

—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.

Your Engrossing Clerk to whom was referred CS for SB 592 with 1 amendment

—reports that the House amendment has been incorporated and the bill is returned herewith.

ELMER O. FRIDAY, Secretary

The bill was ordered enrolled.

On motion by Senator Lewis HB 39, which was inadvertently omitted from the consent calendar, was placed on page 12 following SB 671.

REQUESTS FOR EXTENSION OF TIME

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

SR 585 by Senator Deeb HB 280 by Retirement Com-
SJR 851 by Senator Pettigrew mittee
—annual sessions

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

SB 48 by Senator Horne	SB 1104 by Senator J. Lane
SB 98 by Senator Gillespie	SB 1107 by Senator Myers
SB 122 by Senator Scarborough	CS for SB 1107 by Senator Myers
SB 143 by Senator Saylor	SB 1116 by Senator Glisson
SB 216 by Senator Brantley	SB 1127 by Senator Johnson
SB 232 by Senator Firestone	SB 1148 by Senator Deeb
SB 239 by Senator Childers	SB 1156 by Senator Childers
SB 247 by Senator Johnston	SB 1159 by Senator Pettigrew
SB 251 by Senator Myers	SB 1191 by Senator de la Parte
HB 311 by Representative Tucker	SB 1209 by Senator Johnston
SB 351 by Senator Brantley	SB 1220 by Senator Gordon
SB 361 by Senator J. Lane	SB 1250 by Senator Deeb
SB 407 by Senator Brantley	SB 1251 by Senator Deeb
SB 433 by Senator Saylor	SB 1256 by Senator Scarborough
SB 566 by Senator D. Lane	SB 1258 by Senator Williams
SB 659 by Senator D. Lane	SB 1285 by Senator Saunders
SJR 663 by Senator Glisson	SB 1320 by Senator Williams
SB 666 by Senator D. Lane	HB 1357 by Representative Birchfield
SB 667 by Senator Johnson	HB 1543 by Representative Harris
HB 691 by Representative Martinez	HB 1697 by Representative Dubbin
HB 833 by Representative Birchfield	
SB 1099 by Senator J. Lane	

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

SB 284 by Senator Zinkil SB 869 by Senator Vogt

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President May 28, 1973

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

CS for SB 637 SB 582 SB 772
CS for SB 271

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 25, 1973

I am directed to inform the Senate that the House of Representatives has passed SB 923 SB 515 SB 458

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 25, 1973

I am directed to inform the Senate that the House of Representatives has adopted SCR 1327.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 28, 1973

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

SB 684 SB 1048 SB 628
CS for SB 555

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Mallory E. Horne, President May 25, 1973

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee report in its entirety and passed as amended by the Conference Committee Report SB 254.

Allen Morris, Clerk

SB 254, contained in the above message, was ordered engrossed.

The Honorable Mallory E. Horne, President May 25, 1973

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives Harris, Redman, MacKay, Fortune, Turlington, Ogden, Johnson and Poole as a Conference Committee on SB 1343.

And Representatives Holloway, Hodes and Mooney have been appointed as alternate members.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 24, 1973

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed as amended HB 404.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 24, 1973

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed as amended by the required constitutional three-fifths vote of the membership CS for HJR 637.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 24, 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 Shreve and others—

CS for HB 1752—A bill to be entitled An act relating to drug abuse prevention and control; creating §§893.01-893.15, Florida Statutes; creating the "Florida Comprehensive Drug Abuse Prevention and Control Act"; providing definitions; providing standards and schedules under which controlled substances are controlled; regulating the practice of pharmacists and practitioners dealing in controlled substances; prescribing requirements for distribution of controlled substances; providing for record keeping; providing exceptions for dispensing certain controlled substances at retail; providing for enforcement of

this act; establishing burden of proof in certain proceedings; providing for suspension, revocation, and reinstatement of business and professional licenses; providing for seizure and forfeiture, and sale of contraband and vessels, vehicles, or aircraft illegally used; establishing prohibited acts and penalties and arrest authority; providing for conditional discharge and expungement of records for first offense possession of a controlled substance; providing for participation in drug rehabilitation program for certain offenders; repealing chapter 398, Florida Statutes as amended by chapter 72-227, Laws of Florida, and chapter 404, Florida Statutes, as amended by chapter 72-97, and chapter 72-227, Laws of Florida, amending sections 232.26(2), 239.582(1) and (3), 316.028(1), 322.26(2), 322.264(1)(b), 371.51, 397.021(2), 459.14(2)(g), 465.101(1)(e), 465.22(1)(c), 500.46(2) and (5), 500.47(1)(c), 823.10, 831.30(1), 860.01(1), and 860.13(1)(a)2, Florida Statutes, to delete reference to chapters 398 and 404, Florida Statutes, in said sections, and to insert appropriate reference to chapter 893, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 24, 1973

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

By the Committee on Environmental Protection and Representative Harris and others—

CS for HB 1762—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 for preservation of Indian rights; providing severability; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 24, 1973

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

By the Committee on Natural Resources and Representative Harris—

CS for HB 1764—A bill to be entitled An act relating to outdoor recreational sites in the Everglades; providing that the game and fresh water fish commission will develop and manage recreational sites in the water conservation areas of the Florida Everglades; providing definitions; creating the Everglades recreational planning board; providing for the organization and duties of the board; providing development on indian reservation areas shall be only with the reservation's approval; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 25, 1973

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

By Representative Conway—

HB 1433—A bill to be entitled An act relating to community colleges; amending §230.756, Florida Statutes, adding provisions for safety and sanitation of existing facilities; providing an effective date.

By Representative Tillman—

HB 1174—A bill to be entitled An act relating to the location of the office of the superintendent of a district school system; amending section 230.29, Florida Statutes, as amended by chapter 72-221, Laws of Florida, to allow the office to be located anywhere in the district; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 1752, CS for HB 1762, CS for HB 1764, House Bills 1433 and 1174, contained in the above messages, were read the first time by title and placed on the calendar.

The Honorable Mallory E. Horne, President May 24, 1973

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

By the Committee on Appropriations—

HB 2121—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1973 and ending June 30, 1974, to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 216.262, 216.292, 216.301(2), and 236.07(9), F.S.; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 2121, 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 25, 1973

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

By Representative Crabtree—

HB 869—A bill to be entitled An act relating to mechanic's liens; amending subsection (4) of Section 713.07, Florida Statutes; providing for the procedure to be followed if construction on an improvement ceases before completion; specifying the persons who are entitled to notice of the abandonment and their rights and obligations; providing an effective date.

By Representative Crabtree—

HB 872—A bill to be entitled An act relating to mechanics liens; amending Section 713.02, Florida Statutes, by adding Subsection (9); providing for liens in connection with allowances in construction contracts; providing an effective date.

By Representative Crabtree—

HB 874—A bill to be entitled An act relating to mechanics liens; amending subsection (6) of Section 713.02, Florida Statutes, and Section 713.23, Florida Statutes; providing that the bond shall cover all subsequent claims of lien; providing for transfer of liens to the bond; prescribing a form of payment bond; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 24, 1973

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

By Representative Sackett and others—

HB 407—A bill to be entitled An act relating to medical treatment; providing for termination of sustaining treatment of a terminally ill or injured patient in certain circumstances; providing immunity for physicians; exempting persons complying with this act from the provisions of §782.08, Florida Statutes; providing for revocation of a document authorizing the termination of sustaining medical treatment; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

House Bills 869, 872, 874 and 407, contained in the above messages, were read the first time by title and referred to the Committee on Judiciary.

The Honorable Mallory E. Horne, President May 24, 1973

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

By Committee on Transportation and Representative Dubbin and others—

CS for HB 1—A bill to be entitled An act relating to transportation; providing for construction of bicycle trails and footpaths along state roads; authorizing the department of transportation, in cooperation with the division of recreation and parks of the department of natural resources, to establish a statewide integrated system of bicycle trails and footpaths along certain state roads; providing for cooperation between the department of transportation and the division of parks with any municipality in the state which maintains bicycle trails or footpaths for the purpose of developing said comprehensive statewide plan; providing for construction standards; providing for a uniform system of signs; providing for rules and regulations; providing an appropriation; providing legislative intent; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 1, 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 25, 1973

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

By the Committee on Appropriations—

HB 1959—A bill to be entitled An act relating to Chapter 72-409, Laws of Florida, 1972 General Appropriations Act; amending Section 4., item 11, providing a change of priority for spending; providing for an effective date.

By Representative Crabtree—

HB 881—A bill to be entitled An act relating to mechanics' liens; amending Section 713.05, Florida Statutes, to provide for furnishing a sworn statement by the contractor showing the payment status of lienors as a prerequisite to receiving payment or the final payment from the owner; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1959, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

HB 881, 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 25, 1973

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

By Representative Earle and others—

HB 991—A bill to be entitled An act relating to public assistance; amending §409.325(1), Florida Statutes, 1971, relating to the fraudulent receipt of public assistance payments; providing a change in penalties; providing an effective date.

By Representative Earle and others—

HB 995—A bill to be entitled An act relating to food stamps; amending §409.275, Florida Statutes, 1972 Supplement, as amended by §§1 and 2, chapter 72-298, Laws of Florida, adding subsection (3) to said section making it unlawful to falsify any application to receive food stamps and to purchase or sell food stamps; providing penalties; providing an effective date.

By the Committee on Natural Resources—

HB 2105—A bill to be entitled An act relating to the department of natural resources; amending §287.20, Florida Statutes, to provide that certain vehicles used by the department of natural resources for law enforcement purposes be exempt from the state motor pool laws; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 991, contained in the above message, was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

HB 995, contained in the above message, was read the first time by title and referred to the Committee on Criminal Justice.

HB 2105, contained in the above message, was read the first time by title and placed on the calendar.

The Honorable Mallory E. Horne, President May 25, 1973

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

By the Committee on Transportation and Representative Holloway—

HB 2088—A bill to be entitled An act relating to the department of highway safety and motor vehicles, amending section 322.02(2), Florida Statutes; eliminating the requirement that the director of the division of driver license be a member of the Florida highway patrol, providing an effective date.

By Representative Conway—

HB 717—A bill to be entitled An act relating to the state board of education of Florida; providing for the transfer and payment of indebtedness incurred for the benefit of community colleges and represented by bonds or motor vehicle tax anticipation certificates previously issued by the state board of education pursuant to §18, Article XII of the Constitution of 1885; providing an effective date.

By Representative Conway—

HB 723—A bill to be entitled An act relating to education, public school finance; amending §236.04, Florida Statutes; providing for calculation of instruction units on the basis of average daily attendance reported on a school fiscal year basis; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 2088, contained in the above message, was read the first time by title and referred to the Committee on Governmental Operations.

HB 717, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

HB 723, 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 24, 1973

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

By the Committee on Finance & Taxation and Representative Rude—

CS for HB 99—A bill to be entitled An act relating to the department of transportation; amending chapter 334, Florida Statutes, by adding section 334.27; permitting the department of transportation, with the approval of the board of trustees of the internal improvement trust fund, to lease for certain periods, air rights over or under state highways for such nonhighway purposes as will not impair the construction or safety of state highways; subjecting any building erected under this section to the various codes and ordinances of the governmental body where located; providing for payment of taxes on said buildings; requiring disclosure of officers and directors of leasing corporations; prohibiting erection of billboards under this section; providing an effective date.

By Representative Harris—

HB 1714—A bill to be entitled An act relating to Per Diem and Travel Expenses; amending subsection (3)(a) of section 112.061, Florida Statutes, 1972 Supplement, providing that an agency head shall not approve travel unless the purpose of the travel and that it constitutes official business are so stated and signed by the supervisor; providing that the comptroller may authorize forms for such use; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 99, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

HB 1714, contained in the above message, was read the first time by title and placed on the calendar.

The Honorable Mallory E. Horne, President May 25, 1973

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

By the Committee on Transportation and Representative Culbreath and others—

CS for HB 1374—A bill to be entitled An act relating to transportation; creating §§348.80, 348.81, 348.82, 348.83, 348.84, 348.86, 348.87, 348.88, 348.89, 348.90, 348.91, 348.92, 348.93, and 348.94, Florida Statutes, to provide for the creation of a Pasco County expressway authority; transferring authority powers, duties, and responsibilities to the board of county commissioners of Pasco County; providing purposes and powers for the authority; providing for the issuance of bonds in accordance with the State Bond Act; providing for lease-purchase agreements with the department of transportation; providing that the department of transportation may be appointed an agent of the authority for purposes of construction; providing for the acquisition of lands and property; providing for interagency cooperation; providing a covenant not to alter the rights vested in the authority and the department until all outstanding bonds are fully paid and discharged; providing for exemption of the authority from taxation; providing eligibility of authority obligations for investment of public funds; providing for enforcement of pledges by bondholders; providing an effective date.

By the Committee on Transportation and Representatives Holloway and Tittle—

HB 1927—A bill to be entitled An act relating to drivers' licenses; amending §322.12(2), Florida Statutes, by adding a requirement to demonstrate the ability to operate a vehicle of the type or general class of vehicles to be licensed to drive; providing intent; providing an appropriation; providing for examination to be given in county of residence or place adjacent thereto or reasonably convenient to applicant; further providing examination shall be given within ten (10) days from date application is received; adding subsection (3) to §322.12, Florida Statutes, prescribing classifications; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 1374, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

HB 1927, 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 24, 1973

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

By the Committee on Education and Representative Sessums and others—

CS for HB's 914 & 915—A bill to be entitled An act relating to educational loans and grants; amending subsection 239.67(4)(a), Florida Statutes, providing eligibility criteria for loans; providing maximum loan amount; providing use of loans; repealing subsection 239.67(4)(b), Florida Statutes, amending subsection 239.67(7)(a), Florida Statutes, providing repayment procedures for loans; amending subsection 239.461(2)(a), Florida Statutes, 1972 Supplement, providing maximum grant amount; providing institutional eligibility; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB's 914 and 915, 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 May 25, 1973

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of the membership of the House—

By the Committee on Natural Resources—

HJR 2103—A joint resolution requiring the establishment of an 8-member joint committee of the State Legislature to study effective ways for funding and constructing erosion control projects along the coast of Florida.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HJR 2103, contained in the above message, was read the first time and referred to the Committee on Rules and Calendar.

The Honorable Mallory E. Horne, President May 25, 1973

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

By Representative Harris —

HB 1299—A bill to be entitled An act relating to education, public school finance; amending §§237.02(4) and 236.24(1),

1972 Supplement to Florida Statutes; excluding school food service funds from the classification of internal funds; providing for deposit of school food service funds in the district school fund; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1299, 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 25, 1973

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

By Representative Hodges—

HB 498—A bill to be entitled An act relating to the Homosassa Special Water District, Citrus County; amending Section 1, Chapter 59-1177, Laws of Florida, Special Acts of 1959, as amended by Chapter 63-1222, Laws of Florida, Special Acts of 1963; increasing the Territorial Limits of the Homosassa Special Water District of Citrus County, Florida; providing an effective date.

Proof of Publication attached.

By Representative Brown and others—

HB 805—A bill to be entitled An act relating to the City of Ormond Beach; enlarging and revising the boundaries of such city; amending section 6 of chapter 15401, Laws of Florida, 1931, as amended; and providing an effective date.

Proof of Publication attached.

By Representative David Clark and others—

HB 1008—A bill to be entitled An act relating to the City of West Palm Beach, Florida, amending the provisions of Article I, Section 1.01 of Chapter 65-2381, Special Laws of Florida, 1965, as amended, said Chapter being the Charter of said City.

Proof of Publication attached.

By Representative Fulford and others—

HB 1255—A bill entitled An act relating to the acquisition of certain real property by the City of Orlando for parks and recreational purposes; providing for the conferring of specific authority upon the City of Orlando to acquire by purchase or condemnation all or part of certain lands required for the so-called Turkey Lake Project; providing that this Act shall govern any conflicting provisions of any other general or special acts; providing a severability clause; and providing an effective date.

Proof of Publication attached.

By Representative Earle and others—

HB 1256—A bill to be entitled An act relating to Orange County, Florida, amending section 5(5)(b), Chapter 71-803, Laws of Florida, as amended by section 4, Chapter 72-625, changing the time during which one of the potential tax sources of revenue may be enacted; and providing an effective date.

Proof of Publication attached.

By Representative Hagan and others—

HB 1900—A bill to be entitled An act relating to the City of Winter Garden; amending Article XI, Section 91 of the Charter by adding a sub-section to be numbered 91(4) to be known as hereinafter described and providing a method for the City to extend corporate limits to certain areas adjacent thereto and the procedure therefore; providing an effective date.

Proof of Publication attached.

By Representative Craig—

HB 1992—A bill to be entitled An act relating to the City of Palatka, Putnam County; amending §3, chapter 9875, Laws of Florida, 1923, as amended, to add the boundaries of a certain territory lying Southerly and Westerly of and contiguous to the corporate limits of the city; providing an effective date.

Proof of Publication attached.

By Representatives Haben and Harllee—

HB 1977—A bill to be entitled An act amending the charter of the City of Bradenton, Florida, the same being Chapter 22219, Laws of Florida, Special Acts of 1943, as amended, by providing for the exclusion of certain described property from the territorial boundaries of the City of Bradenton, Florida; providing an effective date.

Proof of Publication attached.

By Representative Melvin and others—

HB 2104—A bill to be entitled An act relating to Okaloosa County, Ocean City-Wright Fire Control District; amending subsections (1) and (2) of section 9 of chapter 65-1988, Laws of Florida; providing that the board of commissioners of the fire control district shall have the authority to levy special assessments against the taxable real estate in the district to provide funds for the purposes of the district in an amount not to exceed one (1) mill; providing for the basis of valuation; providing for a referendum; providing an effective date.

Proof of Publication attached.

By Representatives Hutto and Rish—

HB 2113—A bill to be entitled An act relating to Bay County, school board; authorizing the board to recognize service rendered by instructional personnel at the Tyndall Air Force Base elementary school as Florida teaching service; authorizing the issuance of continuing contracts; recognizing such service in administration of the state program of education; providing an effective date.

Proof of Publication attached.

By Representatives Langley and Fachtel—

HB 2115—A bill to be entitled An act relating to Lake County; repealing chapter 61-2366, Laws of Florida; which authorizes the board of public instruction of said county to purchase any and all items required in behalf of said school system, wherein the said purchase price of any item shall be in a sum less than one thousand dollars (\$1,000) without taking sealed bids thereon; providing an effective date.

Proof of Publication attached.

By Representative Poole and others—

HB 1569—A bill to be entitled An act relating to Broward county repealing Chapter 63-1158; which provided for fund allocation for busing of children residing more than two miles from schools; providing an effective date.

Proof of Publication attached.

By Representative Earle and others—

HB 1138—A bill to be entitled An act relating to Orange County, Florida, ratifying, confirming and validating \$3,000,000 capital improvement bonds of the County, the pledge for the payment of such bonds and interest thereon of the portion of the race track funds and jai alai fronton funds accruing annually to Orange County under the provisions of Chapters 550 and 551, Florida Statutes and allocated to the Board of County Commissioners of the County by law, and all acts and proceedings taken and had by the Board of County Commissioners of the County in connection with the authorization and issuance of the capital improvement bonds; providing an effective date.

Proof of Publication attached.

By Representative Hodges—

HB 2071—A bill to be entitled An act relating to the City of Cross City, Dixie County; providing for a change in corporate boundaries; providing for a referendum; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

Evidence of notice and publication was established by the Senate as to House Bills 498, 805, 1008, 1255, 1256, 1900, 1992, 1977, 2104, 2113, 2115, 1569 and 1138, contained in the above messages, which were read the first time by title and referred to the Committee on Rules and Calendar.

HB 2071, 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 May 28, 1973

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

By Senator Johnston—

SB 370—A bill to be entitled An act relating to artificial insemination; providing that children conceived by artificial insemination are presumed legitimate when born within wedlock and both spouses consent; providing an effective date.

Amendment 1—On page 1, line 15, strike “consent” and insert the following: have consented

Amendment 2—On page 1 in title line 8, strike “consent” and insert the following: have consented

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

On motions by Senator Johnston, the Senate concurred in House amendments 1 and 2 to SB 370.

SB 370 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—27

Barron	Henderson	Pettigrew	Stolzenburg
Brantley	Johnson	Poston	Sykes
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (23rd)	Sayler	Weber
Gillespie	Lewis	Scarborough	Wilson
Gordon	McClain	Sims	Winn
Gruber	Peterson	Smathers	

Nays—1

Zinkil

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

The Honorable Mallory E. Horne, President May 24, 1973

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

By Senator Ware—

SB 434—A bill to be entitled An act relating to probate law; amending §731.35, Florida Statutes, to reduce the time for election of dower and to revise the place of filing; amending §§733.15 and 733.16(1), Florida Statutes, to reduce the number of publications of notice to creditors and the time for filing claims and to revise the place of filing; amending §733.18, Florida Statutes, to reduce the times for payment of and filing objections to claims, to revise the place of filing and to require a copy of objections to be sent to the claimant’s attorney; providing a saving clause; providing an effective date.

Amendment 1—On page 4, line 27, after the word “otherwise” insert the following: , provided however, the personal representative may settle in full or in part any legal claim without the necessity of said claim being filed by the creditor, where the settlement has been approved by the heirs or beneficiaries adversely affected or accounted for in accountings to the court, and where the settlement is made within the statutory time for filing claims

Amendment 2—On page 7, line 4, strike “ten ~~thirty~~” and insert the following: thirty

Amendment 3—On page 1, line 24, strike “a widow must so elect by an instrument in writing, signed by her and acknowledged or sworn to by her” and insert the following: the surviving spouse must so elect by a signed instrument in writing, acknowledged or sworn to

Amendment 4—On page 2, line 1, strike “husband” and insert the following: spouse

Amendment 5—On page 2, line 10, strike “widow” and insert the following: surviving spouse

Amendment 6—On page 2, line 15, strike “widow” and insert the following: surviving spouse

Amendment 7—On page 2, line 16, strike “widow” and insert the following: surviving spouse

Amendment 8—On page 2, line 17, strike “widow” and insert the following: surviving spouse

Amendment 9—On page 2, line 18, strike “her husband” and insert the following: the deceased spouse

Amendment 10—On page 2, line 21, strike “widow” and insert the following: surviving spouse

Amendment 11—On page 2, line 23, strike “a widow’s dower” and insert the following: dower of a widow of any man who dies prior to the effective date of this act

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

On motions by Senator Ware, the Senate concurred in House amendments 1 through 11 to SB 434.

SB 434 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—29

Barron	Henderson	Peterson	Ware
Brantley	Johnson	Pettigrew	Weber
de la Parte	Johnston	Poston	Wilson
Firestone	Lane (31st)	Sayler	Winn
Gallen	Lane (23rd)	Sims	Zinkil
Gillespie	Lewis	Smathers	
Gordon	McClain	Stolzenburg	
Gruber	Myers	Sykes	

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

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

INTRODUCTION

By Senator Gillespie—

SCR 1357—A concurrent resolution requesting the Governor of the State of Florida to return Senate Bill No. 847 to the Legislature for the purpose of further consideration.

—was read the first time and placed on the calendar.

On motion by Senator Barron, by two-thirds vote SCR 1357 was read the second time in full, adopted, and certified to the House. The vote was:

Yeas—28

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

Nays—None

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

By Senator Henderson—

SB 1358—A bill to be entitled An act relating to the Boca Grande Fire Control District; amending Section 3, Chapter 22372, Laws of Florida, 1943, to allow Board to lease property as deemed necessary for fire control purposes; providing for a referendum.

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

By Senator Gillespie—

SB 1359—A bill to be entitled An act relating to Volusia County; amending §5, chapter 70-973, Laws of Florida; prohibiting the use of gill nets in the salt waters of Volusia county north of the twenty-ninth parallel; prohibiting the use of gill nets of certain specifications south of the said parallel; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1359.

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

By Senators Brantley and Smathers—

SCR 1360—A concurrent resolution in memory of Representative Harry Westberry.

—was read the first time and placed on the calendar.

On motion by Senator Brantley, by two-thirds vote SCR 1360 was read the second time.

On motion by Senator Brantley the following amendment was adopted:

Amendment 1—On page 3, lines 3 and 4, strike after "the" on line 3, balance of line 3, on line 4, "representatives and the Senate" and insert: Senate and the House of Representatives

On motion by Senator Brantley the following amendment was adopted:

Amendment 2—On page 2, strike lines 26 and 27 and insert: Be It Resolved by the Senate of the State of Florida, the House of Representatives concurring:

SCR 1360 as amended was read in full:

SCR 1360—A concurrent resolution in memory of Representative Harry Westberry.

WHEREAS, On April 22, 1972, the people of the State of Florida, particularly those of Duval County, suffered the untimely loss of Representative Harry W. Westberry, a man whose life displayed the great American ideal of rising from humble origins to positions of respect and responsibility, both professionally and in the service of his state, and

WHEREAS, Representative Westberry was born April 30, 1907, in Jessup, Georgia, and moved to Florida in 1926, and

WHEREAS, Representative Westberry was educated in the public schools of Georgia and Florida and the University of Florida, and

WHEREAS, Representative Westberry, in 1938, was engaged in the construction trades, and participated in the building of what is now the Owens-Illinois Mill in Jacksonville, and

WHEREAS, after the mill was completed, Representative Westberry secured employment in the boiler room therein, and

WHEREAS, Representative Westberry rose through the ranks of that organization to the position of Manager of Industry Relations, the position he held with Owens-Illinois until his untimely death, and

WHEREAS, during his early employment, Representative Westberry served his fellow workers as President of the local International Brotherhood of Paper Makers Union, and

WHEREAS, Representative Westberry served his country in World War II, participating in both the United States Army and the United States Navy, and

WHEREAS, Harry Westberry was elected to the Florida House of Representatives in 1952, and, except for the 1966-68 term, served until his death in April 1972, and

WHEREAS, Representative Westberry served with distinction on numerous legislative committees throughout his long tenure in the House of Representatives, participating as committee chairman and vice-chairman of numerous committees, and at his death was serving as vice-chairman of the Rules and Calendar Committee, as well as on the Environmental Pollution Control and General Legislation committees, and

WHEREAS, Representative Westberry deeply cherished the ideals embodied in the American form of democratic government, and

WHEREAS, Representative Westberry's demise is marked by a sense of deep loss and sadness, and

WHEREAS, Representative Westberry's life work was such that an account thereof would be an inspiration to all who would reflect thereon, and

WHEREAS, we acknowledge the legacy of Representative Westberry's splendid achievements, honor his memory and express our condolences, NOW, THEREFORE,

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

That this concurrent resolution be spread upon the pages of the Journals of the House of Representatives and the Senate of the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the Constitutional officers of the Senate and the House of Representatives, be certified by the Secretary of State under the Great Seal of the State, to Mrs. Westberry as a symbol of the sympathy expressed to her by each member of the Legislature.

SCR 1360 as amended was adopted and ordered engrossed. The vote was:

Yeas—30

Barron	Gruber	Myers	Stolzenburg
Brantley	Henderson	Peterson	Sykes
de la Parte	Johnson	Pettigrew	Ware
Firestone	Johnston	Poston	Weber
Gallen	Lane (31st)	Sayler	Winn
Gillespie	Lane (23rd)	Scarborough	Zinkil
Gordon	Lewis	Sims	
Graham	McClain	Smathers	

Nays—None

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

CONSENT CALENDAR

On motion by Senator Sykes, consideration of SB 1164 was deferred until 10:45 a.m. this day.

SB 1140—A bill to be entitled An act relating to stop payment orders on checks used for payment of services on personal property; amending subsections 713.58(3) and (4), Florida Statutes, providing that stopping payment on a check used

for payment of services on personal property to which a mechanics lien attaches shall not be prima facie evidence of intent to defraud; providing an effective date.

—was read the second time by title. On motion by Senator Pettigrew, by two-thirds vote SB 1140 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Barron	Graham	Myers	Stolzenburg
Brantley	Gruber	Peterson	Sykes
de la Parte	Johnson	Pettigrew	Ware
Firestone	Johnston	Poston	Weber
Gallen	Lane (31st)	Sayler	Wilson
Gillespie	Lane (23rd)	Scarborough	Winn
Glisson	Lewis	Sims	
Gordon	McClain	Smathers	

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

SB 912 was taken up, together with:

By the Committee on Governmental Operations—

CS for SB 912—A bill to be entitled An act relating to the auditor general; amending §11.45(1), Florida Statutes, adding paragraph (e) defining county agency; amending paragraph (a), of §11.45(3), Florida Statutes, relating to the power and duty of the auditor general to make postaudits and performance audits of the accounts and records of state agencies and county agencies, and of other public accounts and records, and relating to the annual postaudit of certain public accounts and records by an independent certified public accountant; and repealing chapter 63-1403, Laws of Florida, Acts of 1963, relating to the annual audit by the state auditor of the accounts and records of each incorporated municipality within Hillsborough county.

—which was read the first time by title and SB 912 was laid on the table.

On motion by Senator Pettigrew, by two-thirds vote CS for SB 912 was read the second time by title.

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

Amendment 1—On page 2, line 5, after the word “sheriff,” and before the “and” insert: the words “a tax assessor”

On motion by Senator Pettigrew, by two-thirds vote CS for SB 912 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—30

Barron	Graham	Peterson	Sykes
Brantley	Gruber	Pettigrew	Ware
de la Parte	Johnson	Poston	Weber
Firestone	Johnston	Sayler	Wilson
Gallen	Lane (31st)	Scarborough	Winn
Gillespie	Lane (23rd)	Sims	Zinkil
Glisson	Lewis	Smathers	
Gordon	McClain	Stolzenburg	

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

SB 348 was taken up, together with:

By the Committee on Judiciary—

CS for SB 348—A bill to be entitled An act relating to health care services; requiring hospitals or nursing homes to furnish copies of records; providing for a reasonable charge for payment therefor; providing for examination of certain records; providing an effective date.

—which was read the first time by title and SB 348 was laid on the table.

On motions by Senator Scarborough, by two-thirds vote CS for SB 348 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—31

Barron	Graham	McClain	Stolzenburg
Brantley	Gruber	Peterson	Sykes
de la Parte	Henderson	Pettigrew	Ware
Firestone	Johnson	Poston	Weber
Gallen	Johnston	Sayler	Wilson
Gillespie	Lane (31st)	Scarborough	Winn
Glisson	Lane (23rd)	Sims	Zinkil
Gordon	Lewis	Smathers	

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

SB 1165—A bill to be entitled An act relating to grand juries; amending ss905.04, Florida Statutes, by adding new subsection (3) to provide for six peremptory challenges for the state and opposing party.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote SB 1165 was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Barron	Gruber	McClain	Smathers
Brantley	Henderson	Peterson	Stolzenburg
de la Parte	Johnson	Pettigrew	Sykes
Firestone	Johnston	Poston	Ware
Gallen	Lane (31st)	Sayler	Weber
Glisson	Lane (23rd)	Scarborough	Wilson
Graham	Lewis	Sims	Winn

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

SB 445—A bill to be entitled an Act relating to grand juries; providing that no report or presentment of a grand jury relating to an individual which is not accompanied by a true bill or indictment shall be made public until the individual concerned has received a copy and has had an opportunity to file a motion seeking to delete from the report that portion which he feels is unlawful; providing that such motion shall act as a stay of public announcement until the district court of appeal affirms or denies the court's ruling on the motion; providing an effective date.

—was read the second time by title.

The Committee on Criminal Justice offered the following amendments which were adopted on motions by Senator Johnson:

Amendment 1—On page 1, line 26, strike “he feels”

Amendment 2—On page 1, line 24, strike “the opportunity” and insert: fifteen (15) days

Amendment 3—On page 1, line 23, strike “such time as”

Amendment 4—On page 1, line 10, strike “an opportunity” and insert: fifteen days

Amendment 5—On page 1, lines 11 and 12, strike “he feels”

On motion by Senator Johnson, by two-thirds vote SB 445 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—30

Barron	Graham	McClain	Sykes
Brantley	Gruber	Peterson	Ware
de la Parte	Henderson	Pettigrew	Weber
Firestone	Johnson	Poston	Wilson
Gallen	Johnston	Sayler	Winn
Gillespie	Lane (31st)	Scarborough	Zinkil
Glisson	Lane (23rd)	Sims	
Gordon	Lewis	Stolzenburg	

Nays—None

SB 447—A bill to be entitled An act relating to juries and jury commissions; adding subsection (4) to §286.011, Florida Statutes, to provide an exception from the requirement that all meetings be held in public for grand and petit juries, jury commissions and county commissions acting as jury commissions; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote SB 447 was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Barron	Gruber	McClain	Smathers
de la Parte	Henderson	Peterson	Stolzenburg
Firestone	Johnson	Pettigrew	Sykes
Gallen	Johnston	Poston	Ware
Glisson	Lane (31st)	Sayler	Weber
Gordon	Lane (23rd)	Scarborough	Winn
Graham	Lewis	Sims	Zinkil

Nays—1

Wilson

By unanimous consent Senator Childers was recorded as voting yea.

SB 1119 was taken up, together with:

By the Committee on Health and Rehabilitative Services—

CS for SB 1119—A bill to be entitled An act relating to dentistry; amending §466.03(6) and (7), Florida Statutes, 1972 Supplement, relating to persons exempt from regulation by chapter 466, Florida Statutes, to include certain persons who have complied with the law concerning students and instructors in dental auxiliary educational programs; amending §466.20, Florida Statutes, 1971, to increase the compensation of board members and modify the procedure for payment of board expenses; amending §466.27(2), (3), (4) and (5), Florida Statutes, 1971, to allow use of the term "general dentistry" in professional signs, and announcements; providing an effective date.

—which was read the first time by title and SB 1119 was laid on the table.

On motions by Senator Lane (23rd), by two-thirds vote CS for SB 1119 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—28

Barron	Gruber	McClain	Smathers
de la Parte	Henderson	Peterson	Sykes
Firestone	Johnson	Pettigrew	Ware
Gallen	Johnston	Poston	Weber
Glisson	Lane (31st)	Sayler	Wilson
Gordon	Lane (23rd)	Scarborough	Winn
Graham	Lewis	Sims	Zinkil

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

The hour of 10:45 a.m. having arrived, the Senate took up for consideration SB 1164, together with—

By the Committee on Natural Resources and Conservation—

CS for SB 1164—A bill to be entitled An act relating to water management; amending sections 4, 6, 10, 11, 12 and 17 of Part I of the Florida Water Resources Act of 1972, Chapter 72-299, Laws of Florida; creating a new section 29 in said Part I; amending sections 1, 2, 3, 4, 5 and 8 of Part II of said act; creating a new section 12 in said Part II; amending sections 2, 9 and 11 of Part III of said act; amending sections 1, 4, 5, 7 and 8 and repealing section 14 of Part IV of said act; amending section 1 of Part V of said act; establishing districts, interim districts and certain basins; prescribing boundaries; prescribing duties and responsibilities of basin and district boards and of the department of natural resources; providing for implementation of permitting procedures; providing definitions; providing for existing permits; establishing procedures and amounts; changing penalty provisions; eliminating certain fees; prescribing additional methods of funding; requiring approval of certain electors prior to levy of ad valorem taxes; authorizing certain expenditures; providing for rearrangement and renumbering; providing an effective date.

—which was read the first time by title and SB 1164 was laid on the table.

On motions by Senator Graham, by two-thirds vote CS for SB 1164 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—24

Barron	Gruber	McClain	Sims
de la Parte	Henderson	Peterson	Smathers
Firestone	Johnson	Pettigrew	Ware
Gallen	Johnston	Poston	Wilson
Gordon	Lane (31st)	Sayler	Winn
Graham	Lane (23rd)	Scarborough	Zinkil

Nays—4

Glisson	Lewis	Sykes	Weber
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By unanimous consent, Senator Sims changed his vote from yea to nay, Senator Childers was recorded as voting yea.

SB 403—A bill to be entitled An act relating to unemployment compensation; amending §443.04(5)(a), Florida Statutes, 1972 Supplement, defining "exhaustee" as to seasonal limitations and defining "additional benefits"; amending §443.08 (3)(a) and (4)(a), Florida Statutes, 1972 Supplement, and §443.10(5)(a) and (b), Florida Statutes, conforming the unemployment compensation law to the federal social security act relating to appropriations for the administration of said law; providing an effective date.

—was read the second time by title. On motion by Senator Gordon, by two-thirds vote SB 403 was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Barron	Graham	Peterson	Ware
Brantley	Gruber	Poston	Weber
de la Parte	Henderson	Sayler	Wilson
Firestone	Johnson	Scarborough	Winn
Gallen	Johnston	Sims	Zinkil
Gillespie	Lane (31st)	Smathers	
Glisson	Lewis	Stolzenburg	
Gordon	McClain	Sykes	

Nays—None

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

SB 865 was taken up, together with:

By the Committee on Criminal Justice—

CS for SB 865—A bill to be entitled An act relating to migrant labor groups; amending Section 450.38, Florida Statutes, in-

creasing the penalties for violation of certain provisions relating to farm labor contractors; providing an effective date.

—which was read the first time by title and SB 865 was laid on the table.

On motions by Senator Gordon, by two-thirds vote CS for SB 865 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

Barron	Graham	McClain	Sykes
Brantley	Gruber	Myers	Ware
de la Parte	Henderson	Peterson	Weber
Firestone	Johnson	Pettigrew	Wilson
Gallen	Johnston	Poston	Winn
Gillespie	Lane (31st)	Sayler	Zinkil
Glisson	Lane (23rd)	Smathers	
Gordon	Lewis	Stolzenburg	

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

SB 833 with committee substitute was taken up and on motion by Senator Gordon—

CS for HB 689—A bill to be entitled An act relating to disabled persons; providing for the detection and correction of the abuse and maltreatment of developmentally disabled persons; providing for reports; providing for conditions precedent to reports; providing responsibilities for public agencies; providing a central registry for reports; providing immunity to certain persons; providing for nonapplicability of certain evidentiary privileges; providing penalties; providing an effective date.

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

The Committee on Health and Rehabilitative Services offered the following amendments, which were adopted on motions by Senator Gordon:

Amendment 1—On page 2, line 28, after the word “shall”, insert: also

Amendment 2—On page 5, line 29, after the word “department” insert: where appropriate

Senator Myers offered the following amendment which was adopted on motion by Senator Gordon:

Amendment 3—On page 6, line 25, strike “October 1, 1973” and insert: July 1, 1974

On motion by Senator Gordon, by two-thirds vote CS for HB 689 as amended was read the third time by title and passed. The vote was:

Yeas—31

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

Nays—None

SB 833 with committee substitute was laid on the table.

The bill with amendments was delivered to the engrossing clerk.

SB 1219—A bill to be entitled An act relating to physician's assistants; amending §458.135(2), Florida Statutes, adding para-

graph (f) thereto, and §458.135(5) (a), (c), Florida Statutes, adding paragraph (e) to said subsection, to encourage the proliferation of physician's assistants training programs in suitable institutions throughout the state; providing for certification in primary care; providing an effective date.

—was read the second time by title.

Senator Barron presiding.

The Committee on Health and Rehabilitative Services offered the following amendments which were adopted on motions by Senator Gordon:

Amendment 1—On page 2, line 8, strike the word “only” and insert: *primarily*

Amendment 2—On page 2, lines 9 through 14 strike “The board shall create groups of specialty classifications of training for physician's assistants. These classifications will reflect the training and experience of the physician's assistant. The physician's assistant may receive training in one or more such classifications which shall be shown on the certificate issued.” and insert: *However, the board may create groups of speciality classifications of training for physician's assistants. These classifications will reflect the training and experience of the physician's assistant. The physician's assistant may receive training in one or more such classifications which shall be shown on the certificate issued.*

The Committee on Health and Rehabilitative Services offered the following amendment which was moved by Senator Gordon and failed:

Amendment 3—On page 2, strike lines 15 through 23 and insert: *The programs at each of the individual state funded medical schools in conjunction with the community colleges, shall enroll within two (2) years of the effective date of this act, a class of at least twenty (20) physician's assistants. And that by October, 1980, all programs shall have enrolled a total number equivalent to not less than fifty per cent (50%) of the medical graduates at state funded medical schools.*

On motion by Senator Gordon, by two-thirds vote SB 1219 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—27

Barron	Graham	McClain	Stolzenburg
Brantley	Gruber	Peterson	Sykes
Firestone	Henderson	Pettigrew	Ware
Gallen	Johnson	Poston	Weber
Gillespie	Johnston	Sayler	Wilson
Glisson	Lane (23rd)	Scarborough	Winn
Gordon	Lewis	Smathers	

Nays—2

Lane (31st) Zinkil

SB 520 was taken up and on motion by Senator Gordon—

HB 706—A bill to be entitled An act relating to insurance; amending section 624.522, Florida Statutes, by adding a new subsection (6) and renumbering subsequent subsection to provide that all funds deposited in liquefied petroleum gas administrative trust fund, municipal firemen's pension trust fund, municipal police officers' retirement trust fund, state fire marshal trust fund, and publications trust fund shall be transferred to the insurance commissioner's regulatory trust fund; providing an effective date.

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

The President Pro Tempore presiding.

On motion by Senator Gordon, by two-thirds vote HB 706 was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Brantley	Graham	Lewis	Sykes
de la Parte	Gruber	McClain	Ware
Firestone	Henderson	Peterson	Weber
Gallen	Johnson	Pettigrew	Wilson
Gillespie	Johnston	Poston	Winn
Glisson	Lane (31st)	Sayler	Zinkil
Gordon	Lane (23rd)	Sims	

Nays—None

SB 520 was laid on the table.

On motion by Senator Gordon, HB 1248 was withdrawn from the Committee on Governmental Operations by two-thirds vote and placed on the calendar.

SB 802 was taken up and on motion by Senator Gordon—

HB 1248—A bill to be entitled An act relating to the Florida archives and history act, chapter 267, Florida Statutes creating Part II of said act to provide for designation of state archaeological landmarks, providing definitions, providing for designation, providing for permits, providing penalties, providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Gordon, by two-thirds vote HB 1248 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

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

Nays—None

SB 802 was laid on the table.

On motion by Senator Glisson, unanimous consent was obtained to take up out of order—

SB 387—A bill to be entitled An act relating to the bicentennial commission of Florida; amending §13.9972(3), Florida Statutes, providing that the commission shall cooperate with St. Augustine's committee for the national bicentennial, inc. to plan the proposed Miami international exposition; providing an effective date.

—which was read the second time by title. On motion by Senator Glisson, by two-thirds vote SB 387 was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Brantley	Gruber	Peterson	Ware
de la Parte	Henderson	Pettigrew	Weber
Firestone	Johnson	Poston	Wilson
Gallen	Johnston	Sayler	Winn
Gillespie	Lane (31st)	Scarborough	Zinkil
Glisson	Lane (23rd)	Smathers	
Gordon	Lewis	Stolzenburg	
Graham	McClain	Sykes	

Nays—None

SB 1009—A bill to be entitled An act relating to workmen's compensation; amending section 440.42 (2), Florida Statutes, relating to liability under, and cancellation of, insurance policies; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 1009 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

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

Nays—None

CS for HB's 93 and 353—A bill to be entitled An act relating to loads on vehicles; amending section 316.198, F. S., providing vehicles hauling aggregate and any other material which may drop or blow from it be prevented from doing so; providing owner and driver, severally, be liable; providing an effective date.

—was read the second time by title.

Senators Peterson, Trask and Gillespie offered the following amendment which was adopted on motion by Senator Peterson:

Amendment 1—On page 1, line 28, strike "other" and insert: similar

Further consideration of CS for HB's 93 and 353 as amended was deferred.

SM 528—A memorial to the Congress of the United States strongly protesting aid to the country of North Vietnam.

—was read the second time in full. On motion by Senator Johnston, SM 528 was adopted and certified to the House. The vote was:

Yeas—30

Barron	Gruber	Peterson	Sykes
Brantley	Henderson	Pettigrew	Ware
de la Parte	Johnson	Poston	Weber
Firestone	Johnston	Sayler	Wilson
Gallen	Lane (31st)	Scarborough	Winn
Gillespie	Lane (23rd)	Sims	Zinkil
Glisson	Lewis	Smathers	
Graham	McClain	Stolzenburg	

Nays—1

Gordon

Senator Weber moved that the rules be waived and SB 1134 be considered at 11:50 a.m. this day and the motion was adopted.

On motion by Senator Graham, HB 1299 was withdrawn from the Committee on Education by two-thirds vote and placed on the calendar.

SB 1235 was taken up and on motion by Senator Graham—

HB 1299—A bill to be entitled An act relating to education, public school finance; amending §§237.02(4) and 236.24(1), 1972 Supplement to Florida Statutes; excluding school food service funds from the classification of internal funds; providing for deposit of school food service funds in the district school fund; providing an effective date.

—a companion measure was substituted therefor. On motions by Senator Graham, by two-thirds vote HB 1299 was read the second time by title and by two-thirds vote the third time by title, passed and certified to the House. The vote was:

Yeas—28

Barron	Gordon	Lane (23rd)	Sims
Brantley	Graham	Lewis	Smathers
de la Parte	Gruber	McClain	Stolzenburg
Firestone	Henderson	Peterson	Sykes
Gallen	Johnson	Pettigrew	Weber
Gillespie	Johnston	Poston	Winn
Glisson	Lane (31st)	Sayler	Zinkil

Nays—None

SB 1235 was laid on the table.

SB 1237 was taken up and on motion by Senator Brantley—

HB 1245—A bill to be entitled An act relating to insurance; amending section 628.401(1), Florida Statutes, 1971; increasing the authorized annual interest rate from six percent (6%) to eight percent (8%) that may be charged on money borrowed by a domestic stock or mutual insurer for any purpose of its business; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Brantley, by two-thirds vote HB 1245 was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Barron	Gruber	Pettigrew	Ware
Brantley	Henderson	Poston	Weber
de la Parte	Johnson	Saylor	Wilson
Firestone	Johnston	Scarborough	Winn
Gallen	Lane (31st)	Sims	Zinkil
Glisson	Lane (23rd)	Smathers	
Gordon	Lewis	Stolzenburg	
Graham	Peterson	Sykes	

Nays—1

McClain

(6) thereto; changing nomenclature and providing a penalty; repealing §§468.164(6), 468.170(3)(a), (b) and (4)—(6), and 468.173(3)(a), Florida Statutes, relating to provisional licensing; providing an effective date.

—was read the second time by title.

The Committee on Health and Rehabilitative Services offered the following amendment which was adopted on motion by Senator Lane (31st):

Amendment 1—On page 4, line 25, strike “\$25” and insert: \$50

On motion by Senator Lane (31st), by two-thirds vote SB 560 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—27

Brantley	Gruber	McClain	Sykes
de la Parte	Henderson	Peterson	Ware
Firestone	Johnson	Pettigrew	Weber
Gallen	Johnston	Poston	Wilson
Glisson	Lane (31st)	Saylor	Winn
Gordon	Lane (23rd)	Scarborough	Zinkil
Graham	Lewis	Sims	

Nays—None

SB 1237 was laid on the table.

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 second time by title. On motion by Senator Zinkil, by two-thirds vote SB 640 was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Barron	Graham	Lewis	Sims
Brantley	Gruber	McClain	Sykes
de la Parte	Henderson	Peterson	Ware
Firestone	Johnson	Pettigrew	Weber
Gallen	Johnston	Poston	Wilson
Glisson	Lane (31st)	Saylor	Winn
Gordon	Lane (23rd)	Scarborough	Zinkil

Nays—1

Smathers

Explanation of Vote

While approving the intent of SB 640, I cannot support the insertion of criminal penalties when civil remedies are more appropriate.

Bruce A. Smathers, 9th district

SB 560—A bill to be entitled An act relating to nursing home administrators; amending §468.164(3), (4) and (7), Florida Statutes, changing definitions; amending §468.165(1), Florida Statutes, changing nomenclature; amending §468.167(1)(f), Florida Statutes, providing for expanded study of nursing homes; amending §468.168(1), Florida Statutes, adding paragraph (e) thereto; providing additional requirements for examination; amending §468.169, Florida Statutes, adding subsection (3) thereto; providing for a reexamination fee; amending §468.171(2), Florida Statutes, providing for a renewal delinquency fee; amending §468.173(1), (3)(b), Florida Statutes, providing that an administrator-in-training shall not be required to pass an examination; providing that certain experience may be a waiver of the administrator-in-training program; amending §468.175(1) and (2), Florida Statutes, adding subsection

SB 1054—A bill to be entitled An act relating to the division of library services; amending §§257.17, 257.18, 257.19 and 257.24, Florida Statutes; creating §§257.191 and 257.192, Florida Statutes; providing that operating grants be predicated upon local library expenditures, or upon local appropriations in the case of new libraries; providing a new formula for equalization grants; increasing from twenty thousand to fifty thousand dollars the maximum amount of establishment grants and excepting such grants from proration requirement in §257.21; providing that state funds can be used for library construction if specifically appropriated therefore; authorizing the division to accept and administer state appropriations for library construction and requiring the promulgation of regulations by the division for administering such grants and excepting §257.191 from the application of 257.21; authorizing the division to accept and administer state appropriations for program grants in accordance with the Florida long-range program for library services; providing for conflict; providing for severability; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations offered the following amendments which were adopted on motions by Senator Brantley:

Amendment 1—On page 2, line 26, after the word “county” insert: or with a municipality in another county

Amendment 2—On page 4, strike all lines 8—18 and insert: *the ratio of the total nonexempt taxable value on the tax roll for each county in the applicable year, as approved by the department of revenue, to the total statewide nonexempt taxable property on all county tax rolls approved by the department of revenue in the applicable year.*

Amendment 3—On page 6, line 5, strike the word “fuilding” and insert: building

Pending further consideration of SB 1054 as amended, on motion by Senator Brantley—

HB 1428—A bill to be entitled An act relating to the division of library services; amending §§257.17, 257.18, 257.19 and 257.24, Florida Statutes; creating §§257.191 and 257.192, Florida Statutes; providing that operating grants be predicated upon local library expenditures, or upon local appropriations in the case of new libraries; providing a new formula for equalization grants; increasing from twenty thousand to fifty thousand dollars the maximum amount of establishment grants and excepting such grants from proration requirement in §257.21; providing that state funds can be used for library construction if

specifically appropriated therefore; authorizing the division to accept and administer state appropriations for library construction and requiring the promulgation of regulations by the division for administering such grants and excepting \$257,191 from the application of §257.21; authorizing the division to accept and administer state appropriations for program grants in accordance with the Florida long-range program for library services; providing for conflict; providing for severability; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Brantley, by two-thirds vote HB 1428 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

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

Nays—None

SB 1054 was laid on the table.

Senator Brantley presiding.

Senator Graham moved that the rules be waived and SB 657 be deferred until 2:30 p.m. this day and the motion was adopted.

The President Pro Tempore presiding.

On motion by Senator Barron, Rule 2.5 was waived and the Committee on Rules and Calendar was granted permission to consider the following bills at 1:00 p.m. this day: House Bills 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068 and 2069.

The hour of 11:50 a.m. having arrived the Senate proceeded to the consideration of—

SB 1134—A bill to be entitled An act relating to public documents; creating subsection 283.27(3), Florida Statutes, to provide that the auditor general shall receive promulgated public documents and report about them to the legislature; providing an effective date.

—which was taken up and read the second time by title.

On motions by Senator Weber the following amendments were adopted:

Amendment 1—On page 1, line 15, insert and re-number Section 1. Subsection (1) of 283.27, Florida Statutes, is amended to read: (1) Every department or agency of the state which promulgates public documents, as defined in FS 257.05(1), shall cause the following statement, with cost data and purpose inserted, to be printed on the publication adjacent to the identification of the agency responsible for publication: "This public document was promulgated at an annual cost of \$ _____ or \$ _____ per copy for (number of) copies to—(Statement of purpose). . ." This statement shall be printed in the same size type as the body copy of the document and shall be set in a box composed of a one-point rule.

Scriveners note: adds the following words: for —(number of) copies

Amendment 2—On page 1, line 4, insert: amending Chapter 283.27(1) and

On motion by Senator Wilson, by two-thirds vote SB 1134 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—27

Barron	Graham	Peterson	Sykes
Brantley	Gruber	Poston	Ware
Childers	Henderson	Sayler	Weber
de la Parte	Johnston	Scarborough	Wilson
Firestone	Lane (23rd)	Sims	Winn
Gallen	Lewis	Smathers	Zinkil
Gillespie	McClain	Stolzenburg	

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

On motion by Senator Weber, the House was requested to return HB 2096.

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

AFTERNOON SESSION

The Senate was called to order by Senator Barron at 2:00 p.m. A quorum present—31:

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

REPORT OF COMMITTEE

The Committee on Rules and Calendar recommends the following pass:

HB 2058	HB 2065
HB 2059	HB 2066
HB 2060	HB 2067
HB 2061	HB 2068
HB 2062	HB 2069 with 1 amendment
HB 2063	

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

CONSENT CALENDAR

SB 657 was taken up and on motion by Senator de la Parte—

HB 2051—A bill to be entitled An act relating to the corporate income tax; amending part VII of chapter 220, Florida Statutes, 1972 Supplement, special rules relating to bank taxation; amending section 220.62, Florida Statutes, 1972 Supplement, defining bank and savings association; amending section 220.63, Florida Statutes, 1972 Supplement, to include savings association; amending section 220.64, Florida Statutes, 1972 Supplement, to include savings associations; amending section 220.65, Florida Statutes, 1972 Supplement, to provide part VII is the exclusive part to tax banks; creating section 220.67, Florida Statutes, 1972 Supplement, to provide special rules of taxation for taxable years ending before January 1, 1976; creating section 220.68, Florida Statutes, 1972 Supplement, to provide for a tax credit; creating section 220.69, Florida Statutes, 1972 Supplement, to provide special filing requirements for foreign banks and savings associations; amending section 665.501(4), Florida Statutes, 1971, to eliminate tax definition of doing business; providing an effective date.

—a similar measure was substituted therefor and read the second time by title. On motion by Senator de la Parte, by two-thirds vote HB 2051 was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Barron	Gillespie	Lane (23rd)	Sims
Brantley	Glisson	Lewis	Stolzenburg
Childers	Gordon	McClain	Ware
Deeb	Graham	Peterson	Weber
de la Parte	Gruber	Pettigrew	Wilson
Firestone	Johnson	Poston	Winn
Gallen	Johnston	Sayler	Zinkil

Nays—None

By unanimous consent Senator Sykes was recorded as voting yea.

SB 657 was laid on the table.

The President Pro Tempore presiding.

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 second time by title.

The Committee on Education offered the following amendment which was adopted on motion by Senator Johnston:

Amendment 1—On page 1, strike line 10 and balance of page and on page 2, strike all through line 10

On motion by Senator Johnston, by two-thirds vote SB 625 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—26

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

Nays—3

Pettigrew Stolzenburg Ware

On motion by Senator Barron, it was agreed that the Senate would proceed to the Special Order Calendar at 3:10 p.m.

On motion by Senator Poston, by two-thirds vote, the Senate reverted to—

CS for HB's 93 and 353—A bill to be entitled An act relating to loads on vehicles; amending section 316.198, F. S., providing vehicles hauling aggregate and any other material which may drop or blow from it be prevented from doing so; providing owner and driver, severally, be liable; providing an effective date.

On motion by Senator Poston, by two-thirds vote CS for HB's 93 and 353 as amended was read the third time by title and passed. The vote was:

Yeas—30

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

Nays—None

The bill with amendment was delivered to the engrossing clerk.

On motion by Senator Graham, the rules were waived and consideration of HB 425 was deferred until 2:30 p.m.

HB 1238—A bill to be entitled An act relating to the district school system; amending §230.17(2), Florida Statutes, 1971, to provide that regular or special meetings of district school boards may be held anywhere in the county under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Weber, by two-thirds vote HB 1238 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

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

Nays—None

HB 1034—A bill to be entitled An act relating to education; amending Section 230.752, Florida Statutes, by adding new paragraph (2) to provide for altering of district lines of junior colleges; providing an effective date.

—was read the second time by title. On motion by Senator Graham, by two-thirds vote HB 1034 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

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

Nays—None

SB 332—A bill to be entitled An act relating to the beverage law; amending section 562.13, Florida Statutes, as amended by Chapter 72-183, Laws of Florida, as amended by Chapter 72-183, Laws of Florida, removing in certain establishments the prohibition against persons convicted of any offense from participating in the sale, preparation or service of alcoholic beverages; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were adopted on motions by Senator Pettigrew:

Amendment 1—On page 2, line 15, before the word "offense" insert: felony

Amendment 2—On page 2, lines 20-21, strike "twenty-one years" and insert: majority

Amendment 3—On page 1, line 22, strike "twenty-one years of age" and insert: the age of majority

Amendment 4—On page 2, line 25, strike "twenty-one (21) years" and insert: majority

Amendment 5—On page 1, line 24, strike "twenty-one years" and insert: majority

Amendment 6—On page 1, lines 7 and 8, strike "as amended by Chapter 72-183, Laws of Florida,"

On motions by Senator Pettigrew the following amendments were adopted:

Amendment 7—On page 1, between lines 12 and 13, insert: authorizing the division of statutory revision of the joint legislative management committee to change certain terminology relating to minors;

Amendment 8—On page 2, between lines 10 and 11, insert: Section 2. In the event that SB 152 becomes a law, all references in this act to "twenty-one years" shall be changed by the division of statutory revision of the joint legislative management committee to eighteen years.

(Renumber subsequent section.)

On motion by Senator Pettigrew, by two-thirds vote SB 332 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—22

Brantley	Glisson	Myers	Weber
Deeb	Gordon	Peterson	Wilson
de la Parte	Graham	Pettigrew	Winn
Firestone	Gruber	Poston	Zinkil
Gallen	Johnson	Sims	
Gillespie	Lane (23rd)	Smathers	

Nays—10

Childers	Lane (31st)	Sayler	Ware
Henderson	Lewis	Stolzenburg	
Johnston	McClain	Sykes	

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

SB 721 was taken up, together with:

By the Committee on Natural Resources and Conservation—

CS for SB 721—A bill to be entitled An act relating to permit (Trachinotus falcatus); creating §370.1125, Florida Statutes; regulating the method of taking and size of permits; prohibiting the sale or purchase of permits twenty inches or larger; providing a possession limit; providing exceptions; providing penalties; providing an effective date.

—which was read the first time by title and SB 721 was laid on the table.

On motions by Senator Pettigrew, by two-thirds vote CS for SB 721 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

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

Nays—None

SB 866—A bill to be entitled An act relating to criminal penalties; amending §776.04(1), Florida Statutes, 1972 Supplement, as amended by chapter 72-245, Laws of Florida, to specify the penalty for an attempt to commit a life felony; providing an effective date.

—was read the second time by title. On motion by Senator Pettigrew, by two-thirds vote SB 866 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

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

Nays—None

CS for HB 495—A bill to be entitled An act relating to marketable record titles to real property; amending §712.03(2), (4) and (5), Florida Statutes; providing for exceptions to marketability as to claims and charges preserved by the filing of proper notice and as to claims and charges arising out of a title transaction which has been recorded subsequent to the effective date of the root of title; providing that recorded or unrecorded easements or rights, interest or servitude in the

nature of easements, rights of way and terminal facilities, shall not be affected or extinguished by a marketable record title; providing that no notice need be filed to preserve certain liens encumbering these rights; providing that the preservation of any such lien shall not be construed as preserving to the holder of any such lien any greater rights than the rights encumbered; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote CS for HB 495 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

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

Nays—1

Gillespie

SB 483—A bill to be entitled An act relating to motor vehicles and trailers; creating §860.16, Florida Statutes; providing that it is unlawful for any person to tamper with or interfere with the cargo or contents or mechanical functions of a motor vehicle or trailer; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote SB 483 was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Brantley	Graham	Peterson	Sykes
Childers	Gruber	Pettigrew	Ware
de la Parte	Henderson	Poston	Weber
Firestone	Johnson	Sayler	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	

Nays—None

SB 1063—A bill to be entitled An act relating to deposits of public money outside of the state treasury; revolving funds; adding a new subsection to section 18.101, Florida Statutes; providing for the quarterly reporting of clearing account and revolving fund balances to the state treasurer; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote SB 1063 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

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

Nays—None

On motion by Senator Lane (23rd), unanimous consent was obtained to take up out of order—

HB 1913—A bill to be entitled An act relating to corporations not for profit; creating §617.021 (1) (p), Florida Statutes; providing a corporation not for profit the power to merge or consolidate with a foreign corporation not for profit; creating

§617.0525, Florida Statutes; providing for the consolidation or merger of domestic and foreign corporations not for profit; providing an effective date.

—which was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote, HB 1913 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

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

Nays—None

SB 887—A bill to be entitled An act relating to penalties; amending subsection (2) of 821.38, Florida Statutes, to provide an appropriate penalty for second and subsequent violations of chapter 821; providing an effective date.

—was read the second time by title.

On motion by Senator Smathers the following amendment was adopted:

Amendment 1—On page 1, line 18, strike “first” and insert: Second; on line 22 strike “felony of the third degree” and insert: misdemeanor of the first degree.

On motion by Senator Pettigrew, by two-thirds vote SB 887 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—31

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

Nays—1

Childers

On motion by Senator Pettigrew, HB 1912 was withdrawn from the Committee on Judiciary by two-thirds vote and placed on the Calendar.

SB 956 was taken up and on motion by Senator Pettigrew—

HB 1912—A bill to be entitled An act relating to municipal courts; creating section 43.40, Florida Statutes, requiring municipalities to advise chief judge of circuit as to existence and caseload of municipal court; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Pettigrew, by two-thirds vote HB 1912 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

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

Nays—None

Senator Brantley moved that the Senate reconsider the vote by which CS for SB 721 passed this day and the motion failed.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President May 28, 1973

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

CS for SB 741 SB 747 CS for SB 943

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 28, 1973

I am directed to inform the Senate that the House of Representatives has adopted SCR 1357.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Mallory E. Horne, President May 25, 1973

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

By Representative Poole—

HB 1149—A bill to be entitled An act relating to counties; creating §138.12, Florida Statutes, to authorize the board of county commissioners of any county to expand the county seat; providing an effective date.

By Representative Steinberg—

HB 1403—A bill to be entitled An act relating to the subpoena powers of the division of general regulation of the department of business regulation under the electronic repair act; amending subsections (6) and (7) of section 468.153, Florida Statutes, to provide for a punctuation and sentence construction correction and further amending section 468.153, Florida Statutes, by adding subsection (8) to authorize the division to issue subpoenas during the course of its investigations and to issue subpoenas for any witness and subpoenas duces tecums in connection with any matter within the jurisdiction of the division; providing an effective date.

By the Committee on Natural Resources and Representatives Tittle and Avon—

CS for HB's 1453 & 1507—A bill to be entitled An act relating to permit (*Trachinotus falcatus*); creating §370.1125, Florida Statutes; regulating the method of taking and size of permits; prohibiting the sale or purchase of permits twenty inches or larger; providing a possession limit; providing exceptions; providing penalties; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

House Bills 1149 and 1403, contained in the above message, were read the first time by title and referred to the Committee on Governmental Operations.

CS for HBs 1453 and 1507, contained in the above message, was read the first time by title and placed on the calendar.

On motion by Senator Pettigrew, unanimous consent was obtained to take up CS for HB's 1453 and 1507 out of order.

On motions by Senator Pettigrew, by two-thirds vote, CS for HBs 1453 and 1507 was read the second time by title and, by two-thirds vote, was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

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

Nays—None

The Senate resumed—

CONSENT CALENDAR

HB 425—A bill to be entitled An act relating to education; amending §232.01 (1)(d), Florida Statutes; providing for admission of migrant children to the first grade at a time other than the first month of school; providing an effective date.

—was read the second time by title.

On motions by Senator Graham the following amendments were adopted:

Amendment 1—On page 2, line 6, insert a new section and re-number 2. The parents or guardians of the child have become Florida residents.

Amendment 2—On page 1, line 6, strike “migrant”

On motion by Senator Graham, by two-thirds vote HB 425 as amended was read the third time by title and passed. The vote was:

Yeas—34

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

Nays—None

The bill with amendments was delivered to the engrossing clerk.

SB 1244 was taken up and on motion by Senator Pettigrew—

HB 899—A bill to be entitled An act relating to schools; adding subsection (3) to §232.26, Florida Statutes, 1972 Supplement, which relates to authority of principals, to provide an alternative to discipline or expulsion for certain pupils formally charged with unlawful possession or use of certain drugs; providing an effective date.

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

On motion by Senator McClain the following amendment was adopted:

Amendment 1—On page 1, line 21, strike “shall” and insert: may

On motion by Senator Pettigrew, by two-thirds vote HB 899 as amended was read the third time by title and passed. The vote was:

Yeas—31

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

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

The bill with amendment was delivered to the engrossing clerk.

SB 1300 was taken up and on motion by Senator Pettigrew—

HB 1714—A bill to be entitled An act relating to Per Diem and Travel Expenses; amending subsection (3)(a) of section 112.061, Florida Statutes, 1972 Supplement, providing that an agency head shall not approve travel unless the purpose of the travel and that it constitutes official business are so stated and signed by the supervisor; providing that the comptroller may authorize forms for such use; providing an effective date.

—a companion measure was substituted therefor. On motions by Senator Pettigrew, by two-thirds vote HB 1714 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—33

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

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

SB 1300 was laid on the table.

HB 556—A bill to be entitled An act relating to state uniform traffic control; adding subsection (5) to §316.184, Florida Statutes, 1971; providing for enforcement of school speed zones; providing an effective date.

—was read the second time by title. On motion by Senator Ware, by two-thirds vote HB 556 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

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

Nays—None

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.

—was read the second time by title. On motion by Senator Ware, by two-thirds vote HB 413 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

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

Nays—None

HB 215—A bill to be entitled An act relating to the Florida National Guard; repealing §250.15, Florida Statutes, relating to the granting of an exemption from jury duty to honorary contributing members of the guard; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 215 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

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

Nays—3

Glisson Johnston Sims

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

SB 673 was taken up, together with:

By the Committee on Health and Rehabilitative Services—

CS for SB 673—A bill to be entitled An act relating to mental health; adding subsection (4) to section 394.461, Florida Statutes, 1972 Supplement, to require separate housing facilities for the criminally insane and mentally ill offenders who are dangerous to others and security risks; providing an effective date.

—which was read the first time by title and SB 673 was laid on the table.

On motions by Senator Zinkil, by two-thirds vote CS for SB 673 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—33

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

Nays—None

By permission Senator Ware was recorded as a co-introducer of SB 673.

SB 626—A bill to be entitled An act relating to apprentice pilots; amending §310.041, Florida Statutes, to include appren-

tice pilots in the Ports of Boca Grande, Jacksonville, Panama City, Port Everglades and Port St. Joe; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote SB 626 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

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

Nays—1

Lane (31st)

On motion by Senator Barron, Rule 2.5 was waived and the Committee on Governmental Operations was granted permission to consider at the meeting May 29: 4 executive appointments, a proposed officers' pay bill, CS for SB 170, House Bills 314, 672, 1621 and 1343, CS for HB 1020 and Senate Bills 522, 668 and 505.

On motion by Senator Glisson, HB 1402 was withdrawn from the Committee on Governmental Operations by two-thirds vote and placed on the calendar.

SB 871 was taken up and on motion by Senator Glisson—

HB 1402—A bill to be entitled An act relating to electronic repair dealer registrations; amending section 468.159, Florida Statutes, by adding subsection (3) to authorize the division of general regulation of the department of business regulation to assess a civil penalty against electronic repair dealers who have failed to register with said division; 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 1402 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

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

Nays—None

SB 716—A bill to be entitled An act relating to an interstate agreement on detainers; providing procedures whereby a prisoner in one state can request to be brought to trial within one hundred eighty (180) days in another jurisdiction in order to determine the final disposition of all pending untried indictments, informations or complaints on the basis of which a detainer has been lodged against him; providing procedures whereby prosecuting authorities shall secure prisoners incarcerated in other jurisdictions for trial prior to the expiration of their sentences; providing for the promulgation of rules and regulations concerning the operation of this interstate agreement by the director of the division of corrections of the department of health and rehabilitative services; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote SB 716 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

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

Nays—None

SB 1319—A bill to be entitled An act relating to youth services; creating section 959.001, Florida Statutes, providing definitions; amending section 959.011, Florida Statutes, 1971, authorizing the department of health and rehabilitative services to develop a variety of programs for children and young persons, authorizing the division of youth services to provide assistance to law enforcement, courts and other organizations, and requiring the department to evaluate programs and annually revise Florida's comprehensive plan for the prevention, control and treatment of juvenile delinquency; amending section 959.021 (1), (2), and (3), Florida Statutes, 1971, requiring the department to implement law and policy, coordinate with governments and agencies, and make rules relating to youth services; amending section 959.022, Florida Statutes, 1972 Supplement, deleting definitions; amending section 959.07 (2), Florida Statutes, 1972 Supplement, allowing advisory council members whose terms have expired to serve until a successor is appointed and authorizing payment of travel and per diem expenses for advisory council duties; repealing section 959.09, Florida Statutes, 1971, eliminating duplicative language; amending section 959.10, Florida Statutes, 1971, establishing discipline policy for the division; amending section 959.115 (1) and (5), Florida Statutes, 1972 Supplement, clarifying alternative sentencing of minors; amending section 959.13, Florida Statutes, 1971, authorizing the secretary of the department to transfer committed persons to other divisions for diagnosis; amending section 959.15, Florida Statutes, 1971, allowing authorized division agents to take into custody, escapees, absconders and other committed persons; creating section 959.156, Florida Statutes, establishing furlough revocation hearing procedures; creating section 959.185, Florida Statutes, relating to service of process to division facilities; amending section 959.225(1), Florida Statutes, 1972 Supplement, relating to records; amending section 959.25 (3)(c), (d) and (e), Florida Statutes, 1971, providing monetary guidelines for exceptional child educational programs; amending section 959.28, Florida Statutes, 1971, eliminating duplicative language; providing an effective date.

—was read the second time by title.

The Committee on Health and Rehabilitative Services offered the following amendments which were adopted on motion by Senator Myers:

Amendment 1—On page 7, line 3 after the word "shall" strike "make the"

Amendment 2—On page 15, line 18, strike "shall" and insert: may

On motions by Senator Myers the following amendments were adopted:

Amendment 3—On page 4, line 25, after "services and" insert: other state and

Amendment 4—On page 5, between lines 7 and 8 insert: (4) The division is authorized to receive and expend state, federal or private funds which are appropriated, awarded, or designed primarily for use in juvenile delinquency programs or facilities. The division is also authorized to receive and expend federal funds under programs of the federal government or its agencies which require the state or appropriate state agency to provide supporting or matching funds if said supporting or matching funds are appropriated by the legislature.

Amendment 5—On page 7, line 1, strike "~~or referred~~" and insert: or referred

Amendment 6—On page 13, line 12, after "apprehension" insert: and detention

Amendment 7—On page 14, line 13, strike: "The department shall preserve the records pertaining to a person ~~child~~ until ten (10) years after discharge or until the child reaches the

age of twenty-one (21), which ever date is first reached, and may then destroy them pursuant to the Florida Archives and History Act, Chapter 267." and insert: Records pertaining to persons committed to or supervised by the division pursuant to a court order shall be preserved until the person reaches the age of twenty-one (21). Records pertaining to all other children served pursuant to this chapter shall be preserved in accordance with rules and regulations promulgated by the secretary. The destruction of all records shall be subject to the provisions of the Florida Archives and History Act, Chapter 267.

On motion by Senator Myers, by two-thirds vote SB 1319 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—34

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

Nays—None

On motion by Senator Sayler the Senate reverted to—

INTRODUCTION

By Senators Ware, Sayler, Deeb and de la Parte—

SB 1361—A bill to be entitled An act relating to Pinellas County; creating a citizen's study commission on education; providing legislative intent; specifying items to be studied by the commission; providing for membership and appointment of members of the commission; providing for organizational meeting of the commission, vacancies, quorum, meetings and the dissolution of the commission, etc.; providing investigative procedures; declaring the work of the commission to be an essential purpose; providing an appropriation from the district school board; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1361.

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

On motion by Senator Sayler, SB 1361 was withdrawn from the Committee on Rules and Calendar by two-thirds vote and placed on the local calendar.

By unanimous consent SB 1361 was taken up out of order and by two-thirds vote was read the second time by title.

Senators Ware, Deeb and Sayler offered the following amendments which were adopted on motions by Senator Sayler:

Amendment 1—On page 4, strike lines 2 through 8 and insert: the school system of the county. All appointments to the commission shall be made within thirty (30) days after the effective date of this act.

Amendment 2—On page 5, lines 2 through 8, strike all of Subsection (6) of Section 5 and renumber subsequent subsections.

Amendment 3—On page 2, line 12, after "commission on" insert: local

On motion by Senator Sayler, by two-thirds vote SB 1361 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—32

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

Nays—None

By unanimous consent—

SB 1337—A bill to be entitled An act creating a consolidated charter government for Leon County and the City of Tallahassee; providing general and urban services districts; providing legislative and executive branches and providing for the organization powers, duties and functions thereof; providing the powers of the consolidated government; providing powers and procedures with respect to budget and financial matters, including the levy of ad valorem and other taxes, expenditures, investments, debt service, bonds and pledges therefor; providing for local improvements, election of officers, retirement and pension systems and miscellaneous matters; providing method of amending this charter; providing for orderly transition of present governmental functions to the consolidated government; providing for a special election to ratify this charter; providing an effective date.

—was taken up out of order and read the second time by title.

On motions by Senator Horne the following amendments were adopted:

Amendment 1—On page 7, strike all of lines 24 through 29, and on page 8, lines 1 through 23, strike all of lines 1 through 23 and insert: Section 3.4. Mayor; qualifications and term of office; compensation.—

(a) The mayor shall be a qualified elector of Leon County and a resident of Leon County, and shall have resided in Leon County for at least five (5) years prior to the date on which he qualified to run for the office of mayor. If he shall cease to possess any such qualifications during his term of office, he shall forthwith forfeit the office and the commission shall remove him therefrom. He shall be elected for a period of four (4) years, and serve until his successor is elected and qualified. No mayor elected and qualified for two (2) consecutive terms shall be eligible for election as mayor in the next succeeding term. The mayor shall devote his entire time to the performance of the duties of his office, and shall hold no other public office or public employment.

(b) The salary of the first mayor shall be thirty thousand dollars (\$30,000.00) per year. Thereafter, the commission may by ordinance change the salary of the mayor, but no ordinance shall be effective to reduce or increase the salary of the mayor during any term of the mayor unless adopted or approved by the commission at least ninety (90) days prior to the consolidated government primary election immediately preceding such term.

Section 3.5. Mayor; powers and duties; Mayor's veto power.—

(a) The executive power of the consolidated government shall be vested in the mayor and the departments and divisions created hereby or pursuant hereto. The mayor shall be the chief executive and administrative officer of the consolidated government. He shall be responsible for the conduct of the executive and administrative departments of the consolidated government.

(b) The mayor shall administer, supervise and control all departments and divisions created by this charter and all departments and divisions created by ordinance or resolution hereafter. The mayor shall appoint all directors and deputy directors of departments and shall appoint the chief of each division within such department. All directors and deputy directors of departments and all division chiefs appointed by the mayor shall serve at the pleasure of the mayor.

(c) The mayor is authorized to require any executive officer of the consolidated government to submit to him written

or oral reports and information relating to the business and affairs of the consolidated government.

(d) The mayor shall from time to time submit reports and recommendations to the commission with respect to the financial condition, business and general welfare of the consolidated government and all offices, departments and divisions thereof.

(e) The mayor shall submit to the commission an annual budget for the consolidated government as provided for in article 11 of this charter.

(f) The mayor may veto any ordinance or resolution adopted by the commission except ordinances and resolutions relating to:

- (1) Designation of areas as a part of the urban district.
- (2) Appointments to any board.
- (3) Zoning exceptions.
- (4) The auditor, the secretary of the commission, or other employees of the commission.
- (5) Internal affairs of the commission.
- (6) Investigations by the commission or any duly appointed committee thereof.

Any ordinance or resolution adopted by the commission over which the mayor has a veto power shall be presented to the mayor for his consideration and recommendations. If he approves the ordinance or resolution, he shall sign it and it shall become effective according to the terms thereof. If he disapproves, he shall return the ordinance or resolution to the commission without his signature, accompanied by a message indicating the reasons for his disapproval and recommendations. Any resolution or ordinance so disapproved by the mayor shall become effective only if, subsequent to its return, it shall be adopted by two-thirds of all the members of the commission present at any meeting; except that if the mayor vetoes any item in the consolidated budget appropriation, only a majority vote of the members of the commission shall be required to adopt the item as law over the mayor's veto. Any resolution or ordinance shall become effective on the date provided therein unless it be disapproved by the mayor and returned to the commission at or prior to the next regular meeting of the commission occurring ten (10) days or more after the date when the ordinance or resolution was delivered to the mayor's office for consideration.

The mayor may disapprove the sum of money appropriated by any one or more items, or parts of items, in any ordinance appropriating money for the use of the consolidated government or any independent agency, in any manner provided herein. The one or more items, or parts of items, disapproved or reduced shall be void to the extent that they have been disapproved or reduced, unless they shall be restored to the ordinance and become effective by the vote of a majority of the members of the commission.

Section 3.6. Mayor's absence.—During any absence of the mayor from Leon County, the mayor may designate the president of the commission to be acting mayor, with all powers of the office.

Amendment 2—On page 12, strike all of lines 25 and 26 and insert: Section 4.2. Directors of departments; divisions and division chiefs.—

(a) There shall be a director of each department who shall be the principal officer of the department and responsible for all of its operations. Each director shall be appointed by the mayor and shall be confirmed by the commission and shall serve until removed by the mayor. Each director shall conduct the affairs of his department in accordance with the rules and regulations made by the mayor. Each director shall be subject to the supervision and control of the mayor in all matters and shall be responsible for the conduct of the officers and employees of his department, for the performance of its function, and for the custody of books, records, papers and property under its control. The mayor may also appoint such deputy directors of each department as he deems advisable and the commission may approve.

(b) The work of each department shall be distributed among such divisions thereof as are established by this charter, or hereafter created by ordinance. Each division shall have a di-

vision chief who shall be the principal officer of the division and responsible for all its operations. Each division chief shall be appointed by the mayor and confirmed by the commission and shall serve at the pleasure of the mayor.

Amendment 3—On page 12, lines 17 through 20, strike the words "The commission may by ordinance provide for additional divisions in the departments hereinabove created and may create additional departments and provide for divisions therein, and may abolish any divisions so created and transfer the functions thereof to other divisions," and insert: Changes in the departmental organization of the consolidated government, including combinations, terminations or creations of departments or divisions, transfers of responsibility between departments or divisions, or changes in the salaries of department directors or division chiefs, may be made only by ordinance of the commission;

Amendment 4—On page 13, lines 3 and 4, strike the words "the commission shall appoint the comptroller to serve at the pleasure of the commission." and insert: The comptroller shall be appointed by the mayor and shall be confirmed by the commission and shall serve at the pleasure of the mayor.

Amendment 5—On page 11, lines 6 and 7, strike the words "The comptroller of the consolidated commission shall be ex officio secretary of the commission." and insert: The commission shall appoint the secretary of the commission to serve at the pleasure of the commission.

Amendment 6—On page 15, line 12, strike the word "The comptroller," and insert: The mayor

Amendment 7—On page 15, lines 19 through 22, strike the words "The commission shall appoint an attorney at law who shall have been a member of The Florida Bar for at least five (5) years as commission attorney, who shall serve at the pleasure of the commission." and insert: The commission attorney shall be appointed by the mayor and shall be confirmed by the commission and shall serve at the pleasure of the mayor. He shall be an attorney at law who shall have been a member of The Florida Bar for at least five (5) years.

Amendment 8—On page 19, lines 22 and 23, strike the words "the commission shall appoint a director of planning who shall serve at the pleasure of the commission." and insert: the director of planning shall be appointed by the mayor and shall be confirmed by the commission and shall serve at the pleasure of the mayor.

Amendment 9—On page 16, strike all of lines 29 and 30, and on page 17, lines 1 through 31, strike all of lines 1 through 31

(Renumber subsequent articles and sections including the references on page 30, line 28, page 34, line 17, and page 36, line 20)

Amendment 10—On page 3, strike all of line 16

Amendment 11—On page 5, line 4, strike the word "manager" and insert: mayor

Amendment 12—On page 7, line 21, strike the words "manager, the comptroller" and insert: president of the commission, the president pro tempore of the commission, the secretary of the commission

Amendment 13—On page 11, line 17, strike the word "manager" and insert: mayor

Amendment 14—On page 12, line 10, strike the word "manager" and insert: mayor

Amendment 15—On page 13, line 10, strike the word "manager" and insert: mayor

Amendment 16—On page 14, line 15, strike the word "manager" and insert: mayor

Amendment 17—On page 16, line 2, strike the word "manager" and insert: mayor

Amendment 18—On page 18, line 3, strike the word "manager" and insert: mayor

Amendment 19—On page 19, line 6, strike the word "manager" and insert: mayor

Amendment 20—On page 23, line 26, strike the word "manager" and insert: mayor

Amendment 21—On page 24, lines 10, 11, 16 and 30, strike the word "manager" and insert: mayor

Amendment 22—On page 25, line 22, strike the word "manager" and insert: mayor

Amendment 23—On page 3, strike all of lines 18 and 19

Amendment 24—On page 9, line 3, strike the words "mayor pro tem or by the manager" and insert: president of the commission

Amendment 25—On page 7, line 13, before the word "office" insert: other

Amendment 26—On page 13, line 9, strike the word "commission" and insert: mayor

Amendment 27—On page 15, line 24, after the word "The" strike the word "commission" and insert: mayor

Amendment 28—On page 16, line 20, strike the word "commission" and insert: mayor

Amendment 29—On page 20, line 15, strike the word "commission" and insert: mayor

Amendment 30—On page 7, strike all of lines 2 through and including line 7 and insert: consisting of seven (7) members. There shall be five (5) commission districts, which shall be as nearly equal in proportion to the population as possible. Each district shall elect one commissioner who shall reside in said district. Two (2) of the commissioners may reside in any district and shall be elected at large. The existing county commission districts shall constitute the five districts for the purpose of the first election of the commission as required

Amendment 31—On page 7, line 23, after the word "charter." insert: The president of the commission shall preside at all meetings of the commission during the year in which he is appointed, and in his absence the president pro tempore shall preside.

Amendment 32—On page 36, line 16, after the word "of" insert: the mayor or

Amendment 33—On page 31, strike all of lines 22 through and including line 25 and insert: sought to be removed, may be filed with the supervisor of elections, upon a form approved by the supervisor of elections. After the petition has been filed, there shall be no additions thereto or deletions therefrom.

(b) Within thirty (30) days from the date of filing such petition,

Amendment 34—On page 36, strike all of lines 8 through and including line 14 and insert: commissioners of Leon County, Florida. Immediately upon ratification of this charter, the supervisor of elections at a regular meeting of the board of county commissioners shall determine by lot the three (3) commission seats which shall have an initial term of two (2) years, and the remaining four (4) commission seats shall have an initial term of four (4) years. The mayor and commissioners elected at such

Amendment 35—On page 11, line 18, strike the words "manager and comptroller" and insert: mayor

Amendment 36—On page 11, line 20, strike the words "manager, comptroller," and insert: mayor

On motion by Senator Horne, by two-thirds vote SB 1337 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—29

Mr. President	Gordon	Poston	Vogt
Brantley	Graham	Saylor	Ware
Childers	Gruber	Scarborough	Wilson
Deeb	Lane (31st)	Sims	Winn
Firestone	Lane (23rd)	Smathers	Zink
Gallen	Lewis	Stolzenburg	
Gillespie	McClain	Sykes	
Glisson	Peterson	Trask	

Nays—None

The hour of 3:15 p.m. having arrived, the Senate took up—

SPECIAL ORDER

HB 1331—A bill to be entitled An act relating to ad valorem taxation; creating chapter 195, Florida Statutes, as the property assessment administration and finance law; amending and transferring 195.111, Florida Statutes, to recognize the state responsibility for just and uniform assessment; amending and transferring section 195.042, Florida Statutes, to require regulations relating to computer standards, audits, parcel numbering systems, and delivery of information to the assessor relating to transfers of interests in real property; amending section 195.062, Florida Statutes, to require a current manual with standard procedures; creating section 195.072 to require classification of property on the tax roll by use; amending section 195.022, Florida Statutes, relating to standard forms; creating section 195.084 to provide for an information exchange; creating section 195.085 creating a trust fund for assessor's budget review in the department of revenue; creating section 195.094, 195.095, 195.096, 195.097, 195.098, 195.099 and 195.100 to provide for an assessor loan fund, approved bidder lists standardized contracts, post certification audit of tax rolls, notices of intent to disapprove, appeals from department orders, creating an assessment administration review commission, and a review of fee schedules by the department; amending subsection (1) and (4) of section 192.091, Florida Statutes, providing a fee schedule; amending subsection (6) of section 193.114, Florida Statutes, relating to approval of tax rolls; amending section 193.122, Florida Statutes, providing for submission of fundings by the board of tax adjustment; creating a new section in chapter 200 to provide a procedure for millage levies; amending section 145.10 to provide for tax assessor compensation; amending section 145.12(4), Florida Statutes, to provide for disposition of excess fees; repealing subsection (1) of section 192.102 relating to assessors commission, subsection (3) of section 192.012, relating to the use of ratio studies; repealing all resolutions under section 145.022 relating to tax assessors; repealing all local acts and general acts of local application relating to assessor compensation; making appropriation; repealing section 193.035(3), Florida Statutes, 1971, relating to county expenditures for tax assessors; providing effective dates.

—was read the second time by title.

The Committee on Ways and Means offered the following amendment which was moved by Senator Graham:

Amendment 1—On page 3, line 13, strike everything after the enacting clause and insert the following in lieu thereof:

Section 1. Section 195.0011, Florida Statutes, is created to read:

195.0011 Short title.—Chapter 195, Florida Statutes, shall be known as the property assessment administration and finance law.

Section 2. Sections 195.111, 195.042, and 195.062, Florida Statutes, are amended to read:

195.0012 195.111 Purpose of this chapter.—It is hereby declared to be legislative purpose and intent in this entire chapter to recognize and fulfill the state's responsibility to secure a just valuation of all property and provide for a uniform and equal assessment as between property within each county or taxing district and as between property in each county and property in every other county or taxing district.

195.027 195.042 Rules and regulations.—

(1) The department of revenue shall prescribe reasonable rules and regulations for the assessing and collecting of taxes, and such rules and regulations shall be followed by the tax assessors, tax collectors, clerks of the circuit court, and boards of tax adjustment. It is hereby declared to be the legislative intent that the department shall be authorized to formulate such rules and regulations so that property will be assessed, taxes will be collected, and the administration will be administered uniformly, justly, and otherwise in compliance with the requirements of the general law and the constitution.

(2) The rules and regulations shall prescribe uniform standards and procedures for computer programs and operations

for all programs installed in any assessor's office after July 1, 1973. The rules and regulations shall provide for a time schedule by which all programs and procedures in use on July 1, 1973, will conform with the uniform standards. It is the legislative intent that the department shall require a high degree of uniformity so that data will be comparable between counties and that a single audit procedure will be practical for all assessors' offices.

(3) The rules and regulations shall provide procedures whereby the assessor, the department of revenue, and the auditor general shall be able to obtain access, where necessary, to financial records relating to non-homestead property, which records are required to make a determination of the proper assessment as to the particular property in question. Access to a taxpayer's records shall be provided only in those instances where it is determined that such records are necessary to determine both the classification and value of the taxable non-homestead property. Access shall be provided only to those records which pertain to the property physically located in the taxing county as of January 1 of each year and to the income generated in the taxing county for the year in which a proper assessment is made.

(4) The rules and regulations shall include a uniform parcel numbering system that will result in each parcel in the state bearing a unique number indicative of geographic location. The rules and regulations shall provide a reasonable and expeditious implementation schedule. The assessor may, in addition, use any other presently existing numbering system.

(5) The rules and regulations shall prescribe an information form that will provide the assessor with adequate data on the transfer of interests in real property to enable him to evaluate the transfer, its terms, and consideration. The clerk of the circuit court shall, prior to the acceptance of any instrument conveying any interest in real estate, require the delivery of a completed form. The form shall be certified and confidential in the hands of both the clerk and the tax assessor. The clerk shall promptly forward the forms to the tax assessor; provided, however, nothing contained in the paragraph shall preclude such information from being made available to the auditor general and the department of revenue as contemplated by subsection (3) of this section.

(6) Any assessor, his deputies or employees, any clerk of the circuit court, his deputies or employees, any official or employee of the department of revenue, or the auditor general or any of his employees who violate any provision of this section relating to confidentiality shall be guilty of a misdemeanor of the first degree punishable as provided by sections 775.082 and 775.083, Florida Statutes.

195.062 Manual of instructions.—

(1) The department shall prepare and maintain a current manual of instructions for tax assessors and other officials connected with the administration of property taxes. This manual shall contain all rules and regulations, all instructions relating to the use of forms and maps, standard assessment procedures, and the standard measures of value prescribed by the department. The department may also include in such manual any other information which it deems pertinent or helpful in the administration of taxes. Such manual shall provide that platted lands unsold as lots shall be valued for tax assessment purposes on the same basis as any unplatted acreage of similar character until sixty per cent of such lands included in one plat shall have been sold as individual lots.

(2) The department will conduct constant review of the material contained in the manual so that it will be maintained in an up to date manner at all times.

Section 3. Section 195.072, Florida Statutes, is created to read:

195.072 Classification of property.—All items required by law to be on the assessment rolls shall receive a classification based upon the use of the property.

(1) Real property shall be classified as:

- (a) Residential
 1. Single family
 2. Mobile homes
 3. Multi-family
 4. Condominiums
 5. Cooperatives
 6. Retirement Homes

- (b) Commercial and industrial
- (c) Agricultural
- (d) Non-agricultural acreage
- (e) Exempt (wholly or partially)
- (f) Centrally assessed
- (g) Leasehold interests
- (h) Other

(2) Personal property shall be classified as:

- (a) Equipment
- (b) Exempt
- (c) Inventory
- (d) Furniture and fixtures
- (e) Leasehold interests
- (f) Other

(3) The department may designate other sub-classes of property. No assessment roll may be approved by the department which does not show proper use classifications.

Section 4. Section 195.022, Florida Statutes, is amended to read:

195.022 ~~Tax~~ ~~Forms~~ to be prescribed by the department of revenue.—The department of revenue shall prescribe and furnish all forms to be used by ~~county~~ tax assessors, ~~county~~ tax collectors, clerks of the circuit court, and boards of tax adjustment in administering and collecting ad valorem taxes. ~~The department shall not prescribe more than two (2) forms for the same purpose and shall prescribe only one (1) form unless justified by a substantial difference in the equipment available to the assessor, collector, or clerk.~~ All such officers and their employees shall use the forms and follow the instructions applicable to the ~~such~~ forms furnished disseminated to them by the department. The department shall also prescribe and furnish ~~aerial photographs and nonproperty ownership~~ ~~such~~ maps to the ~~county~~ tax assessors as it deems necessary to insure that all real property within the state is properly listed on the roll for ~~taxation~~. All forms and maps furnished by the department shall be paid for by the department as provided by law. All forms and maps and instructions relating to their use shall be ~~substantially~~ uniform throughout the state. ~~An~~ ~~How~~ ~~ever~~, individual officers may employ supplemental forms and maps, at the ~~their own~~ expense of his office, which he ~~they~~ deems expedient for the purpose of administering and collecting ad valorem taxes ~~within their own jurisdiction~~.

Section 5. Section 195.084 Florida Statutes, is created to read:

195.084 Information exchange.—

(1) The department shall promulgate rules and regulations for the exchange of information between the department, the tax assessors' offices, and the auditor general. All records and returns of the department useful to the tax assessor shall be made available upon his request but subject to the reasonable conditions imposed by the department. This section shall supersede statutes prohibiting disclosure only with respect to the assessor and the auditor general but the department may establish regulations setting reasonable conditions upon the access to and custody of such information. The auditor general and the assessor shall be bound by the same requirements of confidentiality as the department of revenue. Breach of confidentiality shall be a misdemeanor of the first degree punishable as provided by sections 775.082 and 775.083, Florida Statutes.

(2) All of the records of assessors and collectors including, but not limited to, work sheets and property record cards shall be made available to the department of revenue, auditor general or any other governmental agency with a need for such information; provided, however, that the cost of furnishing such information shall be borne by that governmental agency, other than the department of revenue or the auditor general, for such information. Assessors and collectors are hereby directed to cooperate fully with representatives of the department of revenue and the auditor general in realizing the objectives stated in section 195.0012 of this act.

Section 6. Section 195.011, Florida Statutes, is transferred to 195.087 and amended to read:

(Substantial rewording of section. See section 195.011, Florida Statutes, for present text.)

195.087 Tax assessors and tax collectors to submit budgets to department of revenue.—

(1) On or before June 1 of each year, each tax assessor shall submit to the department of revenue a budget for the operation of his office for the ensuing fiscal year beginning October 1. The assessor shall submit his budget in the manner and form required by the department of administration for state agencies. A copy of such budget shall be furnished at the same time to the board of county commissioners. The department of revenue shall, upon proper notice to the county commission and tax assessor, review the budget request and may, on or before July 15, amend or change the budget request as it deems necessary in order that the budget be neither inadequate nor excessive. The county commission may present testimony to the department concerning the whole or any part of the budget request. The budget request approved by the department as amended or changed shall become the operating budget of the tax assessor for the ensuing fiscal year beginning October 1, provided that the budget so approved may subsequently be amended under the same procedure. After final approval the tax assessor shall make no transfer of funds between accounts without the written approval of the department of revenue.

(2) On or before December 1 of each year, each tax collector shall submit to the department of revenue his budget for the operation of his office for the ensuing calendar year, in the manner and form prescribed by the department of revenue. The department shall examine the budget and, if it is found adequate to carry on the work of the tax collector, shall approve the budget and certify it back to the tax collector. If the department finds the budget inadequate or excessive, it shall return such budget to the tax collector, together with its ruling thereon. The tax collector shall revise the budget as required and resubmit it to the department. After the final approval of the budget by the department, there shall be no reduction or increase by any officer, board, or commission without the approval of the department.

Section 7. Sections 195.095, 195.096, 195.097, 195.098, and 195.099, Florida Statutes, are created to read:

195.095 Approved bidder list; standard contracts.—

(1) The department shall accept applications from all persons and firms who desire to contract with tax assessors for assessment services or systems, or for the sale of electronic data processing programs or equipment. No application shall be approved unless the assessment procedures on the electronic data processing programs fully meet the regulations of the department relating to uniformity of assessment. The regulations shall insure that the person or firm has sufficient and modern equipment as well as the necessary technology to fulfill the type of contract on which the person or firm proposes to bid. The firm or person shall be approved to bid only on the type of contract for which it is qualified. The department shall establish a list of approved bidders for such contracts based upon an evaluation of the person or firm's ability to comply satisfactorily with such contracts and the person or firm's past performance on similar contracts. Any person or firm that has not fully complied with the terms of a contract with a Florida assessor shall be removed from the approved list for future contracts until there is full compliance. No assessor may contract for an assessment or purchase of data processing programs or equipment unless the vendor is on the approved state bidder list.

(2) The department shall promulgate a standard contract containing the minimum standards that must be included in all contracts entered into with approved bidders. This provision of the standard contract may be deleted or added to only with written approval of the department. The department shall, at the minimum, promulgate standard contracts for mass data reappraisals and computer service programs and equipment.

(3) The department may waive the requirements of this section in the case of tax assessors who, as of the effective date of this act, have electronic data processing equipment, contracts, or programs in operation which are subject to review under section 195.087, Florida Statutes.

195.096 Audit of assessment rolls.—

(1) The assessment rolls of each county shall be subject to audit by the department and the auditor general.

(2) The auditor general shall conduct, no less frequently than once every three years, an in-depth audit of the assessment rolls of each county. The auditor general need not study every use class of property set forth in section 195.072,

Florida Statutes, but shall, at the least, study the level of assessment in relation to just value of such classifications and strata as are significant to the audit of each roll in the county. Such audits as are made pursuant to this paragraph shall be made on the assessment data of the rolls currently being prepared, and shall commence at the earliest practical time in order to complete the audit prior to approval and certification of the rolls.

(a) The auditor shall, at least thirty days prior to the beginning of an in-depth audit in any county, notify the tax assessor in the county of the pending audit. At the request of the assessor, the auditor general shall consult with the assessor regarding the classifications and strata to be studied in order that the audit will be useful to the assessor in the preparation of his tax roll.

(b) Every tax assessor whose roll is subject to an in-depth audit in the current year shall, no later than May 1, deliver a list of the parcel numbers of all parcels that did not appear on the assessment roll of the previous year, indicating the parcel number of the parent parcel from which each new parcel was created or "split out."

(c) In the conduct of the audits, the auditor general shall utilize a statistically reliable sample of properties in tests of each classification, stratum or roll published. Computations for the audit shall use that measure of central tendency which most accurately reflects the true ratio for that particular classification, stratum, or roll.

(d) The auditor general may collect data relating to sales of property to assist him in the conduct of his study.

(e) In the conduct of such audits, the auditor general shall adhere to the same standards to which the tax assessors are required to adhere.

(f) The auditor general, the department, and each tax assessor shall cooperate in the conduct of such audits and each shall make available to the others all matters and records bearing on the preparation and computation of such audits.

(g) The auditor general shall complete a county's audit and forward his findings, together with all of his work product upon which his findings are based, including a statement of the approximate confidence intervals for each stratum or classification studied and for the roll as a whole, employing a ninety-five per cent level of confidence, to the department, the appropriate tax assessor, and the assessment review commission within twenty days following the receipt of the county's assessment roll by the department of revenue pursuant to subsection 193.114(5), Florida Statutes.

(3) For those counties not being studied in the current year, but which have been studied subsequent to the effective date of this act pursuant to subsection (2) of this section, the auditor general shall project levels of assessment for each roll last studied during such in-depth audit. The auditor general shall make his projection based upon the best information available.

(4) Each assessor shall, at the time of submission of the rolls to the department, send to the department and to the auditor general a written statement of his best estimate of the total assessed value of all new construction or improvements not included on the previous assessment roll, and the value of deletions from the previous roll.

195.097 Approval of assessment rolls.—

(1) Upon the receipt of an assessment roll pursuant to subsection 193.114(5), Florida Statutes, upon receipt of the findings of the auditor general, and upon his own independent study, which may include but shall not be limited to a review of the findings of the auditor general in prior years, the executive director of the department of revenue shall evaluate the assessment roll and shall, within fifteen days of receipt of the findings of the auditor general, issue either a notice of intent to approve the roll or a notice of intent to disapprove the roll. Such notice shall be issued to the appropriate tax assessor, and copies shall be distributed to the auditor general and to each member of the assessment administration review commission. The executive director shall issue a notice of intent to disapprove the assessment roll of any county wherein one or more classes or other strata of property are found to be listed on the assessment roll in a manner inconsistent with the requirements of law, and in such cases the notice shall specify the nature of the defect and the requirements to obtain approval of the assessment roll.

(2) Any assessment roll for which a notice of intent to approve has been issued shall be deemed to be approved by the department pursuant to subsection 193.114(5), Florida Statutes, on the thirtieth day following the issuance of the notice unless a request for review has been received prior thereto by the assessment administration review commission or any member thereof, in which case final approval of the roll shall be subject to the review and final order of the commission or of the supreme court of Florida as appropriate as provided in section 195.098, below.

(3) Within fifteen days after receipt of a notice of intent to disapprove an assessment roll, the tax assessor shall notify both the executive director and the assessment administration review commission in writing of either his intent to comply with the requirements of the executive director to obtain approval of the roll, or his intent to refuse to comply. Failure to notify the executive director and the commission of intent within the prescribed time shall be deemed a notice of intent to refuse to comply. A notice of intent to refuse to comply shall be deemed to be a request for review of the order pursuant to section 195.098, below.

(a) In the case of a notice of intent to comply, the department shall commence continuing supervision of the revision of the current rolls to insure that every reasonable effort is being taken by the assessor to comply with the requirements of law. Supervision may include but shall not be limited to the conduct of ratio or other mass data studies on the roll being revised. Within forty-five days of the receipt of notice of intent to comply, the executive director shall notify the assessor, in writing, as to whether he is in compliance. In the event that the executive director determines that the assessor is not in compliance at that time, the executive director shall send a second notice of intent to disapprove to the assessor, and to the governing body of each tax levying agency in the county, and such second notice shall automatically become subject to review by the commission, which shall retain jurisdiction over the roll until the roll is in full compliance with the final order of the commission or of the supreme court of Florida, as appropriate. In the event the executive director determines that the assessor is in compliance with the requirements of law, the executive director shall issue a notice of intent to approve the roll as under subsection (1) of this section.

(b) In the case of a notice of intent to refuse to comply, or of a refusal to comply within the prescribed time, the provisions of section 195.098, below, shall be applicable and the assessment administration review commission shall forthwith enter the matter upon its agenda for hearing and determination.

(4) The executive director shall not approve any assessment roll, if review has been sought under the provisions of section 195.098, until the assessor is in full compliance with the final order of the assessment administration review commission or the final decision of the supreme court, as appropriate; provided, however, the executive director may, where there is substantial compliance with the requirements for approval of the roll, or pending review, extend temporary approval to the roll, thereby permitting partial levy of taxes, and taxes shall thereafter be levied on the roll as finally approved.

Section 195.098 Assessment administration review commission; hearings; judicial review.—

(1) There is hereby created within the department an assessment administration review commission, which shall have exclusive adjudicatory authority to hear complaints relating to approval or disapproval of assessment rolls, and to hear such other matters as may be required by general law. Except for this exclusive adjudicatory authority, the commission shall neither determine, nor participate in determination of any matter, nor make any final decision or determination of any matter under the jurisdiction or authority of the department.

(a) The assessment administration review commission shall consist of three persons knowledgeable in any of the following three general areas: property tax law, determination of property values, or statistics. Members of the commission shall be appointed by the governor, subject to approval by the senate, and except for the initial appointees, shall each serve for a term of three years. The first appointments shall be one for a term of one year, one for a term of two years, and one for a term of three years. Each member shall receive compensation at the rate of one hundred dollars per day, but not more than ten thousand dollars in any fiscal year; provided, that the members shall not be considered full time employees of the state.

(b) The commission shall be authorized to employ the necessary clerical staff and hearing examiners to assist them in the performance of their duties. In addition, the commission shall engage a person to act as law officer of their hearings who shall have those qualifications set for the office of justice of the supreme court by section 8, article V of the Florida constitution of 1968, as amended. Such law officer shall preside over all hearings of the commission, shall make all necessary rulings of law, and shall prepare the final order of the commission pursuant to its findings of facts.

(c) The commission is hereby authorized to establish rules for its operations and for the conduct of its hearings which rules shall comply with chapter 120, Florida Statutes.

(2) Requests for review of the executive director's notice of intent to approve or disapprove an assessment roll may be filed by the appropriate tax assessor, the auditor general, or by such other persons as the commission may determine to be a proper party to such review. Upon receipt by the commission of a request for review, the commission shall promptly notify the executive director, the assessor, and the auditor general of the hearing date.

(a) Such hearing shall be conducted in accordance with part II of chapter 120, Florida Statutes. The burden to prove that the assessor has failed to assess property in his county as required by law shall be upon the executive director and the auditor general, in a review of a notice of intent to disapprove an assessment roll, or upon the party requesting review, in a review of a notice of intent to approve an assessment roll.

(b) The commission shall make findings of fact and the law officer shall prepare the final order of the commission, which order shall be binding upon all parties. Such order shall be subject to review by the supreme court of Florida as provided below.

(3) Notwithstanding the provisions of sections 26.012 and 194.171, Florida Statutes, the supreme court of Florida shall have exclusive jurisdiction to review the final order of the assessment administration review commission by issuance of a writ of certiorari. The court is hereby requested to give petitions for such review the highest priority and to expedite hearing and determination of the matter. Within its discretion, the court may:

(a) Enter such orders as are necessary to insure that the roll under review shall be uniform, equitable at just value, and otherwise in compliance with law;

(b) Maintain jurisdiction for the purpose of supervising the revision of the rolls until such time as all of the requirements of the court as expressed in its orders have been met;

(c) Order the preparation of a preliminary roll prior to full compliance as necessary for the purpose of preparing and mailing preliminary tax bills;

(d) Upon full compliance with the requirements of the court, order the preparation of a final roll and order the preparation of substantial bills and refunds to be distributed to the taxpayers;

(e) Readjust the millage of each taxing authority within the county as necessary in order to produce the same revenue which would be generated under the preliminary roll.

(f) Direct the comptroller to withhold distribution of any state appropriated funds to the taxing entities within the county in excess of state distributions during the fiscal year ending June 30, 1973.

195.099 Utilization of audit results in subsequent audits.— The results of an in-depth audit of the assessment rolls of any county, conducted by the auditor general subsequent to the effective date of this act, may be utilized in the course of conducting the next succeeding in-depth audit of the assessment rolls of that county as an instructional aid for the benefit of the assessor and his employees. The auditor general, at the request of the assessor or upon his own initiative, shall use such audit results as a basis to advise the assessor of necessary adjustments in the preparation of the current assessment roll to insure compliance with the constitutional mandates of just value.

Section 8. Subsections (1) and (4) of section 192.091, Florida Statutes, are amended to read:

192.091 Commissions of assessors and collectors.—

(1) The budget of the assessor's office as approved by the department of revenue shall be the basis upon which the several tax authorities of each county (except municipalities and the district school board) shall be billed by the tax assessor for services rendered. Each such taxing authority shall be billed an amount equal to its proportionate share of the total ad valorem taxes collected for the preceding year; provided, that municipal and school district taxes shall be considered as taxes levied by the county for purposes of this computation. Payments shall be made quarterly by each such taxing authority. The tax assessor shall notify the various taxing authorities of his estimated budget requirements and billings thereon at the same time as his budget request is submitted to the department of revenue pursuant to section 195.087, Florida Statutes, and at the time he receives final approval of his budget by the department.

The assessors of taxes of the several counties of the state shall be entitled to receive, upon the amount of all real and tangible personal property taxes assessed, excluding errors, the following commissions to wit:

(a) On the county general tax and the nonvoted school tax,

1. Ten per cent on the first one hundred thousand dollars in amount of taxes levied;

2. Five per cent on the next one hundred thousand dollars in amount of taxes levied;

3. Three per cent on the balance of taxes levied up to the amount levied on an assessed valuation of one hundred fifty million dollars; and

4. Two per cent on the balance.

(b) On each taxing district not created or operating under chapter 378 except the nonvoted school tax,

1. Three per cent on the amount of taxes levied up to the amount levied on an assessed valuation of fifty million dollars; and

2. Two per cent on the balance.

(c) Flood control districts or water management districts created or operating under chapter 378, shall pay the following commissions, to wit:

1. Ten per cent on the first five thousand dollars in amount of taxes levied;

2. Five per cent on the next five thousand dollars in amount of taxes levied;

3. Three per cent on the balance of taxes levied up to the amount levied on an assessed valuation of fifty million dollars; and

4. Two per cent on the balance.

For purpose of this subsection the commissions on the nonvoted school millage shall be paid by the county commissioners.

(4) The commissions for assessing the state taxes and for collecting taxes assessed for or levied by the state shall be audited and allowed by the state comptroller and shall be paid by the state treasurer as other comptroller's warrants are paid; and commissions for assessing and for collecting the county taxes shall be audited and paid by the boards of county commissioners of the several counties of this state. The commissions for assessing and for collecting all special school district taxes shall be audited by the school board of each respective district and taken out of the funds of the respective special school districts under its control and allowed and paid to the said tax assessors for assessing such taxes and to the tax collectors for collecting such taxes; and the commissions for assessing and for collecting all other district taxes whether special or not shall be audited and paid by the governing board or commission having charge of the financial obligations of such district. All commissions for assessing and for collecting special tax district taxes shall be paid at the time and in the manner now or as may hereafter be provided for the payment of the commissions for the assessment and for the collection of county taxes. All amounts paid as compensation to any tax assessor or to any tax collector under the provisions of this or any other law shall be a part of the general income or compensation of such officer for the year in which received and nothing

contained in this section shall be held or construed to affect or increase the maximum salary as now provided by law for any such officer.

Section 9. Subsection (1) of section 193.122, Florida Statutes, is amended to read:

193.122 Certificates of board of tax adjustment and tax assessor.—

(1) The board of tax adjustment shall certify each assessment tax roll after all hearings required by section 194.032 have been held. and it has satisfied itself that the rolls accurately reflect the taxability of all property in the county and otherwise meet all requirements imposed by the department. These certificates shall be attached to each roll as required by the department of revenue by regulation. If the board of tax adjustment makes any changes in the assessor's roll it shall forward to the department its specific and detailed findings for all changes made by the board to substantiate that the evidence presented was sufficient to overcome the assessor's presumption of correctness. The board shall reduce its finding of fact to writing in each case stating the reasons for which the assessor's determination was overturned.

Section 10. Subsection (2) and paragraph (d) of subsection (3) of section 194.011, Florida Statutes, are amended to read:

194.011 Completion of assessment rolls.—

(2) On or before approval completion of the assessment tax roll by the executive director of the department of revenue, or upon order of the commission or court pursuant to section 195.098, Florida Statutes, as appropriate, each tax assessor shall notify by first class mail each person subject to real or tangible personal ad valorem taxes of the assessment of each taxable item of real property and tangible personal property as the item appears on the assessment tax roll which he proposes to increase from the previous year's assessment, unless such increased assessment is not greater than that value declared by the taxpayer on his return.

(3) Any person objecting to the assessment placed on any property taxable to him may file a petition to oppose such assessment. Such petition shall be filed as follows:

(d) Such petition may be filed at any time during the taxable year prior to the seventeenth day following the mailing of notice by the tax assessor as provided in subsection (2) of this section. July 16, or, if the period in which the tax roll must be prepared is lawfully extended, then within fifteen days of the completion of the roll and its presentation to the board of tax adjustment.

Section 11. Subsection (1) of section 194.032, Florida Statutes, is amended to read:

194.032 Hearing of complaints.—

(1) The board of tax adjustment shall meet on or before the thirtieth day following approval of the assessment roll by the executive director of the department of revenue, or such time as may be set by order of the commission or of the court pursuant to section 195.098, Florida Statutes, if applicable, the first Tuesday in September for the purpose of considering petitions relating to assessment, hearing complaints relating to homestead exemptions as provided for under section 196.151, and hearing disputes and appeals on applications for ad valorem tax exemptions filed pursuant to section 196.011. It shall remain in session from day to day until all such complaints and applications are heard.

Section 12. Section 200.061, Florida Statutes, is created to read:

200.061 Method of fixing millage.—

(1) At the time that the assessment roll is prepared and published, the tax assessor shall certify to each taxing authority the taxable value within the jurisdiction of the taxing authority. The tax assessor shall also send to each taxing authority a written statement of his best estimate of the total assessed value of all new construction or improvements not included on the previous assessment roll, and the value of deletions from the previous assessment roll. Exclusive of properties appearing for the first time on the assessment roll, the tax assessor shall certify to each taxing authority a millage rate which will provide the same ad valorem revenue for each taxing authority as was received during the prior year. For the purpose of calculating the certified millage, the assessor shall

use ninety-five percent of the taxable value appearing on the roll, exclusive of properties appearing for the first time on the assessment roll.

(2) No taxing authority shall budget an increased amount of ad valorem tax revenue exclusive of revenue from ad valorem taxation on properties appearing for the first time on the assessment roll, unless it advertises its intention to do so at the same time that it advertises its intention to fix its budget for the forthcoming fiscal year, employing the following format:

NOTICE OF AD VALOREM TAX LEVY

Notice is hereby given that on the _____ day of _____, 19____, at _____ in the city of _____ in the county of _____, the _____ intends to levy upon the assessment roll of the year 19____ taxes for the fiscal year beginning on the first day of _____, 19____ at the rate of \$_____ per \$1,000 valuation. Certification has been made by the Tax Assessor of the county of _____ that a tax rate of \$_____ per \$1,000 valuation will yield the same amount of tax revenue as that levied during the current year. The following financial summary is provided for information of all persons concerned:

	Current Fiscal Year	Proposed Next Year
Total Budgeted Requirements	\$ _____	\$ _____
Budgeted Ad Valorem Tax		
@ \$ _____ per \$1,000		
Budgeted Ad Valorem Tax		
@ \$ _____ per \$1,000		
Budgeted Other Revenues		
	(Governing Authority)	
By _____	(Name and Title)	

(3) No millage in excess of the tax assessor's certified millage shall be levied until a resolution or ordinance has been approved by the governing board of the taxing authority, which resolution or ordinance must be approved by said taxing authority according to the following procedure:

(a) The taxing authority shall advertise its intent to exceed the tax assessor's certified millage in a newspaper of general circulation in the county, as provided in subsection (2) of this section. The advertisement shall state that the taxing authority will meet on a day, at a time and place fixed in the advertisement, which shall be approximately seven days after the day that the advertisement is published, for the purpose of hearing comments regarding the proposed increase and to explain the reasons for the proposed increase. The meeting may coincide with the meeting on the tentative budget as required by law.

(b) The taxing authority, after the public hearing has been held in accordance with the above procedures, may adopt a resolution or ordinance levying a millage rate in excess of the certified millage. If the resolution or ordinance adopting said millage rate is not approved on the day of the public hearing, the day, time and place at which the resolution or ordinance will be scheduled for consideration and approval by the taxing authority must be announced at the public hearing. If the resolution or ordinance is to be considered at a day and time that is more than two weeks from the public hearing, the taxing authority must again advertise in the same manner as provided in subsections (2) and (3)(a) of this section.

(4) The resolution or ordinance approved in the manner provided for in this act shall be forwarded to the tax assessor, tax collector and the department of revenue. No millage in excess of the assessor's certified millage can be levied until the resolution or ordinance to levy required in paragraphs (3) (a) and (b) of this section is approved by the governing board of the taxing authority and submitted to the assessor and the department of revenue.

(5) The tax assessor shall notify each taxing authority of any change in the assessment roll which results from actions by the board of tax adjustment. An increase in the taxing authority's millage above that certified by the assessor, or adopted by resolution or ordinance of the governing body of the taxing authority, which is required solely by a reduction of the assessment roll by the board of tax adjustment, may be approved by the department of revenue without further proceedings under this section upon a showing that such reduction has occurred.

(6) If, after the initial millage vote provided for in subsection (2) of this section, the taxing authority determines that it requires a greater millage or fails to act in the specified period, it shall readvertise and revote as required in subsection (2) and (3) of this section.

(7) Nothing contained in this section shall serve to extend or authorize any millage in excess of the maximum millage permitted by law nor prevent the reduction of millage.

(8) Upon written request from the presiding officer of a taxing authority within the county, the assessor shall deliver to the presiding officer for budget planning purposes an estimate of the total assessed value of non-exempt property for the current year. The assessor shall deliver the estimate within ten days after receipt of the request, but in no event shall he be required to deliver an estimate earlier than May 1.

Section 13. Subsection (4) of section 145.12, Florida Statutes, is amended to read:

145.12 Record and report of fees collected; disposition of excess fees.—

(4) Whenever a tax collector or a tax assessor in any county has money in excess of the sum to which he is entitled as annual salary under the provisions of this chapter, he shall divide the said excess into a portion for each governmental unit paying fees. Each governmental unit shall receive as its proportion of the excess fees that proportion of said excess fees that its fee payments represent of the officer's total fee income. ~~sum into two portions and pay over to the district school board for its county or district school fund one portion, which portion shall be in an amount that shall bear the same proportion to the entire excess fees of his office to be paid over as the total sum of the fees and commissions actually received from the district school board by such officers for the assessment and collection of all school taxes bears to the total fees, commissions, and other remuneration received by and paid into his office.~~

Section 14. (1) Any special act or general act of local application relating to the budgeting or expenses of tax assessor's offices, or the compensation of any employee of a tax assessor's office including, but not limited to chapter 14678, Laws of Florida, 1931, chapters 57-1004, 63-676, 65-1044, 65-1185, 65-1224, 69-631, 69-638, 69-652, 69-729, 69-730, 69-732, 69-735, and 70-966, Laws of Florida, are superseded to the extent of any conflict with this act.

(2) Subsection (1) of section 192.102, Florida Statutes, section 193.035, and subsection (3) of section 192.012, Florida Statutes, are repealed.

Section 15. Implementation of budget procedure.—

(1) For the fiscal year beginning October 1, 1973, and ending September 30, 1974, the several assessors shall not be required to submit a budget by July 1, but rather they shall submit a budget by November 1, 1973, for the nine months beginning January 1, 1974 and ending September 30, 1974. For the period prior to January 1, 1974, their office shall be operated on their existing budget or, if no budget has been approved for such period, on a budget adopted and approved for that period of time.

(2) The department shall review and approve the budgets so prepared pursuant to the procedures established herein. By August 1, 1973, the department shall also report to the several taxing authorities of each county subject to billing under section 192.091 the estimated budget requirements of the assessor for the ensuing fiscal year. The assessors shall provide the department with any information requested by the department in order to comply with this subsection.

Section 16.

(1) The presiding officers of the Senate and House of Representatives shall each appoint five (5) members of their respective bodies who shall constitute the select joint study committee on ad valorem tax administration.

(2) The committee shall investigate the administration of ad valorem taxes in all agencies and governmental units charged with administration of ad valorem taxes. The committee shall specifically investigate all those processes relating to the development and amendment of regulations and standards of value by the department, the process of approving or disapproving assessment rolls by the department, and the com-

penation of tax assessors. The committee shall report its findings and recommendations to the 1974 regular session of the legislature.

(3) The committee shall employ such staff as may be required to carry out its function.

Section 17. The sum of eighty thousand dollars is hereby appropriated to the department of revenue from the general revenue fund for implementation of section 195.098 as created by section 7 of this act.

Section 18. Except as otherwise provided in this act, this act shall take effect on July 1, 1973; however:

(1) Sections 1, 2, 9, 10, 11 and 18, and sections 195.097 and 195.098, Florida Statutes, as created by section 7 of this act, shall take effect immediately upon this act's becoming law; and

(2) Sections 3, 6, 8, 12, and 13 shall take effect on January 1, 1974.

The President presiding.

On motions by Senator Graham the following amendments to Amendment 1 were adopted:

Amendment 1a—On page 30, line 23, strike all of subsection (1) of section 14 of the amendment and insert: (1) Any provisions of any special act or general act of local application relating to the budgeting or expenses of tax assessors' offices, or the compensation of any employee of a tax assessor's office including, but not limited to, chapter 14678, Laws of Florida, 1931, chapters 57-1004, 63-676, 65-1044, 65-1185, 65-1224, 69-631, 69-638, 69-652, 69-729, 69-730, 69-731, 69-733, 69-734, 69-735, and 70-966, Laws of Florida, which are in conflict with any provision of this act are repealed to the extent of such conflict.

Amendment 1b—On page 20, lines 3 through 17, strike so much of subsection (3) of section 195.098 as appears on lines 3 through 17 and insert: (3) Notwithstanding any provision of sections 26.012 or 194.171, Florida statutes, or of any other general law or special act to the contrary, the supreme court of Florida shall have exclusive jurisdiction to review the final order of the assessment administration review commission as a matter of right as provided by section 3 (b) (7) of Article V of the Florida Constitution of 1968, as amended. The court is hereby requested to give such review the highest priority and to expedite hearing and determination of the matter. Within its discretion, the court may remand any matter to the review commission and may require the commission to do any or all of the following:

(a) Enter such orders as are necessary to insure that the roll under review shall be uniform, equitable at just value, and otherwise in compliance with law;

(b) Maintain jurisdiction for the purpose of supervising the revision of the rolls until such time as all of the requirements of the commission or of the court as expressed in its orders have been met;

On motion by Senator Deeb the following amendment to Amendment 1 was adopted:

Amendment 1c—On page 30, line 1 (after the period), insert: Section 13. Section 200.0615, Florida Statutes, is created to read:

Method of fixing millage in year of revaluation.—

(1) After the assessment rolls have been prepared on the basis required by law, the board of county commissioners and the board of public instruction and all other governing boards or governing authorities of all other taxing districts, within the counties including municipalities, whose taxes are assessed on the tax roll prepared by the county assessor, shall reduce the millage to be levied by each such governing authority from what it was in the preceding year proportionate to the increase of the general level of assessed value over the preceding year. Provided, however, if in preparing its proposed budget for the year in which the reduction of millage is required such budget making authority determines that the millage required for

operating funds should be increased no more than ten per cent more than the millage determined in subsection (6) of this section it shall proceed as follows:

(a) The budget making authority shall cause to be published, at least one time in a newspaper of general circulation published in the county or by posting at the courthouse door if there be no such newspaper, the fact that said increase of not exceeding ten per cent is being proposed. Said advertisement shall state that the budget making authority will meet on a day fixed in the advertisement, not earlier than one week and not later than two weeks from the date of the advertisement for the purpose of hearing comments and complaints regarding the proposed increase and explaining the reasons for such proposal. Said meeting may coincide with the required public hearing on the tentative budget as required by law.

(b) Each budget making authority shall submit its proposed budget and millage increase to the comptroller who shall verify said budget and millage to determine that the proposed increase does not exceed ten per cent as set forth above.

(2) Provided further, that in all counties of the state having a population of seventy-five thousand or more; according to the latest official decennial census, and in which there is now established or may hereafter be established a budget commission, the budget making authority of such counties shall submit their proposed budgets and millage increase to such budget commission in lieu of submitting the same to the comptroller and such budget commission shall verify said budget and millage increase to determine that the proposed increase does not exceed ten per cent of the millage as reduced by this section.

(3) In the event any budget making authority shall determine that due to impending emergencies said authority will require funds in excess of those anticipated, and that unless additional funds are made available the operation of said authority in meeting its legal duties and obligations will be seriously impaired and provided that such budget making authority has requested and obtained a ten per cent increase as set forth in subsections (1) or (2) herein, the said budget making authority may apply for an additional increase not to exceed five per cent of the millage as reduced by subsection (6), in the millage required to meet the budget for operating funds in the following manner:

(a) It shall adopt a resolution calling a public meeting for the purpose of explaining and discussing such proposed increase in the millage required to meet the budget and fix the time and place for such meeting, and it shall thereupon public a notice of such meeting for two successive weeks in a newspaper of general circulation published in the county in which the meeting shall be held, which meeting shall be held not less than five nor more than ten days from the date of the last publication of the notice. At the meeting the proposed increase in the millage shall be explained and discussed by the budget making authority and opportunity afforded the taxpayers present to discuss and object to the same. Such notice shall briefly state the amount of increase sought and reasons for such increase.

(b) Such budget making authority shall then prepare and record in the minutes of its meeting, either general or special, a certificate of compliance with the above set forth proceeding; and

(c) Each budget making authority shall submit its proposed budget and millage increase together with the reasons for requesting the additional increase and a certified copy of compliance as above required to one of the following commissions: the county budget commission in all counties in the state having a population of seventy-five thousand or more, according to the latest official decennial census, and in which there is now established or may hereafter be established a county budget commission; or, the county review commission which shall be created by separate resolution of the board of county commissioners and the board of public instruction and shall be composed of three members of the board of county commissioners, one of whom shall be the chairman of said board, and three members of the board of public instruction, one of whom shall be the chairman of the board, and the affirmative vote of a majority of the membership of said commission shall be required to approve any additional increase.

(d) The commissions as provided in paragraph (c) shall have and exercise final authority as to whether the proposed additional increase not to exceed five per cent of the millage

as reduced by subsection (6) shall be allowed and in what amount. In exercising this authority the commissions may require additional information and data be furnished by the budget making authority requesting such additional increase. Provided always that the budget making authority shall have the burden of clearly showing the extreme need for such increase and the existence of the conditions precedent for such increase as set forth in this subsection.

(4) The board of county commissioners and board of public instruction and all other governing boards or governing authorities referred to herein, shall decrease or increase the millage to be levied in compliance with this section; provided, however, nothing in this section shall be construed to authorize an increase in millage in excess of the maximum millage permitted by law nor to prevent the reduction of millage lower than required by this section.

(5) All references to millage and reduction of millage contained in this section shall apply to all millages levied on the basis of county tax assessors' rolls whether such millage is levied pursuant to local, special or general law.

(6) The provisions of this section shall apply in the year when there has been an increase in the general level of assessed value. The ratio by which all millages assessed in the preceding year shall be divided in order to secure the reduction proportionate to the increase in the general level of assessed value shall be the ratio of the total of assessed valuation in the current year to the total of assessed valuation in the preceding year. Such totals of assessed valuation shall exclude the value of all property and improvements not assessed in both years. The tax assessor shall maintain a separate list of all properties and improvements which are added to the tax rolls each year and a separate list of properties and improvements which are withdrawn from the rolls. The assessor shall certify to each budget making authority the ratio by which all millages must be reduced in order to comply with this section. If any budget making authority is dissatisfied with the tax assessor's determination of such ratio such authority may request the comptroller to review the tax rolls and to determine the proportion by which the millages must be reduced to comply with this section. Such authority may then fix the millage based on the comptroller's determination.

The vote was:

Yeas—21

Mr. President	Gruber	Poston	Ware
Barron	Henderson	Scarborough	Weber
Childers	Johnson	Sims	Winn
Deeb	Lane (31st)	Stolzenburg	
Gallen	Lewis	Sykes	
Glisson	Plante	Trask	

Nays—14

Brantley	Graham	Pettigrew	Wilson
Firestone	Lane (23rd)	Sayler	Zinkil
Gillespie	McClain	Smathers	
Gordon	Peterson	Vogt	

On motion by Senator Gallen the following amendment to Amendment 1 was adopted:

Amendment 1d—On page 32, line 12, insert the following and renumber subsequent sections:

Section 17. Subsection (6) of section 193.052, Florida Statutes, is amended to read:

193.052 Preparation and filing of returns.—

(6) The department shall promulgate the necessary regulations to insure that all railroad and utility property is properly returned in the appropriate county; *provided the evaluating or assessing of utility property in each county shall be the duty of the tax assessor.*

Section 18. Subsection (4) of section 193.085, Florida Statutes, is amended to read:

193.085 Listing all property.—

(4) The department shall promulgate such regulations as are necessary to insure that all railroad and utility property

of all types is properly listed in the appropriate county; provided that the listing and evaluating of all utility property in each county shall be the duty of the tax assessor.

Senator Williams offered the following amendments to Amendment 1 which were adopted on motions by Senator Graham:

Amendment 1e—On page 4, line 11, after the words "a just valuation" insert: for ad valorem tax purposes

Amendment 1f—On page 5, line 23, after the word "income" insert: from such property

Amendment 1g—On page 6, between lines 14 and 15, insert new subsection (6) to read: (6) The rules and regulations prescribed by the department shall require tangible personal property, other than inventory, to be reported and valued at an amount no greater than the net book value of such property for federal income tax purposes, provided, however, that such net book value may be increased to an amount equal to the net book value produced by the straight-line method of accounting for depreciation (as defined in the Internal Revenue Code) if some other method of accounting for depreciation was used for federal income tax purposes.

RENUMBER SUBSEQUENT SUBSECTIONS

Amendment 1h—On page 8, line 24, after the words "by the department" add a new sentence to read: The forms and instructions applicable to such forms shall not require information or schedules inconsistent with the requirement under Section 195.027, subsection (6) hereof that all tangible personal property, other than inventory, be reported and valued at its net book value for federal income tax purposes.

Senator Peterson offered the following amendment to Amendment 1 which was adopted:

Amendment 1i—On page 18, line 3, strike lines 3-29, page 19, strike lines 1-31, page 20, strike lines 1-28, page 21, strike lines 1-17

The vote was:

Yeas—16

Barron	Johnston	Sayler	Trask
Gallen	Lane (23rd)	Sims	Ware
Glisson	McClain	Stolzenburg	Weber
Gruber	Peterson	Sykes	Wilson

Nays—13

Mr. President	Gordon	Myers	Zinkil
Brantley	Graham	Pettigrew	
Firestone	Lane (31st)	Scarborough	
Gillespie	Lewis	Winn	

Senator Ware moved that further consideration of HB 1331 be deferred.

Senator Lewis moved that the Senate reconsider the vote by which Amendment 1c was adopted. The motion was adopted by the following vote:

Yeas—28

Mr. President	Gillespie	Lewis	Scarborough
Barron	Glisson	McClain	Smathers
Brantley	Gordon	Myers	Trask
Childers	Graham	Pettigrew	Vogt
de la Parte	Johnston	Poston	Wilson
Firestone	Lane (31st)	Saunders	Winn
Gallen	Lane (23rd)	Sayler	Zinkil

Nays—11

Deeb	Johnson	Sims	Ware
Gruber	Peterson	Stolzenburg	Weber
Henderson	Plante	Sykes	

The motion by Senator Ware failed.

On motion by Senator Barron, the rules were waived and time of adjournment was extended until final action on HB 1331.

The question recurred on Amendment 1c which failed. The vote was:

Yeas—11

Deeb	Johnson	Plante	Sykes
Glisson	Lane (31st)	Sims	Weber
Henderson	Peterson	Stolzenburg	

Nays—26

Mr. President	Gordon	Myers	Trask
Barron	Graham	Pettigrew	Vogt
Brantley	Gruber	Poston	Ware
de la Parte	Johnston	Saunders	Wilson
Firestone	Lane (23rd)	Sayler	Winn
Gallen	Lewis	Scarborough	
Gillespie	McClain	Smathers	

On motion by Senator Deeb the following amendment to Amendment 1 was adopted:

Amendment 1j—On page 8, line 10 insert: a new subsection (4) to read as follows:

(4) Any real property in this state which is subject to a moratorium imposed by the state of Florida or any political subdivision thereof which prohibits the improvement or development of such real property shall be assessed only on the basis of the highest and best use to which the property can be expected to be put under the terms of and during the effective period of the moratorium; provided, however, the provisions of this section shall not affect the pro rata levy, assessment or collection of ad valorem taxes for any portion of a calendar year during which such moratorium is not in effect; and provided further that ad valorem taxes shall be reduced on a pro rata basis only during that period in which the moratorium is in effect. If ad valorem taxes have been paid for a portion of a calendar year during which such a moratorium may be in effect, the taxpayer shall, upon application duly made to the tax collector, be entitled to receive a pro rata refund of such taxes.

On motions by Senator Sayler the following amendments to Amendment 1 were adopted:

Amendment 1k—On page 32, between lines 15 and 16 insert: Section 18. Section 192.012, Florida Statutes, is hereby repealed.

(Renumber subsequent sections)

Amendment 1l—On page 32, between lines 15 and 16, insert: Section 19.

Paragraph (a) of subsection (8) of section 236.07, Florida Statutes, is amended to read:

(8) DETERMINING THE MINIMUM FINANCIAL EFFORT IN EACH FISCAL YEAR REQUIRED OF EACH DISTRICT FOR THE MINIMUM FOUNDATION PROGRAM.—

(a) The amount that each district shall provide toward the cost of the minimum foundation program shall be six mills in 1972-1973, and seven mills in 1973-1974 and each year thereafter, of tax on ninety percent of the one hundred percent nonexempt assessed valuation of that district for the preceding calendar year. The level of assessment of property for each district shall be determined by the agency authorized by law. The school district share of the minimum foundation program cost shall be computed at a level of assessment equal to ninety percent of the one hundred percent nonexempt assessed property valuation of the district for the preceding calendar year. For the fiscal year 1973-1974, when the amount of the increase of one thousand one hundred dollars, exclusive of the five hundred dollars formerly included in subsection (5), allocated to any district is less than the amount of the increase of one mill of required local effort for that district as provided herein, an amount equal to the difference of the increase of one mill and the increase in other current expense, exclusive of the five hundred dollars formerly included in §236.075, shall be allocated to the district. The financial effort of any school district toward meeting the cost of a minimum foundation program for that district shall consist of the proceeds of the district school taxes, except that when a district is levying the maximum mills permitted by law, racetrack, federal impact, and national forest funds may be included.

Senators Wilson, Weber, Henderson, Poston, Trask, Deeb, Childers, Sykes, Lane (23rd), Sims, Saylor, Stolzenburg, Ware, McClain, Johnston, Gallen, Gruber, Plante, Lane (31st), Johnson and Firestone offered the following amendment to amendment 1 which was moved by Senator Wilson:

Amendment 1m—On page 31, line 3, insert: (3) Chapter 199 (Intangible Personal Property Tax Act) and all sections thereof, as presently constituted, is hereby repealed.

Senator Pettigrew raised a point of order that the amendment was out of order as not being germane to the bill. The chair ruled the point well taken.

Senators Ware and Peterson offered the following amendment to Amendment 1 which was moved by Senator Ware:

Amendment 1n—On page 18, line 3, insert: Section 195.098 assessment review, Department to seek mandamus in circuit court.—

(1) Upon the tax assessor's refusal to comply with the order of the department, a cause of action shall arise and the department shall file an action in mandamus in circuit court.

(2) The circuit court is hereby requested to give such action the highest priority and to expedite trial of the matter.

(3) Within its discretion, the court shall:

(a) Enter such orders as are necessary to insure that the roll under preparation shall be uniform, equitable at just value, and otherwise in compliance with law and regulations;

(b) Maintain jurisdiction for the purpose of supervising the preparation of the rolls until such time as all of the requirements of the court as expressed in its orders have been met;

(c) Order the preparation of a preliminary roll prior to full compliance as necessary for the purpose of preparing and mailing preliminary tax bills;

(d) Upon full compliance with the requirements of the court, order the preparation of a final roll and order the preparation of substantial bills and refunds to be distributed to the taxpayers;

(e) Readjust the millage of each taxing authority within the county as necessary in order to produce the same revenue which would be generated under the preliminary roll.

Senator Henderson moved that the Senate do now adjourn and the motion failed.

The question recurred on Amendment 1n which failed.

Senator Barron moved that the Senate reconsider the vote by which Amendment 1i was adopted and the motion failed by the following vote:

Yeas—15

Mr. President	Gordon	Poston	Vogt
de la Parte	Graham	Saunders	Winn
Firestone	Myers	Scarborough	Zinkil
Gillespie	Pettigrew	Smathers	

Nays—19

Barron	Henderson	McClain	Trask
Childers	Johnson	Peterson	Ware
Gallen	Johnston	Saylor	Weber
Glisson	Lane (23rd)	Sims	Wilson
Gruber	Lewis	Sykes	

On motion by Senator Trask the following amendment to Amendment 1 was adopted:

Amendment 1o—On page 30, between lines 22 and 23, add Section 14 and renumber all subsequent sections. Section 14. Section 145.10, Florida Statutes, 1971, is amended to read:

(Substantial rewording of section. See §145.10, F.S., for present text)

145.10 Tax assessor.—Each tax assessor shall receive as the exclusive compensation for the execution of his official duties, the amount indicated in subsection (1) based upon the population of his county, and when qualified, special qualification salary as indicated in subsection (2).

(1) The tax assessor's population compensation shall be the base salary for his county population range plus a population adjustment. The population adjustment shall be the excess of the population of the county over the minimum population for that county's population range multiplied by the group rate.

POPULATION GROUP	COUNTY POP. RANGE		BASE SALARY	GROUP RATE
	MIN.	MAX.		
I		9,999	\$12,400	\$0.000
II	10,000	49,999	15,400	0.075
III	50,000	99,999	18,400	0.060
IV	100,000	199,999	21,400	0.030
V	200,000	399,999	24,400	0.015
VI	400,000	999,999	27,400	0.005
VII	1,000,000		30,400	0.000

(2) Special qualifications salary shall be an additional two thousand dollars per year to each tax assessor who has met the requirements of the department of revenue and has been designated a certified Florida tax assessor. Any tax assessor who is certified during a calendar year shall receive in that year a pro rata share of the special qualification salary based on the remaining period of the year. The department shall establish and maintain a certified Florida tax assessor program.

(3) All county population figures used to compute compensation under this section shall be the most recent July 1 population published by the department of administration.

(4) All special acts and general acts of local application, including but not limited to Chapters 69-627, 63-1691 and 63-1692, Laws of Florida, are hereby repealed to the extent that they require or allow any compensation of any kind to any tax assessor from any governmental unit.

(RENUMBER SUBSEQUENT SECTIONS)

The vote was:

Yeas—20

Mr. President	Gillespie	Lane (23rd)	Saylor
Childers	Gordon	McClain	Sims
Deeb	Graham	Myers	Stolzenburg
de la Parte	Henderson	Pettigrew	Sykes
Gallen	Johnston	Plante	Trask

Nays—17

Barron	Johnson	Scarborough	Wilson
Brantley	Lewis	Smathers	Winn
Firestone	Peterson	Vogt	
Glisson	Poston	Ware	
Gruber	Saunders	Weber	

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

Amendment 1p—On page 8, line 10 of Amendment 1j insert after the period:

Providing however that a building permit has been applied for and denied solely because of said moratorium

Senators Pettigrew and Graham offered the following amendment to Amendment 1 which was moved by Senator Pettigrew and failed:

Amendment 1q—On page 18, beginning on line 3 insert the following: Section 195.098 Assessment administration review commission; hearings; judicial review.—

(1) There is hereby created within the department an assessment administration review commission, which shall have exclusive adjudicatory authority to hear complaints relating to

approval or disapproval of assessment rolls, and to hear such other matters as may be required by general law. Except for this exclusive adjudicatory authority, the commission shall neither determine, nor participate in determination of any matter, nor make any final decision or determination of any matter under the jurisdiction or authority of the department.

(a) The assessment administration review commission shall consist of three persons knowledgeable in any of the following three general areas: property tax law, determination of property values, or statistics. Members of the commission shall be appointed by the governor concurred in by three members of the cabinet and subject to approval by the senate, and except for the initial appointees, shall each serve for a term of three years. The first appointments shall be one for a term of one year, one for a term of two years, and one for a term of three years. Each member shall receive compensation at the rate of one hundred dollars per day, but not more than ten thousand dollars in any fiscal year; provided, that the members shall not be considered full time employees of the state.

(b) The commission shall be authorized to employ the necessary clerical staff and hearing examiners to assist them in the performance of their duties. In addition, the commission shall engage a person to act as law officer of their hearings who shall have those qualifications set for the office of justice of the supreme court by section 8, article V, of the Florida constitution of 1968, as amended. Such law officer shall preside over all hearings of the commission, shall make all necessary rulings of law, and shall prepare the final order of the commission pursuant to its findings of facts.

(c) The commission is hereby authorized to establish rules for its operations and for the conduct of its hearings which rules shall comply with chapter 120, Florida Statutes.

(2) Requests for review of the executive director's notice of intent to approve or disapprove an assessment roll may be filed by the appropriate tax assessor, the auditor general, or by such other persons as the commission may determine to be a proper party to such review. Upon receipt by the commission of a request for review, the commission shall promptly notify the executive director, the assessor, and the auditor general of the hearing date.

(a) Such hearing shall be conducted in accordance with part II of chapter 120, Florida Statutes. The burden to prove that the assessor has failed to assess property in his county as required by law shall be upon the executive director and the auditor general, in a review of a notice of intent to disapprove an assessment roll, or upon the party requesting review, in a review of a notice of intent to approve an assessment roll.

(b) The commission shall make findings of fact and the law officer shall prepare the final order of the commission, which order shall be binding upon all parties. Such order shall be subject to review by the supreme court of Florida as provided below.

(3) Notwithstanding the provisions of sections 26.012 and 194.171, Florida Statutes, the supreme court of Florida shall have exclusive jurisdiction to review the final order of the assessment administration review commission by issuance of a writ of certiorari. The court is hereby requested to give petitions for such review the highest priority and to expedite hearing and determination of the matter. Within its discretion, the court may:

(a) Enter such orders as are necessary to insure that the roll under review shall be uniform, equitable at just value, and otherwise in compliance with law;

(b) Maintain jurisdiction for the purpose of supervising the revision of the rolls until such time as all of the requirements of the court as expressed in its orders

(c) Order the preparation of a preliminary roll prior to full compliance as necessary for the purpose of preparing and mailing preliminary tax bills;

(d) Upon full compliance with the requirements of the court, order the preparation of a final roll and order the preparation of substantial bills and refunds to be distributed to the taxpayers;

(e) Readjust the millage of each taxing authority within the county as necessary in order to produce the same revenue which would be generated under the preliminary roll.

(f) Direct the comptroller to withhold distribution of any state appropriated funds to the taxing entities within the county in excess of state distributions during the fiscal year ending June 30, 1973.

195.099 Utilization of audit results in subsequent audits.—The results of an in-depth audit of the assessment rolls of any county, conducted by the auditor general subsequent to the effective date of this act, may be utilized in the course of conducting the next succeeding in-depth audit of the assessment rolls of that county as an instructional aid for the benefit of the assessor and his employees. The auditor general, at the request of the assessor or upon his own initiative, shall use such audit results as a basis to advise the assessor of necessary adjustments in the preparation of the current assessment roll to insure compliance with the constitutional mandates of just value.

The vote was:

Yeas—18

Mr. President	Gordon	Myers	Vogt
Brantley	Graham	Pettigrew	Winn
de la Parte	Gruber	Poston	Zinkil
Firestone	Lane (31st)	Saunders	
Gillespie	Lewis	Smathers	

Nays—18

Barron	Johnston	Saylor	Ware
Childers	Lane (23rd)	Scarborough	Weber
Glisson	McClain	Sims	Wilson
Henderson	Peterson	Sykes	
Johnson	Plante	Trask	

Senator Sims moved that the Senate reconsider the vote by which Amendment 10 was adopted. The motion failed by the following vote:

Yeas—14

Barron	Lewis	Smathers	Weber
Brantley	Saunders	Stolzenburg	Wilson
Glisson	Scarborough	Vogt	
Johnston	Sims	Ware	

Nays—22

Mr. President	Gordon	Lane (23rd)	Saylor
Childers	Graham	McClain	Sykes
de la Parte	Gruber	Myers	Trask
Firestone	Henderson	Peterson	Zinkil
Gallen	Johnson	Pettigrew	
Gillespie	Lane (31st)	Plante	

Senator Scarborough moved that the Senate reconsider the vote by which Amendment 10 failed. The motion was adopted by the following vote:

Yeas—20

Mr. President	Glisson	Lewis	Scarborough
Barron	Gordon	Myers	Smathers
Brantley	Graham	Pettigrew	Vogt
Firestone	Gruber	Poston	Winn
Gillespie	Lane (31st)	Saunders	Zinkil

Nays—18

Childers	Johnston	Saylor	Ware
Deeb	Lane (23rd)	Sims	Weber
Gallen	McClain	Stolzenburg	Wilson
Henderson	Peterson	Sykes	
Johnson	Plante	Trask	

The question recurred on the adoption of Amendment 1q and the amendment was adopted by the following vote:

Yeas—24

Mr. President	Glisson	Myers	Smathers
Barron	Gordon	Pettigrew	Stolzenburg
Brantley	Graham	Plante	Vogt
de la Parte	Lane (31st)	Poston	Wilson
Firestone	Lewis	Saunders	Winn
Gillespie	McClain	Scarborough	Zinkil

Nays—14

Childers	Henderson	Saylor	Ware
Deeb	Johnson	Sims	Weber
Gallen	Johnston	Sykes	
Gruber	Peterson	Trask	

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

Senator Plante moved that the Senate reconsider the vote by which Amendment 1q was adopted on the basis that pursuant to Rule 6.4 the Senate had not confirmed its first decision on the amendment and a further motion to reconsider was in order. The Chair ruled the point well taken. The Senate refused to reconsider and the vote was:

Yeas—18

Barron	Gruber	Plante	Trask
Childers	Henderson	Saylor	Weber
Deeb	Johnson	Sims	Wilson
Gallen	Johnston	Stolzenburg	
Glisson	Peterson	Sykes	

Nays—20

Mr. President	Gordon	McClain	Scarborough
Brantley	Graham	Myers	Smathers
de la Parte	Lane (31st)	Pettigrew	Vogt
Firestone	Lane (23rd)	Poston	Winn
Gillespie	Lewis	Saunders	Zinkil

On motion by Senator Graham the following amendment to Amendment 1 was adopted:

Amendment 1r—Strike subsection (3)(a), (b) of section 195.093 and insert: (3) Notwithstanding any provision of sections 26.012 or 194.171, Florida statutes, or of any other general law or special act to the contrary, the supreme court of Florida shall have exclusive jurisdiction to review the final order of the assessment administration review commission as a matter of right as provided by section 3 (b) (7) of Article V of the Florida Constitution of 1968, as amended. The court is hereby requested to give such review the highest priority and to expedite hearing and determination of the matter. Within its discretion, the court may remand any matter to the review commission and may require the commission to do any or all of the following:

(a) Enter such orders as are necessary to insure that the roll under review shall be uniform, equitable at just value, and otherwise in compliance with law;

(b) Maintain jurisdiction for the purpose of supervising the revision of the rolls until such time as all of the requirements of the commission or of the court as expressed in its orders have been met;

Amendment 1 as amended was adopted.

The Committee on Ways and Means offered the following title amendment which was moved by Senator Graham:

Amendment 2—On page 1, line 3, strike all of title and insert: A bill to be entitled An act relating to ad valorem taxation; amending chapter 195, Florida statutes, retitled the property assessment administration and finance law; amending and transferring section 195.111, Florida statutes, to recognize the state responsibility for just and uniform assessment; amending and transferring section 195.042, Florida statutes, to re-

quire regulations relating to computer standards, audits, parcel numbering systems, and delivery of information to the assessor relating to transfers of interests in real property, and providing a penalty; amending section 195.062, Florida statutes, to require a current manual with standard procedures; creating section 195.072 to require classification of property on the assessment roll by use; amending section 195.022, Florida statutes, relating to standard forms; creating section 195.084 to provide for an information exchange and to provide for a penalty; amending and transferring section 195.011, Florida statutes, to provide for review and approval of assessors' budgets; creating sections 195.095, 195.096, 195.097, 195.098, and 195.099 to provide for approved bidder lists, standard contracts, audit of assessment rolls, approval of assessment rolls, and administrative and judicial review, creating an assessment administration review commission, and providing for subsequent utilization of audit results; amending subsections (1) and (4) of section 192.091, Florida statutes, providing for assessors' commissions under a budget system; amending subsection (1) of section 193.122, Florida statutes, providing for certification and approval of assessment rolls; amending subsections (2) and (3) (d) of section 194.011, Florida statutes, to provide for public notice by tax assessors; amending subsection (1) of section 194.032, Florida statutes, to provide for hearing of complaints; creating section 200.061, Florida statutes, to provide a procedure for millage levies; amending subsection (4) of section 145.12, Florida statutes, to provide for disposition of excess fees; amending section 145.022, Florida statutes, to delete reference to tax assessors; repealing all resolutions under section 145.022 relating to tax assessors to extent of conflict with this act; repealing all special acts and general acts of local application relating to budgeting and expenses of tax assessors; repealing subsection (1) of section 192.102, relating to assessors' commissions, subsection (3) of section 193.035, relating to county reappraisal costs, and subsection (3) of section 192.012, relating to the use of ratio studies; providing for implementation of budget procedures; providing for a select joint study committee on ad valorem tax administration; providing an appropriation; providing effective dates.

On motion by Senator Trask the following amendment to Amendment 2 was adopted:

Amendment 2a—In last line of title, following "appropriations;" insert: providing for compensation of tax assessors; repealing chapters 69-627, 63-1691 and 63-1692, Laws of Florida, and all special acts and general acts of local application relating to compensation of tax assessors;

On motion by Senator Graham the following amendment to Amendment 2 was adopted:

Amendment 2b—On page 2, strike "amending section 145.022, Florida statutes" and the remainder of the title and insert: repealing all special acts and general acts of local application relating to budgeting and expenses of tax assessors to the extent of any conflict with this act; repealing subsection (1) of section 192.102, relating to assessors' commissions, section 193.035, relating to county reappraisal authorization and costs, and subsection (3) of section 192.012, relating to the use of ratio studies; providing for implementation of budget procedures; providing for a select joint study committee on ad valorem tax administration; providing an appropriation; providing effective dates.

On motion by Senator Gallen the following amendment to Amendment 2 was adopted:

Amendment 2c—On page 3, line 4, after the semi-colon (;) insert the following: amending subsection 193.052(6) to provide for the evaluating or assessing of utility property in each county to be the duty of the tax assessor; amending subsection 193.085(4) to provide for the listing and evaluating of all utility property in each county to be the duty of the tax assessor

On motion by Senator Saylor the following amendment to Amendment 2 was adopted:

Amendment 2d—On page 2, lines 25 and 26, strike the word "providing" on line 25 and all of line 26 and insert: this act; amending §236.07(8)(a), Florida Statutes, relating to the minimum foundation program; repealing §192.012, Florida Statutes, relating to tax assessment ratio studies; providing effective dates.

Amendment 2 as amended was adopted.

On motion by Senator Graham, by two-thirds vote HB 1331 as amended was read the third time by title and passed. The vote was:

Yeas—21

Mr. President	Graham	Pettigrew	Vogt
Brantley	Gruber	Poston	Winn
de la Parte	Lane (31st)	Saunders	Zinkil
Firestone	Lewis	Sayler	
Gillespie	McClain	Scarborough	
Gordon	Myers	Smathers	

Nays—15

Childers	Johnson	Sims	Ware
Deeb	Johnston	Stolzenburg	Weber
Gallen	Peterson	Sykes	Wilson
Glisson	Plante	Trask	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Henderson on HB 1331. If he were present he would vote "nay" and I would vote "yea".

Julian Lane, 23rd District

The bill with amendments was delivered to the engrossing clerk.

On motion by Senator Childers, Rule 2.5 was waived and the Committee on Natural Resources and Conservation was granted permission to change its meeting from 5:00 p.m. to 7:40 p.m. this day.

Senator Saunders announced that the conferees on SB 1343 would meet at 8:00 p.m. this day.

On motion by Senator Childers, HB 1280 was withdrawn from the Committee on Natural Resources and Conservation by two-thirds vote and placed on the calendar.

On motions by Senator Brantley, HB 311 was withdrawn from the Committees on Commerce and Judiciary by two-thirds vote and placed on the calendar.

ENGROSSING REPORT

Your Engrossing Clerk reports amendments to

HB 425	CS for HB 689
HB 899	CS for HB 93 and 353
HB 1331	

—have been examined and the bills returned herewith.

ELMER O. FRIDAY, Secretary

The bills with amendments were ordered certified to the House.

The Journal of May 25 was corrected as follows and approved: Page 561, column 1, line 23, strike "HB" and insert: SB

CO-INTRODUCER

By permission Senator Wilson was recorded as a co-introducer of SB 1054.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 6:50 p.m. to reconvene at 9:00 a.m., May 29, 1973.

LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE

MAY 21, 1973 THROUGH MAY 25, 1973

<i>Name & Address</i>	<i>Entity Represented and Address</i>	<i>Legislation Involved; Association with Legislator</i>
Bailey, William W. 410 Biscayne Bldg. Miami, 33130	Miccosukee Tribe of Indians of Florida P.O. Box 44021 Tamiami Station Miami	All bills affecting Indians
Baker, Mrs. John A. 1782 Opechee Drive Miami, 33133	Fla. State Assn. of District Mental Health Boards 301-58th St. St. Petersburg, 33707	Mental Health
Beery, James R. One State Street Plaza New York, N.Y. 10004	Asian Development Bank P.O. Box 789 Manila, Philippines	Legislation making bonds and other Asian Dev. Bank obligations legal investments for certain categories of financial institutions regulated by the State of Florida.
Carroll, J. Speed Same as above	Asian Development Bank Same as above	Same as above
Davis, Sam F. Oldsmar, 33557	Florida Downs & Turf Club, Inc. Same	Pari-Mutuel
Dieffenderfer, Joyce V. 1351 NW 12th St. Miami, 33125	Dade County County Courthouse Miami, 33101	Elections
Dooley, George 215 Buttonwood Drive Key Biscayne, 33149	Florida Friends of Public Broadcasting	ETV
Dugger, Michael Wilson P.O. Box 3985 Tallahassee, 32303	Florida Hospital Association P.O. Box 6905 Orlando, 32803	Matters Relating to hospitals
Ellis, Gerald D. 8888 S.W. 120 St. Miami, 33156	Paralyzed Veterans' Assn. of Florida Same	Veteran affairs
Farrar, Cecil Stewart P.O. Box 5841 Sarasota, 33579	Gulf Coast Builders Exchange, Inc. 1490 First St. Sarasota, 33577	Planning & Environmental Construction industry
Freeman, Charles E. P.O. Box 856 Milton	Fla. Association of Camping & Trailer Parks, Inc. P.O. Box 5841 Sarasota, 33579	Collective bargaining, public Attorney with Senator J. A. Johnston
Gerson, Paul F. 1 Lincoln Rd. Bldg. Miami Beach, 33139	Self and other citizens	General legislation
Johnson, Perry E. 302 South Collins Plant City, 33561	Taxi cab industry	Pari-mutuel
Johnson, Perry E. 302 South Collins Plant City, 33561	Florida Downs Racetrack Road Oldsmar, 33557	Pari-mutuel

**LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
MAY 21, 1973 THROUGH MAY 25, 1973 (Continued)**

<i>Name & Address</i>	<i>Entity Represented and Address</i>	<i>Legislation Involved; Association with Legislator</i>
Lastinger, R. LeRoy 585 Marmora Ave. Tampa, 33606	Florida Friends of Public Broadcasting	ETV
McGowan, Clifford 10 W. Main St. Apopka, 32703	United Farm Workers, AFL-CIO Same	Agricultural labor
McGowan, Elsie 10 W. Main St. Apopka, 32703	United Farm Workers, AFL-CIO Same	Agricultural labor
Rebman, Fred J. 2940 Lake Shore Jacksonville, 32210	Florida Friends of Public Broadcasting Same	ETV
Robertson, Thomas A. University of Florida Gainesville, 32601	Self Same	Energy related legislation
Robuck, H. D., Jr. 101 E. Maud St. Tavares, 32728	Lake County Board of County Commissioners Courthouse Tavares, 32728	Legislation involving county
Rummel, Harold Edwin 1725 Kathryn Drive Tallahassee, 32303	Rummel & Associates, Inc. Same	Public relations and government affairs
Sloan, Joe E. 305 LandMark Bldg. 880 Johnson Ferry Rd. Atlanta, Ga. 30342	General Motors Corporation Same	Automotive Safety etc.
Stone, Betsey Komarek 1720 South Gadsden Tallahassee, 32301	State Manpower Council Same	Manpower, women's rights
Waterhouse, Linton S. 220 Magnolia Ave. P.O. Box 2517 Orlando, 32802	Fla. Gypsum Dealers, N.A.C.M.	Legislation dealing with construction and credit