

# JOURNAL OF THE FLORIDA SENATE

Friday, March 3, 1972

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

## INTRODUCTION

By Senators Scarborough, Arnold and Brantley—

**SB 1178**—A bill to be entitled An act relating to alcoholic beverage licenses in Duval County; providing for an additional beverage license for the Club Cubano Americano of Jacksonville, inc., of Jacksonville, Florida; providing for the waiver of the term of existence of the license; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1178.

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

By Senators Scarborough, Arnold and Brantley—

**SB 1179**—A bill to be entitled An act providing that unless and until a general law providing guidelines for collective bargaining is enacted, public school teachers in Duval County, as defined in Chapter 21197, Laws of Florida, Acts of 1941, as amended, shall have the same rights, privileges, immunities and responsibilities, and shall have the benefit of, and be subject to, the same laws and ordinances pertaining to collective bargaining afforded employees of the Consolidated City of Jacksonville, provided, however, that the Superintendent of Schools or his designated representative shall exercise all of the powers and be subject to all of the duties provided for in Article 27, Chapter 67-1320, Laws of Florida, 1967, as amended, in place of the Mayor or his designated representative, and provided further that the Duval County School Board shall exercise all of the powers and be subject to the duties provided for in Article 27, Chapter 67-1320, Laws of Florida, 1967, as amended, in place of the Council; providing that all hearings, meetings and preparation therefor in the collective bargaining process now authorized by the Charter of the Consolidated City of Jacksonville, as amended, and any discussions relating to the applicability of said Charter provisions with respect to the collective bargaining process shall be exempt from Section 286.011, Florida Statutes; providing for severability; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1179.

—was read the first time by title and referred to the Committee on Judiciary—Civil B and Rules, Calendar, Privileged Business and Ethics.

By Senator Brantley—

**SB 1180**—A bill to be entitled An Act amending Section 4 of Chapter 63-1447, Laws of Florida, relating to the budget and finance functions of the Jacksonville Port Authority, by limiting the minimum appropriation required to be made to the Authority by the Council of the City of Jacksonville to capital outlay purposes; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1180.

—was read the first time by title and referred to the Committees on Ways and Means and Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Arnold and Brantley—

**SB 1181**—A bill to be entitled An act providing for the merger of the assets and liabilities of the 1915 fire department pension fund created by chapter 7175, Laws of Florida, Special Acts of 1915, as amended, and the 1917 police pension and relief fund created by chapter 7657, Laws of Florida, Special Acts of 1917, as amended, into the 1937 pension fund for police and firemen of the city of Jacksonville created by chapter 18615, Laws of

Florida, Special Acts of 1937, as amended, effective October 1, 1972; protecting the rights of pensioners and members of each fund and requiring an appropriation; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1181.

—was read the first time by title and referred to the Committees on Personnel, Retirement and Claims and Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Arnold and Brantley—

**SB 1182**—A bill to be entitled An Act amending Section 3 of Chapter 18610, Laws of Florida, Acts of 1937, entitled "An Act providing for pensions for employees of the City of Jacksonville", as amended, so as to clarify and ratify the amount of said City's contribution into said fund; Providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1182.

—was read the first time by title and referred to the Committees on Personnel, Retirement and Claims and Rules, Calendar, Privileged Business and Ethics.

By Senators Arnold and Brantley—

**SB 1183**—A bill to be entitled An act providing for the merger of the assets and liabilities of the 1919 pension fund for employees of the city of Jacksonville created by chapter 8277, Laws of Florida, Special Acts of 1919, as amended, into the 1937 pension fund for employees of the City of Jacksonville created by chapter 18610, Laws of Florida, Special Acts of 1937, as amended, effective October 1, 1972; protecting the rights of pensioners and members of each fund and requiring an appropriation; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1183.

—was read the first time by title and referred to the Committees on Personnel, Retirement and Claims and Rules, Calendar, Privileged Business and Ethics.

By Senators Arnold and Brantley—

**SB 1184**—A bill to be entitled An act amending section 4 of chapter 18610, laws of Florida, special acts of 1937, entitled "An act providing for pensions for employees of the city of Jacksonville," as amended, so as to authorize the trustees of the pension fund thereby created to invest up to an additional fifty (50%) percent of the pension fund in corporation bonds having an A rating and obligations guaranteed as to principal and interest by the United States; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1184.

—was read the first time by title and referred to the Committees on Personnel, Retirement and Claims and Rules, Calendar, Privileged Business and Ethics.

By Senators Arnold and Brantley—

**SB 1185**—A bill to be entitled An act conferring the right to continue membership in the Florida Retirement System upon Robert E. Ward; requiring the City of Jacksonville to do those things necessary to effectuate the purposes of this act; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1185.

—was read the first time by title and referred to the Committees on Personnel, Retirement and Claims and Rules, Calendar, Privileged Business and Ethics.

By Senators Scarborough, Arnold and Brantley—

SB 1186—A bill to be entitled An act relating to alcoholic beverage licenses in Duval County; providing for additional beverage license for the Arlington Columbian Association, Inc., Knights of Columbus Council Number 4727, Jacksonville, Florida; providing for the waiver of the term of existence of the license; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1186.

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

By Senators Scarborough, Arnold and Brantley—

SB 1187—A bill to be entitled An act amending Chapter 65-1489, Laws of Florida, 1965, which provides for the preparation of a report of the statement of revenue and expenditures of the superintendent of public instruction and the board of public instruction of Duval County, Florida, and for the publication thereof, by correcting the names of the superintendent and of the board of public instruction to reflect their correct present statutory designations and to amend the date each year upon which the publication of said report shall be made; and providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1187.

—was read the first time by title and referred to the Committees on Public Schools and Rules, Calendar, Privileged Business, and Ethics.

By Senators Beaufort and Brantley—

SB 1188—A bill to be entitled An act amending the law of the Jacksonville Electric Authority, Chapter 67-1569, Laws of Florida, as amended, to eliminate the requirement that the Authority utilize the Central Services Department and certain bidding procedures of the City of Jacksonville in the procurement of fuel; providing certain fuel purchase procedures; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1188.

—was read the first time by title and referred to the Committees on Commerce and Rules, Calendar, Privileged Business and Ethics.

By Senators Pope, Scarborough and Arnold—

SB 1189—A bill to be entitled An act affecting the government of the City of Jacksonville and its independent agencies as created pursuant to Chapter 67-1320, Laws of Florida, as amended, being the Charter of the City of Jacksonville, amending the following articles of said Chapter 67-1320, Laws of Florida, as amended: Article 3 of said Charter is amended to enlarge the authority of the City of Jacksonville to regulate the emission of smoke and to generally regulate air pollution levels, notwithstanding any other provision of local or special law, Articles 6, 21 and 23 are amended to redefine the powers, duties and names of the Zoning Board, Equalization Board and the Zoning and Building Codes Adjustment Board, Article 13 is amended to relate the non-partisan election of judicial officers as defined in Section 13.102 of Article 13 to general law, Article 13 is amended to authorize certain court clerks to place on time deposit registry of court moneys and provide for disposition of interest income therefrom, Article 14 is amended to provide for elections of members from School Board Districts Two (2), Four (4) and Six (6) in May of the years in which the terms of such offices commence, Article 14 is amended to provide for the filling of vacancies on the Duval County School Board by special election if said vacancy shall occur more than two (2) years prior to the expiration of the term of office in which such vacancy occurs with interim appointment to fill such vacancy until said special election to be made by the remaining members of the Duval County School Board and to provide for the filling of vacancies on the Duval County School Board which occur less than two (2) years prior to the expiration of the term of office for which such vacancy occurs by appointment of the surviving members of the Duval County School Board and prescribing the conduct of such elections, Article 15 is amended to authorize the Council

to establish any other fiscal and budget year for the consolidated government and independent agencies entitled to receive appropriations from the Council, Article 17 is amended to alter the dates of general consolidated government elections, primary elections and qualifying times for candidates, Article 17 is amended to alter the period allotted to the Supervisor of Elections for examination of petitions for recall of a person elected in the city and altering the number of days for amendment of an insufficient petition for recall of a person elected in the city, Article 19 is amended to provide for staggered terms of certain members of the Civil Service Board of the City of Jacksonville and to provide for the time of elections and the regulating of the terms of office of members from Civil Service Groups 2, 4 and 6 so that their terms shall be staggered from members in Civil Service Groups 1, 3, 5 and 7, Article 19 is amended to provide that certain employees shall not be required to be employed from a list approved by the Civil Service Board and are or are continued to be exempt from the Civil Service system of the city, Article 23 is amended to alter the number of signatures required for a petition to amend the Charter of the City of Jacksonville being Chapter 67-1320, Laws of Florida, as amended; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1189.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Rules, Calendar, Privileged Business and Ethics.

By Senators Haverfield and McClain—

SB 1190—A bill to be entitled An act relating to state universities; providing for allocation and distribution of faculty salaries; providing that no university shall receive a faculty salary increase less than one-third of the rate of increase allocated to the state university system; providing that until parity in the number of positions is achieved, no university shall lose more than one and one-half percent of its positions authorized on June 30, 1972; providing for reports; providing an effective date.

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

By Senators Haverfield, Weissenborn and Hollahan—

SB 1191—A bill to be entitled An Act relating to pari-mutuel facilities, authorizing an additional day of operation at certain of such facilities with all profits therefrom to be paid in equal amounts to Barry College and to Florida Memorial College and to be used solely for scholarships; providing an effective date.

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

By Senators Daniel and Karl—

SB 1192—A bill to be entitled An act relating to Lake County; providing for transfer of power to issue hunting and fishing license from the County Judge to the Tax Collector of said county; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1192.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Rules, Calendar, Privileged Business and Ethics.

SR 1193 was adopted on March 1.

By Senators Karl and Daniel—

SB 1194—A bill to be entitled An act relating to the Halifax Hospital District, amending chapter 11272, Laws of Florida, 1925, as amended, providing that all purchases of supplies, equipment, materials and the leasing of equipment for use in the operation and maintenance of the hospital, and all contracts for the construction or installation of capital improvements, repairs or replacements of and to hospital property, the cost of which is in excess of five thousand dollars (\$5,000), shall be let by the board of commissioners of the Halifax Hospital District, a special taxing district in Volusia County, Florida, by contract

to the lowest bidder according to written specifications previously prescribed therefor and after publication in a newspaper of general circulation in said district one (1) day each week for two (2) consecutive weeks, of a notice calling for such bids; providing for an alternate procedure in unusual or emergency situations; providing that any contract made in violation hereof shall be invalid and unenforceable; authorizing said board to reject any and all bids; and providing for an effective date.

Evidence of notice and publication was established by the Senate as to SB 1194.

—was read the first time by title and referred to the Committees on Governmental Efficiency and Rules, Calendar, Privileged Business and Ethics.

By Senators Karl and Daniel—

SB 1195—A bill to be entitled An act relating to Volusia County, felony court of record; providing for the appointment, election, qualification, term, duties, and compensation of a second judge of the felony court of record; providing that the incumbent judge shall continue to hold office for the remainder of his term; providing for places where terms of said court may be held; amending sections 3, 6(1), 6(2), 12 and 16 of chapter 65-1213, chapter 67-618, and chapter 69-532, Laws of Florida; providing for the repeal of all laws in conflict herewith; and providing for an effective date.

Evidence of notice and publication was established by the Senate as to SB 1195.

—was read the first time by title and referred to the Committees on Judiciary—Civil B and Rules, Calendar, Privileged Business and Ethics.

By the Committee on Ways and Means—

SB 1196—A bill to be entitled An act relating to electronic equipment; amending §23.032, Florida Statutes, to provide that certain electronic equipment shall not be the responsibility of the division of electronic data processing; providing an effective date.

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

By the Committee on Ways and Means—

SB 1197—A bill to be entitled An act relating to payments by the state to Bradford and Clay Counties for state property; repealing §250.421, Florida Statutes, relating to payments to Clay County in lieu of taxes; repealing §196.23, Florida Statutes, relating to ad valorem taxation of certain state land in Bradford County; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Ways and Means—

SB 1198—A bill to be entitled An act relating to transfer of moneys between state funds; amending §215.18, Florida Statutes, to provide for the transfer of state moneys between state funds upon approval of the state administration commission; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Ways and Means—

SB 1199—A bill to be entitled An act relating to farm labor registration; amending subsection (3) of section 450.31, Florida Statutes, to provide for an increase in the farm labor contractor registration fee from twenty-five dollars (\$25.00) to one hundred dollars (\$100.00); providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Ways and Means—

SB 1200—A bill to be entitled An act relating to the department of health and rehabilitative services; amending §402.17(3), Florida Statutes, to provide for the deposit of social security funds received for care or treatment of patients by the division of mental health or division of retardation; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Ways and Means—

SB 1201—A bill to be entitled An act relating to the department of health and rehabilitative services; creating §409.267, Florida Statutes; to provide certain county contributions into the state general revenue fund amounts proportionate to the care and services provided to the counties for eligible recipients from the medical assistance program; providing for collection of such contributions; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Ways and Means—

SB 1202—A bill to be entitled An act relating to official court reporters; amending §29.04(1), Florida Statutes, to provide for an annual salary; providing an effective date.

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

By the Committee on Ways and Means—

SB 1203—A bill to be entitled An act relating to junior colleges; amending §§230.764, 230.765, 230.766 and 230.767(2)(c) and (d), (4) and (7), Florida Statutes; providing definition of average daily attendance; providing a change in procedure for determining number of instruction units; providing a modification of the procedure for determining number of transportation units; providing modification of procedure for determining annual apportionment; providing an effective date.

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

By the Committee on Ways and Means—

SB 1204—A bill to be entitled An act relating to the division of library services; amending §§257.13, 257.15, 257.17, 257.18, 257.22, 257.23 and 257.24, Florida Statutes; providing definition; providing that certain municipal libraries be eligible to receive state grants; providing for the expansion of the limitation on certain library grants; providing an effective date.

—was read the first time by title and placed on the calendar.

The Senate recessed at 8:34 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—41:

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

Excused: Senators Scarborough, Weber, Lane, Bell, Johnson (29th) and Deeb.

Prayer by Senator Sayler:

THOUGHT FOR TODAY

It is not so much the things I do  
that causes me regret;  
It's the little things I leave undone,  
the things that I forget.  
It's words I fail to utter,  
the songs I fail to sing.  
The letters I forget to write,  
that may great comfort bring.  
It's the little acts of kindness,  
the joy I fail to give.  
The smiles I fail to scatter,  
as day by day I live.  
It's the sick I fail to visit,  
flowers I fail to send:  
It's the hand I fail to offer  
unto a fallen friend.

It's not so much the things I do,  
that causes me regret:  
It's the little things I leave undone,  
the things that I forget.

Now let us pray, Lord, today, our prayer is short but sincere.  
Let us remember others. Let us not forget. Amen.

The Journal of March 2 was corrected and approved.

#### REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Friday, March 3, 1972:

SB 880	SB 1155	SB 499	SB 719
SB 296	HB 2997	SB 12	HB 603
SB 172	SB 838	SB 635	SJR 292
SB 169	SB 890	SB 388	SJR 267
SB 670	SB 960	HB 2254	SB 698
HB 1137	SB 925	SB 335	SB 650

The Committee on Governmental Efficiency recommends the following pass: SB 1109, SB 1117

The Committee on Judiciary—Civil B recommends the following pass: SB 788 with 3 amendments, HJR 2835 with 1 amendment

The Committee on Judiciary—Criminal recommends the following pass:

SB 384 with 2 amendments	SB 1131
SB 789 with 1 amendment	HB 785
SB 792 with 1 amendment	

The Committee on Judiciary—Criminal recommends the following pass:

SB 364 with 2 amendments	SB 735 with 6 amendments
SB 724 with 1 amendment	SB 1110 with 3 amendments

The Committee on Natural Resources and Conservation recommends the following pass:

SB 1033	CS for HB 2823	HCR 3394
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The Committee on Ways and Means recommends the following pass:

SB 239	SB 828 with 1 amendment
SB 319	SB 856
SB 579	CS for HB 2640
SB 679 with 8 amendments	CS for HB 3041
SB 681	SB 513
SB 682	

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

The Committee on Judiciary—Civil B recommends the following pass: HB 3314

The bill was referred to the Committee on Governmental Efficiency.

The Committee on Natural Resources and Conservation recommends the following pass: SB 961

The bill was referred to the Committee on Governmental Efficiency under the original reference.

The Committee on Governmental Efficiency recommends the following pass:

SB 1122 with 2 amendments	SB 1127 with 4 amendments
SB 1124	

The Committee on Judiciary—Criminal recommends the following pass: SB 949

The Committee on Natural Resources and Conservation recommends the following pass:

SB 261 with 3 amendments	SB 1076 with 3 amendments
SB 982	

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

The Committee on Judiciary—Civil A recommends a Committee Substitute for SB 366.

The Committee on Ways and Means recommends a Committee Substitute as recommended by the Committee on Judiciary—Criminal for SB 343.

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

The Committee on Judiciary—Civil B recommends the following not pass: SB 283

The Committee on Judiciary—Criminal recommends the following not pass:

SB 197	SB 341	SB 895	SB 1031
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The Committee on Natural Resources and Conservation recommends the following not pass:

SB 199	SR 395	SB 861
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The bills contained in the foregoing reports were laid on the table.

#### ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred SM 1145 with 5 amendments reports that the House amendments have 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 390 with 3 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

*ELMER O. FRIDAY*  
Secretary of the Senate

The bill was certified to the House.

#### ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

CS/SCR 125	SCR 400	SCR 689	SM 1145
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—reports same have been enrolled, signed by the required Constitutional officers and filed with Secretary of State on March 3, 1972.

*ELMER O. FRIDAY*  
Secretary of the Senate

Your Enrolling Clerk to whom was referred SB 367 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on March 3, 1972.

*ELMER O. FRIDAY*  
Secretary of the Senate

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator de la Parte, Senate Bills 99, 723, 440, 597, 434, CS for SB 561, HB 1597 and SCR 154 were withdrawn from the Committee on Ways and Means by two-thirds vote.

On motions by Senator de la Parte, the rules were waived and the Committee on Ways and Means was authorized to consider Senate Bills 910 and 551 this day and time for the meeting was changed from 2:00 p.m. to 1:00 p.m.

On motion by Senator Hollahan, the Committee on Rules, Calendar, Privileged Business and Ethics was granted an additional 15 days for the consideration of—

SB 733	SB 754	SB 570	SB 49
SB 734	SB 355	SB 801	SB 521
SB 736			

On motion by Senator Wilson, SB 1177 was withdrawn from the Committee on Governmental Efficiency by two-thirds vote.

On motions by Senator Saylor, Senate Bills 673 and 981 were withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics by two-thirds vote and placed on the calendar.

On motion by Senator Saylor, Rule 4.14 requiring fifteen minutes' notice was waived and unanimous consent was obtained to take up out of order—

SB 673—A bill to be entitled An act relating to Pinellas County; creating the Pinellas county fire protection authority; providing for the board of county commissioners of Pinellas County to serve as the governing body of said authority; providing for legislative intent; providing for the powers and duties of said authority; providing an effective date.

—which was read the second time by title. On motion by Senator Saylor, by two-thirds vote SB 673 was read the third time by title, passed and certified to the House. The vote was:

Yeas—26

Mr. President	Gunter	Lewis (43rd)	Trask
Arnold	Haverfield	Myers	Ware
Beaufort	Henderson	Plante	Weissenborn
Broxson	Hollahan	Poston	Williams
de la Parte	Karl	Saunders	Wilson
Ducker	Knopke	Saylor	
Graham	Lewis (33rd)	Stolzenburg	

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

On motion by Senator Saylor, Rule 4.14 requiring fifteen minutes' notice was waived and unanimous consent was obtained to take up out of order—

SB 981—A bill to be entitled An act relating to Pinellas County; amending section 7 of chapter 71-857, Laws of Florida; providing that no countywide occupational license, county occupational license or municipal occupational license shall be issued or renewed, after the effective date of this act, to any food establishment doing business within the geographical confines of Pinellas County or in a municipality located in said county without prior approval of the Pinellas County health department; providing for inspections; providing for authority to revoke occupational license; providing a definition; providing an effective date.

—which was read the second time by title.

Senator Deeb offered the following amendment which was adopted on motion by Senator Saylor:

Amendment 1—On page 3, line 1 insert the following: *Section 2. The provisions of this act shall not apply to those food establishments subject to inspection or regulation by the division of hotels and restaurants of the department of business regulation.*

Renumber Remaining Section

Senator Deeb offered the following amendment which was adopted on motion by Senator Saylor:

Amendment 2—On page 2, line 16 insert the following: *However, the provisions of this section relating to prior approval and inspection by the Pinellas County health department shall not apply to those food establishments subject to inspection or regulation by the division of hotels and restaurants of the department of business regulation.*

Senator Deeb offered the following title amendment which was adopted on motion by Senator Saylor:

Amendment 3—On page 1, line 18 strike "tions; providing for authority to" and insert: tions; providing an exception; providing for authority to

Senator Deeb offered the following amendment which was adopted on motion by Senator Saylor:

Amendment 4—On page 2, line 6, strike "or renewed"

Senator Deeb offered the following title amendment which was adopted on motion by Senator Saylor:

Amendment 5—On page 1, line 10, strike "or renewed"

On motion by Senator Saylor, by two-thirds vote SB 981 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—28

Mr. President	Graham	Knopke	Saunders
Arnold	Gunter	Lewis (33rd)	Saylor
Beaufort	Haverfield	Lewis (43rd)	Stolzenburg
Boyd	Henderson	McClain	Trask
Broxson	Hollahan	Myers	Ware
de la Parte	Johnson (34th)	Plante	Weissenborn
Ducker	Karl	Poston	Wilson

Nays—None

By unanimous consent Senators Childers and Barrow were recorded as voting yea.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas* March 3, 1972  
*President of the Senate*

Sir:

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

SB 269	SB 314	SB 191
SB 372	SB 248	

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

The bills contained in the above message were ordered enrolled.

*The Honorable Jerry Thomas* March 2, 1972  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment and has passed as amended HB 994.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable Jerry Thomas*  
*President of the Senate*

March 2, 1972

Sir:

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

By the Committee on Criminal Justice—

HB 3777—A bill to be entitled An act relating to crimes; repealing obsolete and repetitious statutes; repealing §§783.01, 783.02 and 783.03, Florida Statutes, relating to dueling; repealing §784.01, Florida Statutes, relating to mayhem; repealing §§785.01, 785.02, 785.03 and 785.04, Florida Statutes, relating to fighting and marathons; repealing §§795.01, 795.02 and 795.03, Florida Statutes, relating to enticing away unmarried women; repealing §§812.01, 812.02, 812.03, 812.04, 812.05, 812.06, 812.07, 812.08, 812.09, 812.10, 812.11 and 812.12, Florida Statutes, relating to embezzlement; repealing §833.01 Florida Statutes, relating to conspiracy; repealing §§862.01, 862.02 and 862.03, Florida Statutes, relating to offenses concerning seamen; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 3777, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 1, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required Constitutional three-fifths vote of the membership of the House—

By Representative Dubbin—

HJR 3663—JOINT RESOLUTION proposing amendments to Sections 3, 7, and 8 of Article III of the State Constitution, providing that regular sessions of the legislature shall convene annually as provided by law; providing the Governor may not limit the duration of special sessions; repealing the sixty consecutive day limitation on legislative sessions; providing that the first reading of a bill may be accomplished by publication; providing that any bill or joint resolution pending in the legislature at final adjournment of a regular session held in an odd-numbered year shall be carried over in the same status to the next regular session; and providing the legislature shall not consider a vetoed bill or vetoed specific appropriation later than the next regular session following the session in which such bill or appropriation was adopted by the legislature and proposing the creation of Section 19 of Article III of the State Constitution providing that until otherwise provided by law adopted by a three-fifths vote of the membership of each house a regular session of the legislature shall convene on the first Tuesday after the first Monday in April of each year not to exceed sixty days unless extended by a three-fifths vote of each house and a special session shall not exceed twenty consecutive days unless extended by said vote; providing that until otherwise provided by law the governor must give public notice before convening a special session of the legislature, except in cases of invasion by enemy forces, natural disaster, or comparable emergency.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HJR 3663, contained in the above message, was read the first time and referred to the Committees on Rules, Calendar, Privileged Business and Ethics and Ways and Means.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 1, 1972

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; 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 insurance 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 547, contained in the above message, was read the first time by title and referred to the Committees on Governmental Efficiency and Ways and Means.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 2, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has receded from House amendment 2 and has passed as amended—

CS for SB 244—A bill to be entitled An act relating to interest on rent security deposits; amending subsection (2) of §83.261, Florida Statutes, as amended by chapter 70-360, Laws of Florida, and subsection (4) of said section, to provide for the payment of five percent (5%) interest on all such deposits over one hundred dollars (\$100); providing an effective date.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

The bill contained in the above message passed as further amended and was ordered engrossed. The vote was:

Yeas—35

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

Nays—None

On motion by Senator Knopke, Rule 4.14 requiring fifteen minutes' notice was waived and unanimous consent was obtained to take up out of order—

SB 954—A bill to be entitled An act authorizing the City of Tampa to grant cable television system franchises without referendum upon certain terms and conditions; providing an effective date.

—which was read the second time by title. On motion by Senator Knopke, by two-thirds vote SB 954 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Mr. President	Daniel	Karl	Reuter
Arnold	Ducker	Knopke	Sayler
Barrow	Gong	Lewis (33rd)	Stolzenburg
Beaufort	Graham	Lewis (43rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Haverfield	Myers	Weissenborn
Broxson	Henderson	Plante	Williams
Childers	Johnson (34th)	Poston	Wilson

Nays—None

On motion by Senator Saunders, SB 688 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

Pursuant to Rule 4.14 Senator Saunders gave notice of intention to move to take up SB 688 out of order.

The Honorable Jerry Thomas  
President of the Senate

March 1, 1972

Sir:

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

By the Committee on Judiciary—Criminal—

SB 241—A bill to be entitled An act relating to shrimp preserves; amending subsections 370.15(6), 370.151(6), (7) and 370.152(8), Florida Statutes, making a second conviction for unauthorized shrimping in closed areas therein described a felony; providing penalties; amending chapter 370, Florida Statutes, by adding section 370.153, providing for revocation of, and ineligibility to apply for, a shrimp permit in the event of such unauthorized shrimping; providing an effective date.

Amendment 1—

On page 1, line 17, strike all after the enacting clause and insert the following:

Section 1. Subsection (6) of section 370.15, Florida Statutes, is amended to read:

370.15 Shrimp; regulation.—

(6)(a) It is unlawful to take or catch shrimp, other than bait shrimp with any type net or other method, in the following area: That portion of Santa Rosa Sound lying in Escambia, Santa Rosa and Okaloosa Counties and between Brooks Bridge as the east boundary and *Bascule Bridge in Santa Rosa County* ~~a line drawn due north and south between Santa Rosa County and Santa Rosa island passing through the center of Deer Point Light~~ as the west boundary. Live bait shrimp may be caught at any time but only under permit issued by the division. Permittees must fish with gear and under those conditions specified by the division. Application for such permits shall be on forms supplied by the division and no charges may be made for issuing said permits. Permits shall be revokable when holder does not comply with the laws and regulations applicable to salt water conservation.

(b) Any person convicted of violating the provisions of this subsection shall, for the first or second convictions, be guilty of a misdemeanor of the second degree, punishable as provided in §775.082 or §775.083. A third or any subsequent violation by any person of this subsection shall be a felony of the third degree, punishable as provided in §775.082 or §775.083.

Section 2. Subsections (6) and (7) of section 370.151, Florida Statutes, are amended to read:

370.151 Tortugas shrimp beds; closed areas; permits; penalties.—

(6) The owner or master of any vessel dragging shrimp nets in the above so defined area without a ~~and which does not have~~

~~a shrimping~~ live bait permit for this area and is not equipped with live shrimp bait tanks is ~~considered to be in violation of this section~~ guilty of a misdemeanor of the second degree, punishable as provided in §775.083, and the nets and shrimping door shall be confiscated. A second violation by any person under this subsection shall be a misdemeanor of the second degree, punishable as provided in §775.082 or §775.083. A third or any subsequent violation by any person under this subsection shall be a felony of the third degree, punishable as provided in §775.082 and §775.083.

(7) Each offense under all subsections, except subsections (5) and (6), shall be a misdemeanor and punishable as follows:

(a) For the first offense the owner or the master shall be guilty of a misdemeanor of the second degree, punishable as provided in §775.083, and the nets and shrimping door shall be confiscated as provided in §370.061.

(b) For the second offense the owner or master shall be guilty of a misdemeanor of the second degree, punishable as provided in §775.083, and the vessel shall be confiscated as provided in §370.061.

(c) For the third offense the owner or master shall be guilty of a felony of the third degree punishable as provided in §775.083, and said equipment and instruments shall be confiscated as provided in §370.061.

(d) ~~(e)~~ In addition to the fines enumerated above, the court may punish the master as provided in §775.082.

Section 3. Section 370.154, Florida Statutes, is created to read:

370.154 Shrimp regulations; closed areas; suspension of license, etc.—Any person convicted of taking shrimp in a closed area punishable under section 370.15(6), 370.151(5) shall in addition to the penalties set forth therein have his permit and the permit of the boat involved in the violation, issued pursuant to section 370.15(5), revoked, if he holds such a permit, and shall be ineligible to make application for such a permit for a period of two (2) years from the date of such conviction. If a person not having a permit is convicted hereunder, that person and the boat involved in the violation shall not be eligible for such a permit for five (5) years.

Section 4. This act shall take effect October 1, 1972.

Amendment 2—

On page 1, in the title, strike the entire title and insert the following:

A bill to be entitled An act relating to shrimp preserves; amending sections 370.15(6), 370.151(6), (7), Florida Statutes, making a third conviction for unauthorized shrimping in closed areas therein described a felony; providing penalties; creating section 370.154, Florida Statutes, to provide for revocation of, and ineligibility to apply for, a shrimp permit in the event of such unauthorized shrimping; providing an effective date.

Amendment 3 to amendment # 1

On page 2, line 16, after the word "subsection" insert the following: within a three (3) year period

Amendment 4 to amendment #1

On page 3, line 5, after the word "subsection" insert the following: within a three year period

Amendment 5 to amendment # 1

On page 3, line 20, strike the entire line and insert the following: (c) For the third offense within a three year period the owner or master

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

On motions by Senator Barrow, the Senate concurred in House amendments 1, 2, 3, 4 and 5 to SB 241.

SB 241 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—26

Mr. President	de la Parte	Karl	Reuter
Arnold	Ducker	Knopke	Saunders
Barrow	Graham	Lewis (33rd)	Trask
Beaufort	Gunter	Lewis (43rd)	Williams
Bishop	Henderson	McClain	Wilson
Boyd	Horne	Myers	
Brantley	Johnson (34th)	Plante	

Nays—8

Barron	Childers	Hollahan	Ware
Broxson	Gong	Stolzenburg	Weissenborn

By unanimous consent Senators Poston and Haverfield were recorded as voting yea.

The Honorable Jerry Thomas  
President of the Senate

March 3, 1972

Sir:

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

By the Committee on Judiciary—Criminal—

SB 465—A bill to be entitled An act relating to criminal procedure; amending §921.141, Florida Statutes, to provide for bifurcated trials in capital cases; providing an effective date.

Amendment 1

On page 1, line 13, insert following "amended": and subsections (2), (3) and (4) of section 921.141, Florida Statutes, are created

Amendment 2

On page 1, lines 13—14, between lines 13 and 14 insert the following: 921.141 Recommendation to mercy; *procedure when person convicted of capital felony*

Amendment 3

On page 2, lines 17—18, strike "of facts in aggravation or mitigation of the penalty." and insert the following: *any facts in aggravation or mitigation including but not limited to those circumstances enumerated in subsections (3) and (4) of this section.*

Amendment 4

On page 3, lines 3—4, strike all of lines 3 and 4 and insert the following:

(3) *Aggravating circumstances.—*

(a) *The capital felony was committed by a convict under sentence of imprisonment.*

(b) *The defendant was previously convicted of another capital felony or of a felony involving the use or threat of violence to the person.*

(c) *At the time the capital felony was committed the defendant also committed another capital felony.*

(d) *The defendant knowingly created a great risk of death to many persons.*

(e) *The capital felony was committed while the defendant was engaged or was an accomplice in the commission of, or an attempt to commit, or flight after committing or attempting to commit any robbery, rape, arson, burglary or kidnapping.*

(f) *The capital felony was committed for the purpose of avoiding or preventing a lawful arrest or effecting an escape from custody.*

(g) *The capital felony was committed for pecuniary gain.*

(h) *The capital felony was especially heinous, atrocious or cruel, manifesting exceptional depravity.*

(4) *Mitigating circumstances.—*

(a) *The defendant has no significant history of prior criminal activity.*

(b) *The capital felony was committed while the defendant was under the influence of extreme mental or emotional disturbance.*

(c) *The victim was a participant in the defendant's conduct or consented to the act.*

(d) *The capital felony was committed under circumstances which the defendant believed to provide a moral justification or extenuation for his conduct.*

(e) *The defendant was an accomplice in the capital felony committed by another person and his participation was relatively minor.*

(f) *The defendant acted under duress or under the domination of another person.*

(g) *At the time of the capital felony the capacity of the defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of law was impaired as a result of mental disease or intoxication.*

(h) *The youth of the defendant at the time of the crime.*

Section 2. This act shall take effect October 1, 1972.

Amendment 5

On page 1, lines 5—7, strike all of lines 5 through 7 and insert the following: amending section 921.141, Florida Statutes, providing for recommendation of mercy; creating section 921.141 (2), Florida Statutes, providing for bifurcated trials in capital cases; creating section 921.141 (3), Florida Statutes, providing aggravating circumstances; creating section 921.141 (4), Florida Statutes, providing for mitigating circumstances; providing an effective date.

Amendment 6

On page 1, lines 17 and 18, strike "a majority of" on each line and insert the following: a majority of

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

On motions by Senator Barrow, the Senate concurred in House amendments 1, 2 and 3 to SB 465 and refused to concur in House amendments 4, 5 and 6 and requested the House to recede therefrom. The action of the Senate was certified to the House.

#### UNFINISHED BUSINESS

SB 176—A bill to be entitled An act relating to bulkhead lines in certain counties, repealing subsection 253.135 (3), Florida Statutes to delete exception provided therein.

—was taken up with pending amendment which failed.

In view of the fact that the pending amendment failed, at the request of the President, Senator Stolzenburg withdrew amendment 2 by Senator Lane.

#### Explanation of Withdrawal of Amendment to Senate Bill 176:

On Thursday, March 2, Senator David Lane introduced a 13-page amendment to Senate Bill 176 which, if approved, would have stricken everything after the enacting clause of Senate Bill 176 and substituted, therefore, a bill filed in the House of Representatives by Representative Fred Tittle of Monroe County dealing with the same subject matter.

Inasmuch as this amendment was offered after Senate Bill 176 had been passed to third reading, it would have required a two-thirds vote of Senators present and voting for adoption. This amendment was being vigorously opposed when time of adjournment arrived on Thursday, March 2.

As debate on the adoption of the amendment was resumed Friday morning in the Senate, it was re-presented to the Senate that on Thursday evening a House of Representatives Committee had overwhelmingly voted 17 to 3 to reject the bill proposed by Representative Tittle as unacceptable, and a test vote taken in the Senate showed overwhelming opposition to the proposed amendment (13 pages).

In an effort to conserve tax dollars that would have been required to print the entire thirteen-page amendment in the Senate Journal, and in view of the test vote, the amendment was withdrawn.

Since I do not approve of provisions contained in Senate Bill 176, I voted "No" on final passage.

*Chester W. Stolzenburg, 39th District*

On motion by Senator Henderson, by two-thirds vote SB 176 was read by title, passed and certified to the House immediately by waiver of the rules. The vote was:

**Yeas—31**

Mr. President	Childers	Horne	Plante
Arnold	Daniel	Johnson (34th)	Saylor
Barron	de la Parte	Karl	Trask
Beaufort	Ducker	Knopke	Ware
Bishop	Gong	Lewis (33rd)	Weissenborn
Boyd	Graham	Lewis (43rd)	Williams
Brantley	Gunter	McClain	Wilson
Broxson	Henderson	Myers	

**Nays—3**

Hollahan	Poston	Stolzenburg
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By unanimous consent Senators Barrow, Haverfield and Reuter were recorded as voting yea.

**SPECIAL ORDER**

SB 880—A bill to be entitled An act relating to drivers' licenses; amending chapter 322, Florida Statutes, by creating §§322.263, 322.27(4), and 322.331, and amending §§322.271(1), 322.28(2) and 322.34; declaring the legislative intent; defining terms; providing for revocation of drivers' licenses under certain circumstances; providing period for revocation; providing for restoration of drivers' licenses; providing for criminal penalties; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 5, strike lines 28 and 29; on page 6, strike lines 1 through 6 and insert: the department for restoration of driving privileges. Upon such petition and after investigation the person's qualification and fitness to drive, the department shall hold an administrative hearing to determine whether driving privileges shall be restored either on an unrestricted basis or restricted basis solely for business or employment purposes.

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

**Amendment 2**—On page 7, line 1, strike entire line and insert: *revoked is guilty of a felony of the third degree, and, upon conviction,*

Senator Ott moved the adoption of the following substitute amendment:

**Amendment 3**—On page 7, line 1, strike everything on lines 1 through 4 and insert: *revoked is guilty of a misdemeanor of the first degree.*

Senator Poston offered the following amendment to the substitute amendment:

**Amendment 3a**—On page 7, line 1, strike everything on lines 1 through and including line 4 and insert: *revoked is guilty of a misdemeanor of the first degree, and notwithstanding the provisions of Section 775.083, upon conviction, shall be punished by imprisonment of not less than one year, and no portion of the sentence shall be suspended.*

Senator Lewis (33rd) presiding.

The President presiding.

Senator Weissenborn presiding.

Amendment 3a failed by the following vote:

**Yeas—12**

Arnold	Daniel	Hollahan	McClain
Brantley	de la Parte	Karl	Poston
Broxson	Gunter	Knopke	Ware

**Nays—17**

Bishop	Henderson	Ott	Williams
Childers	Johnson (34th)	Plante	Wilson
Ducker	Lewis (33rd)	Pope	
Graham	Lewis (43rd)	Stolzenburg	
Haverfield	Myers	Trask	

By unanimous consent Senator Barrow was recorded as voting nay.

The question recurred on the adoption of substitute amendment 3 which was adopted.

On motion by Senator Thomas the following amendment was adopted:

**Amendment 4**—On page 6, lines 19 and 20 strike "and there may be imposed in addition thereto a fine of not more than \$500" and insert: or, in lieu thereof, there may be imposed a fine of not more than \$500

Senators Daniel and Wilson offered the following amendment which was moved by Senator Wilson:

**Amendment 5**—On page 4, line 14 strike "except a person whose license is revoked as habitual traffic offenders under 32227(4)"

Senator Thomas raised a point of order that the bill as it is now drawn speaks to the old statutes and not to the current statutes, that the Senate was dealing with a legislative measure that does not in fact follow existing law but follows one of the old statutes, that the bill was not perfected in accordance with the rules of the Body, and it should be temporarily passed until the discrepancy could be corrected.

The Chair ruled the point well taken, and on motion by Senator Poston, further consideration of SB 880 was deferred, the bill retaining its place on the calendar.

SB 296 was taken up and on motion by Senator Reuter—

**HB 3206**—A bill to be entitled An act relating to elections; amending subsections (1), (2), and (3) of §97.063, Florida Statutes, to provide for absentee registration by certain persons temporarily residing outside the state or the United States and for certain physically disabled persons; amending §97.065, Florida Statutes, to allow certain federal employees to administer oaths concerning absentee registration; amending §101.691(1)(c), Florida Statutes, to provide that citizens temporarily residing outside the United States may vote absentee; amending subsection (3) of §101.692, Florida Statutes, to provide the duty of the supervisors of elections in registering such persons; providing an effective date.

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

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

**Amendment 1**—On page 1, lines 28—30 strike lines 28—30 and renumber subsequent sections of the bill after inserting the language specified below and insert the following: Section 1. Subsections (1) and (3) of section 97.051, Florida Statutes, as amended by chapter 71-108, Laws of Florida, are amended to read:

97.051 Oaths and identification of elector for registration.—

(1) A person making application for registration as an elector shall take the following oath: "I do solemnly swear (or affirm) that I will protect and defend the Constitution of the United States and the Constitution of the State of Florida, and that I am qualified to register as an elector under the Constitution and laws of the State of Florida."

(2) *The person must also execute a written statement under oath that he has never previously registered to vote in any other jurisdiction or that he has been registered, stating the place of the last prior registration and the name under which he was registered and requesting the proper official in that jurisdiction to strike his registration from the record. The oath, may be administered by the registration officer, whether he is registered in any other jurisdiction. If he answers affirmatively, The registration officer shall notify the supervisor in that jurisdiction to cancel the prior registration. The applicant He shall give a sufficient description of himself as to reasonably identify his person.*

Section 2. Section 98.111, Florida Statutes, is amended to read:

98.111 Registration form; department of state to prescribe; information required.—The department of state shall prescribe the registration form and the form shall be prepared to elicit the following information:

- (1) Registration number.
- (2) Date of registration.
- (3) Full name.
- (4) Sex.
- (5) Party affiliation.
- (6) Date of birth.
- (7) Race.
- (8) State or country of birth.
- (9) Residence address at time of registering.
- (10) Post office mailing address at time of registering.
- (11) Precinct number.
- (12) If the registrant is able to write his name or mark his ballot, and if not, the reason therefor.
- (13) Whether such registrant has been convicted of any felony, and if so, whether he has had his civil rights restored.
- (14) Other information deemed necessary by the department of state.

There shall also be printed on the form an affidavit to include the oaths prescribed by §3, Art. VI, of the State Constitution, and §97.051, Florida Statutes, and a sworn statement by the applicant that all the information on the form is true followed by a space for the elector's signature.

Section 3. Subsections (1), (2), and (3) of section 97.063, as amended by chapter 70-119, Laws of Florida, are amended to read:

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

**Amendment 2**—On page 2, strike all of lines 1—18 and insert the following:

(Substantial rewording of subsections. See Section 97.063(1), (2), and (3), F.S., for present text.)

97.063 Armed services absentee registration.—

(1) The following persons shall be entitled to register absentee if qualified pursuant to Section 97.041 and as otherwise provided by law:

(a) Members of the armed forces while in the active service and their spouses and dependents;

(b) Members of the merchant marine of the United States and their spouses and dependents;

(c) Citizens of the United States who are permanent residents of the state and are temporarily residing outside the territorial limits of the United States and the District of Columbia, and their spouses and dependents when residing with or accompanying them;

(d) Citizens of the United States who are permanent residents of the state and are temporarily residing outside the state; and

On motion by Senator Reuter the following amendment was adopted:

**Amendment 3**—On page 5, between lines 24 and 25 insert new Sections 7 and 8, as follows:

Section 7. Subsection (1) of section 98.051, Florida Statutes, is amended to read:

98.051 Registration books for permanent registration system; when open.—

(1) Application for voter registration shall be accepted each weekday in the office of the supervisor and at all permanent branch offices at which a deputy supervisor of registration officer is on duty, during a period of not less than eight (8) hours nor more than twelve (12) hours per day beginning at 8:00 a.m. and extending no later than 8:00 p.m., from 9:00 a.m. until 5:00 p.m., to permit qualified applicants to be registered to vote. Such offices may also be opened one night each week until 9:00 p.m. during the period from sixty days to thirty days prior to closing of the registration books for the first primary and the general election in any even number year. For thirty days prior to closing of the registration books for the first primary and the general election, such offices may in the discretion of the supervisor be opened up to and including five (5) nights each week until 9:00 p.m. Provided, however, in those counties in which the normal office hours for county officers begin after 8:00 a.m. the office of the supervisor shall open and accept applications for voter registration at the same eight (8) hours.

Section 8. Subsections (2) and (3) of section 98.051, Florida Statutes, are renumbered as subsections (4) and (5), a new subsection (2) is added and present subsection (4) is renumbered as subsection (3) and amended to read:

(2)(a) A supervisor may keep his office and any permanent branch offices open on one (1) or more Saturdays per month between the hours of 8:00 a.m. and 5:00 p.m. or during any portion thereof.

(b) A supervisor may open his office and any permanent branch offices at times other than those times specified in this section. The supervisor shall give public notice of such opening by publishing twice in a newspaper of general circulation printed in his county the hours and days of the week he will keep his registration books open. If there is no newspaper published in the county, the supervisor shall have notices posted in at least three (3) public places, one of which shall be the courthouse.

(3) (4) The board of county commissioners may authorize the supervisor to keep his office open for less time than specified in subsection (1), but at no time shall the office be open less than one day each week for eight (8) hours; provided, however, the office must remain open from 9:00 a.m. until 5:00 p.m. each weekday, excluding holidays, during the thirty day period prior to the closing of the registration books for any primary or general election. If the time when registration shall be accepted has been limited by the board of county commissioners, the supervisor shall give notice by publishing twice in a newspaper of general circulation printed in his county, naming the days of the week he will keep his registration books open. If there is no newspaper published in the county, the supervisor shall have notices posted in at least three public places of which one shall be the courthouse.

On motion by Senator Reuter the following amendment was adopted:

Amendment 4—On page 5, strike lines 25 and 26 of Section 5 and insert: Section 9. Subsection (2) of section 101.65, Florida Statutes, is amended to read:

101.65 Instructions to absent electors.—The supervisor shall enclose with each ballot sent to an absent elector separate printed instructions furnished by him containing substantially the following:

(2) Any notary public, United States postmaster, assistant United States postmaster, United States postal superintendent, United States postal superintendent of mails, United States postal clerk in charge, clerk in charge of a contract postal station or any officer having authority to administer an oath or take an acknowledgement may be an attesting witness. If a postmaster, assistant postmaster, postal supervision, postal superintendent, postal superintendent of mails, postal clerk in charge, or clerk in charge of a contract postal station acts as an attesting witness, his signature on the elector's certificate must be authenticated by the cancellation stamp of their respective post offices. If one or the other officers named acts as attesting witness his signature on the elector's certificate, together with his title and address but no seal shall be required.

Section 10. This act shall take effect upon becoming a law.

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

Amendment 5—On page 1, line 3, strike title and insert: A bill to be entitled An act relating to elections; amending §§97.051 (1) and (3), as amended by chapter 71-108, Laws of Florida, and 98.111, Florida Statutes; providing that an applicant for registration shall execute a written statement under oath as to his previous registration; amending §97.063 (1), (2), and (3), Florida Statutes, as amended by chapter 70-119, Laws of Florida, to provide for absentee registration by certain persons temporarily residing outside the state or the United States and for certain physically disabled persons; amending §97.065, Florida Statutes, to allow certain federal employees to administer oaths concerning absentee registration; amending §101.691(1)(c), Florida Statutes, to provide that citizens temporarily residing outside the United States may vote absentee; amending subsection (3) of §101.692, Florida Statutes, to provide the duty of the supervisors of elections in registering such persons; providing an effective date.

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

Amendment 6—On page 1, line 3, strike title and insert: A bill to be entitled An act relating to elections; amending §§97.051(1) and (3), as amended by chapter 71-108, Laws of Florida, and 98.111 and 98.05, Florida Statutes; providing that an applicant for registration shall execute a written statement under oath as to his previous registration; amending §97.063 (1), (2), and (3), Florida Statutes, as amended by chapter 70-119, Laws of Florida, to provide for absentee registration by certain persons temporarily residing outside the state or the United States and for certain physically disabled persons; amending §97.065 and §101.65, Florida Statutes, to allow certain federal employees to administer oaths concerning absentee registration and voting; amending §101.691(1)(c), Florida Statutes, to provide that citizens temporarily residing outside the United States may vote absentee; amending subsection (3) of §101.692, Florida Statutes, to provide the duty of the supervisors of elections in registering such persons; providing office hours; providing an effective date.

On motion by Senator Reuter, by two-thirds vote HB 3206 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Mr. President	Childers	Johnson (34th)	Poston
Arnold	Ducker	Karl	Reuter
Barron	Gong	Knopke	Saunders
Barrow	Graham	Lewis (33rd)	Stolzenburg
Beaufort	Haverfield	Lewis (43rd)	Trask
Bishop	Henderson	Myers	Ware
Boyd	Hollahan	Ott	Weissenborn
Brantley	Horne	Pope	Williams

Nays—None

By unanimous consent Senators Gunter, Plante and Daniel were recorded as voting yea.

SB 296 was laid on the table.

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

SB 688—A bill to be entitled An act relating to the College of Veterinary Medicine at the University of Florida, providing a three hundred fifty-two thousand eight hundred eighty dollars (\$352,880) appropriation; providing an effective date.

—which was read the second time by title. On motion by Senator Saunders, by two-thirds vote SB 688 was read the third time by title, passed and immediately certified to the House by waiver of the rule. The vote was:

Yeas—33

Arnold	de la Parte	Knopke	Sayler
Barron	Ducker	Lewis (33rd)	Stolzenburg
Barrow	Graham	Lewis (43rd)	Trask
Beaufort	Haverfield	Myers	Ware
Bishop	Henderson	Ott	Weissenborn
Boyd	Hollahan	Pope	Williams
Brantley	Horne	Poston	
Childers	Johnson (34th)	Reuter	
Daniel	Karl	Saunders	

Nays—None

By unanimous consent Senators Thomas, Gunter, McClain and Wilson were recorded as voting yea.

The President presiding.

SB 172—A bill to be entitled An act relating to the department of highway safety and motor vehicles; providing for personalized prestige automobile license plates; providing for application, fees, and issuance; providing for right of rejection of certain applications and recall of certain plates and return of fees; prohibiting duplicate plates; providing for transfer of plate to a replacement automobile with fee; defining prestige plates; providing an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote SB 172 was read the third time by title, passed and immediately certified to the House by waiver of the rule. The vote was:

Yeas—33

Mr. President	de la Parte	Karl	Sayler
Arnold	Ducker	Knopke	Stolzenburg
Barron	Fincher	Lewis (33rd)	Ware
Barrow	Gong	Lewis (43rd)	Weissenborn
Beaufort	Graham	McClain	Williams
Boyd	Haverfield	Myers	Wilson
Brantley	Henderson	Ott	
Broxson	Hollahan	Pope	
Childers	Johnson (34th)	Poston	

Nays—None

By unanimous consent Senators Bishop, Saunders, Gunter, Reuter, Daniel and Plante were recorded as voting yea; Senator Brantley changed his vote from yea to nay.

SB 169 was taken up, together with:

By the Committee on Transportation—

CS for SB 169—A bill to be entitled An act relating to motor vehicle, trailer, and semitrailer registration license plates; amending §§320.04, 320.06, 320.0611, 320.13(3), 320.26(1), and 320.271, Florida Statutes; amending §§320.061 and 320.261, Florida Statutes, as amended by chapter 71-136, Laws of Florida; providing for certificates of registration, three (3) year reflectorized license plates, revalidation stickers, and for certain fees; providing for the transfer of license plates and for a transfer fee; providing that the changing or altering of revalidation stickers shall be unlawful; providing for an increase in reflectorization fee; providing a fee for duplicate certificates of registration or registration license plates or revalidation

stickers; providing for annual renewal of registration; providing registration taxes; prohibiting the counterfeiting of revalidation stickers; making it a misdemeanor to attach to a motor vehicle license plates or revalidation stickers not assigned or transferred to said vehicle; providing for removal of registration license plates from used motor vehicles; providing for automobile dealers to register motor vehicles, trailers, or semi-trailers; authorizing a prepayment by the department of highway safety and motor vehicles to division of corrections for manufacture of license plates; providing an effective date.

—which was read the first time by title and SB 169 was laid on the table.

On motions by Senator Stolzenburg, by two-thirds vote CS for SB 169 was read the second time by title and by two-thirds vote was read the third time by title, passed and immediately certified to the House by waiver of the rule. The vote was:

Yeas—27

Boyd	Haverfield	Lewis (33rd)	Sayler
Brantley	Henderson	Lewis (43rd)	Stolzenburg
Broxson	Hollahan	Myers	Ware
de la Parte	Horne	Ott	Weissenborn
Ducker	Johnson (34th)	Plante	Williams
Gong	Karl	Poston	Wilson
Graham	Knopke	Saunders	

Nays—2

Barron Childers

By unanimous consent Senators Gunter, Pope, Daniel, Beaufort and Reuter were recorded as voting yea; Senators Bishop and Arnold as voting nay.

Pursuant to Rule 4.14, Senator Hollahan gave notice of intention to move to take up SB 513 out of order.

#### Co-Introducers

By permission Senators Hollahan, Pope and Weissenborn were recorded as co-introducers of SB 513.

SB 670—A bill to be entitled An Act relating to sewage disposal, amending Section 403.086(1), Florida Statutes, created by Chapter 71-259, Laws of Florida, by adding a new paragraph to provide that advanced waste treatment shall be required for sanitary sewage treatment facilities in the Tampa Bay area; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Knopke:

Amendment 1—On page 2, line 5 after "Clearwater Bay" insert: Sarasota Bay, Little Sarasota Bay, Roberts Bay, Lemon Bay and Punta Gorda Bay

Pending further consideration of SB 670 as amended, on motion by Senator Wilson—

HB 3220—A bill to be entitled An act relating to sewage disposal, amending Section 403.086(1), Florida Statutes, created by Chapter 71-259, Laws of Florida, by adding a new paragraph to provide that advanced waste treatment shall be required for sanitary sewage treatment facilities in the Tampa Bay area; providing an effective date.

—a companion measure to SB 670 was substituted therefor and read the second time by title. On motion by Senator Wilson, by two-thirds vote HB 3220 was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

Mr. President	Barron	Beaufort	Broxson
Arnold	Barrow	Brantley	Childers

Daniel	Hollahan	Myers	Trask
de la Parte	Horne	Ott	Ware
Ducker	Johnson (34th)	Plante	Weissenborn
Gong	Karl	Pope	Williams
Graham	Knopke	Poston	Wilson
Gunter	Lewis (33rd)	Saunders	
Haverfield	Lewis (43rd)	Sayler	
Henderson	McClain	Stolzenburg	

Nays—None

By unanimous consent Senator Reuter was recorded as voting yea.

SB 670 was laid on the table.

HB 1137—A bill to be entitled An act relating to limitation of number of beverage licenses issued; amending section 561.20 (6), Florida Statutes, to provide for inserting words "or leased" concerning golf clubs municipally or privately owned; providing an effective date.

—was read the second time by title. On motion by Senator Daniel, by two-thirds vote HB 1137 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

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

Nays—2

Childers Gunter

By unanimous consent Senators Barrow and Reuter were recorded as voting yea; Senator Broxson changed his vote from yea to nay.

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

SB 513—A bill to be entitled An act relating to homestead exemption; amending §196.031(3), Florida Statutes, as created by chapter 71-309, Laws of Florida, to provide specific application procedures for persons over sixty-five; providing an effective date.

—which was read the second time by title. On motion by Senator Hollahan, by two-thirds vote SB 513 was read the third time by title, passed and immediately certified to the House by waiver of the rule. The vote was:

Yeas—36

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

Nays—None

By unanimous consent Senator Barrow was recorded as voting yea.

SB 1155 was taken up, together with:

By the Committee on Judiciary—Civil B—

CS for SB 1155—A bill to be entitled An act relating to ad valorem taxation; amending Chapter 196.011, Florida Statutes, providing for application for such exemption shall not apply to public roads rights-of-way and borrow pits; providing for

the moneys to reimburse the science center, a tax-exempt educational institution located in Pinellas County, Florida, for payment of certain paid ad valorem taxes; providing an effective date.

—which was read the first time by title and SB 1155 was laid on the table.

On motions by Senator Horne, by two-thirds vote CS for SB 1155 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Daniel	Karl	Saunders
Arnold	de la Parte	Knopke	Saylor
Barron	Fincher	Lewis (33rd)	Trask
Barrow	Gong	Lewis (43rd)	Ware
Beaufort	Graham	McClain	Weissenborn
Bishop	Gunter	Myers	Wilson
Brantley	Haverfield	Ott	
Broxson	Hollahan	Poston	
Childers	Horne	Reuter	

Nays—None

By unanimous consent Senators Plante, Boyd, Ducker and Williams were recorded as voting yea.

HB 2997—A bill to be entitled An act relating to local government; providing for the creation of a commission on local government; providing for the composition, powers, duties, and functions of the commission; providing powers of subpoena; providing legislative intent; providing an appropriation; providing an effective date.

—was read the second time by title. On motion by Senator de la Parte, by two-thirds vote HB 2997 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

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

Nays—None

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

SB 838—A bill to be entitled An act relating to corporations; amending Chapter 608, Florida Statutes, by adding new Section 608.151; authorizing corporations to effect share transfers, share distributions or reclassification; mergers, consolidations, or reorganizations by (1) issuance of fractions of a share, (2) arrangements for sale or purchase of fractional interests, (3) payment of cash for fractional shares or (4) issuance of scrip; and providing an effective date.

—was read the second time by title. On motion by Senator Karl, by two-thirds vote SB 838 was read the third time by title, passed and immediately certified to the House by waiver of the rule. The vote was:

Yeas—36

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

Nays—None

By unanimous consent Senators Stolzenburg, Williams and Plante were recorded as voting yea.

SB 890—A bill to be entitled An act relating to quarter horse racing; authorizing breeders awards, registration of Florida-bred quarter horses, registration fees, advisory council and rules; providing effective date.

—was read the second time by title.

The Committee on Rules, Calendar, Privileged Business and Ethics offered the following amendment which was adopted on motion by Senator Hollahan:

Amendment 1—On page 4, line 1 strike all of subsection (6) and insert: (6) REGISTRATION FEES.—To provide funds to defray the necessary expenses incurred by the department in administration of this section the owners, who participate in this program, of Florida-bred quarter horse foals under one (1) year of age, shall pay to the department a registration fee in the amount of ten dollars (\$10) per horse; owners, who participate in this program, of Florida-bred quarter horse yearlings from one (1) to two (2) years of age, shall pay to the department a registration fee in the amount of twenty-five dollars (\$25) per horse; and owners, who participate in this program, of Florida-bred quarter horses two (2) years of age or over, shall pay to the department a registration fee in the amount of one hundred dollars (\$100) per horse. The fees collected hereunder shall be deposited in the general inspection trust fund of the state treasury in a special account to be known as the quarter horse racing fund and shall be used to defray the necessary expenses incurred by the department of agriculture and consumer services in the administration of this section.

On motion by Senator Barron, by two-thirds vote SB 890 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—31

Arnold	Daniel	Karl	Poston
Barron	Ducker	Knopke	Reuter
Barrow	Graham	Lewis (33rd)	Saunders
Beaufort	Gunter	Lewis (43rd)	Saylor
Bishop	Haverfield	McClain	Trask
Boyd	Henderson	Myers	Ware
Brantley	Hollahan	Ott	Wilson
Childers	Johnson (34th)	Pope	

Nays—None

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

SB 960—A bill to be entitled An act relating to education, revising various sections of the Florida Statutes comprising the Florida School Code; amending chapter 228, §§229.064, 229.121(4), 229.512(1), (12), 229.543, 229.545, 229.551, 229.781, 229.79, 229.80, 229.808, 230.03(2), (3), 230.22(1), 230.23(1)(a), 230.23(4)(c), (d)1., (h), 230.23(5)(c), 230.23(6)(d), (e), 230.23(7)(b), 230.23(10)(a), (b), (d), (f), (g), (j), (k), 230.23(12), (13), (14), (15), (17), (18), 230.234, 230.241(2), 230.29, 230.33(4), (6)(h), (7)(c), (d), (8)(c), (e), (9)(b), (12), (14), (15), (16), (17), (18), (19), (20), (21), (23), (24), 230.331(2), (3), 230.35, 230.59, 230.631, 230.64(1), 230.741, 230.751, 230.753(1), (3), 230.754(2), 230.760, 230.765(2)(a), 230.767(1), (2)(b), (c), (d), (e), (4), 230.771(1), 230.773, 230.776, 231.06, 231.07, 231.09(7), (12), 231.14, 231.15, 231.20, 231.29(1), 231.46, 231.47, 232.02, 232.03, 232.09, 232.14, 232.141, 232.142, 232.16, 232.17(1), (2)(a), 232.19(6), 232.24, 232.39, chapter 234, §§ 235.06(2), 235.18, 235.321, 235.34, 236.02(1), (3), 236.03, 236.04(3), (4)(a)1., (8), (9), 236.05, 236.07(3)(c), (5), (7), (8), (9), (10), (12), 236.0725(4), (5), 236.074(3), (4), 236.08, 236.13, 236.24, 236.251, 236.29, 236.35, 236.42, 236.49(2), 236.50, 236.56, 236.612, 236.614, 236.616, 236.617, 236.68, chapter 237, all Florida Statutes; transferring §§231.50, 231.51, 231.52, and 231.53, all Florida Statutes, to chapter 238, Florida Statutes; transferring and renumbering §236.076 as § 230.651, Florida Statutes; repealing §§229.063, 229.071, 229.083, 229.544, 229.546, 229.804, 229.809, 229.810, 229.811, 229.812, 229.825, 230.23(11), (16), 230.302, 230.33(8)(d), 230.34, 230.60, 230.61, 230.62, 230.66, 230.758, 230.764(2)(b), 230.770, 231.03, 231.035, 231.05, 231.12, 231.162, 231.171, 231.181, 231.33, 231.35, 232.12, 232.22, 232.42, 235.10, 235.35, 235.36, 235.-

37, 235.38, 235.39, 236.02(9), (10), 236.031, 236.04(5) (f), 236.07(3) (d), (e), 236.07(6), 236.0705, 236.075, 236.27, 236.28, 236.30, 236.33, 236.44, 236.53, 236.57, 236.58, 236.611, all Florida Statutes; removing obsolete and unnecessary provisions of law; deleting duplications in statutory language; clarifying inconsistencies in statutory language; providing greater operating flexibility to local public school and junior college districts; simplifying distribution formulas for allocation of funds; correcting statutory language to conform to the Florida Constitution and the terminology of chapter 69-106, Laws of Florida, the Reorganization Act of 1969; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 10, line 29 after the word “days” insert: of instruction or the equivalent on an hourly basis for pupils as specified by regulations of the state board of education

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

**Amendment 2**—On page 44, line 18 strike the semicolon (;) after the word “days” and insert: or the equivalent on an hourly basis as specified by regulations of the state board of education;

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

**Amendment 3**—On page 37, lines 28 and 29 after the word “policies” insert: and programs

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

**Amendment 4**—On page 38, line 3 strike—the period (.) after the word “system” and insert: unless such policies and programs are forbidden by law or state board of education regulations.

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

**Amendment 5**—On page 107, line 1 after “(1)” insert: (2)

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

**Amendment 6**—On page 107, line 17 before subsection (3) insert: (2) MINIMUM TERM.—Operate all schools for a term of at least ~~nine months~~ one hundred eighty actual teaching days or the equivalent on an hourly basis as specified by regulations of the state board of education each school year; provided, that the state board may prescribe procedures for altering and, upon written application, may alter this requirement during a national or local emergency as it may apply to an individual school or schools in any district or districts, and thereupon the apportionment shall be reduced for said district or districts in proportion to the decrease in the length of term in any such school or schools.

Senator Saunders presiding.

On motion by Senator Broxson the following amendment was adopted:

**Amendment 7**—On page 65, line 29 strike Section 56 and renumber the remaining sections accordingly.

The President presiding.

On motion by Senator Broxson, by two-thirds vote SB 960 as amended was read the third time by title, passed and ordered immediately certified to the House after engrossing. The vote was:

Yeas—33

Mr. President	Barrow	Bishop	Brantley
Arnold	Beaufort	Boyd	Broxson

Childers	Haverfield	Plante	Ware
Daniel	Hollahan	Pope	Weissenborn
Ducker	Karl	Poston	Williams
Fincher	Knopke	Saunders	Wilson
Gong	Lewis (43rd)	Sayler	
Graham	Myers	Stolzenburg	
Gunter	Ott	Trask	

Nays—None

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

SB 925—A bill to be entitled An act relating to investments; creating §518.152, Florida Statutes; providing that certain bonds or other obligations of the Commonwealth of Puerto Rico and its political subdivisions shall be security for all public deposits, and legal investments for all public or private persons, officers or bodies authorized to invest in bonds or other obligations; providing an effective date.

—was read the second time by title. On motion by Senator Gong, by two-thirds vote SB 925 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr./President	Childers	Johnson (34th)	Poston
Arnold	Daniel	Karl	Sayler
Barron	Ducker	Knopke	Stolzenburg
Barrow	Gong	Lewis (33rd)	Trask
Beaufort	Graham	Lewis (43rd)	Ware
Bishop	Gunter	Myers	Weissenborn
Boyd	Haverfield	Ott	Williams
Brantley	Henderson	Plante	Wilson
Broxson	Hollahan	Pope	

Nays—None

By unanimous consent Senator Reuter was recorded as voting yea.

SB 499—A bill to be entitled An act relating to medical review committees; defining the term “medical review committee”; providing immunity from monetary liability for acts of members of duly appointed medical review committees, when performed within the scope of the functions of the committee; providing limitations to the immunity; providing an effective date.

—was read the second time by title.

On motion by Senator Myers the following amendment was adopted:

**Amendment 1**—On page 2, lines 5—9, Section 2, after the word “malice” strike “, has made a reasonable effort to obtain the facts of the matter as to which he acts, and acts in reasonable belief that the action taken by him is warranted by the facts known to him after such reasonable effort to obtain facts.” and insert: or fraud.

On motion by Senator Myers the following amendment was adopted:

**Amendment 2**—On page 2, line 9 strike the period (.) and insert: , provided, however, this immunity shall apply only to actions by providers of health services and in no way shall this act render any medical review committee immune from any action in tort or contract brought by a patient, his successors or assigns.

On motion by Senator Myers, by two-thirds vote SB 499 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Bishop	Childers	Gong
Arnold	Boyd	Daniel	Graham
Barrow	Brantley	de la Parte	Haverfield
Beaufort	Broxson	Ducker	Henderson

Hollahan	Lewis (43rd)	Pope	Ware
Horne	McClain	Poston	Weissenborn
Karl	Myers	Saylor	Williams
Knopke	Ott	Stolzenburg	Wilson
Lewis (33rd)	Plante	Trask	

Nays—None

By unanimous consent Senators Barron and Reuter were recorded as voting yea.

CO-INTRODUCERS

By permission Senators Poston and McClain were recorded as co-introducers of SB 499.

SB 12 was taken up, together with:

By the Committee on Governmental Efficiency—

CS for SB 12—A bill to be entitled An act relating to the deposit of public funds; amending section 18.101(1), Florida Statutes, relating to deposits of public money outside of the state treasury; amending section 18.102, Florida Statutes, relating to deposits of public money by state agencies; providing an effective date.

—which was read the first time by title and SB 12 was laid on the table.

On motions by Senator Gunter, by two-thirds vote CS for SB 12 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

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

Nays—None

By unanimous consent Senators Barron and Reuter were recorded as voting yea.

On motions by Senator Gunter, SB 977 was withdrawn from the Committee on Commerce by two-thirds vote; the rules were waived and the Committee on Ways and Means was authorized to consider SB 977 on March 6.

SB 635—A bill to be entitled An act relating to employment of officers in business licensed by the division of beverages; amending Section 561.25, Florida Statutes; 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 Karl:

Amendment 1—On page 2, line 7 strike “~~from~~” and insert: from

On motion by Senator Brantley the following amendment was adopted:

Amendment 2—On page 2, line 7 strike “private”

On motion by Senator Brantley the following amendment was adopted:

Amendment 3—On page 2, lines 16 and 17 strike “May 1, 1972” and insert: October 1, 1972

Senator Wilson moved the adoption of the following amendment:

Amendment 4—On page 2, line 5 strike “However, nothing herein may be construed to prohibit the said officers rendering private security services, when off duty, to any business establishment licensed under the beverage laws to sell beverages”

On motion by Senator Barron, the rules were waived and further consideration of SB 635 as amended with pending amendment was deferred.

SB 388—A bill to be entitled An act relating to bonefish; providing for the method of taking or attempting to take bonefish; prohibiting the sale or purchase of bonefish; providing a bag limit and minimum size for bonefish; providing penalties; providing an effective date.

—was read the second time by title.

On motion by Senator Arnold the following amendment was adopted:

Amendment 1—On page 1, line 17 (Section 1.) (following the words “the state”) insert: for the purpose of sale or exchange,

On motion by Senator Arnold the following amendment was adopted:

Amendment 2—On page 1, line 18, (Section 1.) strike “, except a hand landing net”

On motion by Senator Arnold the following amendment was adopted:

Amendment 3—On page 2, between lines 8 and 9, insert: Section 5. This act shall not apply to taxidermists who have more than two (2) bonefish in their place of business.

Renumber subsequent section.

On motion by Senator Arnold, by two-thirds vote SB 388 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—32

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

Nays—None

By unanimous consent Senators Weissenborn and Barron were recorded as voting yea.

On motion by Senator Horne, by two-thirds vote HM 2595 was also referred to the Committee on Judiciary—Civil B.

On motions by Senator Trask, by two-thirds vote Senate Bills 918 and 919 were withdrawn from the Committee on Governmental Efficiency.

On motion by Senator Williams, Rule 4.4 was waived and permission was granted to file for introduction and consideration a bill relating to authorization of the state board of education to issue bonds for higher education.

On motion by Senator Williams, Rule 4.4 was waived and permission was granted to file for introduction and consideration a bill relating to authorization of expenditures for fixed capital outlay projects at junior colleges, vocational-technical centers, and institutions under the board of regents.

Senator Hollahan announced that the Special Order Calendar for March 6 would consist of bills remaining on the Special Order Calendar for this day with certain modifications.



NAME	OFFICE	FOR TERM ENDING
Mae C. Campbell Homosassa Springs	Member, Board of Trustees, Citrus County Hospital Board	July 3, 1975

[Referred to Committee on Health, Welfare and Institutions]

The President, on advice of the Committee on Rules, Calendar, Privileged Business and Ethics, referred each appointment to the committee shown.



Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Second day of March A. D. 1972.

**RICHARD (DICK) STONE**  
Secretary of State

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:00 noon to convene at 8:30 a.m. for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 10:00 a.m., March 6, 1972.