

# JOURNAL OF THE FLORIDA SENATE

Wednesday, April 5, 1972

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

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

Excused: Senator Barrow; Senator Beaufort at 4:00 p.m.

Prayer by Senator Weissenborn:

O BE joyful in the LORD, all ye lands; serve the LORD with gladness, and come before his presence with a song.

Be ye sure that the LORD he is God; it is he that hath made us, and not we ourselves; we are his people, and the sheep of his pasture.

O go your way into his gates with thanksgiving, and into his courts with praise; be thankful unto him, and speak good of his Name.

For the LORD is gracious, his mercy is everlasting; and his truth endureth from generation to generation.

The Journal of April 4 was corrected and approved.

The Journal of March 20 was further corrected as follows and approved:

Page 502, counting from the bottom of column 1, line 30, strike "1258" and insert: 1248

## REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Wednesday, April 5, 1972:

|                |                |          |
|----------------|----------------|----------|
| HB 4323        | SB 1280        | SB 1196  |
| CS for HB 4060 | SB 354         | HB 4305  |
| SB 818         | SB 955         | HB 4308  |
| SB 819         | CS for HB 3041 | HB 4380  |
| HB 3576        | HB 3202        | HB 3179  |
| SB 854         | CS for HB 4375 | HCR 3755 |
| SB 1202        | HB 3937        | HB 4383  |
| SB 1208        | HB 3981        |          |

The Committee on Rules, Calendar, Privileged Business and Ethics recommends the following bills be indefinitely postponed:

|              |         |               |        |
|--------------|---------|---------------|--------|
| SB 17        | SB 201  | SB 303        | SB 477 |
| SB 20        | SB 211  | SB 362        | SB 478 |
| SB 29        | SB 215  | SB 363        | SB 479 |
| CS for SB 66 | SM 219  | SB 364        | SB 481 |
| SB 67        | SB 221  | SB 368        | SB 514 |
| CS for SB 68 | SM 222  | SB 384        | SB 530 |
| SB 82        | SB 224  | SM 385        | SB 543 |
| SB 88        | SB 225  | SB 389        | SB 565 |
| SB 92        | SM 234  | SB 398        | SB 572 |
| SB 99        | SM 237  | SB 408        | SB 577 |
| SB 122       | SB 238  | SB 411        | SB 578 |
| SB 126       | SJR 267 | CS for SB 414 | SB 582 |
| SM 163       | SB 285  | SB 416        | SB 596 |
| SM 167       | SB 286  | SB 428        | SB 601 |
| SB 173       | SB 291  | SB 430        | SB 603 |
| SB 180       | SB 294  | SB 469        | SB 614 |

|         |               |                |                |
|---------|---------------|----------------|----------------|
| SB 618  | SB 889        | CS for HB 284  | HB 2891        |
| SB 626  | SB 894        | HB 306         | HB 2944        |
| SB 632  | SB 897        | HB 355         | HB 2958        |
| SB 636  | SB 898        | CS for CS for  | HB 3016        |
| SB 638  | SB 900        | HB 390         | HB 3071        |
| SB 640  | SB 901        | HB 462         | HB 3080        |
| SB 643  | SB 905        | HB 639         | HB 3096        |
| SB 649  | SB 908        | HB 642         | HB 3108        |
| SB 658  | SB 909        | HB 663         | HB 3131        |
| SB 660  | SCR 911       | HB 785         | HB 3132        |
| SB 663  | SB 924        | HB 789         | CS for HB 3134 |
| SB 665  | SB 926        | HB 861         | HB 3140        |
| SB 666  | SB 937        | HB 863         | CS for HB 3152 |
| SB 667  | SB 939        | HB 866         | HB 3155        |
| SB 671  | SB 951        | HB 879         | HB 3184        |
| SB 680  | SB 961        | HB 927         | HB 3194        |
| SB 681  | SB 968        | HB 937         | HB 3197        |
| SB 691  | SB 972        | HB 1011        | HB 3205        |
| SB 693  | SB 976        | HB 1038        | HB 3256        |
| SB 699  | SB 980        | CS for         | HB 3278        |
| SB 704  | SB 987        | HB 1127        | HB 3322        |
| SB 705  | SB 993        | HB 1141        | HB 3330        |
| SB 715  | SB 995        | HB 1172        | HB 3354        |
| SB 720  | SB 996        | HB 1290        | HB 3364        |
| SB 730  | SB 1006       | HB 1303        | HCR 3394       |
| SB 735  | SB 1012       | HB 1555        | HB 3407        |
| SJR 737 | SB 1013       | HB 1693        | CS for HB 3409 |
| SB 741  | SB 1017       | HB 1735        | HB 3426        |
| SB 742  | SB 1018       | HB 1897        | HB 3478        |
| SB 744  | SB 1034       | HB 1912        | HB 3480        |
| SB 748  | SB 1036       | HB 1947        | HB 3522        |
| SB 749  | SB 1039       | HB 1993        | HB 3552        |
| SB 750  | SB 1047       | HB 2162        | HB 3591        |
| SB 765  | SB 1049       | HB 2219        | HB 3599        |
| SJR 773 | SB 1056       | HB 2264        | HB 3615        |
| SB 775  | SB 1063       | HB 2386        | HB 3699        |
| SB 777  | SB 1082       | HB 2387        | CS for HB 3706 |
| SB 779  | SB 1104       | HB 2406        | HB 3712        |
| SB 786  | SB 1105       | HM 2595        | HB 3778        |
| SB 787  | SB 1106       | HB 2653        | HB 3814        |
| SB 792  | SB 1109       | HB 2664        | HB 3911        |
| SB 796  | SB 1110       | HB 2669        | HB 3944        |
| SB 800  | SB 1112       | CS for HB 2673 | HB 3945        |
| SB 808  | SB 1117       | HB 2678        | HB 3983        |
| SB 814  | SB 1131       | HB 2681        | HB 3992        |
| SB 825  | SB 1148       | HB 2700        | HB 3996        |
| SB 827  | SB 1163       | HB 2701        | HB 3997        |
| SB 844  | SB 1242       | CS for HB 2729 | HB 4015        |
| SB 849  | SB 186        | HB 2746        | HB 4079        |
| SB 863  | SB 727        | HM 2790        | HB 4235        |
| SB 866  | SB 1077       | CS for HB 93   | HB 4276        |
| SB 870  | CS for HB 7   | HB 2819        | CS for HB 3088 |
| SB 871  | CS for HB 128 | HB 2882        |                |
| SB 881  | HB 154        | CS for HB 2883 |                |
| SB 882  | HB 220        |                |                |
| SB 886  |               |                |                |

On motion by Senator Hollahan, the foregoing report was adopted and the bills were indefinitely postponed.

On motion by Senator Hollahan, HB 3179 was indefinitely postponed.

The Committee on Reapportionment and Redistricting recommends the following pass: SJR 1305 with 2 House amendments

The bill was placed on the calendar.

## ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 1091 with 2 amendments  
SB 1147 with 2 amendments

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

ELMER O. FRIDAY  
Secretary of the Senate

The bills were ordered enrolled.

Your Engrossing Clerk to whom was referred SB 914 with 8 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

*ELMER O. FRIDAY*  
*Secretary of the Senate*

Your Engrossing Clerk to whom was referred SB 45 with 2 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

*ELMER O. FRIDAY*  
*Secretary of the Senate*

The bills contained in the foregoing reports were certified to the House.

#### ENROLLING REPORTS

Your Enrolling Clerk to whom was referred SB 1167 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on April 5, 1972.

*ELMER O. FRIDAY*  
*Secretary of the Senate*

Your Enrolling Clerk to whom was referred SB 423 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on April 5, 1972.

*ELMER O. FRIDAY*  
*Secretary of the Senate*

Your Enrolling Clerk to whom was referred—

|                |         |         |
|----------------|---------|---------|
| SB 300         | SB 1206 | SB 1247 |
| SB 440         | SB 1224 | SB 1249 |
| SB 476         | SB 1226 | SB 1250 |
| SB 490         | SB 1232 | SB 1251 |
| SB 936         | SB 1233 | SB 1310 |
| SB 1135        | SB 1236 |         |
| CS for SB 1155 | SB 1238 |         |

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on April 5, 1972.

*ELMER O. FRIDAY*  
*Secretary of the Senate*

Your Enrolling Clerk to whom was referred—

|        |         |         |         |
|--------|---------|---------|---------|
| SB 754 | SB 981  | SB 1178 | SB 1214 |
| SB 859 | SB 1016 | SB 1186 |         |
| SB 929 | SB 1172 | SB 1212 |         |

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on April 5, 1972.

*ELMER O. FRIDAY*  
*Secretary of the Senate*

Your Enrolling Clerk to whom was referred—

|         |                |          |
|---------|----------------|----------|
| SCR 154 | CS for SJR 292 | SCR 1295 |
|---------|----------------|----------|

—reports same have been enrolled, signed by the required Constitutional officers and filed with Secretary of State on April 5, 1972.

*ELMER O. FRIDAY*  
*Secretary of the Senate*

#### MOTION RELATING TO COMMITTEE REFERENCE

On motion by Senator Bishop, HB 3035 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 out of order—

HB 3035—A bill to be entitled An act relating to state parks; naming the state park being developed on St. George Island the Dr. Julian G. Bruce State Park; providing for the erection of an appropriate plaque; providing an effective date.

—which was read the second time by title. On motion by Senator Bishop, by two-thirds vote HB 3035 was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

|               |                |              |             |
|---------------|----------------|--------------|-------------|
| Mr. President | Deeb           | Lane         | Trask       |
| Arnold        | Ducker         | Lewis (33rd) | Ware        |
| Beaufort      | Graham         | Lewis (43rd) | Weber       |
| Bell          | Gunter         | Plante       | Weissenborn |
| Bishop        | Haverfield     | Poston       | Wilson      |
| Peterson      | Hollahan       | Saunders     |             |
| Brantley      | Johnson (34th) | Sayler       |             |
| Daniel        | Knopke         | Stolzenburg  |             |

Nays—None

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

#### MESSAGE FROM THE GOVERNOR

The Governor advised on April 1 that he had filed in the office of the Secretary of State Senate Bills 345, 673, 753, 857, 1134, 1140, 1143, 1156, 1187, 1192, 1240 and 1219 which will become law without his signature.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas* April 4, 1972  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 45.

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

*The Honorable Jerry Thomas* April 5, 1972  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required two-thirds vote of all members elected, SB 1221.

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

The bills contained in the above messages were ordered enrolled.

*The Honorable Jerry Thomas* April 4, 1972  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has appointed Representatives Wolfson, Gustafson and Sweeny as conferees on SB 1191.

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

*The Honorable Jerry Thomas  
President of the Senate*

April 4, 1972

Sir:

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

By Representative Stevens and others—

HB 2559—A bill to be entitled An act for the relief of W. J. Colson and wife, Florence I. Colson, reimbursing them for damages suffered in a transaction with the Department of Transportation; making an appropriation to compensate them therefor; 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 2559.

HB 2559, 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*

April 4, 1972

Sir:

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

By the Committee on Appropriations—

HB 3731—A bill to be entitled An act relating to recreation and parks; amending section 592.07 (3), Florida Statutes, to provide for competitive bids for concessions and advertisement of same; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

HB 3731, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

*The Honorable Jerry Thomas  
President of the Senate*

April 3, 1972

Sir:

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

By the Committee on Appropriations—

CS for HB 4460—A bill to be entitled An act relating to county court judges; providing for the number, election and salary of county court judges; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

CS for HB 4460, 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*

April 3, 1972

Sir:

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

By the House Select Committee on Legislative Apportionment—

HJR 4455—A joint resolution of apportionment; providing for the reapportionment of the legislature into a senate of forty (40) members and a house of representatives of one hundred twenty (120) members; declaring the state policy followed by the legislature in such reapportionment; providing a four-year term for all senators except those elected in 1972 from even-numbered districts who have a two-year term; adopting U. S. Census terms for use in such apportionment; providing for omitted areas; providing severability of invalid portions; and providing effective dates.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

HJR 4455, contained in the above message, was read the first time and referred to the Committee on Reapportionment and Redistricting.

*The Honorable Jerry Thomas  
President of the Senate*

April 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has adopted substitute amendments for Senate amendments 1 and 2, and passed as amended—

By Representative Wilson—

HB 3519—A bill to be entitled An act relating to oil and gas resources; amending §377.22(2)(a), Florida Statutes, to provide that the department of natural resources shall have the authority to adopt rules relating to the alteration of the sheet flow of water in certain areas and the alteration of the ecological balance of areas of the state under certain conditions pursuant to the regulation of oil and gas resources; providing an effective date.

Senate Amendment 1

On page 2, lines 3—6 strike to prevent the alteration of the ecological balance of the area to be developed where such alteration would be harmful to the environment;

Substitute to Senate Amendment 1

Strike everything after the enacting clause and insert the following:

Section 1. Subsection (3) is added to section 377.21, Florida Statutes, to read:

377.21 Jurisdiction of division.—

(3) The jurisdiction of the division shall extend to the state boundaries as set forth in Section 1, Article II of the State Constitution.

Section 2. Paragraphs (b) through (o) of subsection (2) of section 377.22, Florida Statutes, are redesignated paragraphs (c) through (p) of said subsection, and the introductory paragraph and paragraphs (a) and (b) of said section are amended to read:

(Substantial rewording of subsection. See section 377.22(2), Florida Statutes, for present text.)

377.22 Rules, regulations and orders.—

(2) The department shall adopt such rules and regulations and shall issue such orders governing all phases of the exploration, drilling and production of oil, gas or other petroleum products in the state, including exploration, drilling and pro-

duction in the offshore waters of the state as may be necessary for the proper administration and enforcement of this chapter. Such rules, regulations and orders shall ensure that all precautions are taken to prevent the spillage of oil or any other pollutant in all phases of the drilling for, and extracting of, oil, gas or other petroleum products. The department shall revise such rules and regulations from time to time as may be necessary for the proper administration and enforcement of this chapter. Rules, regulations and orders promulgated in accordance with this section shall be for, but shall not be limited to the following purposes:

(a) To require the drilling, casing and plugging of wells to be done in such a manner as to prevent the pollution of the fresh, salt or brackish waters or the lands of the state; to prevent the alteration of the sheet flow of water in any area; to require that appropriate safety equipment be installed to minimize the possibility of an escape of oil or other petroleum products in the event of accident, human error, or a natural disaster during drilling, casing or plugging of any well and during extraction operations; to require the drilling, casing and plugging of wells to be done in such a manner as to prevent the escape of oil or other petroleum product from one stratum to another; to prevent the intrusion of water into an oil or gas stratum from a separate stratum except as provided by rules of the division relating to the injection of water for proper reservoir conservation and brine disposal; and to require a reasonable bond conditioned upon the performance of the duty to plug properly each dry and abandoned well.

(b) To require and carry out a reasonable program of monitoring or inspection of all drilling operations or producing wells, including regular inspections by division personnel.

Section 3. Subsection (1) of section 377.242, Florida Statutes, is amended to read:

**377.242 Permits for drilling or exploring and extracting through well holes or surface extractions.**—The division of interior resources shall be vested with the power and authority:

(1) To issue permits for the drilling, or exploring for or production of oil, gas or other petroleum products and related products which are to be extracted from below the surface of the land, including submerged lands, only through the well hole drilled for oil, gas and other petroleum gas, oil and related products; provided that no permit shall be required for preliminary geophysical tests and other exploratory operations prior to actual drilling, which are now permitted by the division for oil, and gas and other petroleum gas and related products; provided, however, that no structure intended for the drilling for or production of oil, gas or other petroleum products may be constructed on submerged lands within one mile seaward of the coastline of the state or as otherwise provided in Section 377.24(7). No such structures shall be constructed within one mile of the seaward boundary of any state, local or federal park, aquatic or wildlife preserve, or on surface fresh water lakes, rivers and streams. No permit shall be granted within one mile inland from the coastline unless the division is satisfied that the estuaries, beaches and shore areas of the state will be adequately protected in the event of accident. Each permit shall contain an agreement by the permit holder that said permit holder will not prevent inspection by division personnel at any time.

Section 4. Section 377.2421, Florida Statutes, is created to read:

**377.2421 Division to review federal applications.**—The division shall review all applications for federal oil leases in the territorial waters of the United States adjacent to Florida waters and shall signify its approval or objection to each application.

Section 5. Section 377.243, Florida Statutes, is renumbered as subsection (1) of Section 377.243, Florida Statutes, and subsection (2) is added to said section to read:

**377.243 Conditions for granting permits for extraction through well holes.**—

(1) Prior to the application to the division of interior resources for the permit to drill for oil, gas and related products, referred to in §377.242(1), the applicant must own a valid deed, or other muniment of title, or lease granting said applicant the privilege to explore for oil, gas or related mineral products to be extracted only through the well hole on the land or lands included in the application, provided that unallocated interests may be unitized according to Section 377.27.

(2) As a condition precedent to the issuance or renewal of a permit the division shall require satisfactory evidence that the applicant has implemented, or is in the process of implementing, programs for control of pollution related to oil, petroleum products or their by-products, and other pollutants and the abatement thereof when a discharge occurs.

Section 6. Section 377.36, Florida Statutes, as amended by chapter 71-136, Laws of Florida, is amended to read:

**377.36 False entries and statements; incomplete entries, etc.; penalties.**—Any person who, for the purpose of evading this law, or of evading any rule, regulation or order made thereunder shall intentionally make, or cause to be made, any false entry or statement of fact in any report required to be made by this law, or by any rule, regulation or order made hereunder; or who, for such purpose shall make, or cause to be made, any false entry in any account, record or memorandum kept by any person in connection with any provision of this law, or of any rule, regulation or order made thereunder; or who, for such purpose, shall omit to make, or cause to be omitted, full, true and correct entries in such accounts, records or memoranda, of all facts and transactions pertaining to the interest or activities in the petroleum industry of such person, as may be required by the division under authority given in this law, or by any rule, regulation or order made hereunder; or who, for such purpose, shall remove out of the jurisdiction of the state, or who shall mutilate, alter, or, by any other means, falsify any book, record, or other paper pertaining to the transaction regulated by this law, or by any rule, regulation or order made hereunder, shall be guilty of a misdemeanor of the first second degree, punishable as provided in §775.082 or §775.083.

Section 7. Subsection (1) of section 377.37, Florida Statutes, is amended to read:

(Substantial rewording. See section 377.37(1), Florida Statutes, for present text.)

**377.37 Penalties.**—

(1) Any person who violates any provision of this law or any rule, regulation, or order of the division made under this chapter, or who violates the terms of any permit to drill for or produce oil, gas or other petroleum products referred to in §377.242(1), or any lessee, permit holder or operator of equipment or facilities used in the exploration, drilling or production of oil, gas or other petroleum products who refuses inspection by the division as provided in this chapter shall be liable for a civil penalty of up to \$500 per day for every day during which said violation occurs. The payment of any damages or penalties, as provided for herein, shall not have the effect of changing illegal product into legal product, illegal oil into legal oil, or illegal gas into legal gas, nor shall such payment have the effect of authorizing the sale or purchase or acquisition or the transportation, refining, processing, or handling in any other way, of such illegal oil, illegal gas or illegal product. The payment of any such damages or penalties shall not impair or abridge any cause of action which any person may have against the person violating any provision of this law, or any rule, regulation or order, for an injury resulting to him from such violation.

Section 8. Section 377.371 is created to read:

**377.371 Pollution prohibited; reporting, liability.**—

(1) No person drilling for or producing oil, gas or other petroleum products shall pollute land or water, or damage aquatic or marine life, wildlife, birds, public or private property or allow any extraneous matter to enter or damage any mineral or fresh water-bearing formation.

(2) All spills or leakage of oil, gas or other petroleum products, or waste material shall be reported to the division and those of any quantity which cannot be immediately controlled shall be reported immediately to the division and the appropriate federal agencies.

(3) Because it is the intent of this chapter to provide the means for rapid and effective clean-up and to minimize damages resulting from pollution in violation of this chapter, if the waters of the state are polluted by the drilling or production operations of any person or persons and such pollution damages or threatens to damage human, animal or plant life, public or private property, or any mineral or water-bearing formation, said person shall be liable to the State for all costs of clean-up

or other damage incurred by the State. In any suit to enforce claims of the State under this chapter, it shall not be necessary for the State to plead or prove negligence in any form or manner on the part of the person or persons conducting the drilling or production operations; the State need only plead and prove the fact of the prohibited discharge or other polluting condition and that it occurred at the facilities of the person or persons conducting the drilling or production operation. No person or persons conducting the drilling or production operation shall be liable if said person or persons prove that the prohibited discharge or other polluting condition was the result of any of the following:

- (a) An act of war;
- (b) An act of government, either state, federal, or municipal;
- (c) An act of God, which means an unforeseeable act exclusively occasioned by the violence of nature without the interference of any human agency.

(d) An act or omission of a third party without regard to whether any such act or omission was or was not negligent.

(4) Any person who is found liable for damages or costs of clean-up as provided in this section shall not be liable for penalties under provisions of chapter 403, Florida Statutes, or chapter 376, Florida Statutes.

Section 9. Severability.—It is the legislative intent that if any provision of this act, or its application to any person or circumstances is held invalid, the remainder of the act, or the application of the provisions to other persons or circumstances, shall not be affected.

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

#### Senate Amendment 2

On page 1, in title lines 10 and 11 strike and the alteration of the ecological balance of areas of the state

#### Substitute to Senate Amendment 2

On page 1, line 3, strike the title and insert the following: An Act relating to oil and gas resources; adding subsection (3) to section 377.21, Florida Statutes; amending section 377.22(2), Florida Statutes; amending section 377.242(1), Florida Statutes; creating section 377.2421, Florida Statutes, providing authority to the division of interior resources to review federal oil lease applications; renumbering section 377.243, Florida Statutes, as subsection (1) of said section and adding subsection (2) thereto; amending section 377.36, Florida Statutes, as amended by chapter 71-136, Laws of Florida; amending section 377.37(1), Florida Statutes; creating section 377.371, Florida Statutes, relating to prohibition, reporting and liability for pollution; providing territorial limits to the jurisdiction of the division of interior resources; providing the department of natural resources authority to adopt and promulgate rules, regulations and orders for the administration and enforcement of chapter 377, Florida Statutes; providing for the issuance of permits for drilling or exploring and extracting oil, gas and other petroleum products from below the surface of submerged lands; providing for an agreement by permit holders not to prevent inspection by division personnel; providing for implementation of pollution control programs as a condition for granting permits for extraction through well holes; providing an increased penalty for false entries and statements or incomplete entries; providing a civil penalty for violations of the provisions of chapter 377, Florida Statutes, or any rule, regulation or order of the division of interior resources made thereunder, or the terms of permits; providing for prohibitions, reporting and liability; providing for severability; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

On motions by Senator Knopke, the Senate concurred in House substitute amendments 1 and 2 for Senate Amendments 1 and 2 to HB 3519.

HB 3519 passed as amended, and the action of the Senate was certified to the House. The vote was:

Yeas—31

|               |                |              |             |
|---------------|----------------|--------------|-------------|
| Mr. President | Deeb           | Knopke       | Saunders    |
| Barron        | Ducker         | Lane         | Saylor      |
| Bell          | Graham         | Lewis (33rd) | Scarborough |
| Bishop        | Gunter         | Lewis (43rd) | Trask       |
| Peterson      | Haverfield     | McClain      | Ware        |
| Brantley      | Henderson      | Ott          | Williams    |
| Childers      | Johnson (29th) | Pope         | Wilson      |
| Daniel        | Johnson (34th) | Poston       |             |

Nays—1

Stolzenburg

By unanimous consent Senator Fincher was recorded as voting yea.

The Honorable Jerry Thomas  
President of the Senate

April 4, 1972

Sir:

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

By Senator McClain—

SB 207—A bill to be entitled An act relating to the election of judges; amending section 105.011, Florida Statutes, to provide for the nonpartisan election of claims court judges, small claims court judges, county court judges, small claims - magistrates court judges, and certain justices of the peace and magistrates; amending section 105.071 prohibiting a judge from campaigning as a member of a political party; providing an effective date.

#### Amendment 1

In the title, line 11, after "105.071" insert the following: Florida Statutes;

#### Amendment 2

On page 1, after line 25, strike lines 26, 27, 28 and 29 and all of pages 2 and 3 and insert the following:

(d) County court judges.

(2) "Judicial office" means the office in which judicial officers serve as judges.

Section 2. Section 105.071, Florida Statutes, is amended to read:

(a) A candidate for judicial office shall not participate in any partisan political party activities; campaign as a member of any political party; publicly represent or advertise himself as a member of any political party; endorse any candidate; make political speeches other than in his own behalf; make contributions to political party funds; accept political party funds; solicit contributions to political party funds; or accept or retain a place on any political party committee.

(b) A candidate shall not make any contribution to any person, group or organization for its endorsement to judicial office, or agree to pay all or any part of any advertisement sponsored by any person, group or organization wherein the candidate may be endorsed for judicial office by any such person, group or organization.

Section 3. This act shall take effect July 1, 1972.

#### Amendment 3

In the title, line 7—10, strike lines 7—10 and insert the following: county court judges; amending

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

On motions by Senator McClain, the Senate concurred in House amendments 1, 2 and 3 to SB 207.

SB 207 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—25

|               |                |              |             |
|---------------|----------------|--------------|-------------|
| Mr. President | Gunter         | Lewis (43rd) | Scarborough |
| Arnold        | Haverfield     | McClain      | Trask       |
| Beaufort      | Henderson      | Myers        | Weissenborn |
| Daniel        | Hollahan       | Ott          | Wilson      |
| de la Parte   | Johnson (34th) | Pope         |             |
| Gong          | Karl           | Poston       |             |
| Graham        | Lewis (33rd)   | Reuter       |             |

Nays—11

|          |                |             |       |
|----------|----------------|-------------|-------|
| Bell     | Brantley       | Lane        | Ware  |
| Bishop   | Ducker         | Plante      | Weber |
| Peterson | Johnson (29th) | Stolzenburg |       |

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

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

SB 1317—A bill to be entitled An act amending Bill No. , enacted in the 1972 regular session of the Florida Legislature, providing a charter government for Hillsborough County, to abolish the office of Sheriff, abolish the Fire Department, and create a Department of Public Safety, and provide for an appointive Director of Public Safety; making such other amendments in said law as shall be necessary to provide for and accomodate such changes; providing a referendum; and providing the condition and date upon which this act shall become effective.

—passed on April 4.

On motion by Senator Knopke the following amendment was adopted:

**Amendment 1**—On page 1, line 24; on page 2, line 15; on page 3, lines 7, 11, 16 & 25; on page 4, lines 5 & 6, and lines 17 & 18; on page 5 lines 3 & 4, and lines 23 & 24; and, on page 6, line 18, strike: "Bill No." and insert: Senate Bill No. 1316

On motion by Senator Knopke the following amendment was adopted:

**Amendment 2**—Title, line 4 strike "Bill No." and insert: Senate Bill No. 1316

On motion by Senator Knopke, SB 1317 as amended was read by title, passed and ordered engrossed. The vote was:

Yeas—32

|               |                |                |             |
|---------------|----------------|----------------|-------------|
| Mr. President | Ducker         | Johnson (34th) | Poston      |
| Bell          | Fincher        | Knopke         | Saunders    |
| Bishop        | Graham         | Lane           | Sayler      |
| Peterson      | Gunter         | Lewis (33rd)   | Scarborough |
| Brantley      | Haverfield     | Lewis (43rd)   | Stolzenburg |
| Childers      | Henderson      | McClain        | Trask       |
| Daniel        | Hollahan       | Myers          | Ware        |
| Deeb          | Johnson (29th) | Ott            | Wilson      |

Nays—None

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

## INTRODUCTION

By the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction and consideration:

By Senators Scarborough, Pope, Arnold, Brantley and Beaufort—

SB 1320—A bill to be entitled An act authorizing and requiring payment of compensation to certain employees of the Jacksonville Electric Authority for certain hours worked for which payment was not authorized at the time such work was performed; providing an effective date.

—which was read the first time by title. On motion by Senator Scarborough, the rules were waived and SB 1320 was placed on the local calendar.

On motion by Senator Scarborough, Rule 4.14 requiring 15 minutes' notice was waived and unanimous consent was obtained to take up SB 1320 out of order. On motions by Senator Scarborough, by two-thirds vote SB 1320 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

|          |                |              |             |
|----------|----------------|--------------|-------------|
| Bell     | Graham         | Lane         | Saunders    |
| Bishop   | Gunter         | Lewis (33rd) | Sayler      |
| Peterson | Haverfield     | Lewis (43rd) | Scarborough |
| Brantley | Henderson      | McClain      | Stolzenburg |
| Childers | Hollahan       | Myers        | Trask       |
| Daniel   | Johnson (29th) | Ott          | Ware        |
| Deeb     | Johnson (34th) | Pope         | Wilson      |
| Ducker   | Karl           | Poston       |             |
| Fincher  | Knopke         | Reuter       |             |

Nays—None

Senator Weissenborn presiding.

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

HCR 3755—A CONCURRENT RESOLUTION requesting Honorable Reubin O'D. Askew, Governor of the State of Florida, to re-negotiate the agreement between the United States Department of Transportation and the State of Florida dated the 27th day of January, 1972.

WHEREAS, the said agreement complies with chapter 71-971, Laws of Florida, and

WHEREAS, the legislature of the State of Florida has amended the said law thereby making it necessary to change the implementing agreement to comply with the 1972 statute, NOW THEREFORE,

*Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:*

That the legislature of the State of Florida request the Governor of the State of Florida to re-negotiate the agreement dated the 27th day of January 1972 between the United States Department of Transportation and the State of Florida to provide that the distance between signs on the interstate highway system shall not be less than five hundred (500) feet and on all other highways of the state the distance between signs shall not be less than three hundred (300) feet, and

BE IT FURTHER RESOLVED that the legislature of the State of Florida urges that the said agreement shall be re-negotiated as soon as possible.

—which was read the second time in full. On motion by Senator Poston, HCR 3755 was adopted and certified to the House. The vote was:

Yeas—20

|          |          |          |             |
|----------|----------|----------|-------------|
| Arnold   | Brantley | Hollahan | Sayler      |
| Beaufort | Childers | Karl     | Scarborough |
| Bell     | Daniel   | Myers    | Stolzenburg |
| Bishop   | Deeb     | Pope     | Trask       |
| Peterson | Fincher  | Poston   | Weissenborn |

Nays—19

|        |                |              |          |
|--------|----------------|--------------|----------|
| Barron | Haverfield     | Lewis (33rd) | Saunders |
| Ducker | Henderson      | Lewis (43rd) | Ware     |
| Gong   | Johnson (29th) | Ott          | Weber    |
| Graham | Johnson (34th) | Plante       | Wilson   |
| Gunter | Lane           | Reuter       |          |

By unanimous consent, Senator Johnson (29th) changed her vote from nay to yea; Senator McClain was recorded as voting yea.

Senator Bishop moved that the Senate immediately reconsider the vote by which HCR 3755 was adopted. The motion was adopted.

HCR 3755 failed by the following vote:

Yeas—14

|          |              |             |          |
|----------|--------------|-------------|----------|
| Bell     | Daniel       | Saylor      | Williams |
| Bishop   | Hollahan     | Scarborough | Wilson   |
| Peterson | Knopke       | Stolzenburg |          |
| Brantley | Lewis (33rd) | Trask       |          |

Nays—24

|          |                |              |             |
|----------|----------------|--------------|-------------|
| Arnold   | Graham         | Lane         | Poston      |
| Barron   | Gunter         | Lewis (43rd) | Reuter      |
| Beaufort | Haverfield     | McClain      | Saunders    |
| Childers | Henderson      | Myers        | Ware        |
| Deeb     | Johnson (29th) | Ott          | Weber       |
| Ducker   | Johnson (34th) | Plante       | Weissenborn |

By unanimous consent, Senators Pope and Broxson were recorded as voting yea; Senator Wilson changed his vote from yea to nay and Senators Beaufort, Arnold, Deeb, Poston and Johnson (29th) changed their votes from nay to yea.

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

HB 3937—A bill to be entitled An act relating to law enforcement communications; providing legislative intent; authorizing the division of communications of the department of general services to formulate and to implement a regional law enforcement communications plan encompassing each county and municipality within the state; listing those items to be included in such plan; providing that such plan shall be completed no later than June 1, 1973; requiring compliance with the plan; providing an appropriation; encouraging the department of law enforcement to assist; providing an effective date.

—which was read the second time by title. On motion by Senator Hollahan, by two-thirds vote HB 3937 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

|               |             |              |             |
|---------------|-------------|--------------|-------------|
| Mr. President | de la Parte | Lane         | Scarborough |
| Arnold        | Ducker      | Lewis (33rd) | Stolzenburg |
| Barron        | Fincher     | Lewis (43rd) | Trask       |
| Beaufort      | Gong        | McClain      | Ware        |
| Bell          | Graham      | Myers        | Weber       |
| Peterson      | Gunter      | Ott          | Weissenborn |
| Brantley      | Haverfield  | Plante       | Williams    |
| Childers      | Hollahan    | Poston       | Wilson      |
| Daniel        | Karl        | Reuter       |             |
| Deeb          | Knopke      | Saylor       |             |

Nays—1

Bishop

On motion by Senator Haverfield, CS for HJR 2705 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

The President presiding.

On motion by Senator Haverfield, by two-thirds vote CS for HJR 2705 was placed on the calendar in lieu of HB 3179.

SPECIAL ORDER

HB 4323—A bill to be entitled An act relating to the tax imposed by chapter 220 on corporations and other artificial entities; amending section 220.02, Florida Statutes, to express further legislative intent; amending paragraphs 220.03(1)(h) and 220.03(2)(c), Florida Statutes, to adopt by reference the federal Internal Revenue Code as in effect on January 1, 1972; amending subsection 220.13(2), Florida Statutes, to redefine the taxable income of life insurance companies and electing small business corporations; amending subsection 220.15(3), Florida Statutes, to clarify the definition of "everywhere" in apportionment factor denominators; amending subsection 220.222(1), Florida Statutes, to provide a date for filing tax returns of Domestic International Sales Corporations and Florida partnerships; amending paragraphs 220.13(1)(a) and (b), Florida Statutes, and repealing numerous other provisions of Florida Statutes, to remove the exemption for United States securities and for obligations of the State of Florida and its political subdivisions; adding a new Part Seven to impose a franchise tax on banks; amending section 220.42, Florida Statutes, to provide an elective method of accounting for taxpayers reporting on the completed contract method of accounting; providing an effective date.

—was taken up with pending amendment which was withdrawn by Senator Deeb.

On motion by Senator de la Parte, the rules were waived and Arthur England, special tax counsel, House of Representatives, was accorded privileges of the floor.

Amendment 5—On page 12, lines 9—13 strike all of lines 9 through 13 and insert: tax base shall be adjusted federal income as defined in section 220.13, less \$5,000.

—having been deferred on April 4, was adopted.

Senator Deeb moved the adoption of the following amendment:

Amendment 9—On page 14, line 13 insert new section following Section 10.

Section 11. Section 3 of Part 6 of Chapter 71-984 Laws of Florida is hereby repealed.

Section 12. Section 220.67 Florida Statutes is hereby created to read as follows:

220.67, Retaliatory tax: any retaliatory tax imposed by other states or countries against Florida insurance companies as a result of the passage of this code shall be credited against and to the extent thereof discharge the liability of such Florida companies for the tax under this code for the taxable year in which payment is made.

Renumber the other paragraphs.

Senator Daniel raised a point of order that the amendment embraced a section of the statutes not contained in the bill and therefore was not germane to the bill. The President ruled the point not well taken.

On motion by Senator Boyd, the Senate took up—

SJR 1305—A joint resolution of apportionment; providing for the apportionment of the senate of the Florida legislature composed of forty (40) members; declaring the state policy followed by the legislature in such apportionment; providing a four-year term for all senators except those elected in 1972 from even-number districts, who have a two-year term; adopting U. S. Census terms for use in such apportionment; providing for omitted areas; providing severability of invalid portions; and providing effective dates.

—with House amendments 1 and 2, contained in a message from the House of Representatives received April 3.

Senator de la Parte presiding.

Senator Boyd moved that the Senate concur in House amendments 1 and 2 to SJR 1305.

On motion by Senator Boyd, the rules were waived and a staff member of the Committee on Reapportionment and Redistricting was granted privileges of the floor.

Senators Lane and Bell offered the following amendment to House amendment 1 which was moved by Senator Lane:

**Amendment 1**—On page 47, line 23 strike 409, 410, 411, 412, 413, 414 and insert: on page 46, line 10, insert 409, 410, 411, 412, 413, 414 after 408

The amendment failed by the following vote:

Yeas—15

|           |                |             |          |
|-----------|----------------|-------------|----------|
| Bell      | Johnson (29th) | Reuter      | Weber    |
| Childers  | Johnson (34th) | Sayler      | Williams |
| Deeb      | Lane           | Stolzenburg | Wilson   |
| Henderson | Plante         | Ware        |          |

Nays—25

|          |             |              |             |
|----------|-------------|--------------|-------------|
| Arnold   | Daniel      | Knopke       | Saunders    |
| Barron   | de la Parte | Lewis (33rd) | Scarborough |
| Beaufort | Ducker      | Lewis (43rd) | Trask       |
| Boyd     | Fincher     | Myers        | Weissenborn |
| Peterson | Graham      | Ott          |             |
| Brantley | Hollahan    | Pope         |             |
| Broxson  | Karl        | Poston       |             |

Senator Childers moved the adoption of the following amendment to House amendment 1:

**Amendment 2**—On page 24, line 1 after the word "through" strike "3" and insert: 6

The amendment failed by the following vote:

Yeas—20

|          |                |              |             |
|----------|----------------|--------------|-------------|
| Bell     | Deeb           | Lane         | Reuter      |
| Bishop   | Ducker         | Lewis (33rd) | Sayler      |
| Peterson | Henderson      | Lewis (43rd) | Stolzenburg |
| Broxson  | Johnson (29th) | McClain      | Ware        |
| Childers | Johnson (34th) | Plante       | Weber       |

Nays—21

|          |             |             |             |
|----------|-------------|-------------|-------------|
| Arnold   | de la Parte | Myers       | Trask       |
| Barron   | Fincher     | Ott         | Weissenborn |
| Beaufort | Graham      | Pope        | Wilson      |
| Boyd     | Hollahan    | Poston      |             |
| Brantley | Horne       | Saunders    |             |
| Daniel   | Karl        | Scarborough |             |

By unanimous consent Senator Thomas was recorded as voting yea.

Senators Ware and Ducker offered the following amendment to House amendment 1 which was moved by Senator Ducker:

**Amendment 3**—On page 2, line 12, strike "multi-member" and insert: contiguous, overlapping or identical territorial districts

Senator Bell moved that the rules be waived and time of adjournment be extended until final action on SJR 1305.

Senator Hollahan moved as a substitute motion that SJR 1305 be made a special and continuing order of business when the Senate reconvenes at 2:00 p.m. this day and the motion was adopted by two-thirds vote.

Senator Hollahan moved that bills remaining on the morning session special order calendar be the special order calendar for the afternoon session following final disposition of SJR 1305. The motion was adopted by two-thirds vote.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:00 noon 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—47:

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

The Senate resumed—

**SJR 1305**—A joint resolution of apportionment; providing for the apportionment of the senate of the Florida legislature composed of forty (40) members; declaring the state policy followed by the legislature in such apportionment; providing a four-year term for all senators except those elected in 1972 from even-number districts, who have a two-year term; adopting U. S. Census terms for use in such apportionment; providing for omitted areas; providing severability of invalid portions; and providing effective dates.

—with pending amendment 3 to House amendment 1, which failed of adoption.

Pursuant to Rule 4.14, Senator Hollahan gave notice of intention to move to take up SJR 1306 out of order upon final disposition of SJR 1305.

Senator Childers moved the adoption of the following amendment to House amendment 1 which failed:

**Amendment 4:** Strike all of page 24 and through line 14 on page 25 and insert:

District 1 thru 4 is composed of the following:  
Counties:  
Escambia.

That part of Santa Rosa County included in tract(s):  
102, 103, 107, 108, 109.

District 5 thru 6 is composed of the following:  
Counties:  
Okaloosa.

That part of Santa Rosa County included in tract(s):  
101, 104, 105, 106.

That part of Walton County included in place(s):  
500.

Enumeration district(s):  
12, 13, 17, 18, 19.

The vote was:

Yeas—21

|          |                |              |             |
|----------|----------------|--------------|-------------|
| Bell     | Ducker         | Lewis (43rd) | Stolzenburg |
| Bishop   | Henderson      | McClain      | Ware        |
| Peterson | Johnson (29th) | Plante       | Weber       |
| Broxson  | Johnson (34th) | Pope         |             |
| Childers | Lane           | Reuter       |             |
| Deeb     | Lewis (33rd)   | Sayler       |             |

Nays—25

|               |             |             |             |
|---------------|-------------|-------------|-------------|
| Mr. President | de la Parte | Karl        | Trask       |
| Arnold        | Fincher     | Knopke      | Weissenborn |
| Barron        | Gong        | Myers       | Williams    |
| Beaufort      | Graham      | Ott         | Wilson      |
| Boyd          | Haverfield  | Poston      |             |
| Brantley      | Hollahan    | Saunders    |             |
| Daniel        | Horne       | Scarborough |             |

Senators Boyd and Barron offered the following amendment to House amendment 1 which was adopted on motion by Senator Boyd:

**Amendment 5**—On page 3, line 15 strike page 3, line 15 through page 22, line 23 and insert:

Districts 1 through 2 shall be composed of the following:

Counties:  
Escambia, Okaloosa, Santa Rosa.

That part of Walton County included in place(s):  
1690.

Enumeration district(s):  
3, 4, 5, 12, 13, 14, 15, 16, 17, 18, 19.

Districts 3 through 4 shall be composed of the following:

Counties:  
Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Wakulla, Washington.

That part of Taylor County included in enumeration district(s):  
206.

That part of Walton County included in place(s):  
500.

Enumeration district(s):  
2, 11.

Districts 5 through 6 shall be composed of the following:

Counties:  
Alachua, Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Marion, Nassau, Suwannee, Union.

That part of Clay County included in place(s):  
1065, 1703.

Enumeration district(s):  
1803, 1804, 1806, 1807, 1808, 1810.

That part of Levy County included in place(s):  
245, 350, 2053, 2255.

Enumeration district(s):  
904, 905, 908, 909.

That part of Putnam County included in place(s):  
985, 1630.

Enumeration district(s):  
1201, 1202, 1203, 1204, 1205, 1206, 1208, 1209.

That part of Taylor County included in place(s):  
1725.

Enumeration district(s):  
207, 208, 209.

Districts 7 through 9 shall be composed of the following:

That part of Duval County included in tract(s):  
1, 1.99, 2, 2.99, 3, 3.99, 4, 4.99, 5, 5.99, 6, 6.99, 7, 8, 8.99, 9, 9.99, 10, 10.99, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 138.99, 139, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168.

District 10 shall be composed of the following:  
Counties:  
Flagler.

That part of Volusia County included in tract(s):  
801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 902, 903, 904, 905, 906, 907, 908, 909, 910.

District 11 shall be composed of the following:  
Counties:  
St. Johns, Sumter.

That part of Clay County included in tract(s):  
9501.

Place(s):  
770.

Enumeration district(s):  
1802, 1814, 1815, 1816.

That part of Duval County included in tract(s):  
140, 141, 142.

That part of Lake County included in tract(s):  
301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 312, 313.

Tract 0309 the following enumeration district(s):  
7, 8, 9, 10, 11, 12, 14, 15, 16.

That part of Putnam County included in place(s):  
435, 545, 1775, 2200.

Enumeration district(s):  
1218, 1219, 1220, 1225, 1226.

That part of Volusia County included in tract(s):  
901.

Districts 12 through 13 shall be composed of the following:  
Counties:  
Citrus, Hernando, Polk.

That part of Levy County included in place(s):  
325, 980, 2295.

Enumeration district(s):  
913.

That part of Osceola County included in tract(s):  
401.

That part of Pasco County included in place(s):  
103, 263, 413, 433, 465, 467, 468, 643, 794, 907, 908, 937, 1007, 1085, 1475, 1477, 1800, 1895, 1915, 2067, 2300.

Enumeration district(s):  
3, 4, 13, 14, 15, 16, 23, 24, 25, 26, 27, 28, 28B, 29, 30, 33, 34, 43, 43B, 43C, 43D, 43E, 43F, 43G, 52, 56, 68, 69, 78, 78B.

Districts 14 through 15 shall be composed of the following:

That part of Lake County included in tract 0309 the following  
Enumeration district(s):  
13, 17.

That part of Orange County included in tract(s):  
101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179.

Tract 0165 the following block group(s):  
1, 9.

Tract 0165 the following enumeration district(s):  
267, 268.

Districts 16 through 17 shall be composed of the following:  
Counties:  
Brevard, Seminole.

That part of Orange County included in tract(s):  
166.

Tract 0165 the following enumeration district(s):  
272, 273.

That part of Osceola County included in tract(s):  
402, 403, 404, 405, 406.

Districts 18 through 20 shall be composed of the following:

That part of Pinellas County included in tract(s):  
201.01, 201.02, 202.01, 202.02, 202.03, 202.99, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 213.99, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224.01, 224.02, 225.01, 225.02, 225.03, 226.01, 226.02, 227, 228.01, 228.02, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240.01, 240.02, 240.03, 241, 242, 243.01, 243.02, 244.01, 244.02, 245, 246, 247, 248, 249.01, 249.02, 249.03, 250.01, 250.02, 251.01, 251.02, 251.03, 251.04, 251.05, 252.01, 252.02, 253, 254.01, 254.02, 254.03, 255.01, 255.02, 256, 257, 258, 259, 259.99, 260, 261, 261.99, 262, 263, 264, 265, 266, 267, 268.01, 268.02, 269.01, 269.02, 270, 271.01, 271.02, 271.03, 273.01, 276, 277, 278, 279, 280.01, 280.02, 281, 282, 283, 284, 285.

Tract 0272 the following enumeration district(s):  
9, 10, 11, 14.

Districts 21 through 23 shall be composed of the following:  
Counties:  
Hillsborough.

That part of Pasco County included in enumeration district(s):  
29B, 29C, 29D, 35, 36.

That part of Pinellas County included in tract(s):  
273.02, 274, 275.

Tract 0272 the following block group(s):  
1, 2, 3, 4, 6, 7, 8, 9.

Tract 0272 the following enumeration district(s):  
7, 7B, 8.

District 24 shall be composed of the following:  
Counties:  
DeSoto, Glades, Hardee, Highlands, Manatee, Okeechobee.

District 25 shall be composed of the following:  
Counties:  
Charlotte, Sarasota.

That part of Lee County included in place(s):  
293.

Enumeration district(s):  
25, 26, 36, 37, 38, 39, 9900.

Districts 26 through 28 shall be composed of the following:  
Counties:  
Hendry, Indian River, Martin, St. Lucie.

That part of Lee County included in place(s):  
187, 654, 655, 661, 662, 663, 1217, 1493, 2100.

Enumeration district(s):  
12, 13, 14, 15, 16, 17, 17B, 88, 89, 90, 91, 92, 93, 94, 95.

That part of Palm Beach County included in tract(s):  
1, 2, 3, 4, 5, 5.99, 6, 7, 8, 9, 10, 11, 12, 13, 14,  
15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,  
28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40,  
41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53,  
54, 55, 56, 57, 58, 59, 60, 61, 62, 66, 70, 77, 78,  
79, 80, 81, 82, 83.

Districts 29 through 31 shall be composed of the following:  
Counties:  
Collier.

That part of Broward County included in tract(s):  
101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 201, 202,  
203, 204, 205, 301, 302, 303, 304, 305, 306, 307, 308, 309,  
310, 311, 312, 401, 402, 403, 404, 405, 406, 407, 408, 409,  
410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421,  
422, 422.99, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432,  
433, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 601,  
602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 701, 702,  
706, 802, 803, 804, 1201.

That part of Palm Beach County included in tract(s):  
63, 64, 65, 67, 68, 69, 71, 72, 73, 74, 75, 76.

District 32 shall be composed of the following:

That part of Broward County included in tract(s):  
703, 704, 705, 801, 805, 901, 902, 903, 904, 905, 906, 907,  
908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919,  
920, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008.

Tract 1105 the following block group(s):  
1.

Districts 33 through 34 shall be composed of the following:

That part of Broward County included in tract(s):  
1101, 1102, 1103, 1104.

Tract 1105 the following block group(s):  
2, 3, 4, 5.

Tract 1105 the following enumeration district(s):  
841.

That part of Dade County included in tract(s):  
2.04, 3.01, 3.02, 3.03, 3.04, 4.01, 4.02, 4.03, 4.04, 4.05, 4.06,  
4.07, 4.08, 5.01, 5.02, 5.03, 6.01, 6.02, 6.03, 6.04, 6.05, 6.06,

7.01, 7.02, 8.01, 8.02, 9.01, 9.02, 10.02, 10.03, 11.01, 11.02,  
11.03, 11.04, 16.01, 16.02, 92, 93.01, 93.02, 93.03, 94, 95.01,  
95.02, 96, 99.01, 99.02, 99.03, 99.04, 100.01, 100.02, 100.03,  
100.04, 101.01, 101.02.

Districts 35 through 37 shall be composed of the following:

That part of Dade County included in tract(s):  
1.01, 1.02, 1.03, 2.01, 2.02, 2.03, 2.05, 2.06, 2.07, 2.08, 9.03,  
10.01, 10.04, 12.01, 12.02, 13, 14, 15.01, 15.02, 17.01, 17.02,  
17.03, 18.01, 18.02, 18.03, 19.01, 19.02, 20.01, 20.02, 21, 22.01, 22.02,  
23, 24, 25, 26, 27.01, 27.02, 28, 29, 30.01, 30.02, 31, 34, 36.01,  
36.02, 37.01, 37.02, 37.99, 38, 39.01, 39.02, 39.03, 40, 41.01,  
41.02, 41.99, 42, 43, 44, 45, 46, 51, 52, 53, 54.01, 54.02, 64,  
65, 66, 67.01, 67.02, 68, 69, 70.01, 97, 98.

Districts 38 through 40 shall be composed of the following:  
Counties:  
Monroe.

That part of Dade County included in tract(s):  
47.01, 47.02, 47.03, 48, 49, 50, 55.01, 55.02, 56, 57, 58.01,  
58.02, 59.01, 59.02, 59.03, 59.04, 60.01, 60.02, 61.01, 61.02, 62, 63.01,  
63.02, 70.02, 71, 72, 73, 74, 75, 76.01, 76.02, 76.03, 76.04,  
77.01, 77.02, 77.03, 78.01, 78.02, 78.03, 79.01, 79.02, 80, 81,  
82.01, 82.02, 83.01, 83.02, 83.03, 84.01, 84.02, 84.03, 85.01, 85.02,  
86, 87, 88.01, 88.02, 89.01, 89.02, 89.03, 90, 91, 101.03, 101.04,  
101.05, 102, 103, 104, 105, 106.01, 106.02, 106.03, 107, 108,  
109, 110, 111, 112, 113, 114, 115.

Senator Ducker moved that the Senate reconsider the vote  
by which Senate amendment 1 to House amendment 1 failed.  
The motion failed by the following vote:

Yeas—19

|          |                |             |          |
|----------|----------------|-------------|----------|
| Barron   | Henderson      | Plante      | Ware     |
| Bell     | Johnson (29th) | Pope        | Weber    |
| Bishop   | Johnson (34th) | Reuter      | Williams |
| Childers | Lane           | Sayler      | Wilson   |
| Ducker   | McClain        | Stolzenburg |          |

Nays—24

|               |             |              |             |
|---------------|-------------|--------------|-------------|
| Mr. President | Broxson     | Haverfield   | Myers       |
| Arnold        | Daniel      | Hollahan     | Ott         |
| Beaufort      | de la Parte | Horne        | Poston      |
| Boyd          | Fincher     | Knopke       | Saunders    |
| Peterson      | Graham      | Lewis (33rd) | Scarborough |
| Brantley      | Gunter      | Lewis (43rd) | Trask       |

Senator Henderson moved the adoption of the following  
amendment to House amendment 1 which failed:

**Amendment 6:** On page 43, line 7, strike "74" and insert: 75

The vote was:

Yeas—18

|          |                |             |          |
|----------|----------------|-------------|----------|
| Bell     | Henderson      | Plante      | Weber    |
| Bishop   | Johnson (29th) | Reuter      | Williams |
| Childers | Johnson (34th) | Sayler      | Wilson   |
| Deeb     | Lane           | Stolzenburg |          |
| Ducker   | McClain        | Ware        |          |

Nays—27

|               |             |              |             |
|---------------|-------------|--------------|-------------|
| Mr. President | Broxson     | Hollahan     | Ott         |
| Arnold        | Daniel      | Horne        | Pope        |
| Barron        | de la Parte | Karl         | Poston      |
| Beaufort      | Fincher     | Knopke       | Saunders    |
| Boyd          | Gong        | Lewis (33rd) | Scarborough |
| Peterson      | Graham      | Lewis (43rd) | Trask       |
| Brantley      | Haverfield  | Myers        |             |

Senators Johnson (34th) and Reuter offered the following  
amendment which was moved by Senator Reuter and failed:

**Amendment 7—**On page 12, strike everything after line 23  
through the bottom of the page and all of pages 13 and 14 and  
insert:

DISTRICT 26

|              |        |
|--------------|--------|
| Indian River | 35,992 |
| St. Lucie    | 50,836 |
| Martin       | 28,035 |
| Palm Beach*  |        |
| MCCD 75      |        |
| T 1          | 4,766  |
| T 2          | 3,658  |
| T 3          | 3,841  |
| T 4          | 1,876  |
| T 6          | 1,218  |
| T 7          | 7,638  |
| T 8          | 2,149  |
| T 9          | 8,200  |
| T 10         | 2,750  |
| T 11         | 7,567  |
| T 12         | 3,895  |
| T 13         | 6,703  |

169,124

DISTRICTS 27 and 28

|             |        |
|-------------|--------|
| Hendry      | 11,859 |
| Palm Beach* |        |
| CCD 10      | 32,826 |
| CCD 35      | 655    |
| MCCD78      | 4,319  |
| MCCD80      | 84,741 |
| MCCD50      | 68,635 |
| MCCD20      | 56,917 |
| MCCD15      | 32,552 |
| MCCD75*     |        |
| T 5         | 3,237  |
| T 5.99      | 13     |
| T 14        | 6,887  |
| T 15        | 3,950  |
| T 16        | 2,873  |
| Broward*    |        |
| CCD 15      |        |
| T 101       | 7,749  |
| T 102       | 3,370  |
| T 103       | 6,495  |
| T 104       | 923    |
| T 105       | 289    |
| T 106       | 391    |
| T 107       | 5,524  |
| T 108       | 5,014  |

339,219

DISTRICTS 29, 30, and 31

|          |         |
|----------|---------|
| Collier  | 38,040  |
| Broward* |         |
| CCD 50   | 60,124  |
| CCD 37   | 14,995  |
| CCD 42   | 61,339  |
| CCD 20   | 172,457 |
| CCD 03   | 0       |
| CCD 10*  |         |
| T 702    | 2,520   |
| T 701    | 5,192   |
| T 706    | 1,952   |
| CCD 5*   |         |
| T 803    | 1,301   |
| T 804    | 6,173   |
| T 802    | 2,150   |
| MCCD 43  | 48,667  |
| CCD 15*  |         |
| T 109    | 5,222   |
| T 301    | 4,507   |
| Lee*     |         |
| CCD 05   | 27,481  |
| CCD 10   | 27,351  |
| CCD 20   | 19,869  |
| CCD 15*  |         |
| PC 1493  | 8,798   |

507,938

The vote was:

Yeas—19

|        |          |         |                |
|--------|----------|---------|----------------|
| Bell   | Childers | Ducker  | Henderson      |
| Bishop | Deeb     | Fincher | Johnson (29th) |

|                |        |             |          |
|----------------|--------|-------------|----------|
| Johnson (34th) | Plante | Stolzenburg | Williams |
| Lane           | Reuter | Ware        | Wilson   |
| McClain        | Sayler | Weber       |          |

Nays—26

|               |             |              |             |
|---------------|-------------|--------------|-------------|
| Mr. President | Broxson     | Hollahan     | Poston      |
| Arnold        | Daniel      | Horne        | Saunders    |
| Barron        | de la Parte | Karl         | Scarborough |
| Beaufort      | Gong        | Knopke       | Trask       |
| Boyd          | Graham      | Lewis (33rd) | Weissenborn |
| Peterson      | Gunter      | Lewis (43rd) |             |
| Brantley      | Haverfield  | Myers        |             |

On motions by Senator Boyd, the Senate concurred in House amendment 1 as amended and House amendment 2 to SJR 1305.

The vote was:

Yeas—24

|          |             |            |             |
|----------|-------------|------------|-------------|
| Arnold   | Broxson     | Haverfield | Ott         |
| Barron   | de la Parte | Hollahan   | Poston      |
| Beaufort | Fincher     | Horne      | Saunders    |
| Bishop   | Gong        | Karl       | Scarborough |
| Boyd     | Graham      | Knopke     | Trask       |
| Brantley | Gunter      | Myers      | Williams    |

Nays—22

|               |                |              |             |
|---------------|----------------|--------------|-------------|
| Mr. President | Ducker         | Lewis (43rd) | Stolzenburg |
| Bell          | Henderson      | McClain      | Ware        |
| Peterson      | Johnson (29th) | Plante       | Weber       |
| Childers      | Johnson (34th) | Pope         | Wilson      |
| Daniel        | Lane           | Reuter       |             |
| Deeb          | Lewis (33rd)   | Sayler       |             |

SJR 1305 passed as amended, and the action of the Senate was certified to the House. The vote was:

Yeas—25

|               |             |        |             |
|---------------|-------------|--------|-------------|
| Mr. President | de la Parte | Horne  | Saunders    |
| Barron        | Fincher     | Karl   | Scarborough |
| Beaufort      | Gong        | Knopke | Trask       |
| Boyd          | Graham      | Myers  | Williams    |
| Brantley      | Gunter      | Ott    |             |
| Broxson       | Haverfield  | Pope   |             |
| Daniel        | Hollahan    | Poston |             |

Nays—21

|          |                |              |        |
|----------|----------------|--------------|--------|
| Arnold   | Ducker         | Lewis (43rd) | Ware   |
| Bell     | Henderson      | McClain      | Weber  |
| Bishop   | Johnson (29th) | Plante       | Wilson |
| Peterson | Johnson (34th) | Reuter       |        |
| Childers | Lane           | Sayler       |        |
| Deeb     | Lewis (33rd)   | Stolzenburg  |        |

By unanimous consent Senator Weissenborn was recorded as voting yea; Senators Thomas and Brantley changed their votes from yea to nay.

EXPLANATIONS OF VOTE

I have voted against SJR 1305 because it separates Neptune Beach and Jacksonville Beach from Jacksonville. These atlantic coastline beaches are lumped into a seven county area where the people would be represented in the Florida Senate by a senator who has six other Florida counties—of diverse, mostly agricultural, interests—to serve. Duval County is the only county in the state contiguous with Neptune Beach and Jacksonville Beach other than Ponte Vedra Beach. The beaches are tied to Duval County not only in a geographical sense,—but in an economic sense. The vast majority of the people who live at the beaches work in Jacksonville. The people of Duval County are proud of the beaches. They have raised \$800,000 for beach reclamation. The people of Jacksonville who raised the money to fight beach erosion, and the people who live in the beach areas, as well as those who rely on the beaches for their economic well being deserve to be represented in the Florida

Senate by someone who is their own particular advocate. It is improper to divorce this economically valuable recreation area from the people who nourish and support it.

*Lynwood Arnold, 9th District*

I begin my consideration of legislative reapportionment with the assumption that the Legislature has a responsibility to reapportion itself and that it is in the best interest of the people of the State that it do so. That means, of course, that there will be input from incumbents, input from the people and consideration given to factors such as county lines, economic affinity and geography. Neither a court nor a computer can integrate those considerations into a plan as well as the Legislature and that is why the Legislature is given the first and primary responsibility of developing a plan. Although I would prefer single member districts, a smaller House of Representatives and some different district lines, I accept this proposal as being the best plan that can be produced by this Legislature under the existing judicial guidelines. For those reasons I vote yea on SJR 1305.

*Frederick B. Karl, 14th District*

My vote on SJR 1305 was registered in the affirmative after I became convinced that the House and the Senate were firm in resisting substantive amendments to their respective committee reapportionment plans. Repeatedly, amendments offered in both chambers were defeated, and I came to the conclusion that this bill as amended was the only legislative product that could be approved without a further extension of the session. I still have grave reservations that the Senate reapportionment plan will meet the court test (I voted nay on it previously), and I am especially concerned with the treatment of Seminole County in the Senate plan.

*Bill Gunter, 18th District*

I voted yea on this legislative reapportionment plan with great reservation. I do not like the House of Representatives section as it relates to Polk County in particular, but I believe that this is the best statewide plan that the House of Representatives will consider. Though compromise is sometimes difficult to swallow, I am convinced that we must pass a plan that will meet the test of mathematical perfection as mandated by the courts. SJR 1305 meets this test.

*Alan Trask, 27th District*

On motion by Senator Hollahan, the Senate reconsidered the vote by which HB 3197 was indefinitely postponed, and by two-thirds vote the bill was removed from the table and placed on the calendar.

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

**HB 3197**—A bill to be entitled An act relating to the board of regents; amending section 240.073, Florida statutes, to authorize the board to fix and collect fees and service charges; providing an effective date.

—which was read the second time by title. On motion by Senator Hollahan, by two-thirds vote HB 3197 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

|               |                |                |             |
|---------------|----------------|----------------|-------------|
| Mr. President | Deeb           | Johnson (34th) | Sayler      |
| Arnold        | de la Parte    | Karl           | Scarborough |
| Barron        | Ducker         | Lane           | Stolzenburg |
| Bell          | Gong           | Lewis (43rd)   | Trask       |
| Bishop        | Graham         | Ott            | Weber       |
| Peterson      | Haverfield     | Pope           | Weissenborn |
| Brantley      | Henderson      | Poston         | Williams    |
| Broxson       | Hollahan       | Reuter         | Wilson      |
| Childers      | Johnson (29th) | Saunders       |             |

Nays—None

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

The Senate resumed—

**HB 4323**—A bill to be entitled An act relating to the tax imposed by chapter 220 on corporations and other artificial entities; amending section 220.02, Florida Statutes, to express further legislative intent; amending paragraphs 220.03(1)(h) and 220.03(2)(c), Florida Statutes, to adopt by reference the federal Internal Revenue Code as in effect on January 1, 1972; amending subsection 220.13(2), Florida Statutes, to redefine the taxable income of life insurance companies and electing small business corporations; amending subsection 220.15(3), Florida Statutes, to clarify the definition of "everywhere" in apportionment factor denominators; amending subsection 220.222(1), Florida Statutes, to provide a date for filing tax returns of Domestic International Sales Corporations and Florida partnerships; amending paragraphs 220.13(1)(a) and (b), Florida Statutes, and repealing numerous other provisions of Florida Statutes, to remove the exemption for United States securities and for obligations of the State of Florida and its political subdivisions; adding a new Part Seven to impose a franchise tax on banks; amending section 220.42, Florida Statutes, to provide an elective method of accounting for taxpayers reporting on the completed contract method of accounting; providing an effective date

—with pending amendment which failed.

The question recurred on amendment 6 which was moved and deferred on April 4, and the amendment was adopted. The vote was:

Yeas—27

|          |                |             |             |
|----------|----------------|-------------|-------------|
| Arnold   | Fincher        | Lane        | Stolzenburg |
| Bishop   | Haverfield     | Ott         | Trask       |
| Boyd     | Henderson      | Plante      | Ware        |
| Brantley | Hollahan       | Poston      | Weber       |
| Childers | Johnson (29th) | Reuter      | Weissenborn |
| Daniel   | Johnson (34th) | Sayler      | Wilson      |
| Deeb     | Karl           | Scarborough |             |

Nays—15

|               |             |              |          |
|---------------|-------------|--------------|----------|
| Mr. President | de la Parte | Knopke       | Pope     |
| Bell          | Ducker      | Lewis (43rd) | Saunders |
| Peterson      | Gong        | McClain      | Williams |
| Broxson       | Graham      | Myers        |          |

By unanimous consent Senators Lewis (33rd) and Gunter were recorded as voting nay.

On motion by Senator de la Parte, by two-thirds vote HB 4323 as further amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—40

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

Nays—1

Pope

By unanimous consent Senator Pope changed his vote from nay to yea; Senator Weber was recorded as voting yea.

Statement pursuant to Rule 1.36:

I abstain from voting on amendment 6 to HB 4323 and on the bill for the reason that I serve as a member of the board of directors of a Florida bank.

*Mallory Horne, 5th District*

Consideration of CS for HB 4060, SB 818 and SB 819 was deferred.

On motion by Senator Hollahan, the Senate reconsidered the vote by which HB 3699 was indefinitely postponed, and by two-thirds vote the bill was removed from the table and placed on the calendar.

SB 854 was taken up and on motion by Senator Williams—

**HB 3699**—A bill to be entitled An act relating to education, public schools; providing for a maximum local effort for the minimum foundation program for fiscal year 1972-73; providing an effective date.

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

On motion by Senator Williams, by two-thirds vote HB 3699 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

|               |                |              |             |
|---------------|----------------|--------------|-------------|
| Mr. President | Ducker         | Karl         | Saunders    |
| Arnold        | Fincher        | Lane         | Scarborough |
| Bell          | Gong           | Lewis (33rd) | Trask       |
| Bishop        | Graham         | Lewis (43rd) | Ware        |
| Peterson      | Haverfield     | McClain      | Williams    |
| Brantley      | Henderson      | Myers        | Wilson      |
| Childers      | Hollahan       | Ott          |             |
| Deeb          | Johnson (29th) | Poston       |             |
| de la Parte   | Johnson (34th) | Reuter       |             |

Nays—None

By unanimous consent Senators Broxson, Daniel, Gunter, Horne and Weissenborn were recorded as voting yea.

SB 854 was laid on the table.

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

—was read the second time by title. On motion by Senator de la Parte, by two-thirds vote SB 1202 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         | Lane         | Scarborough |
| Bell          | Fincher        | Lewis (33rd) | Trask       |
| Bishop        | Gong           | Lewis (43rd) | Ware        |
| Peterson      | Graham         | McClain      | Weissenborn |
| Brantley      | Haverfield     | Myers        | Williams    |
| Broxson       | Henderson      | Ott          | Wilson      |
| Childers      | Hollahan       | Plante       |             |
| Daniel        | Johnson (29th) | Poston       |             |
| Deeb          | Johnson (34th) | Reuter       |             |

Nays—None

By unanimous consent Senators Gunter and Horne were recorded as voting yea.

On motion by Senator Williams, HB 4232 was withdrawn from the Committee on Universities and Community Colleges by two-thirds vote and placed on the calendar.

Consideration of Senate Bills 1208, 1280, 354 and 955 was deferred.

**CS for HB 3041**—A bill to be entitled An act relating to taxation; amending chapter 192, Florida Statutes, by creating new section 192.012, Florida Statutes, to provide that the assessment ratio study conducted by the auditor general shall be conducted on all non-exempt real and personal property except in

1972 and 1973 in which years it shall be conducted on non-exempt real property only; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 2, following line 13 insert: (3) The ratio studies required under paragraph 236.07(9)(a) shall not be used to supersede the procedure called for in sub-section 193.114(5) relating to certification of the tax rolls by the department of revenue.

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

**Amendment 2**—On page 1, strike all of line 13 and insert: property only; providing that such studies shall not supersede section 193.114(5), Florida Statutes; providing an effective date.

Senator Sayler moved the adoption of the following amendment:

**Amendment 3**—On page 1, line 16, strike all of Section 1 and renumber Section 2 as Section 3 and insert: Section 1. For the purpose of calculating the local required effort of the minimum foundation program of local school districts as provided for in Chapter 236, Florida Statutes, for the fiscal year 1972-73 only, the aggregate required local effort of all school districts collectively shall be two hundred seventy-three million seven hundred fifty thousand seven hundred seventy-eight dollars (\$273,750,778.00), the provisions of any law to the contrary notwithstanding. The amount that each school district shall provide toward the cost of the minimum foundation program for 1972-73 shall be computed as follows:

(a) The commissioner of education shall, on or before July 1, 1972, determine for each district the product of the total assessed value of non-exempt property for the preceding year multiplied by six (6) mills, multiplied by ninety-five percent (95%), then determine the total for all districts, and determine the percentage of each district's share of the total for all districts collectively.

(b) Multiply the aggregate required local effort for 1972-73 by each district's percentage determined in (a) and the product obtained shall be that district's required local effort for 1972-73.

Section 2. The ratio studies called for in Section 236(9)(a) shall not be applied in 1972 insofar as determining the minimum financial effort for each district nor the distribution of the additional one (1) cent motor fuel tax provided for in Section 206.60(2)(b)3.

On motion by Senator de la Parte, further consideration of CS for HB 3041 was deferred.

Consideration of HB 3202, CS for HB 4375, and HB 3981 was deferred.

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

—was read the second time by title. On motion by Senator de la Parte, by two-thirds vote SB 1196 was read the third time by title, passed and certified to the House. The vote was:

Yeas—42

|               |             |                |              |
|---------------|-------------|----------------|--------------|
| Mr. President | Childers    | Gunter         | Karl         |
| Arnold        | Deeb        | Haverfield     | Knopke       |
| Bell          | de la Parte | Henderson      | Lane         |
| Bishop        | Ducker      | Hollahan       | Lewis (33rd) |
| Boyd          | Fincher     | Horne          | Lewis (43rd) |
| Peterson      | Gong        | Johnson (29th) | McClain      |
| Brantley      | Graham      | Johnson (34th) | Myers        |

|        |             |             |          |
|--------|-------------|-------------|----------|
| Ott    | Saunders    | Trask       | Williams |
| Plante | Saylor      | Ware        | Wilson   |
| Poston | Scarborough | Weber       |          |
| Reuter | Stolzenburg | Weissenborn |          |

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

That the following amendment to Section 9 of Article XII is agreed to and shall be submitted to the electors of the state for approval or rejection at a special election to be held in November 1972.

Nays—None

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

**HB 4380**—A bill to be entitled An act relating to the department of professional and occupational regulation; amending § 215.37(4), Florida Statutes, to provide for the deposit of the examining and licensing boards' service charge; repealing § 20.30(9), Florida Statutes, relating to prorating of costs; providing an effective date.

—was read the second time by title.

On motion by Senator Trask the following amendment was adopted:

**Amendment 1**—On page 2, line 1, Section 1, strike "four percent (4%)" and insert: one percent (1%)

On motion by Senator Trask the following amendment was adopted:

**Amendment 2**—On page 1, line 26, Section 1, strike "Six percent (6%)" and insert: Nine percent (9%)

On motion by Senator Trask, by two-thirds vote HB 4380 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

|             |                |              |             |
|-------------|----------------|--------------|-------------|
| Arnold      | Gong           | Lane         | Stolzenburg |
| Bell        | Graham         | Lewis (33rd) | Trask       |
| Boyd        | Gunter         | Lewis (43rd) | Ware        |
| Peterson    | Haverfield     | McClain      | Weber       |
| Brantley    | Henderson      | Ott          | Weissenborn |
| Broxson     | Hollahan       | Plante       | Williams    |
| Daniel      | Horne          | Poston       | Wilson      |
| Deeb        | Johnson (29th) | Reuter       |             |
| de la Parte | Johnson (34th) | Saunders     |             |
| Ducker      | Karl           | Scarborough  |             |

Nays—2

Bishop Childers

**CS for HJR 2705**—A joint resolution proposing an amendment to Section 9 of Article XII of the Constitution, providing that part of the revenue derived from the licensing of motor vehicles shall be used for capital outlay and debt service school purposes and prescribing the methods of distribution and use thereof.

—was read the second time.

Senators Haverfield and Poston offered the following amendment which was adopted on motion by Senator Haverfield:

**Amendment 1**—On page 18, after line 8 insert: (f) If, at the general election at which this amendment is adopted, there is also adopted an amendment to this section wherein the proposed language of subsection (a) differs from that contained herein, then such other language as to subsection (a) shall prevail over the language of subsection (a) as contained herein.

On motion by Senator Haverfield, the rules were waived and CS for HJR 2705 as amended was read the third time in full as follows:

**CS for HJR 2705**—A joint resolution proposing an amendment to Section 9 of Article XII of the Constitution, providing that part of the revenue derived from the licensing of motor vehicles shall be used for capital outlay and debt service school purposes and prescribing the methods of distribution and use thereof.

Section 9. Bonds.—

(a) **ADDITIONAL SECURITIES.** No additional revenue bonds shall be issued pursuant to Article IX, Section 17, of the Constitution of 1885, as amended. Article XII, Section 19, of the Constitution of 1885, as amended, as it existed immediately before this revision becomes effective, is adopted by this reference as a part of this revision as completely as though incorporated herein verbatim, except bonds or tax anticipation certificates hereafter issued thereunder may bear interest not in excess of five percent (5%) per annum or such higher interest as may be authorized by statute passed by a three-fifths (3/5) vote of each house of the legislature. No revenue bonds or tax anticipation certificates shall be issued pursuant thereto after June 30, 1976.

(b) **REFUNDING BONDS.** Revenue bonds to finance the cost of state capital projects issued prior to the date this revision becomes effective, including projects of the Florida state turnpike authority or its successor but excluding all portions of the state highway system, may be refunded as provided by law without vote of the electors at a lower net average interest cost rate by the issuance of bonds maturing not later than the obligations refunded, secured by the same revenues only.

(c) **MOTOR VEHICLE FUEL TAXES.**

(1) A state tax, designated "second gas tax," of two cents (2¢) per gallon upon gasoline and other like products of petroleum and an equivalent tax upon other sources of energy used to propel motor vehicles as levied by Article IX, Section 16, of the Constitution of 1885, as amended, is hereby continued for a period of forty (40) consecutive years. The proceeds of said tax shall be placed monthly in the state roads distribution fund in the state treasury.

(2) Article IX, Section 16, of the Constitution of 1885, as amended, is adopted by this reference as a part of this revision as completely as though incorporated herein verbatim for the purpose of providing that after the effective date of this revision the proceeds of the "second gas tax" as referred to therein shall be allocated among the several counties in accordance with the formula stated therein to the extent necessary to comply with all obligations to or for the benefit of holders of bonds, revenue certificates and tax anticipation certificates or any refundings thereof secured by any portion of the "second gas tax."

(3) No funds anticipated to be allocated under the formula stated in Article IX, Section 16, of the Constitution of 1885, as amended, shall be pledged as security for any obligation hereafter issued or entered into, except that any outstanding obligations previously issued pledging revenues allocated under said Article IX, Section 16, may be refunded at a lower net average interest cost rate by the issuance of refunding bonds, maturing not later than the obligations refunded, secured by the same revenues and any other security authorized in paragraph (5) of this subsection.

(4) Subject to the requirements of paragraph (2) of this subsection and after payment of administrative expenses, the "second gas tax" shall be allocated to the account of each of the several counties in amounts to be determined as follows: There shall be an initial allocation of one-fourth (¼) in the ratio of county area to state area, one-fourth (¼) in the ratio of the total county population to the total population of the state in accordance with the latest available federal census, and one-half (½) in the ratio of the total "second gas tax" collected on retail sales or use in each county to the total collected in all counties of the state during the previous fiscal year. If the annual debt service requirements of any obligations issued for any county, including any deficiencies for prior years, secured under paragraph (2) of this subsection, exceeds the amount which would be allocated to that county under the formula set out in this paragraph, the amounts allocated to other counties shall be reduced proportionately.

(5) Funds allocated under paragraphs (2) and (4) of this subsection shall be administered by the state board of administration created under said Article IX, Section 16, of the Con-

stitution of 1885, as amended, and which is continued as a body corporate for the life of subsection 9(c). The board shall remit the proceeds of the "second gas tax" in each county account for use in said county as follows: eighty percent (80%) to the state agency supervising the state road system and twenty percent (20%) to the governing body of the county. The percentage allocated to the county may be increased by general law. The proceeds of the "second gas tax" subject to allocation to the several counties under this paragraph (5) shall be used first, for the payment of obligations pledging revenues allocated pursuant to Article IX, Section 16, of the Constitution of 1885, as amended, and any refundings thereof; second, for the payment of debt service on bonds issued as provided by this paragraph (5) to finance the acquisition and construction of roads as defined by law; and third, for the acquisition and construction of roads. When authorized by law, state bonds pledging the full faith and credit of the state may be issued without any election: (i) to refund obligations secured by any portion of the "second gas tax" allocated to a county under Article IX, Section 16, of the Constitution of 1885, as amended; (ii) to finance the acquisition and construction of roads in a county when approved by the governing body of the county and the state agency supervising the state road system; and (iii) to refund obligations secured by any portion of the "second gas tax" allocated under paragraph 9(c)(4). No such bonds shall be issued unless a state fiscal agency created by law has made a determination that in no state fiscal year will the debt service requirements of the bonds and all other bonds secured by the pledged portion of the "second gas tax" allocated to the county exceed seventy-five percent (75%) of the pledged portion of the "second gas tax" allocated to that county for the preceding state fiscal year, of the pledged net tolls from existing facilities collected in the preceding state fiscal year, and of the annual average net tolls anticipated during the first five (5) years of operation of new projects to be financed. Bonds issued pursuant to this subsection shall be payable primarily from the pledged tolls and portions of the "second gas tax" allocated to that county.

#### (d) SCHOOL BONDS.

(1) Article XII, Section 18, of the Constitution of 1885, as amended, as it existed immediately before this revision becomes effective is adopted by this reference as part of this revision as completely as though incorporated herein verbatim, but solely and only to the full extent necessary to comply with all the covenants and agreements of the state board in the proceedings which authorized the issuance of bonds or motor vehicle tax anticipation certificates under said Section 18 of Article XII of the State Constitution of 1885, as amended prior to 1968, and to protect all the rights, security and remedies of the holders of said bonds or motor vehicle tax anticipation certificates; and nothing in this amendment shall be construed to authorize more than four hundred dollars (\$400.00) in the aggregate for each instruction unit under this amendment and Section 18 of Article XII of the State Constitution of 1885, as amended prior to 1968.

(2) Beginning January 1, 1973, and for thirty-five (35) years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this amendment, shall, as collected, be placed monthly in the school district and junior college capital outlay and debt service fund in the state treasury, and used only as provided in this amendment. Such revenue shall be distributed annually among the several school districts and junior college districts in the ratio of the number of instruction units in each school district or junior college district in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars (\$400.00) multiplied by the total number of instruction units in all the school districts and junior college districts of Florida. The number of instruction units in each school district or junior college district in each year for the purpose of this amendment shall be the greater of (1) the number of instruction units in such school district or junior college district for the school fiscal year in which such bonds or motor vehicle tax anticipation certificates are issued, computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (herein called the state board), or (2) the number of instruction units in such school district or junior college district on behalf of which the state board of education has issued bonds or motor vehicle tax anticipation certificates under this amendment or

under Section 18 of Article XII of the State Constitution of 1885, which will produce sufficient revenues under this amendment to equal one and one-third (1-1/3) times the aggregate amount of principal of and interest on all bonds or motor vehicle tax anticipation certificates issued under Section 18 of Article XII of the State Constitution of 1885, which will mature and become due in such year, plus one and twelve-hundredths (1.12) times the aggregate amount of principal of and interest on all bonds or motor vehicle tax anticipation certificates issued under this amendment which will mature and become due in such year, computed in the manner heretofore or hereafter provided by general law and approved by the state board.

(3) Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article IX of the State Constitution as revised in 1968. For the purposes of this amendment, said state board, as now constituted, shall continue as a body corporate during the life of this amendment and shall have the powers provided in this amendment in addition to all other constitutional and statutory powers related to the purposes of this amendment heretofore or hereafter conferred upon said state board.

"School district", for the purposes of this amendment, shall mean a school district as defined in Section 4 of Article IX of the State Constitution, as now existing, or as may hereafter be created and established under the State Constitution.

(4) The state board shall, in addition to its other constitutional and statutory powers, have the management, control and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in this subsection (d). The state board shall also have power, for the purpose of obtaining funds for the use of any school board of any school district or board of trustees of any junior college district in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds or motor vehicle tax anticipation certificates shall bear interest at not exceeding seven and one half percent (7 1/2%) per annum, or such interest rate as may be authorized by statute passed by a three-fifths (3/5) vote of each house of the legislature. All such bonds shall mature serially in annual installments commencing not more than three (3) years from the date of issuance thereof and ending not later than thirty (30) years from the date of issuance, or January 1, 2007, A.D., whichever is earlier. All such motor vehicle tax anticipation certificates shall mature prior to January 1, 2007, A.D. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

(5) The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this amendment and to enter into any covenants and other agreements with the holders of such bonds or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

(6) No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the school board of the school district or board of trustees of the junior college district on behalf of which such obligations are to be issued. The state board of education shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any school district or junior college district to ninety percent (90%) of the amount which it determines can be serviced by the revenue accruing to the school district or junior college district under the provisions of this amendment, and such determination shall be conclusive. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board of education but shall be issued for and on behalf of the school board of the school district or board of trustees of the junior college district

requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(7) The state board shall in each year use the funds distributable pursuant to this amendment to the credit of each school district or junior college district only in the following manner and in order of priority:

A. To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, or under Section 18 of Article XII of the State Constitution of 1885, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the school board of such school district or board of trustees of such junior college district; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

B. To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the school board of such school district or board of trustees of such junior college district under the authority hereof, or under Section 18 of Article XII of the State Constitution of 1885, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

C. To distribute annually to the several school boards of the school districts or the boards of trustees of the junior college districts for use in payment of debt service on bonds heretofore or hereafter issued by any such school boards of the school districts or boards of trustees of the junior college districts where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such school districts or junior college districts and which capital outlay projects have been approved by the school board of the school district or board of trustees of the junior college district, pursuant to the most recent survey or surveys conducted under regulations prescribed by the state board to determine the capital outlay needs of the school district or junior college district. The state board shall have power at the time of issuance of any bonds by any school board of any school district or board of trustees of any junior college district to covenant and agree with such school board or board of trustees as to the rank and priority of payments to be made for different issues of bonds under this subparagraph C., and may further agree that any amounts to be distributed under this subparagraph C. may be pledged for the debt service on bonds issued by any school board of any school district or board of trustees of any junior college district and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

D. To distribute annually to the several school boards of the school districts or boards of trustees of the junior college districts for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such school district or junior college district as shall be requested by resolution of the school board of the school district or board of trustees of the junior college district.

E. When all major capital outlay needs of a school district or junior college district have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such school district or junior college district as the school board of the school district or board of trustees of the junior college district shall determine, or as may be provided by general law.

(8) Capital outlay projects of a school district or junior college district shall be eligible to participate in the funds accruing under this amendment and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the school

district or junior college district under regulations prescribed by the state board, to determine the capital outlay needs of the school district or junior college district and approved by the state board; provided that the priority of such projects may be changed from time to time upon the request of the school board of the school district or board of trustees of the junior college district and with the approval of the state board; and provided further, that this paragraph (8) shall not in any manner affect any covenant, agreement or pledge made by the state board in the issuance by said state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any school board of any school district, or board of trustees of any junior college district.

(9) The state board may invest any sinking fund or funds created pursuant to this amendment in direct obligations of the United States of America or in the bonds or motor vehicle tax anticipation certificates, issued by the state board on behalf of the school board of any school district or board of trustees of any junior college district.

(10) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this amendment of full force and operating effect. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this amendment to any degree which will fail to provide the full amount necessary to comply with the provisions of this amendment and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this amendment and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this amendment or impairing or altering any covenant or agreement of the state board, as provided in such bonds or motor vehicle tax anticipation certificates.

(11) The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this amendment as it shall deem necessary, and the expenses of the state board in administering the provisions of this amendment shall be prorated among the various school districts and junior college districts and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each school district or junior college district on the same basis as such motor vehicle license taxes are distributable to the various school districts or junior college districts under the provisions of this amendment. Interest or profit on sinking fund investments shall accrue to the school districts or junior college districts in proportion to their respective equities in the sinking fund or funds.

(12) Bonds issued pursuant to this subsection (d) shall be payable primarily from said motor vehicle license taxes as provided herein, and if authorized by law, may be additionally secured by pledging the full faith and credit of the state without an election. When authorized by law, bonds issued pursuant to Article XII, Section 18 of the Constitution of 1885, as amended prior to 1968, and bonds issued pursuant to Article XII, Section 9, subsection (d) of the Constitution as revised in 1968, and bonds issued pursuant to this subsection (d), may be refunded by the issuance of bonds additionally secured by the full faith and credit of the state only at a lower net average interest cost rate, except bonds or tax anticipation certificates hereafter issued thereunder may bear interest not in excess of five percent (5%) per annum or such higher interest as may be authorized by statute passed by a three-fifths (3/5) vote of each house of the legislature. Bonds issued pursuant to this subsection (d) shall be payable primarily from revenues as provided in Article XII, Section 18, of the Constitution of 1885, as amended, and if authorized by law, may be additionally secured by pledging the full faith and credit of the state without an election. When authorized by law, bonds issued pursuant to Article XII, Section 18, of the Constitution of 1885, as amended, and bonds issued pursuant to this subsection (d), may be refunded by the issuance of bonds additionally secured by the full faith and credit of the state only at a lower net average interest cost rate.

(e) DEBT LIMITATION. Bonds issued pursuant to this Section 9 of Article XII which are payable primarily from revenues pledged pursuant to this section shall not be included in apply-

ing the limits upon the amount of state bonds contained in Section 11, Article VII, of this revision.

(f) If, at the general election at which this amendment is adopted, there is also adopted an amendment to this section wherein the proposed language of subsection (a) differs from that contained herein, then such other language as to subsection (a) shall prevail over the language of subsection (a) as contained herein.

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

**Yeas—34**

|               |                |              |             |
|---------------|----------------|--------------|-------------|
| Mr. President | Daniel         | Karl         | Reuter      |
| Arnold        | de la Parte    | Lane         | Saunders    |
| Bell          | Ducker         | Lewis (33rd) | Trask       |
| Bishop        | Gong           | Lewis (43rd) | Ware        |
| Boyd          | Graham         | McClain      | Weissenborn |
| Peterson      | Gunter         | Myers        | Williams    |
| Brantley      | Haverfield     | Ott          | Wilson      |
| Broxson       | Hollahan       | Plante       |             |
| Childers      | Johnson (29th) | Poston       |             |

**Nays—None**

By unanimous consent Senator Saylor was recorded as voting yea.

Senator Hollahan announced that the order of business for April 6 would be: report of the Select Committee on Executive Suspensions, special order calendar consisting of bills remaining on the special order calendar for this day, and the local bill calendar at 11:40 a.m.

Senator de la Parte announced that the Committee on Ways and Means would meet at 6:00 p.m. this day.

On motion by Senator Lewis (33rd), the rules were waived and the Senate reverted to—

**INTRODUCTION**

By the required Constitutional two-thirds vote of the Senate the following bill was admitted for introduction and consideration:

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

By Senator Thomas—

SB 1322—A bill to be entitled An act relating to county area planning boards; to provide for the appointment of additional members to said boards; providing an effective date.

—which was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

On motion by Senator Lewis (33rd), SB 1322 was withdrawn from the Committee on Health, Welfare and Institutions by two-thirds vote and placed on the calendar.

On motion by Senator Lewis (33rd), Rule 4.14 requiring 15 minutes' notice was waived and unanimous consent was obtained to take up SB 1322 out of order.

On motions by Senator Lewis (33rd), by two-thirds vote, SB 1322 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—40**

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

**Nays—None**

The President announced the appointment of Senators Myers, Karl and de la Parte as a committee to research the contents of SB 284 relating to abortion and report to the Senate as to how the present bill compares with the original bill.

On motion by Senator Broxson SB 354 was removed from the calendar and withdrawn from further consideration of the Senate.

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

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Jerry Thomas* April 4, 1972  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendment to House Amendment 1; has refused to recede from House Amendment 2 to—

By Senator Pope—

SB 943—A bill to be entitled An act relating to the Florida retirement system; amending chapter 121, 1970 Supplement to Florida Statutes, 1969, by adding section 121.191; prohibiting any special act or general law of local application to amend or contravene the provisions of this chapter; providing a three-fifths (3/5) vote of the membership of each house for passage of this act; providing an effective date.

—and requests the appointment of a Conference Committee.

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

The President appointed Senator Pope as the conferee on the part of the Senate on SB 943.

*The Honorable Jerry Thomas* April 5, 1972  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment to House amendment 1 and passed as further amended, SJR 1305.

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

The bill was ordered engrossed.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:16 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., April 6, 1972.