

JOURNAL OF THE FLORIDA SENATE

Thursday, March 16, 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 Senator Ware—

SB 1247—A bill to be entitled An Act amending Chapter 6715 Special Laws of Florida 1913 being the Charter of the Town of Largo, Florida, as previously amended by Chapter 7191 Special Laws of Florida 1915; by Chapter 18648 Special Laws of Florida 1937; Chapter 25967 Special Laws of Florida 1949; Chapter 591485 Special Laws of Florida 1959; House Bill No. 856 (65-1806 Special Acts) and House Bill No. 1058 (65-1807 Special Acts) Special Laws of Florida 1965; House Bill No. 672 (67-1623 Special Acts) Special Laws of Florida 1967 and by House Bill No. 1621 (69-1231 Special Acts) Special Laws of Florida 1969, by redefining the boundaries and limits of the Town in Section 30 thereof; by amending Section 3 of the Charter to add provisions to clarify the terms of office of the mayor and commissioners and deleting reference to a town treasurer; by amending Section 4 of the Charter to provide for filling of vacancies in the office of mayor or commissioner; by amending Section 9 thereof to clarify the terms of office and election of mayor and commissioners and to provide that their compensation shall be as prescribed by ordinance; by amending Section 21 thereof to provide for qualifications of electors and qualifications for candidates for election to serve as mayor or town commissioner and to require qualifying petitions signed by one hundred or more qualified electors or five (5) percent of the number of persons actually voting at the preceding regular town election, whichever number is greater; by amending Section 27 thereof to delete the present provisions of such section and to provide instead for the method and manner of enactment, passage, recording and publication of ordinance and resolutions of the Town of Largo; by amending Section 20 and Section 32 thereof to delete specific reference to an allowable amount of interest to be charged or paid, and substituting in place thereof "the highest amount permitted by law"; and by amending Section 38 thereof to delete therefrom any reference to salaries to be paid to the mayor or town commissioners; and providing for the severability of the provisions thereof; providing for the repeal of all laws in conflict therewith and providing for the effective date thereof.

Evidence of notice and publication was established by the Senate as to SB 1247.

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

By Senator Ware—

SB 1248—A bill to be entitled An act relating to Pinellas County; providing for the charter of a municipal corporation by and under the name of the city of Seminole; providing for fixing and describing its boundaries; providing for its form of government; providing for the jurisdiction, duties, functions and powers of its governing body; providing for an effective date.

Evidence of notice and publication was established by the Senate as to SB 1248.

—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 1249—A bill to be entitled An act relating to Lake County, club alcoholic beverage licenses; excepting Mount Dora Golf Association, Incorporated, Lake County, from the provisions of Section 561.20(6), Florida Statutes, as the same relates to the number of acres to be owned or leased as a golf course and to the number of such licenses that may be issued in Lake County; excepting said club from the provisions of any other laws of general, special, or local nature of the state relating to the number of such acres to be owned or leased as a golf club and

licenses to be issued in Lake County; directing the Division of Beverage, Department of Business Regulation to issue an alcoholic beverage license to the Mount Dora Golf Association, Incorporated; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1249.

—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 1250—A bill to be entitled An act amending Chapter 67-1607, amending Section VIII (D) writing for certificates of competency and certificates being issued to any person who has been actively engaged in a particular trade in Lake County; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1250.

—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 1251—A bill to be entitled An act amending Chapter 57-1486, Laws of Florida, 1957 session, Section VII thereof pertaining to the Board of Zoning Appeals, providing for the appointment of members on the Board of Zoning Appeals and Chapters 61-2374, Section II, 63-1508, and 65-1783, providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1251.

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

By Senator Deeb (by request)—

SB 1252—A bill to be entitled An act relating to Pinellas County; prohibiting the sale or distribution of detergent regarding phosphate builders or phosphorus ingredients; providing definitions; providing for the labeling of detergents indicating their phosphorus content; prohibiting the sale of detergents containing any phosphorus by weight; designating a four (4) member advisory board, providing for future changes of phosphorus limits in detergents; providing penalties, establishing the territory embraced by this act; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1252.

—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 1253—A bill to be entitled An act relating to Lake County, club alcoholic beverage licenses; excepting Golden Triangle, Post Number 8087, Veterans of Foreign Wars of the United States, a veteran's organization of national scope and a non-profit corporation of said county, from the provisions of §561.20(6), Florida Statutes, in regard to the limitation on such licenses that may be issued in said county under the provisions of §561.34(6), Florida Statutes, as amended by chapters 71-355 and 71-361, Laws of Florida, and excepting said club from the provisions of any other laws of Florida, general, special, or local, limiting the number of licenses that may be issued or requiring any term of existence precedent to application or issuance of licenses; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1253.

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

The Senate recessed at 8:35 a.m.

The Senate was called to order by the President at 10:00 a.m.

A quorum present—44:

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

Excused: Senators Fincher and Pope; Senators Boyd and Barron at 11:15 a.m. to fulfill their duties as chairman and vice chairman of the Committee on Reapportionment and Redistricting; Senator de la Parte at 11:20 a.m. until 3:00 p.m., Senator Trask at 11:30 a.m. until 2:50 p.m., Senator Karl at 2:40 p.m. until 4:10 p.m.

Prayer by Senator Childers:

Let us pray. Heavenly Father, we pray that thou would give us understanding and wisdom as we decide the future of this state. Forgive our mistakes, O Lord, and give us the strength and courage to be thy servants. We pray that thou would bless each member of this body so that we might do what is good in thy sight. These things we ask in thy Name. Amen.

The Journal of March 15 was corrected and approved.

REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the Special Order Calendar for Thursday, March 16, 1972:

| | | |
|----------------|---------|---------|
| HJR 2835 | SB 977 | SB 359 |
| HB 1597 | SB 878 | HB 3772 |
| SB 983 | SB 1051 | SB 709 |
| SB 682 | HB 3733 | HB 2703 |
| CS for SB 1071 | SB 783 | SB 735 |
| SB 634 | SB 935 | SB 744 |
| HB 1691 | SB 615 | SB 768 |
| SB 579 | SB 204 | SB 333 |
| SB 220 | SB 837 | HB 3124 |
| SB 605 | SB 536 | SB 498 |
| SB 646 | SB 690 | SB 286 |
| SB 910 | HB 1923 | SB 788 |
| SB 858 | HB 1823 | SB 1191 |
| SB 860 | SB 748 | SB 1108 |
| SB 836 | SB 203 | |

The Committee on Judiciary—Criminal recommends the following pass:

| | |
|----------------|---------------------------|
| HB 1897 | HB 3304 |
| CS for HB 1611 | HB 3774 |
| HB 2700 | HB 3775 |
| HB 2701 | HB 3776 |
| HB 2819 | HB 3777 with 2 amendments |
| HB 3303 | |

The Committee on Universities and Community Colleges recommends the following pass: SB 980, SCR 1230 with 1 amendment

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

The Committee on Universities and Community Colleges recommends the following pass: SB 1208

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

The Committee on Judiciary—Criminal recommends a Committee Substitute for SB 905.

The Committee on Judiciary—Criminal recommends a Committee Substitute for SB 889.

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

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

| | | |
|--------|---------|---------|
| SB 412 | HB 2686 | HB 3561 |
|--------|---------|---------|

The bills were laid on the table.

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 978 with 3 amendments SB 1107 with 5 amendments

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

ELMER O. FRIDAY
Secretary of the Senate

The bills were certified to the House.

MOTIONS RELATING TO COMMITTEE REFERENCE

Senator Karl moved that CS for SB 547, together with all pending amendments be removed from the calendar and referred to an appropriate committee. The motion was adopted and CS for SB 547 with pending amendments was recommitted to the Committee on Commerce.

On motion by Senator Williams, the rules were waived and the Committee on Ways and Means was authorized to consider Senate Bills 1207, 1208 and 1230 this day.

Senator Sayler moved that SB 1034 be removed from the calendar and referred to an appropriate committee. The motion was adopted and the bill was recommitted to the Committee on Judiciary—Civil B.

On motion by Senator de la Parte, SB 693 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motion by Senator Deeb, SB 1225 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics by two-thirds vote and placed on the calendar.

On motion by Senator Broxson, the Committee on Public Schools was granted an additional 15 days for the consideration of—

| | | | |
|---------|---------|--------|---------|
| SM 111 | SB 160 | SB 185 | SB 711 |
| SCR 112 | SB 183 | SM 194 | SB 791 |
| SCR 130 | SJR 184 | SM 234 | HB 2138 |

On motion by Senator Lane, SB 1242 was withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

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

SB 1225—A bill to be entitled An act relating to housing authorities in counties; amending subsection 2 of section 421.27, Florida Statutes; amending section 421.27 by adding subsection (4) thereto, providing exception to subsection (2) of section 421.27, Florida Statutes; providing an effective date.

—which was read the second time by title. On motion by Senator Deeb, by two-thirds vote SB 1225 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

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

Nays—None

By unanimous consent Senator Graham was recorded as voting yea.

On motion by Senator Bishop, Rule 4.4 was waived and permission was granted to file for introduction and consideration a bill relating to Lake Shore Hospital Authority in Columbia county.

On motion by Senator Bishop, unanimous consent was obtained to introduce out of order—

By Senator Bishop—

SB 1262—A bill to be entitled An act relating to Lake Shore Hospital Authority in Columbia County; amending section 3 of chapter 63-1247, Laws of Florida; providing for seven members of the board of trustees; providing for one member to be a practicing physician at the Lake Shore Hospital; providing no elected public official may serve on the board; providing for quorum; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1262.

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

On motion by Senator Bishop, SB 1262 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics by two-thirds vote and placed on the calendar.

On motion by Senator Bishop, Rule 4.14 requiring 15 minutes' notice was waived and unanimous consent was obtained to take up SB 1262 out of order.

On motions by Senator Bishop, by two-thirds vote, SB 1262 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—36

| | | | |
|---------------|-------------|----------------|-------------|
| Mr. President | Childers | Horne | Reuter |
| Arnold | Daniel | Johnson (29th) | Saunders |
| Barron | Deeb | Johnson (34th) | Sayler |
| Barrow | de la Parte | Karl | Scarborough |
| Beaufort | Ducker | Knopke | Stolzenburg |
| Bell | Gunter | Lane | Ware |
| Bishop | Haverfield | McClain | Weber |
| Brantley | Henderson | Plante | Williams |
| Broxson | Hollahan | Poston | Wilson |

Nays—None

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

On motions by Senator Saunders, Rule 4.4 was waived and permission was granted to file for introduction and consideration, three bills, one relating to the city of Newberry, one to the city of Gainesville and one to local government study commission in Alachua county.

On motion by Senator Saunders, unanimous consent was obtained to introduce out of order—

By Senator Saunders—

SB 1263—A bill to be entitled An act relating to the City of Newberry, Florida, amending Section 8 of Chapter 71-783,

Special Acts of 1971, extending the boundaries of the city; providing that laws of the City shall apply throughout the corporate limits as extended by this act; and providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1263.

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

On motion by Senator Saunders, SB 1263 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics by two-thirds vote and placed on the calendar.

On motion by Senator Saunders, Rule 4.14 requiring fifteen minutes' notice was waived and unanimous consent was obtained to take up SB 1263 out of order.

On motions by Senator Saunders, by two-thirds vote, SB 1263 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—34

| | | | |
|---------------|----------------|----------------|-------------|
| Mr. President | Deeb | Johnson (34th) | Sayler |
| Arnold | de la Parte | Karl | Scarborough |
| Barron | Ducker | Knopke | Stolzenburg |
| Beaufort | Gunter | Lane | Ware |
| Bell | Haverfield | McClain | Weber |
| Brantley | Henderson | Plante | Williams |
| Broxson | Hollahan | Poston | Wilson |
| Childers | Horne | Reuter | |
| Daniel | Johnson (29th) | Saunders | |

Nays—None

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

On motion by Senator Saunders, Rule 4.14 requiring 15 minutes' notice was waived and unanimous consent was obtained to introduce out of order—

By Senator Saunders—

SB 1264—A bill to be entitled An Act relating to the City of Gainesville, Florida, amending Section 17 of Chapter 12760, Laws of Florida, 1927, as amended by Chapter 65-1576, Special Acts of 1965 relating to salaries for members of the City Commission, providing for a referendum, and providing an effective date.

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

On motion by Senator Saunders, SB 1264 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics by two-thirds vote and placed on the calendar.

On motion by Senator Saunders, Rule 4.14 requiring fifteen minutes' notice was waived and unanimous consent was obtained to take up SB 1264 out of order.

On motions by Senator Saunders, by two-thirds vote, SB 1264 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—35

| | | | |
|---------------|-------------|----------------|-------------|
| Mr. President | Childers | Johnson (29th) | Saunders |
| Arnold | Daniel | Johnson (34th) | Sayler |
| Barron | Deeb | Karl | Scarborough |
| Barrow | de la Parte | Knopke | Stolzenburg |
| Beaufort | Ducker | Lane | Ware |
| Bell | Gunter | McClain | Weber |
| Bishop | Haverfield | Plante | Williams |
| Brantley | Henderson | Poston | Wilson |
| Broxson | Hollahan | Reuter | |

Nays—None

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

On motion by Senator Saunders, unanimous consent was obtained to introduce out of order—

By Senator Saunders—

SB 1265—A bill to be entitled An act to establish a local government study commission in Alachua county, Florida, to study the structures, functions and operations of all governmental units and bodies located within the said county, including the county government, municipal governments, public bodies corporate, and all offices, agencies, commissions, boards, authorities and other subdivisions thereof; to determine the need, if any, for consolidation, separation, addition, removal or other revision of such structures, functions and operations; to determine whether tax savings can be made and whether efficiency can be gained through such revision of such local governmental structures, functions and operations: To provide that said commission may draft a plan or plans for any solution of problems disclosed as a result of such study and submit the same to the members of the Florida Legislature from Alachua county; providing the manner of appointment of the chairman and members of such commission and to provide a method of filling vacancies; to provide for the organization and term of such commission, prescribing its duties and powers; to provide for a method for the payment of the expenses of such commission; and to provide an effective date.

Evidence of notice and publication was established by the Senate as to SB 1265.

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

On motion by Senator Saunders, SB 1265 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics by two-thirds vote and placed on the calendar.

On motion by Senator Saunders, Rule 4.14 requiring fifteen minutes' notice was waived and unanimous consent was obtained to take up SB 1265 out of order.

On motions by Senator Saunders, by two-thirds vote, SB 1265 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—35

| | | | |
|---------------|-------------|----------------|-------------|
| Mr. President | Daniel | Johnson (29th) | Saunders |
| Arnold | Deeb | Johnson (34th) | Saylor |
| Barron | de la Parte | Karl | Scarborough |
| Beaufort | Ducker | Knopke | Stolzenburg |
| Bell | Gunter | Lane | Ware |
| Bishop | Haverfield | McClain | Weber |
| Brantley | Henderson | Plante | Williams |
| Broxson | Hollahan | Poston | Wilson |
| Childers | Horne | Reuter | |

Nays—None

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

On motion by Senator Poston, Rule 4.4 was waived and permission was granted to file for introduction and consideration a bill relating to shipment of motor vehicles.

On motion by Senator Poston, unanimous consent was obtained to introduce out of order—

By Senator Poston—

SB 1266—A bill to be entitled An act relating to shipment of motor vehicles; amending §814.07(1)(b) and (d) and (8), as amended by chapter 72-26, Laws of Florida; correcting certain statutory cross references; adding paragraph (c) to subsection (8); providing that violation of subsection (3) by one who is unable to prove that he is the lawful owner of the car or by one who has previously been convicted of violating said subsection shall be a felony of the third degree; providing an effective date.

—which was read the first time by title and referred to the Committee on Transportation.

On motion by Senator Poston, SB 1266 was withdrawn from the Committee on Transportation by two-thirds vote and placed on the calendar.

On motion by Senator Poston, Rule 4.14 requiring fifteen minutes' notice was waived and unanimous consent was obtained to take up SB 1266 out of order.

On motion by Senator Poston, by two-thirds vote, SB 1266 was read the second time by title.

Senator Poston moved that SB 1266 be removed from the calendar and referred to an appropriate committee. The motion was adopted and the bill was referred to the Committee on Judiciary—Criminal.

On motion by Senator Barrow, Rule 4.4 was waived and the Committee on Judiciary—Criminal was granted permission to file for introduction and consideration a bill relating to handguns.

On motion by Senator Barrow, unanimous consent was obtained to introduce out of order—

By the Committee on Judiciary—Criminal—

SB 1267—A bill to be entitled An act relating to handguns; creating §790.26, Florida Statutes, to make unlawful the assembly of handguns from parts manufactured or originating from outside the United States; providing penalties; providing an effective date.

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

MESSAGE FROM THE GOVERNOR

The Governor advised that he had filed in the office of the Secretary of State Senate Bills 131 and 279 which he had approved on March 15, 1972.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas March 15, 1972
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 529.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas March 15, 1972
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 484 SB 736.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The bills contained in the above messages were ordered enrolled.

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment to House amendment 2 and passed as further amended SB 347.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The bill contained in the above message was ordered engrossed.

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

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

CS for HB 316

CS for HB 2861

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives Harris, Fortune, Turlington, Tyrrell, Redman, Gustafson, Ogden and Savage as a Conference Committee on SB 1154.

Representatives Sessums and Holloway have been appointed alternates.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

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

By the Committee on Judiciary—Criminal—

SB 24—A bill to be entitled An act relating to carrying of concealed firearms by law enforcement officers; providing that full-time police officers, Florida highway patrolmen, agents of the Florida department of law enforcement and sheriffs' deputies may carry a concealed firearm, on or about their persons, during off-duty hours with the approval of their superior officers; providing for filing said approval by the superior officers; providing an effective date.

Which amendment reads as follows:

On page 1, line 21, after the word "patrolmen" insert the following: , agents of the Florida department of law enforcement,

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Plante, the Senate concurred in the House amendment to SB 24.

SB 24 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—31

| | | | |
|----------|----------------|----------|-------------|
| Arnold | Graham | Lane | Scarborough |
| Barron | Gunter | McClain | Stolzenburg |
| Beaufort | Henderson | Myers | Trask |
| Bell | Hollahan | Plante | Ware |
| Brantley | Horne | Poston | Weissenborn |
| Daniel | Johnson (34th) | Reuter | Williams |
| Deeb | Karl | Saunders | Wilson |
| Ducker | Knopke | Sayler | |

Nays—5

| | | | |
|---------------|----------|-------------|--------------|
| Mr. President | Childers | de la Parte | Lewis (33rd) |
| Bishop | | | |

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

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

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

By Senators Hollahan and Broxson—

SB 595—A bill to be entitled An act relating to fees charged by sheriffs; amending Chapter 30, Florida Statutes, by directing sheriffs to charge fixed, nonrefundable fees for certain service of process, witness subpoenas and writs of execution; repealing certain sections of Chapter 30, Florida Statutes, and all general and special laws in conflict herewith; providing an effective date.

Amendment 1

On page 3, line 6, strike "June" and insert the following: July

Amendment 2

On page 1, line 28, and on page 2, lines 4 and 5, strike "subpoenas" and insert the following: subpoenas

Amendment 3

In the title, line 5, strike "Chapter 30" and insert the following: section 30.231 and in the title, lines 11 and 12, strike "certain sections of Chapter 30, Florida Statutes" and insert the following: sections 30.23 and 30.45, Florida Statutes, relating to fees of sheriffs and constables and in the title, lines 9 and 10, strike "subpoenas" and insert the following: subpoenas

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Hollahan, the Senate concurred in House amendments 1, 2 and 3 to SB 595.

SB 595 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—34

| | | | |
|---------------|-------------|----------------|-------------|
| Mr. President | Daniel | Johnson (29th) | Sayler |
| Arnold | Deeb | Johnson (34th) | Scarborough |
| Barron | de la Parte | Knopke | Stolzenburg |
| Beaufort | Ducker | Lane | Trask |
| Bell | Graham | McClain | Ware |
| Bishop | Gunter | Myers | Weissenborn |
| Boyd | Henderson | Plante | Wilson |
| Brantley | Hollahan | Poston | |
| Childers | Horne | Reuter | |

Nays—None

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

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

*The Honorable Jerry Thomas
President of the Senate*

March 3, 1972

*The Honorable Jerry Thomas
President of the Senate*

March 15, 1972

Sir:

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

Sir:

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

By Senator Daniel—

By the Committee on Transportation—

SB 311—A bill to be entitled An act relating to the department of general services; amending section 272.161, Florida Statutes, as created by chapter 70-249, laws of Florida; providing penalties for wrongfully parked vehicles; providing for authority to tow away wrongfully parked vehicles; providing an effective date.

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 semitrailers; 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.

Amendment 1

On page 2, line 4, after the period insert the following: (7) If the department charges a fee for parking in any space under its authority, it must charge a fee at not less than actual costs for all spaces under its authority.

Which amendment reads as follows:

Amendment 2

In the title, line 10, after the semi-colon insert the following: providing for parking fees;

On page 13, line 15, strike the period (.) and insert the following: , however, existing statutes shall prevail for the license plates and registration certificates issued beginning July 1, 1973.

Amendment 3

On page 1, strike all of lines 21 through 26, renumber subsequent subsections accordingly.

Amendment 4

In the title, lines 7 and 8, strike "providing penalties for wrongfully parked vehicles;"

—and requests the concurrence of the Senate therein.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

On motion by Senator Daniel, the following substitute amendment for House amendment 1 was adopted:

Amendment 1—On page 1, line 21, insert: (7) The department of general services shall assess uniformly applicable fees on all reserved parking spaces in or around state-owned facilities in the capital center and other facilities under the department's jurisdiction throughout the state; but in no case shall the total number of reserved parking spaces be in excess of 60% of the total number available.

On motion by Senator Daniel, the House was requested to recede from Amendment 1 and concur in the substitute amendment.

On motions by Senator Daniel, the Senate concurred in House amendments 2, 3 and 4 to SB 311.

SB 311 passed as further amended and the action of the Senate was certified to the House. The vote was:

Yeas—38

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | Graham | Lane | Saylor |
| Arnold | Gunter | Lewis (33rd) | Scarborough |
| Beaufort | Haverfield | Lewis (43rd) | Stolzenburg |
| Bell | Henderson | McClain | Trask |
| Boyd | Hollahan | Myers | Ware |
| Brantley | Horne | Ott | Weissenborn |
| Daniel | Johnson (29th) | Plante | Williams |
| Deeb | Johnson (34th) | Poston | Wilson |
| de la Parte | Karl | Reuter | |
| Ducker | Knopke | Saunders | |

Nays—3

| | | |
|--------|--------|----------|
| Barron | Bishop | Childers |
|--------|--------|----------|

Yeas—33

| | | | |
|---------------|----------------|-------------|-------------|
| Mr. President | Gunter | McClain | Trask |
| Barrow | Haverfield | Ott | Ware |
| Beaufort | Henderson | Plante | Weber |
| Bell | Horne | Poston | Weissenborn |
| Boyd | Johnson (29th) | Reuter | Williams |
| Deeb | Johnson (34th) | Saunders | Wilson |
| de la Parte | Knopke | Saylor | |
| Ducker | Lane | Scarborough | |
| Graham | Lewis (33rd) | Stolzenburg | |

Nays—8

| | | | |
|--------|----------|----------|--------------|
| Arnold | Bishop | Childers | Hollahan |
| Barron | Brantley | Daniel | Lewis (43rd) |

By unanimous consent, Senator Broxson was recorded as voting yea and Senator Beaufort changed his vote from yea to nay.

*The Honorable Jerry Thomas
President of the Senate*

March 15, 1972

Sir:

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

By Senator Wilson and others—

SB 1144—A bill to be entitled An act relating to drug abuse; amending §404.02(5) and (9) and §404.07, Florida Statutes, to include cannabis as contraband and as one of the drugs for which possession or obtaining is a crime; providing an effective date.

Amendment 1

On page 1, line 15, strike everything after the enacting clause and insert the following:

Section 1. Subsection (3) of section 404.01, Florida Statutes, is amended to read:

404.01 Definitions.—For the purposes of this chapter:

(3) The words "hallucinogenic drug" mean "*cannabis*" as defined in subsection (12), "lysergic acid" and "lysergic acid amide," "LSD" (lysergic acid diethylamide), "DMT" (dimethyltryptamine), "peyote," "mescaline," "psilocyn," "psilocybin," including their salts and derivatives, or any compounds, mixtures and every substance neither chemically nor physically distinguishable from them, and any and all derivatives of same and any other drug to which the drug abuse laws of the United States apply, and *rivea corymbosa* (*ololiuqui*) when used as a hallucinogen.

Section 2. Subsection (1) of section 404.02, Florida Statutes, is amended to read:

404.02 Prohibited acts.—The following shall be unlawful:

(1) The delivering or causing to be delivered of any barbiturate or central nervous system stimulant, *hallucinogenic drug* or other drug controlled by this chapter, except as provided in section 404.04, unless:

(a) Such barbiturate or central nervous system stimulant is delivered by a pharmacist in good faith, upon a prescription, or an authorized refill thereof, as hereinafter provided, and there is affixed to the original container in which such drug is delivered a label bearing:

1. The name and address of the establishment from which such drug was delivered;

2. The date on which the prescription for such drug was filled;

3. The number of such prescription as filed in the prescription files of the pharmacist who filled such prescription;

4. The name of the pharmacist and his license number;

5. The name of the practitioner who prescribed such drug;

6. The name of the patient, and if such drug was prescribed for an animal a statement showing the species of the animal; and

7. The directions for the use of the drug as contained in the prescription; or

(b) Such barbiturate or central nervous system stimulant is delivered or administered by a practitioner in good faith and in the course of professional practice only, and the original container in which such drug is delivered bears a label on which appears the date of delivery, the directions for use of such drug, the name of such practitioner, the name of the patient, and if such drug is prescribed for an animal a statement showing the species of the animal.

(c) A person to whom or for whose use any drug controlled under the authority of this chapter has been prescribed, sold or dispensed by a physician, dentist, apothecary and the owner of any animal for which any such drug has been prescribed, sold or dispensed by a veterinarian, possesses it only in the container in which it was delivered to him by the person selling or dispensing same.

Section 3. This act shall take effect upon becoming law.

Amendment 2—On page 1 in Title, lines 5—10, strike all of lines 5 through 10 and insert the following: amending section 404.01(3), Florida Statutes, to include cannabis within the definition of hallucinogenic drug; amending section 404.02(1), Florida Statutes, to specifically include hallucinogenic drug in the prohibited act of delivering; providing an effective date.

WHEREAS, there has been called to the attention of the legislature that some confusion has arisen as to the scope of chapter 404, Florida Statutes; and

WHEREAS, said chapter has been interpreted by one lower court of record to exclude the drug cannabis but by other courts as to include same; and

WHEREAS, this legislature, while having no doubt as to its original intent to include said drug, yet wishing to clarify the matter so as to preclude any possible misunderstanding; and

WHEREAS, this legislation is intended solely by way of clarification and explanation, NOW, THEREFORE,

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Wilson, the Senate concurred in House amendments 1 and 2 to SB 1144.

SB 1144 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—37

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

Nays—None

By unanimous consent Senators Broxson, Myers, Daniel and Williams were recorded as voting yea.

The Honorable Jerry Thomas
President of the Senate

March 15, 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 the Committee on Judiciary—Civil A—

SJR 217—A joint resolution proposing an amendment to Section 3 of Article III of the State Constitution to provide that regular sessions of the legislature shall convene annually as provided by law.

Amendment 1

On pages 1 and 2, strike everything after the resolving clause and insert the following:

That the following amendments to Sections 3, 7, and 8 of Article III and the creation of Section 19 of Article III of the State Constitution are agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1972:

SECTION 3. Sessions of the legislature.—

(a) ORGANIZATION SESSIONS. On the fourteenth day following each general election the legislature shall convene for the exclusive purpose of organization and selection of officers.

(b) REGULAR SESSIONS. A regular session of the legislature shall convene on the first Tuesday after the first Monday in April of each odd-numbered year, and on the first Tuesday after the first Monday in April, or such other date as may be fixed by law, of each even-numbered year, annually as provided by law.

(c) SPECIAL SESSIONS.

(1) The governor, by proclamation stating the purpose, may convene the legislature in special session, but may not limit the duration of such session, during which only such legislative

business may be transacted as is within the purview of the proclamation, or of a communication from the governor, or is introduced by consent of two-thirds of the membership of each house.

(2) A special session of the legislature may be convened as provided by law.

~~(d)~~ **LENGTH OF SESSIONS.** A regular session of the legislature shall not exceed sixty consecutive days, and a special session shall not exceed twenty consecutive days, unless extended beyond such limit by a three-fifths vote of each house. During such an extension no new business may be taken up in either house without the consent of two-thirds of its membership.

~~(e)~~(d) **ADJOURNMENT.** Neither house shall adjourn for more than seventy-two consecutive hours except pursuant to concurrent resolution.

~~(f)~~(e) **ADJOURNMENT BY GOVERNOR.** If, during any regular or special session, the two houses cannot agree upon a time for adjournment, the governor may adjourn the session sine die or to any date within the period authorized by law or joint resolution for such session; provided that, at least twenty-four hours before adjourning the session, he shall, while neither house is in recess, give each house formal written notice of his intention to do so, and agreement reached within that period by both houses on a time for adjournment shall prevail.

SECTION 7. Passage of bills.—

(a) Any bill may originate in either house and after passage in one may be amended in the other. It shall be read in each house on three separate days, unless this rule is waived by two-thirds vote. *The first reading may be accomplished by publication in a manner provided by law.* On each reading, it shall be read by title only, unless one-third of the members present desire it read in full. *If first reading is by publication, it shall be published by title.* On final passage, the vote of each member voting shall be entered on the journal. Passage of a bill shall require a majority vote in each house. Each bill and joint resolution passed in both houses shall be signed by the presiding officers of the respective houses and by the secretary of the senate and the clerk of the house of representatives during the session or as soon as practicable after its adjournment sine die.

(b) *Any bill or joint resolution pending in the senate or house of representatives at the final adjournment of a regular session held in an odd-numbered year shall carry over in the same status to the next regular session.*

SECTION 8. Executive approval and veto.—

(a) Every bill passed by the legislature shall be presented to the governor for his approval and shall become a law if he approves and signs it, or fails to veto it within seven consecutive days after presentation. If during that period or on the seventh day the legislature adjourns sine die or takes a recess of more than thirty days, he shall have fifteen consecutive days from the date of presentation to act on the bill. In all cases except general appropriation bills, the veto shall extend to the entire bill. The governor may veto any specific appropriation in a general appropriation bill, but may not veto any qualification or restriction without also vetoing the appropriation to which it relates.

(b) When a bill or any specific appropriation of a general appropriation bill has been vetoed by the governor, he shall transmit his signed objections thereto to the house in which the bill originated if in session. If that house is not in session, he shall file them with the secretary of state, who shall lay them before that house at its next regular or special session, and they shall be entered on its journal. *A vetoed bill or vetoed specific appropriation shall not be considered by the legislature later than the next regular session following the session in which such bill or appropriation was adopted by the legislature.*

(c) If each house shall, by a two-thirds vote, re-enact the bill or reinstate the vetoed specific appropriation of a general appropriation bill, the vote of each member voting shall be entered on the respective journals, and the bill shall become law or the specific appropriation reinstated, the veto notwithstanding.

SECTION 19. Schedule.—

(a) 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 odd-numbered year, and on the first Tuesday after the first Monday in April, of each even numbered year.

(b) Until otherwise provided by law a regular session of the legislature shall not exceed sixty days, and a special session shall not exceed twenty consecutive days, unless extended beyond such limit by a three-fifths vote of each house.

(c) Until otherwise provided by law no special session of the legislature may be convened without due notice to the members of not less than seventy-two (72) hours if the legislature is not then in session or not less than twenty-four (24) hours if the legislature is in session, except in cases of invasion by enemy forces, natural disaster, or comparable emergency.

Amendment 2

In the title, lines 3—8, strike the entire title, and insert the following:

A 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

On motions by Senator Barron, the Senate refused to concur in House amendments 1 and 2 to SJR 217, and the House was requested to recede therefrom. The action of the Senate was certified to the House.

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has recalled from the Governor, has reconsidered, further amended, and passed as further amended—

By Representatives Miers and Earle—

HB 1452—A bill to be entitled An act relating to dentistry, dental hygiene and dental laboratories; amending subsections (1) and (2) of section 466.17, Florida Statutes, providing for an increase in the fee for annual and conditioned renewal of licenses; amending subsection (1) of section 466.08, Florida Statutes, providing a salary range for the executive director of the Florida state board of dentistry; providing an effective date.

Which amendment reads as follows—

On page 3, line 7, strike "and the compensation paid to the executive director shall be in a salary range equal to the compensation paid to the executive director of the board of medical examiners." after the word "board" insert a period. Add the following sentence: *The executive director shall be a graduate of an accredited college of dentistry.*

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Horne, the rules were waived and the Senate immediately reconsidered the vote by which HB 1452, contained in the above message, passed on February 29.

HB 1452 passed as further amended and was certified to the House. The vote was:

Yeas—33

| | | | |
|---------------|----------------|----------------|-------------|
| Mr. President | de la Parte | Johnson (34th) | Sayler |
| Arnold | Ducker | Knopke | Scarborough |
| Barron | Graham | Lane | Stolzenburg |
| Beaufort | Gunter | Lewis (43rd) | Trask |
| Bell | Haverfield | McClain | Ware |
| Bishop | Henderson | Ott | Wilson |
| Boyd | Hollahan | Plante | |
| Brantley | Horne | Poston | |
| Childers | Johnson (29th) | Reuter | |

Nays—1

Lewis (33rd)

By unanimous consent, Senator Lewis (33rd) changed his vote from nay to yea; Senators Daniel, Broxson and Williams were recorded as voting yea.

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

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

By Representatives Miers and Sessums—

HCR 3785—A concurrent resolution commending Sherman S. Winn for his outstanding service to higher education in the State of Florida.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 3785, contained in the above message, was read the first time and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

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

By Representative Harlee—

HB 3045—A bill to be entitled An act relating to the clerks of courts of the state; setting normal hours that the office of clerks of the several courts be open; granting discretionary power to the clerks to set additional hours for opening; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3045, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil A.

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

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

By Representative Harlee and others—

HB 3346—A bill to be entitled An act relating to the Town of Longboat Key, Manatee and Sarasota Counties; authorizing the town to convey, without monetary consideration, three (3) mangrove flats or shallow banks lying and being in Sarasota Bay, known as the Town Islands, to the board of trustees of the internal improvement trust fund; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 3346.

HB 3346, contained in the above message, was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

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

By the Committee on Business Regulation and Representative Shaw—

CS for HB 2875—A bill to be entitled An act relating to copyrighted compositions; amending §543.28(2), Florida Statutes, and creating §543.36, Florida Statutes, to set up additional procedures relating to examination and audit of books and records by the department of banking and finance; excepting certain owners of copyrighted musical works who are governed by certain consensual arrangements from all sections of the chapter, other than §543.28 requiring payment of the 3% gross receipts tax; providing an effective date.

By Representative Sackett—

HB 2913—A bill to be entitled An act relating to maternity and infancy hygiene; amending §§383.08 and 383.09, Florida Statutes; providing that serological tests required to be performed on pregnant women shall include a test to ascertain the Rh factor of the blood; providing an effective date.

By Representative Hector—

HB 3981—A bill to be entitled An act relating to tangible personal property owned by counties, districts, etc.; amending section 274.02, Florida Statutes, by increasing the value of fixtures and other tangible personal property to be identified, marked and inventoried from twenty-five dollars (\$25.00) to one hundred dollars (\$100.00); providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 2875, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 2913, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

HB 3981, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Jerry Thomas March 15, 1972
President of the Senate

Sir:

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

By Representative Tubbs and others—

HCR 4313—A Concurrent Resolution proposing that July 20 be designated "Florida's Moon Exploration Day" in commemoration of Florida's contribution to the successful moon landing by Apollo 11 on July 20, 1969.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 4313, contained in the above message, was read the first time and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Honorable Jerry Thomas March 15, 1972
President of the Senate

Sir:

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

By the Committee on Judiciary and Representative Featherstone—

HB 3996—A bill to be entitled An act relating to conveyances of land; amending Section 689.02, Florida Statutes; providing for a statutory form of warranty deed; providing an effective date.

By the Committee on Judiciary and Representative Cherry—

HB 3997—A bill to be entitled An act relating to acknowledgments; amending section 695.03, Florida Statutes; prescribing the form of acknowledgments; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

House Bills 3996 and 3997, contained in the above message, were read the first time by title and referred to the Committee on Judiciary—Civil A.

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

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

By Representative Shaw—

HB 3434—A bill to be entitled An act relating to motor vehicles; amending §320.60(9), Florida Statutes, which relates to the licensing of manufacturers, distributors and importers of motor vehicles, to include "motorcycles" in the definition of motor vehicle; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3434, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

On motion by Senator Bishop, HB 3434 was withdrawn from the Committee on Transportation by two-thirds vote and placed on the calendar.

On motion by Senator Bishop, Rule 4.14 requiring fifteen minutes' notice was waived and unanimous consent was obtained to take up HB 3434 out of order.

On motions by Senator Bishop, by two-thirds vote, HB 3434 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—34

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | Ducker | Lane | Scarborough |
| Arnold | Graham | Lewis (33rd) | Stolzenburg |
| Beaufort | Gunter | McClain | Trask |
| Bell | Henderson | Myers | Ware |
| Bishop | Hollahan | Ott | Weber |
| Boyd | Horne | Plante | Weissenborn |
| Brantley | Johnson (29th) | Poston | Wilson |
| Childers | Johnson (34th) | Reuter | |
| de la Parte | Knopke | Sayler | |

Nays—None

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

The Honorable Jerry Thomas
President of the Senate

March 15, 1972

Sir:

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

By Representative Reeves—

HB 218—A bill to be entitled An act relating to periodic re-examination of drivers; amending section 322.121(5), Florida Statutes, to exempt certain licensees who are otherwise subject to a required medical examination from such reexamination; providing an effective date.

By the Committee on Agriculture & Citrus and Representative Burke—

HB 605—A bill to be entitled An act relating to permits to operate motor vehicles for hire; adding subsection (7) to §323.05, Florida Statutes, to include for hire transportation of shell eggs and poultry in the provisions for such permits; providing an effective date.

By the Committee on Judiciary and Representative Crabtree—

HB 3992—A bill to be entitled An act relating to probate procedure; creating Section 733.225, Florida Statutes; specifying that court orders are not required for sales made pursuant to a general power to sell contained in a will and that the sales need not be justified by any necessity; validating sales heretofore made under a general power of sale contained in a will; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 218, contained in the above message, was read the first time by title and referred to the Committees on Transportation and Commerce.

HB 605, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 3992, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

The Honorable Jerry Thomas March 16, 1972
President of the Senate

Sir:

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives Tucker, Baumgartner, Fleece, Earle, Santora, MacKay and Martinez as a Conference Committee on CS for HB 2008.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The President announced the appointment of Senators Barrow and Saylor as two additional members of the conference committee on CS for HB 2008.

SPECIAL ORDER

HJR 2835—A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution; providing that the revision or amendment of any portion of the Constitution on one subject may be proposed by initiative of the people and providing procedure with respect thereto.

—was read the second time.

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

Amendment 1—On page 1, line 24, strike “properly” and insert: directly

On motion by Senator Gunter, by two-thirds vote **HJR 2835** as amended was read the third time in full as follows:

HJR 2835—A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution; providing that the revision or amendment of any portion of the Constitution on one subject may be proposed by initiative of the people and providing procedure with respect thereto.

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

That the amendment to Section 3 of Article XI of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 1972.

SECTION 3. Initiative.—The power to propose *the revision or amendment of any portion or portions* ~~amendments to any section~~ of this constitution by initiative is reserved to the people, *provided that, any such revision or amendment shall*

embrace but one subject and matter directly connected therewith. It may be invoked by filing with the secretary of state a petition containing a copy of the proposed *revision or amendment*, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen.

—and passed as amended with the required constitutional three-fifths vote of the membership and was certified to the House. The Secretary called the roll and the vote was:

Yeas—31

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | de la Parte | Knopke | Saylor |
| Arnold | Graham | Lane | Scarborough |
| Barrow | Gunter | Lewis (43rd) | Stolzenburg |
| Beaufort | Haverfield | McClain | Trask |
| Bell | Hollahan | Myers | Ware |
| Bishop | Horne | Plante | Weissenborn |
| Brantley | Johnson (29th) | Poston | Wilson |
| Childers | Karl | Reuter | |

Nays—9

| | | | |
|--------|----------------|-------|----------|
| Boyd | Henderson | Ott | Williams |
| Daniel | Johnson (34th) | Weber | |
| Ducker | Lewis (33rd) | | |

By unanimous consent Senators Broxson, Gong and Saunders were recorded as voting yea; Senator Lewis (33rd) changed his vote from nay to yea.

HB 1597—A bill to be entitled An act relating to weights and measures; creating §§531.36 through 531.54, Florida Statutes; providing definitions; providing for a system of weights and measures and for primary and secondary standards of weights and measures; providing for enforcement by the department of agriculture and consumer services and providing the powers and duties of the department relating thereto; providing special police powers of the department and providing penalties; providing requirements for labeling and pricing standards of commodities; providing penalties; providing for injunction; providing for salaries and expenses of enforcement; repealing §§531.01 through 531.34, Florida Statutes, relating to weights, measures and standards, and regulations with respect thereto; providing an effective date.

—was read the second time by title.

Senator Wilson presiding.

On motion by Senator Weissenborn the following amendment was adopted:

Amendment 1—On page 8, line 1, insert the following: 531-421 Powers and duties of local officials.—Any weights and measures official appointed for a county or city shall have the duties enumerated in subsections (9) through (13) of section 531.41 and the powers enumerated in section 531.42 of this act. These powers and duties shall extend to their respective jurisdictions, except that the jurisdiction of a county official shall not extend to any city for which a weights and measures official has been appointed.

On motion by Senator Weissenborn the following title amendment was adopted:

Amendment 2—On page 1, line 14, insert: after the word “penalties,”: providing for the powers and duties of local officials;

On motion by Senator Bishop, by two-thirds vote **HB 1597** as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

| | | | |
|---------------|----------|-------------|------------|
| Mr. President | Boyd | Daniel | Graham |
| Arnold | Brantley | de la Parte | Haverfield |
| Bell | Broxson | Ducker | Henderson |
| Bishop | Childers | Gong | Hollahan |

| | | | |
|----------------|--------------|-------------|-------------|
| Horne | Lewis (43rd) | Reuter | Weber |
| Johnson (29th) | McClain | Sayler | Weissenborn |
| Johnson (34th) | Myers | Scarborough | Williams |
| Knopke | Ott | Stolzenburg | |
| Lane | Plante | Trask | |
| Lewis (33rd) | Poston | Ware | |

Nays—None

By unanimous consent Senator Barrow was recorded as voting yea.

SB 983—A bill to be entitled An act relating to the legislature; amending §11.145, Florida Statutes, creating §11.1465, Florida Statutes, amending §11.147, Florida Statutes, as amended by chapter 71-329, Laws of Florida, amending and consolidating §§11.148, 11.1481 and 11.24, Florida Statutes, amending §§11.23, 11.241, 11.242 (as amended by chapters 70-169, 70-439 and 71-355, Laws of Florida), 11.243 (as amended by chapters 70-245, 70-439 and 71-355, Laws of Florida), 11.246(2)(a), (b) and (e) (as amended by chapter 70-245, Laws of Florida), and 11.30(10), and repealing §§11.146 (as amended by chapter 71-332, Laws of Florida), 11.1485, 11.19, 11.20, 11.22 (as amended by chapter 71-355, Laws of Florida), 11.244 and 11.27, all Florida Statutes relating to legislative services, procedures and staffing; specifying the functions of the joint legislative management committee; abolishing the legislative service bureau and deleting references thereto; deleting all references to specific divisions of the committee and providing that the committee may organize such divisions as it may deem necessary; providing for an executive director of the committee; specifying services to be provided by the house of representatives and senate to their respective members and committees; abolishing the legislative printing committee, deleting references thereto, and vesting its powers and duties in the joint legislative management committee; deleting references to the legislative drafting service; retaining the present statutory revision plan and deleting references to the statutory revision service as an explicitly established unit; amending §§13.01(2) and 13.10(4), Florida Statutes, relating to the joint legislative committee on interstate cooperation and to the commissioners for the promotion of uniformity of legislation in the United States, to provide that the executive director of the joint legislative management committee shall assume duties formerly assigned to the director of the legislative service bureau and the director of the legislative drafting and statutory revision service; amending §12, chapter 70-200, Laws of Florida, appearing as §163-561, Florida Statutes, 1971 Supplement, relating to continuing salary and retirement studies by police standards council, to delete reference to legislative service bureau; creating §283.045, Florida Statutes, and amending §§283.05, 283.06(1), (2) and (4), 283.07(1), 283.08, 283.10(1) (as amended by chapter 71-377, Laws of Florida), 283.12, 283.20 (as amended by chapter 70-157, Laws of Florida), 283.205 (as amended by chapter 70-157, Laws of Florida), and 283.25 (as amended by chapters 70-76, 70-157, and 70-439, Laws of Florida), all Florida Statutes, relating to public printing, to assign all functions of the legislative printing committee to the joint legislative management committee; amending §5(1) and (5), chapter 70-259, Laws of Florida, appearing as §370.0211(5)(a) and (e), Florida Statutes, 1970 Supplement, relating to the coastal coordinating council, to delete references to legislative service bureau; providing an effective date.

—was read the second time by title.

On motion by Senator Horne the following amendment was adopted:

Amendment 1—On page 26, strike all of lines 23 through 29 and insert: (6) (7)(a) To award contracts from time to time for setting type, meshing existing type, editorial work in preparation of copy and other necessary material, and for printing and binding; to pay expenses only of members of revision committees appointed by the joint committee to assist in revision of whole titles or

On motion by Senator Hollahan, by two-thirds vote SB 983 as amended was read the third time by title, passed and ordered certified to the House immediately, by waiver of the rule, after engrossing.

The vote was:

Yeas—39

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

Nays—1

Boyd

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

SB 682—A bill to be entitled An act creating the Florida condominium commission; providing for eighteen (18) members and the method of appointment thereof; providing for the duties and responsibilities of said commission; providing for public hearings; providing an appropriation; providing an effective date.

—was read the second time by title. On motion by Senator Weissenborn by two-thirds vote SB 682 was read the third time by title, passed and ordered certified to the House immediately, by waiver of the rule. The vote was:

Yeas—36

| | | | |
|---------------|------------|----------------|-------------|
| Mr. President | Childers | Johnson (29th) | Reuter |
| Arnold | Daniel | Johnson (34th) | Sayler |
| Barrow | Ducker | Knopke | Scarborough |
| Beaufort | Gong | Lane | Stolzenburg |
| Bell | Graham | Lewis (33rd) | Trask |
| Bishop | Haverfield | Lewis (43rd) | Ware |
| Boyd | Henderson | McClain | Weber |
| Brantley | Hollahan | Myers | Weissenborn |
| Broxson | Horne | Poston | Wilson |

Nays—1

Plante

By unanimous consent Senators Gunter, Barron and Williams were recorded as voting yea.

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

HB 1597—A bill to be entitled An act relating to weights and measures; creating §§531.36 through 531.54, Florida Statutes; providing definitions; providing for a system of weights and measures and for primary and secondary standards of weights and measures; providing for enforcement by the department of agriculture and consumer services and providing the powers and duties of the department relating thereto; providing special police powers of the department and providing penalties; providing requirements for labeling and pricing standards of commodities; providing penalties; providing for injunction; providing for salaries and expenses of enforcement; repealing §§531.01 through 531.34, Florida Statutes, relating to weights, measures and standards, and regulations with respect thereto; providing an effective date.

—as amended passed this day.

On motion by Senator Plante, by two-thirds vote, the Senate reconsidered the vote by which HB 1597 was placed on third reading.

On motion by Senator Plante, the Senate reconsidered the vote by which amendment 1 was adopted.

Senators Weissenborn and Plante offered the following amendment to Amendment 1 which was adopted on motion by Senator Plante:

Amendment 1a—Line 2 strike "shall have" and insert: may exercise in cooperation with the state

Amendment 1 as amended was adopted.

On motion by Senator Plante, HB 1597 as further amended was read by title, passed and certified to the House. The vote was:

Yeas—33

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | Graham | Lewis (33rd) | Trask |
| Barrow | Gunter | Lewis (43rd) | Ware |
| Beaufort | Haverfield | McClain | Weber |
| Bell | Henderson | Myers | Weissenborn |
| Bishop | Horne | Ott | Williams |
| Broxson | Johnson (29th) | Plante | Wilson |
| Childers | Johnson (34th) | Poston | |
| Ducker | Knopke | Reuter | |
| Gong | Lane | Saylor | |

Nays—None

By unanimous consent Senators Brantley, Arnold and Daniel were recorded as voting yea.

SB 1071 was taken up, together with:

By the Committee on Ways and Means—

CS for CS for SB 1071—A bill to be entitled An act relating to state retirement systems; merging chapter 123, Florida Statutes, commonly referred to as the judicial retirement system, into chapter 121, Florida Statutes, known as the Florida retirement system act; providing that any judicial officer taking office on or after July 1, 1972, shall not be eligible for membership in the judicial retirement system; providing that present members of the judicial retirement system may transfer to the Florida retirement system; providing that judicial members of the Florida retirement system are subject to article V of the state constitution; providing that the Florida retirement system assume the responsibilities for liability, administration and benefit payments of the judicial retirement system; providing for the transfer of all assets of the judicial retirement system to the Florida retirement system; establishing a new membership class within the Florida retirement system to be known as "elected state officers class"; providing compulsory participation in such class for certain state officers; providing for transfer to the new class, providing social security coverage; establishing contribution rates and procedures for determining normal retirement benefits and other benefits; providing for administration; providing an annual appropriation from the general revenue fund, the system trust fund and the social security trust fund for the purposes of this act; providing an effective date.

—which was read the first time by title and SB 1071 was laid on the table.

On motions by Senator Trask, by two-thirds vote, CS for CS for SB 1071 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 | Gong | Lewis (33rd) | Stolzenburg |
| Arnold | Graham | Lewis (43rd) | Trask |
| Beaufort | Gunter | McClain | Ware |
| Bell | Haverfield | Myers | Weber |
| Bishop | Henderson | Ott | Weissenborn |
| Brantley | Hollahan | Plante | Williams |
| Broxson | Horne | Poston | Wilson |
| Childers | Johnson (29th) | Reuter | |
| Daniel | Johnson (34th) | Saylor | |
| Ducker | Knopke | Scarborough | |

Nays—None

By unanimous consent, Senators Daniel, Childers, Broxson and Williams changed their votes from yea to nay; Senator Lane was recorded as voting yea.

SB 634—A bill to be entitled An act relating to corporations and other entities required to pay a tax on net income; amend-

ing §608.32(1), Florida Statutes, as amended by chapters 71-359 and 71-979, Laws of Florida, appearing as §608.3205(1), Florida Statutes, 1971 Addendum; amendnig §608.332, Florida Statutes, as created by chapter 71-359, and amended by chapter 71-979, all Laws of Florida; amending §§608.34 and 608.35, Florida Statutes, as created by chapter 71-979, Laws of Florida; amending §§608.36(1) and 608.37(4), Florida Statutes, as amended by chapter 71-979, Laws of Florida; amending §608.37(1) and (2), as amended by chapters 71-114 and 71-979, Laws of Florida; providing a change in the name of the privilege tax to the annual report filing fee; providing an effective date.

—was read the second time by title. On motion by Senator Brantley, by two-thirds vote SB 634 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | Gong | Karl | Poston |
| Arnold | Graham | Knopke | Reuter |
| Beaufort | Gunter | Lane | Saylor |
| Bell | Haverfield | Lewis (33rd) | Scarborough |
| Bishop | Henderson | Lewis (43rd) | Stolzenburg |
| Brantley | Hollahan | McClain | Trask |
| Broxson | Horne | Myers | Ware |
| Daniel | Johnson (29th) | Ott | Weber |
| Ducker | Johnson (34th) | Plante | Williams |

Nays—None

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

Senator Graham presiding.

HB 1691—A bill to be entitled An act relating to the Florida Optometric law, amending Subsection (5) of Section 463.11, Florida Statutes, providing for branch offices, providing standards for and regulating their establishment, providing an effective date.

—was read the second time by title.

Senator Wilson moved the adoption of the following amendment:

Amendment 1—

On page 1, lines 27—28 strike "may establish a single branch office for each two optometrists" an insert: may establish a branch office for each such practicing optometrist in excess of two

The amendment failed by the following vote:

Yeas—12

| | | | |
|--------|------------|----------------|----------|
| Bishop | Graham | Johnson (34th) | Ware |
| Deeb | Haverfield | Plante | Williams |
| Ducker | Henderson | Reuter | Wilson |

Nays—20

| | | | |
|----------|----------------|--------------|-------------|
| Bell | Gong | Lane | Poston |
| Brantley | Hollahan | Lewis (33rd) | Scarborough |
| Broxson | Horne | Lewis (43rd) | Stolzenburg |
| Childers | Johnson (29th) | Myers | Weber |
| Daniel | Karl | Ott | Weissenborn |

On motion by Senator Karl, by two-thirds vote HB 1691 was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

| | | | |
|---------------|----------------|----------------|-------------|
| Mr. President | Daniel | Johnson (34th) | Plante |
| Arnold | Ducker | Karl | Poston |
| Beaufort | Gong | Knopke | Scarborough |
| Bell | Graham | Lane | Weissenborn |
| Bishop | Haverfield | Lewis (33rd) | Wilson |
| Brantley | Hollahan | Lewis (43rd) | |
| Broxson | Horne | McClain | |
| Childers | Johnson (29th) | Ott | |

Nays—6

| | | | |
|--------|--------|------|----------|
| Deeb | Reuter | Ware | Williams |
| Gunter | Saylor | | |

Senator Plante moved that the Senate reconsider the vote by which HB 1691 passed.

A substitute motion by Senator Brantley that the Senate do now reconsider the vote by which HB 1691 passed was adopted by the following vote:

Yeas—24

| | | | |
|----------|------------|----------------|--------------|
| Arnold | Daniel | Johnson (29th) | Lewis (43rd) |
| Beaufort | Gong | Johnson (34th) | Myers |
| Bell | Graham | Karl | Ott |
| Brantley | Haverfield | Knopke | Poston |
| Broxson | Henderson | Lane | Scarborough |
| Childers | Hollahan | Lewis (33rd) | Weissenborn |

Nays—9

| | | | |
|--------|----------|----------|--------|
| Deeb | Plante | Ware | Wilson |
| Ducker | Reuter | Williams | |
| Gunter | Saunders | | |

Senator Ware presiding.

Senator Lewis (33rd) moved that the Senate reconsider the vote by which HB 1691 was read the third time. The motion failed by the following vote:

Yeas—14

| | | | |
|---------------|----------------|----------|----------|
| Mr. President | Henderson | Plante | Williams |
| Deeb | Johnson (29th) | Reuter | Wilson |
| Ducker | Johnson (34th) | Saunders | |
| Gunter | Lewis (33rd) | Saylor | |

Nays—24

| | | | |
|----------|------------|--------------|-------------|
| Arnold | Childers | Karl | Ott |
| Barrow | Daniel | Knopke | Poston |
| Beaufort | Gong | Lane | Scarborough |
| Bell | Haverfield | Lewis (43rd) | Stolzenburg |
| Brantley | Hollahan | McClain | Weber |
| Broxson | Horne | Myers | Weissenborn |

The President presiding.

On motion by Senator Karl, HB 1691 was read by title, passed and certified to the House. The vote was:

Yeas—30

| | | | |
|----------|------------|----------------|-------------|
| Arnold | Ducker | Johnson (29th) | Ott |
| Barrow | Gong | Johnson (34th) | Poston |
| Beaufort | Graham | Karl | Scarborough |
| Bell | Gunter | Knopke | Stolzenburg |
| Brantley | Haverfield | Lane | Weber |
| Broxson | Henderson | Lewis (43rd) | Weissenborn |
| Childers | Hollahan | McClain | |
| Daniel | Horne | Myers | |

Nays—9

| | | | |
|--------------|----------|----------|--------|
| Deeb | Reuter | Ware | Wilson |
| Lewis (33rd) | Saunders | Williams | |
| Plante | Saylor | | |

By unanimous consent Senator Thomas was recorded as voting yea.

SB 579—A bill to be entitled An act relating to pari-mutuel racing and jai alai; amending section 550.035(2), Florida Statutes, creating the Bicentennial Commemoration Trust Fund, deleting the provision that the total proceeds cannot exceed the amount of \$350,000 in any year to be appropriated to the state bicentennial commission for the purpose of carrying out its statutory duties; providing an effective date.

—was read the second time by title. On motion by Senator Hollahan, by two-thirds vote SB 579 was read the third time by title, passed and certified to the House immediately by waiver of the rule. The vote was:

Yeas—30

| | | | |
|---------------|------------|----------------|-------------|
| Mr. President | Deeb | Johnson (29th) | Poston |
| Barrow | Ducker | Karl | Reuter |
| Bell | Gong | Knopke | Saylor |
| Bishop | Graham | Lane | Scarborough |
| Brantley | Haverfield | Lewis (33rd) | Weissenborn |
| Broxson | Henderson | Lewis (43rd) | Wilson |
| Childers | Hollahan | Myers | |
| Daniel | Horne | Plante | |

Nays—None

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

Co-introducer

By permission Senator Poston was recorded as a co-introducer of SB 579.

SB 220—A bill to be entitled An act relating to the official state flag; amending section 256.031, Florida Statutes, to provide secretary of state authority to disburse limited amount of said flags; providing an effective date.

—was read the second time by title.

On motion by Senator Haverfield the following amendment was adopted:

Amendment 1—

On page 1, strike all of lines 15—29 and insert: (1)(a) The department of state is the custodian of the official state flag and, for the purpose of assisting schools, governmental agencies, and other groups and organizations in the care, handling and history of the state flag, including all flags that have flown over any part of the state of Florida by those sovereigns to which Florida has belonged, the department is hereby authorized to present, at no cost to such schools, governmental agencies, or other groups and organizations, flags and printed material giving information in the care, handling and history of such flags, up to an annual cost of \$15,000.

On motion by Senator Haverfield the following amendment was adopted:

Amendment 2—

On page 2, strike all of lines 2—12 and insert: (1)(b) The department is authorized to buy and sell flags and to establish a trust fund designated as the "flag trust fund" in which monies received from the sale of flags will be placed. The monies in the "flag trust fund" are to be used for the purchase of flags and printed material giving information in the care, handling and history of flags.

(2) The department of state may also furnish official flags, plaques and proclamations for state functions and ceremonies up to an annual cost of \$2000.

On motion by Senator Haverfield the following amendment was adopted:

Amendment 3—

On page 2, strike all of lines 13 and 14 and insert: Section 2. Each flag so presented, shall carry note indicating the following: "This flag is being presented to you courtesy of the people of Florida" and no other name."

Section 3. This act shall take effect upon becoming a law.

On motion by Senator Haverfield the following title amendment was adopted:

Amendment 4—

On page 1, line 8 strike “; providing an effective date.” and insert: and to furnish certain plaques and proclamations; providing an effective date.

On motion by Senator Hollahan, SB 676 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:01 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—43:

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

On motion by Senator Lewis (43rd), SR 1237 was withdrawn from the Committee on Judiciary—Civil A by two-thirds vote and placed on the calendar.

On motion by Senator Lewis (43rd), unanimous consent was obtained to take up out of order—

SR 1237—A resolution urging the President and the Attorney General of the United States to take action to permit Cuban refugees living in other countries to enter the United States.

WHEREAS, more than one-half million Cubans have fled their native land since the Castro takeover, and most of the Cuban refugees have emigrated to the United States with the vast majority settling in Florida, and

WHEREAS, many thousands of Cuban refugees have been forced to go into exile in other countries such as Spain and Mexico where approximately thirty thousand of them await entry to the United States to be reunited with their families and relatives living here, but only limited numbers of Cubans are being permitted to enter the United States annually, and

WHEREAS, Cubans here must also suffer the terrible separation from their loved ones whom they desperately need to join them, and

WHEREAS, immigration quotas have been eased in the past when people were fleeing from oppression, and the United States has always been committed to the concepts of freedom and justice, NOW, THEREFORE,

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

That the President and the Attorney General of the United States are hereby notified of the great interest and concern felt by the members of the Florida Senate for the plight of Cuban refugees living in other countries who wish to join their families in this country and they are hereby urged to take immediate action to ease limitations to permit these refugees to enter the United States.

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the President and the Attorney General of the United States.

—which was read the second time in full. On motion by Senator Lewis (43rd), SR 1237 was unanimously adopted.

The Senate resumed—

SPECIAL ORDER

SB 220—A bill to be entitled An act relating to the official state flag; amending section 256.031, Florida Statutes, to pro-

vide secretary of state authority to disburse limited amount of said flags; providing an effective date.

—as amended was taken up.

On motion by Senator McClain the following amendment was adopted:

Amendment 5—On page 2, line 13 add a subsection (d) to Section 1. and insert: (d) The department shall file an itemized annual report with the state auditor showing the recipients of said flags and printed material, and all deposits into, sources of deposits, including the names of any private donors, and disbursements from the “flag trust fund.”

On motion by Senator McClain the following amendment was adopted:

Amendment 6—On page 1, line 8, insert after the word “flags;”: to provide for an annual report;

SB 605—An Act relating to taxation, amending chapter 196.27, Florida Statutes, to grant to state chartered credit unions the same immunity for state and local taxation that federal credit unions have from time to time under the statutes of the United States and making the exemption granted herein retroactive to June 30, 1971; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 3 insert: A bill to be entitled

On motion by Senator Daniel, by two-thirds vote SB 605 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—32

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | Ducker | Karl | Reuter |
| Arnold | Graham | Knopke | Saylor |
| Beaufort | Gunter | Lane | Scarborough |
| Bell | Haverfield | Lewis (33rd) | Stolzenburg |
| Bishop | Henderson | McClain | Ware |
| Brantley | Hollahan | Ott | Weber |
| Childers | Johnson (29th) | Plante | Williams |
| Daniel | Johnson (34th) | Poston | Wilson |

Nays—None

By unanimous consent Senators Lewis (43rd), Weissenborn and Barrow were recorded as voting yea.

SB 646 was taken up and on motion by Senator Karl—

HB 3460—A bill to be entitled An act relating to insurance; adding a new section to part VI of chapter 627, Florida Statutes; requiring that every disability policy delivered subsequent to August 1, 1972, providing hospital, medical or surgical coverage for additional newborn children provide coverage for such newborn children, to the extent provided in the policy, for congenital anomalies from the moment of birth; providing an effective date.

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

The Committee on Commerce offered the following amendment which was moved by Senator Karl and failed:

Amendment 1—On page 1, line 28 insert a new Section 1, paragraph (2) and renumber subsequent paragraphs. The new Section 1, paragraph (2) to read as follows: (2) any policyholder who does not desire the coverage provided for in this section must sign a waiver slip, on a form approved by the department, indicating that he knows of the coverage offered and does not desire to receive it.

The Committee on Commerce offered the following amendment which was moved by Senator Karl and failed:

Amendment 2—On page 1, line 14 after the word “birth” insert: providing for a waiver of said provision

On motion by Senator Karl, by two-thirds vote HB 3460 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | Deeb | Karl | Saunders |
| Arnold | Ducker | Knopke | Scarborough |
| Beaufort | Graham | Lane | Stolzenburg |
| Bell | Gunter | Lewis (43rd) | Ware |
| Bishop | Haverfield | McClain | Weissenborn |
| Brantley | Henderson | Myers | Williams |
| Broxson | Hollahan | Plante | Wilson |
| Childers | Johnson (29th) | Poston | |
| Daniel | Johnson (34th) | Reuter | |

Nays—1

Sayler

SB 646 was laid on the table.

Senator de la Parte was recorded present.

The Senate resumed consideration of—

SB 220—A bill to be entitled An act relating to the official state flag; amending section 256.031, Florida Statutes, to provide secretary of state authority to disburse limited amount of said flags; providing an effective date.

Senator Beaufort moved that the Senate reconsider the vote by which Amendment 5 was adopted this day. The motion was adopted by the following vote:

Yeas—19

| | | | |
|----------|-------------|----------------|-------------|
| Arnold | Childers | Hollahan | Plante |
| Beaufort | Daniel | Johnson (34th) | Saunders |
| Bishop | de la Parte | Knopke | Scarborough |
| Brantley | Gunter | Lewis (33rd) | Williams |
| Broxson | Haverfield | Lewis (43rd) | |

Nays—14

| | | | |
|---------------|----------------|-------------|--------|
| Mr. President | Graham | McClain | Ware |
| Bell | Henderson | Reuter | Wilson |
| Deeb | Johnson (29th) | Sayler | |
| Ducker | Lane | Stolzenburg | |

Senator Lewis (33rd) presiding.

Amendment 5 failed by the following vote:

Yeas—12

| | | | |
|-----------|----------------|--------------|-------------|
| Bell | Johnson (29th) | Lewis (33rd) | Stolzenburg |
| Ducker | Johnson (34th) | McClain | Ware |
| Henderson | Lane | Reuter | Weber |

Nays—19

| | | | |
|-------------|------------|--------------|-------------|
| Bishop | Gong | Horne | Scarborough |
| Brantley | Graham | Knopke | Weissenborn |
| Childers | Gunter | Lewis (43rd) | Williams |
| Daniel | Haverfield | Plante | Wilson |
| de la Parte | Hollahan | Saunders | |

Senator Trask was recorded present.

The President presiding.

On motion by Senator Haverfield, the Senate reconsidered the vote by which amendment 6 was adopted this day. Amendment 6 failed.

On motion by Senator Haverfield, by two-thirds vote SB 220 was read the third time by title as amended, passed and ordered engrossed. The vote was:

Yeas—35

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | Ducker | Knopke | Scarborough |
| Arnold | Gong | Lane | Stolzenburg |
| Barrow | Gunter | Lewis (33rd) | Trask |
| Beaufort | Haverfield | Lewis (43rd) | Ware |
| Bishop | Henderson | McClain | Weber |
| Brantley | Hollahan | Plante | Weissenborn |
| Childers | Horne | Reuter | Williams |
| Daniel | Johnson (29th) | Saunders | Wilson |
| de la Parte | Johnson (34th) | Sayler | |

Nays—1

Bell

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

SB 910—A bill to be entitled An act making supplemental appropriations to the 1971 general appropriations act to provide monies for the minimum foundation program for community colleges and county school sales tax fund for community colleges; providing an effective date.

—was read the second time by title. On motion by Senator Williams, by two-thirds vote SB 910 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | Daniel | Knopke | Scarborough |
| Arnold | Ducker | Lane | Stolzenburg |
| Barrow | Gong | Lewis (33rd) | Trask |
| Beaufort | Gunter | Lewis (43rd) | Ware |
| Bell | Haverfield | McClain | Weber |
| Bishop | Henderson | Plante | Weissenborn |
| Brantley | Hollahan | Poston | Williams |
| Broxson | Johnson (29th) | Reuter | Wilson |
| Childers | Johnson (34th) | Sayler | |

Nays—None

By unanimous consent Senator Graham was recorded as voting yea.

SB 858—A bill to be entitled An act relating to the department of revenue; amending §20.21(2), Florida Statutes, to establish five divisions within the department; providing an effective date.

—was read the second time by title. On motion by Senator Daniel, by two-thirds vote SB 858 was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

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

Nays—None

By unanimous consent Senator Williams was recorded as voting yea.

SB 860—A bill to be entitled An act relating to disposition of unclaimed property; amending subsection (1) of §717.18, Florida Statutes, to authorize the department of banking and finance to withhold from sale abandoned property which is deemed to be of benefit to the people of this state; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 860 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

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

Nays—None

By unanimous consent Senator Williams was recorded as voting yea.

SB 836—A bill to be entitled An act relating to appropriations; amending section 32 of chapter 71-357, Laws of Florida, by deleting the requirement that all unencumbered moneys in excess of \$200,000.00 be transferred to general revenue.

—was read the second time by title. On motion by Senator Gunter, by two-thirds vote SB 836 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

| | | | |
|---------------|-------------|----------------|-------------|
| Mr. President | Daniel | Hollahan | Reuter |
| Arnold | Deeb | Johnson (29th) | Saunders |
| Barrow | de la Parte | Johnson (34th) | Sayler |
| Beaufort | Ducker | Knopke | Scarborough |
| Bell | Gong | Lane | Stolzenburg |
| Bishop | Graham | Lewis (43rd) | Trask |
| Brantley | Gunter | McClain | Ware |
| Broxson | Haverfield | Plante | Weber |
| Childers | Henderson | Poston | Weissenborn |

Nays—None

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

SB 977—A bill to be entitled An act relating to the department of banking and finance; adding subsection (4) to section 20.12, Florida Statutes, to create a department of banking and finance regulatory trust fund; amending sections 494.04(5), 516.03(2), 519.07(2), 520.03(3), 520.05(1), 520.32(2), 520.52(2), 520.55(1), 520.65(9), 520.96(2), 543.34, 559.04(2)(d), 657.06(3)(b), and adding new section 559.52 to provide that all revenue derived from the administration of said chapters shall be deposited in the state treasury and credited to the regulatory trust fund created herein; providing an effective date.

—was read the second time by title. On motion by Senator Gunter, by two-thirds vote SB 977 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

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

Nays—None

By unanimous consent Senator Williams was recorded as voting yea.

SB 878—A bill to be entitled An act for the relief of O. M. Lee; providing for the payment of moneys by the board of county commissioners of Volusia County to compensate him for goods and chattels detached from him; providing an effective date.

—was read the second time by title.

On motion by Senator Daniel the following amendment was adopted:

Amendment 1—On page 2, line 20 strike "Section 4. This act shall take effect upon becoming a law." and insert: Section 4. Notwithstanding any law to the contrary, this bill may be adopted upon the majority vote of each house of the legislature.

Section 5. This act shall take effect upon becoming a law.

On motion by Senator Daniel the following amendment was adopted:

Amendment 2—On page 1, line 9 in title following "him;" insert: providing for majority vote;

On motion by Senator Daniel, by two-thirds vote SB 878 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

| | | | |
|---------------|------------|----------------|-------------|
| Mr. President | Daniel | Johnson (29th) | Saunders |
| Arnold | Deeb | Johnson (34th) | Sayler |
| Barrow | Ducker | Knopke | Scarborough |
| Beaufort | Gong | Lane | Stolzenburg |
| Bell | Graham | Lewis (33rd) | Ware |
| Bishop | Gunter | Lewis (43rd) | Weber |
| Brantley | Haverfield | McClain | Weissenborn |
| Broxson | Henderson | Plante | Wilson |
| Childers | Hollahan | Poston | |

Nays—None

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

SB 1051—A bill to be entitled An act relating to motor vehicle licenses; amending sections 320.01 and 320.01 (1) (b), Florida Statutes, defining recreational vehicles including "motor homes", "travel trailers", "camping trailers", and "truck campers", defining "mobile homes"; amending section 320.015, Florida Statutes, providing for a license tax on mobile homes; transferring to section 320.08 (8) (d), Florida Statutes, schedule of mobile home license fees as now provided in section 320.081 (2), Florida Statutes, creating "RV" series for recreational vehicles, providing a schedule of recreational vehicle license fees; amending section 320.081, Florida Statutes, relating to collection and distribution of fees to conform with sections 320.08 (8) (d) and (e), Florida Statutes; amending section 320.0815, Florida Statutes, enacted by chapter 70-391, Laws of Florida, to correct reference to section relating to licensing of mobile homes; providing an effective date.

—was read the second time by title. On motion by Senator Broxson, by two-thirds vote SB 1051 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | Gong | Knopke | Saunders |
| Barrow | Graham | Lane | Sayler |
| Beaufort | Gunter | Lewis (33rd) | Stolzenburg |
| Bell | Haverfield | Lewis (43rd) | Trask |
| Broxson | Henderson | McClain | Ware |
| Daniel | Hollahan | Plante | Weber |
| Deeb | Johnson (29th) | Poston | Weissenborn |
| Ducker | Johnson (34th) | Reuter | Wilson |

Nays—4

| | | | |
|--------|--------|----------|----------|
| Arnold | Bishop | Brantley | Childers |
|--------|--------|----------|----------|

By unanimous consent Senators Thomas, Barrow, Hollahan, Haverfield, Lewis (33rd), Lewis (43rd), Ware, Daniel and Johnson (29th) changed their votes from yea to nay.

On motion by Senator Gunter, consideration of HB 3733 was deferred.

SB 783—A bill to be entitled An act relating to the department of insurance; creating the division of insurance company

regulation; providing for a director, an assistant director and two (2) secretaries for the division of insurance company regulation; changing the name of the division of insurance regulation to the division of insurance consumer services; providing an effective date.

—was read the second time by title. On motion by Senator Daniel, by two-thirds vote SB 783 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

| | | | |
|---------------|----------------|----------------|-------------|
| Mr. President | Deeb | Johnson (34th) | Saylor |
| Arnold | Ducker | Knopke | Scarborough |
| Beaufort | Gong | Lane | Stolzenburg |
| Bell | Graham | Lewis (33rd) | Trask |
| Bishop | Gunter | Lewis (43rd) | Ware |
| Brantley | Haverfield | McClain | Weber |
| Broxson | Henderson | Plante | Weissenborn |
| Childers | Hollahan | Poston | Wilson |
| Daniel | Johnson (29th) | Saunders | |

Nays—None

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

SB 935—A bill to be entitled An act relating to pharmacy and pharmacists; amending subsection (c) of Section 465.071 (1), Florida Statutes; providing for an intern program approved by the board of pharmacy as a prerequisite to licensure as a pharmacist; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 10 strike the period and insert: , all of which may be obtained prior to graduation from a school of pharmacy in Florida or from an equivalent internship program approved by the Board.

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

Amendment 2—On page 2, line 10, Section 1 strike “2500” and insert: 2,080

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

Amendment 3—On page 2, line 12, Section 1 strike “2500” and insert: 2,080

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

Amendment 4—On page 2, line 2, Section 1 strike “complete professional” and insert: pharmacist

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

Amendment 5—On page 2, line 16, Section 1 strike “The Board may, within its discretion, establish a Tripartite Advisory Committee composed of equal representation from the Board of Pharmacy, the colleges of pharmacy in the state and practicing pharmacists within the state. Each member shall be selected by the Board of Pharmacy and each member shall serve for a term of two (2) years without limitation to re-appointment. This committee, in an advisory capacity, shall assist the Board in establishing objectives, setting up guidelines and reviewing programs.”

On motion by Senator Hollahan, by two-thirds vote SB 935 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

| | | | |
|---------------|------------|----------------|-------------|
| Mr. President | Deeb | Johnson (29th) | Reuter |
| Arnold | Ducker | Johnson (34th) | Saunders |
| Beaufort | Gong | Knopke | Saylor |
| Bell | Graham | Lane | Scarborough |
| Bishop | Gunter | Lewis (33rd) | Stolzenburg |
| Brantley | Haverfield | Lewis (43rd) | Ware |
| Broxson | Henderson | McClain | Weber |
| Childers | Hollahan | Plante | Weissenborn |
| Daniel | Horne | Poston | Wilson |

Nays—None

By unanimous consent Senators Trask, Williams and Barrow were recorded as voting yea.

SB 615—A bill to be entitled An act relating to state and county officers and employees retirement system; amending section 122.16, Florida Statutes; providing that a retired person accepting and receiving retirement compensation under this chapter may become employed, without its affecting the employee's right to receive retirement benefits, so long as total hours of reemployment in a calendar year are not in excess of 500 hours; providing for notice to be given the director of personnel and retirement when employment exceeds 500 hours whereby benefits will be suspended for such period of employment in a calendar year in excess of 500 hours; providing a penalty for violation of these provisions; providing an effective date.

—was read the second time by title. On motion by Senator Horne, by two-thirds vote SB 615 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

| | | | |
|---------------|----------------|----------------|-------------|
| Mr. President | Ducker | Johnson (34th) | Saylor |
| Arnold | Gong | Knopke | Scarborough |
| Beaufort | Graham | Lane | Stolzenburg |
| Bell | Gunter | Lewis (33rd) | Trask |
| Brantley | Haverfield | Lewis (43rd) | Ware |
| Broxson | Henderson | McClain | Weissenborn |
| Childers | Hollahan | Plante | Wilson |
| Deeb | Horne | Poston | |
| de la Parte | Johnson (29th) | Reuter | |

Nays—None

By unanimous consent Senators Weber, Barrow, Daniel and Williams were recorded as voting yea.

Senator Myers presiding.

SB 204—A bill to be entitled An act relating to egg inspection fees; repealing section 583.07, Florida Statutes; removing the inspection fee collected by the department of agriculture and consumer services; providing an effective date.

—was read the second time by title. On motion by Senator Daniel, by two-thirds vote SB 204 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

| | | | |
|----------|----------------|----------------|-------------|
| Arnold | Ducker | Johnson (34th) | Scarborough |
| Beaufort | Gong | Knopke | Trask |
| Bell | Gunter | Lewis (33rd) | Ware |
| Brantley | Haverfield | McClain | Weber |
| Broxson | Henderson | Plante | Weissenborn |
| Childers | Hollahan | Poston | Wilson |
| Daniel | Horne | Reuter | |
| Deeb | Johnson (29th) | Saylor | |

Nays—5

| | | | |
|---------------|--------|--------------|-------|
| Mr. President | Graham | Lewis (43rd) | Myers |
| de la Parte | | | |

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

SB 837—A bill to be entitled An act relating to the Florida retirement system; amending §2(20), chapter 70-112, Laws of Florida, appearing as §121.021 (20), Florida Statutes, to amend the definition of “military service”; providing an effective date.

—was read the second time by title. On motion by Senator Haverfield, by two-thirds vote SB 837 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | Gong | Lewis (33rd) | Scarborough |
| Arnold | Graham | Lewis (43rd) | Stolzenburg |
| Beaufort | Haverfield | McClain | Ware |
| Bishop | Henderson | Myers | Weber |
| Brantley | Hollahan | Plante | Weissenborn |
| Broxson | Johnson (29th) | Poston | Wilson |
| Daniel | Johnson (34th) | Saunders | |
| de la Parte | Knopke | Sayler | |

Nays—1

Ducker

By unanimous consent Senators Williams, Trask and Childers were recorded as voting yea.

SB 536—A bill to be entitled An act relating to education; providing for the creation of appropriate food and nutrition services in each school district; requiring school districts to establish and maintain food and nutrition services designed to serve the needs of all children attending public schools; providing an appropriation; 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 Saunders:

Amendment 1—On page 2, line 7 strike the word "certain"

The Committee on Public Schools offered the following amendment which was moved by Senator Saunders and failed:

Amendment 2—On page 2, line 24, strike the period after the word "act" and insert: for the fiscal year 1972-1973.

On motion by Senator Saunders the following amendment was adopted:

Amendment 3—On page 2, lines 21 through 24 strike entire Section 5 and renumber the remaining section

On motion by Senator Saunders, by two-thirds vote SB 536 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

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

Nays—None

By unanimous consent Senator Trask was recorded as voting yea.

The President presiding.

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

HB 2899—A bill to be entitled An act relating to the election code; amending §104.372, Florida Statutes, as amended by §58, chapter 71-136, Laws of Florida, to provide that the rate charged or paid for political advertising or political broadcasts shall not exceed any rate regularly charged by the advertiser or broadcaster for commercial advertising or broadcasts of any character; providing an effective date.

—which was 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, line 28, strike the words "~~regular local~~" after the word "the" insert the following: regular local

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

Amendment 2—On page 2, line 7, strike the words "~~regular local~~" after the word "such", the words regular local should be inserted.

On motion by Senator Horne, by two-thirds vote HB 2899 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

| | | | |
|---------------|----------------|--------------|-------------|
| Mr. President | Haverfield | Lewis (43rd) | Stolzenburg |
| Arnold | Henderson | McClain | Ware |
| Beaufort | Hollahan | Plante | Weber |
| Brantley | Horne | Poston | Weissenborn |
| Childers | Johnson (29th) | Reuter | Wilson |
| de la Parte | Johnson (34th) | Saunders | |
| Ducker | Knopke | Sayler | |
| Graham | Lewis (33rd) | Scarborough | |

Nays—1

Broxson

By unanimous consent Senator Daniel was recorded as voting yea.

SB 690—A bill to be entitled An act relating to "special risk members" as defined in section 121.021, laws of Florida; providing one hundred sixty-nine dollars per month across the board pay raise; providing an effective date.

—was read the second time by title.

The Committee on Personnel, Retirement and Claims offered the following amendment which was moved by Senator Scarborough:

Amendment 1—On page 1, line 13, insert after "members": , who are state employees,

Senator Scarborough moved the adoption of the following substitute amendment:

Amendment 2—On page 1, line 14 following "Laws of Florida" insert: who are employed by the state and the Florida Highway Patrol, Game and Fresh Water Fish Division, Marine Patrol, Beverage Division, and the Public Service Commission.

Senator Myers presiding.

The President presiding.

Senator Bishop presiding.

Senator de la Parte moved that SB 690 be referred to an appropriate committee.

Senator Brantley moved that the rules be waived and time of adjournment be extended until final action on SB 690. The motion failed by the following vote:

Yeas—21

| | | | |
|----------|------------|----------------|-------------|
| Arnold | Childers | Hollahan | Reuter |
| Barrow | Daniel | Johnson (29th) | Scarborough |
| Beaufort | Deeb | Lewis (33rd) | Ware |
| Bell | Ducker | Lewis (43rd) | |
| Bishop | Haverfield | McClain | |
| Brantley | Henderson | Poston | |

Nays—15

| | | | |
|---------------|----------------|--------|----------|
| Mr. President | Gunter | Lane | Trask |
| Broxson | Johnson (34th) | Myers | Williams |
| de la Parte | Karl | Plante | Wilson |
| Graham | Knopke | Sayler | |

The motion by Senator de la Parte failed.

On motion by Senator Hollahan, it was agreed by two-thirds vote that when the Senate adjourns it adjourn to reconvene at 9:00 a.m., March 17, 1972.

On motion by Senator Broxson, Rule 4.4 was waived and permission was granted to file for introduction and consideration a local bill relating to Escambia County.

On motion by Senator Broxson, unanimous consent was obtained to introduce out of order—

By Senators Broxson and Childers—

SB 1269—A bill to be entitled An act relating to the assistant county solicitors of Escambia County; amending §43.011(2), Florida Statutes; providing for the compensation of assistant county solicitors; providing an effective date.

—which was read the first time by title. On motion by Senator Broxson, the rules were waived and the bill was placed on the calendar.

On motion by Senator Broxson, Rule 4.14 requiring 15 minutes' notice was waived and unanimous consent was obtained to take up SB 1269 out of order.

On motions by Senator Broxson, by two-thirds vote, SB 1269 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 | Karl | Saunders |
| Arnold | Ducker | Knopke | Sayler |
| Barrow | Graham | Lane | Scarborough |
| Beaufort | Gunter | Lewis (33rd) | Trask |
| Bell | Haverfield | Lewis (43rd) | Ware |
| Bishop | Henderson | McClain | Williams |
| Brantley | Hollahan | Myers | Wilson |
| Broxson | Horne | Plante | |
| Childers | Johnson (29th) | Poston | |
| Daniel | Johnson (34th) | Reuter | |

Nays—None

On motion by Senator Myers, the rules were waived and Senate Bills 498 and 286 were placed at the head of the consent calendar for consideration March 17.

On motion by Senator Karl, HB 3194 was withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:02 p.m. 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 9:00 a.m., March 17, 1972.