

JOURNAL OF THE FLORIDA SENATE

Tuesday, April 17, 1973

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

INTRODUCTION

By Senator Johnston—

SB 625—A bill to be entitled An act relating to the university of west Florida; providing for a three year pilot project to determine whether improved accountability and maximization of the public tax dollar can be better achieved by delegation of certain responsibilities; providing an effective date.

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

By Senators Zinkil, Henderson and Childers—

SB 626—A bill to be entitled An act relating to apprentice pilots; amending §310.041, Florida Statutes, to include apprentice pilots in the Ports of Boca Grande, Jacksonville, Panama City, Port Everglades and Port St. Joe; providing an effective date.

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

By Senators Zinkil, Henderson and Childers—

SB 627—A bill to be entitled An act relating to quotas of pilots; amending §310.03, Florida Statutes, to decrease the quota of pilots for the Ports of Pensacola, Punta Gorda and Charlotte Harbor, to increase the quota of pilots for the Ports of Boca Grande and Miami, and to provide for a quota of pilots at Port Everglades; providing an effective date.

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

By Senator Firestone—

SB 628—A bill to be entitled An act relating to capitol security; amending §§272.13-272.15, Florida Statutes; creating a capitol center security commission; providing its membership, powers and duties; removing certain powers of the department of general services; providing the commission authority for security of the capitol center area; providing an effective date.

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

By Senator Glisson—

SB 629—A bill to be entitled An act relating to podiatry; amending §461.12(1)(b), Florida Statutes, 1971, to provide that certain fraudulent practices concerning the practice of podiatry be punishable as a third degree felony; providing an effective date.

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

By Senator Glisson—

SB 630—A bill to be entitled An act relating to insurance; amending §627.419(3), Florida Statutes, 1972 Supplement, to provide that podiatrists be paid from the proceeds of medical policies, if the procedures performed are within the scope of their professional license; providing an effective date.

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

By Senator Brantley—

SB 631—A bill to be entitled An act relating to trading stamp companies amending section 559.04(2)(e), F.S., to provide that, in the event a claim is filed with the department

against the bond of an issuing company, the company shall have the burden of proof to show that the claimant is not the rightful holder of trading stamps in such proceedings; and providing an effective date.

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

By Senator Brantley—

SB 632—A bill to be entitled An act relating to trading stamp companies amending Part I of Chapter 559, F.S.; amending section 559.04(2)(d), F.S., to increase registration fees for trading stamp companies; providing an effective date.

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

By Senator Brantley—

SB 633—A bill to be entitled An act relating to Savings and Loan Associations, amending Chapter 665, Florida Statutes, by renumbering section 665.031, Florida Statutes, repealing section 665.031(2)(b), Florida Statutes, and enacting new section 665.032, Florida Statutes, to impose fees and assessments on certain applications and examinations; providing the time within which the fees and assessments shall be paid; providing that the fees and assessments will be credited to the banking and trust company trust fund to be used by the department to administer Chapter 665, Florida Statutes; providing an effective date.

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

By Senator Trask—

SB 634—A bill to be entitled An Act relating to accounts commonly known as "credit card or overdraft financing arrangement"; creating §659.182 and §659.183, Florida Statutes; prohibiting certain unfair billing practices; clarifying interest limitations on credit card accounts and overdraft accounts; clarifying permitted methods by which interest on such accounts may be or may have been computed; providing an effective date.

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

By Senators Trask and Brantley—

SB 635—A bill to be entitled An act relating to Part II of Chapter 520, Florida Statutes, and accounts commonly known as "revolving accounts"; amending sections 520.31(5), 520.31(8) and 520.32(1), Florida Statutes; repealing §520.35(3), Florida Statutes; and adding new section 520.31(13), F.S.; adding new subsections (3), (4), (5) and (6) to section 520.35, Florida Statutes; and adding new sections 520.351 and 520.352, Florida Statutes; broadening the definition of "retail seller," broadening the application of certain licensing requirements and increasing the license fee, prohibiting certain unfair billing practices; reducing the permitted minimum finance charge; clarifying finance charge limitations on revolving accounts; clarifying permitted methods by which finance charges on such accounts may be or may have been computed; providing for the elimination of the "previous balance" method as a permissible method of calculating finance charges; providing for application of certain parts of chapter 520 at a future time of newly covered contracts; providing an effective date.

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

By Senator Gallen—

SB 636—A bill to be entitled An act relating to treatment and sale of fence posts; providing short title, definitions, unlawful sales, licenses and fees, suspension or revocation of licenses, hearings; establishing standards with restrictions, qualifications and exceptions; providing a fence post technical council; requiring filing of statements and information on type of treatment

and retention quality; providing for branding or marking fence posts treated with preservatives and registration of brands or marks; providing for information on bill of lading of chemically treated fence posts; providing for inspections and taking of samples for testing; providing for issuance and enforcement of stop sale, use or removal orders, seizure of fence posts not in compliance with this act, procedure in connection with such seizure and condemnation and disposal of fence posts; providing for penalties, injunction and other remedies; providing for rules, repeal of conflicting laws and effective date.

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

By Senators Brantley and Winn—

SB 637—A bill to be entitled An Act relating to banks and banking; amending subsection (2) of Section 659.06, Florida Statutes; providing for the operation of bank facilities and specifying requirements for location thereof if not part of or physically connected to the main banking room or building; and providing an effective date.

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

By Senators Zinkil and Firestone—

SB 638—A bill to be entitled An act relating to landlords and tenants; amending §83.281(3), Florida Statutes, 1972 Supplement, to restrict the charging of entrance fees by a mobile home park owner or operator; prohibiting the splitting of certain fees between mobile home park owners or operators and mobile home dealers; providing a penalty; providing an effective date.

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

By Senators Zinkil and Firestone—

SB 639—A bill to be entitled An act relating to mobile homes; amending §320.77(3), Florida Statutes, 1971, relating to applications for licenses required of mobile home dealers, to require certification that the dealer will honor the manufacturer's warranty on mobile homes it sells and that the dealer will perform necessary service work under such warranty; creating §320.771, Florida Statutes, to require mobile home manufacturers to establish or designate warranty service centers; creating §320.772, Florida Statutes, to provide for a civil action by persons suffering loss for failure or refusal of a dealer or manufacturer to perform service work under the manufacturer's warranty; providing an effective date.

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

By Senators Zinkil and Firestone—

SB 640—A bill to be entitled An act relating to mobile home parks; amending §83.291, Florida Statutes, 1972 Supplement, to clearly prohibit mobile home parks from making certain rules and regulations with regard to restrictions on the sale of mobile homes within the park; providing a penalty; providing an effective date.

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

By Senator Barron—

SB 641—A bill to be entitled An act relating to workmen's compensation; amending §440.02(2), Florida Statutes, excluding an officer of a close corporation from the requirements of coverage under this section; providing an effective date.

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

By Senator Johnson—

SB 642—A bill to be entitled An act relating to interception of communications; creating §934.091, Florida Statutes, pro-

hibiting the publishing of the names of parties to intercepted communications; prescribing punishment for violation of §934.091, Florida Statutes; providing an effective date.

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

By Senator Johnson—

SB 643—A bill to be entitled An act relating to security of communications; amending §934.08(3), Florida Statutes, as amended by chapter 72-294, Laws of Florida; providing that information received may be disclosed to the judicial qualifications commission; providing an effective date.

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

By Senators Graham, Pettigrew and Vogt—

SB 644—A bill to be entitled An act relating to the Big Cypress Area, including the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, and the land and water areas contiguous thereto; creating section 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 definitions; providing procedures; authorizing the acquisition of land and water areas within the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, with forty million dollars in state funds; authorizing the donation and conveyance of title in areas so acquired together with unencumbered funds remaining from the forty million dollars set aside for acquisition to the federal government, contingent upon action by Congress; providing definitions; providing for the exercise of the power of eminent domain within the Big Cypress Area; providing an appropriation for the department of natural resources; providing severability; providing an effective date.

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

By Senators Gordon and Firestone—

SB 645—A bill to be entitled An act relating to the human relations commission; amending Part II, Chapter 13, Florida Statutes; reducing the number of commissioners; providing for salaries for commissioners; prohibiting discrimination based upon race, color, religion, sex or national origin in public accommodations, housing and real property transactions, employment, education, voting, jury duty and loans; prohibiting discrimination in housing and employment against handicapped persons; prohibiting attempts or conspiracies; providing for exemptions; providing procedures for complaints, investigations, hearings and issuance of cease and desist orders; providing penalties; providing for injunctive relief; providing an effective date.

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

By Senator Barron—

SB 646—A bill to be entitled An act relating to public utilities; providing that no public utility company shall terminate the electric service of any residential consumer or user for nonpayment of charges without first serving notice of intent to do so at least ten (10) days in advance of such action; providing that consumers injured as a result of a violation of this act shall be awarded twice the amount of damages sustained plus reasonable attorney's fees; providing an effective date.

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

By Senator Saylor—

SB 647—A bill to be entitled An act relating to arrest powers; granting arrest powers to agents of the United States Secret Service; providing certain restrictions; providing an effective date.

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

By Senators Johnson, Poston and Brantley—

SB 648—A bill to be entitled An act relating to governmental reorganization; creating section 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 section 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 Senators Brantley, Lane (23rd) and Johnson—

SB 649—A bill to be entitled An act relating to veterans; creating §295.061, Florida Statutes; providing a waiver of specified fees at public educational institutions for certain veterans; amending §295.02, Florida Statutes, 1972 Supplement, as amended by §70, chapter 72-221 and §1, chapter 72-346, Laws of Florida; providing for payment of registration fees for children of certain veterans; providing an effective date.

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

The Senate recessed at 8:33 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—40:

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

Excused: Senator Saunders at 9:20 a.m. until 11:43 a.m. for the purpose of working with the staff of the Committee on Ways and Means.

Prayer by Dr. Robert M. McMillan, Chaplain:

Eternal Father, you have taught us to come and reason together with thyself that we might know the fruitfulness of dialogue even with each other. May none of us be so egotistical as to think that reasoning with ourself is good government.

Teach us the togetherness of our society that our reasoning in legislation may always be related to human need and environment.

May we, our God, not view goodness merely as it is related to ourselves but as it is related to goodness for the people of this state.

In the name of Christ, amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Tuesday, April 17, 1973:

SCR 624	SB 244	SB 335	SB 254
SB 228	SB 191	SB 224	SB 284
SB 389	SB 276	SB 336	SB 117
SB 329	SB 269	SB 337	SB 311
SB 3	SCR 52	SB 339	SB 340

Respectfully submitted
Dempsey J. Barron, Chairman

The Committee on Judiciary recommends the following pass:

HB 248	HB 438	HB 757	SB 488
HB 251	HB 439	SB 478	SB 406
CS for HB 363			

The Committee on Rules and Calendar recommends the following pass:

SCR 258	HB 281	SB 473 with 3 amendments
---------	--------	--------------------------

The Committee on Transportation recommends the following pass:

SB 451 with 3 amendments	CS for HB's 93 and 353
SB 526 with 1 amendment	HB 194

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

The Committee on Transportation recommends the following pass: SB 492 with 1 amendment

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

The Committee on Judiciary recommends a Committee Substitute for the following: SB 450 with 2 amendments

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

The Committee on Judiciary recommends the following not pass:

SB 111	SB 114	SB 115	SB 116
--------	--------	--------	--------

The bills were laid on the table.

BILLS REFERRED TO SUBCOMMITTEE:

Judiciary Select Subcommittee: Senate bills 104, 193 and all other bills relating to press shield laws.

Transportation: Road Operations and Safety Select Subcommittee: SB 498 (10 days to report to Committee on Transportation).

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred SB 263 with 3 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

ELMER O. FRIDAY, Secretary

The bill was re-referred to the Committee on Ways and Means.

Your Engrossing Clerk to whom was referred SB 175 with 3 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

ELMER O. FRIDAY, Secretary

The bill was certified to the House.

REQUESTS FOR EXTENSION OF TIME

The Committee on Rules and Calendar requests an extension of 10 days for the consideration of the following:

SB 128 by Senator Sayler	SB 387 by Senator Glisson
SCR 258 by Senator Sayler	SB 422 by Senator Poston
SB 282 by Senator Glisson	SB 426 by Senator Poston

The Committee on Judiciary requests an extension of 10 days for the consideration of the following:

SB 440 by Senator Wilson	SB 461 by Senator McClain
SB 447 by Senator Johnson	SB 463 by Senator Johnson
SB 460 by Senator McClain	

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President April 13, 1973

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

By the Committee on Insurance and Representatives Williamson and M. L. Singleton—

HB 887—A bill to be entitled An act relating to the Florida uniform traffic control law; amending chapter 316, Florida Statutes, by creating 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.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 887, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Mallory E. Horne, President April 13, 1973

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

By Representatives Craig and Williams—

HB 329—A bill to be entitled An act relating to St. Johns County Anastasia Mosquito Control District; providing for a lump sum payment of \$50 per month for the members of the Board of Commissioners of the district; providing that payments shall not be construed as salary; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

Evidence of notice and publication was established by the Senate as to HB 329.

HB 329, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Mallory E. Horne, President April 13, 1973

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

By Representative Malloy—

HM 95—A memorial to the congress of the United States to provide for the giving of credit to the Cuban citizens in Spain who have applied for entry into the United States to compensate for the initial waiting period in Cuba.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HM 95, contained in the above message, was read the first time and referred to the Committee on Rules and Calendar.

SPECIAL ORDER

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 second time by title.

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

Amendment 1—On pages 1 and 2, page 1, lines 21, 23, 24, 27, 29 and 30; page 2, lines 1, 3, 5 and 9 strike the words "rear" and "edge"

On motion by Senator Childers, by two-thirds vote SB 228 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

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

Nays—None

By unanimous consent Senators Pettigrew and Myers were recorded as voting yea.

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 second time by title. On motion by Senator de la Parte, by two-thirds vote SB 389 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

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

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

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 second time by title. On motion by Senator Peterson, by two-thirds vote SB 329 was read the third time by title, passed and certified to the House. The vote was:

Yeas—39

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

Nays—None

By permission the following Senators were recorded as co-introducers of SB 329: Barron, Brantley, Childers, Deeb, de la Parte, Firestone, Gallen, Gillespie, Glisson, Gordon, Graham, Gruber, Henderson, Horne, Johnson, Johnston, Lane (31st), Lane (23rd), Lewis, McClain, Myers, Pettigrew, Plante, Poston, Saunders, Sayler, Scarborough, Sims, Smathers, Stolzenburg, Sykes, Ware, Weber, Williams, Wilson, Winn and Zinkil.

SB 3—A bill to be entitled An act relating to state employees' loyalty oath; amending section 876.06, Florida Statutes; pro-

viding 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 second time by title.

The Committee on Governmental Operations offered the following amendment which was adopted on motion by Senator McClain:

Amendment 1—On page 2, strike lines 1 through 21 in their entirety and insert:

I, _____, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of _____ and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida, and that I will oppose the overthrow of the Government of the United States or of the State of Florida by force, violence or by any illegal or unconstitutional method. that I am not a member of the Communist Party; that I have not and will not lend my aid, support, advice, counsel or influence to the Communist Party; that I do not believe in the overthrow of the Government of the United States or of the State of Florida by force, or violence, that I am not a member of any organization or party which believes in or teaches, directly or indirectly, the overthrow of the Government of the United States or of Florida by force, or violence.

The Committee on Governmental Operations offered the following amendment which was adopted on motion by Senator McClain:

Amendment 2—On page 2, lines 26 and 27 strike "July" and insert: October

Senator Gordon moved the adoption of the following amendment:

Amendment 3—In Section (1), line 7, page 2, strike: all after "Florida" through line 21.

Senator Myers raised a point of order that SB 3 affects fiscal matters and should be referred to the Committee on Ways and Means pursuant to Rule 4.6. The President ruled the point not well taken.

Amendment 3 failed by the following vote:

Yeas—4

Gordon	Lewis	Myers	Pettigrew
--------	-------	-------	-----------

Nays—32

Mr. President	Graham	Peterson	Trask
Brantley	Gruber	Plante	Vogt
Childers	Henderson	Poston	Ware
Deeb	Johnson	Saylor	Weber
de la Parte	Johnston	Scarborough	Williams
Firestone	Lane (31st)	Sims	Wilson
Gallen	Lane (23rd)	Smathers	Winn
Gillespie	McClain	Sykes	Zinkil

By unanimous consent Senator Glisson was recorded as voting nay.

On motion by Senator McClain, by two-thirds vote SB 3 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

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

Nays—2

Gordon	Pettigrew
--------	-----------

By unanimous consent Senator Barron was recorded as voting yea.

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 second time by title.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Lane (31st):

Amendment 1—On page 1, lines 12 and 13, strike entire lines and insert: Section 1. Section 316.0285, Florida Statutes, is created to read:

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Lane (31st):

Amendment 2—On page 1, line 17 after the "." insert: However, this act shall not apply to any law enforcement officer equipped with any communication device necessary in performing his assigned duties.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Lane (31st):

Amendment 3—On page 1, line 14 strike "316." and insert: 316.0285.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Lane (31st):

Amendment 4—On page 1, lines 4 and 5 strike "adding a new section to chapter 316, Florida Statutes," and insert: creating section 316.0285, Florida Statutes,

On motion by Senator Lane (31st)—

HB 194—A bill to be entitled An act relating to motor vehicles; creating section 316.0285, Florida Statutes; to prohibit the wearing of headsets while operating a vehicle; providing an effective date.

—a companion measure was substituted for SB 244 as amended and read the second time by title. On motion by Senator Lane (31st), by two-thirds vote HB 194 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

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

Nays—None

SB 244 was laid on the table.

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 second time by title.

On motion by Senator Poston the following amendment was adopted:

Amendment 1—On page 2, line 5 strike "." and insert: ; when second license plate is issued it shall have the designation named, plus —1.

On motion by Senator Poston, by two-thirds vote SB 191 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—28

Brantley	Gruber	Pettigrew	Stolzenburg
Childers	Johnston	Plante	Trask
Deeb	Lane (31st)	Poston	Vogt
de la Parte	Lane (23rd)	Sayler	Ware
Gillespie	Lewis	Scarborough	Weber
Glisson	Myers	Sims	Williams
Graham	Peterson	Smathers	Wilson

Nays—10

Mr. President	Gordon	McClain	Zinkil
Firestone	Henderson	Sykes	
Gallen	Johnson	Winn	

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

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 second time by title.

The Committee on Judiciary offered the following amendment which was adopted on motion by Senator Scarborough:

Amendment 1—On page 1, lines 26-27 strike “under the age of 21 years” and insert: a minor

The Committee on Judiciary offered the following amendment which was adopted on motion by Senator Scarborough:

Amendment 2—On page 2, line 9, following the word “consent” insert: under oath

The Committee on Judiciary offered the following amendment which was adopted on motion by Senator Scarborough:

Amendment 3—On page 2, line 10, strike “or” and insert: and

The Committee on Judiciary offered the following amendment which was adopted on motion by Senator Scarborough:

Amendment 4—On page 1, lines 24-25 strike “be over the age of 21 years” and insert: have obtained the age of majority

On motion by Senator Lewis, by two-thirds vote SB 276 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—37

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

Nays—None

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

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 second time by title.

The Committee on Governmental Operations offered the following amendment which was adopted on motion by Senator Brantley:

Amendment 1—On page 1, line 17, strike “may” and insert: shall

On motion by Senator Brantley the following amendment was adopted:

Amendment 2— On page 1, line 21, after word “Commissions” add: *establishment of renewal and delinquency periods,*

On motion by Senator Brantley the following amendment was adopted:

Amendment 3—On page 1, line 8, strike semi-colon after the word “forn” and insert: , and renewal periods;

On motion by Senator Brantley, by two-thirds vote SB 269 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—30

Mr. President	Glisson	Myers	Trask
Barron	Gordon	Peterson	Vogt
Brantley	Graham	Poston	Williams
Childers	Gruber	Sayler	Wilson
Deeb	Johnson	Scarborough	Winn
de la Parte	Johnston	Sims	Zinkil
Firestone	Lewis	Smathers	
Gillespie	McClain	Sykes	

Nays—7

Gallen	Lane (31st)	Plante	Weber
Henderson	Lane (23rd)	Ware	

By unanimous consent Senator Pettigrew was recorded as voting yea.

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 second time.

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

Amendment 1—On page 2, lines 3 and 4, strike “convention,” and insert: and Republican Conventions,

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

Amendment 2—On page 1, line 16, strike “Party” and insert: and Republican Parties

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

Amendment 3—On page 1, line 12, strike “all” and insert: National Democratic and Republican Conventions, and

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

Amendment 4—On page 1, line 7, strike “Convention.” and insert: and Republican Conventions.

On motion by Senator Poston, SCR 52 as amended was read in full, unanimously adopted and ordered engrossed.

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 second time by title. On motion by Senator Lewis, by two-thirds vote SB 335 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

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

Nays—None

By unanimous consent Senator Williams was recorded as voting yea.

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 second time by title.

On motion by Senator Childers the following amendment was adopted:

Amendment 1—On page 1, line 22, between “amended” and “to read” insert: and a new paragraph (f) of subsection (2) of said section is created

On motion by Senator Childers the following amendment was adopted:

Amendment 2—On page 3, between lines 10 and 11, insert: (f) *It is unlawful for any person to molest any traps, lines, or buoys, as defined herein, belonging to another without permission of the permit holder.*

(g) ~~(f)~~ Any traps or devices other than the ones described in this subsection used in the taking or attempted taking of stone crabs shall be seized and destroyed by the duly appointed officers of the division of marine resources of the department of natural resources.

(h) ~~(g)~~ Upon the arrest and conviction for violation of any of the stone crab regulations or laws, the permit holder must show just cause why his permit should not be suspended or revoked.

(i) ~~(h)~~ Any law, general or special, in conflict with provisions of this section is hereby expressly repealed to the extent of such conflict.

On motion by Senator Childers the following amendment was adopted:

Amendment 3—On page 1, strike all of lines 13 and 14 between “boats” and “,” and insert: , and to prohibit molesting traps; amending

Senator Barron presiding.

On motion by Senator Childers, by two-thirds vote SB 224 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—33

Brantley	Graham	Myers	Vogt
Childers	Gruber	Peterson	Ware
Deeb	Henderson	Plante	Weber
de la Parte	Johnson	Poston	Wilson
Firestone	Johnston	Sims	Winn
Gallen	Lane (31st)	Smathers	Zinkil
Gillespie	Lane (23rd)	Stolzenburg	
Glisson	Lewis	Sykes	
Gordon	McClain	Trask	

Nays—None

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

SB 336 was taken up and on motion by Senator Lewis—

HB 393—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

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Lewis, by two-thirds vote HB 393 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

Brantley	Gordon	McClain	Sykes
Childers	Gruber	Myers	Trask
Deeb	Henderson	Peterson	Vogt
de la Parte	Johnson	Plante	Ware
Firestone	Johnston	Poston	Wilson
Gallen	Lane (31st)	Sayler	Winn
Gillespie	Lane (23rd)	Sims	Zinkil
Glisson	Lewis	Smathers	

Nays—None

By unanimous consent Senators Graham, Pettigrew and Williams were recorded as voting yea.

SB 336 was laid on the table.

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 second time by title. On motion by Senator Lewis, by two-thirds vote SB 337 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

Brantley	Gordon	McClain	Trask
Childers	Gruber	Myers	Vogt
Deeb	Henderson	Peterson	Ware
de la Parte	Johnson	Plante	Weber
Firestone	Johnston	Poston	Wilson
Gallen	Lane (31st)	Sims	Winn
Gillespie	Lane (23rd)	Smathers	Zinkil
Glisson	Lewis	Sykes	

Nays—None

By unanimous consent Senators Graham, Pettigrew and Williams were recorded as voting yea.

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 second time by title. On motion by Senator Peterson, by two-thirds vote SB 339 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Brantley	Gruber	Myers	Vogt
Childers	Henderson	Peterson	Ware
Deeb	Johnson	Plante	Weber
de la Parte	Johnston	Poston	Wilson
Firestone	Lane (31st)	Sims	Winn
Gallen	Lane (23rd)	Smathers	Zinkil
Glisson	Lewis	Sykes	
Gordon	McClain	Trask	

Nays—None

By unanimous consent Senators Graham, Pettigrew and Williams were recorded as voting yea.

Senator Trask excused.

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 second time by title.

Senator Barron offered the following amendment which was adopted on motion by Senator Childers:

Amendment 1—On page 2, strike line 27 and insert: Section 2. Section 112.072, Florida Statutes, is created to read:

112.072 Fingerprints of appointees.—

Each appointee of the governor who shall be subject to confirmation by the senate shall submit a complete set of fingerprints to the senate on such forms as may be prescribed by the senate. The senate may submit such fingerprints to the Florida department of law enforcement for examination.

Renumber subsequent sections.

Senator Barron offered the following amendment which was adopted on motion by Senator Childers:

Amendment 2—On page 1, line 9 after the word "appointment;" insert: providing for submission of fingerprint card;

On motion by Senator Poston, by two-thirds vote SB 254 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

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

Nays—None

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

On motion by Senator Zinkil, consideration of SB 284 was deferred.

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 second time by title. On motion by Senator Childers, by two-thirds vote SB 117 was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Brantley	Gordon	Myers	Ware
Childers	Gruber	Peterson	Weber
Deeb	Henderson	Poston	Wilson
de la Parte	Johnson	Sayler	Winn
Firestone	Johnston	Scarborough	Zinkil
Gallen	Lane (23rd)	Sims	
Gillespie	Lewis	Smathers	
Glisson	McClain	Sykes	

Nays—5

Lane (31st)	Stolzenburg	Vogt	Williams
Plante			

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

SB 311 was taken up and on motion by Senator Glisson—

HB 262—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.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 262 was read the third time by title, passed and certified to the House. The vote was:

Yeas—22

Barron	Gordon	Myers	Williams
Brantley	Gruber	Plante	Wilson
Deeb	Henderson	Poston	Winn
Gallen	Johnston	Sayler	Zinkil
Gillespie	Lane (23rd)	Sims	
Glisson	McClain	Vogt	

Nays—11

de la Parte	Lane (31st)	Scarborough	Sykes
Firestone	Lewis	Smathers	Ware
Johnson	Peterson	Stolzenburg	

By unanimous consent, Senators Pettigrew and Graham were recorded as voting yea, Senators Sykes, Johnson, Stolzenburg and Lewis changed their votes from nay to yea.

SB 311 was laid on the table.

Senator Trask was recorded present.

SB 340 was taken up and on motion by Senator Lewis—

HB 399—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.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Lewis, by two-thirds vote HB 399 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

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

Nays—None

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

SB 340 was laid on the table.

SECOND READING

On motion by Senator Horne, consideration of SR 1 was deferred.

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 second time by title.

The Committee on Judiciary offered the following amendment which was adopted on motion by Senator Weber:

Amendment 1—On page 1, line 18, strike "submitted" and insert: submitted state-wide

The Committee on Judiciary offered the following amendment which was adopted on motion by Senator Weber:

Amendment 2—On page 2, line 6, strike "upon becoming a law" and insert: January 1, 1974

On motion by Senator Weber the following amendment was adopted:

Amendment 3—On page 1, lines 21 and 22 strike all and insert: list of candidates, followed by the word "for," phrase "~~for the amendment,~~" and also by the word "against," phrase "~~against the amendment,~~"

On motion by Senator Weber—

CS for HB 363—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.

—a companion measure was substituted for SB 107 as amended and read the second time by title.

Senator Ware offered the following amendment which failed:

Amendment 1—On page 1, line 29, after the comma insert the following: phrased in such a way that an affirmative response shall indicate approval of the amendment or measure, and a negative vote shall indicate rejection of the amendment or measure.

On motion by Senator Weber, by two-thirds vote CS for HB 363 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Barron	Glisson	Myers	Sykes
Brantley	Gordon	Peterson	Vogt
Childers	Gruber	Pettigrew	Ware
Deeb	Henderson	Poston	Weber
de la Parte	Johnson	Sayler	Wilson
Firestone	Lane (23rd)	Scarborough	Winn
Gallen	Lewis	Sims	
Gillespie	McClain	Smathers	

Nays—6

Johnston	Plante	Williams	Zinkil
Lane (31st)	Trask		

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

SB 107 was laid on the table.

On motion by Senator Gillespie, consideration of SCR 295 was deferred.

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 second time by title. On motion by Senator Peterson, by two-thirds vote SB 341 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Brantley	Firestone	Gordon	Johnston
Childers	Gallen	Gruber	Lane (31st)
Deeb	Gillespie	Henderson	Lane (23rd)
de la Parte	Glisson	Johnson	Lewis

McClain	Sayler	Sykes	Winn
Myers	Scarborough	Trask	Zinkil
Peterson	Sims	Vogt	
Plante	Smathers	Williams	
Poston	Stolzenburg	Wilson	

Nays—None

By unanimous consent Senators Ware, Graham and Pettigrew were recorded as voting yea.

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

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.

—as amended passed this day.

On motion by Senator Poston, the rules were waived and the Senate immediately reconsidered the vote by which SB 191 was read the third time.

On motion by Senator Poston, the rules were waived and the Senate immediately reconsidered the vote by which amendment 1 was adopted.

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

Amendment 2—On page 2, line 5, strike the period and insert: ; the designation on any such second plate shall be followed by a dash and the stamped numeral '1' so that the two plates may be distinguished.

On motion by Senator Poston, SB 191 as amended was read by title, passed and ordered engrossed. The vote was:

Yeas—28

Brantley	Gruber	Pettigrew	Stolzenburg
Childers	Johnston	Plante	Trask
Deeb	Lane (31st)	Poston	Vogt
de la Parte	Lane (23rd)	Sayler	Ware
Gillespie	Lewis	Scarborough	Weber
Glisson	Myers	Sims	Williams
Graham	Peterson	Smathers	Wilson

Nays—10

Barron	Gordon	McClain	Zinkil
Firestone	Henderson	Sykes	
Gallen	Johnson	Winn	

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

SB 342 was taken up and on motion by Senator Peterson—

HB 396—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.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 396 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Brantley	Gallen	Henderson	Lewis
Childers	Gillespie	Johnson	McClain
Deeb	Glisson	Johnston	Myers
de la Parte	Gordon	Lane (31st)	Peterson
Firestone	Gruber	Lane (23rd)	Plante

Poston
Saylor
Scarborough
Sims

Smathers
Stolzenburg
Sykes
Trask

Vogt
Weber
Williams
Wilson

Winn
Zinkil

Lewis
McClain
Myers
Peterson
Pettigrew

Plante
Poston
Scarborough
Sims
Smathers

Stolzenburg
Sykes
Trask
Vogt
Ware

Weber
Williams
Wilson
Winn

Nays—None

By unanimous consent Senators Graham, Ware and Pettigrew were recorded as voting yea.

SB 342 was laid on the table.

The President presiding.

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 second time by title. On motion by Senator Peterson, by two-thirds vote SB 343 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President
Barron
Brantley
Childers
Deeb
Firestone
Gallen
Gillespie
Glisson

Gordon
Gruber
Henderson
Johnson
Johnston
Lane (31st)
Lane (23rd)
Lewis
McClain

Myers
Peterson
Pettigrew
Plante
Poston
Saylor
Scarborough
Sims
Smathers

Stolzenburg
Sykes
Trask
Vogt
Ware
Weber
Williams
Wilson
Winn

Nays—None

By unanimous consent Senators de la Parte and Graham were recorded as voting yea.

On motion by Senator Scarborough, consideration of SCR 347 was deferred.

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 second time by title. On motion by Senator Lane (23rd), by two-thirds vote SB 354 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Mr. President
Brantley
Childers
Deeb
de la Parte
Firestone
Gallen
Gillespie

Glisson
Gordon
Graham
Gruber
Henderson
Johnston
Lane (23rd)
Lewis

McClain
Myers
Peterson
Pettigrew
Plante
Poston
Saylor
Sims

Smathers
Trask
Vogt
Ware
Williams
Wilson
Winn
Zinkil

Nays—None

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 second time by title. On motion by Senator Peterson, by two-thirds vote SB 355 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President
Barron
Brantley
Childers

Deeb
de la Parte
Firestone
Gallen

Gillespie
Glisson
Gordon
Gruber

Henderson
Johnson
Johnston
Lane (23rd)

Nays—None

By unanimous consent Senator Graham was recorded as voting yea.

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 second time by title.

Senator Sims moved the adoption of the following amendment:

Amendment 1—On pages 1 and 2, strike wherever the word “ten” appears and insert: two

Amendment 1 failed by the following vote:

Yeas—13

Brantley
Deeb
Johnson
Lane (23rd)

McClain
Plante
Poston
Scarborough

Sims
Sykes
Vogt
Winn

Zinkil

Nays—17

Mr. President
Childers
de la Parte
Firestone
Gallen

Gillespie
Glisson
Gordon
Gruber
Johnston

Lewis
Peterson
Smathers
Stolzenburg
Ware

Williams
Wilson

Senator Wilson moved the adoption of the following amendment:

Amendment 2—On pages 1 and 2, strike “ten” and insert: “five” wherever it appears

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

Amendment 3—On pages 1 and 2, strike “ten” wherever it appears and insert: one

Senator Glisson moved that the rules be waived and SB 113 as amended be removed from the calendar and recommitted to the Committee on Judiciary. Pending consideration thereof, the hour of 11:00 a.m. having arrived the Senate proceeded to the consideration of—

SR 624—A resolution honoring Miss Jennifer Fortune, Florida's Junior Miss for 1973.

On motion by Senator Childers that a committee be appointed to escort Miss Jennifer Fortune of Shalimar, Florida's Junior Miss for 1973, to the rostrum, the President appointed Senators Childers, Johnston and Barron. Miss Fortune was escorted to the rostrum where she was received by the President.

On motions by Senators Childers and Johnston, SR 624 was read the second time in full and adopted. The vote was:

Yeas—32

Mr. President
Barron
Brantley
Childers

Deeb
Firestone
Gallen
Gillespie

Glisson
Gordon
Graham
Henderson

Johnson
Johnston
Lane (23rd)
Lewis

McClain	Poston	Stolzenburg	Ware
Myers	Sayler	Sykes	Wilson
Peterson	Sims	Trask	Winn
Pettigrew	Smathers	Vogt	Zinkil

Nays—None

By unanimous consent Senator Gruber was recorded as voting yea.

By permission Senators Barron, Brantley, Childers, Deeb, de la Parte, Firestone, Gallen, Gillespie, Glisson, Gordon, Graham, Gruber, Henderson, Horne, Johnson, Lane (31st), Lane (23rd), Lewis, McClain, Myers, Peterson, Pettigrew, Plante, Poston, Saunders, Sayler, Scarborough, Sims, Smathers, Stolzenburg, Sykes, Trask, Vogt, Ware, Weber, Williams, Wilson, Winn and Zinkil were recorded as co-introducers of SR 624.

The question recurred on the motion by Senator Glisson that SB 113 as amended be removed from the calendar and referred to the Committee on Judiciary and the motion failed.

Further consideration of SB 113 as amended was deferred.

SB 125 was taken up and on motion by Senator Ware—

HB 251—A bill to be entitled An act relating to service of process by publication; amending §49.011(4), Florida Statutes, to allow service of process by publication in dissolution of marriage actions; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Ware, by two-thirds vote, HB 251 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

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

Nays—None

SB 125 was laid on the table.

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 second time by title.

The Committee on Judiciary offered the following amendment which was adopted on motion by Senator Gillespie:

Amendment 1—On page 1, line 16 strike “county court judge” and insert: circuit court judge

On motion by Senator Gillespie, by two-thirds vote SB 156 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Glisson	Myers	Sykes
Barron	Gordon	Peterson	Trask
Brantley	Graham	Pettigrew	Vogt
Childers	Gruber	Plante	Ware
Deeb	Henderson	Poston	Williams
de la Parte	Johnson	Sayler	Wilson
Firestone	Johnston	Sims	Winn
Gallen	Lewis	Smathers	Zinkil
Gillespie	McClain	Stolzenburg	

Nays—None

By unanimous consent Senator Lane (23rd) was recorded as voting yea.

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 second time by title.

Senator Graham moved the adoption of the following amendment:

Amendment 1—On page 2, strike lines 2 through 5.

Amendment 1 was adopted by the following vote:

Yeas—23

Mr. President	Gordon	Peterson	Vogt
Brantley	Graham	Pettigrew	Williams
Deeb	Gruber	Poston	Wilson
de la Parte	Johnson	Smathers	Winn
Firestone	Lewis	Stolzenburg	Zinkil
Gillespie	Myers	Sykes	

Nays—11

Childers	McClain	Scarborough	Ware
Glisson	Plante	Sims	Weber
Johnston	Sayler	Trask	

By unanimous consent Senator Gallen was recorded as voting yea.

On motion by Senator Graham the following amendment was adopted:

Amendment 2—On page 1, line 16, strike “(1)”

On motion by Senator Graham the following amendment was adopted:

Amendment 3—On page 1, lines 6—9, strike comma (,) on line 6 and all of lines 7—9 and insert: semi colon (;) providing an effective date.

On motion by Senator Sims, by two-thirds vote SB 161 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—33

Mr. President	Graham	Plante	Vogt
Barron	Gruber	Poston	Ware
Brantley	Johnson	Sayler	Williams
Childers	Johnston	Scarborough	Wilson
Deeb	Lewis	Sims	Winn
de la Parte	McClain	Smathers	Zinkil
Firestone	Myers	Stolzenburg	
Glisson	Peterson	Sykes	
Gordon	Pettigrew	Trask	

Nays—None

By unanimous consent Senators Gallen and Lane (23rd) were recorded as voting yea.

On motion by Senator Deeb consideration of SB 174 was deferred.

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 second time by title.

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

Amendment 1—On page 1, line 19, between the words “of” and “thirty-five” insert: not more than

Poston	Smathers	Vogt	Winn
Saunders	Stolzenburg	Ware	
Scarborough	Sykes	Weber	
Sims	Trask	Wilson	

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

Amendment 2—On page 1, strike all of lines 27, 28 and 29 and insert: 1. The applicant is a graduate of an approved course of study in land surveying from a college or university recognized by the Florida State Board of Professional Engineers and Land Surveyors and has a specific experience record of

Nays—5

Johnston	Sayler	Williams	Zinkil
Lewis			

On motion by Senator Saunders, SB 92 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the Calendar.

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

Amendment 3—On page 3, lines 17 and 18, strike “The certification or enrollment of a surveyor-in-training shall be valid for a period of twelve years.”

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 second time by title.

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

Amendment 4—On page 3, line 23, strike “of four years or more” and insert: after the word “curriculum” insert: “recognized by the Florida State Board of Professional Engineers and Land Surveyors.”

The Committee on Judiciary offered the following amendment which was adopted on motion by Senator McClain:

Amendment 1—On page 1, line 20, after the words “attorney general” insert: or any state attorney

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

Amendment 5—On page 3, lines 25, 26, and 27, strike “an amount to be determined by the board which shall not be in excess of the filing fee for examination of an engineer-in-training pursuant to §471.20(3).” and insert: an amount to be determined by the board not to exceed thirty-five dollars (\$35).

The Committee on Judiciary offered the following amendment which was adopted on motion by Senator McClain:

Amendment 2—On page 1, line 7, after “attorney general” insert: or any state attorney

Senator Childers moved the adoption of the following amendment:

Amendment 6—On page 3, line 15, strike “1980” and insert: 2001

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

Amendment 3—Strike all after enacting clause and insert:

WHEREAS, the 92nd Congress of the United States of America in both houses by a constitutional majority of two-thirds thereof has made the following proposition to amend the Constitution of the United States of America, in the following words:

H. J. RES. 208:

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED (TWO-THIRDS OF EACH HOUSE CONCURRING THEREIN), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

“Article.....

“SECTION 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

“SEC. 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

“SEC. 3. This amendment shall take effect two years after the date of ratification.” NOW, THEREFORE,

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

That the proposed amendment set forth below to the Constitution of the United States be, and the same is hereby, ratified by the Legislature of the State of Florida.

“Article.....

“SECTION 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Yeas—33

Mr. President	de la Parte	Gordon	McClain
Barron	Firestone	Graham	Myers
Brantley	Gallen	Gruber	Peterson
Childers	Gillespie	Johnson	Pettigrew
Deeb	Glisson	Lane (23rd)	Plante

"SEC. 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

"SEC. 3. This amendment shall take effect two years after the date of ratification."

BE IT FURTHER RESOLVED, that certified copies of the foregoing preamble and resolution be immediately forwarded by the Secretary of State of the State of Florida, under the great seal, to the President of the United States, the Secretary of State of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and the Administrator of General Services of the United States.

Senator McClain: Mr. President, I raise a point of order to the amendment, in that:

- 1) it springs from a constitutional amendment, with which we are not now dealing, and requires a different vote than a general bill, and
- 2) the amendment as offered is not germane to the bill—it doesn't even refer to the same section, nor involve the act before us.

Senator Scarborough: To the point, Mr. President, of germanity. The Senator from the 21st denies it is germane, but has explained that his bill deals in human relations, to reject discrimination—which is the point of this amendment.

The President: I will defer ruling until the matter has been researched and each of you has a chance to give me the benefit of your findings. The substance of the bill seems very broad, and I am not immediately conscious of any Federal or State requirement that amendments to the Federal Constitution be ratified by any particular form of vehicle . . . joint resolution, concurrent resolution, bill, etc.

Senator McClain: I raise the additional point, Mr. President, that the very substance of this amendment was heretofore killed by a vote of a committee of this body.

Senator Gillespie: To the point, Mr. President. The action of the committee was to a resolution . . . not a bill, and here we offer it as an amendment to the bill before us.

The President: The point is noted and will be considered as part of the research previously alluded to.

By permission Senator Pettigrew was recorded as a co-introducer of SB 389.

Senator Graham moved that the deadline for filing bills for introduction be waived as to bills necessary to implement the report of the select committee on Fair Assessment. Pursuant to Rule 4.4, the President referred the motion to the Committee on Rules and Calendar.

The Journal of April 16 was corrected as follows and approved:

Page 158, column 1, strike lines 16 through 18 and insert: The President ruled the point (not as to Rule 3.13 re fiscal notes) well taken as to Rule 4.6, for same would have a material effect on the distribution and disposition of tax revenues, and re-referred SB 263 to the Committee on Ways and Means.

CO-INTRODUCER

By permission Senator Firestone was recorded as a co-introducer of SB 505.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:03 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 9:00 a.m., April 18, 1973.