

JOURNAL OF THE FLORIDA SENATE

Wednesday, May 26, 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 Deeb—

SM 1593—A memorial to the Congress of the United States expressing the grave concern of the Florida Legislature over potential military buildup by communist governments in and about the island of Cuba; requesting the United States Congress to take whatever action is necessary and proper to determine the existence of such military buildup and to protect the people of the State of Florida and the United States of America from the inherent dangers occasioned thereby; requesting the United States Congress to hold hearings in both the United States Senate and House of Representatives for the purpose of gathering information with respect to the existence of a communist military buildup in and about the island of Cuba; requesting the United States Congress to advise the appropriate agencies of the United States Government with respect to any findings gathered from such congressional hearings.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas
President of the Senate*

May 24, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required $\frac{2}{3}$ vote of all members elected—

By Representative Smith (by request)—

HB 1194—A bill to be entitled An act for the relief of Guy D'Alema; providing for the payment of moneys to compensate him for damages sustained as a result of the negligence of the Broward County district school board; 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 1194.

HB 1194, contained in the above message, was read the first time by title and referred to the Committees on Personnel, Retirement and Claims and Ways and Means.

*The Honorable Jerry Thomas
President of the Senate*

May 24, 1971

Sir:

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

By Representative David Clark and others—

HB 2096—A bill to be entitled An act recreating a court of record in Palm Beach County, Florida; to be known as the Small

Claims-Magistrate Court in Palm Beach County, Florida; providing that the court hereby recreated shall succeed to the powers, duties and functions of the Small Claims-Magistrate Court now and heretofore functioning in Palm Beach County; providing the jurisdiction, powers, process and procedures of said court; providing for the election of the judges and fixing their compensation, duties, and terms of office; providing for an executive officer, clerks, and a prosecuting attorney; providing for quarters of said court and furnishing of certain expenses by the County Commission of Palm Beach County, Florida; including a severability clause and providing for an effective date and repealing laws in conflict herewith.

Proof of Publication attached.

By Representative Johnson and others—

HB 1478—A bill to be entitled An act relating to Pinecraft fire control district, Sarasota County; incorporating certain specified lands in said county as a special fire control district; providing for and limiting the powers, duties, and liabilities of the district in and about obtaining the purchase and acquiring of fire-fighting equipment, fire stations, fire hydrants, and water supply for prevention of all types of fires; providing for ambulances and emergency ambulance services; providing for insurance; providing for inspection of places of business, apartment houses, and buildings where large groups of persons may congregate; providing for the exercise and administration of powers of the district by a board of commissioners to be appointed by the governor; providing for raising of all necessary funds for financing the district and all of its purposes; providing for the levy, collection, and enforcement of special assessments against and creating liens upon lands in the district in order to raise funds for the purposes of the district and determining the priority and dignity of such liens in raising revenues; providing for limitations of claims, demands, and suits against the district; authorizing and empowering such district to make and enter into contracts with firms, individuals, and municipal corporations relating to any and all of the purposes of the district; providing for and establishing the special fire control district as a public municipal corporation to be known as Pinecraft fire control district; repealing all laws or parts of laws insofar as conflict may exist with this act; providing for a referendum.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

*The Honorable Jerry Thomas
President of the Senate*

May 24, 1971

Sir:

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

By Representative Sims and others—

HB 2126—A bill to be entitled An act relating to Orange County constables; providing for their salaries; abolishing the fee system; providing the budget system and budget procedure; providing for the disposition of fees and costs collected by the constables and for the records thereof; providing for the appointment, duties, fees, commissions and compensation of deputy constables; providing an effective date.

Proof of Publication attached.

By Representative Earle and others—

HB 2090—A bill to be entitled An act relating to Orange County, small claims court; providing that this act is amendatory and shall take the place of §§42.03 and 42.11, Florida Statutes, in Orange County; providing for jurisdiction of the small

claims court; providing for the salary of the judge; providing that the judge shall devote full time to the office; abolishing the fee system; providing for the budget, its submission and content; providing for payments pursuant to budget; providing for payments of bills and expenses; providing custody of public funds; providing an effective date.

Proof of Publication attached.

By Representative Martinez and others—

HB 1928—A bill to be entitled An act relating to Hillsborough County; creating a civil court of record in the county; providing for a judge for the court and for his term of office, compensation, and duties; prescribing the jurisdiction of the court over all civil claims at law of amounts up to fifteen hundred dollars (\$1,500) inclusive of all landlord and tenant cases and proceedings relating to forcible entry or unlawful detention of lands and tenements; prescribing the pleading practice, and service of notice of proceedings therein; providing for the filing and trial of cases away from the county seat; providing for a clerk of the court and for his duties; providing for the method and manner of appeals; 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 24, 1971

Sir:

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

By Representative Murphy and others—

HB 1745—A bill to be entitled An act relating to Pinellas County; authorizing the board of county commissioners in Pinellas county to provide the legislative delegations of Pinellas county with permanent office space or offices, in one or more locations in the county, as to be determined by the legislative delegation, together with furnishings, supplies, telephone service, legal and secretarial assistants; providing for the payment of expenses necessary for the maintenance of the office or offices from county funds, and all other expenses necessary and proper; making such expenditures a county purpose; providing that this act shall be cumulative; 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 24, 1971

Sir:

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

By Representative Nergard—

HB 2097—A bill to be entitled An act relating to St. Lucie County; amending section 1 of chapter 57-1790, Laws of Florida, creating the law library by providing for the appointment of a circuit judge who is a resident of St. Lucie County as a trustee of St. Lucie County law library; 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 24, 1971

Sir:

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

By Representative Tittle—

HB 2101—A bill to be entitled An act relating to Monroe County; amending §§1 and 3 of chapter 70-492, Laws of Florida; restricting the power of assistants appointed by the county solicitor; increasing the annual compensation of the county solicitor; 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 24, 1971

Sir:

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

By Representative Martinez and others—

HB 2139—A bill to be entitled An act relating to Hillsborough County; providing for the creation of a court in Hillsborough County, to be known as the "court of record"; providing for the jurisdiction, terms, special terms and time of holding the regular terms of the court; providing for the rules of procedure and process, power to issue warrants, etc., process to run throughout the state, and local rules; providing for a method of prosecution; providing for the transfer of cases; providing for a place of holding court; providing for the voluntary pleas of guilty; providing for bail bonds; providing for a clerk ad interim; providing for the judges, their qualifications, election, tenure, appointment, compensation, the presiding judge, the initial judges, and two (2) appointed judges; providing for summoning of jurors and witnesses; providing for the clerk of the court of record, his compensation, election, term of office; providing for the duties of the clerk; providing for the bond of the clerk; providing for the budget of the clerk of the court of record; providing for the payment of salaries and expenses of the clerk of the court of record; providing for the fees and commissions of the clerk of the court of record; providing for the disqualification of the judge of the court of record; providing for the county solicitor, his election, term, powers, and duties; providing for the appointment of solicitor by the judge; providing for the process of the county solicitor; providing for praecipes for process; providing for the county solicitor administering oath; providing for assistant county solicitors; providing for investigators; providing for the budget of the county solicitor; providing for the compensation of the county solicitor; providing for the initial county solicitor; providing for the sheriff as executive officer; providing for the sheriff authorized to take and approve bail bonds; providing for an official court reporter; providing for the salary of the official court reporter; providing for the reporting of cases; providing for deputy court reporters and their salaries; providing for the powers and duties of deputy court reporters; providing for the abolishment of the criminal court of record in Hillsborough County and certain officers connected with such court; providing for the legislative intent; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 24, 1971

Sir:

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

By Representative Caldwell—

HB 1516—A bill to be entitled An act relating to Port Everglades Authority; amending Part 1, Article 3, Section 1 (f), Chapter 59-1157, Laws of Florida 1959, the same being the Charter of the Port Everglades Authority; relating to the general powers of Port Everglades Authority; 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 House Bills 2096, 1478, 2126, 2090, 1928, 1745, 2097, 2101, 2139, and 1516, contained in the above messages, which were 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

May 24, 1971

Sir:

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

By Representative Reeves—

HB 2010—A bill to be entitled An act relating to Escambia County Court of Record, amending Section 43.09(2), Florida Statutes, providing for a chief deputy court reporter and assistant court reporters and fixing the compensation of the chief deputy court reporter and assistant court reporters of the constitutional Court of Record of Escambia County; providing an effective date.

By Representative Reeves and others—

HB 2035—A bill to be entitled An act relating to assistant county solicitors of Escambia County; authorizing the county solicitor to appoint assistants and criminal investigators; authorizing the Board of County Commissioners of Escambia County to determine the exact number and whether they shall be part time or full time according to available funds; providing for compensation of assistant county solicitors of Escambia County; providing effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

House Bills 2010 and 2035, contained in the above message, were 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

May 24, 1971

Sir:

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

By Representatives Nichols and Santora—

HB 2039—A bill to be entitled An act amending Chapter 349, Florida Statutes, the law of the Jacksonville expressway authority; redesignating the authority as the Jacksonville Transportation authority; providing for additional members of the authority; providing authority to plan, construct and operate mass transit systems, parking and terminal facilities, traffic coordination and pedestrian service facilities; providing for issuance of bonds and other indebtedness; providing for the use of central services of the city of Jacksonville; providing for appropriations by the council of Jacksonville; providing for review of authority plans by the Jacksonville area planning board; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 2039, 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

May 24, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required two-thirds vote of all members elected to the House—

By Representative Lancaster—

HB 1728—A bill to be entitled An act for the relief of Pamela and James Peacock; compensating them for the tragic loss of their father who died from injuries received while acting in the course of his employment with the department of natural resources (the state board of conservation); providing an appropriation; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1728, contained in the above message, was read the first time by title and referred to the Committee on Personnel, Retirement and Claims and Ways and Means.

The Honorable Jerry Thomas
President of the Senate

May 21, 1971

Sir:

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

By the Committee on Judiciary—

CS for HB 1154—A bill to be entitled An act relating to maps and plats; repealing Sections 177.01, 177.02, 177.03, 177.04, 177.05, 177.06, 177.07, 177.08, 177.09, 177.10, 177.11, 177.12, 177.13, 177.14, 177.15, 177.16, and 177.17, Florida Statutes, relating to the statutory system of maps and plats established for recording location and ownership of parcels of land in the state; amending chapter 177, Florida Statutes, by creating new Sections 177.011, 177.021, 177.031, 177.041, 177.051, 177.061, 177.071, 177.081, 177.091, 177.101, 177.111, 177.121, 177.131, 177.141 and 177.151 to provide for the legal status of recorded plats; to provide definitions; to provide that title

certification must accompany each final subdivision plat; to provide that each subdivision must be named; to provide qualifications for those persons making survey and plat certifications; to provide for the examination of plat recordings; to provide for dedication and adoption of certain plats; to provide standards to be used in recording final plats; to provide for vacation and annulment of plats subdividing land under certain circumstances; to provide instructions for the filing of a map or plat by any county clerk; providing penalties for molesting a monument or defacing or destroying a map or plat; to provide recordation of the official right-of-way maps; to provide for affidavits confirming error on a recorded plat; to provide for the establishment of a state plane coordinate; 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 24, 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 Pettigrew and others—

CS for HB 547—A bill to be entitled An act relating to claims against the state; creating section 768.16, Florida Statutes; authorizing suits against the state or any of its agencies or subdivisions for the tortious acts of their employees or agents; authorizing settlement of such claims; providing procedure for prosecuting claims; creating the Florida casualty insurance retention trust fund; creating the medical professional liability insurance retention trust fund; directing the department of education to develop a plan of assumption of risk by the district school boards and community colleges; directing the department of general services to develop a plan of assumption of risk by the counties; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 1154, and CS for HB 547, contained in the above messages, were read the first time by title and referred to the Committee on Judiciary—Civil A.

The Honorable Jerry Thomas
President of the Senate

May 24, 1971

Sir:

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

By the Committee on Natural Resources—

CS for HB 1526—A bill to be entitled An act relating to marine turtles; amending §370.12(1)(b), Florida Statutes, as amended by chapter 70-357, Laws of Florida; providing more specific regulations concerning the possessing or taking of green turtles; redefining the area in which the taking or possessing of other marine turtles is prohibited; deleting provision for permits to capture turtles; providing penalties; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 1526, 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 21, 1971

Sir:

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

By Representative Holloway—

HCR 24—A concurrent resolution relating to the department of transportation; creating a special legislative study unit to determine proper turnpike relationship with the department of transportation, and the future of toll facilities within the State of Florida.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 24, contained in the above message, was read the first time in full and referred to the Committee on Transportation.

The Honorable Jerry Thomas
President of the Senate

May 21, 1971

Sir:

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

By the Committee on General Legislation—

HCR 2301—A concurrent resolution directing the attention of the public to the Florida Wheelchair Games, to be held May 29th and 30th, and commending the planners and sponsors of that event.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 2301, contained in the above message, was read the first time in full and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Honorable Jerry Thomas
President of the Senate

May 21, 1971

Sir:

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

By the Committee on Education and Representative Reed—

CS for HB 93—A bill to be entitled An act relating to district school board meetings, location; amending subsection (2) of section 230.17, Florida Statutes, providing for additional appropriate places for regular meetings upon public notice; providing an effective date.

By the Committee on Transportation—

HB 1019—A bill to be entitled An act relating to title certificates for motor vehicles; amending §319.23(5), Florida Statutes, by increasing ten (10) day delinquency fee to five dollars (\$5.00) and requiring a ten dollar (\$10.00) fee for twenty (20) day delinquency for failure to apply for transfer of ownership of a motor vehicle; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 93, contained in the above message, was read the first time by title and referred to the Committee on Public Schools.

HB 1019, contained in the above message, was read the first time by title and referred to the Committees on Transportation and Ways and Means.

*The Honorable Jerry Thomas
President of the Senate*

May 21, 1971

Sir:

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

By Representatives Nichols and Dixon—

HB 974—A bill to be entitled An act relating to trials of persons in custody; repealing Florida Statute 907.055; providing an effective date.

By Representatives Caldwell and Hazelton—

HB 74—A bill to be entitled An act relating to school buses; creating §234.26, Florida Statutes, and amending §317.692, Florida Statutes, as amended by chapter 70-74, Laws of Florida, to require school buses to have headlights turned on while in operation; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HB 974, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

HB 74, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

The Senate recessed at 8:37 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—44:

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

Excused: Senator Johnson (34th) until 10:00 a.m., Senators Poston, Brannen, Fincher, de la Parte, Gunter and Williams.

Prayer by Senator Gong:

Father, we are grateful for this new day. For our families. For our friends. For this beloved country and state. For the privilege of serving. For the opportunity to correct wrongs. For a glimpse of wisdom (even if only now and then) and, most of all, we are grateful for life—now and hereafter. Amen.

The Journal of May 25 was corrected and approved.

The Journal of May 24 was further corrected and approved as follows: Page 498, column 2, line 14, after "Senator" insert: Graham

REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Wednesday, May 26, 1971:

CS for	SB 728	SB 1241	SB 1296
HB 342	HB 798	SB 1544	SB 982
HB 601	HB 801	SB 1545	SB 1184
SB 913	SB 789	SB 1543	HB 737
SB 1297	SB 759	CS for	SB 1399
SB 911	SB 983	HB 794	HB 1255
SB 1295	SB 1070	SB 324	SB 1133
SB 247	SB 1186	SB 868	SB 431
SB 112	SB 1303	SB 1032	SB 1500
SB 1038	SB 1439	SB 808	SB 495

George L. Hollahan, Jr.
Chairman, Committee on Rules,
Calendar, Privileged Business and
Ethics

The Committee on Governmental Efficiency recommends the following pass:

SB 1426 with 1 amendment	HB 355 with 1 amendment
CShB 171 with 1 amendment	HB 718 with 1 amendment
SB 1113 with 1 amendment	HB 1141 with 1 amendment
SB 1039 with 1 amendment	HB 617

The Committee on Judiciary—Civil A recommends the following pass: HB 1406, SB 1319, HB 120 with 3 amendments

The Committee on Ways and Means recommends the following pass:

SB 48	HB 996
SB 168 with 8 amendments	SB 1034 with 2 amendments
HB 192	HB 1068
SB 214	SB 1188
SB 475 with 2 amendments	SB 1226
SB 600 with 1 amendment	SB 1227
SB 719 with 1 amendment	SB 1228
SB 773	SB 1230
SB 852	SB 1257 with 4 amendments
SB 926	SB 1301 with 2 amendments
HB 937	SB 1473
SB 955 with 3 amendments	SB 1583

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

The Committee on Rules, Calendar, Privileged Business and Ethics recommends a Committee Substitute for CS for SB 778.

The Committee on Ways and Means recommends a Committee Substitute for SB 743.

The Committee on Ways and Means recommends a Committee Substitute for SB 749.

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

The Committee on Governmental Efficiency recommends a Committee Substitute for SB 1022 with 1 amendment.

The bill with Committee Substitute attached was referred to the Committee on Ways and Means under the original reference.

The Committee on Governmental Efficiency recommends the following not pass: SB 398, HB 416

The Committee on Judiciary—Civil A recommends the following not pass:

HB 1718	SB 1305	SB 1316	SB 716
SB 1306	SB 1383	CS for HB 411	SJR 715

The Committee on Ways and Means recommends the following not pass: SB 1233, SB 1258

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

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred SB 676 with 1 amendment reports that the House amendment has been incorporated and the bill is returned herewith.

ELMER O. FRIDAY
Secretary of the Senate

The bill was ordered enrolled.

Your Engrossing Clerk to whom was referred SB 270 with 1 amendment reports that the Senate amendment has been incorporated and the bill is returned herewith.

ELMER O. FRIDAY
Secretary of the Senate

The bill was immediately certified to the House.

Your Engrossing Clerk to whom was referred—

SB 260 with 4 amendments	SB 823 with 1 amendment
SB 381 with 3 amendments	SB 847 with 2 amendments
SB 401 with 3 amendments	SB 870 with 2 amendments
SB 408 with 2 amendments	SB 919 with 2 amendments
SB 437 with 1 amendment	SB 942 with 3 amendments
SB 492 with 1 amendment	SB 978 with 1 amendment
SB 675 with 1 amendment	SB 984 with 1 amendment
SB 681 with 2 amendments	SB 1068 with 2 amendments
SB 682 with 1 amendment	SB 1091 with 1 amendment
SB 723 with 2 amendments	SB 1093 with 1 amendment
SB 777 with 3 amendments	SB 1392 with 1 amendment
SB 790 with 1 amendment	CS for SB 811 with 1 amendment
SB 820 with 1 amendment	CS for SB 921 with 3 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.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

SB 226	SB 543
SB 243	SB 827

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 26, 1971.

ELMER O. FRIDAY
Secretary of the Senate

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Scarborough, by two-thirds vote, Senate Bills 1328 and 1329 were withdrawn from the Committee on Commerce and from further consideration of the Senate.

On motion by Senator Horne, by two-thirds vote, HB 1906 was withdrawn from the Committee on Governmental Efficiency and placed on the Calendar.

On motions by Senator Saunders, by two-thirds vote, Senate Bills 1434, 1435, 1436 and 1438 were withdrawn from the Committee on Governmental Efficiency and from further consideration of the Senate.

On motion by Senator Myers, by two-thirds vote, HB 1269 was withdrawn from the Committee on Health, Welfare and Institutions and placed on the Calendar.

On motion by Senator Sayler, SB 640 was removed from the Calendar and from further consideration of the Senate.

On motion by Senator Myers, by two-thirds vote, HB 1458 was withdrawn from the Committee on Health, Welfare and Institutions and placed on the Calendar.

On motions by Senator Hollahan, Senate Bills 1342 and 1155 were removed from the Calendar and from further consideration of the Senate.

On motion by Senator Lewis (43rd), by two-thirds vote, SB 1281 was withdrawn from the Committee on Commerce and from further consideration of the Senate.

On motion by Senator Lewis (43rd), by two-thirds vote, SB 383 was withdrawn from the Committee on Judiciary—Civil A and from further consideration of the Senate.

On motion by Senator Daniel, by two-thirds vote, SB 1022 was withdrawn from the Committee on Ways and Means.

On motion by Senator Beaufort, the rules were waived and the Committee on Transportation was granted permission to hold a meeting immediately upon adjournment this day to consider CS for HB 1574.

On motion by Senator Daniel, the rules were waived and the Committee on Governmental Efficiency was granted permission to consider SB 1380 at the scheduled meeting May 27.

On motion by Senator Daniel, the rules were waived and the report of the Committee on Governmental Efficiency on SB 1022 was accepted notwithstanding the failure to comply with notice required by Rule 2.5.

On motion by Senator Daniel, by two-thirds vote, CS for HB 171 was removed from the Calendar and recommitted to the Committee on Governmental Efficiency.

On motion by Senator Broxson, by two-thirds vote, the Committee on Public Schools was granted permission to consider HB 2138 and SB 1323 at the scheduled meeting this day.

On motion by Senator Broxson, by two-thirds vote, permission was granted the Committee on Public Schools to consider HB 1693 and SB 1492 at the scheduled meeting this day.

On motion by Senator Gunter, the rules were waived and the Committee on Ways and Means was granted permission to consider SB 872 at the scheduled meeting May 27.

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

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.

—which was read the second time by title. On motion by Senator Horne, by two-thirds vote, HB 1297 was read the third time by title, passed and certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Ducker	Johnson (29th)	Plante
Barron	Fincher	Karl	Pope
Bell	Gong	Knopke	Reuter
Boyd	Graham	Lane	Saunders
Brantley	Haverfield	Lewis (33rd)	Sayler
Childers	Henderson	Lewis (43rd)	Scarborough
Daniel	Hollahan	McClain	Stolzenburg
Deeb	Horne	Myers	Ware

By unanimous consent Senators Weissenborn, Arnold and Beaufort were recorded as voting yea.

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

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.

—which was read the second time by title. On motion by Senator Horne, by two-thirds vote, HB 950 was read the third time by title, passed and certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Daniel	Johnson (29th)	Saunders
Arnold	Deeb	Knopke	Sayler
Barrow	Ducker	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Ware
Bishop	Haverfield	Myers	Weissenborn
Boyd	Henderson	Ott	Wilson
Brantley	Hollahan	Plante	
Childers	Horne	Reuter	

By unanimous consent Senator Karl was recorded as voting yea.

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

HB 1269—A bill to be entitled An act relating to health; amending §383.14, Florida Statutes, to require the testing of all newborns for phenylketonuria prior to two (2) weeks of age; authorizing the division of health to promulgate rules and regulations; providing an educational program; requiring a registry of cases and the reporting of all test results; providing an effective date.

—which was read the second time by title. On motion by Senator Myers, by two-thirds vote, HB 1269 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Childers	Horne	Ott
Arnold	Daniel	Johnson (29th)	Plante
Barron	Deeb	Karl	Pope
Barrow	Ducker	Knopke	Reuter
Beaufort	Gong	Lane	Sayler
Bell	Graham	Lewis (33rd)	Scarborough
Bishop	Haverfield	Lewis (43rd)	Ware
Boyd	Henderson	McClain	Weber
Brantley	Hollahan	Myers	Wilson

By unanimous consent Senator Lewis (33rd) changed his vote from yea to nay on the passage of SB 942 as amended on May 25.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas May 25, 1971
President of the Senate

Sir:

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

SB 512	SB 513	SB 509
SB 508	SB 700	SB 1010

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

The Honorable Jerry Thomas May 25, 1971
President of the Senate

Sir:

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

CS for HB 976 CS for HB 396

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas May 25, 1971
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has receded from Amendment 1 and passed as amended SB 156.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

SB 156 as amended passed and was ordered engrossed. The vote was:

Yeas—31

Mr. President	Childers	Johnson (29th)	Pope
Arnold	Daniel	Karl	Scarborough
Barron	Ducker	Lane	Stolzenburg
Barrow	Gong	Lewis (33rd)	Trask
Beaufort	Graham	Lewis (43rd)	Ware
Bell	Haverfield	McClain	Weber
Boyd	Hollahan	Myers	Weissenborn
Brantley	Horne	Plante	

Nays—2

Bishop Wilson

The Honorable Jerry Thomas
President of the Senate

May 25, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendments 1, 2, 3 & 4 to—

By Representatives Sessums and Danahy—

HB 1008—A bill to be entitled An act relating to factory built housing; providing for the duties and powers of the department of community affairs; providing for the inspection and approval of factory built housing; providing penalties; providing injunctive relief; providing an effective date.

Amendment 1—

On page 2, line 9, section 1, strike “department of community affairs” and insert the following: department of business regulation

Amendment 2—

On page 3, lines 27, 28, section 2(12), strike “department of community affairs.” and insert the following: department of business regulation.

Amendment 3—

On page 1, line 6, in title, strike “department of community affairs” and insert the following: department of business regulation

Amendment 4—

On page 6, line 6, section 4(2)(a), strike line 6 and insert the following: council which shall consult with and advise the department in the drafting and promulgation of rules and regulations

—and requests the Senate to recede therefrom and in the event the Senate refuses to recede, requests that a conference committee be appointed.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Senator Weber moved that the Senate refuse to recede from the amendments to HB 1008 and requested that a conference committee be appointed to adjust the differences existing between the two houses. The motion was adopted and the action of the Senate was certified to the House.

The President appointed Senators Horne, Weber and Graham as the Conferees on the part of the Senate.

The Honorable Jerry Thomas
President of the Senate

May 25, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 2 and 3 to—

By the Committee on Transportation and Representatives Chapman and Gustafson—

CS for HB 119—A bill to be entitled An act relating to the regulation of traffic; creating chapter 316, Florida Statutes, to be known as the “Florida uniform traffic control law”; regulating the movement of all vehicular, all pedestrian and all other traffic upon the streets and highways and elsewhere throughout the state where the public might have a right to travel; providing definitions; providing for the respective powers of state and local authorities in the control of traffic

upon the streets and highways; establishing the enforcement of jurisdictions of traffic laws; establishing the rules of the road to be applicable throughout the state; establishing a standard of equipment of vehicles throughout the state; prescribing penalties for violation; providing for the adoption of this act by all municipalities within the state on or before January 1, 1972; repealing chapters 186, Florida Statutes, the model traffic ordinance for municipalities, and 317, Florida Statutes, relating to the regulation of traffic on the highways, each of which are replaced by or incorporated into the provisions of the chapter created by this act; providing an effective date.

—and refused to concur in Senate amendment 1.

On page 96, line 29, section 316.196(3)(a), after “towed.” and before “Provided,” insert the following: **Provided, it is unlawful for tandem trailer combinations to operate on any public road or highway, including any limited access express highway in the Florida turnpike system.**

—and requests the Senate to recede from Senate amendment 1.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Hollahan, the Senate receded from the Senate amendment to CS for HB 119. On motion by Senator Hollahan, CS for HB 119 as amended was read by title, passed and certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Daniel	Johnson (29th)	Sayler
Arnold	Ducker	Lewis (33rd)	Scarborough
Barron	Gong	Lewis (43rd)	Stolzenburg
Barrow	Graham	McClain	Trask
Beaufort	Haverfield	Plante	Ware
Bishop	Henderson	Pope	Weber
Brantley	Hollahan	Reuter	Weissenborn
Childers	Horne	Saunders	Wilson

By unanimous consent Senators Boyd and Myers were recorded as voting yea.

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

SB 401—A bill to be entitled An act relating to water purification and waste water treatment operators; providing definitions; providing for examination and licensure of operators by the department of health and rehabilitative services; providing for license fee and applying proceeds to operation of program; providing for rule making power and establishment of minimum standards; providing for an advisory council; providing an effective date.

—as amended passed the Senate on May 25.

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

On page 1, line 28, section 1(3), strike “operation during any part of a day, but shall not include operator trainees who may be employed as” and insert: operation during any part of a day. Operator trainees may be employed as

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

In Section 3, line 14, page 2, following the “period.” insert: **Provided, however, that this act shall not apply to licensed public lodging establishments as defined in Chapter 509, F.S.**

On motion by Senator Horne, SB 401 as further amended was read by title, passed and ordered engrossed. The vote was: Yeas—34 Nays—None

Mr. President	Ducker	Knopke	Sayler
Arnold	Gong	Lewis (33rd)	Scarborough
Barron	Graham	Lewis (43rd)	Stolzenburg
Barrow	Haverfield	McClain	Trask
Beaufort	Henderson	Myers	Ware
Bishop	Hollahan	Ott	Weissenborn
Boyd	Horne	Plante	Wilson
Brantley	Johnson (29th)	Reuter	
Childers	Karl	Saunders	

On motions by Senator Hollahan, the Report of the Committee was adopted, the rules were waived and the Senate in open Session advised and consented to and approved the aforesaid appointments made by the Governor, as contained and set forth in the foregoing Report. The vote was: Yeas—35 Nays—None

Mr. President	Childers	Hollahan	McClain
Arnold	Daniel	Horne	Myers
Barrow	Deeb	Johnson (29th)	Ott
Beaufort	Ducker	Karl	Reuter
Bell	Fincher	Knopke	Saunders
Bishop	Gong	Lane	Scarborough
Boyd	Haverfield	Lewis (33rd)	Stolzenburg
Brantley	Henderson	Lewis (43rd)	Wilson

On motion by Senator Myers, by two-thirds vote, SB 492 was ordered immediately certified to the House after engrossing.

On motion by Senator Myers, by two-thirds vote SB 798 was immediately certified to the House.

On motion by Senator Hollahan, the Senate proceeded to the consideration of—

On motion by Senator Knopke, the rules were waived and the Senate took up in open Session the following Report:

Senator Jerry Thomas May 21, 1971
President, The Florida Senate
The Capitol

Dear Mr. President:

Your standing committee on Natural Resources and Conservation to which was referred for consideration the following appointments subject to confirmation by the Senate:

EXECUTIVE BUSINESS

On motion by Senator Hollahan, the rules were waived and the Senate took up in open Session the following Report:

Senator Jerry Thomas May 25, 1971
President, The Florida Senate
The Capitol

Dear Mr. President:

Your Committee on Rules, Calendar, Privileged Business and Ethics to whom was referred for inquiry and recommendation the following appointments subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING	FOR TERM ENDING
Pat Thomas Quincy	Member, State Racing Commission, Division of Pari-Mutuel Wagering, State of Florida Department of Business Regulation	January 6, 1975	February 19, 1973
George E. Saunders Winter Park	Member, State Racing Commission, Division of Pari-Mutuel Wagering, State of Florida Department of Business Regulation	January 3, 1972	January 5, 1974
			Member, Gulf States Marine Fisheries Commission
			Member of the Florida Air and Water Pollution Control Board
			Member, Board of Pilot Commissioners for the Port of Boca Grande, Charlotte County, State of Florida Department of Professional and Occupational Regulation
			Member of the Board of the Sumter County Recreation and Water Conservation and Control Authority
			Member, Governing Board, Central and Southern Florida Flood Control District of the State of Florida Department of Natural Resources

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointments made by the Governor.

Respectfully submitted,
 s/GEORGE L. HOLLAHAN, JR., Chairman

C. A. Thomas
 Lake Harbor

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise

s/MALLORY E. HORNE	RALPH R. POSTON
s/VERLE A. POPE	s/JOHN R. BROXSON
s/DEMPSEY J. BARRON	s/HAROLD S. WILSON
s/ROBERT M. HAVERFIELD	s/BILL GUNTER
s/WILBUR H. BOYD	s/WARREN S. HENDERSON
s/LOUIS DE LA PARTE, JR.	s/DAVID C. LANE
s/RAY C. KNOPKE	s/C. WELBORN DANIEL
	s/FREDERICK B. KARL

and consent, and approve the aforesaid appointments made by the Governor.

Respectfully submitted,

RAY C. KNOPKE , Chairman	W. D. CHILDERS ,
W. E. BISHOP	Vice-Chairman
JOHN L. DUCKER	WARREN S. HENDERSON
D. ROBERT GRAHAM	BOB SAUNDERS

On motions by Senator Knopke, the Report of the Committee was adopted, the rules were waived and the Senate in open Session advised and consented to and approved the aforesaid appointments made by the Governor, as contained and set forth in the foregoing Report. The vote was: Yeas—39 Nays—None

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

SPECIAL ORDER

CS for HB 342—A bill to be entitled An act relating to credit unions; amending §§657.08, 657.161, 657.17, and 657.18, Florida Statutes, authorizing credit union board of directors to appoint the credit committee; authorizing credit unions to pay seven and one-half percent (7½%) per annum dividend; authorizing credit unions to invest surplus funds in certificates of deposits of other credit unions and state and national banks; authorizing state chartered credit unions which purchase share insurance to elect to use the reserve requirements set forth in the federal laws; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote CS for HB 342 was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

Mr. President	Deeb	Knopke	Sayler
Arnold	Ducker	Lane	Scarborough
Barron	Gong	Lewis (33rd)	Stolzenburg
Beaufort	Graham	Lewis (43rd)	Trask
Bell	Haverfield	McClain	Ware
Bishop	Henderson	Myers	Weber
Boyd	Hollahan	Ott	Weissenborn
Brantley	Horne	Plante	Wilson
Childers	Johnson (29th)	Pope	
Daniel	Karl	Saunders	

HB 601—A bill to be entitled An act relating to salt water fisheries and conservation; amending §370.111(3), Florida Statutes, to delete prohibition of possession by a person, firm, or corporation of more than two (2) days bag limit of snook; providing an effective date.

—was taken up pending roll call, having been reconsidered on May 24.

HB 601 passed and was certified to the House. The vote was:

Yeas—21

Mr. President	Ducker	Karl	Pope
Arnold	Gong	Knopke	Saunders
Beaufort	Graham	Lewis (33rd)	Weissenborn
Broxson	Haverfield	Lewis (43rd)	
Childers	Henderson	McClain	
Deeb	Hollahan	Plante	

Nays—16

Barron	Brantley	Johnson (34th)	Scarborough
Bell	Daniel	Lane	Trask
Bishop	Horne	Ott	Ware
Boyd	Johnson (29th)	Reuter	Wilson

By unanimous consent, Senator Barrow was recorded as voting nay; Senator Reuter changed his vote from nay to yea.

SB 913—A bill to be entitled An act relating to public education, district school system; amending section 230.15, Florida Statutes; providing for the organization of the school board on the Tuesday two weeks following the general election in November; providing an effective date.

Was read the second time by title. On motion by Senator Broxson, by two-thirds vote SB 913 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Childers	Horne	Pope
Arnold	Daniel	Johnson (29th)	Reuter
Barron	Deeb	Johnson (34th)	Saunders
Barrow	Ducker	Knopke	Scarborough
Beaufort	Gong	Lane	Trask
Bell	Graham	Lewis (43rd)	Ware
Boyd	Haverfield	McClain	Weissenborn
Brantley	Henderson	Myers	Wilson
Broxson	Hollahan	Ott	

Nays—1

Bishop

By unanimous consent Senators Lewis (33rd) and Plante were recorded as voting yea.

SB 1297—A bill to be entitled An act relating to education; amending subsection (1) of section 233.0681, Florida Statutes, 1970 Supplement, as created by chapter 70-317, Laws of Florida; deleting restrictions relating to the employment of occupational specialists; providing an effective date.

Was read the second time by title. On motion by Senator Broxson, by two-thirds vote SB 1297 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Childers	Hollahan	Myers
Arnold	Daniel	Horne	Ott
Barron	Deeb	Johnson (29th)	Pope
Beaufort	Ducker	Johnson (34th)	Reuter
Bell	Fincher	Knopke	Saunders
Bishop	Gong	Lane	Sayler
Boyd	Graham	Lewis (33rd)	Scarborough
Brantley	Haverfield	Lewis (43rd)	Ware
Broxson	Henderson	McClain	Weissenborn

Nays—1

Wilson

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

SB 1297—A bill to be entitled An act relating to education; amending subsection (1) of section 233.0681, Florida Statutes, 1970 Supplement, as created by chapter 70-317, Laws of Florida; deleting restrictions relating to the employment of occupational specialists; providing an effective date.

—passed.

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

On page 1, line 21, section 1, strike “, up to a maximum of fifty percent (50%) of all counseling positions in a school district.”

On motion by Senator Broxson SB 1297 as amended was read by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Childers	Johnson (34th)	Reuter
Arnold	Ducker	Knopke	Saunders
Barron	Gong	Lane	Sayler
Beaufort	Graham	Lewis (43rd)	Scarborough
Bell	Haverfield	McClain	Stolzenburg
Bishop	Henderson	Myers	Trask
Boyd	Hollahan	Ott	Ware
Brantley	Horne	Plante	Weissenborn
Broxson	Johnson (29th)	Pope	

Nays—1

Wilson

By unanimous consent Senator Daniel was recorded as voting yea.

SB 911—A bill to be entitled An act relating to public education, district school system; amending sections 228.041(5), 230.23(11)(a), Florida Statutes; repealing the provisions for biennial millage and trustee elections; repealing section 230.38, Florida Statutes, providing for a biennial school millage and trustee election; providing an effective date.

Was read the second time by title. On motion by Senator Broxson, by two-thirds vote SB 911 was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

Mr. President	Childers	Horne	Reuter
Arnold	Daniel	Johnson (29th)	Saunders
Barron	Deeb	Johnson (34th)	Sayler
Barrow	Ducker	Knopke	Scarborough
Beaufort	Fincher	Lane	Trask
Bell	Gong	Lewis (33rd)	Weissenborn
Bishop	Graham	Lewis (43rd)	Wilson
Boyd	Haverfield	McClain	
Brantley	Henderson	Ott	
Broxson	Hollahan	Pope	

By unanimous consent Senator Plante was recorded as voting yea.

SB 1295—A bill to be entitled An act relating to education; amending subsection (21) of section 228.041, Florida Statutes, relating to the definition of exceptional children; deleting subparagraph 4. of paragraph (n) of subsection (4) of section 230.23, Florida Statutes, relating to powers and duties of the school board regarding exceptional children; amending paragraph (f) of subsection (1) of section 232.01, Florida Statutes, relating to school attendance of exceptional children; amending subsection (4) of section 236.04, Florida Statutes, relating to units for exceptional children; providing an effective date.

Was read the second time by title.

The Committee on Public Schools offered the following amendment which was moved by Senator Broxson:

On page 3, line 15, section 2, insert: 4. Such instruction, facilities and services within state institutions providing residential care.

On motion by Senator Broxson, consideration of SB 1295 with pending amendment was deferred.

SB 247—A bill to be entitled An act relating to occupational license taxes; amending section 205.531, Florida Statutes, by

adding subsection (3); providing for a license tax applicable to certain temporary art and collector's exhibitions at which tangible personal property is traded or sold; providing that said tax shall be in lieu of the tax imposed by section 205.531(1), Florida Statutes; providing for construction of subsection; 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 Trask:

On page 2, section 1, following line 20 and preceding line 21 insert: (e) *Nothing in this section shall apply, nor be construed to apply, to any person who originally produces his own art object or collector's item and offers the same for sale at a temporary exhibition or show.*

On motion by Senator Henderson, by two-thirds vote, SB 247 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—39

Mr. President	Childers	Johnson (29th)	Sayler
Arnold	Deeb	Karl	Scarborough
Barron	Ducker	Knopke	Stolzenburg
Barrow	Fincher	Lane	Trask
Beaufort	Gong	Lewis (33rd)	Ware
Bell	Graham	Lewis (43rd)	Weber
Bishop	Haverfield	McClain	Weissenborn
Boyd	Henderson	Ott	Wilson
Brantley	Hollahan	Plante	
Broxson	Horne	Reuter	

Nays—1

Daniel

SB 112—A bill to be entitled An act relating to mental health; providing for participation in and enactment of the Interstate Compact on Mental Health; providing definitions; providing for the transfer of mentally ill and mentally deficient patients between participating states; providing interstate cooperative machinery for aftercare or supervision of patients on convalescent status or conditional release; providing for a compact administrator; authorizing supplementary agreements; 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 Reuter:

On page 13, after line 16, section 6, add a new section and renumber the succeeding section as follows:

Section 7. Sections 394.27 and 394.271, Florida Statutes are hereby repealed.

On motion by Senator Reuter, by two-thirds vote, SB 112 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—37 Nays—None

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	Ducker	Knopke	Saunders
Barron	Fincher	Lane	Sayler
Beaufort	Gong	Lewis (33rd)	Scarborough
Bell	Graham	Lewis (43rd)	Trask
Bishop	Haverfield	McClain	Weissenborn
Brantley	Henderson	Myers	Wilson
Broxson	Hollahan	Ott	
Childers	Horne	Plante	
Daniel	Johnson (29th)	Pope	

By unanimous consent Senator Ware was recorded as voting yea.

On motion by Senator Barron, by two-thirds vote, HB 1420 was withdrawn from the Committee on Commerce and placed on the Calendar.

SB 1038 was taken up and on motion by Senator Barron—

HB 1420—A bill to be entitled An act relating to scholarship plans; amending part II of chapter 617, Florida Statutes, by amending section 617.50, Florida Statutes, to provide that the term "lending institution" may include any state bank or federally approved savings and loan association whether or not the same is located in this state and providing that any "trust" bank as defined in this section may also be located within or outside this state; amending section 617.56, Florida Statutes, to provide that scholarship funds shall be deposited in trust banks selected by the corporation and approved by the commissioner and providing that advisory or management agreements relating to same shall be approved by the corporation and the commissioner; amending section 617.68, Florida Statutes, by amending subsection (4) and adding new subsection (33) to provide that dealers or salesmen licensed under chapter 517.12, Florida Statutes, are exempt from the licensing requirements of part II of this chapter; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Barron, by two-thirds vote, HB 1420 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Deeb	Knopke	Saunders
Arnold	Ducker	Lane	Sayler
Barron	Fincher	Lewis (33rd)	Scarborough
Beaufort	Gong	Lewis (43rd)	Trask
Bell	Graham	McClain	Ware
Bishop	Haverfield	Myers	Weissenborn
Brantley	Henderson	Ott	Wilson
Broxson	Hollahan	Plante	
Childers	Johnson (29th)	Pope	
Daniel	Johnson (34th)	Reuter	

By unanimous consent Senator Lewis (33rd) was recorded as voting yea.

SB 1038 was laid on the table.

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

HB 1269—A bill to be entitled An act relating to health; amending §383.14, Florida Statutes, to require the testing of all newborns for phenylketonuria prior to two (2) weeks of age; authorizing the division of health to promulgate rules and regulations; providing an educational program; requiring a registry of cases and the reporting of all test results; providing an effective date.

—passed this day.

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

On page 2, lines 17-18, section 1, strike "not available through other state agencies" and insert: not otherwise available.

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

On page 2, lines 19-21, section 1, strike all of subparagraph (d), lines 19-21.

On motion by Senator Myers, HB 1269 as amended was read by title, passed and by two-thirds vote immediately certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Childers	Johnson (29th)	Plante
Arnold	Deeb	Johnson (34th)	Pope
Barron	Ducker	Knopke	Sayler
Beaufort	Gong	Lane	Scarborough
Bell	Graham	Lewis (33rd)	Stolzenburg
Bishop	Haverfield	Lewis (43rd)	Trask
Boyd	Henderson	McClain	Ware
Brantley	Hollahan	Myers	Weissenborn
Broxson	Horne	Ott	Wilson

By unanimous consent Senator Daniel was recorded as voting yea.

SB 728—A bill to be entitled An act relating to insurance contracts; amending Part II of chapter 627, Florida Statutes, by adding section 627.01135; prohibiting discrimination between physicians authorized by state law to perform the services for which payment or reimbursement is authorized under the insurance contract; defining the word physician; providing an effective date.

Was read the second time by title.

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Brantley:

On page 1, line 30, section 1., after the word "osteopaths", insert: , optometrists

Senator Scarborough moved the following amendment:

In Section 1, lines 19-30, page 1, strike: lines 19 through 30 and insert: 627.01135 Coverage exclusions affecting professional practitioners of the healing arts.—All hospital, surgical, or major medical insurance policies delivered or issued for delivery in this state shall be construed to include coverages for services provided by any professional practitioner of the healing arts who is licensed under chapter 458, Florida Statutes (medical physicians), chapter 459, Florida Statutes (osteopathic physicians), chapter 460, Florida Statutes (chiropractic physicians), chapter 461, Florida Statutes (podiatrists), and chapter 466, Florida Statutes (dentists), where the treatment for which reimbursement or payment is sought is covered under the policy and is within the scope of his license, unless the policy shall specify on its face, or by endorsement, rider, or rubber stamp, in bold-face type, that it does not afford benefits with respect to services provided by the particular type of practitioner whose services are not covered.

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

On page 1, line 18, after "Chapter 460 Florida Statutes" insert: (optometrists) Chapter 463 Florida Statutes

The amendment as amended was adopted.

On motion by Senator Scarborough the following amendment was adopted:

In Sections 2 and 3, lines 1-7, page 2, strike: lines 1 through 7 and insert: Section 2. Written certificates setting forth the essential provisions of group or blanket disability policies which are issued or delivered for issuance with respect to a policy which is subject to Section 3 of this act shall be subject to the provisions of Section 1 of this act.

Section 3. This act shall be applicable only with respect to policies delivered or issued for delivery or renewal in this state with an initial inception or renewal date on or after the effective date of this act.

Section 4. This act shall take effect on September 1, 1971.

On motion by Senator Barrow, by two-thirds vote, SB 728 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—29

Arnold	Childers	Johnson (29th)	Reuter
Barron	Daniel	Johnson (34th)	Scarborough
Barrow	Deeb	Knopke	Trask
Beaufort	Ducker	Lewis (43rd)	Weissenborn
Bell	Graham	McClain	Wilson
Boyd	Haverfield	Myers	
Brantley	Hollahan	Plante	
Broxson	Horne	Pope	

Nays—6

Mr. President	Gong	Lewis (33rd)
Bishop	Henderson	Ware

Senator Beaufort moved that the Senate reconsider the vote by which SB 728 as amended passed.

HB 798—A bill to be entitled An act relating to poultry; providing definitions; requiring poultry producers, egg producers, and poultry hatcheries to provide for the sanitary disposal of dead birds and hatchery residue; prescribing powers and duties of the department of agriculture and consumer services; providing a penalty; providing an effective date.

Was read the second time by title.

The Committee on Agriculture offered the following amendment which was adopted on motion by Senator Bishop:

On page 2, lines 1 and 2, section 2, strike "business in this state shall provide on its premises for the sanitary disposal of birds which die from" and insert: business in this state shall provide on its premises if not prohibited by municipal or county ordinances or special acts

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

On page 3, line 3, section 4, add a new section 4 as follows:

Section 4. Effective July 1, 1972 section 583.07, Florida Statutes and subsection (4) of section 583.18, Florida Statutes are repealed.

And renumber present sections 4 and 5 as 5 and 6.

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

On page 1, line 9, in title, following the word "residue;" insert: repealing section 583.07 and subsection (4) of section 583.18, Florida statutes effective July 1, 1972;

On motions by Senator Bishop, by two-thirds vote, HB 798 as amended was read the third time by title, passed and, by two-thirds vote, immediately certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Broxson	Horne	Plante
Arnold	Childers	Johnson (29th)	Pope
Barron	Daniel	Johnson (34th)	Reuter
Barrow	Deeb	Knopke	Saylor
Beaufort	Ducker	Lewis (33rd)	Scarborough
Bell	Gong	Lewis (43rd)	Trask
Bishop	Graham	McClain	Ware
Boyd	Haverfield	Myers	Weissenborn
Brantley	Henderson	Ott	Wilson

Senator Trask moved that the Senate reconsider the vote by which HB 1409 passed on May 25.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas May 26, 1971
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed SCS for HB 736, SB 1312, CS for SB 276.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

The Honorable Jerry Thomas May 26, 1971
President of the Senate

Sir:

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

By the Committee on Insurance—

HB 1821—A bill to be entitled An act relating to private passenger motor vehicle insurance or security; providing definitions; requiring motor vehicle no-fault reparation insurance and liability insurance up to certain limits and limiting tort liability; providing for approval of such policies by the department of insurance; providing that proof of security and financial responsibility by an owner or operator of a motor vehicle involved in an accident must be shown as a prerequisite to ownership, registration, licensing, and operation of motor vehicles in this state and providing that failure to provide proof of such security shall result in revocation of registration and license; providing for payment of certain specified benefits and that same are due when loss accrues; providing for priority of payment of benefits; providing for tort exemptions and limitation on damages; providing no-fault property protection; providing for certain deductibles; providing that the department shall adopt rules and regulations necessary to implement this act; providing that insurers file proposed manual, rules, rates and rating plans with the department for approval; providing that insurers shall adopt a rate more than fifteen per cent (15%) below the rates in effect as of the effective date of this act; providing for severability; providing an effective date.

Senate amendment 1—

On page 2, line 2, strike everything after the enacting clause and insert the following:

Section 1. Part X of chapter 627, Florida Statutes, is amended by adding section 627.0861, Florida Statutes, to read:

627.0861 Automobile liability insurance; immediate payment under medical and disability benefits coverage.—

(1) On and after November 1, 1971, no insurer shall deliver or issue for delivery in this state any individual liability insurance policy covering liability arising out of the ownership, maintenance, or use of any motor vehicle registered or principally garaged in this state unless coverage is provided in such policy, or supplemental thereto, for benefits and in amounts not less than as follows:

(a) Medical and hospital benefits.—All reasonable and necessary expenses for medical, diagnostic, hospital, dental, surgical, and ambulance services and for drugs and prosthetic devices incurred within not less than one year after a covered automobile accident and for up to two thousand dollars (\$2,000) per individual injured in the accident.

(b) Funeral, burial or cremation benefits.—All reasonable funeral, burial or cremation expenses incurred within a period of not less than one year from and after the date of the accident, in the amount of not less than the lesser of the actual expense incurred or two thousand dollars (\$2,000) per individual.

(c) Disability benefits.—Eighty-five percent (85%) of the loss of earning capacity during a period commencing seven (7) days after the date of the accident and not exceeding fifty-two (52) weeks, but subject to a maximum payment of one hundred twenty-five dollars (\$125) per week, per individual. In the case of an unemployed individual, such benefits shall consist of expenses not exceeding twelve dollars (\$12.00) per day, per individual, for essential services in lieu of those the injured individual would have performed without income during a period commencing one week after the date of the accident and not exceeding fifty-two (52) weeks. Benefits under this subdivision (c) shall be computed from the date of the accident upon which such benefits are based and shall be paid retroactively to the date of the accident.

(2) A coverage required by this section may exclude benefits to any injured individual covered under the policy where such individual's conduct contributed to the injury sustained in any of the following ways:

- (a) Causing injury to himself intentionally.
- (b) Participation in the theft of the motor vehicle involved.
- (c) Operating a motor vehicle in any prearranged speed contest.
- (d) Attempting to elude lawful apprehension or arrest by a law enforcement officer.
- (e) Operating a motor vehicle in violation of §§317.201 or 186.9978 Florida Statutes.

(3) The coverage required by this section shall extend to the owner of an insured motor vehicle, to members of the owner's family residing in the owner's household, to any individual operating the insured motor vehicle with the express or implied consent of an insured, to an individual injured in a motor vehicle accident while a passenger in the insured motor vehicle, and to any individual who is an insured under the policy, while such individual is a pedestrian or bicyclist and is injured by any motor vehicle.

(4) The named insured shall have the right to reject inclusion of the coverage in the policy after the same has been offered to him. Any such rejection shall be in writing signed by the named insured and in such form and terms as has been filed with and theretofore approved by the commissioner as being reasonable and consistent with section 627.0861. The insurer shall retain the signed rejection in its files.

(5) The insurer shall provide reasonable procedure under which it shall make payments of such benefits currently as at date the same accrue, in periodic or other appropriate installments or in full, commencing as immediately as is practicable after the insurer has received notice of the occurrence of such accident and reasonable evidence of the existence and the amount of loss.

(6) "Insurance" as used in this section means a policy of automobile liability insurance delivered or issued for delivery in the state by an authorized insurer.

(a) Insuring a natural person as named insured or one or more related individuals resident of the same household, and

(b) Insuring a private passenger motor vehicle not used as a public or livery conveyance for passengers or rented to others; or insuring any other fourwheel motor vehicle having a load capacity of fifteen hundred (1500) pounds or less which is not used in the occupation, profession or business of the insured other than farming.

(7) This section shall be liberally construed to effect its intended purpose to mitigate the financial distress of persons involved in automobile accidents, by providing immediate financial assistance in a payment of the cost of hospital and medical care of funeral expense or loss of income due to injury received in a motor vehicle accident.

(8) The insurer shall be entitled to subrogation with respect to any payment made under the provisions of this section. Such subrogation shall be limited to the amount paid under the provisions of this section, but may receive credit therefor upon any other payment for the same loss otherwise required to be made under any other provision of the policy.

(9) Nothing contained in this section shall in any way affect any existing or future causes of action, or limit an insured's

right to recover, for damages sustained in an automobile accident.

Section 2. Section 11, chapter 71-3 (B) is hereby repealed.

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

Senate amendment 2—

On page 1, lines 4-33, in title, strike lines 4 through 33 and insert the following: An act relating to motor vehicle insurance; amending part x of chapter 627, Florida Statutes, casualty insurance contracts, by adding Section 627.0861, Florida Statutes, to require that automobile liability insurance policies issued subsequent to November 1, 1971, provide for the immediate payment of certain medical and disability benefits under such policies; providing for waiver of such benefits; repealing Section 11, Chapter 71-3 (B); providing an effective date.

—and requests the Senate to recede therefrom and, in the event the Senate refuses to recede, requests that a Conference Committee be appointed.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Senator Karl moved that the Senate refuse to recede from the amendments to HB 1821 and requested a conference committee be appointed to adjust the differences existing between the two houses. The motion was adopted and the action of the Senate was certified to the House.

The President appointed Senators Karl, Barron, Ware, Lewis (43rd) and Daniel as the conferees on the part of the Senate and the action of the Senate was certified to the House.

Senator Myers was excused for the purpose of working with the staff of the Committee on Ways and Means.

MATTERS ON RECONSIDERATION

The motion by Senator Plante on May 25 that the Senate reconsider the vote by which—

HB 1225—A bill to be entitled An act relating to junior colleges; amending chapter 230, Florida Statutes, by adding section 230.777 authorizing district boards of trustees to pay premiums for group insurance; providing an effective date.

—as amended passed on May 25 was taken up and adopted; and the Senate reconsidered the vote.

Pending further consideration of HB 1225, pursuant to the motion by Senator Hollahan on May 25, the hour of 11:00 a.m. having arrived, the Senate proceeded to the consideration of—

SB 1023—A bill to be entitled An act relating to county judges; amending §44.12(1), Florida Statutes, as amended by chapter 70-454, Laws of Florida, to increase the compensation of the county judge of Martin County; providing an effective date.

—which was read the second time by title.

Senator Broxson moved that SB 1023 be removed from the Calendar and referred to an appropriate committee. The motion failed by the following vote:

Yeas—13

Mr. President	Brantley	Lane	Stolzenburg
Barron	Broxson	Lewis (33rd)	
Barrow	Childers	McClain	
Beaufort	Haverfield	Scarborough	

Nays—21

Arnold	Graham	Knopke	Ware
Bell	Henderson	Plante	Weissenborn
Boyd	Hollahan	Pope	Wilson
Daniel	Horne	Reuter	
Ducker	Johnson (29th)	Saylor	
Gong	Karl	Trask	

Senators Bishop, Horne, Henderson, Reuter, Daniel, Karl, Saunders, Pope, Brantley, Beaufort, Scarborough, Arnold, Ware, Wilson, Sayler, Deeb and Plante offered the following amendment which was adopted on motion by Senator Johnson (29th):

	Page	line	section	strike:
"Pinellas	1	28	1	24,000.00
Orange	1	29	1	23,000.00
Volusia	2	9	1	20,000.00
Alachua	2	11	1	17,200.00
Leon	2	12	1	19,000.00
Lake	2	19	1	17,900.00
St. Lucie	2	20	1	19,000.00
Indian River	2	23	1	19,000.00
Charlotte	2	29	1	19,000.00
Pasco	3	2	1	15,000.00
Citrus	3	6	1	13,500.00
Sumter	3	9	1	13,500.00
Hernando	3	13	1	13,500.00
St. Johns	3	19	1	16,900.00
Franklin	3	28	1	10,000.00"

and insert the following:

Page	line	section	
1	28	1	an amount equal to salary provided for the judges of the circuit court in said county as fixed by law
1	29	1	25,000.00
2	9	1	27,500.00
2	11	1	22,000.00
2	12	1	22,500.00
2	19	1	an amount equal to eighty percent (80%) of the salary provided for judges of the circuit court in said county as fixed by law.
2	20	1	21,000.00
2	23	1	22,500.00
2	29	1	23,500.00
3	2	1	21,000.00
3	6	1	17,500.00
3	9	1	17,500.00
3	13	1	17,500.00
3	19	1	19,000.00
3	28	1	11,000.00

On motion by Senator Saunders the following amendment was adopted:

On page 4, insert a new section 2 as follows:

Section 2. Notwithstanding the provision of any existing law, the salary of the Judge of the court of record of Alachua County shall be twenty-two thousand (\$22,000) per annum, and the salary of the solicitor of the court of record of Alachua County shall be eighteen thousand dollars (\$18,000) per annum.

And re-number the remaining section.

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

On page 4, line 8, strike Section 2 and insert: Section 2. Subsection (3) and (4) of Section 44.12, Florida Statutes are hereby repealed.

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

On motion by Senator Wilson the following amendment was adopted:

On page 4, line 8, section 2, strike Section 2. and insert: Section 2. Any county judge receiving compensation in excess of \$17,400 shall devote full time to the duties of his office and may not engage in the private practice of law.

Renumber following Section

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

On page 1, line 6, in title, strike "; to increase the compensation of the County Judge of Martin County;" and insert the following: ; establishing the compensation of the several County Judges of Florida; repealing subsections (3) and (4) of Section 44.12, Florida Statutes;

On motion by Senator Daniel time of adjournment was extended until final consideration of SB 1023.

On motion by Senator Daniel the following amendment was adopted:

On page 1, line 8, in title, following the words "Martin County;" insert: requiring certain County Judges to devote full time to the duties of the office of County Judge.

On motion by Senator Daniel the following amendment was adopted:

In title insert: ; providing for the compensation of the judge of the Court of Record of Alachua County and the solicitor thereof;

On motion by Senator Plante, debate on SB 1023 was limited to 5 minutes per side.

On motion by Senator Johnson (29th), by two-thirds vote, SB 1023 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—20

Arnold	Ducker	Karl	Reuter
Beaufort	Gong	Knopke	Sayler
Bell	Hollahan	McClain	Trask
Boyd	Horne	Plante	Ware
Daniel	Johnson (29th)	Pope	Wilson

Nays—14

Mr. President	Brantley	Henderson	Stolzenburg
Barron	Broxson	Johnson (34th)	Weissenborn
Barrow	Childers	Lane	
Bishop	Haverfield	Lewis (33rd)	

By unanimous consent Senator Scarborough was recorded as voting nay.

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

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—45:

Mr. President	Bishop	Deeb	Hollahan
Arnold	Boyd	Ducker	Horne
Barron	Brantley	Gong	Johnson (29th)
Barrow	Broxson	Graham	Johnson (34th)
Beaufort	Childers	Haverfield	Karl
Bell	Daniel	Henderson	Knopke

Lane	Plante	Scarborough	Weissenborn
Lewis (33rd)	Pope	Stolzenburg	Wilson
Lewis (43rd)	Reuter	Trask	
McClain	Saunders	Ware	
Ott	Sayler	Weber	

On motion by Senator Lewis (33rd), unanimous consent was obtained to take up out of order—

SB 1544—A bill to be entitled An act relating to the department of agriculture and consumer services; amending section 570.53, Florida Statutes, to add subsection (5); providing an effective date.

—which was read the second time by title. On motion by Senator Lewis (33rd), by two-thirds vote, SB 1544 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Childers	Karl	Sayler
Arnold	Daniel	Lane	Scarborough
Barron	Deeb	Lewis (33rd)	Trask
Barrow	Ducker	Lewis (43rd)	Ware
Beaufort	Graham	McClain	Weber
Bell	Haverfield	Ott	Weissenborn
Bishop	Henderson	Plante	Wilson
Boyd	Hollahan	Pope	
Brantley	Horne	Reuter	
Broxson	Johnson (29th)	Saunders	

By unanimous consent Senator Stolzenburg was recorded as voting yea.

On motion by Senator Lewis (33rd), unanimous consent was obtained to take up out of order—

SB 1545—A bill to be entitled An act relating to governmental reorganization; amending section 20.14 (8), Florida Statutes; providing that advisory councils pertaining to celery and sweet corn marketing orders, authorized under section 573.14, Florida Statutes, are transferred by type one transfers to the department of agriculture and consumer services, providing effective date.

—which was read the second time by title.

On motion by Senator Lewis (33rd) the following amendment was adopted:

On page 1, lines 22, 23, 24, section 1, strike "under §573.14, are transferred by type five one transfers to the department of agriculture and consumer services." and insert: under §573.14, are transferred by type five transfer to the department of agriculture and consumer services. However, the celery and sweet corn marketing committees may be authorized by the commissioner of agriculture to carry out specific functions of the department of agriculture and consumer services relating to the administration of marketing orders contained in Chapter 573, Florida Statutes. The activities of the committees, in carrying out these functions, as units of the department of agriculture and consumer services shall be subject to review and approval by, and under the direct supervision of the head of the department of agriculture and consumer services.

On motion by Senator Lewis (33rd) the following amendment was adopted:

On page 1, lines 10, 11, 12, in title, strike "one transfers to the department of agriculture and consumer services, providing effective date." and insert: five transfer to the department of agriculture and consumer services; authorizing the celery and sweet corn committees, when authorized by the commissioner of agriculture, to carry out specific functions of the department of agriculture and consumer services relating to the administration of marketing orders contained in Chapter 573, Florida Statutes; providing an effective date.

On motion by Senator Lewis (33rd), by two-thirds vote, SB 1545 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—37 Nays—None

Mr. President	Childers	Karl	Sayler
Arnold	Daniel	Lane	Scarborough
Barron	Deeb	Lewis (33rd)	Trask
Barrow	Ducker	Lewis (43rd)	Ware
Beaufort	Graham	McClain	Weber
Bell	Haverfield	Ott	Weissenborn
Bishop	Henderson	Plante	Wilson
Boyd	Hollahan	Pope	
Brantley	Horne	Reuter	
Broxson	Johnson (29th)	Saunders	

By unanimous consent Senator Stolzenburg was recorded as voting yea.

On motion by Senator Lewis (33rd), unanimous consent was obtained to take up out of order—

SB 1543—A bill to be entitled An act relating to the celery and sweet corn marketing law; amending section 573.14 (2), Florida Statutes, to authorize the department of agriculture and consumer services to contract for necessary personnel to perform the duties of administering the celery and sweet corn marketing orders; amending section 573.21, Florida Statutes, relating to assessment of fees and control of funds; amending section 573.27 (1), Florida Statutes, to require fines assessed to be deposited in the general inspection trust fund; providing an appropriation from general inspection trust fund; providing an effective date.

—which was read the second time by title.

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Lewis (33rd):

On page 6, line 9, section 3, strike "in the special account known as the celery and sweet corn order account."

On motion by Senator Lewis (33rd) the following amendment was adopted:

On page 6, line 9, section 3, strike "in the special account known as the celery and sweet corn marketing order account." and insert: a period after word "fund" on line 9

On motion by Senator Lewis (33rd), by two-thirds vote, SB 1543 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—37 Nays—None

Mr. President	Childers	Karl	Sayler
Arnold	Daniel	Lane	Scarborough
Barron	Deeb	Lewis (33rd)	Trask
Barrow	Ducker	Lewis (43rd)	Ware
Beaufort	Graham	McClain	Weber
Bell	Haverfield	Ott	Weissenborn
Bishop	Henderson	Plante	Wilson
Boyd	Hollahan	Pope	
Brantley	Horne	Reuter	
Broxson	Johnson (29th)	Saunders	

By unanimous consent Senator Stolzenburg was recorded as voting yea.

On motion by Senator Lewis (33rd), by two-thirds vote, SB 1544 was immediately certified to the House.

On motion by Senator Lewis (33rd), by two-thirds vote, Senate Bills 1545 and 1543 were ordered immediately certified to the House after engrossing.

The Senate resumed consideration of—

SB 1295—A bill to be entitled An act relating to education; amending subsection (21) of section 228.041, Florida Statutes,

relating to the definition of exceptional children; deleting subparagraph 4. of paragraph (n) of subsection (4) of section 230.23, Florida Statutes, relating to powers and duties of the school board regarding exceptional children; amending paragraph (f) of subsection (1) of section 232.01, Florida Statutes, relating to school attendance of exceptional children; amending subsection (4) of section 236.04, Florida Statutes, relating to units for exceptional children; providing an effective date.

—together with pending amendment which failed.

On motion by Senator Broxson, by two-thirds vote, SB 1295 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Childers	Karl	Sayler
Arnold	Daniel	Lane	Scarborough
Barron	Deeb	Lewis (33rd)	Trask
Barrow	Ducker	Lewis (43rd)	Ware
Beaufort	Graham	McClain	Weber
Bell	Haverfield	Ott	Weissenborn
Bishop	Henderson	Plante	Wilson
Boyd	Hollahan	Pope	
Brantley	Horne	Reuter	
Broxson	Johnson (29th)	Saunders	

By unanimous consent, Senator Stolzenburg was recorded as voting yea and Senator Johnson (34th) as voting nay.

On motion by Senator Hollahan, the Senate proceeded to the consideration of—

EXECUTIVE BUSINESS

On motion by Senator Broxson, the rules were waived and the Senate took up in open Session the following Reports:

Senator Jerry Thomas
President, The Florida Senate
The Capitol
May 19, 1971

Dear Mr. President:

Your Standing Committee on Public Schools to which was referred for consideration the following appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Grace C. Park	Member, Board of Trustees for the Florida School for the Deaf and the Blind	July 25, 1973

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointment made by the Governor.

Respectfully submitted,

JOHN R. BROXSON
Chairman
Committee on Public Schools
JOHN L. DUCKER
D. ROBERT GRAHAM
VERLE A. POPE

BOB SAUNDERS
HENRY B. SAYLER
ALAN TRASK
LEE WEISSENBORN

On motions by Senator Broxson, the Report of the Committee was adopted, the rules were waived and the Senate in open Session advised and consented to and approved the aforesaid appointment made by the Governor, as contained and set forth in the foregoing Report. The vote was: Yeas—37 Nays—None

Mr. President	Childers	Karl	Sayler
Arnold	Daniel	Lane	Scarborough
Barron	Deeb	Lewis (33rd)	Trask
Barrow	Ducker	Lewis (43rd)	Ware
Beaufort	Graham	McClain	Weber
Bell	Haverfield	Ott	Weissenborn
Bishop	Henderson	Plante	Wilson
Boyd	Hollahan	Pope	
Brantley	Horne	Reuter	
Broxson	Johnson (29th)	Saunders	

Senator Jerry Thomas
President, The Florida Senate
The Capitol

April 21, 1971

Dear Mr. President:

Your Standing Committee on Public Schools to which was referred for consideration the following appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Foy R. Maloy	Member, Board of Trustees for the Florida School for the Deaf and the Blind	July 22, 1974

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointment made by the Governor.

Respectfully submitted,

JOHN R. BROXSON
Chairman,
Committee on Public Schools
JOHN L. DUCKER
D. ROBERT GRAHAM
VERLE A. POPE

BOB SAUNDERS
HENRY B. SAYLER
ALAN TRASK
LEE WEISSENBORN

On motions by Senator Broxson, the Report of the Committee was adopted, the rules were waived and the Senate in open Session advised and consented to and approved the aforesaid appointment made by the Governor, as contained and set forth in the foregoing Report. The vote was: Yeas—37 Nays—None

Mr. President	Childers	Karl	Sayler
Arnold	Daniel	Lane	Scarborough
Barron	Deeb	Lewis (33rd)	Trask
Barrow	Ducker	Lewis (43rd)	Ware
Beaufort	Graham	McClain	Weber
Bell	Haverfield	Ott	Weissenborn
Bishop	Henderson	Plante	Wilson
Boyd	Hollahan	Pope	
Brantley	Horne	Reuter	
Broxson	Johnson (29th)	Saunders	

By direction of the President, the Secretary read the following communication:

Honorable Jerry Thomas
President, The Florida Senate
The Capitol
Tallahassee, Florida

May 26, 1971

Dear Mr. President:

Last year, following the recommendation of Senator de la Parte, the Senate established the Division of Planning and Evaluation within the Department of Health and Rehabilitative Services. Since funding of this Division did not take effect until July 1, 1970, the new Division Director was not confirmed by the Senate last year.

At this time, I would like to recommend to the Senate that Mr. David St. John be confirmed as Director of the Division

of Planning and Evaluation of the Department of Health and Rehabilitative Services to serve at the pleasure of the Governor. Attached is a brief summary of Mr. St. John's qualifications for the position.

Sincerely,
REUBIN ASKEW
Governor

The President referred the appointment to the Committee on Health, Welfare and Institutions.

HB 801—A bill to be entitled An act relating to citrus; amending section 601.10(6), Florida Statutes, by authorizing the executive director to execute contracts and agreements which have been approved by the Florida citrus commission; providing for an effective date.

Was read the second time by title. On motion by Senator Bishop, by two-thirds vote HB 801 was read the third time by title, passed and certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Childers	Knopke	Saunders
Arnold	Daniel	Lane	Sayler
Barron	Deeb	Lewis (33rd)	Scarborough
Barrow	Ducker	Lewis (43rd)	Trask
Beaufort	Gong	McClain	Ware
Bell	Graham	Ott	Weber
Bishop	Haverfield	Plante	Weissenborn
Boyd	Hollahan	Pope	Wilson
Brantley	Johnson (29th)	Reuter	

By unanimous consent Senator Stolzenburg was recorded as voting yea.

SB 789—A bill to be entitled An act relating to the department of state; providing for an increase in fees to be paid to the department of state; amending section 15.09(1)(a)(b), Florida Statutes, amending section 15.091, Florida Statutes, amending section 48.091(2), Florida Statutes, amending section 48.161(1), Florida Statutes, amending section 495.031(6), Florida Statutes, amending section 495.071(1), Florida Statutes, amending 495.081, Florida Statutes, amending section 506.08, Florida Statutes, amending section 604.11(2), Florida Statutes, amending section 608.05, Florida Statutes, amending section 608.37(1)(2), Florida Statutes, amending section 609.02, Florida Statutes, amending section 613.02(1), Florida Statutes, amending section 617.015, Florida Statutes, amending section 617.11(1), Florida Statutes, amending section 618.04(8)(b), Florida Statutes, amending section 618.05, Florida Statutes, amending section 620.02(2)(b), Florida Statutes, amending amending section 620.44, Florida Statutes, amending section 679.402(6), Florida Statutes; providing for an increase in the fee authorized to be paid to the department of state or other officers; providing for a trust fund; providing for the deposit of the increase authorized by this act to be deposited in said trust fund; providing for the use of said trust fund; providing for 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 Trask:

On page 22, line 25, section 23, strike all of Section 23. and insert: Section 23. The fees hereinabove provided shall be deposited in the special contingency trust fund for the fiscal year 1971-72, and thereafter such fees shall be deposited into the General Revenue Fund and the special contingency trust fund shall be abolished.

Senator Daniel moved the adoption of the following amendment:

On page 23, line 3, section 23, after section 23 insert: Section 24, The Florida arts commission and the fine arts council are transferred to the office of governor by a type (5) transfer as defined in Section 20.06 Florida Statutes. and renumber subsequent sections

Senator Wilson raised a point of order that the subject matter of the amendment was not germane to the bill; that although the bill deals with the Department of State, the amendment goes to a totally different section of the statutes and the amendment transfers a function of the Department of State to the Governor's office.

The President ruled that as to germanity, the point was well taken, the bill is directed toward fee schedules and not at all to the substance of transferring certain duties from one department to another.

Senator Deeb moved the following amendment:

Strike: Sections 21, 22 and 23

A motion by Senator Weissenborn that debate on SB 789 and on the amendments thereto be limited to five minutes per side failed of adoption.

Senator Haverfield presiding.

The President presiding.

Senators Bishop, McClain, Sayler and Deeb offered the following substitute amendment which was adopted on motion by Senator Deeb:

On page 22, lines 20 and 21, section 21, strike subsection 4

On motion by Senator Deeb the following amendment was adopted:

In Section 21, line 16, page 22, strike "communications" and insert: such communications equipment approved by the Department of General Services

On motion by Senator Sayler the following amendment was adopted:

On page 22, line 16, strike "and transportation"

Senator Deeb moved the following amendment:

Section 21, line 11, page 22, strike: the period and insert: , subject to approval by the Department of General Services

On motion by Senator Trask, the rules were waived and further consideration of SB 789 with pending amendment was deferred, the bill retaining its place on the Special Order Calendar.

SB 759 was taken up, together with:

By the Committee on Governmental Efficiency—

CS for SB 759—A bill to be entitled An act relating to the Department of Commerce; amending Section 20.17, Florida Statutes, to reorganize the Department of Commerce by providing for a Division of Labor, a Division of Employment Security, a Division of Tourism, a Division of Economic Development, a Division of Information Services, and a Division of Administrative Services; creating a commission for review of workmen's compensation cases and providing organization, jurisdiction, compensation and duties of the commission; transferring the voluntary mediation and conciliation service created under Section 448.06, Florida Statutes, to the Department of Commerce; amending Sections 440.24, 440.25, 440.27, Florida Statutes, to conform to the commission; amending Section 443.11, Florida Statutes, to create a board of review for unemployment compensation cases; amending Section 440.44 (4)(b) to delete the requirement that the chief of workmen's compensation be a member of the Florida Bar; providing an effective date.

—which was read the first time by title and SB 759 was laid on the table.

On motion by Senator Daniel, by two-thirds vote, CS for SB 759 was read the second time by title.

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

In Section 1, line 23, page 6, strike "circuit judge" and insert: judge of the district court of appeals

On motion by Senator Ott the following substitute amendment was adopted:

On pages 3-7, Section 1, strike all of subparagraph (6) through line 21 of Page 7 and insert: (6) Section 1. There is hereby created the appellate court of industrial claims. The court shall be composed of four (4) judges who shall administer the provisions of this act, with powers and jurisdiction as herein provided.

Section 2. The judges of the appellate court of industrial claims shall be appointed by the governor with the advice and consent of the senate for four (4) year terms, provided that the first judges shall be appointed by the governor to serve as follows: two (2) judges to serve until Tuesday after the first Monday in January, 1973; and two (2) judges to serve until Tuesday after the first Monday in January, 1975. The successors of the original appointees shall be elected separately in each appellate court of appeal district by the electors in each such district at the general election next preceding the expiration of the respective terms of office to serve for a full term of four (4) years. No more than one of said judges at any one time shall at the time of appointment or election be from a single appellate district of the state. Judges of the appellate court of industrial claims may continue in office as herein provided for successive terms and vacancies shall be filled for the remainder of the unexpired term pursuant to appointment by the governor with the advice and consent of the senate. Each such judge shall devote full time to his duties, shall not engage in the practice of law or hold any office or position of profit under this state or any office of profit under the United States, and shall not hold office in any political party. Compensation for services in the state militia or the armed forces of the United States or other defense agencies recognized by the supreme court for such periods of time as may be determined by the supreme court shall not be deemed profit. Each judge shall at the time of appointment be a citizen of the state and a member of The Florida Bar in good standing and have the qualifications required of a judge of a district court of appeal. Election of the judges provided for herein shall be in the same manner and pursuant to the laws applicable to the election of the judges of the district courts of appeal.

Section 3. The headquarters of the appellate court of industrial claims shall be in Tallahassee where its records shall be kept.

Section 4. (1) The appellate court of industrial claims shall have the power and the duty to hear and determine all reviews taken from orders of judges of industrial claims in workmen's compensation cases subsequent to the effective date of this act, and the appointment of the first members of the appellate court of industrial claims and the completion of their organization as the appellate court of industrial claims.

(2) All applications for review of orders of judges of industrial claims pending before the bureau of workmen's compensation which have not been considered on the record or pursuant to oral argument prior to the effective date of this act shall be transferred to the appellate court of industrial claims.

(3) Orders of the appellate court of industrial claims entered pursuant to 440.25, Florida Statutes, shall be final subject only to review by the supreme court pursuant to Section 4 of Article V of the Florida Constitution in any manner provided for review of decisions of district courts of appeal, including certification to the supreme court by at least three (3) members

of the appellate court of industrial claims as involving a question of great public interest.

Section 5. The appellate court of industrial claims is vested with full power and authority to carry out complete execution of its orders in all matters before it.

Section 6. Oral arguments shall be heard at least once in each calendar quarter in the district of the district court of appeal in which the issues involved were decided by a judge of industrial claims, if there be cases pending from such district. The court may adjourn from time to time as may be necessary for the dispatch of business. The court shall have the power and authority to hear and decide causes on any regular or specially scheduled hearing date.

Section 7. Three (3) judges shall consider each case and concurrence of a majority shall be necessary to an order.

Section 8. A chief judge of the appellate court of industrial claims shall be selected by the members, who shall have responsibility and authority for administrative supervision, including workload and territorial assignment of judges of industrial claims and receive such additional compensation as may be allowed the chief judge of the district courts of appeal.

Section 9. The chief justice of the supreme court may assign any judge of a trial or appellate court to temporary service on the appellate court of industrial claims. Any retired justice or judge may, with his consent, be assigned to service on the court.

Section 10. The appellate court of industrial claims shall have an official identifying seal as prescribed by the supreme court.

Section 11. The appellate court of industrial claims shall make such rules as are necessary governing practice and procedure and for the administration of the court, subject to the approval of the supreme court.

Section 12. A clerk shall be appointed by the court who shall perform such duties as prescribed in the court, including serving as marshal. The clerk shall be paid a salary as fixed by law and shall give bond in the sum of two thousand dollars (\$2,000), payable to the governor, or his successors in office, to be approved by the majority of the judges of the court conditioned upon the faithful discharge of the duties of his office, which bond shall be filed in the office of the secretary of state.

Section 13. The clerk is required to collect a fee for each case docketed at the time of filing the application for review, and for other special services as established by the court except that the court may provide by rule for the waiver of fees and charges payable by insolvent appellants.

Section 14. The clerk of the court is required to prepare each month a statement in duplicate of all fees collected and remit one (1) copy of said statement, together with all fees collected by him, to the state comptroller, who shall place the same to the credit of the administration fund from which the expenses of the court are derived.

Section 15. Each judge of the appellate court of industrial claims shall be paid an annual salary which shall be equal to the salary of a judge of a district court of appeal and shall be eligible for membership in and retirement under the same retirement system provided for the judges of the district courts of appeal.

Section 16. The process of the court shall run throughout the state and may be executed by any sheriff or a deputy sheriff.

Section 17. The statutory revision service of the legislative service bureau is hereby authorized to substitute the words "appellate court of industrial claims" for the words "full commission" or "commission", in its editing of manuscript for the Florida Statutes 1971, wherever they appear in chapter 440, Florida Statutes, and specifically 440.24 and 440.25, and such substitution is required by the wording and intent of this act.

Section 18. Decisions of the appellate court of industrial claims shall be published pursuant to court rules.

Section 19. The court may assemble a library.

Section 20. The expenses of personnel, administration and operation of the court, the headquarters office and the offices of each judge and his salary shall be paid in the same manner and from the same source as expenses of the bureau of workmen's compensation of the department of commerce are paid and not from the general tax revenues of the state.

On motion by Senator Ott the following amendment was adopted:

On page 1, lines 11 and 14, in title, strike the word "commission" on each of lines 11 and 14 and insert: Appellate Court of Industrial Claims

On motion by Senator Ott the following amendment was adopted:

On page 1, line 13, in title, after the word "providing" insert: election

The Committee on Governmental Efficiency offered the following amendment which was moved by Senator Daniel and failed:

In Section 6, line 21, page 13, strike "July" and insert: September

On motion by Senator Henderson the following amendment was adopted:

On page 10, line 28, section 1, strike "designate a director of each division, a chief of each bureau and otherwise designate the head of each function all within the funds appropriated by the 1971 legislature to the department of commerce or to any function transferred to the department of commerce. All laws and parts of laws in conflict with this intent are hereby repealed and the" and insert: all within the funds appropriated by the 1971 legislature to the department of commerce or to any function transferred to the department of Commerce. The

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

On page 3, section 2, strike all of Section 2 and insert: Section 2 The judges of the appellate court of industrial claims shall be appointed by the governor with the advice and consent of the senate for four (4) year terms.

On motion by Senator Daniel, by two-thirds vote, CS for SB 759 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—33

Arnold	Daniel	Karl	Scarborough
Barron	Deeb	Knopke	Stolzenburg
Barrow	Ducker	Lane	Trask
Beaufort	Gong	Lewis (33rd)	Ware
Bishop	Haverfield	Lewis (43rd)	Weissenborn
Boyd	Henderson	McClain	Wilson
Brantley	Hollahan	Ott	
Broxson	Horne	Plante	
Childers	Johnson (34th)	Saunders	

Nays—5

Bell	Pope	Reuter	Sayler
Johnson (29th)			

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

Comments between Senators Henderson and Daniel on the Legislative intent of CS for SB 759:

Mr. President: For what purpose does the Senator from the 32nd arise?

Senator Henderson: To inquire of Senator Daniel as to CS for SB 759 and to determine the legislative intent as to certain portions thereof.

Mr. President: You may proceed.

Senator Henderson: I am concerned by, among other items, paragraph 11 on page 10 of the committee substitute which has comments concerning the authority of the Secretary of Commerce until April 1972, to create new bureaus within that department and to reorganize functions of existing divisions and bureaus as necessary for efficient and effective management, and so as to be not incompatible with the federal law and the rules and regulations of the United States Department of Labor.

Senator Daniel: You will recognize that the existing language in the law expired on July 1, 1970, whereby the Department of Commerce has the right to make certain reorganizational changes, and that this would be an extension of the right to make the specified reorganizational changes in this bill beyond that date. In order to make certain that the Department of Commerce of the State of Florida has an organizational table that would be compatible with and meet the requirements of federal law, particularly so that we might continue to receive federal funds and those that might become available in the future, it is necessary to grant this restricted right of reorganization as proposed in CS for SB 759.

Senator Henderson: Senator, I would like to get the legislative intent spelled out so that it would be clear, to one and all and from hereon, that the only reorganization authority granted to the Secretary is as to those areas specified, and only then if it be necessary and required to receive the approval of the United States Department of Labor for implementation of the unemployment compensation funding from them.

Senator Daniel: This is exactly the intent as understood in drafting the bill, and presenting it to the committee structure of the Senate and as explained here on this floor. The approval of the United States Department of Labor has not yet been received, the reorganization contemplated might be, and probably would be very extensive, and I would move, Mr. President, that this interchange and statement by me and Senator Henderson be adopted by the Senate as a statement of legislative intent as to those matters therein contained.

Whereupon the President put the question and the statement of legislative intent was adopted unanimously.

SB 983—A bill to be entitled An act relating to workmen's compensation; creating a compensation appellate commission; providing organization, administration, jurisdiction, facilities, compensation, a clerk, personnel, and duties; providing appellate review of workmen's compensation cases; amending §440.27, Florida Statutes, and directing the statutory revision service to make certain changes to conform to the provisions of this act; repealing §440.27(1), Florida Statutes, relating to orders of the full commission entered pursuant to §440.25, Florida Statutes; providing an effective date.

Was read the second time by title.

The Committee on Judiciary—Civil B offered the following amendment which was moved by Senator Horne:

On page 2, line 25, section 2, following the words "court of appeal" strike the comma (,) and the balance of the sentence to the period (.) on line 29

On motion by Senator Ott the following substitute amendment was adopted:

On pages 1 and 2, strike all of Sections 1 and 2 and insert:

Section 1. There is hereby created the appellate court of industrial claims. The court shall be composed of four (4) judges who shall administer the provisions of this act, with powers and jurisdiction as herein provided.

Section 2. The judges of the appellate court of industrial claims shall be appointed by the governor with the advice and consent of the senate for four (4) year terms, provided that the first judges shall be appointed by the governor to serve as follows: two (2) judges to serve until Tuesday after the first Monday in January, 1973; and two (2) judges to serve until Tuesday after the first Monday in January, 1975. The successors of the original appointees shall be elected separately in each appellate court of appeal district by the electors in each such district at the general election next preceding the expiration of the respective terms of office to serve for a full term of four (4) years. No more than one of said judges at any one time shall at the time of appointment or election be from a single appellate district of the state. Judges of the appellate court of industrial claims may continue in office as herein provided for successive terms and vacancies shall be filled for the remainder of the unexpired term pursuant to appointment by the governor with the advice and consent of the senate. Each such judge shall devote full time to his duties, shall not engage in the practice of law or hold any office or position of profit under this state or any office of profit under the United States, and shall not hold office in any political party. Compensation for services in the state militia or the armed forces of the United States or other defense agencies recognized by the supreme court for such periods of time as may be determined by the supreme court shall not be deemed profit. Each judge shall at time of appointment be a citizen of the state and a member of The Florida Bar in good standing and have the qualifications required of a judge of a district court of appeal. Election of the judges provided for herein shall be in the same manner and pursuant to the laws applicable to the election of the judges of the district court of appeals.

On motion by Senator Ott the following amendment was adopted:

In Section 4, lines 9 and 10, page 3, strike: all of lines 9 and 10 and insert: the first members of the appellate court of industrial claims and the completion of their organization as the

On motion by Senator Ott the following amendment was adopted:

On page 4, line 17, section 8, strike the period (.) and insert: and receive such additional compensation as may be provided for the chief judges of the district courts of appeal.

On motion by Senator Ott the following amendment was adopted:

On pages 5 and 6, section 15, strike all of Section 15 and insert:

Section 15. Each judge of the appellate court of industrial claims shall be paid an annual salary which shall be equal to the salary of a judge of a district court of appeal and shall be eligible for membership in and retirement under the same retirement system provided for the judges of the district courts of appeal.

On motion by Senator Ott the following amendment was adopted:

In Section 22, line 3, page 7, strike all of line 3 and insert: tration and operation of the court, the headquarters office and the offices of each judge and

On motion by Senator Ott the following amendment was adopted:

In title, line 5, page 1, strike: all of line 5 and insert: creating an appellate court of industrial claims;

The Committee on Judiciary—Civil B offered the following amendment which was moved by Senator Horne and failed:

On page 5, lines 26 through 29, section 15, strike “may, with the approval of a majority of the state cabinet, be paid additional compensation, provided his total compensation shall not exceed the amount paid to the judges of the district courts of appeal,” and insert: shall receive the same salary as the amount paid to a judge of the district courts of appeal,

On motion by Senator Horne, by two-thirds vote, SB 983 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

Mr. President	Deeb	Johnson (34th)	Pope
Arnold	Ducker	Karl	Saunders
Barrow	Gong	Knopke	Sayler
Beaufort	Graham	Lane	Scarborough
Boyd	Haverfield	Lewis (33rd)	Stolzenburg
Brantley	Henderson	Lewis (43rd)	Trask
Broxson	Hollahan	McClain	Ware
Childers	Horne	Ott	Weissenborn
Daniel	Johnson (29th)	Plante	Wilson

Nays—2

Bell Reuter

SB 1070—A bill to be entitled An act relating to the Florida State Visitors' Pavilion to be located in Orange County; authorizing the State of Florida Department of Commerce to enter into contracts with private non-profit corporations for the management of such Pavilion and the leasing of space therein; amending Chapter 196, Florida Statutes, to provide an exemption from ad valorem taxation for the land and buildings used by the Pavilion; providing an effective date.

Was read the second time by title.

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

In Section 2, lines 19 through 24, page 5, strike “The presence of any food service, novelty, curio, sundry or other similar sales location within the Pavilion whether privately operated or not and whether making profit or not will defeat the above exemption where the primary purpose is service and convenience to Pavilion visitors.”

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

In Section 3, lines 25 and 26, page 5, strike “upon becoming law” and insert: July 1, 1971

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

On page 5, line 24, section 2, following the period insert: Provided, however, nothing contained in this act shall be construed so as to allow the making of reservations or referrals, either directly or indirectly, at any licensed public lodging establishment as defined in chapter 509, Florida Statutes.

On motion by Senator Wilson, by two-thirds vote, debate was limited to 10 minutes per side on all pending amendments and on the bill.

On motion by Senator Plante the following amendment was adopted:

On page 4, strike lines 2—17

Senators Plante, Sayler, Pope and Ware offered the following amendment which was adopted on motion by Senator Plante:

On page 5, lines 8—26, strike Sections 2 and 3 and insert: Section 2. This act shall become effective upon becoming law.

On motion by Senator Plante the following amendment was adopted:

On page 1, lines 9—13, in title, strike "amending Chapter 196, Florida Statutes, to provide an exemption from ad valorem taxation for the land and building used by the Pavilion; providing an effective date." and insert: providing an effective date.

On motion by Senator Beaufort, by two-thirds vote, SB 1070 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—38 Nays—None

Mr. President	Daniel	Johnson (34th)	Saunders
Arnold	Deeb	Karl	Sayler
Barron	Ducker	Knopke	Scarborough
Beaufort	Gong	Lane	Stolzenburg
Bell	Graham	Lewis (33rd)	Trask
Bishop	Haverfield	Lewis (43rd)	Ware
Boyd	Henderson	McClain	Weissenborn
Brantley	Hollahan	Plante	Wilson
Broxson	Horne	Pope	
Childers	Johnson (29th)	Reuter	

The Senate resumed consideration of—

HB 1225—A bill to be entitled An act relating to junior colleges; amending chapter 230, Florida Statutes, by adding section 230.777 authorizing district boards of trustees to pay premiums for group insurance; providing an effective date.

On motion by Senator Haverfield, the rules were waived and the Senate reconsidered the vote by which HB 1225 was placed on third reading.

Senator Sayler moved the adoption of the following amendment:

On page 1, lines 14—20, section 1, strike entire lines and insert: 230.777 Payment of premiums for group insurance.—A junior college board of trustees may pay out of any of its funds all or part of premiums or charges for a group life, disability and health insurance benefit program for all its full-time salaried employees, except professional persons employed on a fee basis and persons performing contract labor, and provided that the full cost of such coverage for dependents is borne by the participant. Such insurance shall be obtained on a competitive basis from an insurance carrier or carriers, non-profit medical, and/or surgical and/or hospital service plans determined by the board of trustees to be fully qualified, financially sound and capable of meeting all servicing requirements.

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

After the word "requirements" add: provided however that the face amount of any life insurance policy shall not exceed the annual salary of said employees when paid by trustee funds.

The amendment as amended was adopted.

On motion by Senator Sayler the following amendment was adopted:

On page 1, strike lines 8-9, and insert the following: all or part of premiums or charges for a group life, disability and health insurance benefit program for full-time salaried employees, providing exceptions; providing for insurance to be obtained on a competitive basis; providing an effective date.

On motion by Senator Barron the following amendment was adopted:

On page 1, line 16, section 1, strike "all or part" and insert: up to fifty per cent (50%)

On motion by Senator Barron the following amendment was adopted:

On page 1 between lines 7 and 8, in title insert: up to fifty percent (50%) of the

On motion by Senator Barron the following amendment was adopted:

On page 1, between lines 20-21, section 2, add new Section 2. Section 2. All general bills of local application and all local bills including population acts which are in conflict with this act are superseded to the extent of such conflict. (Renumber subsequent sections)

On motion by Senator Haverfield, HB 1225 as amended was read the third time by title.

Senator Haverfield moved that the rules be waived and further consideration of HB 1225 be deferred, the bill retaining its place on the calendar and the motion failed.

Senator Pope moved the following amendment:

Strike section 1 and insert: section 112.12 is amended to read

Pending consideration thereof, on motion by Senator Hollahan, by two-thirds vote, further consideration of HB 1225 with pending amendment was deferred and the bill was ordered placed on page 39 of the calendar at the end of House Bills on second reading.

The Senate resumed—

SPECIAL ORDER

Senator Wilson moved that SB 1186 be removed from the calendar and from further consideration of the Senate. On substitute motion by Senator Hollahan, by two-thirds vote, consideration of SB 1186 was deferred, the bill retaining its place on the calendar.

SB 1303—A bill to be entitled An act relating to the acquisition of electronic data processing equipment and services; creating section 287.141, Florida Statutes; providing definition of commodities; providing for submission of financial records by competitive bidders; providing for bond to be posted; providing an effective date.

Was read the second time by title. On motion by Senator Hollahan, by two-thirds vote SB 1303 was read the third time by title, passed and certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Childers	Horne	Reuter
Arnold	Daniel	Johnson (29th)	Saunders
Barron	Deeb	Johnson (34th)	Sayler
Barrow	Ducker	Knopke	Scarborough
Beaufort	Gong	Lane	Stolzenburg
Bell	Graham	Lewis (43rd)	Ware
Boyd	Haverfield	McClain	Weissenborn
Brantley	Henderson	Plante	Wilson
Broxson	Hollahan	Pope	

ENROLLING REPORT

Your Enrolling Clerk to whom was referred SB 1312 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on May 26, 1971.

ELMER O. FRIDAY
Secretary of the Senate

By unanimous consent Senator Lewis (33rd) was recorded as voting yea.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:00 p.m. to convene at 8:30 a.m., May 27, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m., May 27, 1971.

By permission the following report was received: