

JOURNAL OF THE FLORIDA SENATE

Tuesday, May 8, 1973

The Senate was called to order by the President at 9:00 a.m.
A quorum present—31:

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

Excused: Senator Barron until 10:30 a.m., Senator Williams for the purpose of working with the staff of the Committee on Ways and Means on the general appropriations bill, Senators Lane (31st) and Lane (23rd) because of illness.

Senators Pettigrew and Glisson were recorded present at 9:03 a.m., Senator Scarborough at 9:04 a.m., Senators Gallen and McClain at 9:06 a.m.

Prayer by Dr. Robert M. McMillan, Senate Chaplain:

God, our Father, we humans are strange in our ways and so complex in our natures that we scarcely understand ourselves.

Some in leadership around the land are falling, their wrongs not unique but unexpected.

We look into our own hearts today in your presence and ask you to,

Help us in our weakness
Deter us in our wrongness
Forgive us in our guiltiness
Console us in our fearfulness
Instruct us in forgiveness
In the name of our Lord, Amen.

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

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Tuesday, May 8, 1973:

SR 1078 To be considered at 11:00 a.m.			
SB 592	SB 1265	SB 854	SM 795
SB 847	SB 798	HB 801	SB 681
CS for SB 103	SB 556	SB 501	HB 794
SB 905	SB 553	SR 751	HB 775
SB 1317	SB 332	SB 641	HB 603

*Respectfully submitted,
Dempsey J. Barron, Chairman*

The Committee on Agriculture recommends the following pass:

SB 1255	HB 1064	HB 1078
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The Committee on Commerce recommends the following pass:

HB 346	SB 1063
HB 347	SB 1156 with 3 amendments
SB 631	SB 1225
SB 632	SB 1237
SB 967	

The Committee on Consumer Affairs recommends the following pass: HM 537, HB 515

The Committee on Education recommends the following pass:

HB 719	SB 992 with 4 amendments
HB 715	SB 994
SB 1244	SB 1267

SB 1187	SB 1295 with 1 amendment
SB 892 with 4 amendments	SB 1025 with 3 amendments
SB 1293 with 3 amendments	SB 901 with 1 amendment

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1292

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

HB 249	SB 1062 with 3 amendments
HB 1051	SB 1231
SCR 619	SB 1311 with 5 amendments

The Committee on Transportation recommends the following pass:

SCR 980	SB 1092
SB 1030 with 1 amendment	SB 1120 with 2 amendments

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

The Committee on Commerce recommends the following pass: SB 919 with 1 amendment

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

The Committee on Education recommends the following pass:

SB 1277 with 1 amendment	SB 885
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The bills were referred to the Committee on Ways and Means under the original reference.

The Committee on Agriculture recommends a Committee Substitute for the following: SB 881

The Committee on Commerce recommends a Committee Substitute for the following: SB 1269

The Committee on Consumer Affairs recommends a Committee Substitute for the following:

SB 634	SB 635	SB 1089
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The Committee on Commerce recommends a Committee Substitute for the following: SB 601

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 665

The Committee on Judiciary recommends a Committee Substitute for the following: SB 741

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 721

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 502

The Committee on Transportation recommends a Committee Substitute for the following: SB 1068

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

The Committee on Commerce recommends a Committee Substitute for the following: SB 705

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 155

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 1181

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

The Committee on Agriculture recommends the following not pass: SB 1207

The Committee on Commerce recommends the following not pass: SB 770, SB 1039

The Committee on Natural Resources and Conservation recommends the following not pass: SB 1125, SB 1179

The Committee on Transportation recommends the following not pass: SB 1106

The bills contained in the foregoing reports were laid on the table.

The Select Subcommittee of the Judiciary Committee recommends SB 700 with 3 amendments, favorably; SB 741, favorably with Committee Substitute to the standing committee.

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

- SB 49 with 2 amendments
- SB 544 with 1 amendment
- SB 557 with 1 amendment
- SB 620 with 12 amendments
- SB 982 with 9 amendments
- SB 1326 with 1 amendment

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

ELMER O. FRIDAY, Secretary

The bills were certified to the House.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

- SB 224
- SB 329
- SB 338
- SB 354
- SB 539

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 8, 1973.

ELMER O. FRIDAY, Secretary

Your Enrolling Clerk to whom was referred SCR 857 reports same has been enrolled, signed by the required Constitutional officers and filed with Secretary of State on May 8, 1973.

ELMER O. FRIDAY, Secretary

Explanation of Vote on SB 982

While recognizing the need of the Port Authority to use Grassy Point as a spoil area, I find SB 982, which passed the Senate May 4, substantially alters the rights and obligations of the Port Authority and those affected as set forth in a prior resolution of the Duval Delegation.

This resolution, a part of which is recorded below, was adopted after an open and public hearing held in Jacksonville. I therefore cannot support this substitute piece of local legislation without further public hearings.

“NOW THEREFORE BE IT RESOLVED BY THE DUVAL COUNTY LEGISLATIVE DELEGATION IN SESSION AT JACKSONVILLE, FLORIDA ON MARCH 3, 1973:

1. That it opposes the modification of Permit No. 253.123-1159 as now proposed and urges that it be re-issued to the Jacksonville Port Authority, the present Permittee, effective January 1, 1974

2. That the term of the new Permit be for a period of one (1) year and that annual renewal of said Permit be subject to the approval of The City of Jacksonville and of the Board of Trustees of the Internal Improvement Trust Fund.

3. That the ecological implications of the continued use of this spoil area be reviewed by qualified marine biological personnel prior to each renewal.”

Bruce A. Smathers, 9th District

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Sykes, SB 530 was withdrawn from the Committee on Transportation by two-thirds vote and from further consideration of the Senate.

On motions by Senator Saunders, Senate Bills 532, 97 and 198 were withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motions by Senator Saunders Senate Bills 425, 610, 41, 153, 462, 99 and SM 1061 were withdrawn from the Committee on Ways and Means by two-thirds vote.

The foregoing bills having been previously referred to the Committee on Ways and Means, only, were referred to the Committee on Judiciary.

Senator Johnson raised a point of order pursuant to Rule 4.6 that SB 103 had substantial fiscal impact and should be removed from the calendar and referred to the Committee on Ways and Means.

Senator Pettigrew raised a point of order that as this bill had been on the calendar since April 18, a point of order to remove the bill from the calendar should have been raised prior to this time.

The President requested the chairman and staff of the Ways and Means Committee and Senator Firestone to examine the bill and report their findings.

The President subsequently ruled that due to the tardiness of the point of order being raised by Senator Johnson, the point was not well taken.

Senator Poston raised a point of order pursuant to Rule 4.6 that SB 1030 had fiscal impact and should also be referred to the Committee on Ways and Means. The President ruled the point well taken.

REQUESTS FOR EXTENSION OF TIME

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

- SB 661 by Senator Lane(31st)
- SB 895 by Senator Pettigrew
- SB 1008 by Senator Peterson
- SB 1056 by Senator Lewis

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

- SB 48 by Senator Horne
- SB 98 by Senator Gillespie
- SB 122 by Senator Scarborough
- SB 143 by Senator Sayler
- SB 216 by Senator Brantley
- SB 232 by Senator Firestone
- SB 239 by Senator Childers
- SB 247 by Senator Johnston
- SB 251 by Senator Myers
- SB 351 by Senator Brantley
- SB 361 by Senator Lane (23rd)
- SB 407 by Senator Brantley
- SB 433 by Senator Sayler
- SB 566 by Senator Lane (31st)
- SB 567 by Senator Scarborough
- SB 573 by Senator Scarborough
- SB 577 by Senator Scarborough
- SB 579 by Senator Scarborough
- SB 659 by Senator Lane (31st)
- SJR 663 by Senator Glisson
- SB 666 by Senator Lane (31st)
- SB 667 by Senator Johnson
- SB 688 by Senator Firestone
- SB 1047 by Senator Henderson
- SB 1049 by Senator Brantley
- SB 1066 by Senator Scarborough
- SB 1074 by Senator Peterson
- SB 1099 by Senator Lane (23rd)
- SB 1104 by Senator Lane (23rd)
- SB 1111 by Senator Brantley

SB 1115 by Senator Glisson	SB 1251 by Senator Deeb	SB 1122 by Senator Gordon	SB 1218 by Senator Horne
SB 1116 by Senator Glisson	SB 1256 by Senator Scarborough	SB 1126 by Senator Poston	SB 1223 by Senator Plante
SB 1127 by Senator Johnson	SB 1258 by Senator Williams	SB 1133 by Senator Stolzenburg	SB 1232 by Senator Trask
SB 1148 by Senator Deeb	SB 1285 by Senator Saunders	SB 1134 by Senator Williams	SB 1242 by Senator Smathers
SB 1152 by Senator Johnson	SB 1299 by Senator Scarborough	SB 1137 by Senator Williams	SB 1260 by Senator de la Parte
SB 1159 by Senator Pettigrew	SB 1320 by Senator Williams	SB 1167 by Senator Johnston	SB 1274 by Senator Childers
SB 1170 by Senator Winn	HB 691 by Representative Martinez	SB 1172 by Senator Poston	SB 1296 by Senator Smathers
SB 1191 by Senator de la Parte	SB 723 by Senator Johnston	SB 1182 by Senator Smathers	SB 1297 by Senator Smathers
SB 1209 by Senator Johnston	SB 743 by Senator Lane	SB 1193 by Senator de la Parte	SB 1298 by Senator Smathers
SB 1220 by Senator Gordon		SB 1198 by Senator Poston	SB 1310 by Senator Deeb
SB 1250 by Senator Deeb		SB 1206 by Senator Firestone	SB 1315 by Senator Firestone
		SB 1210 by Senator de la Parte	SB 1316 by Senator Lane (23rd)
		SB 1216 by Senator Plante	

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

SB 614 by Senator Glisson	SB 405 by Senator Brantley
SB 594 by Senator McClain	SB 642 by Senator Johnson
SB 591 by Senator Smathers	SB 643 by Senator Johnson
SB 1022 by Senator de la Parte	SB 647 by Senator Saylor
SB 1016 by Senator Scarborough	SB 660 by Senator Lane
SB 995 by Senator Wilson	SB 674 by Senator Smathers
SB 283 by Senator Zinkil	SB 1070 by Senator Pettigrew
HB 296 by Representative Savage	SB 1071 by Senator Pettigrew
HB 544 by Representative Singleton	SB 1141 by Senator Pettigrew
HB 977 by Representative Gautier	SB 1165 by Senator Johnson
	SB 1228 by Senator Pettigrew
	SB 1261 by Senator de la Parte
	SB 1272 by Senator Pettigrew

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

SB 759 by Senator Gordon	SB 1075 by Senator Graham
SB 760 by Senator Gordon	SB 1084 by Senator Lewis
SB 766 by Senator Peterson	SB 1085 by Senator Lewis
SB 781 by Senator Ware	SB 1128 by Senator Johnson
SB 792 by Senator Smathers	SB 1158 by Senator Gordon
SB 793 by Senator Smathers	SB 1162 by Senator Peterson
SB 803 by Senator Gordon	SB 1166 by Senator Lewis
SB 804 by Senator Gordon	SB 1176 by Senator Childers
SB 805 by Senators Gordon and Glisson	SB 1177 by Senator Childers
SB 819 by Senator Weber	SB 1183 by Senator Childers
SB 820 by Senator Childers	SB 1190 by Senators Peterson and Trask
SB 823 by Senator Peterson	SB 1208 by Senator Graham
SB 758 by Senator Wilson	SB 1221 by Senator Gordon
SB 841 by Senator Gordon	SB 1226 by Senator Gordon
SB 890 by Senator Graham	SB 1230 by Senator Lane
SB 894 by Senator Graham	SB 1235 by Senator Williams
SB 917 by Senator Gillespie	SB 1245 by Senator Poston
SB 918 by Senator Graham	SB 1283 by Senator Smathers
SB 983 by Senators Graham and Pettigrew	SB 1290 by Senator Peterson
SB 1042 by Senator Lewis	SB 1291 by Senator Peterson
SB 1044 by Senators Pettigrew and Smathers	SB 1302 by Senator Childers
SB 1052 by Senator Winn	SB 1303 by Senator Pettigrew
SB 1053 by Senator Childers	SB 1309 by Senator Lewis
	SB 1312 by Senator Firestone

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

SB 613 by Senator Johnson	SB 1050 by Senator Lane (31st)
SB 943 by Senator Scarborough	SB 1054 by Senator de la Parte
SB 947 by Senator Gillespie	SB 1058 by Senator Winn
SB 957 by Senator de la Parte, et al	SB 1065 by Senator Zinkil
SB 962 by Senator Pettigrew	SB 1069 by Senator Deeb
SB 965 by Senator Pettigrew	SB 1076 by Senator Graham
SJR 969 by Senator Brantley	SB 1081 by Senator Johnson
SB 1013 by Senator Gillespie	SB 1087 by Senator Lane (31st)
SB 1018 by Senator Firestone	SB 1088 by Senator Lane (31st)
SB 1029 by Senator Brantley	SB 1094 by Senator Sims
SB 1036 by Senator Lewis	SB 1100 by Senator Lane (23rd)
SB 1027 by Senator Glisson	SB 1113 by Senator Johnson
SB 636 by Senator Gallen	
SB 648 by Senators Johnson and Poston	

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

SB 780 by Senator Gillespie	SB 1072 by Senator Pettigrew
SB 783 by Senator Gordon	SB 1077 by Senator Deeb
SB 788 by Senator Deeb	SB 1091 by Senator Poston
SB 838 by Senator Graham	SB 1108 by Senator Pettigrew
SB 853 by Senator Wilson	SB 1117 by Senator de la Parte
SB 860 by Senator Childers	SB 1132 by Senator Henderson
SB 880 by Senator McClain	SB 1139 by Senator Pettigrew
SB 886 by Senator Pettigrew	SB 1140 by Senator Pettigrew
SB 899 by Senator Gordon	SB 1149 by Senator Deeb
SB 956 by Senator Pettigrew	SB 1153 by Senator Scarborough
SB 968 by Senator Firestone	SB 1161 by Senator Scarborough
SB 976 by Senator McClain	SB 1169 by Senator Vogt
SB 985 by Senator Firestone	SB 1173 by Senator Gallen
SB 1040 by Senator Graham	SB 1174 by Senator Deeb
SB 180 by Senator Poston	SB 1175 by Senator Deeb
SB 319 by Senator Johnston	SB 1180 by Senator Pettigrew
SB 333 by Senator Pettigrew	SB 1199 by Senator Deeb
SB 369 by Senator Johnston	SB 1200 by Senator Poston
SB 403 by Senator Gordon	SB 1201 by Senator Poston
SB 423 by Senator Smathers	SB 1203 by Senator Deeb
SB 440 by Senator Wilson	SB 1204 by Senator Deeb
SB 460 by Senator McClain	SB 1217 by Senator Gordon
SB 465 by Senator Firestone	SB 1234 by Senator Scarborough
SB 503 by Senator McClain	SB 1243 by Senator Pettigrew
SB 542 by Senator Gillespie	SB 1253 by Senator Pettigrew
SB 113 by Senator Glisson	SB 1257 by Senator Pettigrew
SB 672 by Senator Gordon	SB 1279 by Senator Gillespie
SB 700 by Senator Scarborough	SB 1284 by Senator Henderson
SB 690 by Senator Gillespie	SB 1323 by Senator de la Parte
SB 725 by Senator Zinkil	CS for HB 771 by Representative Tucker
SB 1048 by Senator Pettigrew	
SB 1060 by Senator de la Parte	
SB 1064 by Senator Saylor	
SB 1073 by Senator Deeb	

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

SB 1112 by Senator Poston	SCR 980 by Senator Poston
SCR 1124 by Senator Poston	SB 1028 by Senator Lane (23rd)
SB 1194 by Senator Poston	SB 1030 by Senator Lewis
SB 1195 by Senator Poston	SB 1035 by Senator de la Parte
SB 1275 by Senator Poston	
SB 1281 by Senator Poston	
SB 1282 by Senator Poston	
SB 1314 by Senator Pettigrew	

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

SB 282 by Senator Glisson	SCR 756 by Senator Firestone
SB 387 by Senator Glisson	SJR 851 by Senator Pettigrew
SR 585 by Senator Deeb	

The President introduced the doctor of the day, Dr. Leonard Lewis of Miami.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

from the water during this period. The department of natural resources shall have the authority to set the closed hours each year.

The Honorable Mallory E. Horne, President May 8, 1973

I am directed to inform the Senate that the House of Representatives has passed SB 419, SB 117, CS for SB 344 and SB 373.

Allen Morris, Clerk

The bills contained in the above message were ordered enrolled.

The Honorable Mallory E. Horne, President May 3, 1973

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

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.

Amendment 1—On page 1, line 12, strike All after the enacting clause. and insert the following:

Section 1. Paragraph (a) of subsection (2) and paragraph (e) of subsection (3) of section 370.11, Florida Statutes, are amended to read:

370.11 Fish; regulation.—

(2) LENGTH OF SALT WATER FISH REGULATED.—

(a) No person shall take, have in his possession, buy, offer for sale, sell, or unnecessarily destroy, at any time, any of the following salt water fish, of less length than that set forth as follows: Bluefish of less length than ten inches from tip of nose to rear center edge fork of tail; pompano of less length than nine and one half inches from tip of nose to rear center edge tip of tail; fluke or flounder of less than eleven inches from tip of nose to rear center edge fork of tail; mackerel, redfish and salt water speckled trout or spotted weakfish of less than twelve inches from tip of nose to rear center edge fork of tail; redfish of less length than twelve inches from tip of nose to tip of tail; snook of less length than eighteen inches from tip of nose to rear center edge fork of tail; striped bass and bonefish of less length than fifteen inches from tip of nose to rear center edge fork of tail provided, however, this length limitation shall not apply to cultured striped bass grown pursuant to regulations of the department of natural resources; black mullet of less length than eleven twelve inches from tip of nose to rear center edge end of tail, except in waters located west of the Aucilla River to the Alabama line, nine ten inches from tip of nose to rear center edge end of tail; and waters northwesterly west of the Citrus-Hernando County line to the Aucilla River ten With-lacoochee River to the Aucilla River eleven inches to be measured from tip of nose to rear center edge end of tail on black mullet. No more than ten percent of the individuals of any particular species may be undersized according to legal lengths established for that species.

(3) REGULATION; FISH; SHAD, PROTECTION DURING SPAWNING SEASON; PENALTY.—No person may use any purse or drag seine, or build or maintain any dike or pound in any stream, river or waters of this state, whereby shad may be prevented from running or passing up or through during their spawning season, between November 15th and March 15th of every year; any person violating this section shall be guilty of a misdemeanor of the first degree, punishable as provided in §775.082 or §775.083.

(e) Shad; limitation on taking.—

1. As used in this paragraph, "anadromous shad" includes American shad (*Alosa sapidissima*), Hickory shad (*Alosa mediocris*), and Alabama shad (*Alosa alabamae*).

2. Commercial fishing for anadromous shall be for the period from sunup on November 15 until sundown on March 15. Nets or seines shall be clearly marked in such a manner that the identity of the commercial fisherman's boat registration number may be readily determined. The commercial fishing period established herein shall be closed for seventy-two consecutive hours each week and nets shall be removed

3. It is unlawful for any person other than those listed in subparagraph 2. to use any nets and seines, including haul seines, drift gill nets, and state or set gill nets, except for hand-held landing nets, for the taking of shad. However, it shall be unlawful for anyone to use stop nets, as defined in §370.08(2), for any purpose.

4. It is unlawful for any person other than those listed in subparagraph 2. to take in one day and have in his possession more than ten anadromous shad.

5. Any person violating the provisions of this paragraph shall be guilty of a misdemeanor of the second degree, punishable as provided in §§775.082 and 775.083.

Section 2. This act shall take effect upon becoming a law.

Amendment 2—On page 2, line 28, strike "shall shall" and insert the following: shad shall

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

On motions by Senator Childers, the Senate concurred in House amendments 1 and 2 to SB 228.

SB 228 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—35

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

Nays—None

The Honorable Mallory E. Horne, President May 4, 1973

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

By Representative Foster—

HB 191—A bill to be entitled An act relating to motor vehicle safety equipment; adding subsection (7) to §325.19, Florida Statutes, 1972 Supplement, to provide that a motor vehicle having specified defects shall be issued an inspection approval certificate under certain circumstances; providing a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 191, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

The Honorable Mallory E. Horne, President May 4, 1973

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

By the Committee on Retirement, Personnel & Claims—

HB 1908—A bill to be entitled An act relating to retirement; amending §121.051(2)(a), Florida Statutes, 1972 Supplement; extending the time limit from January 1, 1974, to January 1, 1975, for repayment of retirement funds transferred for retroactive social security coverage for members of existing retirement systems who transferred to the retirement system established by chapter 121, Florida Statutes, when it was reopened in 1972; extending the time limit from January 1, 1974, to January 1, 1975, for employers to pay

the matching contributions for retroactive social security coverage which were paid out of the retirement trust fund; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 4, 1973

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

By the Committee on Retirement, Personnel & Claims—

HB 770—A bill to be entitled An act relating to the Florida retirement system; adding subsection (7) to §121.051, Florida Statutes, to prohibit membership in the system of cooperative extension personnel engaged in extension work in agriculture and home economics in the state who are required to be covered by federal civil service; providing exceptions; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

House Bills 1908 and 770, contained in the above messages, were read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 3, 1973

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

By the Committee on Appropriations and Representative Sessums and others—

CS for HB 734—A bill to be entitled An act relating to education; establishing a new formula for distribution of minimum foundation program funds; providing for supplements thereto, providing for the required local effort, providing for categorical program funds; providing for supplemental program funds; establishing a new transportation funding formula; establishing a management information system; establishing a hold harmless provision; establishing a capital outlay program to finance K-12 public school construction; determining need; assuming local bonded indebtedness; providing a formula for allocating funds; providing for lease or lease-purchase agreements; requiring relocatable structures; providing for minimum standards for construction; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 734, contained in the above message, was read the first time by title and referred to the Committee on Education.

The Honorable Mallory E. Horne, President May 4, 1973

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

By the Committee on Commerce and Representative Webb and others—

CS for HB 820—A bill to be entitled An act relating to the practice of public accounting; amending Subsection 473.261(1), Florida Statutes, providing suspension and restoration procedure for certificates and permits of mentally incompetent and insane persons; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 820, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable Mallory E. Horne, President May 4, 1973

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

By Representative Langley—

HCR 1040—A concurrent resolution directed to the United States Congress, resolving the Florida legislature's opposition to the United States of America lending aid and comfort to North Viet Nam.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HCR 1040, contained in the above message, was read the first time and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 4, 1973

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

By the Committee on Finance & Taxation and Representative Gibson and others—

CS for HB's 2, 41 and 503—A bill to be entitled An act relating to exemptions from ad valorem taxation; amending subsection (9) of §196.012, Florida Statutes, providing an amended definition of gross income; creating subsection (1) of §196.197, Florida Statutes; amending subsection (1) and (2) of §196.197, Florida Statutes, 1971, providing that medical and religious areas of homes for the aged are exempt; creating subsection (4) of §196.197, Florida Statutes, 1971, providing additional provision for exempting real property used by homes for the aged; establishing procedures and criteria for granting exemptions; establishing a maximum exemption; providing a definition; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB's 2, 41 and 503, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 4, 1973

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

By Representative Forbes and others—

HB 1144—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.

By Representative Carlucci (by request)—

HB 524—A bill to be entitled An act relating to the various boards under the department of professional and occupational regulation; authorizing the boards to utilize their rule making power to establish the location of their main office and branch offices; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1144, contained in the above message, was read the first time by title and referred to the Committee on Criminal Justice.

HB 524, contained in the above message, was read the first time by title and referred to the Committee on Governmental Operations.

The Honorable Mallory E. Horne, President May 4, 1973

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

By Representative Jon Thomas and others—

HB 66—A bill to be entitled An act relating to reporting of sales tax collections; amending section 212.11(1), Florida Statutes, to provide 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.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 66, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Weber, HB 66 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

The Honorable Mallory E. Horne, President May 4, 1972

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

By Representatives Hair and McDonald—

HB 208—A bill to be entitled An act relating to motor vehicle licenses; adding a new paragraph (d) to §320.08(3), Florida Statutes, 1972 Supplement, to provide for a "Q" series tag for all trucks weighing three thousand (3,000) pounds or less which were manufactured more than twenty (20) years prior to the current date; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 208, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

The Honorable Mallory E. Horne, President May 4, 1973

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

By the Committee on Criminal Justice and Representative Blackburn—

CS for HB 701—A bill to be entitled An act relating to introduction or removal of certain articles into treatment facilities; creating §394.47, Florida Statutes; providing penalties; prohibiting transmittal to patients therein; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 701, contained in the above message, was read the first time by title and referred to the Committee on Criminal Justice.

The Honorable Mallory E. Horne, President May 4, 1973

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

By Representative Tobiassen—

HM 624—A memorial to the Congress of the United States, urging Congress not to appropriate moneys to North Vietnam until all POW's and MIA's are accounted for.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HM 624 contained in the above message, was read the first time and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 4, 1973

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

By Representative Johnson—

HB 380—A bill to be entitled An act relating to testamentary trustees to establish qualifications; amending §737.02, Florida Statutes, providing for an exemption therefrom for any Florida corporation with trust powers; providing for an effective date.

By Representative Price—

HB 413—A bill to be entitled An act for the relief of Robert C. Holtzmann, Pinellas County; providing an appropriation of fifty-five dollars and sixty-seven cents (\$55.67) for reimbursement of funds overpaid on account of intangible tax; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 380, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

HB 413, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 4, 1973

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

By Representative Redman (by request)—

HB 533—A bill to be entitled An act providing for the relief of Chris Carter of Brandon, Hillsborough County; providing an appropriation to Richard Carter, father of Chris Carter, to compensate him for injuries suffered due to negligence of school maintenance personnel; 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 533.

HB 533, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

RECONSIDERATION

The motion by Senator Horne on May 4, that the Senate reconsider the vote by which Amendment 7 to CS for CS for SB 381 was adopted, was withdrawn.

On motion by Senator Trask, further consideration of CS for CS for SB 381 with pending amendment was deferred.

The motion by Senator Plante on May 3 that the Senate reconsider the vote by which—

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.

—passed on May 3 was taken up and adopted; and the Senate reconsidered the vote.

On motion by Senator Plante further consideration of SB 424 was deferred.

SPECIAL ORDER

SR 1078—A Senate resolution commending Mrs. Marita Eng of Jacksonville, Florida Teacher of the Year 1973.

—was read the second time in full. On motion by Senator Smathers, SR 1078 was unanimously adopted.

SB 592 was taken up, together with:

By the Committee on Criminal Justice—

CS for SB 592—A bill to be entitled An act relating to disqualification of felons from employment; amending section 112.011(1) and (2), Florida Statutes, providing for disqualification of four years for firemen; providing an exception; providing an effective date.

—which was read the first time by title and SB 592 was laid on the table.

On motions by Senator Myers, by two-thirds vote CS for SB 592 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Mr. President	Glisson	Pettigrew	Vogt
Brantley	Gordon	Plante	Ware
Childers	Gruber	Poston	Weber
Deeb	Johnston	Saunders	Wilson
de la Parte	Lewis	Sayler	Winn
Firestone	McClain	Sims	Zinkil
Gallen	Myers	Smathers	
Gillespie	Peterson	Trask	

Nays—2

Johnson Sykes

By unanimous consent Senator Graham was recorded as voting yea.

SB 847—A bill to be entitled An act relating to firemen; amending section 112.18, Florida Statutes, relating to the presumption that any condition or impairment of health of a fireman caused by tuberculosis, hypertension, or heart disease resulting in disability or death was suffered in the line of duty; deleting the provision that such presumption shall not apply to benefits payable under a policy of life insurance or disability insurance; deleting the provision of chapter 440 pertaining to workmen's compensation; adding new subsection (2) providing that insurers and governmental entities may negotiate for accidental death benefits or double indemnity coverage on contracts in effect prior to July 1, 1973, and provide such coverage in contracts issued after such date; amending section 175.231, Florida Statutes, relating to same subject; abolishing the requirement that such presumption operates only in regard to pension and retirement benefits; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 4 strike all of lines 4 through 27 and insert (1) Any condition or impairment of health of any Florida municipal, county, port authority, special tax district, or fire control district fireman caused by tuberculosis, heart disease, or hypertension resulting in total or partial disability or death shall be presumed to have been accidental and to have been suffered in the line of duty unless the contrary be shown by competent evidence, provided, however, that any such fireman shall have successfully passed a physical examination upon entering into any such service as a fireman, which examination failed to reveal any evidence of any such condition, provided, further, that such presumption shall not apply to benefits payable under or granted in a policy of life insurance or disability insurance, unless the insurer and insured have negotiated for such additional benefits to be included in the policy contract.

(2) This section shall be construed to authorize the above governmental entities to negotiate policy contracts for life and disability insurance to include accidental death benefits or double indemnity coverage which shall include the presumption that any condition or impairment of health of any fireman caused by tuberculosis, heart disease, or hypertension resulting in total or partial disability or death to have been accidental and to have been suffered in the line of duty, unless the contrary be shown by competent evidence.

Amendment 1 was adopted by the following vote:

Yeas—26

Mr. President	Glisson	Pettigrew	Vogt
Brantley	Gruber	Plante	Ware
Childers	Johnson	Poston	Weber
de la Parte	Johnston	Sims	Wilson
Firestone	Lewis	Smathers	Zinkil
Gallen	Myers	Sykes	
Gillespie	Peterson	Trask	

Nays—1

Stolzenburg

Senators Brantley and Gillespie offered the following title amendment which was adopted on motion by Senator Gillespie:

Amendment 2—On page 1, line 4 strike lines 4 through 24 and insert: An act relating to firemen; amending section 112.18, Florida Statutes, 1971; including special tax district firemen; amending the provision relating to the presumption that any condition or impairment of health of a fireman caused by tuberculosis, hypertension, or heart disease resulting in disability or death was suffered in the line of duty; amending the provision that such presumption shall not apply to benefits payable under a policy of life insurance or disability insurance, unless the insurer and insured have negotiated for such additional benefits; providing the provision related to presumption shall be upon the insurer, if agreed upon in the policy contract; deleting the provision related to chapter 440, Florida Statutes, 1971; providing that insurers and governmental entities may negotiate for accidental death benefits or double indemnity coverage on future contracts; amending section 175.231, Florida Statutes, 1971, relating to the same subject; abolishing the requirement that such presumption operates only in regard to pension and retirement benefits under chapter 175, Florida Statutes; providing an effective date.

On motion by Senator Gillespie, by two-thirds vote SB 847 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—32

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

Nays—1

Stolzenburg

By unanimous consent Senator Graham was recorded as voting yea.

SB 905—A bill to be entitled An act designating the building housing the College of Law at Florida State University in Tallahassee, Florida, as the "Roberts Building"; providing an effective date.

—was read the second time by title.

On motion by Senator Barron the following amendment was adopted:

Amendment 1—On page 4, line 24, strike “The Roberts Building” and insert: the B. K. Roberts Hall

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

Amendment 2—On page 1, line 6, strike the “Roberts Building” and insert: the B. K. Roberts Hall

On motion by Senator Barron, by two-thirds vote SB 905 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—32

Mr. President	Gillespie	McClain	Smathers
Barron	Glisson	Myers	Stolzenburg
Brantley	Gordon	Peterson	Sykes
Childers	Graham	Plante	Trask
Deeb	Gruber	Poston	Vogt
de la Parte	Henderson	Saunders	Weber
Firestone	Johnson	Scarborough	Winn
Gallen	Lewis	Sims	Zinkil

Nays—None

By unanimous consent Senator Johnston was recorded as voting yea.

On motion by Senator Barron the rules were waived and SB 905 was ordered immediately certified to the House after engrossing.

On motion by Senator Myers, CS for HB 57 was withdrawn from the Committee on Health and Rehabilitative Services by two-thirds vote and placed on the calendar.

SB 1265—A bill to be entitled An act relating to adoptions of hard-to-place children; setting forth legislative intent; establishing definitions; providing for a public information program; providing for a waiver of adoption fees; providing for financial assistance; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote SB 1265 was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Mr. President	Graham	Peterson	Vogt
Brantley	Gruber	Pettigrew	Ware
Childers	Henderson	Plante	Weber
Deeb	Johnson	Poston	Wilson
de la Parte	Johnston	Scarborough	Winn
Gallen	Lewis	Smathers	
Gillespie	McClain	Stolzenburg	
Gordon	Myers	Sykes	

Nays—None

By unanimous consent Senators Zinkil, Trask and Glisson were recorded as voting yea.

The President Pro Tempore presiding.

SB 798—A bill to be entitled An act relating to termination of pregnancies; amending section 458.22, Florida Statutes; providing definitions; providing conditions under which pregnancy can be terminated; requiring consent of pregnant woman and husband under certain circumstances; permitting right of refusal by hospitals or persons; providing penalties; providing an effective date.

—was read the second time by title.

Senator Gordon moved the adoption of the following amendment which failed:

Amendment 1—On page 2, line 24, strike “and,” and all of lines 25 and 26 and insert: a period after the word “woman”

The President presiding.

Senator Wilson moved the adoption of the following Amendments 2, 3 and 4 which failed:

Amendment 2—On page 3, line 24, following the period insert: This right of refusal shall not apply to any hospital which receives or has received Tax dollars Federal, State or local.

Amendment 3—On page 3, lines 6 and 7, strike “provided he has obtained at least one corroborative medical opinion”

Amendment 4—On page 3, line 5, strike “(c)” and insert: (4) and renumber

Senators Deeb, Ware, Sykes and Lewis offered the following amendment which was moved by Senator Deeb:

Amendment 5—On page 3, between lines 11 and 12, insert new subsection 4:

4. If an abortion is performed when the fetus is sufficiently developed to have any reasonable possibility of survival outside its mother's womb, the medical procedure used must be that procedure which in the medical judgment of the physician will give such fetus the best chance of survival, and no medical procedure designed to kill or injure such fetus may be used.

(a) The physician performing any abortion must use all of his medical skills to promote, preserve, and maintain the life of any fetus sufficiently developed to have any reasonable possibility of survival outside its mother's womb.

(b) Any child surviving an abortion shall become a ward of the state and the mother of such child and a father who has consented to such abortion shall have no parental rights with regard to such child.

(c) Live fetuses may not be used for experimentation.

Renumber the remaining sections.

Senator Sykes moved the adoption of the following amendment to Amendment 5 which failed:

Amendment 5a—On page 3, strike all subsection c. and insert: Fetuses as a product of an abortion shall not be used for experimentation provided the desired scientific information cannot be obtained in any other way.

Senator Smathers moved the adoption of the following amendment to Amendment 5 which failed:

Amendment 5b—In Section 4, Subsection (2), after “womb” insert: and developing into a normal child.

Senator Wilson moved the adoption of the following amendment to Amendment 5 which failed:

Amendment 5c—In Section 4, line 1 after “performed” insert: during the third trimester

Senator Vogt moved the adoption of the following amendment to Amendment 5 which was adopted:

Amendment 5d—In Section 4, line 5, after the word “survival” insert: , consistent with the physician's concern over the life of the mother,

Amendment 5 as amended was adopted.

On motion by Senator Lewis the following amendment was adopted:

Amendment 6—On page 4, between lines 15 and 16, insert: Section 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Renumber subsequent section.

Senator Johnston moved the adoption of the following amendment:

Amendment 7—On page 3, between lines 11 and 12, insert: (d) That the pregnant woman certify under oath that she is a resident-citizen of the State of Florida.

Senator Myers raised a point of order that the debate regarding advertising for abortions, which is illegal under the present law, and pornography was not germane to the bill.

The President ruled that debate may go wide afield because of drawing parallels, the debate was germane and the point not well taken.

The question recurred on Amendment 7 which was adopted by the following vote:

Yeas—18

Childers	Henderson	Saunders	Vogt
Deeb	Johnson	Sims	Ware
Gallen	Johnston	Smathers	Weber
Gillespie	Lewis	Stolzenburg	
Glisson	Peterson	Sykes	

Nays—12

Mr. President	Firestone	McClain	Poston
Barron	Gordon	Myers	Wilson
de la Parte	Gruber	Pettigrew	Winn

On motion by Senator Myers, further consideration of SB 798 as amended was deferred.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President May 7, 1973

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

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.

Amendment 1—On page 1, strike everything after the enacting clause and insert the following:

Section 1. Subsection (14) of section 1.01, Florida Statutes, is created to read:

1.01 Definitions.—In construing these statutes and each and every word, phrase or part hereof, where the context will permit:

(14) The word "minor" includes any person who has not attained the age of 18 years.

Section 2. The disability of nonage is hereby removed for all persons in this state who are 18 years of age or older and they shall enjoy and suffer the rights, privileges and obligations of all persons 21 years of age or older except as otherwise excluded by the Constitution of the State of Florida immediately preceding the effective date of this act. Provided, however, this act shall not prohibit any court of competent jurisdiction from requiring support for a dependent person beyond the age of 18 years; and provided further that any crippled child as defined in chapter 391, Florida Statutes, shall receive benefits under the provisions of said chapter until age 21, the provisions of this act to the contrary notwithstanding.

Section 3. This act shall operate prospectively and not retroactively and shall not affect the rights and obligations existing prior to the effective date of this act.

Section 4. Any law inconsistent herewith is hereby repealed to the extent of such inconsistency. In editing the manuscript for the next revision of the Florida Statutes, the statutory revision and indexing service is hereby directed to conform existing statutes to the provisions of this act.

Section 5. In the event that any provision or application of this act is held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

Section 6. This act shall take effect July 1, 1973.

Amendment 2—On page 1, lines 3—8, strike all of lines 3 thru 8 and insert the following:

A bill to be entitled An act relating to the rights of majority; creating section 1.01(14), Florida Statutes; providing a definition of minor; providing that the disabilities of nonage shall be removed for all persons of eighteen years of age or older; providing that this act shall not affect court-ordered support; providing a severability clause; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

Senator Scarborough moved that the Senate concur in House Amendment 1 to SB 152.

Senator Weber offered the following amendment to House Amendment 1:

Amendment 1—On page 1, line 7, strike "Section 2. The disability of nonage is hereby removed for all" and insert: Section 2. Except for statutory prohibitions against the purchase and consumption of all alcoholic beverages and wagering at any pari-mutuel establishment by persons less than twenty-one (21) years of age, the disability of nonage is hereby removed for all

Senator Scarborough: I raise a point of order. Mr. President, the Senate has voted on an identical amendment, and defeated it. So, in essence, Mr. President, we're taking action again on something the Senate has already acted on.

Senator Weber: Mr. President, my contention is that the amendment refers to section 2 of the bill, speaks to exemptions and it makes two exemptions. I'm merely proposing two additional exemptions. The language states "provided, however, that this act shall not prohibit any court of competent jurisdiction from requiring support for a dependent person beyond the age of 18 years." That's one exemption. It provides further that any crippled child, which is an entirely different category of youth, as defined in chapter 391, Florida Statutes, shall receive certain benefits. I simply propose to add two additional exemptions pertaining to persons between the ages of 17 and 21.

President: The real point raised by Senator Scarborough—He is suggesting that an identical amendment by the Senator from the 30th was acted on by the Senate when the Senate bill passed the first time and, therefore, is out of order by virtue of having been defeated once. Now, remember early in the session I ruled that if a Senate committee killed a bill and another Senate bill was moving on the floor, you could not take the substance of the bill killed by the committee and tack it to another bill as it moves through the Senate. Now, I warned you that that ruling could not affect a House bill. Now, the problem I have in ruling on the identical question having been previously determined by the Senate is that, the question before you now is on a House amendment to a Senate bill. It parallels closely the question of a new measure from the other body. Though I would mightily like to do it, I'm inclined to believe that when the House sends us a message that it freshens the debate . . . just as a House bill does. If we kill a Senate bill and the House bill comes down here and matches it, it nonetheless, must go to committee and be considered by the committee and the committee can change its judgment . . . so I'm going to rule that the point of order raised by the Senator from the 7th on the 'identical' question is not well taken, and that the amendment to the House amendment to the Senate bill is in order. Now as to the other ground, that is, that it's not germane. I have the House amendment to the Senate bill here and I have the amendment by Senator Weber. It goes to the same section and it does involve a further limitation of rights. The House amendment itself, though not limiting those rights as specifically as this one, does go to the question of a court determination of some rights in the event of litigation (and

the germanity question is not as limited as it used to be . . . the language of the rule now is general subject.) So, on the point that this is the same general subject, I'm going to rule the point of order by the Senator from the 7th not well taken and that the amendment by the Senator from the 30th is in order as being within the same general subject.

On motion by Senator Henderson, by two-thirds vote, debate on the amendment to the amendment was limited to ten minutes per side.

The question recurred on the adoption of Senate amendment 1 to House amendment 1. The amendment failed by the following vote:

Yeas—14

Childers	Johnston	Smathers	Ware
Gallen	Peterson	Stolzenburg	Weber
Gillespie	Poston	Sykes	
Henderson	Sayler	Trask	

Nays—21

Barron	Graham	Pettigrew	Wilson
Brantley	Gruber	Plante	Winn
de la Parte	Johnson	Saunders	Zinkil
Firestone	Lewis	Scarborough	
Glisson	McClain	Sims	
Gordon	Myers	Vogt	

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

Explanation of vote

I voted no on this amendment because the Senate and House have already addressed themselves to this issue. If we keep re-voting on every matter such as this brought before the Senate we would bog ourselves down and never get to matters that help the average everyday hard-working Floridian. So, therefore, to get on to important matters I am voting no. This is the fourth (4th) time the Senate has voted on this issue.

Jim Glisson, 11th District

The question recurred on the motion by Senator Scarborough that the Senate concur in House amendment 1 to SB 152 and the Senate concurred in the House amendment.

On motion by Senator Scarborough, the Senate concurred in House amendment 2 to SB 152.

SB 152 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—24

Mr. President	Gillespie	McClain	Sims
Barron	Glisson	Myers	Smathers
Brantley	Gordon	Pettigrew	Vogt
Childers	Graham	Plante	Wilson
de la Parte	Gruber	Saunders	Winn
Firestone	Johnson	Scarborough	Zinkil

Nays—12

Gallen	Lewis	Sayler	Trask
Henderson	Peterson	Stolzenburg	Ware
Johnston	Poston	Sykes	Weber

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

The President announced the temporary withdrawal of Senator Lane (31st) from the Committee on Ways and Means and the appointment of Senator Sayler to serve during his absence.

Pursuant to Rule 4.6, a point of order was raised by Senator Saunders and Senate Bills 607, 665, 635 and 632 were removed from the calendar and referred to the Committee on Ways and Means.

On motion by Senator Scarborough, SB 296 was removed from the calendar by two-thirds vote and recommitted to the Committee on Judiciary.

The Journals of May 7 and 4 were corrected and approved.

CO-INTRODUCER

By permission Senator Zinkil was recorded as a co-introducer of Senate Bills 553 and 847.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:05 p.m. to reconvene at 9:00 a.m. May 9, 1973.