

# JOURNAL OF THE FLORIDA SENATE

Beginning the Fifth Regular Session of the Legislature of Florida convened under the Florida Constitution of 1968, at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the Third day of April A.D., 1973, being the day fixed by the Constitution of the State of Florida for convening of the Legislature.

**Tuesday, April 3, 1973**

The Senate was called to order by Senator Mallory E. Horne, President of the Senate, at 10:30 a.m. A quorum present—39:

Mr. President	Graham	Peterson	Sykes
Barron	Gruber	Pettigrew	Trask
Brantley	Henderson	Plante	Vogt
Childers	Johnson	Poston	Ware
Deeb	Johnston	Saunders	Weber
de la Parte	Lane (31st)	Sayler	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	

Excused: Senator Gallen due to illness.

Prayer by Dr. Robert M. McMillan, pastor, First Baptist Church, Tallahassee:

Our God and Father, as children of thy family we come seeking thy wisdom for the awesome task of government to which the people of this state have elected these your servants.

Help us always to see ourselves in the role of servants and never as masters. Help us to see history as the sphere of persons in relationship to each other. Help us to know that laws separated from or drawn without relation to people are heartless and meaningless. So may we in the drafting of words breathe into them the life of humanness.

Help us our God to observe the present need of actuality that we may not delay our decisions against yet distant ideals.

So grant to us thy strength which is always greatest when we humbly recognize our own weakness.

In the name of our Lord, amen.

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

The President invited to the rostrum former Senate President Verle A. Pope and presented to him a copy of "The Florida Senate 1972-74", which is dedicated to Senator Pope and Edwin G. Fraser, former Senator and Secretary of the Senate.

The President recognized Secretary of State Richard Stone who introduced Tippan Davidson, general manager of the Daytona News-Journal and chairman of the Fine Arts Council. Mr. Davidson presented the Honors Chorus, a select choir of 25 high school students chosen to sing for the Florida legislature. The group was commissioned by the Secretary of State and funded through the Division of Cultural Affairs.

The responsibility for organizing, rehearsing and conducting the Honors Chorus was assigned to Dr. Fred Vorce, music consultant, Florida Department of Education.

Dr. Vorce enlisted the help of the Florida Vocal Association in organizing and selecting the chorus.

It was agreed that the students would be and were selected from the all-state reading chorus at the state music festival held in Gainesville.

The President appointed Dr. Robert M. McMillan to serve as chaplain of the Senate.

The President recognized LeRoy Adkison, former sergeant at arms of the Senate.

Senator Barron moved that the rules as recommended by the Committee on Rules and Calendar to govern the 1972-74 Senate be adopted. The motion was adopted by the following vote:

Yeas—38

Mr. President	Graham	Pettigrew	Trask
Barron	Gruber	Plante	Vogt
Brantley	Henderson	Poston	Ware
Childers	Johnson	Saunders	Weber
Deeb	Johnston	Sayler	Williams
de la Parte	Lane (31st)	Scarborough	Wilson
Firestone	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	Myers	Stolzenburg	
Gordon	Peterson	Sykes	

Nays—1

McClain

## Explanation of vote

I voted against the adoption of the Senate Rules because it is the Senate's responsibility under the Constitution of the State of Florida to hear and pass on the removal or reinstatement of public officials. For this responsibility to be delegated to a special master, who is not a member of the Senate, constitutes an improper delegation of authority. I further believe that the master's report cannot be cloaked with privilege and confidentiality unless the same is the product of a closed Session of the Senate as provided by the Constitution of the State of Florida. Under these adopted rules dealing with suspensions and removals, it will be virtually impossible for a dissenting report to be made available to the members of the Senate for their consideration, and, therefore, I believe due process of law will be denied to suspended public officials and the public.

*David H. McClain, 21st District*

The rules read as follows:

## RULE ONE

### OFFICERS, SENATORS, EMPLOYEES, AND ETHICS

#### PART ONE—OFFICERS OF THE SENATE

1.1—A President and a President Pro Tempore of the Senate shall be elected for a term of two (2) years at the organizational session preceding the regular session of each odd-numbered year. They are to continue in office until their successors are chosen and qualified or until the expiration of their term, whichever shall first occur. They shall take an oath to support the Constitutions of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office. At said organizational session, the minority party shall by caucus elect a leader, the name of whom shall be certified to the Secretary of the Senate.

1.2—The President shall call the Senate to order at the hour provided by these Rules or at the hour to which the Senate adjourned at the next preceding session. Upon the appearance of a quorum, he shall cause the Senate to proceed with the daily order of business. He may recess the Senate for periods of time not to exceed thirty (30) minutes.

Calling the Senate to order

1.3—The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. In case of disturbance he may cause the area to be cleared. Unless authorized by the President, no food or newspapers shall be permitted in the Senate Chamber while the Senate is in session.

The President's control of Chamber, corridors, and rooms

1.4—The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena, or authorization for payment or other papers shall issue without the signature of the President. The President shall approve vouchers. He shall decide all questions of order, subject to an appeal by any Senator. The President is authorized to incur such travel and per diem expenses as are necessary in the preparation for the next session of the legislature. For the purposes of carrying on the financial business of the Senate, the President of the Senate and the Chairman of the Committee on Rules and Calendar shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred as authorized.

The President's signature; questions of order; travel

1.5—The President shall appoint all standing committees and standing subcommittees as well as all conference and select committees which, from time to time, may be ordered by the Senate.

Appointment of committees

1.6—The President shall not be required to vote in legislative proceedings. In all yea and nay votes, the President's name shall be called last.

The President's vote

1.7—The President may name any Senator to perform the duties of the Chair, but such substitution shall not extend beyond one (1) legislative day. In his absence and omission to make such appointment, the President Pro Tempore shall act during his absence.

Vacating Chair

1.8—Upon the death of the President, the President Pro Tempore shall perform the duties of the office until and unless the Senate shall elect a successor. Upon and during disability, absence or incapacity of the President beyond one (1) legislative day, the President Pro Tempore shall perform his duties.

President Pro Tempore

1.9—There shall be a Secretary of the Senate who shall be elected for a period of two (2) years pursuant to the provisions of section 11.15, Florida Statutes. A staff of assistants shall be employed

Election of Secretary of the Senate

to regularly transact such business as required by law, by Rules of the Senate, or as assigned by the President. The Secretary shall take an oath to support the Constitutions of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office.

The Secretary shall be under the supervision of the President of the Senate, who may assign additional duties to the Secretary from time to time. The Secretary shall be the enrolling and engrossing clerk of the Senate but may designate an assistant enrolling and engrossing clerk. The Secretary shall generally supervise all matters pertaining to Senate business.

All secretaries, stenographers, typists, verifiers, and other clerical assistants not specifically assigned to a Senator, to a committee, or to a permanent office of the Senate shall be under the supervision of the Secretary.

There shall be a division of management and personnel within the office of the Secretary which shall be administered by a Director. The Director shall serve at the pleasure of the Secretary and shall perform such duties as shall be prescribed by these Rules, or the Secretary. He shall coordinate the staff work of all committees to avoid costly duplication of work product and to expose to all staff an awareness of on-going Senate studies. He shall establish and maintain central files of all concluded committee reports and shall establish perpetual indices for reasonable access thereto.

1.10—In the absence of the President and the President Pro Tempore of the preceding session, the Secretary shall, at the organizational session of the legislature, call the Senate to order and, pending the election of a President or a President Pro Tempore preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

Secretary's duties at organization

1.11—The Secretary shall cause to be kept a correct Journal of the proceedings of the Senate, and this daily Journal shall be numbered serially from the first day of each session of the legislature. He shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials. He shall not permit any records or papers belonging to the Senate to be removed from his custody other than in the regular course of business and upon proper receipt. The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.

Duties generally; keeps Journal

1.12—The Secretary shall prepare a daily calendar which shall set forth: (1) the order of business; (2) the committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitutes; (3) the status of each bill, i.e., whether on second or third reading; and (4) notices of committee meetings.

Daily calendar

1.13—The Secretary shall have read to the Senate all papers ordered to be read; note responses of Senators when the roll is called to determine the presence of

Reads papers, calls roll

a quorum; call the roll and note the answers of Senators when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any vote of the Senate is taken by a show of hands or otherwise.

1.14—The Secretary shall attest to all writs, warrants, subpoenas, and authorizations for payment issued by order of the Senate and shall attest to the passage of all bills, resolutions, and memorials.

Attests to warrants and subpoenas; certifies passage

1.15—The Secretary shall prepare the copy for all printed forms used by the Senate.

Prepares printed forms

1.16—The Secretary shall examine bills upon their tender for introduction to determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

Examines legal form of bills for introduction

1.17—The Secretary shall maintain a numerical index of bills and resolutions and a cumulative index by introducers.

Indexes bills

1.18—The Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives without delay; and each shall be accompanied by a message stating the title to the measure being transmitted and requesting the concurrence of the House.

Transmits bills to House of Representatives

1.19—The Secretary shall receive all messages from the House of Representatives and shall be responsible for their security. He shall have them available for reading to the Senate during the appropriate order of business. All messages reflecting House amendments to Senate bills shall be promptly delivered to the Service Bureau for research and summary. He may retain such messages for two (2) days and shall cause such summaries to be delivered to each Senator on the morning of the day such messages shall be acted upon by the Senate. Special notice of the summaries will be given to those Senators who are prime introducers of bills amended by the House.

Receives and delivers for reading messages from House

1.20—There shall be a Sergeant at Arms of the Senate who shall be elected for a period of two (2) years, pursuant to the provisions of section 11.15, Florida Statutes. The Sergeant at Arms shall be under the supervision of the President. He shall take an oath to support the Constitutions of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office.

Sergeant at Arms: election and duties

The doorkeepers, janitors, pages, messengers, and attaches, except where otherwise specifically provided

in these Rules or by the President, shall be under the supervision of the Sergeant at Arms.

The Sergeant at Arms shall attend the Senate during its sessions and maintain order under the direction of the President or other presiding officer; he shall execute the commands of the President of the Senate and of the Senate, and all processes issued by authority thereof. The Sergeant shall have charge of all property of the Senate and will disburse the expendable materials to Senators for their official use; he shall distribute the number of Journals and Calendars certified to him by the Secretary of the Senate. The Sergeant shall have general charge of the gallery of the Senate and shall maintain order therein and shall police the Chamber and committee rooms of the Senate and shall be responsible therefor.

PART TWO—SENATORS

1.21—Every Senator shall be within the Senate Chamber during its sessions unless excused for just cause or necessarily prevented, and shall vote on each question. No Senator shall be required or permitted to vote on any question immediately concerning his private rights as distinct from the public interest.

Attendance and voting

1.22—The President may excuse any Senator from attendance in the Senate and its committees for any stated period, and such excused absence shall be noted on the Journal.

Excused absence

1.23—Any Senator necessarily absent from a session of the Senate or its committees and having in his possession any papers relating to the business of the Senate shall leave such papers with the Secretary before departing from the Capitol.

Senate papers left with Secretary

1.24—Any Senator who answers roll call at the opening of any session or who enters after roll call and announces his presence to the Senate shall thereafter be considered present unless leave of absence is obtained from the President.

Members deemed present unless excused

1.25—In cases of contest concerning a seat in the Senate, notice setting forth the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organizational session of the legislature; and in such case, the contest shall be determined by majority vote as speedily as is reasonably possible. The President shall appoint a Credentials Committee to be composed of not more than ten (10) members who shall consider the question and report their recommendations to the President, who shall inform the Senate.

Contested seat

1.26—Each Senator shall be entitled to such facilities and expense as may be necessary and expedient to the fulfilment of the duties of the office, the location and sufficiency of which shall be determined by the Committee on Rules and Calendar.

Facilities for members

**PART THREE—EMPLOYEES OF THE SENATE**

**1.27—**Disputes or complaints involving the competency or decorum of a legislative employee or attache of the Senate, except those officers elected by it, may be referred to the Committee on Rules and Calendar. The Committee, in its discretion and with the approval of the President, shall have the right to discharge or suspend the employee or attache of the Senate, and the pay of such employee or attache shall stop upon the day of discharge. Any Senator's spouse or immediate relatives may serve in any authorized position, provided, however, that said spouse or relative shall not receive compensation for services performed in said positions.

Dismissal of employees; services of spouse

**1.28—**No employee or attache of the Senate shall directly or indirectly interest or concern himself or herself with the passage or consideration of any measure whatsoever. Violation of this rule by an employee or attache shall be grounds for summary dismissal. This rule shall not preclude the performance of such duties as may be properly delegated to a Senator's aide.

Employees forbidden to lobby

**1.29—**Employees and attaches shall perform the duties assigned to them by the President and required of them by rule and custom of the Senate. When the Senate is in session, attaches and employees will remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the same hours of employment as regular capitol employees or in case of part-time employees and Senator's personal aides, such hours as may be prescribed by their department head.

Duties and hours

**1.30—**If employees are absent without prior permission save for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

Absence without permission

**1.31—**Senate employees shall be regulated concerning their political activity pursuant to section 110.092, Florida Statutes.

Political activity

**PART FOUR—LEGISLATIVE CONDUCT AND ETHICS**

**1.32—**Every Senator shall so conduct himself to justify the confidence placed in him by the people and, by personal example and admonition to colleagues, shall maintain the integrity and responsibility of his office.

Legislative conduct

**1.33—**A Senator shall not accept anything which will improperly influence his official act, decision, or vote.

Improper influence

**1.34—**A member of the Senate shall not allow his personal employment to impair his independence of judgment in the exercise of his official duties.

Conflicting employment

**1.35—**A member of the Senate shall not use his undue influence as a Senator in any matter which involves substantial conflict between his personal interest and his duties in the public interest.

Undue influence

**1.36—**A Senator shall disclose any personal, private, or professional interest in a bill which would inure to his special private gain or the special gain of any principal to whom he is obligated. Such disclosure shall be filed with the Secretary of the Senate for reporting in the Journal immediately following the record of the vote on the measure. Such disclosure may explain the logic of voting or of his disqualification.

Disclosure and disqualification

**1.37—**Senate employees shall be accountable to the intent of this rule.

Senate employees and conflicts

**1.38—**All questions relating to the interpretation and enforcement of these Rules touching upon legislative conduct and ethics shall be referred to the Committee on Rules and Calendar or shall emanate therefrom. A member of the Senate may submit a factual situation to the Committee on Rules and Calendar with a request for an advisory opinion establishing the standard of public duty. The Committee shall enter its opinion responding to each inquiry. All opinions shall, after hearing, be numbered, dated, and published in the Journal of the Senate. No opinion shall identify the requesting Senator without his consent.

Advisory opinions

**1.39—**Separately from any prosecutions or penalties otherwise provided by law, any Senator determined to have violated the requirements of the rule regulating ethics and conduct may be censured, reprimanded, or expelled. Such determination and disciplinary action shall be taken by a two-thirds (2/3) vote of the Senate, upon recommendation of the Committee on Rules and Calendar. The Committee, before making said recommendation, shall conduct a hearing after giving reasonable notice to the Senator alleged to have violated this rule and grant said Senator an opportunity to appear at the hearing.

Penalties for violations

**RULE TWO****COMMITTEES, OFFICERS, MEMBERS, VOTING, MOTIONS, DECORUM AND DEBATE****PART ONE—COMMITTEES**

**2.1—**Permanent standing committees and standing subcommittees, when created and designated by rule of the Senate, shall exist and function both during and between sessions. The President shall appoint the membership of the following named standing committees and standing subcommittees provided that each standing committee shall consist of not less than five (5) members:

Standing committees, standing subcommittees

**AGRICULTURE**

**COMMERCE**

- CONSUMER AFFAIRS
- CRIMINAL JUSTICE
- EDUCATION
- GOVERNMENTAL OPERATIONS
- HEALTH AND REHABILITATIVE SERVICES
- JUDICIARY
- NATURAL RESOURCES AND CONSERVATION
- RULES AND CALENDAR
- TRANSPORTATION
- WAYS AND MEANS
  - Subcommittee A
  - Subcommittee B
  - Subcommittee C

Each standing committee or the chairman thereof may appoint, from time to time, a select subcommittee to study or investigate a matter falling within the jurisdiction of the standing committee or to consider a bill referred to it. Select subcommittees shall be regulated by the Senate Rules of Procedure regulating standing subcommittees, except that select subcommittees shall be in existence for only that time necessary to complete their assignments and report to their standing committees. Their reports, whether favorable or unfavorable, shall be considered by the standing committee.

2.2—Permanent standing committees and standing subcommittees are authorized: (a) To maintain a continuous review of the work of the state agencies concerned with their subject areas and the performance of the functions of government within each such subject area. The standing committee or subcommittee is authorized to invite public officials and employees and private individuals to appear before the standing committee or subcommittee for the purpose of submitting information and may require reports from departments performing functions reasonably related to the committee jurisdiction.

(b) In order to carry out its duties, each standing committee or subcommittee is empowered with the reasonable right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this state.

(c) In order to carry out its duties, each standing committee or subcommittee may request of the President the issuance of subpoenas and subpoenas duces tecum and other necessary process to compel the attendance of witnesses and the production of any books, letters, or other documentary evidence desired by such committee. The President may issue said process on behalf of the committee; the chairman, or any other member of such standing committee or subcommittee, may administer all oaths and affirmations, in the manner prescribed by law, to witnesses who shall appear before such committee for the purpose of testifying in any matter about which such committee may desire evidence.

2.3—Prior to the convening of each regular session of the legislature, each standing committee shall prepare a report of its findings, recommendations, and proposed legislation, and file same with the President of the Senate and the Secretary of the Senate.

Prior to the convening of each regular session of the legislature, each standing subcommittee shall prepare a report of its findings, recommendations, and proposed legislation, and submit same to the chairman of the standing committee for consideration by such committee.

2.4—A committee shall be authorized the services of such personnel as may be necessary to carry out its duties and functions, subject to such guidelines and criteria as may be prescribed by the Committee on Rules and Calendar, and subject also to the pay and classification code of the Senate, provided that the Committee on Rules and Calendar, may authorize the joint utilization of personnel with the House of Representatives and may authorize the Senate to participate in the cost.

No committee or Senator shall make application for or utilize federal funds, personnel, services, or facilities unless approval by the Committee on Rules and Calendar is first obtained.

2.5—Notice of meetings of standing committees or standing subcommittees shall be published in the daily calendar. No committee shall consider any bill unless proper notice thereof shall have been published in the calendar for the legislative day preceding and the day of such committee meeting. The chairman of a committee or subcommittee or in his absence, the vice chairman, shall provide the Secretary's office with written information concerning meetings, which shall include the date, time and place of the meeting together with the name of the introducer and number of each bill to be considered.

Before any standing committee or standing subcommittee of the Senate holds a meeting while the legislature is not in session, a notice of said meeting, with the number of each bill to be considered, stating date, time and place, shall be filed with the Secretary of the Senate at least fourteen (14) days prior thereto. The Secretary shall give notice to the membership at least seven (7) days prior to said meeting.

2.6—Any bill reported by any standing committee without proper notice having been published in the daily calendar shall be recommitted to the committee reporting the same upon the point of order being made within two (2) days after such report is printed in the Journal. The committee to which the bill is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

Any bill reported by any standing subcommittee to its standing committee without proper notice having been published in the daily calendar shall be recommitted to the subcommittee reporting same upon the point of order made during the standing committee

meeting at which the bill was reported by the subcommittee. The subcommittee to which the bill is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

2.7—For publication in the daily calendar, notice of standing committee or standing subcommittee meetings shall be delivered to the Secretary's office in writing by 4:30 p.m. on the day preceding its intended publication, unless such day should be on a Friday, in which event such delivery shall be by 2:30 p.m. Hearing notices shall appear in the daily calendar.

2.8—Each standing committee and standing subcommittee shall consider, as expeditiously as is reasonably possible and proper, the public business assigned to it. For the purpose of facilitating this, the President shall group the standing committees and subcommittees in such manner as to provide each with an opportunity to meet without conflicting with the meetings of other committees to which members have been appointed.

The Committee on Rules and Calendar shall provide a schedule of days, hours, and places for the meeting of committees for the regular sessions and during the interim, and deliver a copy of same to each Senator, provided, however, that such scheduling shall not limit the powers of the chairman of a standing committee or subcommittee as provided in these rules.

Unless approved by the Committee on Rules and Calendar, no committee shall meet after the fiftieth (50th) day of any regular session except the Committee on Rules and Calendar.

2.9—Each committee shall regularly meet in the place assigned for its use by the Committee on Rules and Calendar, and notice of such assignment shall be posted by the Sergeant at Arms on a bulletin board provided for this purpose in the public corridor leading into the Senate Chamber. The committee chairman may arrange with the Committee on Rules and Calendar and the Sergeant at Arms for evening or other special meetings. No committee except the Committee on Rules and Calendar shall meet while the Senate is in session without the consent of the Senate.

2.10—The introducer of a bill shall attend the meeting of the committee before which such bill is noticed as provided in these Rules. Such introducer may discharge this duty by sending another legislator, his aide or committee staff member, or any other representative possessed of written permission to speak for the bill in his behalf. Bills shall be considered when reached on the committee agenda notwithstanding the absence of the sponsor or anyone authorized by these Rules to appear on his behalf, unless a majority of the committee shall decide otherwise.

2.11—All committee meetings shall be open to the public, subject always to the powers and authority of the chairman to maintain order and decorum. If any

matter is reported on the basis of a poll of the committee, such matters shall be referred to such committee upon a point of order made prior to final passage thereof.

2.12—Every bill referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the fifteenth (15th) calendar day from the day of reference (the day of reference being counted as the first day) unless the chairman of said committee or committees shall have filed with the Committee on Rules and Calendar and the Secretary of the Senate a request for an extension of ten (10) calendar days within which to consider said measure. The Secretary of the Senate shall forthwith publish such request in the Journal. Such request so published shall be deemed granted unless by the conclusion of the second legislative day following the delivery to Senators of the Journal containing the request, the sponsor of the measure involved shall have moved and the Senate shall have assented by a majority vote that the request be denied. In the event the Senate shall deny any request, the committee of reference shall within the next five (5) legislative days conduct a hearing on the measure involved. Notwithstanding the date of such request for extension of time, the ten (10) day period, if granted, shall be added to the original fifteen (15) days in every case. Should the time for filing the report required by this Rule fall on a Friday during the first thirty (30) days of the session, the measure shall be reported by 2:30 p.m. Any bill upon which no committee report or request for extension of time is filed as herein provided may be withdrawn from such committee and appropriately calendared upon point of order, provided that no bill may be thus withdrawn from the Committee on Ways and Means during the first thirty (30) days of a regular session. Every bill referred to a standing subcommittee shall be reported to the standing committee within the time specified by the chairman of the standing committee. (See also Rule 4.4)

2.13—It shall be the duty of standing committees to report all measures referred to them either (a) favorably, (b) favorably with committee amendment, (c) favorably with committee substitute as defined in these Rules, or (d) unfavorably.

Such reports shall also reflect (e) the time and place of the meeting at which the action was taken, and (f) the vote of each member of the committee on the motion to report each bill or resolution. A bill filed for introduction by a committee shall be accompanied by such report. The Secretary shall enter upon the Journal the action of the committee, which shall not include that portion of the report required by items (e) and (f). Reports of committees shall be preserved pursuant to law.

All matters referred to standing committees shall be reported by said committees with their recommendations thereon; and after such report has been received by the Secretary, no matter so reported shall be recommended to a committee except by two-thirds (2/3) vote of the Senators present and voting in session.

Notice of hearing; publication

Time of reporting by standing committees

Committee meetings

When, where committees meet

Attendance by sponsor of bill

Standing committee duties in deliberation

Open meetings

A standing committee, in reporting a Senate bill, may draft a new measure embracing the same general subject matter, to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure. A Senate committee may not recommend a Senate committee substitute for a House bill. The substitute measure must be accompanied by the original measure referred to the committee and returned to the Secretary in the same manner as the favorable reporting of any other measure. No other standing committee of reference shall consider the original measure but shall direct its attention to the substitute measure. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill as originally introduced. When the original measure is reached upon the calendar, the substitute shall be read a first time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu thereof without motion. The substitute shall carry the identifying number of the original and shall be returned to the Secretary in the same number of copies required for first introduction of a similar measure [an original (1) and six (6) exact copies]. Although a committee substitute may treat the substance of several bills pending before the committee, the committee report shall address itself to only one of such bills in reporting a committee substitute. The introducer of the original measure shall be shown by the committee secretary on the committee substitute unless the said introducer requests that his name be omitted. A committee substitute may be co-sponsored by any Senator whose signature is affixed to the original thereof.

All standing committee reports shall be signed by the chairman, or in his absence, the vice chairman, and shall be filed with the Secretary's office by 7:30 p.m. of each legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the measure; if amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be typewritten in full on amendment forms, numbered serially, and attached to the measure. All bills reported unfavorably shall be laid on the table.

2.14—It shall be the duty of standing subcommittees to report all measures referred to them directly to the parent standing committee, which shall promptly certify a copy thereof to the Secretary of the Senate. The standing subcommittee shall report all measures either (a) favorably, (b) favorably with committee amendments, (c) favorably with committee substitute as defined in these Rules, or (d) unfavorably.

Such reports shall also reflect (a) the time and place of the meeting at which the action was taken, and (b) the vote of each member of the subcommittee on the motion to report each bill or resolution.

A standing subcommittee may, in reporting a bill to the parent standing committee, draft a new measure, embracing the same general subject matter, to be returned to the parent standing committee with the

recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the parent standing committee in the same manner as the favorable reporting of any other measure.

All subcommittee reports shall be signed by the chairman, or, in his absence, the vice chairman, and shall be made on forms prescribed by the Secretary of the Senate. Each report by a standing subcommittee must set forth the identifying number of the measure; if amendments are proposed by the subcommittee, the words "with amendments" shall follow the identifying number. Subcommittee amendments shall be typewritten in full on amendment forms, numbered serially, and attached to the measure.

All bills reported unfavorably shall be laid on the table when the standing committee considers the subcommittee's report. Upon motion by any member of the committee, adopted by a two-thirds (2/3) vote of the committee members present, the same may be taken from the table. When a bill is thus removed from the table by a standing committee it shall receive a hearing de novo and witnesses shall be permitted to testify.

When a bill with a favorable report by a subcommittee is considered by the standing committee, no additional testimony of witnesses shall be permitted except upon vote of two-thirds (2/3) of the standing committee members present before final action is taken; however, debate by members of the standing committee shall be allowed.

2.15—A committee or subcommittee is actually assembled only when a quorum constituting a majority of the members of that committee is present in person. Any bill or resolution reported in violation of this rule shall be forthwith recommitted by the President when it is called to his attention by a Senator.

2.16—Upon receipt from the Secretary of each prefiled bill, the chairman of a committee shall either refer to a subcommittee, refer to a select committee as otherwise provided in these Rules or agenda for a meeting of the standing committee. In either event, the chairman shall concurrently notify the Secretary of the Senate of his action upon forms provided for such report. The chairman of the subcommittee, select committee, or of the standing committee thus possessing jurisdiction of a prefiled bill shall, with the concurrence of the President, determine the time and place for the hearing during which such bill is to be considered and notify the Secretary as required by these Rules.

Committees having jurisdiction of prefiled bills shall expedite the business of such committee and shall file reports as soon as practicable after each hearing, except that the Committee on Ways and Means shall not be required to file such report of any prefiled bill defined in these Rules.

A prefiled bill introduced solely by a Senator who will not be a Senator at the next ensuing regular session of the legislature shall be reported unfavorably

Standing subcommittee reports

Quorum of committee

Prefiled bills

without notice or hearing. A copy of each such bill shall be mailed to each committee member for the purpose of determining possible sponsorship. Such an automatic report shall not preclude the introduction of another bill of identical substance.

2.17—Bills shall be considered in the order appearing in the notice required by these Rules, except that the chairman may, in his sole discretion, consider a bill out of its order to accommodate the presence of a Senator or Representative who is the prime introducer thereof.

A bill may otherwise be considered out of its order on the committee calendar upon unanimous consent obtained in the following manner: The Senator moving for such unanimous consent shall have, prior to the entertainment of such motion, orally given the committee not less than fifteen (15) minutes' notice of his intention to so move which said notice shall specify the number of the bill. The moving Senator shall be allowed one (1) minute upon the entertainment of such motion to explain his purpose, and unanimous consent shall then be given or refused without further debate.

2.18—The Senate may, by a majority vote of all Senators present, resolve itself into a Committee of the Whole which, when thus constituted, may consider any question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The Rules of the Senate applicable to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of the members present, upon any bill or question not formally introduced in the Senate and any bill upon which all standing committees of reference have rendered a favorable report. No bill upon which no committee action has been taken by the committee or committees of reference or upon which an unfavorable committee report has been filed may be taken up and considered except upon a two-thirds (2/3) vote of the Senators present, which vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the Constitution, receive no further reference to committee. A favorable report by a Committee of the Whole upon a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a session of the Senate. Bills considered by a Committee of the Whole shall be read once, debated, amended, and acted upon as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the page and line shall be entered on separate paper by the Secretary, who shall be Secretary of the Committee of the Whole, and the same shall be agreed to by the Committee, and the report filed as otherwise provided in these Rules for committee reports. After

report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

2.19—The report of any committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and upon the completion of the second reading the vote shall be upon the adoption or rejection thereof and final passage of the measure as recommended. During the last five (5) days of a regular session the report shall be read only once.

The report must be acted upon as a whole, being adopted or rejected, and there shall accompany every such report a statement sufficiently explicit to inform the Senate of the effect of the report upon the measure to which it relates.

Conference committees shall consider and report only on the differences existing between the Senate and the House and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill which was the subject of the conference or it may offer an amendment striking everything after the enacting clause of any such bill referred to the committee. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House.

When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on said measure as the Senate may determine.

After Senate conferees shall have been appointed for seven (7) calendar days and shall have failed to make a report, it is hereby declared to be a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees; further, during the last six (6) calendar days allowed under the Constitution for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after the Senate conferees shall have been appointed thirty-six (36) hours without having made a report.

## PART TWO—COMMITTEE OFFICERS

2.20—A chairman and a vice chairman of each standing committee shall be appointed by the President preceding the regular session held each odd-numbered year and shall continue in office at the pleasure of the President. The President shall also appoint a chairman for each standing subcommittee authorized by these Rules, and may designate a vice chairman, both of whom shall continue in office at the pleasure of the President.

2.21—The chairman or, in his absence, the vice chairman, shall call the committee to order at the hour provided by these Rules. Upon the appearance of a quorum the committee shall proceed with the order of business. Any member of the committee may question the existence of a quorum.

2.22—The chairman or vice chairman shall preserve order and decorum and shall have general control of the committee room. In case of a disturbance or disorderly conduct in the committee room, he may cause the same to be cleared.

2.23—The chairman shall sign all notices, vouchers, subpoenas or reports required or permitted by these Rules. He shall decide all questions of order, subject to an appeal by any Senator, which appeal shall be certified by the chairman to the Senate for a decision by the President during the daily session of the Senate next following such certification which ruling shall be entered in the Journal and shall constitute binding precedent upon all committees of the Senate. A ruling by the President on any question certified shall be subject to appeal as any other question. The chairman may, or upon the vote of a majority of the committee, shall certify a question of parliamentary procedure to the President as contemplated by the rule without a formal appeal. Such a certified question shall be disposed of by the President as if it had been on appeal. The perfection of an appeal or the certification of a question pursuant to this rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

2.24—The chairman and vice chairman shall vote on all matters before such committee, provided that the name of the chairman shall be called last.

2.25—The chairman may name any member of the committee to perform the duties of the chair provided that such substitution shall not extend beyond such meeting. In his absence and omission to make such appointment, the vice chairman shall act during his absence.

2.26—Upon the death of the chairman, the vice chairman shall perform the duties of the office until and unless the President shall appoint a successor. Upon and during disability, absence, or incapacity of the chairman beyond one (1) legislative day, the vice chairman shall perform his duties.

2.27—Each chairman shall be entitled to such facilities and expenses as may be necessary and expedient to the fulfillment of the duties of the office, the location and sufficiency of which shall be determined by the Committee on Rules and Calendar.

**PART THREE—COMMITTEE MEMBERS**

2.28—Every member of a committee shall be in attendance during each of its meetings, unless excused or necessarily prevented, and shall vote on each question, except that no member of a committee shall be required or permitted to vote on any question immediately concerning his private rights as distinct from the public interest.

No member of any committee shall be allowed to vote by proxy. A majority of all the committee members present shall agree by their votes upon the disposition of any bill or other matter considered by the committee.

The chairman may excuse any Senator for just cause from attendance on the meetings of his committee for any stated period, and such excused absence shall be noted on the records of such committee.

Failure to attend two (2) consecutive regular meetings, unless excused from attendance in the Senate on those days as provided in these Rules or by the chairman of the committee, shall constitute automatic withdrawal from the committee.

**PART FOUR—VOTING**

2.29—The chairman shall declare all votes and shall cause same to be entered on the records of the committee, but if any member questions a vote, then upon a showing of hands by three (3) members, the chairman shall take the sense of the committee by yeas and nays. In all cases where the committee shall be equally divided, the question shall be lost.

Prior to the announcement of the result of a roll call, notice shall be taken in the records of the committee of the request of any Senator to (1) change his vote or (2) vote. After the vote has been announced, a Senator with unanimous consent may change his vote or vote on the measure except that no such change of vote or vote shall be valid where such vote would alter the final action of the committee until the measure shall first have been recalled to the committee for further consideration. Upon request of a member prior to consideration of other business, the chairman shall order a verification of a vote.

2.30—No Senator shall vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished in such a manner as the Senate may deem proper. Any person not a Senator who shall vote in the place of a Senator shall be excluded from the committee for the remainder of the session, in addition to such punishment as may be prescribed by law.

2.31—No pairing shall be permitted by the committee.

2.32—No Senator shall be permitted to defer or explain his vote during a roll call, but may reduce his explanation to writing; and upon filing with the chairman, this explanation shall be retained as a part of the committee record and a copy thereof filed with the Secretary of the Senate.

Explanation  
of vote

#### PART FIVE—MOTIONS AND THEIR PRECEDENCE

2.33—Every motion may be made orally. Upon request of the chairman, a Senator shall reduce his motion to writing. After a motion has been stated or read by the chairman, it shall be deemed to be in possession of the committee without a second, and shall be disposed of by vote of the committee. The mover may withdraw a motion, except a motion to reconsider, as herein-after provided, at any time before the same has been amended, or before a vote thereon shall have been commenced.

Motions: how  
made, withdrawn

2.34—When a question is under debate, the chairman shall receive no motion except:

1. To rise
2. To take a recess
3. To reconsider
4. To limit debate
5. To temporarily pass
6. To postpone to a day certain
7. To commit to a select subcommittee
8. To amend

Motions:  
Precedence

which several motions shall have precedence in the descending order given.

The chairman shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

When any motion is under consideration, but prior to the commencement of the vote thereon, a substitute motion shall be in order. Only one substitute shall be entertained and the substitute shall be in the same order of precedence.

2.35—Any Senator may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

Division of  
question

2.36—When a question has been decided by a committee any Senator voting with the prevailing side, or when a question has been decided by voice vote, any member, during the meeting at which the vote was taken, may move the reconsideration thereof. Such motion may be made pending a motion to rise or if the time of adjournment has arrived. Consideration of a motion to reconsider shall be a special and continuing order of business for the succeeding committee meeting, and, unless considered during such meeting, shall be considered abandoned. If the committee shall refuse to consider or, upon consideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent. During the last

Reconsideration  
generally

fourteen (14) days of a regular session, a motion to reconsider shall be made and considered during the meeting at which the original vote was taken.

2.37—The motion to reconsider shall require for its adoption the affirmative votes of a majority of the committee present and voting.

Reconsideration:  
vote required

2.38—Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. Where debate upon a motion to reconsider is in order, no Senator shall speak thereon more than once nor for a period longer than five (5) minutes.

Reconsideration:  
debate allowed

2.39—A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the committee has passed to other business.

Reconsideration:  
collateral  
matters

#### PART SIX—AMENDMENTS

2.40—Amendments shall be filed with the chairman on forms prescribed by the Secretary but shall be considered only as sponsors, who are members of the committee, gain recognition from the chairman to move their adoption. An amendment shall be deemed pending only after its sponsor has been recognized by the chairman and has moved its adoption. Amendments which have been filed with the chairman, the adoption of which have not been formally moved, shall not be deemed to be pending. No proposition on a subject different from that under consideration shall be admitted under color of amendment.

Form, manner  
of consideration

2.41—An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order: (1) Amendments to the amendment are acted upon before the substitute is taken up. (2) Amendments to the substitute are next voted on. (3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment of the bill itself.

Sequence of  
amendments to  
amendments

2.42—A proposal to strike out all after the enacting clause or the resolving clause of a bill or resolution, and insert new matter of the same general subject as stated in the original title, shall be deemed proper and germane and shall be treated as an amendment.

Striking all  
after enacting  
clause

2.43—The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill or resolution is being considered section by section or item by item, only amendments to the section

Amendment by  
section

or item under consideration shall be in order. The chairman shall, in recognizing Senators for the purpose of moving the adoption of amendments, endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the whole bill shall be open for amendment.

2.44—Any House bill may be amended in the same manner as a Senate bill.  
Senate amendments to House bills

**PART SEVEN—DECORUM AND DEBATE**

2.45—When any Senator desires to speak or deliver any matter to the committee, he shall respectfully address himself to "Mr. Chairman" and, on being recognized, may address the committee and shall confine himself to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. In all such cases, a Senator shall appropriately use the appellation of Senator or such appellation and the surname of the Senator referred to or addressed.  
Decorum and debate

2.46—When two (2) or more Senators speak at once, the chairman shall name the Senator who is to be first recognized.  
Chairman's power to recognize

2.47—No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by rising to a question of privilege, a point of order requiring an immediate ruling, an appeal from the decision of the chairman concerning a point of order (if the appeal is made immediately following the decision), a parliamentary inquiry requiring an immediate reply, or to question the existence of a quorum. The chairman shall strictly enforce this rule.  
Interruptions: when allowed

2.48—When a member is speaking and another member interrupts to request recognition, it is the right of the chairman to permit the person rising to state why he desires the floor; if the question he desires to raise is entitled to precedence, the member originally speaking should relinquish the floor until the question having precedence is disposed of, but he is entitled to resume the floor as soon as the privileged question has been disposed of.  
Speaking rights

The member making a debatable motion or the primary introducer of a bill, whether or not a member of the committee, shall have five (5) minutes in order to close debate.

2.49—No Senator shall speak for any longer period of time than ten (10) minutes without yielding the floor, except by consent of a majority of the Senators present.  
Time for debate

2.50—When a measure is under debate by the committee, it shall be in order for a Senator to move to limit debate, and such motion shall be decided without debate, except that the introducer of the measure shall have five (5) minutes within which to discuss said  
Limitation on debate

motion, and he may divide his time with, or waive it in favor of, some other member. If, by a two-thirds (2/3) vote of the Senators present, the question is decided in the affirmative, debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chairman.

2.51—All questions relating to the priority of business shall be acted on and shall be decided without debate.  
Priority of business

2.52—A point of order questioning the right of a member to vote on account of interest may be raised after the vote has been recorded and before the result is announced.  
Questioning right to vote

2.53—The proper method of taking exception to a ruling of the chairman is by appeal. An appeal from a decision of the chairman must be made promptly, and before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; if the determination of the appeal is dependent on this point, it may be decided by the chairman. This second decision is also subject to appeal.  
Appeals

2.54—An appeal from a decision of the chairman on a point of order is debatable even though the question out of which it arose was not debatable.  
Appeals debatable

**RULE THREE**

**BILLS, RESOLUTIONS, AND MEMORIALS**

3.1—A. General Form. All bills shall be typewritten, double spaced, in a type size of pica or larger, and of the color of black, without erasure or interlineation, on plain white paper, eight and one-half by thirteen (8 1/2 x 13) inches. The copies must be exact duplicates of the original. The top margin of the first page shall be at least two (2) inches, and aligned on the page substantially according to the following form:

A bill to be entitled  
An act \_\_\_\_\_  
\_\_\_\_\_

(TRIPLE SPACE)

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

(TRIPLE SPACE)

Section 1 \_\_\_\_\_  
\_\_\_\_\_

Section 2 \_\_\_\_\_  
\_\_\_\_\_

**B. Bill Backing.** The original must be backed in a folder-jacket signed by the sponsor(s), with six (6) exact copies which are backed with jackets prescribed by the Secretary and furnished by the Sergeant at Arms. On these jackets shall be inscribed the name and district number of the introducer and any co-introducers, or the introducing committee and its chairman, and enough of the title for identification. The six (6) copies must have clearly stamped on the jacket, one of each at the space provided for the number, "Duplicate", "Third Copy", "Fourth Copy", "Fifth Copy", "Sixth Copy", "House Copy".

**C. Bill Paper.** All bills shall be on paper with 31 numbered spaces, the first beginning not less than eight (8) nor more than ten (10) spaces from the top of the page, and vertical guide lines as prescribed by the Secretary of the Senate, with the words "A bill to be entitled" appearing on the third numbered space of the first page. These requirements may be waived by the Secretary of the Senate as to the general appropriations bill, but in such event shall be in a form approved by the Secretary.

**D. New and Deleted Matter.** Bills which propose to amend existing provisions of the Florida Statutes (as described in section 11.242, F. S.) or the Laws of Florida shall contain the full text of the section, subsection or paragraph to be amended. Joint Resolutions which propose to amend the Florida Constitution shall contain the full text of the section to be amended.

As to general bills and joint resolutions which propose to amend existing provisions of the Florida Statutes or of the Florida Constitution, new words shall be inserted in the text underlined, and words to be deleted shall be lined through with hyphens.

In the event the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the affected section of the bill: "Substantial rewording of section. See section . . ., F.S., for present text." When such notation is used it shall be underlined.

The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

Section catch lines shall not be typed with underlining, nor shall any other portion of a bill covered by this rule other than new material.

**3.2—All bills** (as distinguished from resolutions and memorials) shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution, and the enacting clause, "Be It Enacted by the Legislature of the State of Florida:". The title of each bill shall be prefaced by the words, "A bill to be entitled An act." Capitalize only the first letter of a sentence, name of person, city, state, or county. Lower case all other words in the title. The title of the general appropriations bill may be in uniform size letters.

**3.3—As required by article III, section 10 of the Constitution,** all local bills must either embody provision for ratifying referenda (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. Forms of affidavit may be obtained from the Sergeant at Arms. All local bills which require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill as the first or front page thereof, and the words "Proof of Publication Attached" clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

**3.4—All joint resolutions** shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Capitalize only the first letter of a sentence, name of person, city, state, or county. Lower case all other words in the title. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:". Each joint resolution shall be prefaced by the words: "A Joint Resolution . . ."

**3.5—All memorials** shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Capitalize only the first letter of a sentence, name of person, city, state, or county. Lower case all other words in the title. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:".

**3.6—All Senate resolutions and all concurrent resolutions** shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Capitalize only the first letter of a sentence, name of person, city, state, or county. Lower case all other words in the title. Senate resolutions shall read, "Be It Resolved by the Senate of the State of Florida:". Concurrent resolutions shall read, "Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:". Where copies of Senate resolutions are directed in the resolution to be furnished any person after adoption, these shall be prepared only by the Secretary of the Senate.

**3.7—To facilitate the process of committee reference** all bills for introduction prepared by the Senate bill drafting service shall be delivered to the Secretary no later than 12:00 o'clock noon of the second day preceding the day of introduction. To facilitate the summarizing of legislative measures, all bills not so prepared shall be delivered to the Secretary not later than 12:00 o'clock noon of the fourth day preceding introduction, (unless said bill or measure shall be earlier returned to the Secretary with a summary attached, in which event the Secretary shall schedule said bill or measure for introduction on the next succeeding day). This rule may be waived only upon unanimous consent, the motion for which shall not be entertained unless the mov-

ant thereof shall have first notified the Senate orally, not less than thirty (30) minutes preceding the motion, of his intention to move for the waiver of this rule so as to have introduced a specific bill or bills sponsored by him. The adoption of such motion shall be construed as reverting the Senate to the Order of Introduction and Reference of Bills solely for the reception of said bill or bills for formal introduction and reference.

Between regular sessions of the legislature, bills may be prefiled by delivery to the Secretary of the Senate.

3.8—A prefiled bill complying with these rules shall, anticipatory of the next regular session, be serially numbered in accordance with the permanent system required by these Rules. A bill received by the Secretary within three (3) weeks next preceding the convening of a regular session shall be numbered but otherwise withheld from the operation of this rule. Such a bill shall be treated as if it had been delivered for introduction on the first day of the succeeding regular session.

The Secretary shall deliver each such numbered bill to the President for reference to a committee or committees pursuant to these Rules. The Secretary shall promptly forward each referenced bill to the chairman of the first or only committee of reference. A copy of each prefiled bill shall be provided each Senator. The Secretary shall regularly mail to each Senator a calendar of all prefiled bills, including the referencing data for each bill, and of all committee hearings, including the bills noticed for hearing by each.

Each bill, having been considered by a committee, the report of which has been received by the Secretary at least seven (7) days preceding a regular session, shall be introduced and read on the first (1st) day thereof, pursuant to the Constitution, Laws of Florida, and these Rules. The Reading Clerk shall recite the committee reference and the Journal shall reflect the report of the Committee. All requirements for the referencing of bills to and the consideration of bills by Senate committees shall be deemed to have been met and discharged, if the jurisdictional requirements of this rule have been complied with as to each of such bills.

In the event a committee fails to deliver its report of a prefiled bill prior to seven (7) days next preceding the convening of a regular session or, in the event a prefiled bill had received a reference to more than one (1) committee and less than all considered such bill, the committee or committees failing to so report and the committee or committees having failed to discharge their jurisdiction of a bill shall conduct hearings and file reports during the regular session as if such bill had not been prefiled.

Notwithstanding these Rules, any Senator may, during the day of introduction of prefiled bills, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the second legislative day on which the Senate meets, move for reference to a different committee or for removal from any committee which motion may be adopted by a two-thirds (2/3) vote.

3.9—Upon introduction, all bills not local in application and all joint resolutions (including committee bills and committee substitute bills) shall be printed for the information of the Senate and the public. The number of copies of each such measure shall be determined each year by the contract for printing. The Secretary shall furnish the copy for printing. This printing of bills shall be independent of the legislative process, and the absence of a printed copy shall not delay the progress of any measure at any stage of the legislative process.

3.10—Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They shall be serially numbered as introduced, without differentiation in number as to type. The Secretary shall so mark the original copy of each measure as to insure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions therefor. This identification may be by the use of machines as used in banks for validating or cancelling checks or other documents, or by the use of any other device to accomplish the purpose of this rule. Any such device so used shall be used by and at all times shall be in the custody of the Secretary, and its use by any person not authorized by this rule is prohibited.

3.11—Whenever any Senate bill shall be reached on the calendar of the Senate for consideration, either on second or third reading, and there shall be also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate measure. Such motion may be adopted by a majority vote, provided the House measure is on the same reading; otherwise, the motion shall be to waive the rules by two-thirds (2/3) vote and take up and read such House measure. A companion measure shall be substantially the same as the measure for which it is being substituted. At the moment the Senate passes the House companion measure, then the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion measure then on the Calendar.

3.12—Bills shall be introduced by a Senator or group of Senators whose signature or signatures are affixed to the original thereof, or by any committee with the name of the committee and the signature of the chairman of the committee affixed to the original thereof. A bill introduced by a committee may be co-sponsored by any Senator whose signature is affixed to the original thereof. The general appropriations bill shall always be introduced by the Committee on Ways and Means.

3.13—All general bills or joint resolutions affecting revenues, expenditures or fiscal liability shall be accompanied by a fiscal note upon being favorably reported by the Committee on Ways and Means. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures and the present and future fiscal im-

Printing of bills

Identification of bills

Companion measures

Introduction of bills

Fiscal notes

Prefiled bills

plications of the bill or joint resolution. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical or mechanical defects.

The staff of the Committee on Ways and Means shall be responsible for preparing fiscal notes and shall solicit the cooperation of appropriate state agencies for necessary data.

Fiscal notes shall be regarded as memoranda of factual information and shall be made available to members of the Senate in the same manner as printed bills.

In the event that any bill or joint resolution affecting revenues, expenditures, or fiscal liability is reported favorably by the Committee on Ways and Means without a fiscal note, it shall be the right of any Senator to raise a point of order on second reading and the President shall order return of the bill or joint resolution to the Committee on Ways and Means. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion.

## RULE FOUR

### ORDER OF BUSINESS AND CALENDAR

4.1—The Senate shall meet pursuant to a schedule adopted from time to time by the Committee on Rules and Calendar and approved by the President, which shall set forth hours of convening and adjournment. This rule notwithstanding, the Senate shall meet in session at least once each legislative week during a regular session.

4.2—A majority of the Senate shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. Any Senator at any time may question the existence of a quorum.

4.3—The daily order of business shall be as follows:

1. Roll Call
2. Prayer
3. Reports of Committees
4. Motions relating to committee reference
5. Messages from the Governor
6. Messages from the House of Representatives
7. Matters on reconsideration
8. Special Order as determined by the Committee on Rules and Calendar
9. Consideration of Bills on Third Reading
10. Consideration of Bills on Second Reading
11. Correction and approval of Journal

Certain messages from the House of Representatives may be withheld from the daily order of business pursuant to Rule 1.19 or upon order of the President.

On the first legislative day of each week the Daily Order of Business shall include, after prayer, the

Pledge of Allegiance to the Flag of the United States of America.

At 8:30 a.m. every legislative day, the President or President Pro Tempore shall call the Senate to order for the sole purpose of conducting the order of business of "Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions". During this period, the chairman of the Committee on Rules and Calendar or his designate from such Committee and the minority leader or his designate from his party shall attend. A list of the bills, reflecting the number and title of each, and the referencing thereof, shall be delivered to each Senator no later than noon of the day of such referencing. The adoption of this rule shall constitute a waiver of so much of article III, section 7 of the Constitution of the State of Florida as pertains to the first reading of a bill.

A vote of two-thirds (2/3) of the Senators present shall be required to establish a Special Order except as provided in Rule 4.15.

The Secretary of the Senate shall prepare and cause to be distributed, on each legislative day, a calendar corresponding to the Daily Order of Business; and within each order of business matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.

Reports of committees of conference shall, except when the Senate is voting on any proposition, always be in order.

4.4—All bills, including those which are strictly local in nature and those prefiled in accordance with these Rules, shall be referred by the President to an appropriate standing committee or committees. The President may refer a bill introduced by a standing committee to the calendar. When the President refers a bill to a standing committee having a standing subcommittee, the chairman of the standing committee shall promptly determine whether such measure shall initially be considered by the full committee, a standing subcommittee, or a select subcommittee appointed by such chairman. The chairman, in referring a bill to a subcommittee, shall specify the number of days available for such consideration. If such subreference is to a standing subcommittee, the chairman of the standing committee shall promptly report such reference and the time allowed for such consideration to the Secretary of the Senate on forms provided for such purpose. The reference of a bill which is local in nature shall be to the Committee on Rules and Calendar for the sole purpose of determining whether such measure is in fact and function local in nature and whether it responds to the legal requirements of a local bill. A bill is local in nature if it does not alter a law of general application throughout the state and affects no more than one county. Upon the determination by the Committee on Rules and Calendar that a bill is in fact and law a local bill, it shall forthwith be reported and referred to the calendar on local bills.

Senate general bills and joint resolutions filed for introduction after the eighteenth (18th) day of the regular session shall be referenced, but delivery thereof shall be withheld from the committee or committees of

reference until after adjournment sine die of such session. The Secretary shall not assign a current session number to such bills but shall otherwise number same so as to provide identity and control until a permanent number for the next ensuing regular session be affixed. The bills and joint resolutions affected hereby shall be known as prefiled bills and considered in accordance with these Rules. A motion to waive this rule shall be referred to the Committee on Rules and Calendar for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill or joint resolution notwithstanding this rule, which recommendation must be reported back to the Senate not later than the next legislative day.

4.5—In case of multiple reference of a bill, said bill shall be considered by each committee separately in the order in which the multiple reference is made, but if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except on two-thirds (2/3) vote of the membership of the Senate. If a committee reports a committee substitute favorably, other committee consideration shall be directed to the substitute and not to the original.

4.6—All bills authorizing, carrying, requiring or materially affecting appropriations, shall be referred to the Committee on Ways and Means. All bills substantially affecting tax revenue so as to increase, decrease, alter, impose, remove a tax, or alter the disposition, distribution, or collection thereof, shall be referred to the Committee on Ways and Means. A bill not referred to the Committee on Ways and Means by operation hereof, but which is subsequently amended so as to reasonably respond to criteria enunciated herein shall forthwith be referred to the Committee on Ways and Means.

House claim bills shall be referred to the Committee on Ways and Means. Senate claim bills shall be referred to the Committee on Ways and Means but delivered first to the Special Master, an attorney appointed by the Speaker of the House of Representatives and by the President of the Senate, who shall expediently conduct a hearing in accordance with the Rules of the House having the strictest requirements of notice. Such Special Master shall administer an oath to all witnesses, preserve a recording of proceedings, (but withhold the transcription thereof until ordered to transcribe by the President or the Speaker) and prepare a formal report to the Committee on Ways and Means containing his recommendations based on findings of fact and conclusions of law. The report shall be signed and the Master shall be available to report orally to the Committee or the Senate. The Special Master shall deliver a copy of said report to the Secretary.

4.7—All resolutions shall be referred by the President to a standing committee, except that resolutions on Senate organization and of condolence and commemoration, or concurrent resolutions recalling a bill from the Governor's office, may be taken up upon motion and adopted at time of introduction without reference.

4.8—When the President has referred a bill, any Senator may, no later than under the Order of Business of "Motions Relating to Committee Reference" on the next succeeding legislative day on which the Senate meets, move for reference to a different committee or for removal from any committee, which motion may be adopted by a two-thirds (2/3) vote.

4.9—Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When the reading of a paper other than one upon which the Senate is called to give a final vote is demanded, and the same is objected to by any Senator, it shall be determined by a majority vote of the Senate.

4.10—Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote upon final passage unless two-thirds (2/3) of the Senators present decide otherwise. (Constitution: section 7, Article III—"Any bill may originate in either house and after passage in one may be amended in the other. It shall be read in each house on three separate days, unless this rule is waived by two-thirds vote. On each reading, it shall be read by title only, unless one-third of the members present desire it read in full. On final passage, the vote of each member voting shall be entered on the Journal. Passage of a bill shall require a majority vote in each house. Each bill and joint resolution passed in both houses shall be signed by the presiding officers of the respective houses and by the Secretary of the Senate and the Clerk of the House of Representatives during the session or as soon as practicable after its adjournment sine die.")

4.11—Each concurrent resolution or memorial shall receive two (2) readings on two (2) separate days previous to a voice vote upon adoption, unless two-thirds (2/3) of the Senators present decide otherwise. If the reading on the second day be dispensed with by this waiver, then the concurrent resolution or memorial may be read the second time by title only.

4.12—Each Senate resolution shall be read by title only upon introduction. Each Senate resolution shall be read an additional time in full before the question is put on adoption by voice vote.

4.13—Upon the third reading of any bill or joint resolution, it shall not be committed (save to the Committee on Ways and Means) or amended, except a corrective or title amendment, without consent of two-thirds (2/3) of the Senators voting, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those voting.

Reference to different committee or removal

Papers of miscellaneous nature

Reading of bills and joint resolutions

Reading of concurrent resolutions and memorials

Reading of Senate resolutions

Referral or postponement on third reading

Reference to more than one committee; effect

Reference to Ways and Means Committee; Claim Bills

Reference of resolutions

4.14—A bill may be considered out of its regular order on the calendar upon unanimous consent obtained in the following manner: The Senator moving the Senate for such unanimous consent shall have, prior to the entertainment of such motion, orally given the membership not less than fifteen (15) minutes' notice of his intention to so move, which said notice shall specify the number of the bill or joint resolution and its position on the calendar. The moving Senator shall be allowed one (1) minute upon entertainment of such motion to explain his purpose, and unanimous consent shall then be given or refused without further debate. This motion shall not be entertained during the last two (2) weeks of a regular session.

4.15—Commencing on the first day of a regular session of the legislature permitted under the Constitution and during any extension thereof directed by the membership of the legislature as permitted under the Constitution, the Committee on Rules and Calendar shall on each day submit a Special Order Calendar determining the priority for consideration of bills. Each Special Order Calendar so submitted shall be for the next legislative day. No other bills shall be considered until this Special Order Calendar for the day set forth has been completed by the Senate, except that any bill appearing on this calendar may be stricken therefrom by a two-thirds (2/3) vote of the Senators present or any bill appearing on the general calendar of bills on second or third reading may be added to the end of such Special Order Calendar by the same vote. All bills set as special order for consideration at the same hour shall take precedence in the order in which they were given preference.

In lieu of a Special Order Calendar, the Committee on Rules and Calendar may designate Friday, or the next day on which the Senate meets, as a non-controversial bill day. When such a day be designated, all bills appearing on the non-controversial bill calendar shall be considered in their order of appearance, provided, however, that an objection by any member made prior to second reading thereof shall cause such bill to be temporarily passed, retaining its place on the regular calendar.

4.16—Local bills shall be disposed of according to the calendar of bills of a local nature and shall be taken up and considered only at such time as shall be determined by the President.

4.17—The order of disposition of any bill which has been read the second time shall be its reference to the engrossing clerk to be engrossed after all questions relative to it while on a second reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third reading to be taken up on some succeeding legislative day, unless otherwise ordered by a two-thirds (2/3) vote of those present. No bill shall be committed to the engrossing clerk or placed on the calendar of bills on third reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which have

not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill shall be available for its third reading when it has been read a second time on a previous day and no motion left pending. Bills calendared for second or third reading shall not be considered on such reading until reached on the calendar and appropriately read to the Senate pursuant to order of the President.

4.18—The Secretary of the Senate shall be responsible for the enrolling of all bills. After Enrolling enrollment, all bills shall be signed by the President and the Secretary, and the fact of such signing shall be noted in the Journal.

## RULE FIVE

### VOTING

5.1—The President shall declare all votes, but, if five (5) Senators immediately question a vote by showing of hands, the President shall take the sense of the Senate by yeas and nays or electrical roll call. When taking yeas and nays on any question, the electrical roll call system may be used, and when so used shall have the force and effect of a roll call taken as provided in these Rules. This system likewise may be used to determine the presence of a quorum. When the Senate is ready to vote upon a question requiring roll call, and the vote is by electrical roll call, the President shall state: "The Secretary will unlock the machine and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all voted?" And, after a short pause, shall state: "The Secretary shall now lock the machine and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter upon the Journal the result in the manner provided by these Rules. In all cases where the Senate shall be equally divided, the question shall be lost.

5.2—After the result of the vote has been announced by the President, a Senator with unanimous consent may change his vote or vote on the measure except that no such change of vote or vote shall be valid where such vote would alter the final passage of the measure until the measure shall first have been recalled to the Senate for further consideration. Upon request of a Senator prior to consideration of other business, the President shall order a verification of a vote.

5.3—No Senator shall vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished in such a manner as the Senate may deem proper. Any person not a Senator who shall vote wrongfully in the place of a Senator shall be excluded from the Chamber for the remainder of the session, in addition to such punishment as may be prescribed by law.

5.4—Pairing shall be permitted only upon the absence of a Senator excused from attendance and shall, in writing, specifically state the bill or bills to which the pair applies.

5.5—No Senator shall be permitted to explain his vote during a roll call but may reduce his explanation to writing; upon filing with the Secretary, this explanation shall be spread upon the Journal.

5.6—In all cases of ballot, a majority of the votes cast shall be necessary to an election. If, however, no one be elected on the first three (3) ballots, the names after the top two (2) in number of votes received on the third tally shall be dropped, and the Senate shall ballot on the two (2) names remaining.

**RULE SIX**

**MOTIONS AND THEIR PRECEDENCE**

6.1—Every motion may be made orally. Upon request of the President, a Senator shall reduce his motion to writing. After a motion has been stated or read by the President, it shall be deemed to be in possession of the Senate, without a second, and shall be disposed of by vote of the Senate. The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before a vote thereon shall have been commenced.

6.2—When a question is under debate, the President shall receive no motion except:

1. To adjourn
2. To take a recess
3. To proceed to the consideration of executive business
4. To reconsider
5. To limit debate
6. To temporarily pass
7. To postpone to a day certain
8. To commit to the Committee of the Whole
9. To commit to a standing committee
10. To commit to a select committee
11. To amend
12. To postpone indefinitely

which several motions shall have precedence in the descending order given.

The President shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

When any motion is under consideration, but prior to the commencement of the vote thereon, a substitute motion shall be in order. Only one substitute shall be entertained and the substitute shall be in the same order of precedence.

6.3—Any Senator may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

6.4—When a question, including a question relating to the vote on a veto message, has been decided by the Senate, any Senator voting with the prevailing side, or when a question has been decided by voice vote, any Senator, on the same or the next legislative day on which the Senate meets, may move the reconsideration thereof. Such motion may be made pending a motion to adjourn or if the time of adjournment has arrived. Consideration of a motion to reconsider shall be a special and continuing order of business for the Senate when it next meets on a legislative day succeeding that on which the motion was made and, unless considered on said day, shall be considered abandoned. If the Senate shall refuse to reconsider or, upon reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent. During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day. When a majority of Senators present vote in the affirmative on any question but the proposition be lost because it is one in which the concurrence of more than a majority is necessary for adoption or passage, any Senator may move for reconsideration.

6.5—The motion to reconsider shall require for its adoption the affirmative votes of a majority of the Senate present and voting.

6.6—Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. Where debate upon a motion is in order, no Senator shall speak thereon more than once nor for a period longer than five (5) minutes.

6.7—A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business.

6.8—The Secretary shall retain possession of all bills for the period after passage during which reconsideration may be moved, except that during the last five (5) calendar days allowed under the Constitution for a regular session and during any extensions thereof, these shall be transmitted to the House forthwith. The adoption of any motion to waive the rules by a two-thirds (2/3) vote of the Senators present and immediately certify any bill or joint resolution to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration.

6.9—Motions to indefinitely postpone shall not be applicable to collateral matters. The adoption of a motion to indefinitely postpone a measure shall dispose of it for the duration of the legislative session and all extensions thereof. Any motion to postpone consideration to a time beyond the last day allowed under the Constitution for the current legislative session shall be construed as a motion to indefinitely postpone.

Motion to indefinitely postpone

## RULE SEVEN

### AMENDMENTS

7.1—Amendments shall be filed with the Secretary on forms prescribed by him but shall be considered only as sponsors gain recognition from the President to move their adoption, except that the chairman of the committee (or, in his absence, the vice chairman or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. An amendment filed with the Secretary of the Senate, the adoption of which has not been formally moved, shall not be deemed to be pending. No proposition on a subject different from that under consideration shall be admitted under color of amendment.

General form; Manner of Consideration

7.2—Amendments may be adopted, on second reading by a majority vote and on third reading by a two-thirds ( $\frac{2}{3}$ ) vote. Amendments to the title or corrective amendments may be decided, without debate, by a majority vote on third reading.

Adoption

7.3—An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order: (1) Amendments to the amendment are acted upon before the substitute is taken up. Only one amendment to the amendment is in order. (2) Amendments to the substitute are next voted upon. (3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment of the bill itself.

Sequence of amendments to amendments

7.4—A proposal to strike out all after the enacting clause or the resolving clause of a bill or resolution and insert new matter of the same general subject as stated in the original title, shall be deemed proper and germane and shall be treated as an amendment.

Striking all after enacting clause

7.5—The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under

Amendment by section

consideration shall be in order. The President shall, in recognizing Senators for the purpose of moving the adoption of amendments, endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

7.6—All amendments adopted by the Senate shall be printed in the Journal except that an amendment to the general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report. All item amendments to the general appropriations bill shall be printed.

Printing in Journal

7.7—Any House bill may be amended in the same manner as a Senate bill. If a House bill is amended, the same shall be noted by the Secretary on the jacket containing same before it is reported to the House.

Senate amendments to House bills

7.8—After the reading of a House amendment to a Senate bill, the Senate may: (1) amend the House amendment, or (2) concur in the House amendment, or (3) refuse to concur in the House amendment and ask the House to recede. The adoption of all the foregoing motions shall be by majority vote.

House amendments to Senate bills

7.9—If the House shall refuse to concur in a Senate amendment to a House bill, the following motions shall be in order and shall be privileged in the order named: (1) that the Senate recede, or (2) that the Senate insist and ask for a conference committee, or (3) that the Senate insist. The adoption of any of the foregoing motions shall be by majority vote.

House refusal to concur in Senate amendment

## RULE EIGHT

### DECORUM AND DEBATE

8.1—When any Senator desires to speak or deliver any matter to the Senate, he shall rise at his seat and respectfully address himself to "Mr. President," and, on being recognized, may address the Senate from his desk or from the Well of the Senate, and shall confine himself to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. In all such cases, a Senator shall appropriately use the appellation of Senator or such appellation and the district number of the Senator being addressed, or he may also use such appellation and the surname of the Senator referred to or addressed.

Decorum and debate

8.2—When two (2) or more Senators rise at once, the presiding officer shall name the Senator who is first to be recognized.

Presiding officer's power of recognition

8.3—No Senator shall be interrupted by another without the consent of the Senator who has the floor, except: 1. by rising to a question of privilege

Interruptions: when allowed

2. by rising to a point of order requiring an immediate ruling
3. by appeal from the decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision)
4. a parliamentary inquiry requiring an immediate reply or a question of no quorum.

The presiding officer shall strictly enforce this Rule.

8.4—When a member is speaking and another member interrupts to request recognition, it is the right of the presiding officer to permit the person rising to state why he desires the floor; and if the question he desires to raise is entitled to precedence, the member originally speaking should relinquish the floor until the question having precedence is disposed of, but he is entitled to resume the floor as soon as the privileged question has been disposed of. The Senator making a debatable motion or the primary introducer of a bill shall have five (5) minutes in order to close debate.

8.5—No Senator shall speak for any longer period of time than thirty (30) minutes without yielding the floor, except by consent of a majority of the Senators present.

8.6—When a measure is under debate by the Senate, it shall be in order for a Senator to move to limit debate, and such motion shall be decided without debate, except that the introducer of the measure shall have five (5) minutes within which to discuss said motion, and he may divide his time with, or waive it in favor of, some other member. If, by two-thirds (2/3) vote of the Senators present, the question is decided in the affirmative, debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the presiding officer equitably, provided, however, that the introducer of such measure shall be entitled to close.

8.7—A point of order is the parliamentary device that is used to require a deliberative body to observe its own rules and to follow established parliamentary practice. A parliamentary inquiry is the device for obtaining a predetermination of a rule or a clarification thereof and may be presented in hypothetical form.

8.8—A point of order questioning the right of a member to vote on account of interest may be raised after the vote has been recorded and before the result is announced.

8.9—The proper method of taking exception to a ruling of a presiding officer is by appeal. An appeal from a decision of the presiding officer must be made promptly, and before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; and, if

the determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second decision is also subject to appeal.

8.10—An appeal from a decision of the presiding officer on a point of order is debatable even though the question out of which it arose was not debatable.

8.11—Questions of privilege shall be: first, those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and second, the rights, reputation, and conduct of Senators individually, in their representative capacity only. These shall have precedence over all other questions except motions to adjourn. The question shall not be recognized during the debate on a bill. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual member.

*What is a question of privilege?*

1. Questions which relate to the body or its members in such a manner as to affect proper functioning of the body are questions of privilege. It is necessary that these questions be under the immediate control of the body. They relate to the rights and privileges of the body or any of its members in their official capacity, or to the comfort and convenience of the body or its members in the performance of their official duties.

2. "Questions of privilege" should be distinguished from "privileged questions" which is a class of motions having the highest precedence.

3. Questions of privilege are of two types: They may relate to the privilege of the entire body, which are known as questions of "privilege of the house", and questions of "privilege" which relate to a member, which are known as questions of "personal privilege". In case of conflict, questions of privilege of the house take precedence over questions of personal privilege.

## RULE NINE

### LOBBYING

9.1—All persons, except members of the Florida Legislature, or duly authorized aides designated in writing by such members, who seek to encourage the passage, defeat, or modification of any legislation in the Senate or before its committees shall, before engaging in such activity, register with the Secretary of the Senate. Every registrant, in accordance herewith, shall also be required to state the extent of any direct business association or partnership with any current member of the Legislature.

9.2—Every such person shall register on forms prepared by the Secretary and shall state under oath his name and business address, the name and business address of his principal or principals, the general and specific areas of his legislative interests, and the duration of his agency.

The Secretary shall publish in the Journal, in tabulation form, a list of those filing the registration statements under this Rule together with the information contained therein, on the first Monday of the session and weekly thereafter.

No registered lobbyist shall be permitted upon the floor of the Senate while it is in session, nor shall he deliver or cause to be delivered any message into the Senate Chamber while the Senate is in session.

9.3—Any person who, on an isolated basis and without intent to continue beyond a single legislative day, merely appears before a committee or committees of the Senate in his individual capacity, or on behalf of a corporation, partnership or other business entity, with which such person is regularly associated as an employee, officer or partner without receiving additional salary or compensation, other than reasonable and ordinary travel expense, to express support of or opposition to any legislation, and who shall so declare to the Senators or committees with whom he discusses any proposed legislation, shall not be required to register as a lobbyist.

9.4—A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his relationship with legislators.

A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

9.5—A lobbyist shall submit to the Secretary of the Senate within thirty (30) days following a regular session of the legislature a signed and certified statement listing all lobbying expenditures and sources from which funds for making such expenditures have come. Lobbying expenditures shall not include personal expenses for lodging, meals and travel. Thereafter each lobbyist, so long as he remains so registered as a lobbyist, and every person who registers as a lobbyist, shall submit to the Secretary of the Senate no later than Friday of the first week of each regular session a like signed and certified statement of all interim lobbying expenditures including expenditures at special sessions, if any. Said statements shall be rendered in the form provided by the Secretary of the Senate and shall be open to public inspection. A statement shall be filed even if there have been no expenditures during a reporting period.

9.6—A lobbyist, when in doubt about the applicability and interpretation of this rule in a particular context, may submit in writing a statement of the facts involved to the Committee on Rules and

Calendar and may appear in person before said committee.

The Committee on Rules and Calendar may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case would constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal of the Senate.

9.7—The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Rules and Calendar as well as a current list of registered lobbyists and their respective reports required under these Rules, all of which shall be open to public inspection.

9.8—Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of this rule shall be censured, reprimanded, placed on probation, or prohibited from lobbying for the duration of the session and from appearing before any committee of the Senate. Said determination shall be made by a majority of the Senate, upon recommendation of the Committee on Rules and Calendar. The Committee on Rules and Calendar, before making said recommendation, shall conduct a hearing, after notifying the person alleged to have violated this rule and granting such person an opportunity to appear at the hearing.

9.9—The Secretary shall provide blank affidavits for the convenience of registrants, but the burden of compliance nevertheless always shall be upon the person required to register.

9.10—Committees shall be diligent to ascertain whether those who appear before them in other than an obviously individual capacity have conformed with the requirements of this rule, and to report violations. No committeeman shall knowingly permit an unregistered lobbyist to be heard.

## RULE TEN

### CHAMBER OF THE SENATE

10.1—No person shall be admitted to the main floor of the Senate Chamber while the Senate is in daily session except present members of the Senate and all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. A special section of the gallery shall be reserved for members of the families of Senators. Also entitled to admission are the Governor or one (1) representative designated by him, the Lieutenant Governor, Cabinet officers, former governors, present and former United States Senators, members or former members of the House of Representatives of the United States and of this State, Justices of the Supreme Court, former State Senators of Florida and persons by invitation of the President.

10.2—None of the persons entitled to admission shall be admitted if registered pursuant to Rule 9.  
Exception

10.3—Representatives of the press and of radio and television stations, in performance of their duties, shall be assigned to a press section specifically set aside for them, and shall not be allowed on the Senate floor while the Senate is in daily session, except with the approval of the President.  
Admission of press by President

10.4—No person shall be introduced unless he is escorted to the rostrum with concurrence of the Senate. This rule shall not apply to the first day of each regular session.  
Recognition of guests

10.5—All male persons on the main floor of the Senate and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear coats and ties at all times while the Senate is in session.  
Attire

**RULE ELEVEN**

**CONSTRUCTION AND WAIVER OF RULES**

11.1—It shall be the duty of the President, or the presiding officer for the time being, to interpret all rules. Motions for the previous question and to lay upon the table shall not be entertained.  
Interpretation of Rules

11.2—These Rules shall not be waived or suspended except by a two-thirds (2/3) vote of all Senators present, which motion, when made, shall be decided without debate. A motion to waive a rule requiring unanimous consent of the Senate shall be construed to be an amendment to these Rules and shall be referred to the Committee on Rules and Calendar except by unanimous consent of those present.  
Waiver and suspension of Rules

11.3—All proposed actions touching the Rules and order of business in the Senate shall be first referred to the Committee on Rules and Calendar, which shall report as soon as practicable thereafter. Consideration of such a report shall always be in order. The Committee on Rules and Calendar may originate reports and resolutions dealing with these Rules and the Order of Business, and such power shall be exclusive, provided, however, that any report made pursuant to this rule may be amended by a two-thirds (2/3) vote of the members present.  
Changes in Rules

11.4—Unless otherwise indicated by these Rules, all action by the Senate shall be by majority vote of those Senators present.  
Majority action

11.5—Whenever in these Rules reference is made to "two-thirds (2/3) of those present", "two-thirds (2/3) vote", "two-thirds (2/3) of the Senate", "two-thirds  
Uniform construction

(2/3) of those voting", etc., these shall all be construed to mean two-thirds (2/3) of those Senators present, except that two-thirds (2/3) of the Senate shall be required to consider additional proposed legislation in any extended session in accordance with article III, section 3, of the Constitution.

11.6—When used in these Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: (a) The singular always includes the plural. (b) The masculine always includes the feminine. Except where specifically provided otherwise, where "bill" is used in these Rules, it shall be understood that bill, joint resolution, concurrent resolution, resolution, or memorial shall be meant.  
General

**RULE TWELVE**

**EXECUTIVE SESSIONS, APPOINTMENTS, SUSPENSIONS AND REMOVALS**

**PART ONE—EXECUTIVE SESSIONS**

12.1—The business of the Senate shall be transacted openly and not in executive session except under conditions pursuant to article III, section 4(b) of the Constitution of Florida.  
Executive session: authority

12.2—Pursuant to article III, section 4(b), of the Constitution of Florida, the Senate may resolve itself into executive session for the sole purpose of considering appointment, removal, or suspension during which no one shall be in attendance except Senators and the Secretary of the Senate, who shall be sworn not to disclose any executive business without consent of the Senate.  
Executive session: purpose

12.3—When the Senate agrees, by a majority of Senators present, that specified appointments, removals, or suspensions shall be considered in executive session, such shall be accordingly calendared for formal consideration by the Senate.  
Executive session: vote required

12.4—All information and remarks including committee work product concerning the character and qualification, together with the vote on each appointment, removal or suspension considered in executive session shall be kept a secret except so much thereof upon which the bans of secrecy shall have been specifically lifted by the Senate while in executive session.  
Work product confidentiality

12.5—A separate Journal shall be kept of executive proceedings of the Senate and no information regarding same shall be made public except by order of the Senate or by order of a court of competent jurisdiction.  
Separate Journal

12.6—Violation of the above Rule as to the secrecy of the proceedings of executive sessions shall be considered by the Senate as sufficient grounds for the unseating of the offending Senator.  
Violation of Rule

## PART TWO—SUSPENSIONS AND REMOVALS

12.7—(a) Except as otherwise herein provided, upon receipt by the Senate of appointments, removals, or suspensions upon which the consent of the Senate is required, the President shall refer each to an appropriate select committee, or to a Special Master appointed by the President, whose charge it shall be to make inquiry or investigation and advise the President and the Senate as to its recommendation concerning the subject referred and as to the necessity for deliberating such subject in executive session. Reports and findings of select committees or the Special Master appointed pursuant hereto are advisory only and shall be made to the Senate President. The report of the committee or the Special Master shall be privileged and confidential. The President of the Senate may order the report presented to the Senate in either open or executive session, or he may refer it to the Committee on Rules and Calendar for its consideration and report. At the time the report is presented to the Senate in open session or received by the Committee on Rules and Calendar, the report shall lose its privileged and confidential character.

(b) An executive suspension of a public official who is under indictment or who has pending against him criminal charges filed by the appropriate prosecuting officer in a court of record shall be referred to a select committee or Special Master but shall be held in suspense by such committee or Special Master and shall not be considered by the Senate until the pending charges have been dismissed or until final determination of the charges at the trial court level.

(c) The Governor and the suspended official shall be given reasonable notice of any hearing before the select committee or Special Master.

(d) When it is advisable, the select committee or Special Master may request that the Governor file a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after the receipt of such statement by the suspended officer, he shall file with the select committee or Special Master a response to the Governor's statement. Such response shall admit or deny the facts or circumstances set forth in the Governor's statement, and may further make such representation of fact and circumstance as may bear on the matter of his suspension.

(e) The select committee or Special Master may provide for a pre-hearing conference with counsel for the Governor and for the suspended official to narrow the issues involved in the suspension matter. At such conference, both the Governor and the suspended official shall set forth the names of witnesses, the nature of their testimony, and all evidence which will be relied on by the parties at the hearing, and each shall state to the committee what each expects to show by such testimony and evidence.

(f) Subject to the limitations of Rule 12.7(b), the select committee or Special Master shall conclude its hearings and make final recommendations to the Senate within six (6) months after the effective date of the suspension order. In the event that a suspension order is referred to the select committee or Special Master but is held in suspense in accordance with Rule

12.7(b), then the committee or Special Master shall act within six (6) months after determination of the charges at the trial court level. The Senate shall act upon such recommendations within thirty (30) days after the report of such recommendations to the Senate.

(g) Within sixty (60) days after the Senate shall have acted upon the recommendation of the select committee or Special Master, any party to the suspension matter may recover, at that party's expense, any exhibit, document or other evidentiary matter introduced by such party. After the expiration of sixty (60) days, the committee or Special Master may dispose of such exhibits or other evidence in such manner as it deems advisable.

12.8—The Senate President may appoint and contract for the services of a Special Master to perform such duties and make such reports in relation to suspensions and removals as he shall prescribe. The Special Master shall not be an employee or attache under Senate Rule One, Part Three, Sections 1.26, 1.27, 1.28, 1.29 or 1.30.

12.9—With consent of the Senate President the Special Master may have the privilege of the Senate Floor during any open or executive session for the purpose of presenting and explaining his report and answering questions as to the law and facts involved in the report.

12.10—The Select Committee and the Special Master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum and other necessary process as in the case of standing committees under Rule 2.2. The committee chairman and the Special Master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear for the purpose of testifying in any matter pending before the committee or Special Master.

## RULE THIRTEEN

## SPECIAL SESSION

13.1—All Senate rules in effect on adjournment of the next preceding regular session shall apply and govern during special sessions except to the extent specifically modified or contradicted herein.

13.2—The Senate shall meet each legislative day at 9:00 a.m.

13.3—Committee meetings shall be coordinated and scheduled by the Committee on Rules and Calendar, or a subcommittee thereof. Meetings of standing committees and standing subcommittees scheduled in accordance with this rule may be held following an announcement by the chairman while the Senate is in session, and by the posting of notice on a bulletin board in the public corridor leading into

the Senate Chamber for two (2) hours in advance of the meeting. All other provisions for publication of notice of committee meetings are suspended.

13.4—All bills and other measures for introduction may be delivered to the Secretary of the Senate at any time.

13.5—Every bill, joint resolution, resolution and memorial referred to a standing committee or committees shall be reported to the Secretary before 4:40 p.m. of the third calendar day from the day of reference (the day of reference not being counted as the first day) unless otherwise ordered by the Senate by majority vote. Any bill upon which no committee report is filed as herein provided may be withdrawn from such committee and appropriately calendared upon point of order, provided that no bill may be thus withdrawn from the Committee on Ways and Means during the first five (5) days of a special session. Every bill, joint resolution, resolution, and memorial referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chairman of the standing committee which shall not be beyond the time allowed herein.

13.6—The report of any committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and, upon the completion of the second reading, the vote shall be upon the adoption or rejection thereof and final passage of the measure as recommended. During the last two (2) days of a special session the report shall be read only once.

The report must be acted upon as a whole, being adopted or rejected, and there shall accompany every such report a statement sufficiently explicit to inform the Senate of the effect of the report upon the measure to which it relates.

Conference committees shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill which was the subject of the conference, or it may offer an amendment striking everything after the enacting clause of any such bill referred to the committee. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House.

When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on said measure as the Senate may determine.

After Senate conferees shall have been appointed for thirty-six (36) hours and shall have failed to make a report, it is hereby declared to be a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees.

13.7—A motion to reconsider shall be made and reconsideration considered on the same day.

13.8—The Committee on Rules and Calendar may from time to time submit a Special Order Calendar determining the time and priority for consideration of bills.

**RULE FOURTEEN  
SEAL AND INSIGNIA**

14.1—There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill and scroll. At the top of the field of flags shall be the word: "Seal". At the bottom shall be the date: 1838. The perimeter of the seal shall contain the words: "Senate" and the "State of Florida".

There shall be an official Coat of Arms for the Senate. The Coat of Arms shall contain a fan of the five flags that have flown over Florida, above the Great Seal of Florida. At the base of the Coat of Arms shall be the words: "The Florida Senate".

On motion by Senator Barron the Senate proceeded to—

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Mallory E. Horne, President*

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

By Representative Dubbin—

HCR 1-Org.—A concurrent resolution providing that the House of Representatives and Senate meet in Joint Session for the purpose of receiving a Message from the Governor.

WHEREAS, His Excellency, Governor Reubin O'D. Askew, has expressed a wish to address the Legislature in Joint Session, NOW, THEREFORE,

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

That the House of Representatives and the Senate convene in Joint Session in the Chamber of the House of Representatives at 11:00 a.m. this day, Tuesday, April 3, 1973, for the purpose of receiving the Message of Governor Askew.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HCR 1-Org., contained in the above message, was read the first time in full. On motion by Senator Barron, by two-

thirds vote HCR 1-Orig. was read the second time by title, adopted and certified to the House. The vote was:

Yeas—39

Mr. President	Graham	Peterson	Sykes
Barron	Gruber	Pettigrew	Trask
Brantley	Henderson	Plante	Vogt
Childers	Johnson	Poston	Ware
Deeb	Johnston	Saunders	Weber
de la Parte	Lane (31st)	Sayler	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	

Nays—None

*The Honorable Mallory E. Horne, President*

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

By Representative Dubbin—

**HCR 2-ORG.**—A concurrent resolution to assemble the Senate and House of Representatives in joint meeting.

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

That the Senate and House of Representatives assemble in joint meeting in the Chamber of the House at 9:30 a.m. on Wednesday, April 4, 1973, for the following purposes:

1. To view a documentary film, prepared under the auspices of the League of Women Voters of Florida Education Fund, describing the Florida legislative process, and

2. To participate in the awarding of plaques by the Florida Times-Union and Jacksonville Journal to those members of the 1972 Legislature selected by their colleagues as outstanding.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HCR 2-Orig., contained in the above message, was read the first time in full. On motion by Senator Barron, by two-thirds vote HCR 2-Orig. was read the second time by title, adopted and certified to the House. The vote was:

Yeas—39

Mr. President	Graham	Peterson	Sykes
Barron	Gruber	Pettigrew	Trask
Brantley	Henderson	Plante	Vogt
Childers	Johnson	Poston	Ware
Deeb	Johnston	Saunders	Weber
de la Parte	Lane (31st)	Sayler	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	

Nays—None

*The Honorable Mallory E. Horne, President*

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

By Representative Dubbin—

**HCR 3-ORG.**—A concurrent resolution to assemble the Senate and the House of Representatives in joint meeting.

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

That the Senate and House of Representatives assemble in joint meeting in the Chamber of the House at 1:30 p.m. on Monday, April 9, 1973, for the following purposes:

1. To receive the report of the Chief Justice on the State of the Judiciary for the year following reorganization of the court system of Florida after ratification of revised Article V of the State Constitution, and

2. To participate in the conferring by Florida State University of an honorary degree of doctor of humane letters upon a member of the staff of the Legislature, and

3. That the privilege of the floor during the joint meeting be granted to such persons as may be immediately involved in the two ceremonies.

—and requests the concurrence of the Senate therein.

*Allen Morris, Clerk*

HCR 3-Orig., contained in the above message, was read the first time in full. On motion by Senator Barron, by two-thirds vote HCR 3-Orig. was read the second time by title, adopted and certified to the House. The vote was:

Yeas—39

Mr. President	Graham	Peterson	Sykes
Barron	Gruber	Pettigrew	Trask
Brantley	Henderson	Plante	Vogt
Childers	Johnson	Poston	Ware
Deeb	Johnston	Saunders	Weber
de la Parte	Lane (31st)	Sayler	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	

Nays—None

Senator Barron moved that Rule 2.5 be waived and committees be authorized to meet Wednesday, April 4, and consider bills included on notices filed with the Secretary of the Senate notwithstanding there was no calendar published on April 3. The motion was adopted by the following vote:

Yeas—38

Mr. President	Gruber	Pettigrew	Trask
Barron	Henderson	Plante	Vogt
Brantley	Johnson	Poston	Ware
Childers	Johnston	Saunders	Weber
Deeb	Lane (31st)	Sayler	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	
Graham	Peterson	Sykes	

Nays—None

The Secretary announced that an amended report of the Florida Condominium Commission, created by Chapter 72-171, Laws of Florida 1972, had been filed in the office of the Secretary of the Senate.

The Secretary announced the receipt of HCR 14 from the State of Mississippi applying to the Congress for a convention to propose an amendment to the Constitution of the United States stating that “. . . . Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in voluntary prayer; . . . .”

Pursuant to HCR 1-Orig., the Senate formed in processional order and marched in a body to the chamber of the House of Representatives where they were received in due form. The joint session was called to order at 11:00 a.m. by the Honorable T. Terrell Sessums, Speaker of the House of Representatives.

The Justices of the Florida Supreme Court, the Lieutenant Governor and members of the Florida Cabinet were received and seated.

The Speaker invited the President of the Senate, Mallory E. Horne, and President Pro Tempore of the Senate, Louis de la Parte, Jr., to the rostrum and requested the President to preside over the joint session.

**The President in the Chair.**

The President declared a quorum of the joint session present.

Prayer was offered by Dr. Robert M. McMillan, pastor, First Baptist Church of Tallahassee.

The joint assembly pledged allegiance to the flag of the United States.

On motion by Representative Dubbin that a committee be appointed to notify the Governor that the joint session was assembled and ready to receive His Excellency's message, the President appointed Senators de la Parte, Barron and Saunders on the part of the Senate, and the Speaker appointed Representatives Craig, Redman and Walker on the part of the House of Representatives. The committee withdrew, and the joint assembly stood in informal recess.

The joint session was called to order by the President at 11:15 a.m. A quorum present.

The committee appointed to wait upon the Governor reappeared escorting His Excellency, the Honorable Reubin O'D. Askew, Governor of Florida, who was escorted to the rostrum.

The President presented the Governor who delivered the following message to the Legislature concerning the condition of the State and made his recommendations as required by Article IV, Section 1, of the Constitution of the State of Florida:

Good government, like freedom itself, is no accident. It must be carefully built and just as carefully enhanced and preserved.

And the faith of the people, like the love of a child, cannot be demanded. It must be earned and earned and earned again.

Today marks my eighth trip to this podium as your Governor.

And as strange as it may sound, every one of those trips has been both unique and identical with every other one.

Unique because we've always had different problems to face, different promises to keep, and different obstacles to overcome.

But identical because we've always had the same basic ideas as to what we hope to accomplish, and what we wish to gain.

One of those ideas, of course, is good government and the other is the faith of the people.

If this particular Legislature is destined to perform any particular task, that task must be to demonstrate anew our commitment to good government and to earn once again the faith of the people.

I can think of no better group of citizens to shoulder such great responsibility than those before me now.

And I can think of no better place to start than with a program of ethics in government that is second to none in its vision, courage, and, most of all, in its performance.

Accordingly, I will support the most extensive conflict of interest legislation practical during this session.

Accordingly, I urge you to require all elected officials, all candidates for public office, and all major appointed officials in Florida to disclose all of their financial interests. This would include copies of income tax returns.

Such disclosure is absolutely necessary if the prohibition on conflicts is to be enforced.

I also recommend that you take a renewed interest this year in any and all proposals for reform of our election laws in Florida.

I'm especially interested in provisions for better enforcement, in requiring political parties to voucher their political expenses as candidates do, in limiting cash contributions, in requiring contributors to list their occupations, in greater use of public television in election campaigns, and in any proposals that would end the domination of political campaign financing by lobbyists, influence peddlers, and various special interest groups.

We cannot afford, in this effort, to overlook any alternatives for consideration, including proposals for public financing.

Certainly I share the reservations that many of you have in this area. Public financing of election campaigns would be a major departure, presenting many legal, technical and political difficulties.

And yet, its great potential for freeing public officials of the suspicion of improper influence cannot be ignored.

We have reached that time when it's obvious that the only way to determine if public financing is a wise and acceptable course is by trying it on some type of a pilot basis.

I've followed with interest some of the remarks attributed to your leadership in both houses, and I'm confident that any efforts in this area will be of a nonpartisan nature.

Be assured that my office stands ready to assist you in the same spirit.

My concern, and certainly your concern, is that we develop election procedures which will insure that public officials are indebted to people in general because of their votes, and not to persons or groups in particular because of their money.

In another area, I've decided that our public records law in Florida is a good one that should not be hastily subjected to change.

I therefore suggest no changes myself at this time, and urge instead a cautious legislative review, one that will take care to see that any efforts at strengthening the law don't actually result in eroding its extensive application.

I think the greatest problem with the public records law has been the occasional reluctance of public officials, both elected and appointed, to follow its letter and its spirit.

Spotty enforcement is partly responsible for this.

All too frequently we have left it to the news media or to private citizens to seek enforcement, and at their own expense.

And all too frequently, that expense has proved to be fruitless.

I therefore pledge to you my own determination to use the full powers of the Governor's Office to see that public records are readily available to the public. And I urge other enforcement authorities to be equally vigorous in this area.

As you know, a recent Attorney General's opinion makes a major exception in the public records law. It says that any time the disclosure of a record would undercut an investigation, or jeopardize a confidential source developed by law enforcement, that record must be kept confidential.

I'm in absolute agreement with that exception.

By the same token, I believe that newsmen and their sources are an indispensable investigative arm of the public, especially on those occasions when the government itself needs to be investigated.

And so, just as we prohibit reporters from discovering the government's investigative sources, I think we should prohibit the government from discovering a reporter's investigative sources.

I therefore support a newsman's shield law that will do just that.

I'm mindful of the competing values involved in this issue, and I recognize the challenge you face in seeing that those basic values are properly preserved.

My hope is that the journalism profession of this State likewise recognizes its own responsibility to see that any privileges you decide to grant are not abused.

As important as ethics, openness and honesty might be, these aren't the only ingredients that make a good government and win the faith of the people.

For a government that is good and deserving of the people's trust is also a government that protects the people's rights and responds to the people's needs.

Here again, there is much that we need to do.

#### CONSUMER JUSTICE

The time has come, for example, when our very justified efforts for a better system of criminal justice in Florida should be joined by an equally justified effort to seek a new system of consumer justice as well.

We don't have that system today.

The England report on Consumer Affairs in Florida shows, among other things:

That about 70 per cent of our people are dissatisfied with present levels of consumer protection; that our regulatory agencies seldom are motivated to protect the consumer as opposed to the regulated; that consumers don't know where in State government to go for the help they need; that they don't know the laws that already exist for their own protection; that the laws are inadequate anyway, and that enforcement of those inadequate laws has been nominal to say the least.

Clearly, something must be done if consumer justice is ever going to be a reality in Florida.

My own feeling is that the report has zeroed in on the solutions just as objectively and just as perceptively as the problems.

We don't need a huge consumer bureaucracy in Florida. We need a consumer "anti-bureaucracy"—a small group of easily identifiable persons to help the public cut through red tape, make sense out of confusion, and get the services they're already paying for at the State level.

I urge you to establish such a group, headed by a "consumer counsel" in the Governor's Office as recommended in the report.

I also recommend that we give consumers the tools they need to help themselves, tools such as class action suits, restitution suits and the awarding of attorney's fees to prevailing parties.

I also urge you to encourage efforts at the local level to solve consumer problems, and give special attention to those

areas in which the report found the greatest concern among our citizens—automobile, television and electronic repairs and problems associated with mobile home living.

I'm not going to elaborate on all of the proposals contained in the report.

Be assured, however, that I believe they are sound, sensible proposals, fully responsive to the needs of the public.

I recommend them to you for your consideration.

As many of you know, I've also been deeply concerned since the earliest days of this administration over the need for a process that better represents consumers in the setting of rates for electric, telephone and other utility companies.

That concern, and an initial policy decision of the Public Service Commission that did not reflect the intent of the Legislature, made it necessary for my office and that of the Attorney General to intervene on behalf of utility consumers in several cases during the past year.

That intervention was a fruitful experience, not only because it will save consumers millions of dollars annually, but also because the Commission itself quickly demonstrated its own willingness to respond to the consumer point of view when that view is fully presented.

The incumbent commissioners should be commended for honoring the intent of the Legislature in our recent program of tax reform, as well as for providing the opportunity for all interested parties to be heard in rule-making proceedings on major policy issues.

If the participation of a public advocate, independent of both the utility companies and the Commission, can make the present system work so well on a temporary basis, it seems only fair to assume that it would work well on a permanent one.

But we can't begin to provide that kind of continuing representation under present conditions. We lack the necessary legal, financial and human resources.

And so I recommend to you the establishment of a utility public counsel whose office would be independent of the Public Service Commission, adequately staffed and funded, endowed with the same investigative powers as the Commission, and clearly authorized to represent consumers as a class.

Many of you, of course, campaigned last fall on the need for meaningful reform of our utility rate-making process.

The voters said very clearly they want reform.

And reform is what this proposal would give them.

In summary, the consumers of this State, who also happen to be the people of this State, often deserve much better service than they receive from government and business alike. I suggest that both sectors form a partnership in the months ahead to see that the people are indeed better served on a continuing basis.

#### HUMAN SERVICES

The budgetary uncertainty in Washington over basic health and human programs, has made it virtually impossible for us to plan our own expenditures in those areas with any degree of confidence.

Since delivering my budget recommendations to you, for example, we've estimated a loss of up to \$63-Million in federal social service funds alone.

And so I've appointed a special task force to try to determine once again what effect federal cutbacks are going to have on our efforts, and I plan to submit to you by April 27 a set of revised budget recommendations based on our findings.

With that understood, let me touch briefly on some of the recommendations I do have regarding human needs.

### HEALTH CARE

One of the most disheartening problems our people face today is in receiving the health care they need at prices they can afford.

Our commitment to life is severely questioned every time we deny decent health care to anyone, or force him to choose between his home and his health, or send him to the newspapers to beg for his life, or that of his loved one.

This problem has been very much on my mind of late, and I'd like to say to you that I have the solution to all of our health needs for all of our people.

But I don't.

Nor do I think it would be wise for us to seek substantial expansion of our health programs this year, in view of our continued uncertainty over what the federal government might or might not do in this area.

There are, however, some things we can and should do here at the State level. We can adopt and implement a basic program of emergency medical service throughout Florida, including minimum standards, improved communications, and a grant program to local government. We can explore the possibilities of State regulation of health insurance rates as a control on inflationary and prohibitive costs. We can encourage local governments to continue and expand their health care efforts through use of revenue sharing. And we can provide significant programs to combat the terrible problems of mental illness and alcoholism.

I recommend that we do these things, and that we continue our efforts to improve our systems of health delivery and preventive health care in Florida.

### LABOR

The lot of working people in Florida, although improving, is still a long way from where it ought to be, especially in the areas of workmen's compensation, occupational safety and health and unemployment insurance. You also need, of course, to do what is necessary to implement Florida constitutional guarantees regarding labor. My own recommendations on these and other matters are contained in a written labor message I will be sending you this week.

### HOUSING

If a partnership between business and government is needed to give consumers the service they deserve, it also is desperately needed to help us provide decent shelter for all of our citizens.

The Governor's Task Force on Housing and Community Development has found that nearly half of the households in Florida already are spending too much of their limited financial resources on housing, and that the housing they receive is often substandard, unsanitary and unsafe.

Creation of a State Division of Housing, as well as the other recommendations of the task force, are certainly consistent

with the President's call for a "new federalism" in which state and local governments take the initiative in meeting great problems.

I therefore urge you to adopt the recommendations which have been delivered to you by my office.

### EDUCATION

Education remains government's most important function, and, with the final report of the Governor's Committee on Education and the leadership that exists in both your houses, this Legislature has the opportunity to make historic advances for the children of our State.

As you know, the U. S. Supreme Court recently affirmed the local property tax as a constitutionally legal way to finance public schools.

Nevertheless, Florida can and should continue to lead the way in assuming a greater share of school costs at the state level and insuring equal educational opportunities for all children, regardless of where they happen to live. With substantial increases in state support, I am also recommending simpler distribution of funds and greater flexibility in how they are spent.

I also commend for your attention and action the committee's recommendations for greater citizen involvement, more imaginative instruction, continuous training for administrators as well as teachers, and other efforts to regain the people's confidence in their public schools.

### LOCAL GOVERNMENT

Local governments must also be made more effective and responsive to the needs of our citizens. In light of present uncertainties in federal funding, it's especially imperative that we develop a positive, comprehensive and rational approach to the formation, structure, services and finances of local government.

The interim report of the Florida Commission on Local Government suggests some beginnings and I urge your careful consideration of the report.

### TAX REFORM

As I'm sure you're aware, this administration began on the proposition that every Florida citizen should pay his or her fair share of Florida's taxes, no more and no less.

This was why we sought and won approval of various measures designed to shift taxes away from the elderly and away from those of modest income, all of whom were paying too much.

We repealed the State sales tax on household utilities, repealed the State sales tax on apartment rentals, and granted an additional homestead exemption to the elderly as applied to school taxes.

But as prices continue to rise as never before, all Floridians of modest means, and especially older Floridians on fixed incomes, continue to bear a disproportionate share of our tax burden.

This is why I cannot accept new tax breaks or exemptions of any kind designed to give relief to the wealthy.

Others need our help more.

I recommend, therefore, an intangibles tax exemption only on the first \$20,000 in securities. This will help those people who often must live off the income derived from their securities.

I also recommend that the \$10,000 homestead exemption for the elderly be extended to cover all property taxes, as it now covers school taxes.

And to see that this exemption goes only to those who truly need it, I encourage you to make every effort to develop a means test for its implementation.

### ENVIRONMENT

If governments were to be judged solely on their response to the environmental crisis, I'm confident Florida would walk away with the honors.

We passed last year a program of environmental land and water use planning that has rightly been called the best in the country, and rightly selected as a model for the nation.

Now it's up to you to give final approval to guidelines and standards for developments of regional impact and for statewide water management districts, and it's up to the executive branch to fairly and fully implement your work.

There is one serious missing link in last year's work that I hope you will fill and that is the protection by law of our wetland areas, both coastal and inland.

I am submitting to you a wetlands bill that I believe should solve this problem. A coastal management bill has been introduced that also is worthy of your consideration.

In considering these bills, please remember that wetlands are not wastelands. They are wonderlands of life.

I also strongly urge you to help us save environmentally endangered lands and outdoor recreation areas by appropriating \$90-million of our projected surplus for purchase of those resources.

As I announced last week, I'm recommending that we commit \$40-million of that sum to save the Big Cypress from the pressures of development and inflation.

President Nixon has joined in this effort, and I think he has the gratitude of all Floridians for that.

Other areas in which I urge you to address yourselves are power plant siting, improvement of the effectiveness and efficiency of the State's environmental agencies, general revenue funding for the Game and Fresh Water Fish Commission, and the correction of environmental problems within the Kissimmee River Basin . . . problems that are endangering Lake Okeechobee, the major water reservoir for the populous Gold Coast.

### ENERGY

In a related area, we have a serious problem with the production and consumption of energy in Florida, and this problem deserves both short-range and long-range legislative attention.

I therefore recommend that you create an energy policy commission charged with seeking over the next two years a comprehensive State energy policy that will assure us an adequate supply of energy at reasonable rates with a minimum of environmental damage.

Our recent Governor's Conference on Energy should provide an excellent starting point and research source for the commission's work.

I also recommend that we begin now to encourage energy conservation in Florida by adopting a "truth in energy" bill that would require disclosure of operating efficiency and energy consumption on every electrical appliance sold in this State.

### CRIMINAL JUSTICE

And now we come to another problem that has been disturbing, to say the least. Organized crime continues its growth despite the best efforts of State and local law enforcement agencies.

Our approach to syndicated crime for too long has been characterized by fragmentation and lack of coordination. No longer should we wage such an important effort with one hand tied behind our backs.

The harmful consequences of organized crime, which respects no county boundaries, require a more concentrated multi-jurisdictional response. Only in that way can we improve our chances of detection, apprehension and conviction.

I therefore propose to you a statewide grand jury system that would be empowered, under limited circumstances, to investigate and indict throughout the State.

A statewide grand jury would differ in only two fundamental respects from the county grand juries now authorized under Florida law.

First, it would have statewide geographical jurisdiction. Second, its scope would be limited to multi-jurisdictional crime, where our present grand jury system seems deficient.

To preclude racketeers and other unsavory operators from coming to Florida not for our sunshine, but to corrupt our laws and institutions, let us send out a clear message.

And let that message say that the full focus of prosecutive attention at level will greet crime and the criminal within our borders.

Let me emphasize that this proposal represents no expansion of authority to law enforcement. Its effect is merely geographical, and merely in response to certain crimes.

Let me also emphasize that every institution and process of government should be insulated against potential abuse. So it is with a statewide grand jury. In the measure I will be sending to you are certain procedural safeguards to that effect.

I have discussed this proposal with the Attorney General, incidentally, and he concurs in this recommendation.

Later this week I intend to send you a separate message detailing this and other proposals for fighting crime and improving our entire system of criminal justice.

### PORNOGRAPHY

In another area, I have become increasingly disturbed by the proliferation of pornography in Florida, and especially by its display in public places accessible by children.

I therefore urge you to pass the strongest, most effective anti-pornography bill possible that is consistent with the Constitution.

### EQUAL RIGHTS AMENDMENT

Speaking of the Constitution, I explained to you last fall my reasons for supporting the proposed equal rights amendment now before you.

I don't intend to repeat them now.

Although I continue to be concerned about how you vote on this amendment, my principal concern at this point is that you do indeed vote.

This is not just another piece of legislation, or even an amendment to the Florida Constitution.

This is an amendment to the Constitution of the United States of America, the basic document that governs this land.

Many of you probably never again will be called upon to participate in the writing of that document.

It's inconceivable that as a modern Legislature representing 7.5-million people, you would allow only three people to preclude your participation in history, regardless of whether that participation would be in the form of a yea or a nay.

The President has taken a position in favor of this amendment.

The Vice President has taken a position in favor of it.

Senators Gurney and Chiles have taken a position in favor of it.

The Congress has taken a position in favor of it.

No less than 30 states have affirmed positions in favor of it.

I'm confident that most of you feel that the Florida Legislature also should take a position.

Regardless of what your votes might be, I urge you to record them on the floors of your respective houses, to do so early so that you can move on to other matters; and to do so not on a procedural point, but on the merits of the amendment itself.

Let it not be said that in the roll call of history, Florida has abstained.

#### SPENDING REFORM

I've said many times that spending reform will be my personal priority for state government during the next two years.

Accordingly, we've converted to purchasing State tires by competitive bid at an estimated 10 percent annual savings to the taxpayers.

Accordingly, I'm asking you to require open competitive negotiations in the hiring of architects, engineers and land surveyors by state and local governments in Florida.

My hope is to remove any hint of patronage or favoritism from the way we spend the people's money for these professional services, and to guarantee that the best possible talent is retained for the people at the fairest possible price.

But the biggest single challenge facing this Legislature in the area of spending reform is to adopt an approach to our present projected surplus that is sensible and conservative.

We've been able in the past two years to lift Florida from one of the nation's weakest state governments financially to one of the nation's strongest.

I believe that we should regard our surplus not as a surplus at all, but rather as "taxpayers' insurance"—insurance against new taxes, insurance against costly and wasteful delays in school and road construction as well as in the purchase of environmentally-endangered lands; insurance against poor planning, against emergency legislative sessions, against government by crisis and against government that will not respond because it cannot respond to the people's needs.

It's the kind of insurance we've worked long and hard to win for Florida, and I'm confident we're not going to cancel the policy as long as I'm privileged to serve as Governor and you're privileged to serve as the Florida Legislature.

And so I recommend that not a single penny of that surplus be committed to unjustified tax repeals or new programs that would come back to haunt the taxpayers in leaner years.

I've recommended instead that you budget whatever new money is available to advanced construction of the interstate highway system, to meeting our school construction needs, to giving this government a sound fiscal reserve, and to purchasing the Big Cypress and other natural wonders vital to our very survival.

I want you to know that I regard my budget recommendation of \$120-million for the interstate system as a keystone of my entire program of spending reform.

It was specifically designed not only to combat inflationary land and construction costs, but to see that we don't foolishly lose millions of transportation dollars because of funding policy changes currently under consideration in Washington.

In the interest of saving both lives and money on our highways in Florida, and in the interest of preserving the integrity of what I regard as sound fiscal planning, I urge you to approve the interstate advance.

As you know, 90 percent of this is money that will be returned to us by the federal government.

To help reduce the necessity for higher school property taxes, I also hope you'll approve my \$213-million recommendation for school construction.

My recommendations for reserve funds and environmental expenditures also are regarded as vital to the integrity of the budget, and I hope you will consider them in that posture.

#### CLOSING

In closing, let me say that we have a wonderful State, made up of wonderful people.

They're people who cherish that which is good about Florida and want to correct that which is not so good.

This is the challenge facing you in the next 60 days.

If you meet it as the talented, dedicated and capable leaders that I know you are, we'll have good government in our State.

And you will have earned the faith of the people one more time.

I'm reminded of the words of Anatole France.

"To accomplish great things," he said, "we must not only act, but also dream, not only plan, but also believe, not only follow, but also lead."

Be assured that I stand ready to work with you as we plan and dream and believe together in a better Florida for all people for all time.

Thank you.

Following the Governor's address, the committee previously appointed escorted the Governor from the rostrum and from the House chamber, followed by the Lieutenant Governor and the members of the Cabinet, and the Justices of the Supreme Court.

On motion by Senator Barron, the Senate withdrew from the joint session and resumed its session at 12:00 noon. A quorum present.

On motion by Senator Barron, the Senate recessed at 12:06 p.m. to reconvene at 2:00 p.m. this day.

## AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m.  
A quorum present—39:

Mr. President	Graham	Peterson	Sykes
Barron	Gruber	Pettigrew	Trask
Brantley	Henderson	Plante	Vogt
Childers	Johnson	Poston	Ware
Deeb	Johnston	Saunders	Weber
de la Parte	Lane (31st)	Sayler	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	

On motion by Senator Barron that a committee be appointed to escort Mr. Sanford H. Stiles, public service promotion manager, St. Petersburg Times, to the rostrum, the President appointed Senators de la Parte, Myers and Sayler. Mr. Stiles was escorted to the rostrum where he was received by the President. Mr. Stiles addressed the Senate briefly and was seated on the rostrum.

On motion by Senator Barron that a committee be appointed to escort Senator Graham to the rostrum, the President appointed Senators Firestone, Brantley and Childers. Senator Graham was escorted to the rostrum.

The President acknowledged the presence of Mrs. D. Robert Graham, wife of Senator Graham; Gwendolyn and Glynn Adele (Cissy), daughters, and Mrs. Ernest R. Graham, mother of Senator Graham and wife of a former member of the Senate.

On behalf of the St. Petersburg Times, the President presented a plaque to Senator Graham who was selected to receive the "Most Valuable Senator" award by legislative correspondents and daily newspaper editors on the basis of outstanding service to all of Florida as a member of the 1972 Florida Senate, and for personal and public integrity as well as ability and courage in promoting progressive legislation.

Senator Graham, following his acceptance of the plaque, addressed the Senate briefly.

On motion by Senator Barron, it was agreed that the Senate adjourn at the completion of introduction and reference of resolutions, memorials, bills and joint resolutions and consideration of executive messages.

On motion by Senator Barron, it was agreed by two-thirds vote that when the Senate adjourns it adjourn to reconvene at 9:30 a.m., April 4, for the purposes of joining the House of Representatives for a joint meeting to view the film prepared by the League of Women Voters of Florida entitled "There Ought to be a Law" and presentation of the Allen Morris awards.

On motion by Senator Poston, rule 2.5 was waived and the Committee on Transportation was granted permission to meet April 4 at 8:30 a.m. and consider bills included on notice filed with the Secretary of the Senate.

On motion by Senator Graham, rule 2.5 was waived and the three select subcommittees of the Committee on Education were granted permission to meet April 4 at 8:30 a.m. and consider items on agendas filed with the Secretary of the Senate.

On motion by Senator Childers, rule 2.5 was waived and the Committee on Natural Resources and Conservation was granted permission to meet April 4 at 8:30 a.m. and consider items included on notice filed with the Secretary of the Senate.

On motion by Senator Pettigrew, rule 2.5 was waived and the Committee on Criminal Justice was granted permission to meet April 4 at 2:00 p.m. and consider items included on notice filed with the Secretary of the Senate.

On motion by Senator Scarborough, rule 2.5 was waived and the Committee on Judiciary was granted permission to meet April 4 at 8:30 a.m. and consider items included on notice filed with the Secretary of the Senate.

On motion by Senator Brantley, rule 2.5 was waived and the Committee on Commerce was granted permission to meet April 4 at 2:00 p.m. and consider items included on notice filed with the Secretary of the Senate.

On motion by Senator Barron the Senate proceeded to—

## INTRODUCTION

The President Pro Tempore presiding.

\*—Rule 2.16 provides that a prefiled bill introduced solely by a Senator who will not be a Senator at the next ensuing regular session of the legislature shall be reported unfavorably without notice or hearing.

By Senator Horne—

SR 1—A Senate Resolution in Memoriam Rev. Henry Jefferson Redd

—was read the first time and placed on the calendar without reference.

SB 2—By Senators John L. Ducker and Beth Johnson\*

By Senator McClain—

SB 3—A bill to be entitled An act relating to state employees' loyalty oath; amending section 876.05, Florida Statutes; providing that such employee will oppose the overthrow of the Government of the United States or of the State of Florida; providing an effective date.

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

By Senator McClain—

SB 4—A bill to be entitled An act relating to removal of trees; providing standards for removal and replacement of certain trees throughout the state in areas under development; providing for submission of an affidavit describing the plan for such removal and replacement of affected trees; providing for inspection of the development; providing a civil penalty for violation; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Judiciary.

By Senator McClain—

SB 5—A bill to be entitled An act relating to exemption; amending section 196.202, Florida Statutes, providing that every widower receive a five hundred dollar exemption; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator McClain—

SB 6—A bill to be entitled An act relating to educational institutions; making it unlawful for speakers to advocate certain specified violent action on the campuses of such institutions; providing a felony penalty; providing an effective date.

—was read the first time by title and referred to the Committees on Education and Criminal Justice.

SB 7—By Senator C. Welborn Daniel\*

By Senator Brantley—

SB 8-SF—A proposal to be entitled An Act relating to nursing education; providing for academic credit towards a bachelor's degree for work completed in a state accredited hospital school for nursing or a community college nursing program.

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

By Senator Brantley—

SB 9-SF—A proposal to be entitled An act relating to sales and use taxation.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Deeb—

SB 10—A bill to be entitled An act relating to the ownership of inventions, discoveries or works of art; adding section 286.041, Florida Statutes, providing that the ownership of an invention, discovery or work of art developed by an employee or agent of the State of Florida, incident to employment, is vested in the State of Florida; providing an effective date.

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

By Senator Henderson—

SB 11—A bill to be entitled An act relating to imposition of a cigarette tax by any county operating under a county charter; amending the title of Section 210.03 to include counties; amending Section 210.03, Florida Statutes by the addition of a subsection (7) thereto authorizing any county operating under a county charter to impose the same cigarette tax within the unincorporated area of such county as any municipality is authorized to impose under Section 210.03 within the territorial limits of such municipality; providing for the collection and payment of said tax and for the use of funds received by a county in accordance with the provisions of Section 210.03. Providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senators Scarborough and Brantley—

SB 12—A bill to be entitled An act amending chapter 111, laws of Florida, relating to payment of defense of prison and peace officers and all high hazard employees of the state of Florida and all of its political subdivisions in any civil actions instituted against them arising out of the performance of their duties; providing indemnification for judgments rendered against them; providing for the use of funds for these purposes; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

SB 13—By Senators John L. Ducker and Beth Johnson\*

SB 14—By Senators John L. Ducker and Beth Johnson\*

By Senators Brantley and Winn—

SB 15—A bill to be entitled An act relating to financial responsibility; amending section 324.021(7), Florida Statutes, as amended by chapter 72-297, Laws of Florida; providing for a decrease in minimum requirements for proof of financial responsibility; providing an effective date.

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

By Senators Poston and Wilson—

SCR 16—A concurrent resolution ratifying the proposed amendment to the Constitution of the United States relating to equal rights for men and women.

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

SB 17—By Senator Gerald A. Lewis\*

By Senator Childers—

SB 18—A bill to be entitled An act relating to drivers' licenses; repealing §2 of chapter 72-279, Laws of Florida, appearing as §322.142(5), Florida Statutes, 1972 Supplement, relating to maintaining a film negative or print file for reissuing lost or duplicate photographic licenses; providing an effective date.

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

By Senator Saylor—

SCR 19—A concurrent resolution ratifying the proposed amendment to the Constitution of the United States relating to equal rights for men and women.

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

SCR 20—By Senator Gerald A. Lewis\*

By Senator Myers—

SB 21—A bill to be entitled An act relating to mental health; amending Chapter 71-131, Laws of Florida, known as "The Florida Mental Health Act" or "The Baker Act" to extend the immunity of all persons acting in good faith in compliance with the provisions of that Act; to extend the date to which prior hospitalization orders shall be valid; to postpone the effective date of chapter 71-131; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Saylor—

SB 22—A bill to be entitled An act relating to no-fault insurance, the Florida automobile reparations reform act; repealing §627.734(3), Florida Statutes, which provides an exemption for any motor vehicle owned by the state or any political subdivision thereof, or the federal government; providing an effective date.

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

By Senator Saylor—

SB 23—A bill to be entitled An act relating to environmental control; reenacting §403.031(1), and (3)-(11), Florida Statutes, which subsections were inadvertently omitted in §1, chapter 71-36, Laws of Florida; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator McClain—

SB 24—A bill to be entitled An act relating to homestead exemption; amending §196.081, Florida Statutes, granting a total homestead exemption to all honorably discharged ex-servicemen with a service-connected total and permanent disability certified by the United States government or veterans' administration; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator McClain—

SB 25—A bill to be entitled An Act relating to exemption; creating section 196. . . Florida Statutes, granting a total homestead exemption for all totally and permanently disabled persons when certified by a physician; providing procedure for application; providing the carryover of such exemption to the spouse in the event of death; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

SB 26—By Senator John L. Ducker\*

By Senator Childers—

SB 27—A bill to be entitled An act relating to intangible personal property tax, to provide for the repeal of chapter 199, Florida Statutes, the intangible personal property tax act; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senators Sayler and Ware—

SB 28—A bill to be entitled An act relating to taxation and revenue sharing with local governments; repealing §23, chapter 72-360, Laws of Florida; to abolish the expiration date of §§218.20-218.26, inclusive, part II of chapter 218, Florida Statutes, 1972 Supplement; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Childers—

SB 29—A bill to be entitled An act relating to homestead exemption; amending §196.031 (3), Florida Statutes, as amended by chapter 72-372, Laws of Florida, to establish tax exemption for persons who are totally and permanently disabled; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Deeb—

SB 30—A bill to be entitled An act relating to institutions of higher learning; creating §241.74, Florida Statutes, to prescribe the duties and authority of the president as the publisher of campus publications; providing for a publications policy; providing an effective date.

—was read the first time by title and referred to the Committees on Education and Governmental Operations.

By Senator Deeb—

SB 31—A bill to be entitled An act relating to corporate income tax; creating §220.54, Florida Statutes, providing Florida insurance companies a credit against the tax liability imposed under chapter 220, Florida Statutes, for any retaliatory tax imposed by other states or countries; repealing §§624.509(4) and 624.510(3), Florida Statutes, relating to credits against premium tax and tax on wet marine and transportation insurance; providing an effective date.

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

By Senator Deeb—

SB 32—A bill to be entitled An act relating to tax exemptions; amending §196.011, Florida Statutes, to provide that persons entitled to certain exemptions from real or personal property tax may file an application in person or by mailed affidavit; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senators Childers and McClain—

SB 33—A bill to be entitled An act relating to the Florida retirement system; amending subsections (1)(b) and (c) and (6)(a) of §2, chapter 72-345, Laws of Florida; providing for the removal of legislators from the elected state officers class; providing for restoring them to membership in the regular members class; providing an effective date.

—was read the first time by title and referred to the Committees on Ways and Means and Governmental Operations.

SB 34—By Senator Gerald A. Lewis\*

By Senator Deeb—

SB 35—A bill to be entitled An Act relating to insurance tax; amending section 624.429, Florida Statutes, to authorize reciprocal compacts with other states for exoneration of retaliatory insurance taxes; providing an effective date.

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

By Senator Deeb—

SCR 36—A CONCURRENT RESOLUTION authorizing a Senate-House Committee to study the office of the commissioner of education.

—was read the first time and referred to the Committees on Education and Governmental Operations.

By Senator Childers—

SB 37—A bill to be entitled An act relating to motor vehicle license taxes; amending §320.08(8)(e), Florida Statutes, as created by chapter 72-339, Laws of Florida, abolishing the tax on slide-in campers; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

SB 38—By Senator Lynwood Arnold\*

By Senator Poston—

SB 39—A bill to be entitled An act relating to graduate study in oceanography; providing the board of regents pay qualified public or private institutions of higher learning in the state four thousand five hundred dollars per year for each student, up to a maximum of sixty, who is a state resident and is pursuing a graduate degree in oceanography; providing for allocation of funds; providing qualifications for benefits; restricting expenditures; providing an appropriation; providing an effective date.

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

SB 40—By Senator W. E. Bishop\*

By Senator Childers—

SB 41—A bill to be entitled An act relating to sales tax on admissions; amending §212.04(2)(b), Florida Statutes, as amended by chapter 72-220, Laws of Florida, to provide an exemption for events sponsored by schools or correctional institutions when only student, faculty or inmate talent is used; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Scarborough—

SB 42—A bill to be entitled An act relating to crimes; amending §775.082(1), Florida Statutes, to provide the punishment for capital felonies; amending §782.04(1) and (3), Florida Statutes, to conform to §782.045; creating §782.045, Florida Statutes, to provide mandatory death sentences in certain cases; providing for the crime of hijacking; repealing §921.141, Florida Statutes, as amended by chapter 72-72, Laws of Florida, which provides for bifurcated trials; providing an effective date.

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

By Senator Scarborough—

SB 43—A bill to be entitled An act relating to community colleges; creating §230.777, Florida Statutes, to authorize the various community colleges to engage in intercollegiate football; providing an effective date.

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

SB 44—By Senator Gerald A. Lewis\*

By Senator Deeb—

SB 45—A bill to be entitled An act relating to public water systems; creating §§167.571 and 153.90-153.92, Florida Statutes; providing for petition procedure and referendum election on the question of fluoridation of a public water system prior to infusion of fluoride into the public water system; providing for a petition procedure and referendum on the issue of fluoridation discontinuation in public water systems; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Deeb—

SB 46—A bill to be entitled An act amending §199.072(1)(e), Florida Statutes, to exempt all employee welfare or benefit plans from intangible personal property tax; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

SB 47—By Senator C. Welborn Daniel\*

By Senators Horne and Trask—

SB 48—A bill to be entitled An act relating to minimum requirements for proof of financial responsibility under Chapter 324, Florida Statutes; amending section 324.021(7), Florida Statutes; providing an effective date.

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

By Senators Horne and Trask—

SB 49—A bill to be entitled An act relating to minimum requirements for proof of financial responsibility under Chapter 324, Florida Statutes; providing for the repeal of Chapter 72-297, Laws of Florida, providing an effective date.

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

By Senator Saylor—

SB 50—A bill to be entitled An act relating to water pollution emergencies; creating part II, chapter 376, Florida Statutes, to be known as the emergency water pollution cleanup, prevention and research act; providing for the establishment and use of the emergency water pollution cleanup, prevention and research fund to be administered by the department of natural resources; providing definitions; providing emergency powers of the governor; providing for the powers and duties of the department; providing an appropriation; providing for liberal construction; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

SB 51—By Senator Lynwood Arnold\*

By Senator Poston—

SCR 52—A concurrent resolution commending the Miami Young Men's Christian Association and recognizing its contribution to the National Democratic Convention.

—was read the first time and placed on the calendar without reference.

SB 53—By Senator W. E. Bishop\*

SB 54—By Senator Lynwood Arnold\*

By Senator Deeb—

SB 55—A bill to be entitled An act relating to public welfare; amending §409.195(2), Florida Statutes; providing for a disregard in computation of benefits; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Trask—

SB 56—A bill to be entitled An act relating to public school instruction units; amending §236.04 (2)(a)-(c) and (3), Florida Statutes, as amended by chapter 72-221, Laws of Florida; providing a change in the number of pupils constituting an instruction unit; providing an effective date.

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

SB 57—By Senator Lynwood Arnold\*

By Senator Johnson—

SB 58—A bill to be entitled An act relating to veterans; creating a committee to recommend sites appropriate for veterans' hospitals; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Johnson—

SB 59—A bill to be entitled An act relating to veterans' affairs; creating a veterans' benefit fund to be administered by the division of veterans' affairs of the department of community affairs and to be used to take advantage of veteran related programs offered by the federal government; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Johnson—

SB 60—A bill to be entitled An act relating to governmental reorganization; creating §20.35, Florida Statutes; creating a department of veterans' affairs; transferring the division of veterans' affairs of the department of community affairs to said department; providing powers and duties of the department; directing that conforming editorial changes be made in chapter 292, Florida Statutes; repealing §20.18(2)(c) and (15), Florida Statutes, to conform with the act; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator Johnson—

SM 61—A memorial to the Congress of the United States requesting amendments to the federal social security act.

—was read the first time and referred to the Committee on Health and Rehabilitative Services.

By Senator Johnson—

SB 62—A bill to be entitled An act relating to homestead exemption; amending §196.031 (3), Florida Statutes, as amended by chapter 72-372, Laws of Florida, to establish tax exemption for persons who are totally and permanently disabled; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Johnson—

SB 63—A bill to be entitled An act relating to jurors; amending §40.08, Florida Statutes, to exempt practicing physicians and surgeons from jury duty; providing an effective date.

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

By Senator Saylor—

SB 64—A bill to be entitled An act relating to the auditor general; creating §11.401, Florida Statutes, providing for annual audits of the legislative auditing committee and auditor general; providing an effective date.

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

By Senator Trask—

SB 65—A bill to be entitled An act relating to education; providing additional capital outlay funds to school districts experiencing increases in average daily attendance in kindergarten and grades one through twelve; providing an appropriation; providing an effective date.

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

By Senator Deeb—

SB 66—A bill to be entitled An act relating to governmental reorganization; creating §20.35, Florida Statutes; creating a department of veterans' affairs; transferring the division of veterans' affairs of the department of community affairs to said department; providing powers and duties of the department; directing that conforming editorial changes be made in chapter 292, Florida Statutes; repealing §20.18(2)(c) and (15), Florida Statutes, to conform with the act; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator Deeb—

SB 67—A bill to be entitled An act relating to veterans' affairs; creating a veterans' benefit fund to be administered by the division of veterans' affairs of the department of community affairs and to be used to take advantage of veteran related programs offered by the federal government; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Deeb—

SB 68—A bill to be entitled An act relating to homestead exemption; amending subsections (1) and (2) of §196.091, Florida Statutes; providing for a real property homestead tax exemption for certain ex-servicemen with service or nonservice connected disabilities; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Deeb—

SB 69—A bill to be entitled An act relating to veterans; creating a committee to recommend sites appropriate for veterans' hospitals; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Deeb—

SB 70—A bill to be entitled An act relating to public schools; creating §233.0625, Florida Statutes; providing for silent meditation or prayer for public school students who desire; providing an effective date.

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

SB 71—By Senator C. Welborn Daniel\*

By Senator Childers—

SB 72—A bill to be entitled An act relating to the authority of the public service commission to fix rates; providing that no rate fixed by the commission under the authority of part I of chapter 364, or the authority of chapter 366, Florida Statutes, shall go into effect until approved by the legislature by concurrent resolution; providing for review of rate fixing orders entered since January 1, 1972; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Governmental Operations.

SB 73—By Senator William Dean Barrow\*

By Senator Saylor—

SB 74—A bill to be entitled An act relating to the regulation of motorboats; amending §371.021(2), (9) and (11)(b), §371.031(1), §371.041, §371.051(1)(a), (2), (4) and (5), §371.57(3)(a), §371.64, §371.65(1)-(4), (6) and (7), and §371.75(1), Florida Statutes; providing changes in definitions; providing for the deletion of references to chapters 370 and 372, Florida Statutes; providing for deletion of references to the game and fresh water fish commission; providing for registration of all motorboats; providing a change in the time for registration; providing that class 2 motorboats be furnished with additional

safety equipment; providing new classifications of motorboats; providing an appropriation and a change in distribution of fees; repealing §371.021(8), Florida Statutes, the definition of commission; repealing §371.051(3) and (10), Florida Statutes, relating to application for registration certificates; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

By Senator Saylor—

SB 75—A bill to be entitled An act relating to public education; creating §228.042, Florida Statutes, prohibiting continuing contracts or the granting of tenure to personnel; repealing §§231.351 and 231.36(3) and (9), Florida Statutes, and §231.36(7), Florida Statutes, 1972 Supplement, as amended by chapter 72-21, Laws of Florida, relating to continuing contracts; providing an effective date.

—was read the first time by title and referred to the Committees on Education and Governmental Operations.

By Senator Saylor—

SB 76—A bill to be entitled An act relating to the division of general regulation of the department of business regulation; providing for the licensing and regulation of dance studios; providing definitions; providing for license and other fees and for bonding of dance studios; providing for an administrative penalty; providing standards governing the issuance of licenses; establishing standards and placing requirements and limitations on contracts for dance studio lessons and other services; limiting the negotiability of evidence of indebtedness of such contracts and the assignment of such contracts; providing for a monetary ceiling on dance studio contracts; regulating the length of time a dance studio contract may cover; prohibiting waiver by the buyer of the provisions of the act; providing a penalty; providing a civil remedy; providing for the use of injunctions; providing an effective date.

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

By Senator de la Parte—

SB 77—A bill to be entitled An act relating to financial matters; amending subsection (c) of subsection (2) of section 215.32, Florida Statutes, to provide a limitation on the working capital fund, providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator McClain—

SB 78—A bill to be entitled An act relating to compensation for innocent victims of violent crimes; providing definitions; setting forth elements of recovery; providing restrictions on recovery; providing for the time and procedure for filing claims; providing for the modification of orders by the department of commerce; providing for the administration of the act by the bureau of workmen's compensation of the division of labor and employment opportunities of the department of commerce; providing for the taking of depositions and the payment of witness fees with respect to certain claims; providing for attorney fees; providing a penalty; providing for compensation for the innocent victims of violent crimes not exceeding twenty-five thousand dollars (\$25,000) per claim; providing certain limitations on recovery; providing for an annual report; providing for a crimes compensation trust fund; providing an appropriation; providing authority to apply for federal funds; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator McClain—

SB 79—A bill to be entitled An act relating to the capitol center, amending chapter 272, Florida Statutes, by adding a new subsection 272. , prohibiting entering into any contract or beginning construction on any new capitol to replace the

existing capitol until the legislature has specifically authorized the destruction of the present capitol; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations, Commerce and Judiciary.

By Senator McClain—

**SJR 80**—A Joint Resolution adding subsection (d) to section 6 of Article VII of the Constitution of the State of Florida; authorizing an increase in homestead exemption by general law not to exceed \$10,000 to any person whose adjusted gross income does not exceed \$6,000.

—was read the first time and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Poston—

**SB 81**—A bill to be entitled An act relating to the regulation of dance studios; declaring legislative intent; providing definitions; regulating the length of time a dance studio contract may cover and the amount of money which may be contracted for between buyer and seller for certain services; providing for the regulation of dance studio contracts; prohibiting waiver by the buyer of the provisions of this act; providing for buyer's recovery of damages for violation of this act including triple damages; providing exceptions; providing for the issuance of licenses to dance studios; providing fees; providing regulation by the department of state; providing penalties; providing an effective date.

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

By Senator Sayler—

**SB 82**—A bill to be entitled An act relating to punishment for capital and life felonies; amending §§775.081(1) and 775.082(1), Florida Statutes, to provide punishment for capital and life felonies; amending §782.04(1) and (3), Florida Statutes, to conform to §782.045, Florida Statutes; creating §782.045, Florida Statutes, providing mandatory death sentences in certain cases; providing penalty for the crime of hijacking; amending §§779.07, 790.16(1), 790.161(1), 794.01, and 805.02, Florida Statutes, to provide that the crimes specified therein are life felonies; amending §932.465(1) and (2), Florida Statutes, to provide limitations for prosecutions for offenses punishable by life imprisonment; repealing §921.141, Florida Statutes, as amended by chapter 72-72, Laws of Florida, relating to bifurcated trials; providing an effective date.

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

By Senator Plante—

**SB 83**—A bill to be entitled An act relating to pest control; providing an appropriation to the Institute of Food and Agricultural Sciences of the University of Florida for the study of the means of eradication or control of the bibionid fly, *Pleica nearctica* or "love bug"; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

By Senator Poston—

**SB 84**—A bill to be entitled An act relating to tax exemptions; amending §196.196, Florida Statutes, adding subsection (4) thereto; providing for uniform enforcement by specifying properties that comply with exemption criteria; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Deeb—

**SB 85**—A bill to be entitled An act relating to fishing licenses; amending §372.57(4), Florida Statutes, adding paragraph (e) thereto; providing that service-connected totally and permanently disabled veterans be exempt from fishing license requirements; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

**SB 86**—By Senator C. Welborn Daniel\*

**SB 87**—By Senator C. Welborn Daniel\*

By Senator Sayler—

**SB 88**—A bill to be entitled An act relating to intangible personal property tax; amending §199.072(1), Florida Statutes, adding paragraph (g) thereto; providing an exemption for annuities; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator McClain—

**SJR 89**—A Joint Resolution adding subsection (d) to section 6 of Article VII of the Constitution of the State of Florida; authorizing an increase in homestead exemption by general law not to exceed \$10,000 to any person whose taxable income does not exceed \$6,000.

—was read the first time and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator McClain—

**SB 90**—A bill to be entitled An act relating to criminal procedure; amending §948.01(2), Florida Statutes, authorizing psychological evaluation as part of presentence investigation by the parole and probation commission; creating §944, Florida Statutes, requiring the psychological evaluation of each prisoner delivered into the custody of the division and prior to release; authorizing the use of community mental health services' personnel and facilities; authorizing the division of corrections to promulgate rules and regulations concerning prisoners having psychiatric disorders or who have been determined to be criminally insane; directing the division to institute commitment proceedings for certain prisoners prior to release; amending §948.03(1), Florida Statutes, establishing as a condition of probation participation in psychiatric rehabilitative programs; providing an effective date.

—was read the first time by title and referred to the Committees on Criminal Justice and Health and Rehabilitative Services.

By Senator McClain—

**SB 91**—A bill to be entitled An act relating to intangible personal property tax; amending §199.072(1), Florida Statutes, adding paragraph (g) thereto; providing that annuities shall be exempt from the intangible tax; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senators de la Parte, Wilson and Plante—

**SB 92**—A bill to be entitled An act relating to intangible personal property tax exemptions; amending §199.072(1), Florida Statutes, adding paragraph (g) thereto; providing an exemption for United States uniformed services personnel classified as "prisoners of war" or "missing in action" and certain civilian personnel listed as prisoners or missing while serving in the Indo-Chinese theater; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Brantley—

**SB 93**—A bill to be entitled An act relating to homestead tax exemption; amending §196.031(3) and (4)(a), Florida Statutes, as amended by chapters 72-372 and 72-373, Laws of Florida; providing that the ten thousand dollar tax exemption apply to all ad valorem homestead taxes for the aged and for the totally and permanently disabled; providing for reporting of loss in county revenue; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senators McClain, Trask, Zinkil, Lewis, Firestone and Glisson—

**SB 94**—A bill to be entitled An act relating to misleading advertising; amending §817.41, Florida Statutes, by adding subsection (5) thereto; prohibiting retailers from advertising merchandise unless they have sufficient quantities to meet the foreseeable demand or state that quantities are limited; providing exceptions; providing civil penalties for misleading advertising; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Zinkil—

**SB 95**—A bill to be entitled An act relating to the conduct of trials; amending §918.016, Florida Statutes, to limit the number of continuances which may be granted in a trial involving a felony; providing an effective date.

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

By Senator Zinkil—

**SB 96**—A bill to be entitled An act relating to weapons and firearms; amending §790.07(1) and (2), Florida Statutes, to provide that sentence shall not be suspended or deferred for certain committed or attempted crimes involving weapons or firearms; providing an effective date.

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

By Senator Zinkil—

**SB 97**—A bill to be entitled An act relating to motor vehicle licenses; amending §320.08(8)(e), Florida Statutes, 1972 Supplement, as created by chapter 72-339, Laws of Florida; providing for annual license tax on certain recreational type vehicles based on net weight of such vehicles; providing an effective date.

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

By Senator Gillespie—

**SB 98**—A bill to be entitled An act relating to insurance; directing the department of insurance to require all insurance companies writing automobile insurance under the Florida automobile reparations reform act to file data showing the amount of profit made on all lines of automobile insurance including profits from investment income; directing the department to conduct a public hearing relative to earnings made on such motor vehicle insurance; providing for a rebate or rate reduction to policyholders of certain earnings; requiring companies to withhold funds for this purpose; providing an effective date.

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

By Senator Weber—

**SB 99**—A bill to be entitled An act relating to reporting of sales tax collections; amending section 212.11(1), Florida Statutes, the provision that the reports filed from the central office of a dealer who operates in two or more places of business indicate from which county the collected taxes originate; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Firestone—

**SB 100**—A bill to be entitled An act relating to retail installment sales; creating §520.351, Florida Statutes, to provide for the order in which payments shall be applied with respect to revolving charge accounts and certain consolidated debts secured by security interests; providing for the termination of security interests in individual items of property with respect to which a debt has been consolidated with other secured debts; providing an effective date.

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

By Senator Firestone—

**SB 101**—A bill to be entitled An act relating to mobile homes; creating §320.8325, Florida Statutes; requiring the use of anchors and tie-downs including over-the-roof ties for all mobile homes; authorizing the department of highway safety and motor vehicles to set forth minimum standards for such devices; providing for injunctions against persons in the business of installing such devices who do so in a manner contrary to the minimum standards; providing a penalty; providing an effective date.

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

By Senators Firestone and Winn—

**SB 102**—A bill to be entitled An act relating to compensation for innocent victims of violent crimes; providing definitions; setting forth elements of recovery; providing restrictions on recovery; providing for the time and procedure for filing claims; providing for the modification of orders by the department of commerce; providing for the administration of the act by the bureau of workmen's compensation of the division of labor and employment opportunities of the department of commerce; providing for the taking of depositions and the payment of witness fees with respect to certain claims; providing for attorney fees; providing a penalty; providing for compensation for the innocent victims of violent crimes not exceeding ten thousand dollars (\$10,000) per claim; providing certain limitations on recovery; providing for an annual report; providing for a crimes compensation trust fund; providing authority to apply for federal funds; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Firestone—

**SB 103**—A bill to be entitled An act relating to criminal procedure; creating §§901.27, 901.28, 901.29, 901.30, 901.31, and 901.32, Florida Statutes, providing a definition; providing authorization to issue a notice to appear for misdemeanors; providing for an investigation; providing authorization to take person to medical facility; providing for service of notice; providing penalty for failure to appear; providing for issuance of warrant; amending §§901.06 and 901.23, Florida Statutes, releasing the officer from the duty to take a person before a committing magistrate when a notice to appear is issued; amending §903.03, Florida Statutes, to provide for release on recognizance; creating §§903.025, 903.031, 903.032, 903.033, 903.034, and 903.035, Florida Statutes, providing a definition; providing for conditions of release on recognizance, appeals from conditions of release, penalty for violations of these conditions, penalty for failure to appear when on recognizance and providing standards for money bail; providing an effective date.

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

By Senator Gallen—

**SB 104**—A bill to be entitled An act relating to press shield law; allowing newsmen to refuse to divulge the identities of confidential sources without the threat of a jail sentence; providing an effective date.

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

By Senators de la Parte and Zinkil—

**SB 105**—A bill to be entitled An act relating to homestead tax exemption; amending subsections (3) and (4) of section 196.031, Florida Statutes, as amended by chapters 72-372 and 72-373, Laws of Florida; providing that the additional homestead exemption in the amount of five thousand dollars of assessed valuation of certain real property shall apply to taxes levied by county commissions, by municipal governing bodies, and by special district governing bodies; providing for reporting of revenue losses; requiring legislative appropriations for reimbursement of revenue losses; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Saylor—

SB 106—A bill to be entitled An act relating to state law enforcement officers; providing an appropriation to increase salaries of all state law enforcement officers by four pay grades; providing an exception; providing that such increase shall be retroactive to July 1, 1972; providing legislative intent; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Weber—

SB 107—A bill to be entitled An act relating to voting ballots; amending §101.161, Florida Statutes, providing that the exact wording of the substance of a proposed constitutional amendment or other public measure to appear on the ballot shall be embodied in the enabling legislation; providing an effective date.

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

By Senator Glisson—

SB 108—A bill to be entitled An act relating to the state militia; amending §250.22(1), Florida Statutes; providing that the age for eligibility for retirement be reduced from age sixty-four to age sixty; repealing §250.22(2), Florida Statutes, relating to reduced benefits for early retirement; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Deeb—

SM 109—A memorial to the Congress of the United States petitioning for a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States to prevent the assignment of students based on race, religion, color or national origin.

—was read the first time and referred to the Committee on Education.

By Senator McClain—

SJR 110—A Joint Resolution amending subsection (b) of section 3 of Article III of the Constitution of the State of Florida, providing for biennial sessions of the legislature.

—was read the first time and referred to the Committees on Governmental Operations and Ways and Means.

By Senator Glisson—

SB 111—A bill to be entitled An act relating to elections; amending §§99.021(1)(a), (b) and 99.161(2) and (6), Florida Statutes; providing that a candidate for election or nomination to public office shall affirm by oath that he has no outstanding debts incurred during a prior campaign; providing campaign contributions in excess of twenty dollars be made by check; providing that no person shall accept contributions to pay debts incurred during a previous campaign; providing an effective date.

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

By Senator Glisson—

SB 112—A bill to be entitled An act relating to motor vehicle licenses; amending §320.089(1), Florida Statutes, to provide that a person enlisting or reenlisting in the Florida national guard is entitled to a free motor vehicle license plate each year of such enlistment; providing an effective date.

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

By Senator Glisson—

SB 113—A bill to be entitled An act relating to elections; amending §99.161 (4)(b), (10) and (15), Florida Statutes; providing that the cutoff time for receiving contributions be

changed from five days to ten days prior to an election; providing that five days prior to an election a complete final report of contributions received shall be filed; providing an effective date.

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

By Senator Glisson—

SB 114—A bill to be entitled An act relating to presidential preference primary elections; amending §103.101, Florida Statutes, by renumbering subsections (5) through (14) as subsections (6) through (15) and creating a new subsection (5); requiring persons entitled to be listed on the presidential preference primary ballot to file affidavits concerning indebtedness incurred in prior candidacies; prohibiting names of persons indebted as a result of prior candidacies from being placed on the official ballot; providing an effective date.

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

By Senator Glisson—

SB 115—A bill to be entitled An act relating to the public service commission; prohibiting contributions to members of the public service commission or candidates for election to the public service commission from a public utility or other entity regulated by the commission; prohibiting such contributions by the officers and directors of a public utility or other entity regulated by the commission; prohibiting an officer or director of a public utility or other entity regulated by the commission from coercing its employees to make such contributions; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary and Governmental Operations.

By Senator Glisson—

SB 116—A bill to be entitled An act relating to elections; creating §97.015, Florida Statutes; providing that the secretary of state be responsible for enforcement of "The Florida Election Code"; authorizing the secretary of state to investigate violations, hold public hearings, compel attendance of witnesses and the production of documents, to administer oaths, and to initiate action; providing an effective date.

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

By Senator Childers—

SB 117—A bill to be entitled An act relating to the sanitarians' registration act; amending sections 491.08 and 491.11, Florida Statutes, authorizing the sanitarians' registration board to annually fix application and renewal fees within certain specified limits; providing an effective date.

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

By Senator Gallen—

SB 118—A bill to be entitled An act relating to insurance agents; amending §626.968, Florida Statutes; increasing the amount permitted as an advertising gift from five dollars to twenty-five dollars; providing an effective date.

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

By Senators Zinkil and Wilson—

SB 119—A bill to be entitled An act relating to intangible personal property tax exemptions; amending §199.072(1), Florida Statutes, adding paragraph (g) thereto; providing an exemption for United States uniformed services personnel classified as "prisoners of war" or "missing in action"; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Saylor—

SB 120—A bill to be entitled An act relating to commercial passenger air transportation; requiring weapons to be declared; providing mandatory installation and use of weapon detection devices by airlines for inspection of passengers and baggage; providing air carrier authority to refuse transportation; providing for enforcement; providing an effective date.

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

By Senator McClain—

SB 121—A bill to be entitled An act relating to capital punishment; amending section 794.01, Florida Statutes, as amended by Chapter 72-724, Laws of Florida, designating rape as a capital felony; providing an effective date.

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

By Senator Scarborough—

SB 122—A bill to be entitled An act relating to the leasing of pari-mutuel facilities; amending Section 550.47, Florida Statutes, providing for dog racing lessees to operate at leased premises; providing an effective date.

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

By Senator Lane (31st)—

SB 123—A bill to be entitled An act to provide added penalties for certain armed crimes; providing for mandatory punishment, successive sentences, and mitigating circumstances; and protecting the civil rights of citizens in the lawful use of firearms; providing an effective date.

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

By Senator Gillespie—

SB 124—A bill to be entitled An act relating to insurance; creating §624.4241, Florida Statutes; requiring property and casualty insurers to file an annual profitability and investment income reporting form using generally accepted accounting principles; providing for such filing with the department of insurance at the time statewide rate changes are proposed; providing for public hearing and issuance of regulations to establish the contents of the reporting form and the method for its preparation; providing an effective date.

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

By Senator Ware—

SB 125—A bill to be entitled An act relating to constructive service of process; amending §49.011(4), Florida Statutes, providing for service of process by publication in proceedings for dissolution of marriage; providing an effective date.

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

By Senator Winn—

SB 126—A bill to be entitled An act relating to motor vehicle safety inspection certificates; amending §325.14, Florida Statutes; providing that all cars sold at retail bear current motor vehicle safety inspection stickers; amending §325.15, Florida Statutes, relating to the operation of a newly registered vehicle without an inspection certificate to conform to this act; providing an effective date.

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

By Senator Poston—

SB 127—A bill to be entitled An act relating to emergency medical care; providing definitions; providing a short title; requiring all ambulance companies, vehicles and attendants to meet minimum state standards for construction, equipment, training, and maintenance; creating the emergency medical

services advisory council; providing for terms of office of council members; providing the purpose, objectives and functions of the council; providing for the development of a communications system; providing for the inspection and examination of ambulance companies, vehicles and attendants; providing that licenses, certificates and permits issued pursuant to this act are non-transferrable; providing for exemptions; establishing a schedule of fees; providing for the promulgation of rules and regulations; providing exemption from liability for acts or omissions committed in good faith, providing that failure to obtain consent shall not result in civil liability where the patient is unable to give consent and there is no other person reasonably available; providing authority for any county or city whether operating jointly or independently to enact additional regulations; providing penalties for the violation of any provisions of this act; providing a penalty for fraudulently obtaining service from ambulance companies; providing a penalty for turning in a false alarm; repealing §877.07, Florida Statutes 1969, as amended; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Saylor—

SB 128—A bill to be entitled An act relating to legislative organization; amending §11.141(1) and (2), Florida Statutes, to require each house of the legislature to have a standing committee on the aged; providing an effective date.

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

By Senator Winn—

SB 129—A bill to be entitled An act relating to fraudulent practices; amending §817.53, Florida Statutes, to prohibit false charges for motor vehicle repairs and parts; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Gallen—

SB 130—A bill to be entitled An act relating to public officers and employees travel; amending section 112.061(7), Florida Statutes, by adding a new subparagraph (i) to authorize contracting for air transportation services; providing an effective date.

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

By Senator Poston—

SB 131—A bill to be entitled An act relating to juries; amending §913.10, Florida Statutes, providing for three jurors to try second degree misdemeanor cases; providing an effective date.

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

By Senator Poston—

SJR 132—A joint resolution proposing an amendment to section 22, article I of the state constitution, relating to trial by jury, to reduce the number of jurors which may be authorized by law for the trial of certain misdemeanors.

—was read the first time and referred to the Committee on Criminal Justice.

By Senator Poston—

SB 133—A bill to be entitled An act relating to a special election to be held October 2, 1973, pursuant to section 5, article XI of the state constitution for the approval or rejection by the electors of Florida of a joint resolution reducing the number of jurors which may be authorized by law for the trial of certain misdemeanors; providing for publication of notice and procedures; providing for state reimbursement of costs to the counties; providing the comptroller shall establish reimbursement procedures; providing an effective date.

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

By Senator Poston—

SB 134—A bill to be entitled An act relating to workmen's compensation; amending §440.45(3), Florida Statutes, increasing the salary of judges of industrial claims; providing an effective date.

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

By Senator Pettigrew—

SB 135—A bill to be entitled An act relating to the Florida retirement system; amending §121.081(1)(c), Florida Statutes, 1972 Supplement, as created by chapter 72-168, Laws of Florida, to provide for retirement credit for an employee in the Cuban Refugee Assistance Program for service prior to January 1, 1968 regardless of the fund from which paid; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Winn—

SB 136—A bill to be entitled An act relating to motor vehicle repair dealers; providing definitions; creating in the department of business regulation, division of general regulation, a bureau of motor vehicle repair dealer registration and its duties; providing registration procedures and grounds for revocation of registration; providing appeal procedure; providing a penalty; providing fees; providing for disposition of moneys and payment of expenses; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Consumer Affairs and Ways and Means.

By Senators de la Parte and Horne—

SB 137—A bill to be entitled An act relating to taxation of intangible personal property; amending paragraph (a) of subsection (1) of section 199.023, Florida Statutes, to include annuities and life insurance policies in definition of money; amending section 199.072, Florida Statutes; amending subsection 199.052 (2), Florida Statutes, to extend the filing exclusion to all taxpayers; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator McClain—

SB 138—A bill to be entitled An act relating to public education; creating §229.055, Florida Statutes; providing that the state board of education establish uniform administrative review procedures for administrative and instructional personnel at state universities and community colleges for nonrenewal or termination of employment contracts; providing an effective date.

—was read the first time by title and referred to the Committees on Education, Judiciary and Governmental Operations.

By Senator Gallen—

SB 139—A bill to be entitled An act relating to the Florida uniform traffic control law; amending §§316.026(1), 316.028(2) (a) and 316.029(2)(a), Florida Statutes; providing for suspension of driver's license or privilege upon first conviction of certain violations; providing an effective date.

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

By Senator Poston—

SB 140—A bill to be entitled An act relating to drivers' licenses; revising chapter 322, Florida Statutes, providing for issuance based on the general class of vehicles to be driven; creating §322.065, Florida Statutes, prescribing classifications; providing for licensing of persons transporting school children or passengers for hire; amending §322.21(1), Florida Statutes, 1972 Supplement, as amended by chapter 72-211, Laws of Florida; providing for fees for such license classifications; amending §322.12(2), Florida Statutes, providing for examination of ability to drive; amending §322.12, Florida Statutes, adding

subsection (3) thereto; providing for examination in county of residence; amending §322.01(6), (7) and (14), Florida Statutes, adding subsection (16) to said section; amending §§322.03, 322.04(1), 322.05, 322.07, 322.08, 322.09(1)(a), (2), 322.111, 322.12, 322.14, 322.15, 322.16(1)(a), (b) and (2), 322.17, 322.18-1(1), (3), (5), 322.19, 322.21(3), (6), 322.212(1)-(4), 322.22(1), 322.221(1), 322.25(1), (2), 322.26, 322.27(1), (d) and (2), 322.-30, 322.32(1)-(6), 322.37, 322.38(1), (2), Florida Statutes; amending §322.34, Florida Statutes, 1972 Supplement, as amended by chapter 72-175, Laws of Florida; to conform the provisions and terminology thereof to such revision; providing for validity of unexpired operators' and chauffeurs' licenses; providing an effective date.

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

By Senator Firestone—

SB 141—A bill to be entitled An act relating to weapons and firearms; amending §790.07(2) and (4), Florida Statutes; providing a minimum sentence of five years for a person convicted of using a firearm while committing or attempting to commit a felony; deleting §790.07(3), Florida Statutes, which excluded certain crimes since said section was declared unconstitutional; providing a minimum sentence of fifteen years for a subsequent conviction of using a firearm or weapon in the commission of or attempt to commit a felony; providing an effective date.

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

By Senator Zinkil—

SB 142—A bill to be entitled An act relating to the manual of instructions for ad valorem tax assessors; amending §195.-062(1), Florida Statutes; providing that the manual of instructions for ad valorem tax assessors shall not include provisions regarding valuation of platted lands; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Saylor—

SB 143-SF—A proposal to be entitled An act relating to alcoholic beverage licenses.

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

By Senator Saylor—

SB 144—A bill to be entitled An act relating to intangible tax; amending §199.032(1), Florida Statutes, to change the rate of tax from one mill to one-half mill on the dollar; amending §199.052(2), Florida Statutes, to provide a \$75,000 exemption; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Saylor—

SB 145—A bill to be entitled An act relating to municipal pension plans; providing that pursuant to Art. III, §11(a)(21) of the state constitution, special laws or general laws of local application pertaining to municipal pension plans are prohibited; repealing all special laws or parts of special laws creating or providing for municipal pension plans, and all amendments thereto, and converting them to municipal ordinances; prohibiting impairment of vested rights; providing a severability clause; providing an effective date.

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

By Senator Saylor—

SB 146—A bill to be entitled An act relating to county surveyors; abolishing the office; amending §§100.041(1), 116.06

and 137.03, Florida Statutes, to delete references to county surveyors; repealing chapter 143, Florida Statutes, relating to county surveyors; providing an effective date.

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

By Senator Poston—

SB 147—A bill to be entitled An act relating to motor vehicle license revenues; amending §320.20, Florida Statutes; providing revenues other than the first proceeds be deposited in the state roads trust fund; providing an effective date.

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

By Senator Poston—

SB 148—A bill to be entitled An act relating to professional regulation and licensing, creating the Florida road building contractor licensing board within the department of professional and occupational regulation; providing the legislative declaration; requiring registration and exemption; providing definitions; authorizing board employees; authorizing rules and regulations by the board; providing for examination and certification; establishing fees; providing for revocation of certificate and hearings; establishing bidding restrictions; requiring a business office located within this state and certain record keeping; providing for the disposition of fees; providing an effective date.

—was read the first time by title and referred to the Committees on Transportation and Governmental Operations.

By Senator Poston—

SB 149—A bill to be entitled An act relating to mobile homes; creating §320.8245, Florida Statutes; providing prohibitions; providing authority to the department of highway safety and motor vehicles to set standards, rules and regulations; providing penalties; providing an effective date.

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

By Senator Gallen—

SB 150—A bill to be entitled An act relating to property taxes; amending §§193.052(6) and 193.085(4), Florida Statutes; providing that utility property be valued or assessed by the county tax assessor of the county in which the property is located; providing an effective date.

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

By Senator Gallen—

SB 151—A bill to be entitled An act relating to public defenders; amending §27.56(1), Florida Statutes; providing that the public defender shall file a lien in each case in which he represents a defendant in court; repealing §27.56(2)(a), Florida Statutes, relating to optional lien procedures; providing an effective date.

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

By Senator Scarborough—

SB 152—A bill to be entitled An act relating to the rights of majority; providing that the disabilities of nonage shall be removed for all persons eighteen years of age or older; providing an effective date.

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

By Senator Sims—

SB 153—A bill to be entitled An act relating to motor vehicle license taxes; amending §320.10, Florida Statutes, 1972 Supplement, as amended by §1, chapter 72-105, Laws of Florida, to exempt community service vans of the Seventh-day Adventist church from the license tax; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Glisson—

SB 154—A bill to be entitled An act relating to taxation; amending §199.032, Florida Statutes, to provide an exemption from intangible personal property taxation of the first fifty dollars (\$50) of liability; amending §199.052(2), Florida Statutes, relating to the filing of returns for tax liabilities of less than five dollars (\$5), to require that agents and fiduciaries file returns for each person; adding paragraph (g) to §199.072(1), Florida Statutes; providing an exemption for United States uniformed services personnel classified as "prisoners of war" or "missing in action" and certain civilian personnel listed as prisoners or missing while serving in the Indo-Chinese theater; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Gordon—

SB 155—A bill to be entitled An act relating to public health; providing for the division of health of the department of health and rehabilitative services to undertake a comprehensive program for the discovery of persons afflicted with, and the treatment and prevention of, sickle cell anemia; requiring budgeting of such program; providing that the services of the program are to be offered free; providing for receipt of federal money; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Gillespie—

SB 156—A bill to be entitled An act relating to the Florida guardianship law; amending §744.68, Florida Statutes, to increase the amount authorized for reasonable funeral expenses of a ward; providing an effective date.

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

By Senator Glisson—

SB 157—A bill to be entitled An act relating to ad valorem tax exemptions; amending §§196.012(1), 196.195(2) and (4), and 196.196(1) (a), (2), and (3), Florida Statutes, to include property used for fraternal purposes within the exemptions, if it meets other requirements; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Glisson—

SB 158—A bill to be entitled An act relating to the St. Augustine historical restoration and preservation commission; appropriating funds from the general revenue fund to the St. Augustine historical restoration and preservation commission for the annual cross and sword pageant for fiscal year 1973-1974; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Glisson—

SB 159—A bill to be entitled An act relating to nursing homes; amending §400.162, Florida Statutes, to provide that admission to a nursing home does not confer on the facility the right to require patients or residents to buy drugs, whether prescription or otherwise, solely from that facility or any other facility; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Poston—

SB 160—A bill to be entitled An act relating to professional regulation and licensing; creating the Florida road building contractor licensing board within the department of professional and occupational regulation; providing the legislative declaration; requiring registration and exemption; providing definitions; authorizing board employees; authorizing rules and regulations by the board; providing for examination and cer-

tification; establishing fees; providing for revocation of certificate and hearings; establishing bidding restrictions; requiring certain record keeping; providing for the disposition of fees; providing an effective date.

—was read the first time by title and referred to the Committees on Transportation and Governmental Operations.

By Senator Sims—

**SB 161**—A bill to be entitled An act relating to district school boards; amending §230.15, Florida Statutes, to provide for the annual election of a chairman by the school board, and for the removal of said chairman and election of a new chairman, at any time, by a majority vote of the members; providing an effective date.

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

By Senator de la Parte—

**SB 162**—A bill to be entitled An act relating to the military code; amending §250.02(1) and (3), Florida Statutes, 1971, to provide that all citizens and persons declaring their intention to become citizens of this state shall constitute the militia of the state; amending §250.05, Florida Statutes, 1971, to change the name of the military department to the department of military affairs; amending §250.21(3), Florida Statutes, 1971, pertaining to retirement rank; amending §250.24, Florida Statutes, 1971, pertaining to pay and expenses for state active duty; repealing §250.031, Florida Statutes, 1971, creating a military reserve liaison officer; repealing §250.14, Florida Statutes, 1971, authorizing incorporation by a unit of the national guard; repealing §250.15, Florida Statutes, 1971, pertaining to honorary members of the national guard; repealing §250.17, Florida Statutes, 1971, pertaining to annual appropriations; repealing §250.402, Florida Statutes, 1971, pertaining to construction of armory in DeSoto County; repealing §250.422, Florida Statutes, 1971, providing for uniforms; repealing §250.53, Florida Statutes, 1969, as amended, pertaining to registration of aliens; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator de la Parte—

**SB 163**—A bill to be entitled An act relating to the military code; amending §250.31, Florida Statutes, 1971, to provide for defense of actions or proceedings against members of the organized militia while in the active service of the state through the department of legal affairs at state expense; providing for a right of change of venue in such action; providing for costs and attorney's fees and security for such costs and attorney's fees; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator de la Parte—

**SB 164**—A bill to be entitled An act relating to the military code; amending §250.34, Florida Statutes, 1971, to provide benefits for injury, death or disability incurred by a member of the organized militia while in state active service; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Gallen—

**SB 165**—A bill to be entitled An act relating to compensation of county officials; amending §145.09, Florida Statutes, to provide additional compensation to the supervisor of elections of Highlands County, as the tag agent for said county; providing an effective date.

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

By Senator Glisson—

**SB 166**—A bill to be entitled An act relating to the public service commission; amending §350.01, Florida Statutes; providing that the commission be a five member board; providing

for the creation of public service commission districts within the state with one commissioner elected from each district; providing for the election of the commissioners in staggered terms; providing an effective date.

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

By Senator Gallen—

**SB 167**—A bill to be entitled An act relating to distribution of obscene materials; providing for the offense of distributing obscene material; defining obscene material; providing penalties; providing that this act is supplemental to, and does not supersede, §847.011, Florida Statutes; providing severability; providing an effective date.

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

By Senator Poston—

**SB 168**—A bill to be entitled An act relating to probation; amending §948.01(3), Florida Statutes, to prohibit the court from withholding the adjudication of guilt in cases where the defendant has committed the offense of driving under the influence; providing an effective date.

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

By Senator Poston—

**SB 169**—A bill to be entitled An act relating to professional services; establishing state policies and procedures to be known as the "professional services procurement act" for the procurement of professional services of dentists, architects, certified public accountants, attorneys, landscape architects, registered engineers, and land surveyors, by agencies and departments of the state, political subdivisions, counties, municipalities, districts, public authorities, or publicly owned utilities; defining terms; declaring public policy; prohibiting contracting for such services by competitive bidding; providing for severability; providing a repealing clause; providing an effective date.

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

By Senator Poston—

**SB 170**—A bill to be entitled An act relating to independent post-secondary schools; providing definitions; creating a state board of independent post-secondary schools, prescribing powers and duties of the board; assigning certain powers to the state board of education; providing for licensing of certain schools and their agents; fixing fees; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committees on Education and Governmental Operations.

By Senators Poston and Sayler—

**SB 171**—A bill to be entitled An act relating to highway designation; designating that portion of U. S. 1 from Florida City, Dade County, to Key West, Monroe County, as the Harry S. Truman Overseas Highway; authorizing and directing the department of transportation to erect suitable markers; providing an effective date.

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

By Senator de la Parte—

**SB 172**—A bill to be entitled An act relating to legislative procedure; amending §11.011, Florida Statutes; establishing procedure for convening and extending a special legislative session by gubernatorial proclamation; requiring the governor to communicate his legislative proposals in bill form prior to convening the special session; providing for automatic introduction of the governor's proposals; providing for public notice of meetings of both houses and committee meetings during a special session; providing an effective date.

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

By Senator Poston—

SB 173—A bill to be entitled An act relating to graduate study in oceanography; providing the board of regents pay qualified private, independent institutions of higher learning in the state four thousand five hundred dollars per year for each student, up to a maximum of sixty, who is a state resident and is pursuing a graduate degree in oceanography; providing for allocation of funds; providing qualifications for benefits; restricting expenditures; providing an appropriation; providing an effective date.

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

By Senator Deeb—

SB 174—A bill to be entitled An act relating to elections; amending §101.32, Florida Statutes, to require that voting machines be used in all precincts in every county; providing an effective date.

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

By Senator Deeb—

SB 175—A bill to be entitled An act relating to motor vehicle licenses; creating §320.025, Florida Statutes; providing that confidential motor vehicle licenses be issued only to law enforcement agencies of the state, county, municipal, or federal governments; providing for written applications; providing certain state owned and operated motor vehicles display a distinctive license plate; providing an effective date.

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

By Senator Deeb—

SB 176—A bill to be entitled An act relating to homestead tax exemption; amending §196.031, Florida Statutes, 1972 Supplement, as amended by chapters 72-372 and 72-373, Laws of Florida, creating a new subsection (4), and amending and renumbering the present subsection (4) as subsection (5); providing that ad valorem revenue lost to local governments through certain increased exemptions be replaced by the legislature; providing an additional \$5,000 homestead tax exemption for anyone sixty-five or older, or totally and permanently disabled, whose gross income does not exceed \$4,000; providing procedures; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Poston—

SB 177—A bill to be entitled An act relating to professional land surveyors; amending §472.04, Florida Statutes; providing qualifications for applicants for examination as a professional land surveyor; providing a surveyor-in-training program; fixing fees; providing for disposition of fees collected; providing an effective date.

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

By Senators McClain and Sims—

SB 178—A bill to be entitled An act relating to the uniform narcotic drug law; amending section 398.22, F.S., providing an exception; creating section 398.221, F.S., making the sale of cocaine, heroin, and other derivatives a capital felony; providing penalties; providing an effective date.

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

By Senator Lane (31st)—

SB 179—A bill to be entitled An act relating to automobile license plates; amending §320.72(5), Florida Statutes, 1971; providing authority to issue automobile license plates stamped "Member of Congress" or "United States Senator"; providing an effective date.

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

By Senator Poston—

SB 180—A bill to be entitled An act relating to alcohol in relation to highway safety; providing for chemical tests for alcohol content upon certain drivers and pedestrians; prescribing the requirements, procedures and tabulation of results of tests; providing for nonadmissibility in evidence; providing for confidentiality of records; providing a penalty; providing an effective date.

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

By Senator Gillespie—

SB 181—A bill to be entitled An act relating to the Florida uniform traffic control law; amending §316.198, Florida Statutes, adding subsection (3) thereto; to provide that dirt, sand, gravel, trash, or other materials which may fall or blow off trucks upon public roads and highways shall be covered or secured to prevent blowing or falling from trucks; providing an effective date.

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

By Senator Deeb—

SB 182—A bill to be entitled An act relating to school buildings; amending §235.26(1), Florida Statutes; providing that school buildings shall conform to the requirements of local building codes and regulations; providing an effective date.

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

By Senators Johnson and Lewis—

SB 183—A bill to be entitled An act relating to community-based service programs for the elderly; providing legislative intent and definitions; providing for the division of family services to establish and operate community-based service programs for the elderly on a trial basis; providing for the director of the division of family services to submit a report to the legislature at the end of the trial period; providing for an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Plante—

SB 184—A bill to be entitled An act relating to juvenile courts; amending §39.01(4), Florida Statutes, 1972 Supplement, as amended by §30, chapter 72-404, Laws of Florida, to amend the definition of the word, "child", as a person eighteen years of age instead of under seventeen years of age; providing an effective date.

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

By Senator Plante—

SJR 185—A joint resolution proposing an amendment to the state constitution; amending section 2, article IX, relating to the state board of education; providing for the election of its members.

—was read the first time and referred to the Committees on Education and Governmental Operations.

By Senator Plante—

SB 186—A bill to be entitled An act relating to the district school system; amending §231.29, Florida Statutes, and §232.021, Florida Statutes, 1972 Supplement, as renumbered and amended by §96, chapter 72-221, Laws of Florida; providing that no school or attendance unit maintain records of students or employees indicating race, color, creed or national origin; providing penalties; providing an effective date.

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

By Senator Plante—

SB 187—A bill to be entitled An act relating to arrest without warrant; amending §901.15, Florida Statutes, to provide for arrest by a peace officer without warrant upon the reasonable belief that a crime is being or has been committed; providing for arrest for specified violations; providing an effective date.

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

By Senator McClain—

SB 188—A bill to be entitled An act relating to Florida Human Relations; amending Part II of Chapter 13, F.S.; creating section 13.252, providing that the attorney general may file a civil action; providing injunctions and providing affirmative action; providing an effective date.

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

By Senator Henderson—

SJR 189—A joint resolution proposing a new subsection (d) of section 6 of Article VII of the state Constitution, relating to homestead exemption, granting a total homestead exemption to honorably discharged ex-servicemen with service-connected total and permanent disabilities.

—was read the first time and referred to the Committee on Ways and Means.

By Senator Henderson—

SB 190—A bill to be entitled An act relating to a special election to be held October 2, 1973, pursuant to section 5, article XI of the state constitution for the approval or rejection by the electors of Florida of a joint resolution extending the homestead exemption for honorably discharged ex-servicemen with service-connected total and permanent disabilities to the full assessed value of the real estate; providing for publication of notice and procedures; providing for state reimbursement of costs to the counties; providing the comptroller shall establish reimbursement procedures; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Poston—

SB 191—A bill to be entitled An act relating to motor vehicle licenses; amending §320.72(6), Florida Statutes, to authorize the department to issue special license plates to judges and justices, identifying their positions; providing an effective date.

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

By Senator Saylor—

SB 192—A bill to be entitled An act relating to consumer protection; providing legislative findings and intent; providing for the appointment of a consumer advisor to the governor; creating the governor's council on consumer protection, its membership, terms, powers and duties; creating the division of consumer protection in the office of the governor; providing the powers and duties of the division; transferring the division of consumer services of the department of agriculture and consumer services to the office of the governor; providing for an appropriation; amending §5, chapter 72-4, Laws of Florida, appearing as §817.415(7), Florida Statutes, 1972 Supplement; amending §§817.416(4) and 817.77(5), Florida Statutes, providing for the transfer of certain authority to the new division; changing the name of the department of agriculture and consumer services to the department of agriculture; repealing §20-14(4) and (5), Florida Statutes, relating to the Florida consumers' council and the division of consumer services; repealing §§570.281, 570.282, and 570.283, Florida Statutes, the Florida consumer services act; providing an effective date.

—was read the first time by title and referred to the Committees on Consumer Affairs, Governmental Operations and Ways and Means.

By Senator Pettigrew—

SB 193—A bill to be entitled An act relating to witnesses; creating §90.240, Florida Statutes; providing reporters the privilege of nondisclosure of information or sources of information; defining reporter; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary and Governmental Operations.

By Senator Glisson—

SB 194—A bill to be entitled An act relating to parole and probation; amending §§947.19 and 948.03, Florida Statutes, to require certain persons paroled or placed on probation to pay the cost of supervision to the parole and probation commission beginning sixty (60) days from the effective date of his parole or probation until the expiration of his sentence; prohibiting the use of such funds for other than the supervision of the parolee or probationer by the commission during the period of parole or probation; providing that such funds shall be used solely as a supplementary form of revenue; providing an effective date.

—was read the first time by title and referred to the Committees on Criminal Justice and Ways and Means.

By Senator Henderson—

SB 195—A bill to be entitled An act relating to the sale of subdivided lands, amending section 478.121, Florida Statutes, by adding subsection (4), to provide that all permits required under Chapter 253, Florida Statutes, be obtained prior to sale of such subdivided lands; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Zinkil—

SB 196—A bill to be entitled An act relating to the intangible personal property tax; revising chapter 199, Florida Statutes; repealing all intangible personal property taxes except the non-recurring tax on notes, bonds and other obligations for the payment of money secured by a lien on real property; repealing certain exemptions; amending §§199.032, 199.072, 199.202, 199.252 and 199.272(1), Florida Statutes; amending §199.292(1)-(4), Florida Statutes, 1972 Supplement, as amended by section 1, chapter 72-277 and section 18, chapter 72-360, Laws of Florida; repealing §§199.023(1), (2), (6) and (7), 199.025, 199.062, 199.103, 199.112, 199.122(1)-(6) and (8), 199.222, 199.232(1)-(8), 199.242, 199.262 and 199.302, Florida Statutes; repealing §199.042, Florida Statutes, 1972 Supplement, as amended by section 3, chapter 72-277, Laws of Florida, and §199.052-(1)-(6) and (8), Florida Statutes, 1972 Supplement, as amended by section 2, chapter 72-277, Laws of Florida, relating to intangible personal property taxes; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Firestone—

SB 197—A bill to be entitled An act relating to automotive repair dealers; creating the bureau of automotive repair within the division of consumer services of the department of agriculture and consumer services; creating the automotive repair advisory council and providing said council's composition, organization, powers and duties; enumerating duties of the department of agriculture and consumer services; providing registration procedures, refusal or revocation of registration, appeals, injunctive relief; providing fees and creating the automotive repair fund; providing an effective date.

—was read the first time by title and referred to the Committees on Consumer Affairs and Governmental Operations.

By Senator McClain—

SB 198—A bill to be entitled An act relating to law enforcement officers; amending §90.141, Florida Statutes, to provide certain mileage allowance for off-duty law enforcement officers; providing an effective date.

—was read the first time by title and referred to the Committees on Criminal Justice and Ways and Means.

By Senator Childers—

SB 199—A bill to be entitled An act relating to taking of marine corals and sea fans; providing prohibitions; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Glisson—

SB 200—A bill to be entitled An act relating to retirement; providing that a member of the teachers' or state and county retirement systems with five (5) years of contributing service, who was not employed due to injury or illness at the time the Florida retirement system was established, and whose retirement contributions have not been refunded, may transfer to the Florida retirement system solely to retire under the disability provisions of said system if otherwise qualified; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senators Henderson, Plante, Trask, Deeb, Poston, Childers, Sykes, Weber, Lane (31st), Lewis, Scarborough, Sims, Sayler, Johnson, Stolzenburg, Ware, Wilson, McClain, Glisson, Johnston, Gruber, Vogt, Gallen and Firestone—

SB 201—A bill to be entitled An act relating to intangible personal property taxation; repealing all provisions of said chapter; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Brantley—

SB 202—A bill to be entitled An act relating to sale of narcotic drugs; amending §398.22(1), Florida Statutes; providing that a first conviction of sale of narcotic drugs is a felony in the first degree; providing that a second or subsequent conviction of sale of narcotic drugs is punishable by life imprisonment; providing that sentence not be suspended or deferred and that the convicted person shall not be placed on probation except in conjunction with a drug rehabilitation program; providing for revocation of professional licenses of specified convicted persons; providing an effective date.

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

By Senator Lane (23rd)—

SB 203—A bill to be entitled An act relating to homestead tax exemption; amending §196.031(3) and (4), Florida Statutes, as amended by chapters 72-372 and 72-373, Laws of Florida; providing that the ten thousand dollar homestead tax exemption for the aged apply to all ad valorem taxes; providing for reporting and reimbursement of loss in county revenue; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Gallen—

SB 204—A bill to be entitled An act relating to administrative procedure; amending §120.021, Florida Statutes, adding subsection (3) to said section; defining "committee"; creating §120.025, Florida Statutes, to create the joint committee on administrative rules; creating §120.027, Florida Statutes, to provide approval procedure of proposed rules; requiring the committee to review all existing rules and to recommend to the legislature those rules which it determines should be repealed or amended; providing an effective date.

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

By Senator Deeb—

SB 205—A bill to be entitled An act relating to life insurance; creating section 627.4535, Florida Statutes, requiring a provision in policies that the insurer shall notify the beneficiary of the lapse of the policy and shall afford him a reasonable

period to obtain an assignment of ownership of the policy from the policy owner; requiring the department of insurance to prescribe forms; providing an effective date.

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

By Senator Gallen—

SB 206—A bill to be entitled An act relating to the county transportation system; amending §336.021(1), Florida Statutes, 1972 Supplement, as created by section 1, chapter 72-384, Laws of Florida, to delete the requirement of a referendum in order for a county to impose a one cent tax upon every gallon of motor fuel and special fuel sold in such county; providing an effective date.

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

By Senator Deeb—

SB 207—A bill to be entitled An act relating to public education; creating §228.045, Florida Statutes, prohibiting the granting of tenure status and continuing contracts for personnel of the state system of public education; providing for periodic review of existing tenure status and continuing contracts; amending §231.36 (3), (4), Florida Statutes, and §231.36(8), Florida Statutes, 1972 Supplement, as amended by §2, chapter 72-215, Laws of Florida, to delete provisions relating to future continuing contracts; repealing §§231.351 and 231.36(9), Florida Statutes, and repealing §231.36(7), Florida Statutes, 1972 Supplement, as amended by §1, chapter 72-21, Laws of Florida, relating to future continuing contracts; providing for severability; providing an effective date.

—was read the first time by title and referred to the Committees on Education and Governmental Operations.

By Senator Gallen—

SB 208—A bill to be entitled An act relating to nonpublic colleges; amending §246.021(1), Florida Statutes, 1972 Supplement, as amended by section 1, chapter 72-203, Laws of Florida, and section 70, chapter 72-221, Laws of Florida, adding paragraph (g) to said subsection; to provide that colleges offering religious instruction, or degrees in theology or of an ecclesiastical nature shall be excluded from the licensing and regulation requirements of chapter 246; providing an effective date.

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

By Senator Weber—

SB 209—A bill to be entitled An act relating to cooperative apartment corporations and condominiums; amending sections 196.031(2) and 196.041, Florida Statutes, to provide for changing the minimum length of lease from ninety-eight (98) to fifty (50) years or more in order to be deemed the owner for purposes of homestead exemption; providing an effective date.

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

By Senators Zinkil, Deeb, Sayler and Johnson—

SCR 210—A concurrent resolution establishing a joint select committee to study the need for reform of probate and related laws and the desirability of adoption of the uniform probate code.

—was read the first time and referred to the Committee on Consumer Affairs.

By Senator Zinkil—

SB 211—A bill to be entitled An act relating to motor vehicle damage release stickers; amending §316.065(4)-(6), Florida Statutes, 1972 Supplement, as created by §1, chapter 72-164, Laws of Florida; prohibiting repair of a motor vehicle without a damage release sticker only when the property damage exceeds one hundred dollars; providing a penalty; providing an effective date.

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

By Senator Stolzenburg—

SB 212—A bill to be entitled An act relating to taxation; method of fixing millage; creating §§200.031, 200.041 and 200.051, Florida Statutes, to provide that the governing bodies of counties, municipalities, school districts and other taxing districts shall decrease the millage required of such county or district in proportion to the increase of the general level of assessed valuation of property; authorizing a ten percent (10%) increase in millage; providing for further millage increases in emergencies subject to limitations and review by a county budget commission or a county review commission; providing for verification of budgets and millage increases; authorizing the creation of a county review commission in certain counties and providing for performance of duties by the county officers constituting such review commission; specifying millages to be excluded from the reductions required by this act; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Vogt—

SB 213—A bill to be entitled An act relating to the relief of Mildred Bass; providing an appropriation to compensate her for damages to her property sustained as a result of the negligence of the state division of forestry; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Smathers—

SB 214—A bill to be entitled An act relating to the department of health and rehabilitative services, division of retardation; repealing section 402.14, Florida Statutes, to abolish the advisory council on retardation; providing an effective date.

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

By Senator Smathers—

SB 215—A bill to be entitled An act relating to the department of health and rehabilitative services, division of retardation; amending §402.13(7), Florida Statutes, providing authority to the division of retardation to accept gifts and grants for persons with cerebral palsy, epilepsy, or other neurological disabilities; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Brantley—

SB 216—A bill to be entitled An act relating to trading stamps; amending §559.03, Florida Statutes, providing that cash redemption value of trading stamps shall be at least equal to that offered in any other jurisdiction; providing an effective date.

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

By Senators Saylor, Wilson and Vogt—

SB 217—A bill to be entitled An act relating to historical geographical names; restoring the former name of Cape Canaveral to the land mass on Florida's east central coast now known as Cape Kennedy; providing legislative findings and intent; providing for notification of legislative action to certain federal authorities; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Saylor—

SB 218—A bill to be entitled An act relating to the working capital fund; amending §215.32(2)(c), Florida Statutes, to increase the working capital fund from \$50,000,000 to \$100,000,000; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator McClain—

SB 219—A bill to be entitled An act relating to appellate proceedings; providing that assessment of attorney's fees allowed on appeal shall be remanded to the trial court; repealing paragraph (e) of rule 3.16, Florida appellate rules, relating to assessment of attorney's fees on appeal; providing for repeal of laws in conflict; providing an effective date.

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

By Senator McClain—

SB 220—A bill to be entitled An act for the relief of Sergio and Otilia De La Paz, parents of Diana De La Paz, deceased; making an appropriation to compensate them for the tragic death of their daughter; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Plante—

SB 221—A bill to be entitled An Act relating to education; amending section 231.36, Florida Statutes, by adding a new subsection (10) providing for the transfer of school district administrative personnel from one position to another at the discretion of the school superintendent; providing for a limitation of salary reduction when such transfers are made; providing for an effective date.

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

By Senators Plante, Gallen and Lane (31st)—

SB 222—A bill to be entitled An act relating to labor; implementing Article I of Section 6 of the State Constitution, relating to the protection of citizens and their freedom of choice to join or refrain from joining labor unions and other such private organizations; creating §447.17, Florida Statutes; prohibiting the requiring of union membership or nonmembership as a condition of initial or continued employment; making violation a misdemeanor of the first degree; providing an effective date.

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

By Senator Weber—

SB 223—A bill to be entitled An act relating to the State Career Service System; amending Chapter 110, Florida Statutes, by adding a provision in Section 110.021(2), for meritorious service awards to employees for increasing state revenues; providing an effective date.

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

By Senator Childers—

SB 224—A bill to be entitled An act relating to saltwater fisheries and conservation; amending §370.13(1)(b), Florida Statutes, to redefine the size limit in terms of the claw alone; amending §370.13(1)(c), Florida Statutes, to prohibit transportation of stone crab bodies, dead or alive; amending §370.13(2)(b), Florida Statutes, to require seizure of traps in the water out of season in excess of stated periods; amending §370.13(2)(d), Florida Statutes, to require permanent marking of traps, buoys and boats; amending §370.13(3), Florida Statutes, providing penalty; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Childers—

SB 225—A bill to be entitled An act relating to public officers; providing that elected public officers shall have a published telephone number; providing an effective date.

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

By the Committee on Natural Resources and Conservation—

SB 226—A bill to be entitled An act relating to conservation of oil and gas resources; amending §377.28, Florida Statutes; providing for the unitization and pooling of oil and gas fields after hearing and by order of the department; providing definition; providing for adjustment of cost among property owners; providing for ratification by the owners; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Childers—

SB 227—A bill to be entitled An act relating to wine and liquor; amending §564.06(3) and (4), Florida Statutes, 1972 Supplement, as created by §4, chapter 72-230, Laws of Florida, to equalize excise taxes on domestic and foreign wine manufacturers; repealing §564.06(2), Florida Statutes, 1972 Supplement, as created by §4, chapter 72-230, Laws of Florida, relating to excise tax on wines; repealing §565.12(1)(b), (2)(b), Florida Statutes, 1972 Supplement, as created by §5, chapter 72-230, Laws of Florida, relating to excise tax on liquors and beverages; repealing §565.14, Florida Statutes, 1972 Supplement, as amended by §5, chapter 72-230, Laws of Florida, relating to tax rate for Florida-grown products; providing an effective date.

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

By Senator Childers—

SB 228—A bill to be entitled An act relating to salt water fisheries and conservation; amending §370.11(2)(a) and (3)(e), Florida Statutes; providing amended regulations for salt water fish and shad; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Childers—

SB 229—A bill to be entitled An act relating to saltwater fisheries and conservation; amending §370.14(1), (3)(a), (c) and (f), Florida Statutes; amending §370.14(2)(a), Florida Statutes, 1972 Supplement, as amended by §1, chapter 72-76, Laws of Florida; expanding the legislative intent; prohibiting tail measurement of crawfish while in a whole condition; prohibiting the taking of crawfish by means of grains, spears or similar devices; prohibiting the molesting of crawfish traps, lines or buoys; prohibiting the possession of more than twenty-four crawfish without a permit or wholesale seafood dealer license; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Childers—

SB 230—A bill to be entitled An act relating to saltwater fisheries and conservation; creating §370.135, Florida Statutes; providing for regulation of blue crab by the department of natural resources; requiring permit numbers on buoys and traps; specifying method for displaying numbers on buoys; providing possession limit for nonpermit holders; repealing laws in conflict; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Criminal Justice.

By Senators Firestone and Winn—

SCR 231—A concurrent resolution proposing the appointment of a select legislative committee on aging.

—was read the first time and referred to the Committee on Health and Rehabilitative Services.

By Senators Firestone and Winn—

SB 232—A bill to be entitled An act relating to state attorneys; creating §27.36, Florida Statutes, to provide that the

state attorney shall be the enforcement officer under the landlord and tenant security deposit act, §83.261, Florida Statutes; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Criminal Justice.

By Senators Firestone and Winn—

SB 233—A bill to be entitled An act relating to landlord and tenant security deposits; amending §83.261(2)(a), (b) and (4) Florida Statutes, 1972 Supplement, and adding subsection (8) to said section, to provide that certain security deposits required by landlords be deposited in Florida banking institutions; providing that landlords shall pay five percent (5%) interest on said accounts; deleting requirement that tenant request return of deposit; making violation a misdemeanor; providing an effective date.

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

By the Committee on Natural Resources and Conservation—

SB 234—A bill to be entitled An act relating to the department of natural resources; amending section 20.25(1) and (2), Florida Statutes; providing that the head of the department shall be the board of trustees of the internal improvement trust fund and transferring the board to the department; establishing the division of environmental permitting and the division of state lands within the department and providing their functions; creating the Florida environmental permit act; providing for legislative intent; providing for the division of environmental permitting to be the sole coordinating authority on all permits issued under chapter 161, 253, 298 and 373, Florida Statutes; providing application procedures and fees; providing for filing fees; providing for a brochure on environmental permitting procedures; providing for coordination of transfers by the department of administration; providing that existing rules and regulations of the board of trustees remain in force; providing that pending proceedings shall not be abated; providing for amendment of conflicting nomenclature; providing severability; repealing section 20.27, Florida Statutes, relating to the board of trustees of the internal improvement trust fund; repealing section 253.1241, Florida Statutes, relating to studies by the department; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Governmental Operations.

By the Committee on Natural Resources and Conservation—

SB 235—A bill to be entitled An act relating to environmental protection; providing implementation of the provisions of Section 7, Article II of the State Constitution as the policy of the state, which provisions are not self-executing; declaring legislatively the policy of the state regarding environmental protection; providing for liberal construction of such policy; requiring consideration of the impact of state action on the environment; providing procedures for state project review and environmental impact statement preparation; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Governmental Operations.

By the Committee on Natural Resources and Conservation—

SB 236—A bill to be entitled An act relating to flood control and the regulation of flood plains; creating section 373.084, Florida Statutes; authorizing designation and regulation of flood hazard areas pursuant to the Florida Water Resources Act of 1972, chapter 72-299, Laws of Florida; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By the Committee on Natural Resources and Conservation—

SJR 237—A joint resolution proposing an amendment to section 9, article IV of the constitution of the state of Florida, relating to the game and fresh water fish commission, to provide approval of the commission's budget by the legislature.

—was read the first time and referred to the Committees on Natural Resources and Conservation, Governmental Operations and Ways and Means.

By the Committee on Natural Resources and Conservation—

SB 238—A bill to be entitled An act relating to topographic mapping; amending section 373.012, Florida Statutes, to provide the division of interior resources with sole responsibility for coordinating topographic mapping in the state; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

By Senators Childers, Brantley, Scarborough, Gallen and Winn—

SB 239—A bill to be entitled An act relating to public utilities; amending §366.02, Florida Statutes, redefining the term, "public utility"; deleting the exemption afforded certain natural gas pipe line transmission companies; providing an effective date.

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

By Senator Saylor—

SB 240—A bill to be entitled An act relating to taxation and public schools; amending §192.012, Florida Statutes, 1972 Supplement, as created by chapter 72-288, Laws of Florida; amending §236.07(8)(a), Florida Statutes, 1972 Supplement, as amended by §§134 and 3, chapters 72-221 and 72-333, Laws of Florida; providing for tax on ninety-five percent of the actual nonexempt assessed property valuation, as approved by the department of revenue, relative to determining each school district's share of the minimum foundation program cost; providing an effective date.

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

By Senators Henderson and Childers—

SB 241—A bill to be entitled An act relating to environmental land and water management; amending section 380.10, Florida Statutes, 1972 Supplement, as created by section 10, chapter 72-317, Laws of Florida, to provide for legislative approval of all standards and guidelines adopted by the administration commission; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Lane (31st)—

SB 242—A bill to be entitled An act relating to clinical laboratories; directing the division of health to make provision for the certification of qualified dermatopathologists as licensed directors of clinical laboratories; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Commerce.

By Senator Lane (31st)—

SB 243—A bill to be entitled An act relating to safety equipment inspection of motor vehicles; amending Chapter 325.13(1), Florida Statutes; providing an effective date.

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

By Senator Lane (31st)—

SB 244—A bill to be entitled An act relating to motor vehicles; adding a new section to chapter 316, Florida Statutes, to prohibit the wearing of headsets while operating a vehicle; providing an effective date.

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

By Senator Henderson—

SB 245—A bill to be entitled An act relating to inland lakes of less than one hundred fifty (150) acres; defining certain nuisances related to water pollution and shore erosion; provid-

ing a procedure for landowners to petition the board of county commissioners to abate water pollution and shore erosion; authorizing boards of county commissioners to enact ordinances to abate such nuisances; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Poston—

SB 246—A bill to be entitled An act relating to the Florida highway code; providing for construction of bicycle trails and footpaths along state roads; providing for construction standards; providing for a uniform system of signs; providing for rules and regulations; allocating one percent in fiscal year 1973-1974 and one half of one percent in every year thereafter of the first gas tax for construction and maintenance of bicycle trails and footpaths; amending §334.021(4)(b), Florida Statutes, 1972 Supplement; amending §334.03(9), Florida Statutes, including bicycle trails and footpaths within the meaning of "road"; amending §339.08(2), Florida Statutes, adding paragraph (f) thereto; providing for use of the first gas tax; providing an effective date.

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

By Senator Johnston—

SB 247—A bill to be entitled An act relating to the Florida public service commission; creating the office of public counsel; prescribing the duties and powers of such office; providing for location of offices; providing for assistance of the public service commission and its staff; providing funds; amending §350.58, Florida Statutes, to require public council to make an annual report and recommendation to the governor; requiring the public service commission to make a study of the jurisdiction, functions, powers and duties of the commission as related to long-range energy needs of the state; providing for payment of the study; directing the cooperation of private or public agencies engaged in the generation or distribution of power or conduct of water or sewer services; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Governmental Operations.

By the Committee on Natural Resources and Conservation—

SB 248—A bill to be entitled An act relating to coastal mapping of Florida; providing definitions; providing powers and duties of the department of natural resources; providing a comprehensive and continuous program of coastal boundary mapping which will permit accurate surveys; providing standards for establishment of local tidal datums and methods of determining mean high-water and mean low-water lines; providing for admissibility as evidence; providing for severability; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

By Senator Poston—

SB 249—A bill to be entitled An act relating to marriage counseling; requiring the licensing of certain individuals who carry on the practice of marriage counseling in Florida for a fee or remuneration; providing exceptions; creating a board to be known as the state board of marriage counselors assigned to the division of professions of the department of professional and occupational regulation; prescribing the duties and powers of said board; fixing penalties for the violation of this act; providing for privileged communication; providing an effective date.

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

By the Committee on Natural Resources and Conservation—

SB 250—A bill to be entitled An act relating to solid waste management; creating §§403.70-403.82, Florida Statutes, the Florida Solid Waste Management Act of 1973; providing legislative declarations and intent and definitions; designating the department of pollution control as the state agency with gen-

eral authority over solid waste management programs; prescribing the department's powers and duties in connection therewith; requiring local governmental units to submit plans for solid waste management from which a statewide master plan is to be drawn; prohibiting construction, operation or modification of solid waste facilities without a permit; prohibiting dumping or burning solid wastes; prohibiting refusal of entry to a department representative inspecting a solid waste facility; providing exceptions; providing for issuance of bonds; providing enforcement and penalties; providing severability; providing a savings clause; amending §403.1835(1), (2), (3), (7) and (8), Florida Statutes, as created by §1, chapter 72-723, Laws of Florida, to include solid waste management facilities in the sewage treatment revolving loan program; amending §§381.031(1)(g), 381.261, 381.271 and 381.281, Florida Statutes, to delete control of sewage, garbage and refuse from the division of health; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Governmental Operations.

By Senator Myers—

SB 251—A bill to be entitled An act relating to public accountability; providing an alternative method to the state board of accountability for issuance of reciprocal certificates to the holder of a valid, unrevoked certificate issued by or under the authority of another state or political subdivision of the United States; providing an effective date.

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

By Senator Gordon—

SB 252—A bill to be entitled An act relating to beverage containers; providing that no beverage shall be sold in a container without a refund value; providing that the refund value shall be at least five cents (5¢); providing that containers bear a stamp or label indicating refund value; providing for the elimination of "pop top" cans; providing that it shall be unlawful to sell any substance in a plastic container after July 1, 1974; making violation a misdemeanor; directing the division of consumer services of the department of agriculture and consumer services to inspect retail outlets and to levy fines for infractions; providing an effective date.

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

By Senators Poston and Lane (31st)—

SB 253—A bill to be entitled An act relating to medical treatment; providing for termination of sustaining treatment of a terminally ill or injured patient in certain circumstances; providing immunity for physicians; exempting persons complying with this act from the provisions of §782.08, Florida Statutes; providing for revocation of a document authorizing the termination of sustaining medical treatment; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Poston—

SB 254—A bill to be entitled An act relating to executive appointments; amending §112.071(1)(a), (b), Florida Statutes, to provide that a data sheet containing background or biographical material concerning the appointee be sent to the senate with each appointment; providing an effective date.

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

By Senator Myers—

SB 255—A bill to be entitled An act relating to residential landlord and tenant relationships; creating part II of Chapter 83, Florida Statutes; providing a short title; providing for application of the act; providing for exclusions from application of the act; providing definitions; providing for an obligation of good faith; providing for unconscionable rental agreements; providing for authorized and prohibited provisions in rental agreements; providing for attorney's fees; providing for disclosure to tenants; providing for landlord's obligation to

maintain premises; providing for tenant's obligation to maintain dwelling unit; providing for landlord's access to dwelling unit; providing for remedies and procedures; prohibiting retaliatory conduct; providing for landlord's lien for rent; providing for service of process; amending and renumbering section 83.-261, relating to deposit money and advance rent; amending sections 713.67, 713.68, and 509.141(1), to limit their applicability to transient rentals; amending sections 85.011 and 85.051; amending section 83.241; creating section 92.40, relating to admissibility in evidence of reports of building, housing and health code violations; providing for repeal of sections 82.02, 82.04, 82.081(2), 713.69 and 821.31; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator McClain—

SB 256—A bill to be entitled An act for relief of Blake Hunt, father and natural guardian of William F. Hunt, a minor, providing for an appropriation to compensate him for personal injury and mental anguish suffered by his said minor son William F. Hunt, as a result of the negligence of the personnel employed by the district school board of Hillsborough County; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Gallen—

SB 257—A bill to be entitled An act relating to the division of beverage; creating §561.66, Florida Statutes, requiring that persons selling distilled spirits to distributors licensed in Florida file an affirmation with the division that the prices charged are no higher than the lowest prices charged in other states; providing a penalty; providing an effective date.

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

By Senator Sayler—

SCR 258—A concurrent resolution commending President Richard M. Nixon for concluding an agreement to end the war and bring peace with honor in Vietnam and Southeast Asia, and inviting the President to address the Florida legislature.

—was read the first time and referred to the Committee on Rules and Calendar.

By Senator Scarborough—

SJR 259—A joint resolution proposing an amendment to section 17 of article III and a revision of article IV, of the state constitution, abolishing the office of lieutenant governor, providing for succession to the office of governor upon vacancy and for an acting governor under certain circumstances, and renumbering certain sections of article IV.

—was read the first time and referred to the Committee on Governmental Operations.

By Senator McClain—

SB 260—A bill to be entitled An act for the relief of Sergio and Otilia De La Paz, parents of Diana De La Paz, deceased; making an appropriation to compensate them for the tragic death of their daughter; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator McClain—

SB 261—A bill to be entitled An act relating to the offense of attempt to break and enter with intent to commit a misdemeanor; amending section 810.05, Florida Statutes, by adding a new subsection to provide for the offense of attempt to break and enter with intent to commit a misdemeanor; providing a penalty therefor; providing an effective date.

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

By Senator de la Parte—

SB 262—A bill to be entitled An act relating to the military code of the state; amending §250.22, Florida Statutes, 1971, to provide for age and qualifications for eligibility for retirement of members of the organized militia of Florida; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senators de la Parte, Childers and Myers—

SB 263—A bill to be entitled An act relating to detention of juveniles in jails, prohibiting such placement, providing exceptions, providing a penalty, repealing all Florida Statutes in conflict; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senators de la Parte, Childers and Myers—

SB 264—A bill to be entitled An act relating to youth services; amending §959.022, Florida Statutes, 1972 Supplement, as created by §1, chapter 72-216, Laws of Florida; providing for the department of health and rehabilitative services to implement state-operated, regionally-administered detention services for children; providing for the establishment of detention areas designated as catchment areas; providing that the state shall take title to or lease certain existing county detention facilities; providing definitions; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Sykes—

SB 265—A bill to be entitled An act relating to nursing homes; amending §400.062, Florida Statutes, adding subsection (7), to provide for compliance with rules and regulations and right of entry and inspection; amending §400.121(8), Florida Statutes, to increase the maximum fine; amending §400.125(1)(b), and (2), Florida Statutes, to provide additional grounds for injunctive relief and enforcement of temporary injunctions; amending §400.19, Florida Statutes, to provide when the division of health shall inspect any licensed facility, and to delete the requirement of obtaining permission or a warrant; amending §400.241(3), Florida Statutes, to provide penalties; providing an effective date.

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

By Senators Winn and Firestone—

SJR 266—A joint resolution proposing a revision of article III and amendments to sections 6 and 7 of article IV, sections 2 and 9 of article V, sections 2 and 12 of article X, and sections 1, 2 and 5 of article XI of the state constitution providing for a unicameral legislature; section 11 of article XII is amended, obsolete sections 12, 13, 14 and 16 of article XII are deleted, and a new section 16 is added to the schedule to provide an effective date.

—was read the first time and referred to the Committee on Governmental Operations.

By Senator Winn—

SB 267—A bill to be entitled An act relating to private investigative, watchman, guard and patrol services; providing legislative intent; amending §493.02(1), Florida Statutes; increasing the civil penalty assessable against licensees; amending §§493.02(2), 493.04, 493.06(1), 493.09, 493.13 and 493.20, Florida Statutes, and the introductory paragraph of §493.03, Florida Statutes; amending §493.10, Florida Statutes, adding subsection (5) thereto; providing for licensing of watchmen, guards and patrolmen and fees therefor; amending §493.06(2), Florida Statutes, to provide for the time and method of payment of license fees generally; amending §493.16(2), Florida Statutes, to provide appeal procedures; amending §493.23(2),

Florida Statutes, to delete the requirement for the client's written permission to produce papers during investigation; providing an effective date.

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

By Senator Brantley—

SB 268—A bill to be entitled An act relating to the state career service system; amending section 110.051(2)(k), Florida Statutes, to add the coordinators of the various boards under the department of professional and occupational regulation to those positions exempt from the career service system; providing an effective date.

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

By Senator Brantley—

SB 269—A bill to be entitled An act relating to the department of professional and occupational regulation; amending section 20.30(5), Florida Statutes, to authorize the department to establish a uniform license form; providing an effective date.

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

By Senator Brantley—

SB 270—A bill to be entitled An act relating to the department of professional and occupational regulation; amending section 20.30(5), Florida Statutes, to authorize the department to set uniform renewal and delinquency periods; providing an effective date.

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

By Senator de la Parte—

SB 271—A bill to be entitled An act relating to public records; amending §§119.01 and 119.011(1), Florida Statutes, to provide that the records of organizations having memberships substantially composed of public officers whose dues are paid by public funds are public and available to any citizen; providing an effective date.

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

By Senator Gordon—

SB 272—A bill to be entitled An act relating to education; providing that every credit hour earned toward, or which may be credited toward, an associate degree in any institution of the state university system or in any state community college shall, upon transfer to any other such institution or community college, be fully credited toward the equivalent associate degree; providing for rules and regulations; providing an effective date.

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

By Senator Poston—

SB 273—A bill to be entitled An act relating to traffic court cases; providing for reports to the department of highway safety and motor vehicles of final judicial disposition of all moving traffic cases; providing an effective date.

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

By Senator Scarborough—

SB 274—A bill to be entitled An act relating to a special election to be held October 2, 1973, pursuant to section 5, article XI of the state constitution for the approval or rejection by the electors of the state of a joint resolution abolishing the office of lieutenant governor, and providing for succession to the office of governor and for an acting governor under certain circumstances; providing for publication of notice and proce-

dures; providing for state reimbursement of costs to the counties; requiring the comptroller to establish reimbursement procedures; providing an effective date.

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

By Senator Henderson—

SB 275—A bill to be entitled An act relating to trustees of the internal improvement trust fund; amending section 253.122, F. S., to locate bulkhead lines at the line of mean high water in areas where the same has been established; providing criteria regarding relocation of such bulkhead lines; providing an exception; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Lewis—

SB 276—A bill to be entitled An act relating to marriage licenses; amending §741.04, Florida Statutes, to provide for the consent to the marriage of a minor by one parent in certain cases; providing an effective date.

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

By Senator Winn—

SB 277—A bill to be entitled An act relating to the charitable funds act; amending §20.10(2), Florida Statutes, adding paragraph (e) thereto; providing for the creation of the division of charities and licensing within the department of state; providing for the assignment of certain existing duties of the department to the division; creating §§496.20 - 496.50, Florida Statutes, part II of chapter 496, the bingo licensing and regulation law; providing for the promulgation of licensing rules and regulations; providing definitions; providing powers and duties of the division; prescribing procedures and fees; providing for suspension or revocation of licenses; providing for enforcement; providing penalties; amending §849.093, Florida Statutes, providing an exemption for certain nonprofit licensed organizations; providing an effective date.

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

By Senator McClain—

SB 278—A bill to be entitled An act relating to law enforcement officers; amending §90.141, Florida Statutes, to provide certain mileage allowance for off-duty law enforcement officers; providing an effective date.

—was read the first time by title and referred to the Committees on Criminal Justice and Ways and Means.

By Senator McClain—

SB 279—A bill to be entitled An act relating to school personnel; creating §231.025, Florida Statutes, requiring an applicant for employment in any district school system to file with the school board a complete set of fingerprints; providing an effective date.

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

By Senator Sykes—

SB 280—A bill to be entitled An act providing for the relief of Rose V. Schoen to compensate her for injuries sustained and expenses incurred as a result of the negligence of the department of transportation; providing for an appropriation; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senators Glisson and Ware—

SB 281—A bill to be entitled An act relating to the Florida fair trade law; repealing chapter 541, Florida Statutes, entitled

the Florida fair trade law, consisting of §§541.001, 541.01, 541.02, 541.03, 541.04, 541.05, 541.06, 541.07, 541.08 and 541.09; providing an effective date.

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

By Senator Glisson—

SB 282—A bill to be entitled An act relating to Clay County; amending section 8, chapter 57-1225, Laws of Florida, relating to the board of adjustment, providing for appeal of zoning decisions to the board of county commissioners; providing an effective date.

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

By Senator Zinkil—

SB 283—A bill to be entitled An act relating to legal jeopardy; providing that no person shall be placed in legal jeopardy for certain acts of self-defense, protection of property or acts in aid of another in certain cases; providing for indemnification by the state; providing severability; providing an effective date.

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

By Senator Zinkil—

SB 284—A bill to be entitled An act relating to motor vehicle license plates; adding a subsection to section 320.011, Florida Statutes, to provide that the prefix number on such plates reflect the county of issuance in accordance with the population of such counties as shown by the 1970 census; providing an effective date.

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

By Senator McClain—

SB 285—A bill to be entitled An act relating to collection of judgments in civil actions; revising Chapter 56, Florida Statutes; amending Section 30.30(5), Florida Statutes; providing an effective date.

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

By Senator McClain—

SB 286—A bill to be entitled An act relating to guardianship; amending Section 745.15(2)(a), (3)(b) and (4), Florida Statutes; eliminating references to the right of the husband to join in conveyances of his wife's separate estate; providing that the spouse who is not incompetent shall join in the sale, transfer, conveyance or encumbrance of any property sold, transferred, conveyed or encumbered; providing that when both spouses are incompetent, the property, including homestead, or any interest in it, may be sold, transferred, conveyed or encumbered by the guardians of the incompetent spouses; providing for disposition of the proceeds and income from the property; providing that a court may appoint a sole guardian for both incompetent spouses; providing an effective date.

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

By Senator McClain—

SB 287—A bill to be entitled An act relating to the proof of execution of wills; creating Section 731.071, Florida Statutes; providing that an attested will may be made self-proved at the time of its execution; providing the method of selfproof; providing an effective date.

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

By Senator McClain—

SB 288—A bill to be entitled An act relating to probate procedure; creating Section 733.225, Florida Statutes; specifying that court orders are not required for sales made pursuant to

a general power to sell contained in a will and that the sales need not be justified by any necessity; validating sales heretofore made under a general power of sale contained in a will; providing an effective date.

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

By Senators Poston and Gruber—

SB 289—A bill to be entitled An act relating to submerged lands; creating §253.1235, Florida Statutes, to provide that when any person holding title to submerged land is refused a dredge or fill permit with regard to said land, pursuant to chapter 253, Florida Statutes, he may, under certain circumstances, elect to sell the land back to the board of trustees of the internal improvement trust fund; defining the term "fair market value" for the purposes of this act; authorizing payment from the internal improvement trust fund; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

By Senators Poston and Brantley—

SB 290—A bill to be entitled An act relating to purchasing; creating §287.067, Florida Statutes; requiring all agencies of the state and its political subdivisions to pay bills within 30 days of receipt of statement; providing record keeping requirements; providing exceptions; providing authority for the division of purchasing of the department of general services to promulgate rules and regulations; providing for discharge of employees, who fail to comply; providing an effective date.

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

By Senators Poston and Brantley—

SB 291—A bill to be entitled An act relating to the establishment of minimum standards for the operation of nonpublic independent academic schools; encouraging and recognizing private accreditation agencies and providing for the establishment of minimum standards for such agencies; requiring compliance with minimum standards; establishing an independent academic school board, with qualifications, powers and duties; providing functions and powers of the state board of education; requiring a certificate of compliance for the operation of schools and providing for procedural requirements and the payment of fees; providing penalties; providing for injunctive relief; providing an effective date.

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

By Senator de la Parte—

SB 292—A bill to be entitled An act relating to juveniles; amending section 39.20, Florida Statutes, relating to purpose, and renumbering it section 39.001, Florida Statutes; amending section 39.01, Florida Statutes, 1972 Supplement, as amended by sections 4 and 5, chapter 72-179 and sections 19 and 30, chapter 72-404, Laws of Florida, providing definitions; amending section 39.02, Florida Statutes, 1972 Supplement, as amended by section 6, chapter 72-179, Laws of Florida, relating to jurisdiction; amending section 39.03(1)-(5), (6)(d), (7), Florida Statutes, providing the authority and the procedures for taking a child into custody and for the detention of a child; amending section 39.04, Florida Statutes, providing for preliminary screening of juvenile cases by the department of health and rehabilitative services; amending section 39.05, Florida Statutes, providing for petitions; amending section 39.06, Florida Statutes, providing for process and service; amending section 39.07, Florida Statutes, providing for an answer or pleading in response to a petition; amending section 39.08, Florida Statutes, relating to medical, psychiatric, and psychological examination and treatment; amending section 39.09, Florida Statutes, relating to hearings; amending section 39.10, Florida Statutes, relating to powers of adjudication; amending section 39.11, Florida Statutes, relating to powers of disposition; amending section 39.12, Florida Statutes, 1972 Supplement, as amended by sections 8, 9, chapter 72-179 and section 20, chapter 72-404, Laws of Florida, relating to oaths, records, and privileged information; amending section 39.13, Florida Statutes, relating to contempt; amending section 39.14, Florida

Statutes, providing appeal procedures; repealing sections 39.16, 39.17, Florida Statutes, and section 39.18, Florida Statutes, 1972 Supplement, as amended by section 21, chapter 72-404, Laws of Florida, relating to juvenile court personnel and court expenses; repealing section 39.181, Florida Statutes, relating to laws not affected; amending section 39.19, Florida Statutes, providing for court and witness fees; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Gallen—

SB 293—A bill to be entitled An act relating to nonresident motor vehicle operation and registration; amending §320.38(1), Florida Statutes; deleting the exemption of nonresident migrant farm workers; providing an effective date.

—was read the first time by title and referred to the Committees on Transportation and Agriculture.

By Senator Firestone—

SB 294—A bill to be entitled An act relating to condominiums and cooperative apartments; amending §711.03, Florida Statutes, adding a new subsection (13) and renumbering subsequent subsections; providing a definition for residential condominium; amending §711.08, Florida Statutes, adding subsection (4), providing that no residential condominium shall be created on land held under a lease; amending §711.121, Florida Statutes, providing that the association of a residential condominium shall not acquire leaseholds or other possessory or use interests prior to the time the unit owners assume control of the association; amending §711.20(1), Florida Statutes, providing that no lien shall arise or be created against the several condominium parcels of a residential condominium for failure to pay rental on leased land in the condominium at the time of its creation or expenses connected with leaseholds or other possessory or use interests acquired by the association prior to the time the unit owners assume control of the association; providing an effective date.

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

By Senator Gillespie—

SCR 295—A concurrent resolution commending Mrs. Eileen H. Butts for services to her community and state.

—was read the first time and placed on the calendar without reference.

By Senators de la Parte and Glisson—

SB 296—A bill to be entitled An act relating to elections; regulation of campaign finances; providing definitions; requiring campaign treasurers and depositories; regulating certain political committees; providing for records and reports; providing limitations and restrictions on contributions and expenditures; establishing procedures for expenditures; prohibiting certain acts by providers of goods or services; providing civil and criminal penalties for violations; prescribing powers and duties of the division of elections of the department of state; creating the state elections commission and providing for its membership, powers, duties, and procedures; providing powers and duties of the attorney general; providing limitations on certain actions; requiring reports by political parties; repealing §§99.161, 99.183, and 104.27, Florida Statutes; providing for severability; providing an effective date.

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

By Senator Johnson—

SB 297—A bill to be entitled An act relating to the division on aging; providing legislative intent and definitions; providing for the creation of a division on aging in the department of community affairs; providing duties and responsibilities of the division; providing for the repeal of sections 409.360 and 409.362, Florida Statutes; providing for the administration of federal aging programs; providing for amending section 20.18(2), Florida Statutes, to include the division on aging; providing for the transfer of all duties, responsibilities, functions, funds and staff of the bureau on aging in the division of family services

of the department of health and rehabilitative services to the division on aging in the department of community affairs; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Governmental Operations.

By Senator Johnson—

SB 298—A bill to be entitled An act relating to traffic control; amending §316.103(2), Florida Statutes, creating a new subsection (2) of said section, renumbering the present subsection (2) as subsection (3); providing that it is unlawful to obstruct visibility at an intersection; providing an effective date.

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

By Senator Johnson—

SB 299—A bill to be entitled An act relating to railroads; amending §351.03, Florida Statutes; requiring railroads to exercise reasonable care at road crossings; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary and Transportation.

By Senator Childers—

SB 300—A bill to be entitled An act relating to motor vehicle licenses; amending §320.08(3), Florida Statutes, 1972 Supplement, adding paragraph (e) to said subsection; providing for an antique pickup truck license and tax; defining "antique pickup truck"; providing an effective date.

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

By Senator Johnson—

SB 301—A bill to be entitled An act relating to judgments; amending §55.03, Florida Statutes; providing that interest on a tort judgment runs from the date of the injury; provides for applicability only to torts committed after the effective date of this act; providing an effective date.

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

By Senator Poston—

SCR 302—A concurrent resolution saluting the second Model U. S. Senate Program being held at Stetson University in DeLand, Florida, on April 12, 13, 14, and 15, 1973.

—was read the first time and placed on the calendar without reference.

By Senator McClain—

SCR 303—A Concurrent Resolution designating April 9 through April 15, 1973 as "Earth Week, 1973."

—was read the first time and placed on the calendar without reference.

By Senator Johnston—

SB 304—A bill to be entitled An act relating to sale of drugs; providing for the creation of a drug information reward trust fund; providing a reward for information leading to conviction for sale of certain drugs; providing procedures; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Poston—

SB 305—A bill to be entitled An act relating to motor vehicles; creating §320.065, Florida Statutes; amending §325.19, Florida Statutes, 1972 Supplement, as amended by §2, chapters 72-39 and 72-141, Laws of Florida, adding subsection (7) to

said section; providing for identification signs on commercial vehicles; providing vehicle inspection for compliance; providing a penalty; providing an effective date.

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

By Senator Gillespie—

SB 306—A bill to be entitled An act relating to public employees; authorizing the establishment of policies to provide terminal pay for accumulated sick leave; providing conditions; providing an effective date.

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

By Senator Lewis—

SB 307—A bill to be entitled An act relating to administrative rule making; creating §120.035, Florida Statutes, requiring agencies to submit to the governor and cabinet, for review, rules adopted by said agencies; requiring the governor and cabinet to hold public hearings on said rules if complaints are filed; providing procedure; providing an effective date.

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

By Senator Lane (23rd)—

SB 308—A bill to be entitled An act relating to the Florida retirement system; adding paragraph (d) to subsection (1) of §121.081, Florida Statutes, 1972 Supplement, to allow certain employment as a state or county employee to count as past service in the Florida retirement system; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator McClain—

SB 309—A bill to be entitled An act relating to acknowledgments; creating Section 695.03(4); Florida Statutes; prescribing the form of acknowledgments; providing an effective date.

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

By Senator McClain—

SB 310—A bill to be entitled An act relating to institutions of higher learning; providing that full-time faculty members may be assigned solely to teaching or research; requiring that the total full-time faculty reflect an overall average of 12 classroom contact hours; providing that no denial of promotions, raises, or tenure be solely for failure to do research and to publish; providing an effective date.

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

By Senator Glisson—

SB 311—A bill to be entitled An act relating to conservation; amending §370.041(2), Florida Statutes, to provide that possession of sea oats or sea grapes shall constitute prima facie evidence of violation of said section, which provides that unlawful cutting, harvesting, removal, or eradication of said plants is a misdemeanor; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Glisson—

SB 312—A bill to be entitled An act relating to an official state play; designating the "Cross and Sword" pageant of St. Augustine as the official play of this state; providing an effective date.

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

By Senator Winn—

SB 313—A bill to be entitled An act relating to public lodging establishments; amending §509.111 (1), Florida Statutes; prescribing the liability of owners or operators of such establishments for the loss of guests' personal property; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Johnson—

SB 314—A bill to be entitled An act relating to weapons and firearms; amending §790.25(3), Florida Statutes, adding paragraph (o) to said subsection; providing an exception to the weapons licensing law for investigators employed by public defenders; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary and Commerce.

By Senator Johnson—

SB 315—A bill to be entitled An act relating to criminal law; providing a rule to determine insanity whenever alleged as a defense in criminal cases; providing an effective date.

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

By Senator Johnson—

SB 316—A bill to be entitled An act relating to criminal sentencing; amending §921.161(1), Florida Statutes, to provide that defendants shall be given credit for all time spent in the county jail before sentencing; providing an effective date.

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

By Senators Henderson, Trask, Lane (31st), Glisson, Johnston and Brantley—

SB 317—A bill to be entitled An act relating to governmental reorganization; amending §20.19(2) and (14), Florida Statutes; creating a division of crippled children; providing an effective date.

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

By Senators McClain, Weber and Deeb—

SJR 318—A Joint Resolution amending section 1 of Article IX of the Constitution of the State of Florida, by renumbering present section 1; and adding new subsections (b) and (c); providing right of student to attend nearest public school and implementation by legislature.

—was read the first time and referred to the Committee on Education.

By Senator Johnston—

SB 319—A bill to be entitled An act relating to negligence actions; creating §768.061, Florida Statutes, providing that contributory negligence does not bar recovery of damages; providing that the jury or judge shall diminish damages proportionately thereto; repealing §768.06, Florida Statutes, relating to comparative negligence actions against railroad companies; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary and Commerce.

By Senator Gordon—

SB 320—A bill to be entitled An act relating to family planning and birth control information; amending §154.06, Florida Statutes, 1972 Supplement, to provide that the county health officer shall prepare a list of family planning and birth control clinics and transmit copies of it to the office of the county judge for distribution; amending §741.01, Florida Statutes, 1971, to provide that the county judge shall distribute the list of

family planning and birth control clinics in the county as well as birth control information to all applicants for marriage licenses; providing that the department of health and rehabilitative services shall furnish the birth control information; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Gordon—

SB 321—A bill to be entitled An act relating to unemployment compensation; repealing §443.06(8), Florida Statutes, 1972 Supplement, as amended by §1, chapter 72-190, Laws of Florida, removing the disqualification for benefits upon receipt of or eligibility for pension income; providing an effective date.

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

By Senator Gordon—

SB 322—A bill to be entitled An act relating to unemployment compensation; amending §443.04(2)(a) and (c), Florida Statutes, 1972 Supplement, as amended by §1, chapter 72-155, Laws of Florida; providing a formula for relating maximum weekly benefit amount to a state average weekly wage; providing an effective date.

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

By Senator Gordon—

SB 323—A bill to be entitled An act relating to unemployment compensation; amending section 443.06(1), Florida Statutes, providing for disqualification for benefits for voluntarily leaving employment without good cause; and providing an effective date.

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

By Senator Gordon—

SB 324—A bill to be entitled An act relating to unemployment compensation; amending §443.03(5)(n), Florida Statutes, and adding paragraph (o) to said subsection; extending coverage to county and municipal employees; providing an effective date.

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

By Senator Gordon—

SB 325—A bill to be entitled An act relating to unemployment compensation; repealing §443.05(1)(d), Florida Statutes, relating to the requirement of a waiting period prior to being eligible to receive unemployment compensation; providing an effective date.

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

By Senators Lane (31st), Zinkil, Weber, Stolzenburg and Lewis—

SB 326—A bill to be entitled An act relating to the department of agriculture and consumer services; providing an appropriation from general inspection trust fund for construction of laboratory testing facilities; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Johnson—

SB 327—A bill to be entitled An act relating to public defenders; amending §27.56, Florida Statutes, 1972 Supplement, as amended by §1, chapter 72-41, Laws of Florida; providing for the determination of the value of services of a public de-

fender and the recordation of the judgment therefor; providing for the enforcement of such judgment; providing an effective date.

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

By Senators Johnston and Johnson—

**SB 328**—A bill to be entitled An act relating to adverse witnesses; providing that a party may call an employee, relative or personal friend of an adverse party as a witness and impeach him as if called by the adverse party; providing an effective date.

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

By Senators Peterson, Trask and Vogt—

**SB 329**—A bill to be entitled An act designating and naming a portion of state road 192 in Osceola County as the "Irlo Bronson Highway"; providing for suitable signs to be erected thereon by the department of transportation; providing an effective date.

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

By Senator Pettigrew—

**SB 330**—A bill to be entitled An act relating to workmen's compensation; amending the introductory paragraph of subsection (2) of section 440.16, Florida Statutes, by increasing and establishing forty-five thousand dollars as the maximum amount payable for death benefits; providing an effective date.

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

By Senator Pettigrew—

**SB 331**—A bill to be entitled An act relating to workmen's compensation; amending paragraph (a) of subsection (1) of section 440.151, Florida Statutes, providing for a redefining of an occupational disease to include any work-related medical condition; providing for an effective date.

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

By Senator Pettigrew—

**SB 332**—A bill to be entitled An act relating to the beverage law; amending section 562.13, Florida Statutes, as amended by Chapter 72-183, Laws of Florida, as amended by Chapter 72-183, Laws of Florida, removing in certain establishments the prohibition against persons convicted of any offense from participating in the sale, preparation or service of alcoholic beverages; providing an effective date.

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

By Senator Pettigrew—

**SB 333**—A bill to be entitled An act relating to workmen's compensation; amending section 440.02(6), Florida Statutes; including in the definition of "injury" damage to or loss of dentures, eyeglasses, prosthetic devices, and artificial limbs; providing an effective date.

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

By the Committee on Agriculture—

**SB 334**—A bill to be entitled An act relating to citrus; amending Section 601.61(1), Florida Statutes, to increase bond requirements for citrus fruit dealers; amending Section 601.61(2), Florida Statutes, to redefine "season when contract conclusively deemed to be entered into;" amending Section 601.61(5), Florida Statutes, creating categories for bond exempt status and prohibiting claims against those categories; amending Section 601.66(1) and Section 601.66(6), Florida Statutes, to ex-

tend limitation period for filing complaint of violation and claim against bond; adding "and consumer services" to "department of agriculture" where applicable; providing an effective date.

—was read the first time by title and placed on the calendar without reference.

By the Committee on Agriculture—

**SB 335**—A bill to be entitled An act relating to the department of citrus, clarifying legislative intent; amending section 601.151, Florida Statutes, 1971, eliminating erroneous wording relating to exempting tangerines from the provisions of the additional two cent per box excise tax on citrus fruit; providing an effective date.

—was read the first time by title and placed on the calendar without reference.

By the Committee on Agriculture—

**SB 336**—A bill to be entitled An act relating to citrus; amending subsections (1) and (2) of Section 601.46, Florida Statutes, to remove mandatory requirement that certificate of inspection and maturity accompany fresh citrus fruit shipments and permit in lieu thereof for proof of inspection and maturity to be shown by appropriate means on the manifest or bill of lading covering such shipments; adding subsections (3) and (4) to Section 601.46, Florida Statutes, for clarification of existing language; providing an effective date.

—was read the first time by title and placed on the calendar without reference.

By the Committee on Agriculture—

**SB 337**—A bill to be entitled An act relating to the department of citrus; repealing section 601.071, Florida Statutes, which provides for creation and operation of the Florida citrus museum; providing an effective date.

—was read the first time by title and placed on the calendar without reference.

By the Committee on Agriculture—

**SB 338**—A bill to be entitled An act relating to citrus; amending §601.155(1) and §601.155(3), Florida Statutes, to include imposition of additional 4¢ excise tax on imported grapefruit products; providing an effective date.

—was read the first time by title and placed on the calendar without reference.

By the Committee on Agriculture—

**SB 339**—A bill to be entitled An act relating to citrus; repealing section 601.153, Florida Statutes, which provides for a processed orange products excise tax, brand advertising rebates, and the creation of the processors advertising council; providing an effective date.

—was read the first time by title and placed on the calendar without reference.

By the Committee on Agriculture—

**SB 340**—A bill to be entitled An act relating to citrus; amending §601.03(8), Florida Statutes, to exempt persons or firms trading in citrus futures contracts on a regulated commodity exchange from the definition of "citrus fruit dealer"; providing an effective date.

—was read the first time by title and placed on the calendar without reference.

By the Committee on Agriculture—

**SB 341**—A bill to be entitled An act relating to the department of citrus; amending Section 601.57, Florida Statutes; renumbering subsections; providing for conditional approval of

license applications, for deferring action, and for approval of a temporary license; specifying additional grounds for disapproval of license applications; providing an effective date.

—was read the first time by title and placed on the calendar without reference.

By the Committee on Agriculture—

SB 342—A bill to be entitled An act relating to citrus fruit dealers' licenses; amending Section 601.55, Florida Statutes, to clarify the necessity of issuance of a citrus fruit dealer's license for each shipping season or portion thereof; adding subsections (2) and (3) to Section 601.55, Florida Statutes, establishing classifications and effective dates of such licenses and limiting applications to one per applicant per shipping season; providing an effective date.

—was read the first time by title and placed on the calendar without reference.

By the Committee on Agriculture—

SB 343—A bill to be entitled An act relating to the department of citrus; amending §601.58, Florida Statutes, by creating subsections (1)-(8) thereof; establishing citrus fruit dealer license application disapproval notice and hearing procedures; adding provision for judicial review; providing an effective date.

—was read the first time by title and placed on the calendar without reference.

By Senator Brantley—

SB 344—A bill to be entitled An act relating to legal holidays; amending §683.01(1)(1), Florida Statutes; designating November 11 as Veterans' Day; providing an effective date.

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

By Senator McClain—

SB 345—A bill to be entitled An Act relating to probate, estates of decedents and expenses and compensation of personal representatives; amending subsection (1) of Section 734.01, Florida Statutes; providing for the allowance of expenses and compensation of personal representatives; clarifying the composition and determination of the amount of the estate accounted for by a personal representative; and providing an effective date.

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

By Senator McClain—

SB 346—A bill to be entitled An Act relating to mutual trust investment companies; amending Chapter 660, Florida Statutes, by adding thereto new sections to be designated as Sections 660.15 to 660.23, Florida Statutes; providing for the formation and operation of mutual trust investment companies under the supervision of the Department of Banking and Finance and providing for investment by corporate fiduciaries in shares of such companies; specifying the method for incorporating; providing corporate powers; specifying the powers of the Department of Banking and Finance with respect to said companies; specifying exemptions from certain statutes of this state; providing a severability clause; and providing an effective date.

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

By Senator Scarborough—

SCR 347—A Concurrent Resolution In Memoriam Harry Onis Stratton

—was read the first time and placed on the calendar without reference.

By Senators Scarborough and Johnson—

SB 348—A bill to be entitled An act relating to medical records; providing for the availability of medical records upon request by the patient and payment of duplication costs; providing an effective date.

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

By Senators Scarborough and Johnson—

SB 349—A bill to be entitled An act relating to jurors; amending §40.24, Florida Statutes, 1972 Supplement, as amended by chapter 72-308, Laws of Florida, to provide an increase of five dollars in the daily compensation of jurors; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senators Gruber, Zinkil and Stolzenburg—

SB 350—A bill to be entitled An act relating to discriminatory lending practices; prohibiting discrimination solely on the basis of sex in extending credit by lending institutions and retail establishments; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Brantley—

SB 351—A bill to be entitled An act relating to the Florida uniform traffic control law; amending chapter 316, Florida Statutes, by adding section 316.045, Florida Statutes, making it unlawful to operate a motor vehicle without insurance; providing for the surrender of the owner's driver's license, registration and tags; requiring drivers to possess and to display evidence of insurance to a police officer; providing an effective date.

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

By Senator Brantley—

SB 352—A bill to be entitled An act relating to insurance; amending sections 626.051(1), 626.241(3), 626.780 and 626.781 (2), Florida Statutes; expanding the definition of a life agent to include an agent who writes variable contracts; expanding the coverage of the examination required for an applicant for a license as to ordinary class to include an applicant for a license as to ordinary variable contract class; expanding the definition of a life insurer to include an insurer who writes variable contracts; authorizing the issuance of life insurance under the definition of ordinary variable contract class; providing an effective date.

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

By Senators Gruber and Deeb—

SB 353—A bill to be entitled An act relating to apartment houses; creating §509.304, Florida Statutes; requiring an apartment house landlord to render an annual statement showing the proportionate amounts of rent attributable to real and personal property taxes and corporate income taxes; providing legislative intent; providing exceptions; providing procedure; providing for promulgation of rules by the division of hotels and restaurants; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By the Committee on Agriculture—

SB 354—A bill to be entitled An act relating to livestock markets; providing for license and fee, collection and deposit

of monies from sales, report of dishonored checks or drafts, penalties for violations, keeping of records, rules, and effective date.

—was read the first time by title and placed on the calendar without reference.

By the Committee on Agriculture—

**SB 355**—A bill to be entitled An act relating to pesticides; amending sections 487.021, 487.031, 487.041 (1) (c), 487.051, 487.101, 487.111, and 487.13, Florida Statutes; adding definitions, prohibitions, and rule making authority; providing an effective date.

—was read the first time by title and placed on the calendar without reference.

By Senators Gillespie and Johnson—

**SB 356**—A bill to be entitled An act relating to trial juries; creating §53.061, Florida Statutes; providing for less than unanimous jury verdicts in civil actions; providing an effective date.

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

By Senators Gillespie and Johnson—

**SB 357**—A bill to be entitled An act relating to civil trial juries; amending §53.031, Florida Statutes; providing the right to the parties to conduct the first examination on voir dire; providing that the court shall determine the order and may ask additional questions; providing an effective date.

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

By Senators Brantley and Horne—

**SB 358**—A bill to be entitled An act relating to banks and trust companies; amending §658.08(3), Florida Statutes, adding paragraph (d) thereto; amending §659.02(1)(d), Florida Statutes; amending §659.03(1)(b) and (c), and (2)(b), Florida Statutes; amending §659.04(1), Florida Statutes, adding paragraph (e) thereto; amending §659.06(1)(a) and adding subsection (3) to said section; amending §659.20(5), Florida Statutes, adding paragraph (f) thereto; providing new rules concerning the requirements for and the location and number of trust company offices; permitting trust companies to establish trust service offices at affiliated banks; providing for the automatic substitution of the trust company for the affiliated bank as fiduciary upon the establishment of the trust service office; providing rules for the termination of a trust service office; providing severability; providing an effective date.

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

By Senator Zinkil—

**SJR 359**—A joint resolution proposing an amendment to section 6(a) of article VII of the state constitution, relating to homestead tax exemption; requiring a five year residency in the state prior to claiming the exemption.

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

By Senator Zinkil—

**SB 360**—A bill to be entitled An act relating to homestead tax exemption; amending §196.031(1), Florida Statutes, requiring that a person claiming homestead tax exemption shall have been a permanent resident of the state for five years prior thereto; providing an effective date.

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

By Senator Lane (23rd)—

**SB 361**—A bill to be entitled An act relating to alcoholic beverage licenses; providing legislative intent; amending

§§561.15(3), and 561.65, Florida Statutes, 1972 Supplement, as amended by section 1, chapter 72-230, Laws of Florida, adding subsection (4) to said sections; amending §561.29(1), Florida Statutes, 1972 Supplement, as amended by section 1, chapter 72-230, Laws of Florida, adding paragraph (f) to said subsection; amending §561.32(1), Florida Statutes, 1972 Supplement, as amended by section 1, chapter 72-230, Laws of Florida; providing for mandatory revocation of a license upon conviction of the licensee of a felony; providing for suspension or termination of transfer privilege; providing for termination of a security interest in certain licenses; providing severability; providing an effective date.

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

By Senator Lane (23rd)—

**SB 362**—A bill to be entitled An act relating to milk and milk products; amending §20.14, Florida Statutes, providing a type four transfer of the powers of the division of health relating to milk and milk products to the department of agriculture and consumer services; amending §502.171, Florida Statutes, deleting the provisions permitting local inspection and regulation of milk and milk products; amending §502.211, Florida Statutes, providing for uniform statewide regulation; creating §502.232, Florida Statutes, providing for superseding all municipal or county laws; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Agriculture.

By Senator Vogt—

**SB 363**—A bill to be entitled An act relating to jurors; amending §40.01(1), Florida Statutes, to provide that fathers with sole responsibility for children under eighteen years of age be exempted from jury duty; providing an effective date.

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

By Senator Sims—

**SB 364**—A bill to be entitled An act relating to witnesses; providing for compulsory attendance of witnesses; repealing paragraph (d) of rule 3.220, Florida Rules of Criminal Procedure, relating to pretrial discovery; providing an effective date.

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

By Senator Henderson—

**SB 365**—A bill to be entitled An act relating to game and fresh water fish; amending §372.71, Florida Statutes, 1971, relating to fines, penalties and forfeiture of licenses for violation of the provisions of chapter 372, Florida Statutes; providing specifically for resisting arrest and wounding or killing persons or domestic animals; modifying forfeiture of license provisions for violations of the chapter generally; providing an effective date.

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

By Senator Brantley—

**SB 366**—A bill to be entitled An act relating to insurance; amending sections 627.801, 627.802, 627.803, 627.804, 627.805(1) and 627.805(2)(c), Florida Statutes, and creating sections 627.806 and 627.807, Florida Statutes; providing for the application of annuity contracts and life insurance policies; providing for separate accounts; providing for statement of value of benefits; providing for investment of assets; authorizing the department of insurance to regulate the issuance and sales of variable contracts; providing for the insurance code to be applicable to separate accounts; providing for variable contract reserve requirements; providing an effective date.

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

By Senator Brantley—

SB 367—A bill to be entitled An act relating to the inspection of motor vehicles; amending section 325.19, Florida Statutes, by adding new subsection (6); providing that each person having a motor vehicle shall, upon inspection of said motor vehicle, display evidence of insurance to the inspector; providing an effective date.

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

By Senator Johnston—

SJR 368—A joint resolution proposing amendments to section 17, article III, and sections 3, 5 and 6, article IV, and repealing section 2, article IV, of the state constitution, abolishing the office of lieutenant governor, and providing for succession to the office of governor and for an acting governor under certain circumstances.

—was read the first time and referred to the Committee on Governmental Operations.

By Senator Johnston—

SB 369—A bill to be entitled An act relating to a special election to be held October 2, 1973, pursuant to section 5, article XI of the state constitution for the approval or rejection by the electors of the state of a joint resolution abolishing the office of lieutenant governor, and providing for succession to the office of governor and for an acting governor under certain circumstances; providing for publication of notice and procedures; providing for state reimbursement of costs to the counties; requiring the comptroller to establish reimbursement procedures; providing an effective date.

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

By Senator Johnston—

SB 370—A bill to be entitled An act relating to artificial insemination; providing that children conceived by artificial insemination are presumed legitimate when born within wedlock and both spouses consent; providing an effective date.

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

By Senators Henderson, Firestone and Pettigrew—

SB 371—A bill to be entitled An act relating to local government; declaring legislative intent that any existing chartered county shall have all rights and privileges in unincorporated areas conferred upon municipalities by general law; providing an effective date.

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

By Senator Johnson—

SB 372—A bill to be entitled An act relating to the business of construction or maintenance of pools; providing for the creation of a licensing board; providing definitions; providing for terms, qualifications, powers and duties of the board; providing application and certification procedures and fees therefor; providing for annual license fees; providing for maintenance of records of the board; providing penalties and exemptions; authorizing disbursement of fees collected; providing that tax collectors shall be notified; providing an effective date.

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

By Senator Childers—

SB 373—A bill to be entitled An act relating to investment of fiduciary funds; adding subsection (14) to §518.01, Florida Statutes, to allow funds received from veterans administration to be invested in credit unions having federal or state share insurance; providing an effective date.

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

By Senator Childers—

SB 374—A bill to be entitled An act relating to credit unions; amending §657.10(2), Florida Statutes; removing the restriction that appointed loan officers may approve loans only up to the unsecured limit, or in excess of such limit only if the excess is fully secured by unpledged shares; providing an effective date.

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

By the Committee on Agriculture—

SB 375—A bill to be entitled An act relating to the administrative procedures act, clarifying legislative intent and amending §120.321, Florida Statutes, 1971, to correctly reflect inapplicability of §120.321(2), (3), (4), (5) and (6) to Chapter 601; providing an effective date.

—was read the first time by title and placed on the Calendar without reference.

By the Committee on Agriculture—

SB 376—A bill to be entitled An act relating to citrus; creating §601.158, Florida Statutes, to make provision for the department of citrus to conduct a research and development program on harvesting and/or handling problems relating to the Florida citrus industry; imposing on the producer an excise tax of one cent (1¢) per standard packed box of citrus fruit taxed under §601.15, Florida Statutes, said tax not to exceed one cent (1¢) per standard packed box of citrus in any one (1) year, and not to exceed a total of three cents (3¢) during a maximum six (6) year period; the commission having the authority to lower below the one cent (1¢) level, or suspend said tax during said six (6) year period; providing that the provisions of §601.15, Florida Statutes, shall apply to this act except to the extent of inconsistencies; providing for payment of taxes collected into a trust fund; providing purpose for expenditure of funds by the department of citrus; providing authority for the department of citrus to contract for technical and professional services; providing authority for the department of citrus to enter contracts or agreements to carry out objectives of this act; providing for expiration of tax imposed by August 31, 1979; providing authority for department of citrus to transfer and repay funds in trust fund; providing an appropriation of the funds collected by the excise tax to the department of citrus; providing for liberal construction; providing for appointment of an advisory committee; providing for referendum to effectuate this act.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senators Pettigrew, Henderson and Vogt—

SB 377—A bill to be entitled An act relating to environmental land and water management; creating §380.055, Florida Statutes, designating the Big Cypress area as an area of critical state concern; providing that the Big Cypress area is exempt from specified provisions of The Florida Environmental Land and Water Management Act of 1972; providing that boundaries be set by the administration commission; providing procedures; providing severability; setting aside forty million dollars from land conservation and other funds for use as a state matching fund for acquisition of the Big Cypress area; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Lewis—

SB 378—A bill to be entitled An act relating to public lands; amending §253.02(2), Florida Statutes, to provide that no lands shall be disposed of by the board without a public hearing; providing an effective date.

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

By Senator Zinkil—

SB 379—A bill to be entitled An act relating to eminent domain; empowering the department of natural resources with the right of eminent domain for public park and recreational

uses or purposes; amending §74-011, Florida Statutes, providing for proceedings supplemental to eminent domain; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By the Committee on Consumer Affairs—

SB 380—A bill to be entitled An act relating to Florida land sales; amending section 478.23, Florida Statutes, by adding paragraph (3) prohibiting disposition of interest in subdivisions by utilization of long distance telephone sales except under certain circumstances; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By the Committee on Consumer Affairs and Senator Trask—

SB 381—A bill to be entitled An act relating to the land sales industry; amending paragraph (b) of subsection (1) of section 478.121, Florida Statutes, to require that lands offered for registration be platted; amending section 478.121, Florida Statutes, by providing that all permits required under chapter 253, Florida Statutes, and chapter 403, Florida Statutes, be obtained prior to sale of subdivided lands and for extending length of permits under chapter 253, Florida Statutes, for not longer than ten (10) years; amending section 478.25, Florida Statutes, by adding subsection (4) providing that upon failure of the state to act upon applications filed pursuant to subsections (4) and (5) of section 478.121, Florida Statutes, within one hundred twenty (120) days of the filing of the application, the land sales division shall enter an order registering the subdivided lands for sale, setting forth the form of agency action required; amending chapter 253, Florida Statutes, by adding section 253.1291, providing for automatic issuance of permits for improvements promised or projects commenced in lands registered for sale pursuant to chapter 478, Florida Statutes, prior to April 3, 1970, upon the payment of a one hundred dollar (\$100) fee; amending chapter 253, Florida Statutes, by adding a section 253.1292, providing for written notice to an applicant for a permit within thirty (30) days, of the completeness of the application; amending chapter 403, Florida Statutes, by adding section 403.0881, providing for a consolidated permit application for construction and operating permits, and federal water pollution control certification, requiring written notice to an applicant for a permit, approval, or certification, within thirty (30) days, of the application completeness; providing for the issuance of federal certification and state permits for projects under construction prior to April 3, 1970, on lands registered for sale under chapter 478, Florida Statutes, where the registrant has acted in reliance on the registration by selling the land registered to bona fide purchasers; providing that parties aggrieved by any action of the department under subsection 403.0881, may seek judicial review in the circuit court of their residence or principal place of business; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Gallen—

SB 382—A bill to be entitled An act relating to food stamps; amending §409.275, Florida Statutes, 1972 Supplement, as amended by §§1 and 2, chapter 72-298, Laws of Florida, adding subsection (3) to said section making it unlawful to falsify any application to receive food stamps and to purchase or sell food stamps; providing penalties; providing an effective date.

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

By Senator Henderson—

SB 383—A bill to be entitled An act relating to the establishment of a Commission on Population and the Environment; providing that said commission shall be advisory to the public, the Governor and the legislature providing for membership, duties, expenses, and necessary staff of the commission; pre-

scribing a report; prescribing governmental agency cooperation; providing contract authority; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator Deeb—

SB 384—A bill to be entitled An act relating to the Florida retirement system; amending §121.051(2)(a), Florida Statutes, 1972 Supplement, as amended by §§1, chapters 72-182, and 72-340, Laws of Florida; providing lump sum death benefits for beneficiaries of retired members who transferred from the teachers' retirement system and who had vested rights to retirement benefits thereunder; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Glisson—

SB 385—A bill to be entitled An act relating to the practice of medicine and osteopathic medicine; amending §§458.13(1) and 459.01, Florida Statutes; providing that the definitions of the practice of medicine and osteopathic medicine include the practice of acupuncture; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Glisson—

SB 386—A bill to be entitled An act relating to marriage licenses; amending §§741.051 and 741.054, Florida Statutes, requiring that all applicants for marriage licenses be offered a standard serological test for sickle cell anemia and counseling as to the implications of the disease; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Glisson—

SB 387—A bill to be entitled An act relating to the bicentennial commission of Florida; amending §13.9972(3), Florida Statutes, providing that the commission shall cooperate with St. Augustine's committee for the national bicentennial, inc. to plan the proposed Miami international exposition; providing an effective date.

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

By Senator Lewis—

SB 388—A bill to be entitled An act relating to plant preservation; amending §865.06(1)(b), Florida Statutes, 1972 Supplement, as amended by § 1, chapter 72-37, Laws of Florida; providing for the preservation of certain Florida plants; providing an effective date.

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

By Senator de la Parte—

SB 389—A bill to be entitled An act relating to the department of health and rehabilitative services; amending section 20.19 (3), Florida Statutes, to provide that division directors shall be appointed by the secretary of the department and serve at his pleasure; providing an effective date.

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

By Senator de la Parte—

SB 390—A bill to be entitled An Act relating to community colleges; amending Section 230.767(3), Florida Statutes; providing alternate procedures for determining the annual apportionment to community colleges with declining enrollments; providing an effective date.

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

By Senator Sykes—

SB 391—A bill to be entitled An act relating to standards of conduct for public officers and employees; amending §98.211, Florida Statutes; providing that only duly qualified candidates for political office may obtain from the supervisor of elections copies of the names, political affiliation and addresses of any electors; amending §112.313, Florida Statutes, adding subsection (8) to said section, prohibiting public officers and employees from supplying any list of names and addresses for the purpose of solicitation; providing an effective date.

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

By Senator Scarborough—

SB 392—A bill to be entitled An act relating to public officers; amending §111.06, Florida Statutes, providing for payment of the defense of prison and peace officers and special risk officers and employees of the state and its political subdivisions in any civil suit arising out of the performance of their duties; providing indemnification for judgments rendered against such persons; providing for funds; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator Scarborough—

SB 393—A bill to be entitled An act relating to equal rights; prohibiting discrimination on the basis of sex in the areas of loaning money, granting credit, or hiring, discharging or promoting employees; providing a penalty; providing an effective date.

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

By Senators Horne, Barron and Saunders—

SB 394—A bill to be entitled An act relating to the state university system; providing an appropriation for capital outlay building renewal, renovation, and repair at Florida state university, Florida A. & M. university and the university of Florida; providing an effective date.

—was read the first title by title and referred to the Committee on Ways and Means.

By Senator Saunders—

SB 395—A bill to be entitled An act relating to the Florida retirement system; amending section 121.051, Florida statutes, to prohibit cooperative agents for extension work in agriculture and home economics in the state of Florida who are required to be covered by federal civil service from participation in the system.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Saunders—

SB 396—A bill to be entitled An act relating to district school boards; amending §230.05, Florida Statutes, providing for the election of board members at the time of the primary elections; amending chapter 230, Florida Statutes, by adding §230.065, providing for the nonpartisan election of district school board members at the time of the primary elections; amending chapter 100, Florida Statutes, by adding §100.055, providing for election and term of office of school board members; amending §230.15, Florida Statutes, providing for organization of the school board; repealing §§100.041(3), 230.08 and 230.10, Florida Statutes, relating to the election of district school board members; providing an effective date.

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

By Senator Lewis—

SB 397—A bill to be entitled An act relating to disposition of the dead without the services of a funeral director and/or embalmer; adding a new part II to chapter 470, Florida Statutes (sections 470.201, 470.202, 470.203, 470.204, 470.205, 470.206,

Florida Statutes), relating to intent, definitions, rules and regulations, application, permit, renewal, suspension, carrying on without permit, fees, penalties, injunction; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Lewis—

SB 398—A bill to be entitled An act relating to crematories, cinerator facilities and calcinators; adding a new part III to chapter 470, Florida Statutes (sections 470.301, 470.302, 470.303, 470.304, 470.305, 470.306, Florida Statutes), relating to intent, definitions, rules and regulations, application, certificate, renewal, suspension, carrying on without certificate, fees, penalties, injunction; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Lewis—

SB 399—A bill to be entitled An act relating to funeral directors and embalmers; amending chapter 470, Florida Statutes, by adding a new section 470.34 relating to reciprocity; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Lewis—

SB 400—A bill to be entitled An act relating to taxing districts; requiring district boundary lines be filed in the office of the clerk of the circuit court; providing that printed district rules and regulations be filed; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Winn—

SB 401—A bill to be entitled An act relating to hotels and restaurants; amending §509.151, Florida Statutes, to provide when obtaining food, lodging or other accommodations, with intent to defraud, is a misdemeanor of the second degree or a felony of the third degree; providing penalties; providing an effective date.

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

By Senator Gordon—

SB 402—A bill to be entitled An act relating to unemployment compensation; amending §443.03(5)(1), Florida Statutes, and adding subsection (17) to said section; changing the age for child employment; providing coverage for junior colleges or community colleges; providing for the reporting of certain wages paid by a fiduciary, agent or persons other than the employer; amending §443.08(4)(a), Florida Statutes, 1972 Supplement, providing for nonprofit employers to change the elected method of payment; amending §443.15(1), Florida Statutes, increasing the interest rate on delinquent contributions; increasing the penalty for delinquent reports; providing an effective date.

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

By Senator Gordon—

SB 403—A bill to be entitled An act relating to unemployment compensation; amending §443.04(5)(a), Florida Statutes, 1972 Supplement, defining "exhaustee" as to seasonal limitations and defining "additional benefits"; amending §443.08(3)(a) and (4)(a), Florida Statutes, 1972 Supplement, and §443.10(5)(a) and (b), Florida Statutes, conforming the unemployment compensation law to the federal social security act relating to appropriations for the administration of said law; providing an effective date.

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

By Senator Winn—

SB 404—A bill to be entitled An act relating to competitive bidding by public accountants; amending §473.30(1), Florida Statutes, to provide that said section is not applicable to bids submitted to public agencies; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Brantley—

SB 405—A bill to be entitled An act relating to landlord and tenant; creating §83.292, Florida Statutes, to provide that the attorney general or state attorney may bring an action to enjoin violations of the landlord and tenant security deposit act and certain violations by mobile home parks; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Criminal Justice.

By Senator Lewis—

SB 406—A bill to be entitled An act relating to elections; amending §101.64(1) (c) and (2), Florida Statutes, and amending §101.65, Florida Statutes, 1972 Supplement, as amended by §9, chapter 72-63, Laws of Florida; to require two attesting witnesses on an absent elector certificate; providing an effective date.

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

By Senator Brantley—

SB 407—A bill to be entitled An act relating to landlords and tenants; amending §83.261, Florida Statutes, 1972 Supplement, as amended by §1, chapter 72-19, and §1, chapter 72-43, Laws of Florida, adding subsection (8) to said section; amending §83.271, Florida Statutes, 1972 Supplement, as created by §1, chapter 72-28, Laws of Florida, adding subsection (4) to said section; authorizing state legal personnel to seek injunctions against persons violating said sections; providing for payment of court costs and attorney fees; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Criminal Justice.

By Senator Brantley—

SB 408—A bill to be entitled An act relating to the public service commission; amending §350.01, Florida Statutes; providing that the commission be a five member board; providing for the creation of public service commission districts within the state with one commissioner elected from each district; providing for the election of the commissioners in staggered terms; providing an effective date.

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

By Senators Henderson and Childers—

SB 409—A bill to be entitled An act relating to environmental land and water management; amending chapter 380, Florida Statutes, by adding a new section, 380.11, to provide that whenever local standards and guidelines give greater environmental protection to an area they shall not be superseded by administrative rule under authority of the chapter; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senators Henderson and Childers—

SB 410—A bill to be entitled An act relating to environmental land and water management amending subsection (4) of section 380.05, Florida Statutes to provide that notice be sent to individual land owners whenever land is being considered as a possible area of critical state concern.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senators Henderson and Childers—

SB 411—A bill to be entitled An act relating to state comprehensive planning; amending chapter 23, Florida Statutes, by adding a new subsection 23.020, providing that local planning and zoning programs shall not be superseded by standards and guidelines developed under the provisions of the chapter when they provide greater environmental protections to the area involved; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Gallen (By request)—

SB 412—A bill to be entitled An act relating to the allocation of horse racing periods of operation; amending section (4) of section 550.081, Florida Statutes, by providing for the award made in 1973 to be made for the 1973-1974 and 1974-1975 seasons and for the awards thereafter to be made approximately seventeen months in advance; providing an effective date.

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

By Senator Gallen (By request)—

SB 413—A bill to be entitled An act relating to the allocation of summer thoroughbred racing periods of operation; amending section 550.43, Florida Statutes, by providing for the award made in 1974 to be made for the 1975 season, and for the awards thereafter to be made approximately seventeen months in advance; providing an effective date.

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

By Senator Lane (31st)—

SB 414—A bill to be entitled An act relating to motor vehicle licenses; amending sections 320.01(2), Florida Statutes, defining "mobile homes"; amending section 320.015, Florida Statutes, providing for taxation of certain defined "mobile homes"; amending section 320.081(1), Florida Statutes, providing that when applicable license fees shall be in lieu of mobile home ad valorem taxes; amending section 320.0815, Florida Statutes, providing "MH" or "RV" tags as defined within section 320.01(2), Florida Statutes, shall be displayed; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Lane (31st)—

SB 415—A bill to be entitled An act relating to mobile homes; amending §553.36(4), Florida Statutes, by requiring all mobile homes over eight (8) feet in width to fall within the provisions of the "Florida Factory-Built Housing Act of 1971"; amending §553.36(5), Florida Statutes, to exempt "mobile homes" under eight (8) feet in width; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senators Poston, Pettigrew and Gruber—

SB 416—A bill to be entitled An act relating to the conservation of sea fans and coral; prohibiting the taking of certain amounts of sea fans and coral without the purchase of a coral harvesting permit; prohibiting the destruction of said sea fans and coral; making violation a misdemeanor; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senators Poston and Pettigrew—

SB 417—A bill to be entitled An act relating to the rural electric cooperative law; adding a new subsection (6) to §425.10,

Florida Statutes, to require that all meetings of the board of trustees of all cooperatives regulated by chapter 425, Florida Statutes, be open to the public; providing an effective date.

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

By Senators Gruber, Pettigrew and Poston—

SB 418—A bill to be entitled An act relating to salt water fisheries and conservation; amending §370.12(3), Florida Statutes; providing for application for permits for capture, maintenance, and possession of certain marine mammals and for shipment within or outside the state; providing that the department of natural resources is authorized to establish rules, regulations, and standards relating to the capture, maintenance, shipping, and possession procedures; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator de la Parte—

SB 419—A bill to be entitled An act relating to corporations not for profit; creating §617.02, Florida Statutes; providing that persons of less than majority age are eligible to serve as directors of corporations not for profit; providing an effective date.

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

By Senator Pettigrew—

SB 420—A bill to be entitled An act relating to pollution control and abatement and solid waste disposal facilities' bonds; amending §403.1834(3), Florida Statutes, increasing the total principal amount of such state bonds that may be issued in any state fiscal year; reenacting and amending §218.25, Florida Statutes, 1972 Supplement, as created by chapter 72-360, Laws of Florida, effective for one year; providing that moneys received by local governments from state revenue sharing trust funds may be pledged for state bonds issued under §14, Art. VII of the state constitution for such facilities in certain cases; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Gordon—

SB 421—A bill to be entitled An act relating to governmental efficiency; adding paragraph (e) to subsection (1) of §11.45, Florida Statutes, 1972 Supplement, and adding subsection (9) to said section; providing a definition; authorizing postaudit of the accounts and financial records of governmental units by an independent certified public accountant; providing for the postaudit to be retained as a public document; providing penalties for willful failure to furnish necessary records or information; providing an effective date.

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

By Senators Poston and Pettigrew—

SB 422—A bill to be entitled An act relating to Monroe County; repealing chapters 65-1923 and 69-1313, Laws of Florida, to remove local provisions relating to tax assessment in the City of Key West and in Monroe County which conflict with the method of payment for tax assessors and the provisions relating to tax assessment and collection found in the general law; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 422.

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

By Senator Smathers—

SB 423—A bill to be entitled An act relating to clerk of the circuit and county courts; amending chapter 28, Florida Stat-

utes, by adding new section 28.001 to provide for a uniform method of preparing an annual budget; providing an effective date.

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

By Senator Plante—

SB 424—A bill to be entitled An act relating to Chapter 470, Florida Statutes; directing the statutory revision department to change certain terminology in the funeral directors and embalmers law; providing an effective date.

—was read the first time by title and referred to the Committee on Consumer Affairs.

By Senator Poston—

SB 425—A bill to be entitled An act relating to tangible personal property owned by counties; amending Section 274.01, Florida Statutes; increasing the value of individual items of property for which records and inventory are required; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senators Poston and Gruber—

SB 426—A bill to be entitled An act relating to Monroe County; amending §10 of chapter 67-1724, Laws of Florida, as amended by chapter 69-1322, Laws of Florida, increasing the bond limitation of the Lower Florida Keys Hospital District to ten million dollars (\$10,000,000) for the operation and establishment of hospitals in the district; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 426.

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

By Senator Poston—

SB 427—A bill to be entitled An act relating to drivers' licenses; creating §322.2705, Florida Statutes; providing courts authority to suspend drivers' licenses; providing procedure for suspension; providing for review by the department; providing an effective date.

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

By Senator Gruber—

SB 428—A bill to be entitled An act relating to motor vehicles; creating §316.212, Florida Statutes; requiring mudguards on the rear wheels of all motor vehicles with dual rear wheels; authorizing the department to prescribe standards; providing penalties; providing an effective date.

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

By Senator Myers (By request)—

SB 429—A bill to be entitled An act providing for the relief of Richard Polley; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senators Barron and Trask—

SB 430—A bill to be entitled An act relating to and establishing policies and procedures for contracting professional services by the state, its agencies, municipalities or political subdivisions, school boards and school districts; defining professional services; establishing competitive selection procedures and competitive negotiations for firms or individuals providing professional services; establishing truth in negotiation requirements for professional service contracts; prohibiting the payment of contingent fees for professional service contracts and

setting penalties therefor; providing for state professional assistance to municipalities and political subdivisions in selection and negotiation of professional service contracts; and providing for severability, a repealing clause and an effective date.

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

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

EXECUTIVE BUSINESS

The following public officials were suspended by executive action and, upon receipt by the Senate, referred to a Select Committee on Executive Suspensions chaired by then Senator Frederick B. Karl. That Committee has dissolved, and the Executive Suspension of each named official is hereby referred to Honorable Frederick B. Karl, Special Master:

ROBERT S. APPLETON  
Solicitor, Criminal  
Court of Record,  
Monroe Co.

J. W. PRIDGEON  
Sheriff, Lafayette Co.

W. E. (BILL) DAVIS  
Sheriff, Escambia Co.

RUDY RODRIGUEZ  
Member, Board of County  
Commissioners,  
Hillsborough Co.

L. E. HATCHER  
Member, Board of County  
Commissioners, Dixie Co.

DON R. WATSON  
Sheriff, Jefferson Co.

JAMES A. PEACOCK, JR.  
Clerk, Circuit Court,  
Calhoun Co.  
[Also Executive Order of  
Reinstatement]

By direction of the President Pro Tempore, the following communications and Executive Orders were read:

Mr. Robert S. Appleton  
6161 Overseas Highway  
Marathon, Florida

February 9, 1973

Dear Mr. Appleton:

Pursuant to the provisions of Chapter 69-277, Laws of Florida, we are sending you by registered mail, Order Revoking Suspension dated February 8, 1973.

With kind regards, I remain

Cordially,  
RICHARD (DICK) STONE  
Secretary of State

By (Mrs.) Dorothy W. Glisson  
Director, Division of Elections

EXECUTIVE ORDER NUMBER 73-4

ORDER REVOKING SUSPENSION

WHEREAS, on March 30, 1970, while serving in the capacity of Solicitor, Criminal Court of Record, Monroe County, ROBERT S. APPLETON, was indicted for the crime of Conspiracy to Commit a Felony, to-wit: Accepting a Bribe, in violation of Section 833.04, Florida Statutes, and the crime of Accepting a Bribe, in violation of Section 838.012, Florida Statutes which charges arose out of alleged facts which occurred during the period that the said ROBERT S. APPLETON was serving as Judge of the Criminal Court of Record, Monroe County, and

WHEREAS, considerable delay in bringing the aforesaid charges to trial was experienced because of the disqualification on May 14, 1970, of the only Judge of the Criminal Court of Record, Monroe County, and other factors, and

WHEREAS, on January 4, 1972, an "Order of Proving Entries of Nol Pros and Discharge of Defendants" was entered by Circuit Judge CHARLES T. CARLTON (Judge of the Criminal Court of Record, Monroe County, pro haec vice) and filed January 6, 1972, and

WHEREAS, one of the reasons entered in the record by WILLIAM R. STAAB, Special Prosecutor (as evidenced by a copy of the transcript attached hereto) for the dismissal of the criminal charges was the fact that the State was unsuccessful in its attempts to locate the material state witness, MRS. GEORGE SALAS, and

WHEREAS, it appears that MRS. GEORGE SALAS, has previously informed the HONORABLE NATHAN E. EDEN, County Solicitor, Monroe County, in the presence of others, that she had committed perjury before the Grand Jury with respect to her testimony against ROBERT S. APPLETON, which testimony constituted the basis for the grand jury indictment, and

WHEREAS, investigation conducted for the purpose of presenting this matter to The Florida Senate indicates that the aforesaid material witness cannot be located, that there is insufficient evidence to proceed without the testimony of said material witness, and that even if the said material witness could be located, it appears that she desires to completely recant her testimony, and

WHEREAS, after consultation with the state attorney of the Sixteenth Judicial Circuit of Florida and the Chairman of the Board of County Commissioners, Monroe County, it appears to be in the best interest of the State of Florida that the suspension of ROBERT S. APPLETON, be terminated without further proceeding.

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor of the State of Florida, being fully advised in the premises and in accordance with the Constitution and laws of the State of Florida, do hereby promulgate the following Executive Order, effective immediately:

That Order of Suspension issued by the HONORABLE CLAUDE R. KIRK, JR., as the then Governor of the State of Florida, dated March 31, 1970, and filed in the Department of State at 4:04 p.m. on March 31, 1970, is hereby revoked.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 8th day of February, 1973.

REUBIN O'D. ASKEW  
Governor

Attest:  
RICHARD (DICK) STONE  
Secretary of State

IN THE CRIMINAL COURT OF RECORD IN AND FOR  
MONROE COUNTY, FLORIDA.

THE STATE OF FLORIDA, )  
 )  
Plaintiff, )  
 )  
- vs - ) Case No. 227  
 )  
ROBERT S. APPLETON and ANNE )  
DION URBAN, )  
 )  
Defendants. )

TRANSCRIPT OF PROCEEDINGS

Before the Honorable Charles T. Carlton, Circuit Judge, acting Judge of the Criminal Court of Record in and for Monroe County, Florida, at the City Hall, Clewiston, Florida, on the 4th day of January, 1972.

APPEARANCES:

WILLIAM R. STAAB, Special Assistant  
County Solicitor, Monroe County, Key West,  
Florida; appeared for the Plaintiff.

HENRY R. CARR, Attorney at Law, of the law firm of Carr & Emory, Miami, Florida; appeared for the Defendant Appleton.

ANGUS M. STEPHENS, JR., Attorney at Law, of the law firm of Stephens & McMillen, Miami, Florida; appeared for the Defendant Urban.

THE COURT: All right, the State of Florida versus Robert S. Appleton and Anne Dion Urban.

Does anybody have any objection to this forum being in Clewiston, Hendry County?

MR. STEPHENS: On behalf of the Defendant Urban, no objection, Your Honor.

MR. CARR: On behalf of the Defendant Appleton, we have no objection.

MR STAAB: The State has no objection.

Your Honor, I think that these motions are going to be moot in this matter, for the State at this time is prepared to enter a nolle pros as to each Defendant, and we would like to cite into the record the reasons for that—

THE COURT: All right.

MR STAAB: (Cont'g.)—for the fact that this is of great import to Monroe County and they would be interested in knowing, I am sure.

After the last hearing last Monday the State attempted to procure the presence of Mrs. Johnnie Mae Salis, who was a material witness, without whom we could not proceed, and her son is in the Division of Corrections.

I made a phone call to the Division of Corrections in Raiford, and found out that her son was housed in an institution in Chattahoochee, Florida. I called them on Tuesday of last week. As of May of 1970 they had an address in Pensacola, Florida, for Mrs. Johnnie Mae Salis, to which the State sent a subpoena on Tuesday to that address. However, in August of 1970 they had a change of address of the mother of the boy, Johnnie Mae Salis, and that address was no street address but only the City of St. Louis, Missouri.

I immediately called St. Louis directory. I could not obtain any listing under the name of Salis at all. Later on I procured the name of the daughter, which is Jan Blue, and she also may go under the name of Jan Toppins, I believe, which are two previous married names, in Ferguson, Missouri. I called the directory there in Ferguson, Missouri. They had no listing in either one of those names or in Mrs. Salis' name.

I had some rumor she may be located in either St. Petersburg or Sarasota. I called each one of those places for a listing under the name of Salis and could not procure her attendance. I called Mr. Eden in Key West to find out whether he had any further leads to the whereabouts of Mrs. Salis, and he informed me no.

And for that reason, in that the trial date, tentative trial date, was the latter part of this month, the State has no reason to believe that they could procure the material witness.

THE COURT: All right, sir. The information will be dismissed as to each count and the bonds will be discharged.

MR. STAAB: Thank you, Your Honor.

THE COURT: Anything further?

MR. STEPHENS: Nothing for the Defendant Urban, Your Honor.

MR. CARR: (Nodded negatively.)

THE COURT: All right, I would appreciate it if the attorneys for both of the Defendants will prepare written orders for me to sign so I can file them with the Criminal Court of Record of Monroe County. Send them to me at my office in Punta Gorda, Charlotte County Courthouse.

MR. CARR: Judge, would you like it in separate orders or should we embrace it —?

THE COURT: Since they have made one Information, you might as well put it in one order.

MR. CARR: Very well. We will collaborate and get that prepared this afternoon and mail it to your office in Punta Gorda, Your Honor.

(Proceedings concluded.)

Hon. Louis Carbonell  
Clerk of Criminal Court of Record  
Monroe County Courthouse  
Key West, Florida

January 7, 1972

TESTIMONY TAKEN City Hall, Clewiston, Florida before Hon. Charles T. Carlton, date Jan. 4, 1972, Case No. 227, The State of Florida, Plaintiff, vs. Robert S. Appleton and Anne Dion Urban, Defendant.

Per diem	_____	\$15.00
Original Pages	_____	5.40
Carbon Copies	_____	_____
Postage	_____	_____
Other Expenses	_____	_____
<b>TOTAL</b>		<b>\$20.40</b>

Paid by voucher # 000389 2/29-72

STATE OF FLORIDA )  
COUNTY OF MONROE )  
This Copy is a true Copy of the Original on File in this Office. Witness my hand and Official Seal this 12th day of January A.D., 1973.

EARL R. ADAMS  
Clerk Circuit Court

By Linda Landies D.C.

STATE OF FLORIDA )  
COUNTY OF LEE )  
I, Douglas Metzger, Deputy Official Court Reporter for the Circuit Court of the 20th Judicial Circuit of the State of Florida, do hereby certify that a hearing was had in the cause styled in the caption hereto, on Page 1 hereof; that I was authorized to and did attend said hearing and report the proceeding had therein, fully and accurately in shorthand, and that the foregoing typewritten pages numbered 1 through 5, inclusive, constitute a correct transcript of my shorthand report of the proceedings taken at said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of January, 1972.

Douglas Metzger, Deputy  
Official Court Reporter, 20th  
Judicial Circuit of Florida.

STATE OF FLORIDA )  
COUNTY OF MONROE )  
This Copy is a true Copy of the Original on File in this Office. Witness my hand and Official Seal this 12th day of January A.D., 1973.

EARL R. ADAMS  
Clerk Circuit Court

By Linda Landies D.C.

[Executive Order of Suspension executed March 31, 1970, appears on page 2, Senate Journal of April 7, 1970.]

Honorable Roy C. Baker  
Post Office Drawer 84  
Stuart, Florida 33494

May 17, 1972

Dear Mr. Baker:

Pursuant to the provisions of Chapter 69-277, Laws of Florida, we are sending you by registered mail, Executive Order of Suspension dated May 17, 1972.

With kind regards, I remain

Cordially,  
RICHARD (DICK) STONE  
Secretary of State

By (Mrs.) Dorothy W. Glisson  
Director, Division of Elections

**EXECUTIVE ORDER NUMBER 72-27**  
**EXECUTIVE ORDER OF SUSPENSION**

WHEREAS, By Executive Order dated December 17, 1970, Governor Claude R. Kirk, Jr., assigned the Honorable Zell Davis, Jr., State Attorney of the Fifteenth Judicial Circuit, to the Nineteenth Judicial Circuit of Florida (Martin County), for the purpose of investigating allegations of "lax law enforcement in Martin County," and

WHEREAS, on June 3, 1971, by Executive Order of Governor Askew Number 71-31, the Honorable Joseph G. Spicola, Jr., State Attorney of the Thirteenth Judicial Circuit of Florida, was assigned to the Nineteenth Judicial Circuit (Martin County) to discharge the duties of the Honorable John T. Brennan, State Attorney of said Circuit, as said duties related to the investigation of law enforcement and criminal justice agencies in said county, including the Office of the State Attorney, and

WHEREAS, the said Joseph G. Spicola, Jr., has concluded the investigation required by said executive assignment and has submitted to the Governor copies of all sworn and transcribed testimony and a report of the findings of his investigation, and

WHEREAS, based upon this report and the sworn testimony of numerous witnesses, and based upon the supplementary report of the Honorable John T. Brennan, State Attorney of the Nineteenth Judicial Circuit, dated April 25, 1972, it appears that it is in the best interest of the citizens of the State of Florida that the Sheriff of Martin County, Florida, the Honorable Roy C. Baker, be suspended from the public office which he now holds, upon the constitutional grounds hereinafter set forth;

NOW, THEREFORE, I, Reubin O'D. Askew, Governor of the State of Florida, pursuant to the Constitution and laws of the State of Florida, do hereby find, determine and, for the purposes of Section 112.41, Florida Statutes, allege and specify:

(A) That Roy C. Baker was first elected as Sheriff of Martin County on or about November 4, 1952, and assumed office on or about January 6, 1953, which office he has held continuously since said date.

(B) That Roy C. Baker was reelected on November 5, 1968 and assumed office during his current term on January 7, 1969.

(C) That Roy C. Baker is, and at all times material hereto, was a "county officer" within the meaning of Section 7, Article IV, Florida Constitution, 1968 Revision, to-wit: Sheriff of Martin County, Florida.

(D) That under the laws of the State of Florida, a law enforcement officer—particularly a Sheriff of one of the several counties of this State—has a continuing duty to assist and cooperate with other state and local law enforcement agencies regarding criminal justice matters of mutual interest and concern.

(E) That during his present term of office, the said Roy C. Baker gave express orders to his subordinates or by his conduct sanctioned and encouraged policies of the Office of Sheriff, Martin County, Florida, which without justification or excuse, substantially impeded the necessary exchange of criminal justice information and impeded cooperation between or among the Office of the Sheriff of Martin County and other state and local law enforcement agencies, viz., the Florida Highway Patrol, the Florida Department of Law Enforcement, the Stuart Police Department, and other local agencies, to the extent that the effectiveness of the Office of the Sheriff of Martin County as a law enforcement agency and the effectiveness of other agencies was substantially weakened.

(F) That during his present term of office, the said Roy C. Baker has performed official duties, to-wit: perfecting or attempting to perfect arrests, participating in felony investigations and supervising the conduct of inmates in the county jail, while he was intoxicated from voluntary consumption of alcoholic beverages.

(G) That on or about January 15, 1970, Roy C. Baker permitted the introduction of an alcoholic beverage, to-wit: whiskey, into and on the premises of the County Jail, Martin County, Florida, and permitted and encouraged Timothy Pittman, then a prisoner incarcerated in jail, to consume said alcoholic beverages on the premises; and Roy C. Baker and Ronnie Summers, Assistant Jailer, who was in charge of the jail and security of prisoners therein, did consume said alcoholic beverages with and in the presence of said prisoner and on the premises of said county jail.

(H) That the aforesaid facts constitute malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, or commission of a felony, and said terms are used in Section 7(a), Article IV, Florida Constitution, 1968 Revision.

(I) That the interests of the residents of Martin County and the citizens of Florida can best be served by the immediate suspension of Roy C. Baker from the public office which he now holds, for the reasons hereinabove set forth.

BEING FULLY ADVISED in the premises and in accordance with the Constitution and laws of the State of Florida, the following Executive Order is hereby promulgated, effective at 5 o'clock p.m. on Wednesday, May 17, 1972:

1. That Roy C. Baker be, and he is hereby suspended, as and from the public office which he now holds, to-wit: Sheriff of Martin County, Florida.

2. That Roy C. Baker be, and he is hereby prohibited from performing any official act, duty or function of any public office, from receiving any pay or allowances, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date of this order until further Executive Order as provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 17th day of May, A. D. 1972.

REUBIN O'D. ASKEW  
Governor

Attest:  
RICHARD (DICK) STONE  
Secretary of State

Mr. Paul Bryant  
Post Office Box 1667  
Stuart, Florida

September 21, 1972

Dear Mr. Bryant:

Pursuant to the provisions of Chapter 69-277, Laws of Florida, we are sending you by registered mail, Executive Order of Suspension dated September 20, 1972.

With kind regards, I remain

Cordially,  
RICHARD (DICK) STONE  
Secretary of State

By (Mrs.) Dorothy W. Glisson  
Director, Division of Elections

**EXECUTIVE ORDER NUMBER 72-44**

**EXECUTIVE ORDER OF SUSPENSION**

WHEREAS, Paul Bryant is presently serving as a member of the Board of County Commissioners of Martin County, and

WHEREAS, on the 14th day of August, 1972, an indictment was returned by a duly constituted Grand Jury in and for Martin County, Florida, charging Paul Bryant with a crime of soliciting unauthorized compensation, and

WHEREAS, based upon a report of the State Attorney of the Nineteenth Judicial Circuit, the Honorable John T. Brennan, and an investigation conducted by this office, it appears that it is in the best interest of the citizens of the State of Florida that Paul Bryant be immediately suspended from the public office which he now holds, upon the constitutional grounds hereinafter set forth;

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor of the State of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine, and for the purposes of Section 112.41, Florida Statutes, allege and specify:

A. That Paul Bryant is, and at all times material hereto was, a member of the Board of County Commissioners, Martin County, Florida.

B. That Paul Bryant is and, at all times material hereto, was a "county officer" within the meaning of Section 7, Article IV, Florida Constitution, 1968, to-wit: Member, Board of County Commissioners, Martin County, Florida.

C. That on May 18, 1972, in Martin County, Florida, Paul Bryant, did solicit the sum of Five Thousand Dollars (\$5,000.00) from Ramson Tilton, and Ten Thousand Dollars (\$10,000.00) from Dr. Richard L. Verbic, with the promise that in exchange for such consideration he, Paul Bryant, acting as a member of the Board of County Commissioners of Martin County, would vote to approve or take action in his official capacity to insure the approval by the Board of County Commissioners of Martin County, of certain zoning matters pending before the Commission by the aforementioned persons, in violation of Section 838.06, Florida Statutes.

D. That the aforesaid fact constitutes the offense of malfeasance, misfeasance, neglect of duty, and incompetence as such offenses are used in Section 7(a), of Article IV, Florida Constitution.

E. That the interest of the residents of Martin County, Florida, and the citizens of the State of Florida can best be served by the immediate suspension of Paul Bryant from the public office which he now holds.

BEING FULLY ADVISED IN THE PREMISES, and in accordance with the Constitution and laws of the State of Florida, the following Executive Order is hereby promulgated, effective at 5 o'clock p.m. on September 20, 1972.

1. That Paul Bryant be, and he is hereby suspended as and from the public office which he now holds, to-wit: Member, Board of County Commissioners, Martin County, Florida.

2. That Paul Bryant be, and he is hereby prohibited from performing any official act, duty or function of any public office, from receiving any pay or allowances, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until further executive order, or as otherwise provided by law.

WHEREAS, supplemental investigations have disclosed certain additional acts of misconduct and grounds for suspension of a serious nature, as set forth below, and

WHEREAS, it is incumbent upon the Governor to amend the suspension order and make known to The Florida Senate and to the suspended officer all charges or evidence which is known or which reasonably should be known to the Governor. (See General Report of the Select Committee on Executive Suspensions of The Florida Senate, *Journal of the Senate*, February 17, 1969, 6 et seq. and applied in the matter of In Re: Suspension of George A. Kelsey, Florida Senate Journal, Special Session [February 17, 1969], at page 8;)

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor of the State of Florida, pursuant to the Constitution and laws of the State of Florida, do hereby find, determine and, for the purposes of Section 112.41, Florida Statutes, allege and specify:

(A) That Paul Bryant was at all times material hereto prior to his suspension as aforesaid, a member of the Board of County Commissioners, Martin County, Florida.

(B) That Paul Bryant was at all times material hereto prior to his suspension as aforesaid, a "county officer" within the meaning of Section 7, Article IV, Florida Constitution, 1968, to-wit: Member, Board of County Commissioners, Martin County, Florida.

(C) That on or about May 18, 1972, in Martin County, Florida, Paul Bryant did solicit the sum of Five Thousand Dollars (\$5,000.00) from Ramson Tilton, and Ten Thousand Dollars (\$10,000.00) from Dr. Richard L. Verbic, with the express or implied promise that in exchange for such consideration he, Paul Bryant, acting as a member of the Board of County Commissioners of Martin County, would vote to approve or take action in his official capacity to promote the approval by the Board of County Commissioners of Martin County, of certain zoning matters pending before the Commission by the aforementioned persons.

(D) That on or about May 18, 1972, in Martin County, Florida, Paul Bryant did state or imply to William Watson that he was able or willing to influence improperly the vote or official action of the Board of County Commissioners of Martin County with regard to certain zoning matters pending as set forth in paragraph (C) above, thus presenting an appearance of substantial official impropriety.

(E) That on or about May 19, 1972, in Martin County, Florida, Paul Bryant did state or imply to William Owens, a member of the Martin County Board of County Commissioners, that he was able or willing to influence improperly the vote or official action of the Board of County Commissioners of Martin County with regard to certain zoning matters pending as set forth in paragraph (C) above, thus presenting an appearance of substantial impropriety.

(F) That on November 20, 1972, Paul Bryant was found guilty by a jury of the offense of attempting to solicit a bribe, a misdemeanor of the first degree.

(G) That the aforesaid facts constitute the offense of malfeasance, misfeasance, neglect of duty, and incompetence as such offenses are used in Section 7(a) of Article IV, Florida Constitution, 1968 Revision.

(H) That the interests of the residents of Martin County, Florida, and the citizens of the State of Florida are best served by the continued suspension of Paul Bryant from public office.

BEING FULLY ADVISED IN THE PREMISES, and in accordance with the Constitution and laws of the State of Florida, the following Executive Order is hereby promulgated, effective at five o'clock p.m. on March 5, 1973.

1. That the suspension of Paul Bryant from public office, to-wit: Member, Board of County Commissioners, Martin County, Florida, be continued in full force and effect without interruption.

2. That Paragraphs "A" to "E" of Executive Order of Suspension Number 72-44, dated September 20, 1972, are amended by Paragraphs (A) to (H) of this order.

3. That Paul Bryant be, and he is hereby continually prohibited from performing any official act, duty or function of



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 20th day of September, 1972.

REUBIN O'D. ASKEW  
Governor

Attest:  
RICHARD (DICK) STONE  
Secretary of State

Mr. Paul Bryant  
Post Office Box 1667  
Stuart, Florida

March 6, 1973

Dear Mr. Bryant:

Pursuant to the provisions of Chapter 69-277, Laws of Florida, we are sending you by registered mail, Amended Executive Order of Suspension dated March 5, 1973.

With kind regards, I remain

Cordially,

RICHARD (DICK) STONE  
Secretary of State

By (Mrs.) Dorothy W. Glisson  
Director  
Division of Elections

EXECUTIVE ORDER NUMBER 73-10

AMENDED EXECUTIVE ORDER OF SUSPENSION

WHEREAS, Paul Bryant was suspended from office as a member of the Board of County Commissioners of Martin County by Executive Order Number 72-44 on September 20, 1972, and

any public office, from receiving any pay or allowances, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall remain in effect from the effective date of Executive Order Number 72-44, or as provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 5th day of March, 1973.

REUBIN O'D. ASKEW  
Governor

RICHARD (DICK) STONE  
Secretary of State

Mrs. Dorcas B. Drake  
1648 Liberty Street  
Jacksonville, Florida

October 18, 1972

Dear Mrs. Drake:

Pursuant to the provisions of Chapter 69-277, Laws of Florida, we are sending you by registered mail, Executive Order of Suspension dated October 18, 1972.

With kind regards, I remain

Cordially,

RICHARD (DICK) STONE  
Secretary of State

By (Mrs.) Dorothy W. Glisson  
Director, Division of Elections

#### EXECUTIVE ORDER NUMBER 72-47

#### EXECUTIVE ORDER OF SUSPENSION

WHEREAS, Dorcas Drake is presently serving as the duly qualified and elected Justice of the Peace of the Tenth Justice of the Peace District, Duval County, Florida, and

WHEREAS, on October 16, 1972, two Indictments were returned by the Grand Jury in and for Duval County, Florida, charging the said Dorcas Drake with the crimes of Grand Larceny, and Malfeasance, Misfeasance and Nonfeasance, and

WHEREAS, based upon a report furnished me by the State Attorney of the Second Judicial Circuit, who was specially assigned to the Fourth Judicial Circuit, it appears that it is in the best interest of the citizens of the State of Florida that Dorcas Drake be immediately suspended from the public office which she now holds upon the constitutional grounds herein-after set forth;

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor of the State of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine, and for the purpose of Section 112.41, Florida Statutes, allege and specify:

A. That Dorcas Drake is, and at all times material hereto was, Justice of the Peace of the Tenth Justice of the Peace District, Duval County, Florida.

B. That Dorcas Drake is and, at all times material hereto, was a "county officer" within the meaning of Section 7, Article IV, Florida Constitution, 1968 Revision, to-wit: Justice of the Peace of the Tenth Justice of the Peace District, Duval County, Florida.

C. That Dorcas Drake in her capacity as Justice of the Peace, collected certain moneys for restitution of worthless checks, which collection was made without authority of law.

D. That Dorcas Drake in her capacity as Justice of the Peace, collected funds from various defendants in the form of restitution to victims of crimes, but the said Dorcas Drake unlawfully failed to keep and maintain adequate records of said funds.

E. That Dorcas Drake in her capacity as Justice of the Peace, collected funds from various defendants as restitution

to the victims of crimes, but she unlawfully failed to establish a depository or trust account or in any other way to segregate and account for the funds so collected.

F. That Dorcas Drake in her capacity as Justice of the Peace, collected funds in the form of restitution from various defendants, and she did unlawfully convert said funds, or parts thereof to her own use.

G. That on the 4th day of November, 1971, Dorcas Drake did feloniously steal, take and carry away certain personal property, to-wit: United States Currency of the value of \$375.00, of the goods and chattels of one Louis Aboud, contrary to the provisions of Section 811.021, Florida Statutes.

H. That the aforesaid facts constitute the offense(s) of malfeasance, misfeasance, neglect of duty, incompetence or commission of a felony as such offenses are used in Section 7(a), Article IV, Florida Constitution, 1968 Revision.

I. That the interest of the residents of Duval County, Florida, and the citizens of the State of Florida can best be served by the immediate suspension of Dorcas Drake from the public office which she now holds.

BEING FULLY ADVISED IN THE PREMISES, and in accordance with the Constitution and laws of the State of Florida, the following Executive Order is hereby promulgated, effective at 5 o'clock p.m. on October 18, 1972.

1. That Dorcas Drake be, and she is hereby suspended as and from the public office which she now holds, to-wit: Justice of the Peace of the Tenth Justice of the Peace District, Duval County, Florida.

2. That Dorcas Drake be, and she is hereby prohibited from performing any official act, duty or function of any public office, from receiving any pay or allowances, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until further executive order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 18th day of October, 1972.

REUBIN O'D. ASKEW  
Governor

Attest:  
RICHARD (DICK) STONE  
Secretary of State

Mr. L. E. Hatcher  
Post Office Box 227  
Cross City, Florida

January 15, 1973

Dear Mr. Hatcher:

Pursuant to the provisions of Chapter 69-277, Laws of Florida, we are sending you by registered mail, Amended Executive Order of Suspension dated January 15, 1973.

With kind regards, I remain

Cordially,

RICHARD (DICK) STONE  
Secretary of State

By (Mrs.) Dorothy W. Glisson  
Director, Division of Elections

#### EXECUTIVE ORDER NUMBER 73-5

#### AMENDED EXECUTIVE ORDER OF SUSPENSION

WHEREAS, L. E. Hatcher was suspended from public office pursuant to Executive Order Number 72-20, effective at 5 o'clock p.m. on March 23, 1972, and duly filed with the Department of State, and

WHEREAS, supplemental investigations have disclosed certain additional acts of misconduct of a serious nature, as set forth below, and

WHEREAS, it is incumbent upon the Governor to make known to The Florida Senate and to the suspended officer all charges or evidence which is known or which reasonably should be known to the Governor at the time when other charges are presented to The Senate (See General Report of the Select Committee on Executive Suspensions of The Florida Senate, *Journal of the Senate*, February 17, 1969, 6 et seq., and applied in the matter of In Re: Suspension of George A. Kelsey, Florida Senate Journal, Special Session (February 17, 1969), at page 8;

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor of the State of Florida, pursuant to the Constitution and laws of the State of Florida, do hereby find, determine and, for the purposes of Section 112.41, Florida Statutes, allege and specify:

(A) That L. E. Hatcher was at all times material hereto prior to his suspension as aforesaid, a member of the Board of County Commissioners, Dixie County, Florida.

(B) That L. E. Hatcher was at all times material hereto prior to the effective date of Executive Order Number 72-20 a "county officer" within the meaning of Section 7, Article IV, Florida Constitution, 1968, to-wit: Member, Board of County Commissioners, Dixie County, Florida.

(C) That on or about October 28, 1971, in Dixie County, Florida, L. E. Hatcher, did accept or solicit the sum of \$1,000.00, good and lawful money from William Moore, with the oral agreement or understanding from the said L. E. Hatcher, that he (L. E. Hatcher) acting as a member of the Board of County Commissioners of Dixie County, would act or refrain from acting in order to assure the approval by the Board of County Commissioners of Dixie County, of a plan or plat for a proposed subdivision in which William Moore had an interest.

(D) That on or about October 31, 1971, in Dixie County, Florida, L. E. Hatcher did solicit, agree, and conspire to accept additional unlawful compensation in the sum of \$5,000.00, good and lawful currency from William Moore, to be delivered and consummated upon acceptance of the plat heretofore referenced, with the oral agreement or understanding that the said L. E. Hatcher, acting as a member of the Board of County Commissioners of Dixie County, would assure the approval by the Board of County Commissioners of Dixie County, of said plat for a proposed subdivision in which William Moore had an interest.

(E) That on or about October 28, 1971, in Dixie County, Florida, L. E. Hatcher did state or imply to William Moore that he was able or willing to influence improperly the vote or official action of the Board of County Commissioners of Dixie County with regard to approval of a plan or plat for a proposed subdivision in which William Moore had an interest, thus presenting a substantial appearance of official impropriety.

(F) That on or about October 31, 1971, in Dixie County, Florida, L. E. Hatcher did state or imply to William Moore that he was able or willing to influence improperly the vote or official action of the Board of County Commissioners of Dixie County with regard to approval of a plan or plat for a proposed subdivision in which William Moore had an interest, thus presenting a substantial appearance of official impropriety.

(G) That the aforesaid facts constitute the offense of malfeasance, misfeasance, or neglect of duty as such offenses are used in Section 7(a), of Article IV, Florida Constitution.

(H) That the interests of the citizens of Dixie County, Florida and the citizens of the State of Florida are best served by the continued suspension of L. E. Hatcher from public office.

BEING FULLY ADVISED IN THE PREMISES, and in accordance with the Constitution and laws of the State of Florida, the following Executive Order is hereby promulgated, effective at 10:00 o'clock a.m. on January 15, 1973.

1. That the suspension of L. E. Hatcher from public office, to-wit: Member, Board of County Commissioners, Dixie County, Florida, be continued in full force and effect without interruption.

2. That Paragraphs (A) to (E) of Executive Order of Suspension 72-20, dated March 22, 1972, are amended by Paragraphs (A) to (H) of this order.

3. That L. E. Hatcher be, and he is hereby continually prohibited from performing any official act, duty or function of any public office, from receiving any pay or allowances, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall remain in effect from the effective date of Executive Order Number 72-20, or as provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 15th day of January, 1973.

REUBIN O'D. ASKEW  
Governor

RICHARD (DICK) STONE  
Secretary of State

[Executive Order of Suspension effective March 23, 1972, appears on pages 581-582, Senate Journal of March 23, 1972.]

Honorable Willis V. McCall  
25 Morningview Drive  
Eustis, Florida

June 12, 1972

Dear Mr. McCall:

Pursuant to the provisions of Chapter 69-277, Laws of Florida, we are sending you by registered mail, Executive Order of Suspension dated June 12, 1972.

With kind regards, I remain

Cordially,

RICHARD (DICK) STONE  
Secretary of State

By (Mrs.) Dorothy W. Glisson  
Director, Division of Elections

#### EXECUTIVE ORDER NUMBER 72-34

#### EXECUTIVE ORDER OF SUSPENSION

WHEREAS, complaints have been made by citizens of Lake County, concerning the conduct of Willis V. McCall, Sheriff of Lake County, Florida, and

WHEREAS, these complaints have been investigated by state and local law enforcement and prosecutorial agencies, and

WHEREAS, based upon the reports of these agencies and the sworn testimony of numerous witnesses, it appears that it is in the best interest of the citizens of the State of Florida and the residents of Lake County, that Willis V. McCall be immediately suspended from the public office which he now holds, upon the constitutional grounds as hereinafter set forth:

NOW, THEREFORE, I, REUBIN O'D. ASKEW, as Governor of the State of Florida, in obedience to my constitutional duty "that the laws be faithfully executed . . ." and pursuant to the Constitution and laws of the State of Florida, do hereby find, determine and, for the purposes of Section 112.41, Florida Statutes, specify:

(A) That Willis V. McCall was first elected as Sheriff of Lake County on or about November 7, 1944, and assumed office on or about January 2, 1945, which office he has held continuously since said later date.

(B) That Willis V. McCall, was re-elected on November 5, 1968, and assumed office during his current term on January 7, 1969.

(C) That Willis V. McCall, is, and at all times material hereto, was a "county officer" within the meaning of Section 7, Article IV, Florida Constitution, 1968 Revision, to-wit: Sheriff of Lake County, Florida.

(D) That on or about September 5, 1971, Tommy J. Vickers, also known as Tommie J. Vickers, was arrested by a Florida Highway Patrol officer in Lake County, Florida, and charged with the offense of operating a motor vehicle with an expired inspection sticker in violation of Section 325.13, Florida Statutes. The Florida Highway Patrol officer gave Vickers a traffic summons requiring him (Vickers) to appear in the County Judge's Court, Lake County, Florida, on October 13, 1971. When Vickers failed to appear, a letter was sent on October 28, 1971, to him at a Miami address, commanding him to appear before the County Judge of Lake County on November 10, 1971, and to post a \$26 appearance bond or be subject to arrest. When Vickers failed to appear or to post the bond as required, a *caapias* for arrest was issued by the County Judge's Court, Lake County, Florida.

(E) On or about April 9, 1972, the said Tommy J. Vickers was arrested by a law enforcement agency in Dade County, Florida. When it was determined that there was an outstanding *caapias* for arrest of Tommy J. Vickers, the Dade County law enforcement agency notified the Lake County Sheriff's office. On April 12, 1972, the *caapias* for arrest was executed and returned by a Lake County Deputy Sheriff. Vickers was then transported to the Lake County Jail and there incarcerated until April 20, 1972, when he was transferred to Waterman Memorial Hospital, Lake County, Florida. The said Tommy J. Vickers was in the custody and control of Willis V. McCall, Sheriff of Lake County, Florida, from April 12, 1972, until April 23, 1972, the date on which he died. Vickers died at Waterman Memorial Hospital on April 23, 1972.

(F) That on or about April 13, 1972, the said Willis V. McCall, by an act imminently dangerous to another, evincing a depraved mind, regardless of human life (although without any premeditated design to effect the death of any particular individual), did unlawfully and feloniously assault Tommy J. Vickers, with a deadly weapon, to-wit: pointed toe boots, and in furtherance of said assault did kick Vickers, thereby inflicting on and upon him mortal wounds, of which mortal wounds he died. Thus the said Willis V. McCall did feloniously kill and murder Tommy J. Vickers, in the manner aforesaid, in violation of Section 782.04(2), Florida Statutes, which offense is a felony of the first degree under the laws of Florida.

(G) That on or about April 13, 1972, the said Willis V. McCall did assault one Tommy J. Vickers, with a deadly weapon, to-wit: pointed toe boots, in violation of Section 784.04, Florida Statutes, which offense is a felony of the third degree under the laws of Florida.

(H) That on or about April 13, 1972, the said Willis V. McCall did batter the said Tommy J. Vickers, thereby intentionally or knowingly causing great bodily harm, permanent disfigurement, or permanent disability, in violation of Section 784.045, Florida Statutes, which offense is a felony of the third degree under the laws of Florida.

(I) That on or about April 13, 1972, the said Willis V. McCall did by too great duress of imprisonment or otherwise, commit acts of willful inhumanity and oppression upon the said Tommy J. Vickers, who was then and there a prisoner in the County Jail, Lake County, Florida, in violation of Section 950.09, Florida Statutes, which is a misdemeanor of the second degree under the laws of Florida,

(J) That on or about April 13, 1972, the said Willis V. McCall did inflict corporal punishment upon the said Tommy J. Vickers, who was then and there a prisoner in the County Jail, Lake County, Florida, in violation of Section 951.17, Florida Statutes, and the rules and regulations of the Division of Corrections promulgated pursuant thereto.

(K) That the aforesaid facts constitute malfeasance, misfeasance, neglect of duty, incompetence or commission of a felony as said terms are used in Section 7(a), Article IV, Florida Constitution, 1968 Revision.

(L) That the interests of the residents of Lake County and the citizens of Florida can best be served by the immediate suspension of Willis V. McCall, from the public office which he now holds, for the reasons hereinabove set forth.

BEING FURTHER ADVISED in the premises and in accordance with the Constitution and laws of the State of Florida, the following Executive Order is hereby promulgated, effective at 5 o'clock p. m. on June 12, 1972;

1. That Willis V. McCall be, and he is hereby suspended, as and from the public office which he now holds, to-wit: Sheriff of Lake County, Florida.

2. That Willis V. McCall be, and he is hereby prohibited from performing any official act, duty or function of any public office, from receiving any pay or allowances, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date of this order until further Executive Order or as provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 12th day of June, 1972.

REUBIN O'D. ASKEW  
Governor

Attest:  
RICHARD (DICK) STONE  
Secretary of State

Mr. Rudy Rodriguez  
601 Superior Avenue  
Davis Islands  
Tampa, Florida 33606

March 19, 1973

Dear Mr. Rodriguez:

Pursuant to the provisions of Chapter 69-277, Laws of Florida, we are sending you by registered mail, Order Reinstating Suspended Official dated March 16, 1973.

With kind regards, I remain

Cordially,  
RICHARD (DICK) STONE  
Secretary of State

By (Mrs.) Dorothy W. Glisson  
Director, Division of Elections

#### EXECUTIVE ORDER NUMBER 73-12

#### ORDER REINSTATING SUSPENDED OFFICIAL

WHEREAS on March 7, 1972, while serving in the capacity of Member, Board of County Commissioners, Hillsborough County, Florida, RUDY RODRIGUEZ, was indicted for the offense of conspiracy to commit a felony, to-wit: receiving unauthorized compensation, and

WHEREAS, on October 4, 1972, after a change of venue, said RUDY RODRIGUEZ was found "not guilty" by a jury in the Court of Record, in and for Palm Beach County, of all pending state criminal charges, and

WHEREAS, on July 14, 1972, RUDY RODRIGUEZ was indicted by a Federal grand jury for various Federal offenses, including charges of conspiracy and interstate racketeering in violation of 18 U.S.C. Section 1952 and Section 371, citing certain overt acts and interstate racketeering in violation of 18 U.S.C. Section 1952 and Section 2, and

WHEREAS, on February 28, 1973, said RUDY RODRIGUEZ was found "not guilty" and there acquitted by a jury in the U. S. District Court, Middle District of Florida, of all pending Federal criminal charges, and

WHEREAS, additional investigation conducted for the purpose of presenting this matter to the Florida Senate indicates that there is insufficient evidence upon which to proceed, and

WHEREAS, it appears to be in the best interest of the State of Florida that the suspension of RUDY RODRIGUEZ be terminated without further proceeding.

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor of the State of Florida, being fully advised in the premises, and in accordance with the Constitution and laws of the State of Florida, do hereby promulgate the following Executive Order, effective at six o'clock p.m. on Sunday, March 18, 1973:

That the Order of Suspension dated and filed in the Florida Department of State on March 13, 1972, by which the said RUDY RODRIGUEZ was suspended from public office, is revoked and the said RUDY RODRIGUEZ is hereby reinstated to the public office which he held at the time of his suspension, viz., Member, Board of County Commissioners, Hillsborough County, Florida.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, The Capitol, this 16th day of March, 1973.

REUBIN O'D. ASKEW  
Governor

Attest:  
RICHARD (DICK) STONE  
Secretary of State

[Executive Order of Suspension effective March 13, 1972, appears on pages 415-416, Senate Journal of March 13, 1972.]

—which were referred to the Special Master on Executive Suspensions, Honorable Frederick B. Karl.

The President Pro Tempore announced that the Select Committee on Executive Appointments to which the following appointments were referred on November 28, 1972, having been dissolved, same were re-referred to the designated standing committees:

NAME	OFFICE	FOR TERM ENDING
Theresa Castro Ft. Lauderdale	Member, Board of Trustees for the Florida School for the Deaf and the Blind	September 30, 1976

[Committee on Education]

William F. Schultz Sarasota	Member, Fire Fighters Standards Council, State of Florida Department of Community Affairs	March 25, 1976
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[Committee on Governmental Operations]

John M. De Grove Boca Raton	Member, Governing Board, Central and Southern Florida Flood Control District	July 1, 1975
R. Emmett McTigue Ft. Lauderdale	Member, Governing Board Central and Southern Florida Flood Control District	July 12, 1975
Arthur R. Marshall Miami	Member, Governing Board, Central and Southern Florida Flood Control District	July 12, 1975
Buckner L. Pratt Miami	Member, Governing Board, Central and Southern Florida Flood Control District	July 1, 1975
W. J. Scarborough Lake Placid	Member, Governing Board, Central and Southern Florida Flood Control District	July 1, 1975
J. R. Spratt LaBelle	Member, Governing Board Central and Southern Florida Flood Control District	July 1, 1973

[Committee on Natural Resources and Conservation]

J. Ray Southerland Panama City	Member, Board of Funeral Directors and Embalmers, District One, State of	July 23, 1973
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NAME	OFFICE	FOR TERM ENDING
	Florida Department of Professional and Occupational Regulation	

[Committee on Governmental Operations]

Norman D. Artman Key West	Member, Historic Key West Preservation Board of Trustees	October 31, 1974
Glenn A. Bennett Key West	Member, Historic Key West Preservation Board of Trustees	November 29, 1976
Mary Lee Graham Key West	Member, Historic Key West Preservation Board of Trustees	October 17, 1975
Reta F. Sawyer Key West	Member, Historic Key West Preservation Board of Trustees	October 18, 1976

[Committee on Governmental Operations]

Anthony Valenti Holder	Member, Board of Trustees, Citrus County Hospital	July 7, 1976
W. O. McQuaig Montverde	Member Board of Trustees, South Lake County Hospital District	July 5, 1975
Bruce Ogden Groveland	Member, Board of Trustees, South Lake County Hospital District	July 5, 1973

[Committee on Health and Rehabilitative Services]

Richard V. Moore, Daytona Beach	Member, State Board of Independent Colleges and Universities	August 24, 1975
William L. Hendry Okeechobee	Member, Board of Trustees, Indian River Community College	May 31, 1974
L. C. Simpler Milton	Member, Board of Trustees, Pensacola Junior College	May 31, 1974

[Committee on Education]

Malvise P. Gibson Key West	Member, Board of Pilot Commissioners for the Port of Key West, Monroe County, State of Florida Department of Professional and Occupational Regulations	June 19, 1973
Russell R. Stewart Panama City	Member, Board of Pilot Commissioners for the Port of Panama City, Bay County, State of Florida Department of Professional and Occupational Regulation	June 14, 1973
Angus Laird Tallahassee	Substitute Member, Pollution Control Board, in lieu of John Robert Middlemas, voluntarily disqualified . . .	Temporary Commission
Frank S. Bouis Leesburg	Member, Board of Oklawaha Basin Recreation and Water Conservation and Control Authority	July 13, 1976
S. C. Bexley, Jr. Land O'Lakes	Member, Governing Board, Southwest Florida Water Management District	July 1, 1974
Joe E. Hill Leesburg	Member, Governing Board, Southwest Florida Water Management District	July 1, 1974

NAME	OFFICE	FOR TERM ENDING
Robert E. Vaughn Brandon	Member, Governing Board, Southwest Florida Water Management District	July 1, 1976

## [Committee on Natural Resources and Conservation]

William S. Belcher St. Petersburg	Member, Pinellas County Transportation Authority	Pleasure of the Governor
H. H. Carlisle Clearwater	Member, Pinellas County Transportation Authority	Pleasure of the Governor

## [Committee on Transportation]

By direction of the President Pro Tempore, the following communication was read:

Honorable Mallory E. Horne  
President, The Florida Senate  
The Capitol  
December 21, 1972

Dear Mr. President:

I have the honor to inform the Senate of the following appointments made by the Board of Business Regulation:

NAME	OFFICE	FOR TERM ENDING
Kenneth L. Stivers Tallahassee, Florida	Director, Division of General Regulations	Pleasure of the Board of Business Regulation
Pat McCann Miami, Florida	Director, Division of Pari-Mutuel Wagering	Pleasure of the Board of Business Regulation

I respectfully request confirmation thereof.

Sincerely yours,  
**CHARLES JACKSON**  
Executive Director

—and each appointment was referred to the Committee on Commerce.

By permission the following reports were received:

## REPORTS OF COMMITTEES

The Committee on Commerce recommends the following pass: SB 118, SB 15

The Committee on Consumer Affairs recommends the following pass: SB 94

The Committee on Judiciary recommends the following pass: SB 107 with 2 amendments

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

SB 23	SB 226 with 4 amendments
SB 199 with 2 amendments	SB 228 with 1 amendment
SB 217	SB 241
SB 224	

The Committee on Transportation recommends the following pass:

SB 171	SB 191	SB 211 with 2 amendments
SB 179		

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

The Committee on Commerce recommends the following pass: SB 150

The Committee on Criminal Justice recommends the following pass: SB 198 with 2 amendments

The Committee on Governmental Operations recommends the following pass: SB 162 with 2 amendments

The Committee on Judiciary recommends the following pass: SB 97

The Committee on Natural Resources and Conservation recommends the following pass: SB 83, SB 238

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

The Committee on Natural Resources and Conservation recommends the following pass: SJR 237, SB 250

The bills were referred to the Committee on Governmental Operations under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass: SB 230 with 4 amendments

The bill was referred to the Committee on Criminal Justice under the original reference.

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 163

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

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 234

The bill with Committee Substitute attached was referred to the Committee on Governmental Operations under the original reference.

The Committee on Commerce recommends the following not pass: SB 76, SB 17, SB 34, SB 40, SB 44

The Committee on Consumer Affairs recommends the following not pass: SB 129

The Committee on Governmental Operations recommends the following not pass: SJR 110

The Committee on Judiciary recommends the following not pass: SB 73, SB 20

The Committee on Natural Resources and Conservation recommends the following not pass: SB 4, SB 50, SB 86

The Committee on Transportation recommends the following not pass: SB 53, SB 112, SB 126, SB 18

The Committee on Ways and Means recommends the following not pass:

SB 7	SB 38	SB 71
SB 26	SB 57	SB 87

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

## BILLS REFERRED TO SUBCOMMITTEE

Education Select Subcommittees: Select Subcommittee on Curriculum: Senate Bills 39, 43, 70 and 173. Select Subcommittee on Finance: Senate Bills 56, 65 and 240. Select Subcommittee on Management: Senate Bills 6, 30, 36, 75, 109, 138, 161, 170, 185, 186, 207, 208 and 221. Governmental Operations Select Subcommittee: SB 79.

On motion by Senator Barron, the Senate adjourned at 3:03 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 9:30 a.m., April 4, 1973.