

SPECIAL SESSION

JOURNAL OF THE FLORIDA SENATE

Monday, December 6, 1972

The Senate was called to order by the President at 11:00 a.m.
A quorum present—47:

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

Excused: Senator Deeb.

Prayer by Senator Broxson:

We thank you, Heavenly Father, for this beautiful day that holds promise of abundant good. We thank you that your Divine Providence has led us to Florida or allowed us to be born here and for those who have served in this hallowed hall before us such as Pete Gibson, whose memory we will honor today, and others who dearly loved this state as we do.

Help us to do our best for the multitudes who live within our boundaries and who sent us here, and help us also to have wisdom to make it a better place to visit and in which to play and have fun; and may your kind countenance always smile on us although many times we do not deserve it but always need it. Amen.

The Senate pledged allegiance to the flag of the United States of America.

The Journal of December 3 was corrected and approved.

REPORTS OF COMMITTEES

The Committee on Commerce recommends the following pass: SB 7-D with 1 amendment

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

The Committee on Ways and Means recommends the following pass: SB 19-D

The bill was placed on the Calendar.

The Committee on Ways and Means recommends the following not pass: SB 2-D

The bill was laid on the table.

INTRODUCTION

By Senators Haverfield and Graham—

SB 35-D—A bill to entitled An act relating to a special election to be held on March 14, 1972, pursuant to Section 5 of Article XI of the state constitution for the approval or rejection by the electors of Florida of a joint resolution permitting the issuance of revenue bonds to establish a fund to make loans to students admitted to attend public or private institutions of higher learning, junior colleges, health related training institutions, or public vocational training centers; providing an effective date.

—was delivered to the Committee on Rules, Calendar, Privileged Business and Ethics for consideration and advice as to whether same is within the purview of the call of the Governor.

By Senators Graham and Horne—

SB 36-D—A bill to be entitled An act relating to corporations; prohibiting a corporation during the period it is a private foundation under the Internal Revenue Code, 26 U.S.C., as in effect on the effective date of this act, from engaging in any act of self-dealing, from retaining any excess business holdings, from making any investment which would jeopardize the carrying out of any of the exempt purposes of the corporation, and from making any expenditure which gives rise to federal income taxation; requiring the corporation to make certain distributions to avoid liability for tax; providing limited application of this act upon judicial determination that same is contrary to a corporation's governing instruments; providing the rights and powers of the courts and of the department of legal affairs are not impaired; providing an effective date.

—was delivered to the Committee on Rules, Calendar, Privileged Business and Ethics for consideration and advice as to whether same is within the purview of the call of the Governor.

SB 37-D was delivered to the Committee on Rules, Calendar, Privileged Business and Ethics on December 3.

By Senator Graham—

SB 38-D—A bill to be entitled An act relating to environmental protection; providing an emergency appropriation to the Governor of the State of Florida for the purpose of preventing and alleviating drought conditions in Central and Southern Florida; providing an effective date.

—was delivered to the Committee on Rules, Calendar, Privileged Business and Ethics for consideration and advice as to whether same is within the purview of the call of the Governor.

By Senator Graham—

SB 39-D—A bill to be entitled An act relating to the state treasurer; amending section 18.11, Florida Statutes, to provide that United States government guaranteed student loans and small business administration loans posted as security for deposit of public funds shall be retained by the bank posting such security; requiring a monthly statement of accounting to be given the state treasurer; providing an effective date.

—was delivered to the Committee on Rules, Calendar, Privileged Business and Ethics for consideration and advice as to whether same is within the purview of the call of the Governor.

By Senator Poston—

SB 40-D—A bill to be entitled An act amending Chapter 316, Florida Statutes, as created by Chapter 71-135, Laws of Florida, the "Florida Uniform Traffic Control Law"; providing for provisions, maintenance and control of roads within local governments; providing for enactment of ordinances to vest jurisdiction of violations of this chapter in certain local courts; providing for certain traffic court systems; altering penalties; amending chapter 901, Florida Statutes, to provide for arrest by a peace officer for offenses under said Chapter 316 under certain conditions; providing an effective date.

—was delivered to the Committee on Rules, Calendar, Privileged Business and Ethics for consideration and advice as to whether same is within the purview of the call of the Governor.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas
President of the Senate*

December 3, 1971

Sir:

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

By the Committee on Appropriations—

CS for HB 7-D—A bill to be entitled An act relating to outdoor advertising; amending §479.01, Florida Statutes, relating to definitions; amending §479.02, Florida Statutes, pertaining to enforcement of provisions by the department of transportation; creating §479.025, Florida Statutes, providing for execution of agreement and for a construction moratorium; amending §479.03, Florida Statutes, relating to territory to which act applies; amending §479.11(1), Florida Statutes, prohibiting the erection of outdoor signs in certain areas; creating §479.111, Florida Statutes, permitting certain advertising signs; amending §479.16(12), Florida Statutes, excepting certain advertisements; creating §479.23, Florida Statutes, providing for removal of signs; creating §479.24, Florida Statutes, providing for compensation for removal of signs and use of power of eminent domain; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 7-D, contained in the above message, was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Poston, by two-thirds vote, CS for HB 7-D was withdrawn from the Committee on Ways and Means and placed on the Calendar.

Senator de la Parte announced that the Committee on Ways and Means would meet at 3:00 p.m. this day for the purpose of considering matters already agendaed, including the repeal of commissions for collection of sales tax.

Senator Bishop presiding.

SECOND READING

SB 19-D was taken up and by unanimous consent, on motion by Senator Poston—

CS for HB 7-D—A bill to be entitled An act relating to outdoor advertising; amending §479.01, Florida Statutes, relating to definitions; amending §479.02, Florida Statutes, pertaining to enforcement of provisions by the department of transportation; creating §479.025, Florida Statutes, providing for execution of agreement and for a construction moratorium; amending §479.03, Florida Statutes, relating to territory to which act applies; amending §479.11(1), Florida Statutes, prohibiting the erection of outdoor signs in certain areas; creating §479.111, Florida Statutes, permitting certain advertising signs; amending §479.16(12), Florida Statutes, excepting certain advertisements; creating §479.23, Florida Statutes, providing for removal of signs; creating §479.24, Florida Statutes, providing for compensation for removal of signs and use of power of eminent domain; providing an effective date.

—was substituted therefor. On motion by Senator Poston, by two-thirds vote, HB 7-D was read the second time by title.

The President presiding.

On motion by Senator Hollahan, the President appointed Senators Hollahan, Bishop, Henderson and Horne as a committee to escort into the Senate chamber Mrs. L. P. (Pete) Gibson, Gail Vann, Dr. and Mrs. Earl Proctor, Mr. and Mrs. George Reynolds and Mr. and Mrs. Mac Cruce, who were received by the Senate and seated.

The hour of 11:30 a.m. having arrived, the Senate took up—

SENATE RESOLUTIONS ON SECOND READING

SR 22-D—A resolution in Memoriam Leonard Peterson "Pete" Gibson

WHEREAS, in his perseverance against the incurable malady which ended his life on November 19, 1971, he exhibited that same indomitable courage which marked his fruitful and all too short career as businessman and statesman; and

WHEREAS, the innumerable individuals who counted him as a true friend and able co-worker mourn the tragic curtailment of his invaluable contribution to society which befell in the prime of his manhood; and

WHEREAS, especially those who walked with him in legislative halls and all too soon missed from their midst his abilities and amicable demeanor would record in his memory something of his life's work and express to his family that profound sorrow which is engendered by his untimely going, NOW, THEREFORE,

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

IN MEMORIAM

LEONARD PETERSON "PETE" GIBSON

—who was born on November 1, 1922, at Bainbridge, Georgia, the son of R. H. and the late Gertrude Robinson Gibson. In 1923 his family moved to Florida. His early youth was spent in Tallahassee where he attended the public schools and graduated from Leon High School. In 1942 he received an A.A. degree from the University of Florida and in 1953 a B.S. from Florida State University. He was a member of the fraternal order of Sigma Nu.

As timberlands manager, his business interests were located at Perry, Florida, in Taylor County where he later made his home. He was a highly successful business man, Chairman of the Citizens Bank of Perry, Director, Federal Land Bank Association and counted among his many activities are memberships in the Methodist Church, past President of Chamber of Commerce, past district commander of American Legion, honorary member of Future Farmers of America, past consul commander of Woodman of the World, Rotary, Benevolent Order of the Elks, Mason, past patron of Order of Eastern Star, past president of Shrine Club, Board of Trustees and past president of 40 and 8.

He served his country in World War II in the Navy. Following the war he was very active in Legion activities serving as Commander of the Third District. He was appointed to the Board of Forestry of Florida by Governor Dan McCarty and reappointed by Governor Charley Johns. He followed approved forestry practices on all personal and company owned property. His practices for the conservation of forestry were recognized by many local and state agencies. He continued to serve this interest during his legislative career. He was conscious of the need for conservation and worked with the Florida Game Department in setting up a closed game preserve on land in Taylor County. In 1958 he was chosen the Outstanding Young Man of Florida by the Jaycees, and he was elected Director of the newly formed Tri County Electric Cooperative at Madison, Florida. He carried to his legislative service, which for the most part was fraught with hectic reapportionment issues, the same avid interest and earnest labor with which he treated his business interests.

He was elected to the Florida Senate from the 10th Senatorial District comprised of the counties of Madison and Taylor in the General Election of 1962; took the oath of office on November 9 of that year and saw his first service as a Senator in the Extraordinary Session, November 9-November 28, 1962, which was called for the purpose of Reapportionment. He served as Senator from the 10th District in the Reapportionment Session, January 29-February 1, 1963; the 39th Regular Extended Session, April 2-June 19, 1963; Court of Impeachment, September 9-September 24, 1963; the 40th Regular Session, April 6-June 4, 1965; Extraordinary Reapportionment Session, June 5-June 24, 1965; Extraordinary Reapportionment and Congressional Redistricting Session, June 25-July 14, 1965; Extraordinary Reapportionment Session, March 2-March 9, 1966. At the organizational Session on November 15, 1966, his Senatorial District had changed to the 6th, from which he was elected in the 1966 General Election. As Senator from the 6th Senatorial District, including the counties of Columbia, Suwanee, Hamilton, Madison, Taylor, Jefferson, Wakulla, Franklin, Gulf and Liberty, he served in the Special Session called for Constitutional Revision and Reapportionment January 9-January 28, 1967; the 41st Regular Session Extended, April 4-July 14, 1967; Extraordinary Session called for Junior College Funding and Crime Fighting Legislation, July 24-July 28, 1967; Special Sessions called for Constitutional Revision, July 31-August 19, August 21-September 1, 1967; 1968 Special Session, January 29-February 16, called for the purpose of legislation dealing with the educational systems of the State and the 1968 Special Ses-

sion, June 24-July 3, called for Constitutional Revision and legislation to adequately compensate special teaching personnel of the Florida School for the Deaf and the Blind.

During his tenure as Senator he served as a member of numerous major Standing Committees of the Senate; as Chair- of the Committee on Forestry and Parks, Vice Chairman of the Committee on Welfare, 1963-1966, and Chairman of the Com- mittee on Game and Fish, 1967.

The announcement that he did not intend to offer for re- election to the Senate taxed the credulity of all who had ob- served his diligence in legislative matters. The shocking and saddening news of his illness was not long to follow. Though far reduced from his robust health and constant activity he ever maintained an interest in affairs of government and was not lost to the thoughts and deep concern of the many who knew and loved him. The esteem still entertained for him in legislative circles is evidenced by the enactment of Chapter 70-542, designating each of the bridges located on U. S. High- way 19 spanning the Econfina River "The L. P. "Pete" Gibson Bridge" in recognition of devotion to public service of State and County and the honor and distinction with which he served in the Florida Senate.

He was ever cheerful and amiable and his numerous ac- tivities did not deter him from being a charitable man. He was a sponsor and large contributor to the Florida Boys Ranch, participating in many drives on behalf of this worthwhile cause. In addition to major charities, many persons of greater and lesser estate remember him as a loyal and generous friend. In his demise his community, his state and his family, to which he was deeply devoted, have sustained a great and lasting loss.

BE IT FURTHER RESOLVED that a copy of this Resolu- tion duly attested under the seal of The Florida Senate be forwarded to Mrs. Grace Gibson, Mrs. Robert H. Dugger III, Mrs. James Knight, Miss Robin Arlene Gibson, Miss Gail Vann, Miss Terry Vann, Mr. R. H. Gibson, Mr. Paul Harper Gibson and Mr. Marc Vann, Mrs. John Wright, Mrs. Earl Proctor, Messrs. M. C. and R. H. Gibson, Jr., widow, daughters, father, sons, sisters and brothers, respectively, of Senator Pete Gibson, together with the condolences of this Senate Body.

—was read the second time in full. On motion by Senator Horne, SR 22-D was unanimously adopted.

The following Senators were recorded as co-introducers of SR 22-D: Arnold, Barrow, Beaufort, Bell, Boyd, Brannen, Brantley, Broxson, Chuiders, Daniel, Deeb, de la Parte, Duckert, Fincher, Gong, Graham, Gunter, Haverfield, Henderson, Holla- han, Johnson (29th), Johnson (34th), Knopke, Lane, Lewis (33rd), Lewis (43rd), McClain, Myers, Ott, Plante, Pope, Poston, Reuter, Saunders, Saylor, Scarborough, Stolzenburg, Thomas, Trask, Ware, Weber, Weissenborn, Williams and Wilson.

On motion by Senator Hollahan, the following remarks were ordered spread upon the Journal:

Senator Karl: Mr. President, members of the Senate, mem- bers of the family, we pause in our regular duties of the Senate this morning briefly to pay tribute to one of our former colleagues who is no longer with us. As usual it is a solemn occasion. I'm going to ask at the conclusion of all of the remarks that the resolution be read in full for it contains numerous statements concerning his activities, the specifics of which ought to be known to the members of the Senate and to all who are present. The resolution speaks to his public life particularly, and sets forth facts that are generally a mat- ter of public record but which will be planted permanently among the records of the Florida Senate so all those who follow us will know many interesting and very great things that he did. I'd like to speak just a moment if I may, Mr. President, on a little more personal basis of a friend and a colleague.

Cyrus said no one reaches a high position without daring. Pete Gibson was a daring man for he did reach a high position. He was successful. He amassed a fortune. He was elected to public office and all of us know what sacrifice and effort that takes and he was often honored for the other great things he did. Pete Gibson was concerned. His concern for his fellow man was demonstrated by the good works that he did for such as the Florida Boys Ranch, the charities that he sup- ported and worked actively for, his demonstrated interest in

good government in these halls and in other public activities he was called upon to undertake. He was concerned about our ecology before it was popular to be an ecologist and he was concerned in a personal way for those around him and those he loved. His many friends, who are all over the place, actually could testify to the many personal, wonderful things that he did on that basis. He was courageous. Pete Gibson took strong positions on whatever he undertook to do. He took strong positions in the Senate. Those of you who served with him will recall that he was firm. He was fearless on a subject that was of great political concern to everyone at that time, particularly someone from the part of the state in which he lived. I speak of reapportionment. He was active in that and did great work in it with a firmness of purpose. He was firm in all of his actions and business, but fair. He is one of those who has succeeded in many aspects of business without having to be ruthless and dishonest and disreputable. He was among those in the business community who have succeeded ethically. And he was courageous in his personal life. He exemplifies the statement by a famous French philosopher who said: "True bravery is shown by performing without wit- nessness what one might be capable of doing before all the world". That's the way he was. He did exemplify that in his last hours and in many of the other things he did during his life. From Shakespeare we find this little statement which says: "Many strokes, though with a little ax hue down and fell the hardest timbered oak." This is what has happened to our friend and colleague. His illness which consisted of many strokes though with a tiny ax finally put down a big and a great man. But it did not do it to him without a fight, he was tough and he was strong, and he didn't break. He kept his spirit. He kept his wits about him. He kept his determination to the very end. He was indeed courageous until the last. He fought the good fight, Mr. President, and we shall all miss him.

Senator Horne: Mr. President, just a few remarks—Senator Gibson, of course, grew up amongst us here in Tallahassee. He was a pilot and a wonderful friend to many of us. The one thing that he taught me, though, and I leave it with you today because it's particularly appropriate during this special session. He and I wound up on a conference committee right after I came into the Senate. The subject matter was rather trivial and I don't even remember it, to tell you the truth. But he sensed that I was being rather argumentative, as some of you might have suspicioned of me sometimes in the past, without really a cause upon which to lean and we were locked in, literally. We were taking the Senate position largely because I had taken that posture. We broke and had a cup of coffee and Pete grabbed me by the shoulder, walked me off over in the corner in much the same way that the Senator from the 12th did the other day and he said "Horne, you ought never to differ only for the sake of being independent but you should never be afraid to be independent when it involves a true difference of opinion." He said that differently, but really what he was try- ing to tell me was that differing solely for the purpose of being independent was a waste of time and energy and talent and he thought that's where I was leading that conference committee, and that was a waste of time and talent. If on the other hand, though, I feared to be different because it would make me seem different, that then was being less than a leader. That was the type of nobility that Pete added to us in Tallahassee and to the Senate during his tenure. Thank you, Mr. President.

Senator Bishop: Mr. President, Senators, members of the family, it was my pleasure to know Pete Gibson as a friend. I knew him first personally, was closely associated with him after he was serving in the Senate and I was lobbying for the dairy farmers of the State of Florida. I found all through life that Pete Gibson was a man of great stature, great energy, a person who would compromise on issues being wise to extend without compromising principles for which he stood. It was my pleasure to visit him after he was stricken with illness. He was always pleasant, glad to see me and my wife. I'm sure he was glad to see all the people who visited him. He never wavered in his strength in his fight to overcome his illness. To him and to Grace and the rest of the family, we owe this great man a great tribute and I'm sure that each and every one of us who have known him will benefit by our serving with him.

Senator Pope: Mr. President and members of the Senate, one of the sadnesses that goes along with the many gladnesses of being Dean of the Senate is that we do see so many of our loved ones who have been with us depart, but I think it helps to take away from the feeling of loss when we can pleasantly recall the fine disposition and the very cheerful person that

Pete Gibson was in this body. I knew him as a member of this Senate but I also knew him as a personal friend. I hunted with him and I fished with him and I enjoyed his company. Many times I even drank with him—on some occasions—something that I don't do at the present time, but it was quite pleasant on those occasions. He was a man of firm convictions but as has been brought out here, he was a man who could alter if you could show him that he was wrong, but he was very slow to make up his mind and once having done so he was reluctant to change it. When he first came to this body, he defeated a former president of the Senate and a very strong man. They were both very fine friends but he remained in this body, of course, until his resignation prior to his illness. I don't think many people recognized throughout the state that it was really Senator Gibson whose vote broke the deadlock on reapportionment and made reapportionment of the Senate possible. I think that an evidence of the esteem in which he was held was that when they rearranged those districts it became necessary for him to take a district that embodied, territorially speaking, almost all of north Florida, that he did so at a great sacrifice insofar as working is concerned. He was elected to represent those people by a very large and substantial margin. I say that he has made his mark upon many friends and charities and people within the state. He's made his mark upon this body and made a great contribution through his activities in the reapportionment struggle to the ultimate welfare of the state of Florida. It was certainly a great deal of pleasure and pride to me to have numbered him among my friends. I know his loss will be sorely mourned by all of us but I feel that some consolation can be taken by all of us, including his family, by the great contribution that he did make during his lifetime.

Senator Broxson: Mr. President and Senators, there's no question that all of us one day must pay the greatest debt of all, that is, we must go to live with our ancestors and our forefathers. I'd like to have some things said about me when I leave here and I'm no longer a part of this body, that I'd like to say about Pete Gibson. He and I sat together. I was stationed right close by him. Being a freshman, I was moved about, I suppose, like some other freshmen are, and my seat was right by the Senator from the 6th. There were several things that impressed me about him—one that really reached and grabbed me was the fact that he loved little children better than anybody that I know of. We had a lot of small children serving as pages in the Senate and Pete Gibson would often, just to keep these little fellows busy, write notes and send them out just so they would be occupied. He used up every available space that any Senator had, as far as sponsorships are concerned, sponsoring children from his district. He wanted them to come to Tallahassee and experience the legislative process. He expressed to me on several occasions how delightful he thought these little children were, how much he wanted to see them grow up one day to take our places here in these halls and he wanted them to know what it was all about. One of the other things that was so outstanding about him, amongst his many great attributes, was his cheerfulness. I never saw Pete Gibson angry, frustrated or mad. He was always as cheerful one day as he was the next. He was a very effective legislator. I remember one occasion how he was attempting and was successful incidentally in getting a bill passed. I think it came before one committee, of which I was a member, three or four times, but he was determined to get this legislation passed. He used all his efforts and eventually he succeeded. He was a good man and a man we'll long miss.

Senator Henderson: Mr. President, Senators and guests, there weren't many of us Republicans here in 1963 and in 1965 when Pete Gibson was a member of the Senate, but Pete Gibson was a man who took us in as friends. He thought as much of us as we did of him and treated us with honor and dignity. Pete Gibson's career was one that I followed with awe and amazement because he started off by defeating Turner Davis, the gray fox of the Senate, whose picture hangs over in the corner, went on through those trials and tribulations of seeing the Senate consider a 300 member body in order to take care of the laws of those members that are not here now and running against truly 24 seat districts where there were more incumbents than you can imagine—some 10 or 12 Senators living in that district. He was able to succeed in those efforts because he did his homework. Pete Gibson paid attention to those folks he represented back home. There wasn't one single person who ever appeared here that Pete Gibson didn't go see. He went home regularly and took care of his duties and it's a lesson to all of us—the type of work that Pete Gibson did as a legislator. He was my friend and I miss him.

AMENDMENTS TO SENATE RULES

The Committee on Rules, Calendar, Privileged Business and Ethics recommended the following amendment to the Senate Rules which was moved by Senator Hollahan:

Amendment 1—Rule 4.15, Page 52, is amended to read as follows:

4.15 ~~During the last thirty (30) calendar days~~ Commencing on the first day of a regular session of the legislature permitted under the Constitution and during any extension thereof by virtue of membership of the legislature as permitted under the Constitution, the Committee on Rules, Calendar, Privileged Business and Ethics ~~may~~ shall from day to day on each day submit a Special Order Calendar determining the priority for consideration of bills and joint resolutions. Each Special Order Calendar so submitted shall be for the next legislative day. No other bills or joint resolutions shall be considered until this Special Order Calendar for the day set forth has been completed by the Senate except that any bill or joint resolution appearing on this calendar may be stricken therefrom by a two-thirds (2/3) vote of the Senators present. All bills or joint resolutions set as special orders for consideration at the same hour shall take precedence in the order in which they were given preference.

Senator Wilson offered the following amendment to amendment 1:

Amendment (a) to Amendment 1—During each annual session of the Legislature, each Senator shall have the privilege of designating not more than five bills of which he is an introducer, as *starred bills*. *Starred bills* shall take precedence over all other bills at each stage of the legislative process and every starred bill in committee or upon the Senate calendar shall be acted upon before any other bill on the general order calendar.

Pending consideration of the foregoing amendment to the amendment, the President appointed a select committee consisting of Senators Daniel, Horne and Wilson to advise the Chair as to the vote required to adopt an amendment to the rules independent of action by the Committee on Rules, Calendar, Privileged Business and Ethics.

The Committee on Rules, Calendar, Privileged Business and Ethics recommended the following amendment to the Senate Rules which was moved by Senator Hollahan and adopted:

Amendment 2—On Page 15 of the Senate Rules, Part III of Rule 1 is amended by adding a new section to be styled 1.302 to read:

1.302—Notwithstanding anything in these Rules to the contrary the Office of the Minority Leader of the Senate shall be entitled to at least one (1) Executive Assistant who shall be recommended to the Director of the Division of Management and Personnel by the Minority Leader and who shall serve at the pleasure of said Minority Leader.

The Committee on Rules, Calendar, Privileged Business and Ethics recommended the following amendment to the Senate Rules which was moved by Senator Hollahan:

Amendment 3—Senate Rule 1.19, Page 13, Paragraph 1 is amended to read as follows:

1.19—There shall be a Sergeant at Arms of the Senate who shall be elected for a period of two (2) years, pursuant to the provisions of section 11-15, Florida Statutes, appointed by the President upon the advice and consent of the Committee on Rules, Calendar, Privileged Business and Ethics and shall serve at the pleasure of the President. The Sergeant at Arms shall be under the supervision of the President. He shall take an oath to support the Constitution of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office.

Senator Hollahan offered the following amendment to amendment 3 to Rule 1.19:

Amendment (a) to Amendment 3—On line 7 strike "of the Committee on Rules, Calendar, Privileged Business and Ethics." and insert: of the Senate

Senator Horne, for the select committee, reported to the President that he and Senator Daniel were of the opinion, with which Senator Wilson disagreed, that a two-thirds vote would be required to adopt an amendment to the rules independent of action by the Committee on Rules, Calendar, Privileged Business and Ethics.

The President referred the question to the Committee on Rules, Calendar, Privileged Business and Ethics for recommendation and report.

The Senate resumed consideration of—

CS for HB 7-D—A bill to be entitled An act relating to outdoor advertising; amending §479.01, Florida Statutes, relating to definitions; amending §479.02, Florida Statutes, pertaining to enforcement of provisions by the department of transportation; creating §479.025, Florida Statutes, providing for execution of agreement and for a construction moratorium; amending §479.03, Florida Statutes, relating to territory to which act applies; amending §479.11(1), Florida Statutes, prohibiting the erection of outdoor signs in certain areas; creating §479.111, Florida Statutes, permitting certain advertising signs; amending §479.16(12), Florida Statutes, excepting certain advertisements; creating §479.23, Florida Statutes, providing for removal of signs; creating §479.24, Florida Statutes, providing for compensation for removal of signs and use of power of eminent domain; providing an effective date.

Senators Scarborough and Brantley offered the following amendment which was moved by Senator Scarborough and failed:

Amendment 1—On page 12, line 11 strike entire subsection (5) and insert: (5) No compensation shall be made for any signs erected after July 1, 1971.

Senator Daniel offered the following amendment which failed:

Amendment 2—On page 11, line 26 insert: Including reimbursement to any electrical supplier for the fair market value of its facilities and investments in furnishing any electrical service to such sign board.

Senator Brantley offered the following amendment which failed:

Amendment 3—On page 12, line 15 strike "Replacement value" and insert: Actual cost

On motion by Senator Bishop debate was limited to 3 minutes per side.

On motion by Senator Poston, by two-thirds vote, CS for HB 7-D was read the third time by title, passed and certified to the House. The vote was:

Yeas—39

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

Nays—7

Mr. President	Bishop	Johnson (29th)	Weber
Bell	Boyd	Scarborough	

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

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

INTRODUCTION

By Senators Barron, Karl, Thomas, McClain, de la Parte, Williams, Lewis (43rd), Broxson, Myers and Wilson—

SJR 41-D—A joint resolution proposing a revision of Article V of the State Constitution, relating to the judicial branch of the government.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Judiciary-Civil A.

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

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas December 6, 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 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 19, 20, 25, 26, 28, 31 and 32 to—

By the Committee on Finance & Taxation—

CS for HB 16-D—A bill to be entitled An act relating to taxation and finance; amending Title XIII, Florida Statutes, to provide for the imposition, collection and administration of an income tax on corporations and other artificial persons; amending subsection 323.15(6), Florida Statutes, to remove the income tax exemption of motor carriers; amending sections 624.0307 and 624.0308, Florida Statutes, to provide a credit for insurers against insurance premium taxes for an amount of income taxes paid; providing an appropriation and procedures for competitive bidding; providing an effective date.

—and requests the Senate to recede therefrom, and in the event the Senate refuses to recede, requests the appointment of a Conference Committee of seven (7) members.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator de la Parte, the Senate refused to recede from Senate amendments to CS for HB 16-D and requested the President to appoint a conference committee to meet with a like committee to be appointed by the Speaker to adjust the differences on Senate amendments.

The President appointed Senators de la Parte, Gunter, Weissenborn, Trask, Myers, Williams and Plante as the conference committee.

Senator de la Parte announced that the conferees would meet at 7:00 p.m. this day in Room 214, Holland Building.

Senator Haverfield announced that the Committee on Universities and Community Colleges would meet immediately upon adjournment this day to consider SJR 32-D.

On motion by Senator Barron, the rules were waived, and the Committee on Judiciary—Civil A was granted permission to meet at 8:00 a.m., December 7 to consider SJR 41-D.

Senator de la Parte announced that the Committee on Ways and Means would meet at 3:30 p.m. in Room 331, Holland Building this day.

CO-INTRODUCER

By permission Senator Fincher was recorded as a co-introducer of SB 32-D.

On motion by Senator Hollahan, the Senate adjourned at 2:15 p.m. to reconvene at 9:00 a.m., December 7, 1971.