services and department of law enforcement; prohibiting use of titles of "drug wholesaler" or "drug manufacturer" without a permit; authorizing the revocation and suspension of permits; providing an effective date.

Was read the second time by title.

The Committee on Health, Welfare and Institutions offered the following amendment which was adopted on motion by Senator Myers:

In Section 2, line 17, page 4, strike: "Except as provided in this section, no person shall take or use the title drug wholesaler or drug manufacturer or others of like or similar import or use any sign, displayed declaration or symbol that would tend to lead the public to believe that such person is engaged in business as a drug wholesaler or drug manufacturer."

On motion by Senator Gunter, by two-thirds vote, SB 343 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—42 Nays—None

Mr. President	de la Parte	Johnson (34th)	Saunders
Arnold	Ducker	Knopke	Sayler
Barron	Fincher	Lewis (33rd)	Scarborough
Barrow	Gong	Lewis (43rd)	Stolzenburg
Beaufort	Graham	McClain	Trask
Bell	Gunter	Myers	Ware
Boyd	Haverfield	Ott	Weissenborn
Brantley	Henderson	Plante	Williams
Broxson	Hollahan	Pope	Wilson
Childers	Horne	Poston	
Daniel	Johnson (29th)	Reuter	

By unanimous consent Senator Karl was recorded as voting yea.

SB 345—A bill to be entitled An act relating to drug abuse; making it unlawful to possess, sell or give away a hypodermic syringe or needle except to authorized persons; requiring a certificate for possession of a hypodermic syringe or needle when necessary for treatment of injury, deformity or disease; requiring destruction prior to discarding a hypodermic syringe or needle; providing penalties; providing an effective date.

Was read the second time by title.

The Committee on Health, Welfare and Institutions offered the following amendment which was adopted on motion by Senator Myers:

On page 1, between lines 14 and 15, add a new section 1 and renumber succeeding sections, and insert: As used in this act, "hypodermic syringe" or "hypodermic needle" means a device used to inject liquid or soluble materials into the body by puncturing the skin and transmitting the substance into the body.

The Committee on Judiciary—Criminal offered the following amendment which was moved by Senator Barrow:

On page 1, line 25, section 1, after the word "licensed veterinarian," add: licensed funeral director

Senator Wilson offered and moved the following substitute amendment:

On page 1, line 25, section 1, after the word "licensed veterinarian," add: licensed funeral director, licensed clinical laboratory personnel, licensed clinical laboratory trainees, manufacturers of hypodermic syringes,

On motion by Senator Trask, the following amendment to the substitute amendment was adopted:

Add after "hypodermic syringes,": and persons having supervision of livestock.

The substitute amendment as amended was adopted.

The Committee on Health, Welfare and Institutions offered the following amendment which was moved by Senator Myers and failed:

On page 2, line 5, section 1, strike "(.)" and insert: , or if possessed by a person having supervision of livestock, a certificate from the State Veterinarian that such possession is for the prevention or control of diseases of livestock.

The Committee on Health, Welfare and Institutions offered the following amendment which was adopted on motion by Senator Myers:

On page 3, lines 2 and 3, strike "upon becoming a law." and insert: January 1, 1972

The Committee on Health, Welfare and Institutions offered the following amendment which was adopted on motion by Senator Myers:

On page 2, between lines 5 and 6, section 1, add a new subsection, to read: (3) A prescription for the sale of a hypodermic syringe or hypodermic needle may provide for up to six (6) refills without the necessity for renewing the said prescription; however in no case shall such prescription be valid for a period of more than one (1) year from the date of issue. A prescription or certificate for the possession of a hypodermic needle or hypodermic syringe as provided in subsection (2) of this act shall not be valid for more than one (1) year from the date of issue.

Renumber the succeeding sections accordingly.

On motion by Senator Scarborough the following amendment was adopted:

On page 3, line 2, add new section as follows: Section 2. Manufacturers of instruments, as defined in this act must clearly state in type of significant size that failure to render these instruments inoperative upon disposal is a violation of the Florida law.

Renumber

Senator Weissenborn moved the adoption of the following amendment which failed:

On page 2, line 24, section 1, strike all of line 24 on page 2 through line 1 on page 3

On motion by Senator Weissenborn, the Senate reconsidered the vote by which the foregoing amendment failed.

The question recurred on adoption of the amendment.

On motion by Senator Gunter further consideration of SB 345 together with pending amendment was deferred.

Senator Hollahan moved that House Bills appearing on the Calendar be taken up as a special and continuing order of business between the hours of 2:00 and 3:30 p.m. on May 5. The motion was adopted by a two-thirds vote.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:03 p.m., to convene at 8:30 a.m., May 5, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m., May 5, 1971.

JOURNAL OF THE FLORIDA SENATE

Wednesday, May 5, 1971

The Senate was called to order by the President at 8:30 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 Senator Arnold—

SB 1176—A bill to be entitled An act relating to chapter 484, Florida Statutes; providing requirements for licensing; providing for licensing and examination fees; providing for meetings of the board of dispensing opticians; providing for salary of the secretary-treasurer of the board; providing for reimbursement for expenses for the members of the board; providing an effective date.

Was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

By Senator Bell—

SB 1177—A bill to be entitled An act relating to the transfer of funds by the division of planning and budgeting of the department of administration; authorizing the transfer of certain funds appropriated or allocated the department of citrus to the department of agriculture and consumer services and the institute of food and agricultural sciences, University of Florida, for services rendered to the department of citrus or functions performed which are related to the citrus industry and citrus products; providing an effective date.

Was read the first time by title and referred to the Committees on Agriculture and Ways and Means.

By Senator McClain—

SB 1178—A bill to be entitled An act relating to the department of health and rehabilitative services; requiring the department to develop, establish and administer a group treatment program for dependent children; indicating legislative intent; providing for a report to the legislature; defining a dependent child; providing for cooperation with or utilization of present facilities and programs if possible; permitting the department to purchase care; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

By Senator Karl—

SB 1179—A bill to be entitled An act relating to executive suspensions; amending chapter 112, part V, section 112.42, Florida Statutes; to provide for suspension by the governor of any officer on any constitutional grounds for such suspension that occurred during the existing term of the officer or during the next preceding four years; adding section 112.49, Florida Statutes, to provide means for the suspension or removal of officers in city-county government; adding section 112.50 to provide that the power to suspend shall reside concurrently in the governor and in the statutory authority; providing an effective date.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Knopke—

SB 1180—A bill to be entitled An act relating to pilot commissioners and pilots; amending chapter 310, Florida Statutes, by adding section 310.001; amending sections 310.01, 310.03, 310.04, 310.041, 310.08, 310.13, 310.15, 310.16, 310.18, 310.19, 310.20, 310.26 and 310.27, Florida Statutes; providing for local boards of pilot commissioners for each port of the state, including inland waterways, and amending duties and powers; providing members serve without compensation; creating the bureau of pilot commissioners and prescribing membership, powers and duties; repealing sections 310.09, 310.14, 310.17, 310.21, 310.22, 310.23, 310.24 and 310.25, Florida Statutes, relating to per diem to pilots in quarantine, minimum tonnage of pilot boats

and to penalties for piloting in certain ports on boats of less than twenty (20) tons; requiring the board of pilot commissioners to examine vessels and cargo, attend sales; providing duties of auctioneers; providing an effective date.

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

By Senators Ware and Saylor—

SB 1181—A bill to be entitled An act relating to kidney disease; providing for division of health to formulate plan for care and treatment of persons suffering from kidney disease; designating J. Hillis Miller Medical Center dialysis program as the state renal dialysis treatment center; providing that the dialysis center shall train medical and nursing personnel and cooperate with kidney transplant programs; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

By Senator Johnson (34th)—

SB 1182—A bill to be entitled An act relating to school personnel, continuing contracts; amending section 231.36(3), Florida Statutes, by adding paragraph (f); allowing school boards to issue continuing contracts to transferring teachers.

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

By Senator Johnson (34th)—

SB 1183—A bill to be entitled An act relating to public school employees, sabbatical leave; amending chapter 231, Florida Statutes, by adding section 231.395, establishing a program of sabbatical leaves of absence for certain qualified teachers and administrative personnel; providing procedures and conditions for granting sabbatical leaves; providing an effective date.

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

By Senators Saunders, Horne and Deeb—

SB 1184—A bill to be entitled An act amending Chapter 70-243, Laws of Florida; regarding manual of instructions for tax assessors concerning assessment of subdivided lands; providing an effective date.

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

By Senator Johnson (34th)—

SB 1185—A bill to be entitled An act relating to motor carriers; amending section 323.031(1) removing the exemption of for hire permit carriers' operations transporting in a single designated county road building and construction aggregates; amending section 323.031(2)(e) to provide for the payment of \$200.00 application fee for a certificate of public convenience and necessity for a single county operation; repealing section 323.031(4)(a)(b), (5)(a)(b)(c)(d) and (7), relating to grandfather provisions; and renumbering (6) to read (4); repealing in its entirety section 323.051 relating to for hire permits for single county operations and adding a new section providing for certificates of public convenience and necessity for single county operations; creating a new section 323.052 grandfathering for hire permit holders for single county operation to holders of certificates of public convenience and necessity for single county operation, providing for application, notice of hearing, protests, hearings and fees, and exempting motor vehicles having load capacity of ten (10) tons or less; amending section 323.08(4) removing the non-applicability reference to carriers of road building and construction aggregates of section 323.08(1) and (2) and section 323.19; providing an effective date.

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