

JOURNAL OF THE FLORIDA SENATE

Tuesday, May 18, 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 Senators Karl and Daniel—

SB 1574—A bill to be entitled An act to amend Chapter 70-648, Special Acts of the State of Florida, 1970, being the Charter of the City of DeLand, Volusia County, Florida, effective October 1, 1970, which was re-enacted by the Legislature of the State of Florida in 1971 adding to Section 2 of Article I, Corporate Limits, an additional tract of land by annexation and providing an effective date therefor.

Evidence of notice and publication was established by the Senate as to SB 1574.

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

By Senators Karl and Daniel—

SB 1575—A bill to be entitled An act to amend Chapter 70-648, Special Acts of the State of Florida, 1970, being the Charter of the City of DeLand, Volusia County, Florida, effective October 1, 1970, which was re-enacted by the Legislature of the State of Florida in 1971 adding to Section 2 of Article I, Corporate Limits, an additional tract of land by annexation and providing an effective date therefor.

Evidence of notice and publication was established by the Senate as to SB 1575.

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

By the Committee on Transportation—

SB 1576—A bill to be entitled An act relating to the control of junkyards or scrap metal processing plants adjacent to public highways; prohibiting the operation of junkyards or scrap metal processing plants within one thousand (1,000) feet of the right-of-way, unless screened from public view; providing enforcement; providing a penalty; providing for the power of eminent domain of those lands that cannot be screened repealing sections 861.13, 861.14, 861.15, 861.16, 861.17, and 861.18; providing an effective date.

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

By the Committee on Transportation—

SB 1577—A bill to be entitled An act relating to outdoor advertising; amending section 479.01, Florida Statutes, relating to definitions; amending section 479.02, Florida Statutes, relating to enforcement of provisions by the department of transportation; amending section 479.03, Florida Statutes, relating to territory to which act applies; amending section 479.11(1), Florida Statutes, prohibiting the erection of outdoor signs in certain areas; amending section 479.16(2), Florida Statutes, excepting certain advertisements; providing an effective date.

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

By Senators Poston and Thomas—

SB 1578—A bill to be entitled An act relating to the department of transportation; providing for the issuance of non-revenue passes to certain persons; providing an effective date.

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

By the Committee on Judiciary—Criminal—

SB 1579—A bill to be entitled An act relating to carrying of concealed firearms by law enforcement officers; providing that full-time police officers, Florida highway patrolmen, agents of the Florida department of law enforcement and

sheriffs' deputies may carry a concealed firearm, on or about their persons, during off-duty hours with the approval of their superior officers; providing for filing said approval by the superior officers; providing an effective date.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

May 14, 1971

Sir:

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

By Representative Andrews—

HB 480—A bill to be entitled An act relating to the department of education, division of universities; amending sections 245.07, 245.09, 245.14 and 245.16, Florida Statutes, relating to the disposition of dead bodies; providing a penalty; providing an effective date.

By Representative Renick—

HB 1163—A bill to be entitled An act relating to navigation markers; creating §371.524, Florida Statutes, providing that it is unlawful to damage or moor to a lawfully placed navigation marker or buoy; providing exception; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 480, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

HB 1163, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

The Honorable Jerry Thomas
President of the Senate

May 14, 1971

Sir:

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

By Representative Hartnett—

HB 562—A bill to be entitled An act relating to industrial savings banks; amending section 656.121, Florida Statutes, by adding subsection (5); authorizing removal of directors, trustees or officers by the commissioner pursuant to hearing and also emergency removal; providing a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 562, 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 14, 1971

Sir:

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

By the Committee on Governmental Organization & Efficiency and Representative Melvin—

CS for HB 171—A bill to be entitled An act relating to research projects wholly or partially financed by state funds; requiring all federal, state, or private agencies, colleges, universities, research stations, and others engaged in such research to file a report annually and prior to commencing such project; requiring records to be kept by the department of administration and the legislative service bureau; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 171, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

The Honorable Jerry Thomas
President of the Senate

May 14, 1971

Sir:

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

By Representative Hartnett—

HB 557—A bill to be entitled An act relating to banks and trust companies; amending section 659.11, Florida Statutes; authorizing removal of directors, trustees or officers by the commissioner; providing a penalty; providing an effective date.

By Representatives Rish and Chapman—

HB 791—A bill to be entitled An act relating to the development of a recreational park for the handicapped; providing for legislative intent to have said park constructed; providing an effective date.

By the Committee on Business Regulation—

HB 1735—A bill to be entitled An act relating to the Florida uniform land sales practice law; amending section 478.021 (2)(j), Florida Statutes, by adding additional exceptions to communications addressed to and relating to the account of any persons who have previously executed a contract for the purchase of the subdivider's lands; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 557, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 791, contained in the above message, was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

HB 1735, 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 14, 1971

Sir:

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

By Representative Sackett—

HCR 1460—A concurrent resolution expressing disapproval of further use of state funds for Capitol building repair projects until adequate steps are taken to insure the safety of the building's occupants.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 1460, contained in the above message, was read the first time in full and referred to the Committee on Governmental Efficiency.

The Honorable Jerry Thomas
President of the Senate

May 14, 1971

Sir:

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

By Representative Hartnett—

HB 559—A bill to be entitled An act relating to banks and trust companies; amending section 658.10(1), Florida Statutes; establishing that records of the division of banking, department of banking and finance, are confidential and that all reports of examination and investigation are the property of the division of banking, department of banking and finance; prohibiting banks, their officers, directors, officials or employees from making any part of report public except pursuant to court order; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 14, 1971

Sir:

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

By Representative Hartnett—

HB 560—A bill to be entitled An act relating to industrial savings banks; amending chapter 656, Florida Statutes, by adding section 656.211, Florida Statutes; establishing that records of the division of banking, department of banking and finance, are confidential and that all reports of examination and investigation are the property of the division of banking, department of banking and finance; providing an effective date.

By Representative Hartnett—

HB 603—A bill to be entitled An act relating to the board of examiners of landscape architects; amending §§481.011(2), (3) and (4), and 481.081, Florida Statutes, providing definitions; providing for the registration of corporations and partnerships under the landscape architects law; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

House Bills 559, 560 and 603, contained in the above messages, were read the first time by title and referred to the Committee on Commerce.

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Milburn and others—

HB 2116—A bill to be entitled An act relating to Orange County, City of Orlando; amending §§2 and 5 of chapter 26091, Laws of Florida, 1949, relating to the civil service board of said city; excluding deputy chiefs of police and deputy chiefs of the fire department from the provisions of said chapter in certain specified instances; providing for responsibility of deputy chiefs of police and deputy chiefs of the fire department directly to the chief of police and chief of the fire department respectively; providing a method of appointment of deputy chiefs of police and deputy chiefs of the fire department subsequent to the effective date of this act; providing that deputy

chiefs of police and deputy chiefs of the fire department appointed subsequent to the effective date of this act shall serve at the pleasure of the chief of police and chief of the fire department respectively; providing that any person on civil service status who accepts an appointment as deputy chief of police or deputy chief of the fire department shall not forfeit any rights, privileges or rank attained under civil service and upon termination of appointment shall immediately revert to the rank held prior to said appointment; providing for the taking of civil service examinations by deputy chiefs of police and deputy chiefs of the fire department for promotion in specific instances; providing for repeal and inapplicability of conflicting laws; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Tubbs—

HB 2167—A bill to be entitled An act relating to Brevard County; authorizing and empowering the school board of Brevard County to establish by resolution the place in the county where the regular meetings of the school board shall be held; providing an effective date.

Proof of Publication attached.

By Representative Hodes and others—

HB 1246—A bill to be entitled An act relating to Hillsborough County, hospital and welfare board; amending section 2 of chapter 69-1122, Laws of Florida, to extend the expiration date of said chapter, which amends section 7 of chapter 63-1402, Laws of Florida, to provide that the board at the same time it prepares its annual budget may adopt a resolution determining the amount necessary for renovating, constructing, equipping, repairing and enlarging facilities of the board and requesting additional tax on all taxable property in the county not exceeding one (1) mill per annum, and which provides for the duties of the board of county commissioners, county budget commission, county tax assessor and county tax collector in connection therewith, and for the levy by the board of county commissioners of ad valorem taxes upon all taxable property in the county; providing an effective date.

Proof of Publication attached.

By Representative Martinez and others—

HB 1929—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; repealing chapter 24580 (No. 966), Laws of Florida, 1947; and chapter 25888 (No. 892), Laws of Florida, 1949, relating to zoning regulations in Virginia Park Subdivision, Hillsborough County; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Trombetta—

HB 1892—A bill to be entitled An act relating to Broward County, Florida; relating to the South Broward Hospital Dis-

trict; amending Chapter 24415, Laws of Florida, 1947, as amended by Chapter 70-5323, Laws of Florida; providing for a debt limit of said District of an amount equal to fifteen percent (15%) of the appraised value of capital assets; providing an effective date.

Proof of Publication attached.

By Representative Trombetta—

HB 1893—A bill to be entitled An act relating to Broward County; amending Chapter 27438, Laws of Florida, Special Acts, 1951, as amended, relating to the North Broward Hospital District, amending Section 9 of Chapter 27438, Laws of Florida, 1951, as amended, to authorize and limit interest rates on borrowings of the District in accordance with general Florida law; providing for a debt limit of said District of an amount equal to fifteen percent (15%) of the appraised value of the capital assets of said District; providing an effective date.

Proof of Publication attached.

By Representative Trombetta—

HB 2159—A bill to be entitled An act relating to Port Everglades Authority; amending Part VI, Article 2, Section 2, Chapter 59-1157, Laws of Florida, as amended by Chapter 65-1318, Laws of Florida; relating to definition and description of lands defined as "Port Operational Lands"; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative J. W. Robinson and others—

HB 1583—A bill to be entitled An act relating to Brevard County; amending chapter 67-1018, Laws of Florida, relating to magistrates court of said county; establishing the compensation of the judges of said court; providing an effective date.

Proof of Publication attached.

By Representative Powell and others—

HB 2102—A bill to be entitled An act relating to Brevard County; amending section 2 of chapter 67-1140, Laws of Florida, relating to the establishment and designation of a district fire control unit or units in Brevard County; amending section 5 of chapter 67-1140, Laws of Florida, relating to the assessment of a tax not to exceed one (1) mill on all taxable property within an established and designated fire control unit or units; providing an effective date.

Proof of Publication attached.

By Representative Tubbs—

HB 2166—A bill to be entitled An act relating to Brevard County; providing that the county attorney of Brevard County shall have the power to institute any suit or action on behalf of Brevard County for the payment of the care of committed incompetents or for the care of the mentally ill under Florida Statutes, sections 394.22 (13) and 394.201 (6); providing that the provisions of said act are supplemental to the provisions of Florida Statutes chapter 394; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Moudry and others—

HB 1263—A bill to be entitled An act relating to Fire Control Tax Districts in the County of Palm Beach; amending section 6 of chapter 1747, Laws of Florida, 1963, by limiting the fee allowable to county officers for assessing and collecting Fire Control Tax District Taxes; providing an effective date.

Proof of Publication attached.

By Representative Hazelton and others—

HB 1349—A bill to be entitled An act relating to the fees to be paid the county tax assessor and county tax collector of Palm Beach County for assessment and collection of municipal taxes; fixing said fees; providing an effective date.

Proof of Publication attached.

By Representative David Clark and others—

HB 2157—A bill to be entitled An act relating to Palm Beach County, amending Chapter 67-1878, Laws of Florida 1967, relating to land clearing in unincorporated areas of Palm Beach County, to add section 8 to exempt from the provisions of this law all lands in the unincorporated area of Palm Beach County zoned agricultural (A-1 or A-2); providing effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Yancey and others—

HB 2133—A bill to be entitled An act relating to the City of Lakeland, Polk County; amending §26 of chapter 59-1481, Laws of Florida, relating to the creation and establishment of said city; deleting the provision requiring publication of ordinances; providing an effective date.

Proof of Publication attached.

By Representative Jones and others—

HB 2134—A bill to be entitled An act relating to the City of Auburndale, Polk County; amending Section 2 of the City Charter of said City, Chapter 61-1866, Laws of Florida, by redefining the jurisdictional boundaries of said City to include therein certain contiguous areas heretofore annexed into said City by ordinance and/or petition and resolution, a portion of Bridgers Avenue, a portion of Derby Avenue, and the remaining portion of the waters of Lake Lena; providing an effective date.

Proof of Publication attached.

By Representative Libertore and others—

HB 2135—A bill to be entitled An act relating to the City of Lakeland, Polk County; amending sections 2 and 3 of chapter 63-1518, Laws of Florida, which created a new pension plan for officers and employees of the city and provided for the creation of a pension board, retirement benefits, contributions by the city and by officers and employees; amending such sections to increase monthly benefits equal to two percent (2%) of an officer's or employee's monthly salary for the first twenty-five (25) years of such contribution, and providing for an increase in contributions by employees from five percent (5%) of earnings to six percent (6%) of earnings; providing for a contribution by the city of an equal amount; increasing the benefits

of presently retired employees by two percent (2%) for each full year of retirement; providing a method of reinstatement of pension benefits to employees with interrupted service; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Johnson and others—

HB 2154—A bill to be entitled An act relating to Sarasota county, fruitville area fire control district, amending sections 2, 4, 7 and 8, and adding section 20, of and to chapter 65-2251, laws of Florida, special acts of 1965; providing for the purchase of property and insurance; providing for the employment of personnel; providing for participation in pension and retirement plans, including state retirement and pension plans; authorizing contracts with other governmental units and providing other powers; providing for the levy and collection of special assessments for benefits for fire protection and for ambulance service; authorizing a charge per trip for ambulance service for residents and non-residents; providing for the reduction of the compensation to the county tax collector and county tax assessor for their services from three percent (3%) to one and one half percent (1½%); providing authority to borrow money and issue certificates of indebtedness and the pledging of the taxing and assessment power of the district; providing the district may acquire property by gift, purchase or eminent domain proceedings; providing for a referendum; providing an effective date.

Proof of Publication attached.

By Representative Johnson and others—

HB 2076—A bill to be entitled An act amending Section 2(b) of Chapter 69-931, Laws of Florida, Special Acts of 1969, creating the Harbour Heights Fire Control District by providing for the appointment of members of the Board of Commissioners by the Governor of Florida from a list of residents of the Harbour Heights Fire Control District to be submitted by the Harbour Heights Volunteer Fire Company, Inc., or its successors, and prescribing terms of such Commissioners; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Johnson and others—

HB 2075—A bill to be entitled An act relating to the regulation of water and sewer systems and bulk water utilities in Sarasota County, Florida; amending Chapter 67-2064, Laws of Florida, Special Acts of 1967, by adding section 1(9) defining a non-profit corporation; amending section 6 to provide for rates, charges and the method of determining same for public utilities, including those operating as a non-profit corporation; providing that this act shall be applicable to all public utilities now or hereafter operating under a franchise granted by the board of county commissioners of Sarasota County; providing an effective date.

Proof of Publication attached.

By Representative Johnson and others—

HB 2077—A bill to be entitled An act relating to Sarasota county, Florida, providing for the control and regulation of air and water pollution; making certain findings of fact, including a finding that regulations regarding air and water pollution should be uniform throughout Sarasota County; authorizing the board of county commissioners of Sarasota County, Florida, to adopt ordinances relating to the control of air and water pollution; providing that such ordinances shall be uniformly applicable throughout Sarasota County, including those areas of the County lying within municipal boundaries; providing that an ordinance adopted pursuant to this act may provide for stricter, more extensive and more stringent regulation of air and water pollution than is provided under the authority of the general laws of the State of Florida; providing that a violation of a county ordinance adopted pursuant to this act is a misdemeanor punishable as provided by general law; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Craig—

HB 2164—A bill to be entitled An act relating to Flagler County; authorizing the district school board to buy from the department of health and rehabilitative services; authorizing said department to sell to said board masonry products, food stuffs, metal products, canned goods and any and all other products and services produced by the department or institutions under its supervision; eliminating any requirements of general or special law requiring bids in making such purchases; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Moudry and others—

HB 1251—A bill to be entitled An act relating to the South Indian River Drainage District in Palm Beach County, Florida; providing for the method of assessment and collection of drainage and maintenance taxes within said District for the year 1971 and for subsequent years, and providing for the duties of the tax assessor, the tax collector and the board of county commissioners of Palm Beach County, Florida, with reference to said assessment and collection; granting authority to the board of supervisors of said District to expend funds of the District to pay for the maintenance and repair of dedicated roads and road rights of way, including swales thereof, within the District where such maintenance and repair is not performed by other governmental units; satisfy and confirming the sixth plan of reclamation of said District; ratify and validify all acts and proceedings of the board of supervisors and by board of commissioners of said District performed since July 3, 1969; repealing all laws in conflict herewith; and providing for an effective date.

Proof of Publication attached.

By Representative Nichols and others—

HB 1629—A bill to be entitled An act amending Section 19.03 of Article 19 of Chapter 67-1320, Laws of Florida, as amended, being the Charter of the City of Jacksonville, waiving the right of the City to require that its employees shall live within the city as a condition of employment; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Zinkil—

HB 1202—A bill to be entitled An act relating to Broward County, Florida; providing additional beverage licenses; and providing an effective date.

Proof of Publication attached.

By Representative Johnson and others—

HB 1228—A bill to be entitled An act to repeal Chapter 65, 696 General Laws of 1965, Laws of Florida, which provides for the annual compensation of the Charlotte County juvenile counselor, the travel and secretarial expenses of said juvenile counselor, and the qualifications for such counselor; providing for an effective date.

Proof of Publication attached.

By Representative Moudry and others—

HB 1248—A bill to be entitled An act further amending Chapter 8910, Laws of Florida, Acts of 1921, as heretofore amended and supplemented, by adding a new section to be numbered section 12-A, providing for the issuance of bonds of the Jupiter Inlet District to finance the cost of the construction, acquisition or improvement of the channel, jetties and other works and facilities of Jupiter Inlet District; providing that said bonds shall be general obligation bonds payable from ad valorem taxes and limiting the amount of such bonds; providing for the approval of said bonds by both the qualified electors and freeholder electors residing in said District; providing for the rights, security and remedies of the holders of such bonds and for the sale thereof; and providing when this act shall take effect.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Yancey and others—

HB 2140—A bill to be entitled An act relating to the City of Lakeland, Polk County; repealing §131 of chapter 59-1481, Laws of Florida, relating to the creation and establishment of said city; eliminating the provision prohibiting the letting of contracts where bids exceed the estimate for the improvement contemplated; providing an effective date.

Proof of Publication attached.

By Representative J. R. Clark and others—

HB 2141—A bill to be entitled An act relating to the City of Lakeland, Polk County; amending section 1 of chapter 63-1518, Laws of Florida, which created a new pension plan for officers and employees of the city and provided for the creation of a pension board, retirement benefits, contributions by the city and by officers and employees; prescribing the manner in which such pension funds shall be invested and exempting the benefits from taxes and execution; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Craig—

HB 725—A bill to be entitled An act relating to Flagler County, East Flagler Mosquito Control District; authorizing the board of commissioners of said district to adopt a resolution setting the salaries of members of said board at not more than one thousand five hundred dollars (\$1,500) annually; repealing chapter 57-1321, Laws of Florida, which authorizes a nine hundred dollar (\$900) salary per annum for said board members; providing an effective date.

Proof of Publication attached.

By Representative MacKay and others—

HB 1676—A bill to be entitled An act amending chapter 65-1905, Laws of Florida, 1965, being the Marion County Hospital District; amending section 3 of said chapter 65-1905, removing the prohibition as to the Members of the Board of Trustees of the Marion County Hospital District; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Johnson and others—

HB 2153—A bill to be entitled An act relating to Charlotte County; amending Section 2 of Chapter 61-691, Laws of Florida, as amended by Chapter 63-659 and 63-849, Laws of Florida, relating to the creation of the Southwest Florida Water Management District, prescribing the area of said District; providing an effective date.

Proof of Publication attached.

By Representative Sims and others—

HB 1392—A bill to be entitled An act relating to Orange County; requiring the fee officers of the county to pay each month to the board of county commissioners the surplus funds as defined in the act which the fee officer has on hand as an advance payment of his excess fees for the current fiscal year; providing for a refund to the officer if overpayment has been made and withholding of payment by an officer under certain conditions; providing an effective date.

Proof of Publication attached.

By Representative Mooney and others—

HB 2081—A bill to be entitled An act relating to Orange County; providing for and authorizing the withdrawal of Orange County from the Central Florida Regional Housing Authority; providing for the method of such withdrawal; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Craig—

HB 2094—A bill to be entitled An act relating to Putnam county schools; authorizing the school board of Putnam county, to acquire, construct, enlarge, improve, repair, remodel, equip and furnish schools, school facilities and all necessary appurtenances within the school district of Putnam County; authorizing the issuance of revenue bonds payable from race track funds and jai alai fronton funds accruing annually to Putnam county pursuant to the provisions of chapters 550 and 551, Florida Statutes, and allocated to the board, to pay the costs of such projects; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Mooney and others—

HB 2083—A bill to be entitled An act relating to Orange County zoning; amending §4 of chapter 63-1716, as amended by chapters 65-1999 and 67-1831, all Laws of Florida, to change the quorum requirements and the vote necessary for action to be taken; amending §8 of chapter 63-1716, Laws of Florida, to provide for additional areas of regulation; amending §10 of chapter 63-1716, as amended by chapter 65-1999, all Laws of Florida, to provide for the action the board of county commissioners shall take on the recommendations of the planning and zoning commission and the time after which changes or amendments shall become effective; amending §13 of chapter 63-1716, Laws of Florida, to provide for violations of special exceptions, to provide criteria for granting variances, and to specify the requirements for a quorum and vote necessary to take action; amending §15 of chapter 63-1716, as amended by chapter 67-1831, all Laws of Florida, to specify who may appeal; amending §16 of chapter 63-1716, as amended by chapter 65-1999, all Laws of Florida, to provide for petitions for writs of certiorari; providing an effective date.

Proof of Publication attached.

By Representative Gibson and others—

HB 2113—A bill to be entitled An act relating to the City of Orlando, Orange County, and the requirements for employment as firemen and policemen including residence; amending §3 of chapter 23444, Laws of Florida, 1945, as amended by §1 of chapter 29356, Laws of Florida, 1953, and by §1 of chapter 61-2605, Laws of Florida; amending §2 of chapter 59-1663, Laws of Florida; providing for repeal of conflicting laws in-

cluding §1 of chapter 29356, Laws of Florida, 1953, and §1 of chapter 61-2605, Laws of Florida; providing an effective date.

Proof of Publication attached.

By Representative Gibson and others—

HB 2084—A bill to be entitled An act relating to Orange County; providing that fees charged by the sheriff for all service of civil process, including witness subpoenas and writs of execution, shall be nonrefundable and paid at the time of filing with the sheriff of the documents that are to be served or docketed; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Gustafson—

HB 874—A bill to be entitled An act relating to Broward County, Florida; amending Sections 7 through 11 of Chapter 59-877, Laws of Florida, 1959; abolishing the Office of County Solicitor; providing that the State Attorney of the Seventeenth Judicial Circuit in and for Broward County, Florida, shall be the prosecuting attorney of the Court of Record of Broward County; providing that pending information survive, and may be amended by the State Attorney or his Assistant State Attorneys; prescribing his duties and those of his Assistants; allowing the State Attorney the process of the Court of Record and the power to administer oaths; providing for prosecutions in said Court by indictment, information, or as otherwise provided by law; transferring County funds budgeted for the County Solicitor's office for County fiscal year 1970-71 to the use of the said State Attorney's office; abolishing the fee system of funding the County Solicitor's office; authorizing Broward County to expend funds upon the certification of the State Attorney for the period from the effective date of this Act up to the commencement of the next County fiscal year for the proper operation of the State Attorney's office to the extent not provided by State appropriations; amending Chapter 63-1154, Special Acts of Florida, 1963, to authorize Broward County to provide County Courthouse space for the State Attorney's offices; authorizing the budgeting and lump-sum appropriation of funds supplemental to and notwithstanding funds otherwise provided by the State of Florida for the operation of the State Attorney's office; providing that the State Attorney may set and modify the salaries and allocation of manpower within the limits of said lump-sum appropriation; authorizing the State Attorney to provide a group insurance plan for himself and his personnel, and to enter into agreements with insurance companies for same; authorizing and directing the County Commission to appropriate the costs of the premiums therefor within the total appropriations for said State Attorney's office; declaring all expenditures heretofore and hereafter made for the operation of the State Attorney's office to be for a valid County purpose; providing that Investigators appointed by the State Attorney shall have powers to arrest, to serve legal process, and to carry weapons; vesting such Investigators with all the powers and authority of the Deputy sheriffs of Broward County; requiring the State Attorney to file his appointments of Investigators, and any revocations or terminations thereof, with the Clerks of the Circuit Court and Court of Record; requiring the County solicitor to file a final report and pay over excess fees pursuant to §145.12, Florida Statutes; repealing all laws inconsistent herewith; providing a severability clause; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Jones and others—

HB 2142—A bill to be entitled An act relating to the City of Lakeland, Polk County; amending §24 of chapter 59-1481, Laws of Florida, relating to the creation and establishment of said city; providing the method for dispensing with the second reading of ordinances; providing an effective date.

Proof of Publication attached.

By Representative Gorman and others—

HB 2119—A bill to be entitled An act relating to the City of Casselberry, Seminole County; amending subsection (j), section 8, article III, chapter 65-1351, Laws of Florida, by deleting the requirement of approval by a majority of the benefited property owners prior to imposition of special assessments; providing an effective date.

Proof of Publication attached.

By Representative Nichols and others—

HB 2103—A bill to be entitled An act amending Chapter 67-1320, Laws of Florida, as amended, being the Charter of the Consolidated City of Jacksonville, to permit imposition by ordinance of the Council, a regulatory fee of up to 1½% of the gross receipts of garbage service regulated by the City of Jacksonville; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representatives Gallen and Harillee—

HB 2148—A bill to be entitled An act relating to Manatee County, Florida; confirming and ratifying the salaries heretofore paid by the Board of County Commissioners of Manatee County, Florida, to the official court reporter of the Court of Record of Manatee County, Florida; providing an effective date.

Proof of Publication attached.

By Representative Johnson and others—

HB 2150—A bill to be entitled An act relating to DeSoto County Hospital District, and amending Chapter 65-1450, Laws of Florida, 1965, to delete therefrom in Section 2 any language prohibiting a member of the medical profession from serving on the governing board of DeSoto County Hospital District.

Proof of Publication attached.

By Representative Johnson and others—

HB 2151—A bill to be entitled An act relating to DeSoto County Hospital District; providing for the creation of a lien for all responsible charges for hospital care; providing said lien shall attach to all legal actions accruing to the person receiving such care; providing for filing of lien; providing for recording of satisfaction of said lien; providing for a limitation thereof; providing for an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Gustafson—

HB 877—A bill to be entitled An act relating to the Court of Record of Broward County; amending chapter 70-461, Laws of Florida, prescribing the compensation for judges of the Court of Record of Broward County; providing an effective date.

Proof of Publication attached.

By Representatives Gustafson and Smith—

HB 1586—A bill to be entitled An act relating to Broward County; creating the Broward County Narcotics and Dangerous Drug Intelligence and Enforcement Unit; defining its purpose; providing for appointment of the Unit Supervisor; authorizing municipalities and other agencies within Broward County to assign officers to duty on said Unit; providing that the Sheriff of Broward County may deputize the members of said Unit; providing for the creation of an operating budget within the budget of the Sheriff of Broward County; providing for the appropriation of funds through the budget of the Sheriff of Broward County for the operation of said Unit; authorizing and directing the Sheriff of Broward County to make appropriate application for Federal Funds; providing that funds appropriated through the Sheriff's Budget shall be considered as matching funds in the event of any Federal appropriation; requiring the filing of reports, including reports to the Broward County Chiefs of Police Association; prescribing the Unit's duties; providing that the State Attorney shall be the legal advisor to the Unit; providing that the Supervisor shall work under the direction and guidance of the Sheriff of Broward County; providing that participation under this Act shall not be mandatory; declaring all funds expended pursuant hereto to be for a valid County purpose; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Murphy and others—

HB 2121—A bill to be entitled An act relating to Pinellas County; repealing subsection (3) of section 2 and subsection (3) of section 3 of chapter 63-1790, Laws of Florida, removing the prohibition on the sale of alcoholic beverages on election days; providing an effective date.

Proof of Publication attached.

By Representative Murphy and others—

HB 2122—A bill to be entitled An act creating the Clearwater Beach Bridge Authority; describing its duties; providing for the financing of the Authority; providing for dissolution; providing an effective date.

Proof of Publication attached.

By Representative Savage and others—

HB 2123—A bill to be entitled An act relating to Pinellas County amending Section 16 of Chapter 69-1482, Laws of Florida, 1969, to provide that the civil service board shall adopt reasonable rules governing accrual and granting of annual vacation leave for employees; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Ryals and others—

HB 2146—A bill to be entitled An act relating to City of Tampa, Hillsborough County, municipal elections; making the supervisor of elections of Hillsborough County the elections officer of the City of Tampa; imposing upon and vesting in such elections officer the powers and duties imposed upon and vested in the board of elections of Hillsborough County by chapters 67-2123 and 69-1654, Laws of Florida, with respect to such municipal elections; providing for the imposition and vesting by ordinance of additional duties and powers upon and in the elections officer; providing that the elections officer shall not be required to be a resident or elector of the city; providing that redivision of the territory of the city prior to each such election shall be done with the recommendations and approval of the Hillsborough County planning commission; providing for the payment of the cost of such elections; amending sections 3 and 15 of chapter 69-1654, Laws of Florida, to provide respectively for rules and regulations by ordinance of the city council and for the counting, tabulating, and canvassing of the votes by the elections officer; preserving all action heretofore taken by the board of elections of Hillsborough County in relation to or in contemplation of the 1971 regular municipal election; repealing sections 18 and 19 of chapter 69-1654, Laws of Florida, relating to the cost of such elections; providing an effective date.

Proof of Publication attached.

By Representative Martinez and others—

HB 2147—A bill to be entitled An act relating to Hillsborough County; amending §5 of chapter 63-1402, Laws of Florida, as amended by chapters 65-1677 and 69-1120, Laws of Florida, relating to the hospital and welfare board; prescribing eligibility of certain persons for medical treatment in a hospital of said board; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative David Clark and others—

HB 1217—A bill to be entitled An act relating to South Florida Conservancy District, Hendry and Palm Beach Counties, Florida; authorizing: performance of restoration work, entering into contracts with the Soil Conservation Service of Department of Agriculture for the performance of the work, levy of a special maintenance tax, the borrowing of money and pledge of taxes for the payment of the work; arranging with other drain-

age districts for pooling of expenses and facilities; amending sub-section (h) of section 2, chapter 20477, acts 1941, relating to the general manager; amending section 36, chapter 17258, acts 1935, as amended, relating to signing of checks; providing an effective date.

Proof of Publication attached.

By Representatives Chapman and Rish—

HB 1712—A bill to be entitled An act relating to the City of Panama City, Bay County; amending §§2 and 3 of article I of chapter 63-1757, Laws of Florida, by ratifying, confirming and describing the territorial boundaries of said city and ratifying, confirming and describing the wards and voting precincts of said city; repealing all laws in conflict herewith; providing an effective date.

Proof of Publication attached.

By Representatives Shaw and Hollingsworth—

HB 1723—A bill to be entitled An act relating to Baker County; abolishing justice of the peace districts and the offices of constable in said county; providing for a referendum.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas May 17, 1971
President of the Senate

Sir:

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

By Representative H. W. Matthews and others—

HB 2112—A bill to be entitled An act relating to the City of Orlando, Orange County; relating to the sale and purchase of real estate by or for the city, amending sections 2 and 3 of chapter 65-2022, Laws of Florida, as amended by chapter 70-842, Laws of Florida, by changing upward to one million dollars (\$1,000,000) the existing requirement of an election of the qualified and registered electors of said city when a purchase or sale of real estate exceeds two hundred fifty thousand dollars (\$250,000); providing for the repeal of conflicting laws; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas May 17, 1971
President of the Senate

Sir:

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

By Representative Mooney and others—

HB 2114—A bill to be entitled An act relating to the City of Orlando, Orange County; authorizing the city to provide, by ordinance, for the expenditure by the city of per diem and travel expenses for all public officers, employees and authorized persons when performing authorized travel; providing an effective date.

Proof of Publication attached.

By Representative Gibson and others—

HB 2115—A bill to be entitled An act relating to Orange County, West Orange memorial hospital tax district; amending Sections 2, 4 and 7 of Chapter 26066, Laws of Florida, 1949, as amended; adding additional trustees; providing for the terms and appointments thereof; changing the number of trustees required to constitute a quorum and to transact business; author-

izing the board of trustees to issue revenue bonds or certificates and time anticipation warrants and to secure promissory notes or other forms of indebtedness with mortgages, liens, and other security upon any assets, real, personal, or intangible, owned or held by the board; providing an effective date.

Proof of Publication attached.

By Representatives Gallen and Harllee—

HB 2155—A bill to be entitled An act amending Sections 6 and 7 of Chapter 67-1671, Laws of Florida, Special Acts of 1967, relating to Manatee County, Florida; eliminating the requirement that the pollution control engineer shall be a professional engineer, duly licensed and qualified to practice in the State of Florida, or that he shall become registered within eighteen months from the date of his appointment; changing the title of the pollution control engineer to pollution control director; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas May 17, 1971
President of the Senate

Sir:

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

By Representative Grizzle and others—

HB 2127—A bill to be entitled An act amending Section 4, Chapter 59-1744, Laws of Florida, Special Acts of 1959, providing for change of the maximum assessment rates of the Indian Rocks Special Fire Control District; providing for the creation of a building fund for a fire station by utilization of ten percent (10%) of the annual assessment roll of the Fire District for a period of five (5) years; providing for a referendum.

By Representative Grizzle and others—

HB 2128—A bill to be entitled An act relating to the City of Tarpon Springs, Pinellas County; amending Section 6 of Chapter 21598, Laws of Florida, 1941; by adding subsection (3); providing a change of boundaries; providing a referendum.

By Representative Moudry and others—

HB 1213—A bill to be entitled An act relating to Pahokee Drainage District, Palm Beach County, Florida; amending section 6, chapter 13715, acts 1929, as amended, relating to the levy of maintenance taxes; providing for employment of a general manager, signing of checks, pooling with other drainage districts expenses, facilities and services; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas May 17, 1971
President of the Senate

Sir:

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

By Representative Melvin and others—

HB 394—A bill to be entitled An act relating to Okaloosa County, Destin fire control district; amending chapter 63-1685, Laws of Florida; providing boundaries of said district; providing powers, duties, and liabilities of said district; providing for inspection of places of business, apartment houses, theaters and other buildings; providing for a board of commissioners

to be elected by freeholders residing in the district; providing for raising all necessary funds for financing said district; providing for the levy, collection and enforcement of special assessments against lands in said district; providing for limitations of claims, demands, and suits against said district; authorizing and empowering said district to make and enter into contracts; establishing said district as a public municipal corporation; providing for a referendum.

Proof of Publication attached.

By Representative MacKay and others—

HB 1504—A bill to be entitled An act amending Chapter 65-1905, Laws of Florida, 1965, being the Marion County Hospital District, by adding a new section authorizing a levy of one (1) mill tax by the board of county commissioners upon real and personal taxable property of said District not exempt by law, said tax to be used by the board of trustees to pay the costs of financing the acquisition, erection and construction of additions, improvements and extensions, or the costs of acquisition, erection and construction of additions, improvements and extensions to the hospital operated by said board of trustees; and providing an effective date.

Proof of Publication attached.

By Representatives Shaw and Hollingsworth—

HB 2161—A bill to be entitled An act relating to the Town of Penney Farms, Clay County; repealing chapters 13253, 1927, 20055, 1939, and 57-1712, Laws of Florida, establishing and amending the town charter; establishing a successor municipality to be known as the Town of Penney Farms; providing for continuation of government; fixing its powers and duties; establishing its organization; providing for qualifications of members of the town council and their election; providing for a referendum.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 17, 1971

Sir:

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

By Representative Sykes and others—

HB 1880—A bill to be entitled An act relating to Palm Beach County, district school board; providing for nonpartisan election of all members of district school board; providing for the method of electing members of the said board; providing that this act shall not affect the term, political affiliation or compensation of incumbents; providing for a referendum election.

By Representative Sykes and others—

HB 1901—A bill to be entitled An act relating to Palm Beach County; providing that the district school superintendent shall be employed by the district school board pursuant to Section 5, Article IX of the State Constitution and general law; providing for a referendum.

By Representative Reed and others—

HB 2093—A bill to be entitled An act relating to the City of Boca Raton, Florida, amending Article I of Chapter 65-1264, Laws of Florida, Special Acts of 1965, as amended, being the Charter of the City of Boca Raton; providing that the territorial limits of said municipality be expanded and extended by an addition thereto entitled, "Additional Territory Included In Corporate Boundaries", to include the territory presently incorporated in the City of University Park; providing for the annexation to the City of Boca Raton of said territory; providing for the exercise within the new boundaries of said City of all municipal powers and rights heretofore and hereafter granted by law to the City of Boca Raton; providing for the abolition of the City of University Park; providing for the acquisition of the public property, rights and franchises of the

City of University Park by the City of Boca Raton, and the assumption of all indebtedness, except existing bond indebtedness, of the City of University Park; providing for the provision of utilities, a comprehensive zoning plan and other municipal services within the annexed territory; providing that the invalidity of any Section of this act shall not invalidate other sections; providing for a referendum and providing for an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to House Bills 2116, 2167, 1246, 1929, 1892, 1893, 2159, 1583, 2102, 2166, 1263, 1349, 2157, 2133, 2134, 2135, 2154, 2076, 2075, 2077, 2164, 1251, 1629, 1202, 1228, 1248, 2140, 2141, 725, 1676, 2153, 1392, 2081, 2094, 2083, 2113, 2084, 874, 2142, 2119, 2103, 2148, 2150, 2151, 877, 1586, 2121, 2122, 2123, 2146, 2147, 1217, 1712, 2112, 2114, 2115, 2155, 1213, 394 and 1504.

House Bills 2116, 2167, 1246, 1929, 1892, 1893, 2159, 1583, 2102, 2166, 1263, 1349, 2157, 2133, 2134, 2135, 2154, 2076, 2075, 2077, 2164, 1251, 1629, 1202, 1228, 1248, 2140, 2141, 725, 1676, 2153, 1392, 2081, 2094, 2083, 2113, 2084, 874, 2142, 2119, 2103, 2148, 2150, 2151, 877, 1586, 2121, 2122, 2123, 2146, 2147, 1217, 1712, 1723, 2112, 2114, 2115, 2155, 2127, 2128, 1213, 394, 1504, 2161, 1880, 1901 and 2093, contained in the above messages, were read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Senate recessed at 8:34 a.m.

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

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

Excused: Senators Brannen and Henderson.

Prayer by Senator Arnold:

Let us pray. Great architect, creator of the universe, grant us this day the strength, courage and wisdom to do what we consider right for all citizens of the great state of Florida. Compel us to be just in our dealings. Let our motives be above suspicion. Let our word be our bond. Save us from the fallacy of depending upon our personality, our ingenuity or position to solve our problems. May our actions be sanctioned by the highest of all courts—the Kingdom of Heaven. Amen.

The Journal of May 17 was corrected and approved as follows:

Page 400, counting from the bottom of column 1, line 5, strike "480" and insert: 1480

Page 400, column 2, line 12, strike "SB" and insert: HB

HCS for SCS for SB 54 and HB 99—A bill to be entitled An act relating to regulation of boats; amending section 371.51, Florida Statutes, to prohibit the operation of vessels while under the influence of certain drugs and chemical substances; providing an effective date.

—which was read the second time by title. On motion by Senator Saylor, by two-thirds vote, HCS for SCS for SB 54 and HB 99 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

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

By unanimous consent Senator Reuter was recorded as voting yea.

On motion by Senator de la Parte, the rules were waived and the staff of the Committee on Ways and Means was granted privileges of the floor for the purpose of consideration of the special order calendar on taxation.

On motion by Senator Weissenborn, unanimous consent was obtained to take up out of order—

SM 1357—A memorial to the United States Senate expressing the interest of the legislature in the establishment of a National Cancer Authority.

WHEREAS, more Americans died, the victims of cancer, in 1969 than did the 4 years of World War II, and

WHEREAS, of the 200 million Americans alive today, 50 million will develop cancer and approximately 34 million will die of it, and

WHEREAS, cancer claims the lives of more children under 15 years of age than any other illness, and

WHEREAS, in 1969, for every man, woman, and child in the United States, our federal government spent only 89¢ on cancer research as compared to \$19 on foreign aid, \$19 on the space program, and \$125 on the war in Vietnam, and

WHEREAS, the tragedy of the disease of cancer has either directly or indirectly affected millions of Americans, and

WHEREAS, a nation as great as the United States can not afford to lose such a large portion of its population to any disease without an all out effort to conquer that disease; Now Therefore

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

That the United States Senate is hereby notified of the great interest and concern felt by the citizens of Florida for the need for an all-out war on cancer.

Be It Further Resolved that the United States Senate is respectfully urged to regard the establishment of a National Cancer Authority as a priority measure, and further, to provide adequate funding for an "all out war" on cancer.

Be It Further Resolved that copies of this Memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of Florida's Congressional Delegation.

—which was read the second time in full. On motion by Senator Weissenborn, SM 1357 was unanimously adopted and certified to the House.

RESOLUTIONS

SCR 1480—A concurrent resolution recognizing need for revision of the state highway safety laws; providing for a continuing legislative study to implement the safety laws of Flor-

ida and the safety standards suggested and set by the Federal Highway Safety Act of 1966, as amended; providing for the appointment of an advisory committee and delineating its membership, terms of office, duties and responsibilities.

Was taken up, having been amended and temporarily deferred on May 17.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

On page 3, lines 25—29, strike entire lines and insert: safety organizations; one member representative of law enforcement on the state level; one member from the department of highway safety and motor vehicles; and one member from the department of transportation.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

On page 4, lines 6—9, strike entire lines and insert: serving each year after the first year. One member shall be appointed for a one year term, two members to a two year term and two members to a three year term beginning September 1, 1971, and there-

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

On page 4, lines 1 and 2, strike entire lines and insert: The members of the ad-

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

On page 3, line 18, strike entire line and insert: Florida Statutes, consisting of five distinguished

On motion by Senator Stolzenburg, SCR 1480 as further amended was read in full, adopted and ordered engrossed. The vote was:

Yeas—26

Bell	Haverfield	Myers	Stolzenburg
Brantley	Johnson (29th)	Ott	Trask
Broxson	Johnson (34th)	Pope	Ware
Childers	Knopke	Poston	Weissenborn
Ducker	Lane	Saunders	Williams
Graham	Lewis (33rd)	Saylor	
Gunter	Lewis (43rd)	Scarborough	

Nays—15

Mr. President	Bishop	Gong	Reuter
Arnold	Daniel	Hollahan	Weber
Barron	Deeb	McClain	Wilson
Barrow	de la Parte	Plante	

By unanimous consent Senator Beaufort was recorded as voting yea.

Senator Pope moved that the Senate reconsider the vote by which SCR 1480 was adopted.

RECONSIDERATION

The motion to reconsider the vote by which SB 397 failed to pass on May 13 not having been taken up on May 17, was considered abandoned.

The motion to reconsider the vote by which SB 392 as amended passed on May 14 not having been taken up on May 17, was considered abandoned and the bill was ordered engrossed.

On motion by Senator de la Parte the rules were waived and the Senate proceeded to the Special Order Calendar.

SPECIAL ORDER

Consideration of SB 643 was deferred, the bill retaining its place on the Calendar.

HB 627—A bill to be entitled An act relating to tax on sales, admissions, use, storage, consumption, or rentals levied pursuant to chapter 212, Florida Statutes; amending §212.08(3) (a), Florida Statutes, 1970 Supplement, to eliminate partial exemption from tax on motor vehicles and equipment used by commercial fisheries; repealing sections 212.02 (h) (1) and 212.031 (1) (a) (1) to remove the exemption of agricultural property from sales, lease and rental taxes; amending §212.08 (3) (b), Florida Statutes, by increasing from three percent (3%) to four percent (4%) the value of leased motor vehicles at which the exemption shall commence; providing an effective date.

Was read the second time by title.

The Committee on Ways and Means offered the following amendment which was moved by Senator de la Parte:

On pages 1, 2, and 3, strike everything after the enacting clause and insert: Section 1. Paragraph (a) of subsection (3) of section 212.08, Florida Statutes, as amended by chapter 70-206, Laws of Florida is repealed.

Section 2. Paragraph (b) of subsection (3) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, storage, use tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution and the storage to be used or consumed in this state, of the following tangible personal property, are hereby specifically exempt from the tax imposed by this chapter.

(3) EXEMPTIONS, PARTIAL: MOTOR VEHICLES AND CERTAIN FARM EQUIPMENT.—

(b) The sale or lease of motor vehicles to be used by the purchaser or lessee exclusively for lease or rental to another or others shall be exempt from the tax imposed by this chapter as constituting a sale for the purpose of resale, where the lease or rental of such motor vehicles is an established part of an established business, or the same is incidental or germane to said business, and the operator of such business shall be deemed to be a dealer as defined in this chapter. When the tax at the rate of four percent of the gross proceeds derived by such dealer from the lease or rental of motor vehicles to one lessee or rentee has aggregated a sum equal to ~~four~~ ^{three} percent (4%) of the sale or lease price paid by such dealer for said motor vehicles no further tax shall accrue with respect to that particular lease or rental transaction.

Section 3. This act shall take effect July 1, 1971.

Senator Reuter presiding.

Senator Weissenborn moved that consideration of HB 627 with pending amendment be temporarily deferred. The motion failed.

The President presiding.

The question recurred on the amendment which was adopted.

Senators Bishop, Barrow, Gunter, Childers, Boyd, Ott, Beaufort and Barron offered the following amendment which was moved by Senator Bishop:

On page 1, lines 17-19, section 1, strike "Paragraph (a) of subsection (3) of section 212.08, Florida Statutes, as amended by chapter 70-206, Laws of Florida, is repealed." and insert: Paragraph (a) of subsection (3), of section 212.08, Florida Statutes, is amended to read: There shall be taxable at the rate of three percent the sale (including occasional or isolated sale), use, consumption, or storage for use in this state of ~~motor vehicles and self-propelled or power-drawn farm equipment used exclusively by a farmer on a farm owned, leased, or sharecropped by him in plowing, planting, cultivating, or harvesting crops on a farm owned, leased or sharecropped by him in plowing, planting, cultivating and harvesting crops.~~

and ships and equipment designated for and used exclusively by commercial fisheries. Occasional or isolated sales of motor vehicles are likewise subject to the tax at the rate provided in this paragraph. The rental of motor vehicles and self-propelled or power-drawn farm equipment shall be taxed at the rate of four percent.

The amendment was adopted by the following vote:

Yeas—22

Arnold	Brantley	Lane	Poston
Barron	Childers	Lewis (33rd)	Saunders
Barrow	Ducker	McClain	Stolzenburg
Beaufort	Gunter	Ott	Trask
Bishop	Hollahan	Plante	
Boyd	Johnson (29th)	Pope	

Nays—20

Mr. President	Fincher	Knopke	Scarborough
Bell	Graham	Lewis (43rd)	Ware
Broxson	Haverfield	Myers	Weissenborn
Deeb	Johnson (34th)	Reuter	Williams
de la Parte	Karl	Sayler	Wilson

Senators Bishop, Barrow, Gunter, Childers, Boyd, Ott, Beaufort and Barron offered the following amendment which was adopted on motion by Senator Bishop:

On page 1, lines 10 and 11, in title, strike "and certain farm equipment"

Senator Lane moved that the Senate reconsider the vote by which the amendment to lines 17—19 was adopted. The motion was adopted by the following vote:

Yeas—26

Mr. President	Fincher	Lewis (33rd)	Scarborough
Bell	Graham	Lewis (43rd)	Ware
Brantley	Haverfield	McClain	Weissenborn
Broxson	Johnson (34th)	Myers	Williams
Deeb	Karl	Pope	Wilson
de la Parte	Knopke	Poston	
Ducker	Lane	Sayler	

Nays—15

Arnold	Bishop	Hollahan	Saunders
Barron	Boyd	Johnson (29th)	Stolzenburg
Barrow	Childers	Ott	Trask
Beaufort	Gunter	Plante	

The question recurred on the amendment which failed by the following vote:

Yeas—18

Arnold	Boyd	Johnson (29th)	Saunders
Barron	Brantley	Lewis (33rd)	Stolzenburg
Barrow	Childers	Ott	Trask
Beaufort	Gunter	Plante	
Bishop	Hollahan	Pope	

Nays—24

Mr. President	Fincher	Lane	Sayler
Bell	Graham	Lewis (43rd)	Scarborough
Broxson	Haverfield	McClain	Ware
Deeb	Johnson (34th)	Myers	Weissenborn
de la Parte	Karl	Poston	Williams
Ducker	Knopke	Reuter	Wilson

On motion by Senator Lane, the Senate reconsidered the vote by which the title amendment was adopted.

The question recurred on the amendment which failed.

Senator Weissenborn offered the following amendment:

Add a new Section 3 to bill as amended:

Section 3. Subsection (h) of section 212.02, Florida Statutes, is amended to read:

212.02 Definitions—The following terms and phrases when used in this chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(h) "Real property" means any interest in the surface of real property unless said property is:

~~1. Assessed as agricultural property under section 193.461.~~

1. Subject to transient rental tax under section 212.03.

2. Dwelling units exempt under section 212.03(4).

3. Property subject to tax on parking, docking or storage spaces under section 212.03(6).

Renumber remaining sections

On motion by Senator Graham the following amendment to the amendment was adopted:

Section 5, add a new subsection (4) to section 212.031 and insert: Section 5. (4) Pursuant to regulations to be adopted by the Department of Revenue, the first one hundred dollars (\$100.00) of monthly rentals of lands assessed as agricultural property under section 193.461 shall be exempt.

Renumber remaining sections

The amendment as amended failed.

Senator Fincher offered the following amendment which failed:

On page 1, line 17, section 1, strike all of Section 1 and renumber succeeding sections.

Senator Weissenborn offered the following amendment which failed:

Add a new section 3 to bill to read:

Subsection (5) of section 212.08, Florida Statutes, is hereby repealed.

Renumber remaining sections

On motion by Senator Trask, by two-thirds vote, HB 627 as amended was read the third time by title.

On motion by Senator Hollahan, the rules were waived and time of adjournment was extended until final action on HB 627.

HB 627 as amended passed and was certified to the House. The vote was:

Yeas—29

Mr. President	Gunter	Lewis (33rd)	Scarborough
Beaufort	Haverfield	Lewis (43rd)	Trask
Boyd	Hollahan	McClain	Weissenborn
Brantley	Horne	Myers	Williams
Broxson	Johnson (34th)	Pope	Wilson
de la Parte	Karl	Poston	
Gong	Knopke	Saunders	
Graham	Lane	Sayler	

Nays—17

Arnold	Childers	Johnson (29th)	Ware
Barron	Daniel	Ott	Weber
Barrow	Deeb	Plante	
Bell	Ducker	Reuter	
Bishop	Fincher	Stolzenburg	

EXPLANATION OF VOTE

I voted against HB 627 because amendments to exempt farm machinery failed. I would have supported the bill had it been

on motor vehicles only. I voted for the other taxes so that education and law enforcement could be properly funded.

W. D. Childers, 2nd District

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:28 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—46:

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

SB 647—A bill to be entitled An act relating to tax on sales, admissions, use, storage, consumption, or rentals levied pursuant to chapter 212, Florida Statutes; amending section 212.05(6), Florida Statutes, to increase the tax on the sale, rental, use, consumption or storage for use in this state on certain industrial equipment to four percent (4%); providing an effective date.

Was read the second time by title.

On motion by Senator Williams the following amendment was adopted:

On page 2, section 2, strike all of Section 2 and insert: Section 2. In all cases of written agreements which became binding before the effective date of this act, for the sale, rental, use, consumption or storage for use in this state of machines and equipment and parts and accessories therefor used in manufacturing, processing, compounding, producing, mining or quarrying, personal property for sale or to be used in furnishing communications, transportation or public utility services, the dealer making such agreements shall pay the sales or use tax at the four percent (4%) rate provided in this act; however, upon application of said dealer or assigns to the Florida Department of Revenue within three (3) years after the effective date of this act, and upon sworn proof by said dealer or assigns of the existence of such binding written agreement and of payment of said sales or use taxes, the Florida Department of Revenue shall forthwith make a refund of twenty-five percent (25%) of said sales or use taxes to the applicant.

Section 3. This act shall take effect July 1, 1971.

On motion by Senator Williams the following amendment was adopted:

In the title, on page 1, line 11, strike all after the semicolon and strike all of line 12 and insert: providing an effective date and an expiration date.

On motion by Senator Trask, by two-thirds vote, SB 647 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—27

Mr. President	Ducker	Lane	Poston
Beaufort	Gong	Lewis (33rd)	Sayler
Boyd	Graham	Lewis (43rd)	Trask
Brantley	Haverfield	McClain	Ware
Childers	Hollahan	Myers	Williams
Deeb	Horne	Plante	Wilson
de la Parte	Karl	Pope	

Nays—7

Arnold	Johnson (29th)	Reuter	Weber
Barrow	Ott	Stolzenburg	

By unanimous consent Senators Johnson (34th), Gunter, Bishop and Daniel were recorded as voting yea.

SB 1353 was taken up, together with:

By the Committee on Ways and Means—

CS for SB 1353—A bill to be entitled An act relating to corporations, defining corporations; amending section 608.32, Florida Statutes, prescribing the contents of annual reports required to be filed by corporations; creating sections 608.321 and 608.3211, Florida Statutes, prescribing the taxable period for corporation reports and setting a due date for filing and a delinquency date; creating sections 608.322 and 608.3221, Florida Statutes, prescribing dates for the valuation of net worth and the determination of other information for all taxable periods; amending section 608.33, Florida Statutes, removing exemptions for railroad, pullman, telephone, telegraph, insurance, banking and trust companies, building and loan associations and cooperative marketing associations, providing for imposition of an annual corporate privilege tax on corporate net worth, setting a due date and a delinquency date for payments; creating sections 608.331 and 608.3311, Florida Statutes, prescribing taxes and tax rates; creating section 608.332, Florida Statutes, prescribing special rules for corporations in existence less than twelve months, for bankrupt, dissolved and withdrawing corporations, for consolidated returns by controlled groups of corporations, and adjustment powers of the department of revenue; creating section 608.333, Florida Statutes, providing for an apportionment of net worth to ascertain the portion attributable to Florida; creating section 608.334, Florida Statutes, providing for a credit of intangible personal property taxes against the corporate privilege tax attributable to subsidiary corporations, providing for a credit of insurance premium tax paid under chapter 624; creating section 608.335, Florida Statutes, providing for refund, hearing and appeal procedures, establishing a general three year statute of limitations for refunds and for assessments, and providing for the issuance of tax warrants for the collections of delinquent taxes; creating section 608.336, Florida Statutes, conforming references in the Florida Statutes; amending section 608.35, Florida Statutes, providing penalties for delinquent reports and payments and providing for interest on delinquent and overpaid taxes; creating section 608.311, Florida Statutes, defining corporations to include mutual insurers and other non-stock business associations subject to state regulation; amending section 608.05 and subsection (1) of section 613.02, Florida Statutes, providing for payment of the corporate privilege tax upon incorporation and qualification to do business in Florida; requiring the department of revenue to provide information regarding this act; providing for effective dates; providing for excision of certain sections of this act when no longer needed; providing for sections 2 through 18 of this act to become inoperative if and so long as a tax is imposed by the state on the net income of corporations.

Which was read the first time by title and SB 1353 was laid on the table.

On motion by Senator de la Parte, by two-thirds vote, CS for SB 1353 was read the second time by title.

On motion by Senator de la Parte the following amendment was adopted:

On page 16, line 12, section 11, strike "credit against intangible personal property tax.—" and insert: credits.—

On motion by Senator de la Parte the following amendment was adopted:

On page 20, line 20, section 15, strike "by the state." and insert: by the state. For purposes of sections 608.3211, 608.3221 and 608.3311, the terms "corporation" shall not include national and state banks and trust companies, savings and loan associations or other financial institutions.

On motion by Senator de la Parte the following amendment was adopted:

On page 22, line 26, after section 18, insert: Section 19. Section 193.701, Florida Statutes, relating to railroad license tax is repealed.

Renumber remaining sections

On motion by Senator de la Parte the following amendment was adopted:

On page 3, line 6, in title, strike all of line 6 and insert: act; repealing section 193.701, Florida Statutes, relating to railroad license tax; providing for effective dates; providing

On motion by Senator Deeb the following amendment was adopted:

In Section 1, lines 3 and 4, page 5, strike: "and an income statement for the 12 month period ending on the date of said balance sheet"

Senators Plante and Deeb offered the following amendment which was moved by Senator Deeb:

On page 10, line 6, section 7, strike "\$75" and insert: \$40

The amendment failed by the following vote:

Yeas—17

Arnold	Ducker	McClain	Weber
Barron	Fincher	Reuter	Wilson
Bell	Hollahan	Sayler	
Brantley	Johnson (34th)	Scarborough	
Deeb	Lewis (33rd)	Ware	

Nays—24

Mr. President	Daniel	Horne	Pope
Barrow	de la Parte	Johnson (29th)	Poston
Beaufort	Gong	Karl	Saunders
Boyd	Graham	Lane	Trask
Broxson	Gunter	Lewis (43rd)	Weissenborn
Childers	Haverfield	Myers	Williams

By unanimous consent Senator Gunter changed his vote from nay to yeas.

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

On page 10, line 6, section 7, strike "\$1.00" and insert: \$.68

Senator Ducker moved the adoption of the following amendment:

On page 23, line 24, strike Section 21

The amendment failed by the following vote:

Yeas—18

Arnold	Fincher	Plante	Ware
Bell	Johnson (29th)	Reuter	Weber
Childers	Johnson (34th)	Sayler	Wilson
Daniel	McClain	Scarborough	
Ducker	Ott	Stolzenburg	

Nays—22

Mr. President	de la Parte	Lane	Saunders
Barron	Graham	Lewis (33rd)	Trask
Barrow	Haverfield	Lewis (43rd)	Weissenborn
Beaufort	Hollahan	Myers	Williams
Brantley	Horne	Pope	
Broxson	Knopke	Poston	

On motion by Senator Brantley the following amendment was adopted:

On page 23, line 27, section 21, strike " , and shall remain inoperative so long as such" and all of lines 28, 29 and 1 through 7 on page 24 and insert a period

Senators Ware and Sayler offered the following amendment which was moved by Senator Ware and failed:

On page 10, line 6, section 7, strike "\$75" and insert: \$40

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

On page 18, section 12, on line 2 after the word "in" strike the word "the" and insert: any Florida

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

On page 11, lines 17—19, section 9, strike the word "just" and insert: book

Johnson (29th)	Lewis (43rd)	Poston	Trask
Johnson (34th)	McClain	Reuter	Williams
Knopke	Myers	Saunders	Wilson
Lane	Plante	Sayler	
Lewis (33rd)	Pope	Scarborough	

Nays—5

Barron	Ott	Stolzenburg	Weber
Bishop			

By unanimous consent Senators Fincher, Barrow, Gunter, Karl and Weissenborn were recorded as voting yea.

Senator Horne moved that the Senate reconsider the vote by which CS for SB 1353 as amended failed to pass this day.

The President announced that the Advisory Opinion to the Governor, rendered by the Supreme Court on May 7 in the matter of executive powers with regard to executive appointments, in its amended version received this date had been referred to the Select Committee appointed on May 12 for study and advice to the Chair.

CS for HB 117—A bill to be entitled An act relating to taxation; imposing an excise tax on the severance of solid minerals; providing the rate, basis and distribution of tax; providing for credits and refunds; providing for certain exclusions; providing a land reclamation trust fund; providing for administration, penalties and procedures; amending section 193.481, Florida Statutes, to provide for separate assessment of minerals; providing reduced rate for implementation period; providing a severability clause; providing an effective date.

Was read the second time by title.

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Williams:

On page 4, line 6, section 1(a), strike "Eighty percent (80%)" and insert: Fifty percent (50%)

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Williams:

On page 4, line 22, section 1(1)(a), strike "eighty percent (80%)" and insert: twenty percent (20%)

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Williams:

On page 4, line 8, section 1(b), strike "twenty percent (20%)" and insert: fifty percent (50%)

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Williams:

On page 4, line 10, section 1(b), strike "211.32 (2)" and insert: 211.32 (4)

On motion by Senator Williams the following amendment was adopted:

On page 5, line 24, section 1(1)(b), strike "211.32(2)" and insert: 211.32(4)

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Williams:

On page 7, lines 14—18, section 1(4)(d), strike all of lines 14, 15, 16, 17 and 18 and insert: trust fund, of the taxes paid under this part as follows:

1. An amount equal to 100% of the cost in complying with subparagraph (a) but not greater than 25% of the taxes paid under this part; and

2. An amount equal to 100% of the cost in complying with subparagraph (b) but not greater than 25% of the taxes paid under this part; or

3. An amount equal to 100% of the fair market value of the land transferred in complying with paragraph (c) but not greater than 50% of the taxes paid under this part.

Senator Pope moved that the rules be waived and time of adjournment be extended until final action on CS for HB 117. The motion was adopted by the following vote:

Yeas—24

Mr. President	Deeb	Johnson (29th)	Pope
Arnold	de la Parte	Knopke	Poston
Barron	Fincher	Lane	Saunders
Beaufort	Gong	Lewis (33rd)	Trask
Bishop	Graham	McClain	Williams
Boyd	Gunter	Plante	Wilson

Nays—15

Barrow	Daniel	Johnson (34th)	Reuter
Bell	Ducker	Karl	Stolzenburg
Brantley	Haverfield	Lewis (43rd)	Weber
Childers	Horne	Myers	

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Williams:

On page 7, line 6, section 1(4)(c), change period to comma and insert: and concurred in after public hearing by said trustees.

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Williams:

On page 7, after line 18, section 1(4), (see previous amendments) insert: (e) Upon determination by the department of the annual refund to which the taxpayer may have been entitled, the department shall determine that portion of taxes paid by the taxpayers into the land reclamation trust fund for which reclamation credits are not being claimed and shall transfer the unclaimed portion thereof into the general revenue fund.

On motion by Senator Haverfield the following amendment was adopted:

On page 5, line 3, section 211.32 (2), strike entire Section 211.32 (2)

Senator Haverfield moved the adoption of the following amendment:

On page 4, line 22, section 211.32 (1)(a), strike "credit exceed twenty percent (20%) of the taxes due under" and insert: credit exceed ten percent (10%) of the taxes due under

Pending consideration thereof, on motion by Senator Plante, the Senate adjourned at 5:18 p.m. to reconvene at 8:30 a.m., May 19, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m., May 19, 1971.