

JOURNAL OF THE FLORIDA SENATE

Tuesday, April 16, 1974

The Senate was called to order by Senator Lane (23rd) at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

INTRODUCTION

The following measures were read the first time by title and referred to committee(s) as indicated:

By Senator Pettigrew—

SB 616—A bill to be entitled An act relating to state employees; providing for the availability of child care facilities for children of state employees at the employees' expense; providing for use of space in buildings owned or leased by the state; providing for powers and duties of the department of health and rehabilitative services; providing an effective date.

—to Health and Rehabilitative Services.

By Senator Poston—

SB 617—A bill to be entitled An act relating to fines; creating §921.151, Florida Statutes, providing for installment payment of fines in the discretion of the court; providing a penalty; amending §34.161, Florida Statutes, providing for installment payment of fines in county court; repealing §922.04, Florida Statutes, relating to discharge of prisoner unable to pay fine; providing an effective date.

—to Transportation and Criminal Justice.

By Senators Wilson, Sayler and Pettigrew—

SB 618—A bill to be entitled An act relating to county government; amending §125.01(1)(q) and (r) and (2), Florida Statutes, 1973, and adding a new subsection (4); authorizing the governing body of any county to create special purpose districts in both unincorporated and incorporated areas of the county to create special purpose districts in both unincorporated and incorporated areas of the county under certain circumstances; authorizing the governing body of the county to levy ad valorem taxes within certain special districts under certain circumstances and to levy any tax within the unincorporated areas authorized to municipalities; providing that any special district created within and without incorporated areas may be composed of representatives of both municipal and county governing bodies; authorizing county governing bodies to develop mechanisms for financing certain services provided in unincorporated areas under certain circumstances; providing petitions and procedures; providing the effective date.

—to Ways and Means.

By Senators Wilson, Sayler, Zinkil and Pettigrew—

SB 619—A bill to be entitled An act relating to municipal boundary adjustments; repealing chapter 171, Florida Statutes, relating to the contraction and extension of municipal territorial limits and the consolidation of taxing districts; creating a new chapter 171, consisting of §171.011 through 171.081, Florida Statutes; providing legislative purposes; providing that the act shall preempt certain special laws; providing definitions; providing annexation and contraction procedures for municipalities; providing procedures for petitions; authorizing voluntary annexation of unincorporated areas by municipalities under certain circumstances; establishing certain criteria with respect to areas which may be annexed before annexation may occur; providing criteria for the contraction of municipal boundaries; providing for the apportionment of debts and taxes in annexation or contraction; specifying the effect of any annexation on contraction on the areas involved, including limitation on municipal powers in land use under certain conditions; providing for appeal to a state board with respect to annexations or contraction; establishing a state appeals board; providing for appointment, compensation, powers and duties of the board; authorizing special proceedings with regard to certain local government boundary adjustments; providing an effective date.

—to Ways and Means.

By Senator Saunders—

SB 620—A bill to be entitled An act relating to public meetings; amending §286.011, Florida Statutes; providing that meetings of members of the judiciary which are administrative in nature shall be open to the public; providing for recording and inspection of minutes of such meetings; providing for enforcement; providing an effective date.

—to Governmental Operations.

By Senator Saunders—

SB 621—A bill to be entitled An act relating to state board of administration; creating section 215.515, Florida Statutes, to authorize charges for investment services to be made by the board and paid by the agency or fund pursuant to schedule approved by department of administration; providing an appropriation; providing effective date.

—to Ways and Means.

By Senator Saunders—

SB 622—A bill to be entitled An act relating to taxation; authorizing counties to levy a tax on the purchase of electricity, metered or bottled gas, water service, telephone service, telegraph service and cable television service; providing limits and guidelines for such taxation; providing exemptions; providing an effective date.

—to Ways and Means.

By Senator Johnson—

SB 623—A bill to be entitled An act relating to bicycle regulations; prohibiting sale of bicycles manufactured after January 1, 1976, unless equipped with tire or wheel rim reflectors; providing a penalty; providing an effective date.

—to Commerce.

By Senator Johnson—

SB 624—A bill to be entitled An act relating to local improvements; authorizing counties to provide improvements and levy and collect special assessments against property benefited; providing a method of determining assessments; requiring a resolution; requiring publication of said resolution; requiring an assessment roll; requiring publication of said assessment roll; providing for an equalizing board to hear complaints and adjust assessments; providing for payment of assessments; providing for the issuance of bonds; providing procedures; amending §170.11, Florida Statutes, to provide that bonds may not be sold for less than ninety-five percent of par; providing an effective date.

—to Ways and Means.

By Senators Zinkil, Lane (31st), Stolzenburg, Weber and Scarborough—

SCR 625—A concurrent resolution In Memoriam George Wilson Leaird.

—to calendar.

By Senator Deeb—

SB 626—A bill to be entitled An act relating to the solicitation of charitable funds act; adding paragraph (h) to §496.04 (1), Florida Statutes; exempting certain little league baseball organizations from specified registration provisions; providing an effective date.

—to Governmental Operations.

By Senator Childers—

SB 627—A bill to be entitled An act relating to credit unions; amending §657.22, Florida Statutes, 1973, to provide that credit

unions shall not be required to keep files and records for a period longer than five (5) years, except that no ledger sheets shall be destroyed unless photographic or microphotographic copies are maintained; providing for photographing and microphotographing of records; providing that a credit union shall not be held liable for destruction of records in accordance with this act; providing an effective date.

—to Governmental Operations.

By Senator Childers—

SB 628—A bill to be entitled An act relating to beach erosion control; amending §161.091(1) and (2), Florida Statutes, 1973, to authorize the department of natural resources to pay up to one hundred percent (100%) of the nonfederal construction and maintenance costs of specified beach erosion control projects; requiring specified local effort; providing for reimbursement of local outstanding obligations and of funds advanced prior to availability of state or federal funds; providing for legislative approval of rules; repealing §161.091(3), Florida Statutes, 1971, as amended, relating to the establishment of project trust fund accounts; providing an effective date.

—to Natural Resources and Conservation and Ways and Means.

By Senator Graham—

SB 629—A bill to be entitled An act relating to the state university system; revising various sections of the statutes relating to higher education; creating parts one, two, three and four of chapter 239, Florida statutes; transferring all sections of chapters 239, 240 and 241, Florida statutes, not repealed to the appropriate part of chapter 239, Florida statutes; amending sections 239.01, 240.042, 240.011, 239.53, 239.54, 239.56, 240.181, 240.191, and 241.621, Florida statutes; repealing sections 239.011, 239.012, 239.013, 239.014, 239.04, 239.05, 239.07, 239.08, 239.55, 239.57, 240.021, 240.031, 240.043, 240.044, 240.211, 241.08, 241.091, 241.096, 241.121, 241.24, 241.26, 241.28, 241.36, 241.361, 241.42, 241.45, 241.475, 241.476, 241.48, 241.49, 241.491, 241.60, 241.69, 241.71, and 241.72 Florida statutes; removing obsolete and unnecessary provisions of law; deleting duplications in statutory language; clarifying and correcting statutory language to conform to existing provisions of law; providing a severability clause and providing an effective date.

—to Education.

By Senator Graham—

SB 630—A bill to be entitled An act relating to the State University System amending Section 240.042 providing for ownership and exploitation of trademarks, copyrights and patents developed in the University system; providing an effective date.

—to Ways and Means.

By Senator Graham—

SB 631—A bill to be entitled An act relating to the State University System, authorizing the acceptance of credit cards in payment for goods, services, tuition and fees; providing certain restrictions; providing for the establishment of accounts in credit card banks; amending §240.042, (2), Florida Statutes; by creating a new paragraph (p); providing an effective date.

—to Commerce.

By Senator Graham—

SB 632—A bill to be entitled An act relating to state contribution to group insurance programs covering state officers and employees; authorizing state agencies to secure group insurance programs to be administered by the individual agency securing such program; providing for promulgation of agency administrative rules; requiring insurance be awarded on a competitive basis; designating head of agency as administrator of agency program; providing for salary deductions; providing for contribution to cost by the state; providing an appropriation; providing for coexistence at one agency of state and state agency group health insurance programs providing an effective date; amending §112.075, Florida Statutes, 1972 Supplement

—to Ways and Means.

By Senator Childers—

SB 633—A bill to be entitled An act relating to gifts to minors; adding subsection (17) to §710.02, Florida Statutes, 1973; defining "credit union"; amending §§710.03(1)(c), 710.04(2), 710.05(7), and 710.07, all Florida Statutes, 1973; including credit unions as authorized financial institutions under the Florida Gifts to Minors Act; providing an effective date.

—to Judiciary.

By Senator Vogt—

SB 634—A bill to be entitled An act relating to public health; amending section 381.031(1)(g) 3., Florida Statutes, providing for the duties and powers of the division of health to include general protection and safety of the public health; providing an effective date.

—to Governmental Operations.

By Senators Childers, Johnston, Ware, Barron, Brantley, Glisson, Gallen, Sykes, Vogt, Lane (23rd), Peterson, Smathers, Trask, Lane (31st), Johnson, Sims, McClain, Plant, Deeb and Stolzenburg—

SB 635—A bill to be entitled An act relating to a straw vote referendum; proposing a question to the electors of Florida in the November 5, 1974, general election; providing an effective date.

—to Rules and Calendar.

By Senator Wilson—

SB 636—A bill to be entitled An act relating to ad valorem taxation; amending §200.065 (2) and (3)(a), Florida Statutes, 1973; providing for public notice and hearings when the taxing authority intends to exceed the assessor's certified millage; providing an effective date.

—to Ways and Means.

By Senator Graham—

SB 637—A bill to be entitled An act relating to pollution control; declaring legislative intent; creating a pollution control awards program to be administered by the department of commerce; providing awards and special awards in certain categories; providing for submission of nominations; providing for consideration of nominations at least twice a year; providing for promulgation of rules and regulations by the department of commerce; providing for a veto of awards by the department of pollution control under certain circumstances; providing an effective date.

—to Ways and Means.

By Senator Childers—

SB 638—A bill to be entitled An act relating to inter vivos trusts; amending §689.075(2), Florida Statutes, 1973, relating to powers retained by settlor, to allow credit unions to establish payable-upon-death accounts; providing an effective date.

—to Judiciary.

By Senators Peterson and Graham—

SB 639—A bill to be entitled An act relating to exceptional children; expanding special education support services for exceptional children; authorizing the department of education to implement a state plan for provision of special education support services; providing an appropriation; providing an effective date.

—to Education and Ways and Means.

By Senator Vogt—

SB 640—A bill to be entitled An act relating to county public health units; amending sections 154.01, 154.03, 154.04, and 154.06, Florida Statutes; providing for health care delivery programs; providing authority by the division of health to carry on health care programs; providing for control of preventable diseases;

providing the schedule of fees be approved by the division of health; providing for transmittal of funds; providing an effective date.

—to Health and Rehabilitative Services and Ways and Means.

By Senator Graham—

SB 641—A bill to be entitled An act relating to county officials' salaries; amending §145.08, Florida Statutes, 1971, as amended by chapter 73-173, Laws of Florida, providing that the salaries of superintendents of schools shall be set by the district school boards; providing an effective date.

—to Ways and Means.

By Senators Saunders and Williams—

SB 642—A bill to be entitled An act relating to the appropriation of funds for the construction of parking garages at the J. Hillis Miller Health Center; to provide parking for patients, visitors and employees of the health center; providing for repayment of the appropriation from revenues received from the facilities; providing an effective date.

—to Education and Ways and Means.

By Senator Lewis—

SB 643—A bill to be entitled An act relating to juveniles; amending subsection (11) of §39.01, Florida Statutes, defining the term "child in need of supervision"; amending subsection (3)(b) of §39.03, Florida Statutes, relating to taking a child into custody, detention; amending subsection (4) of §39.03, Florida Statutes, relating to the detention of juveniles; amending subsection (1)(b) of §39.11, Florida Statutes, relating to powers with reference to a delinquent child or child in need of supervision; amending subsection (3)(c) of §39.11, Florida Statutes, relating to powers with reference to a delinquent child or child in need of supervision; amending subsections (2) and (4) of §39.12, Florida Statutes, relating to oaths, records, and privileged information; providing an effective date.

—to Health and Rehabilitative Services.

By Senator Lewis—

SB 644—A bill to be entitled An act relating to juveniles; creating subsection (32) of section 39.01, Florida Statutes, defining the term "physician"; amending section 39.08, Florida Statutes, relating to medical, psychiatric, and psychological examination and treatment; providing an effective date.

—to Health and Rehabilitative Services.

The Senate was called to order by the President at 9:00 a.m. A quorum present—39:

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

Excused: Senator Barron until 10:40 a.m. and periodically thereafter for the purpose of attending to administrative and committee matters; Senators Williams, Saunders, Brantley and Scarborough periodically for the purpose of attending to administrative and committee matters

Prayer by the Senate Chaplain:

You have taught us, our God, that reverence for yourself in our hearts produces humility, honor and the happy life. As we enter our work for yet another week we stop, as a Senate and as individuals, to express our reverence for you. We cannot and do not know all the mystery of your person but we believe in the measure you have given us light.

For the tedious work of our committees, with their research and patience, we give you thanks. For the people who care

enough about the legislative process to share with the committees we also praise thee. But when all has been researched we pray that this Senate may have wisdom to bring the searchlight of its own scrutiny upon each bill, looking beyond law to people.

People with varying needs and interests are our business, our God, and the awesomeness of our responsibility is, therefore, the greater since we dare to intrude into their living patterns by our decisions. So then we would move wisely, carefully, and with concern. Hear us, our God. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Tuesday, April 16, 1974, at 9:00 a.m.:

SB 206	SB 106	SB 247	SB 325
SB 146	SB 171	SB 251	SCR 488
SB 101	SB 210	SB 264	SB 192
SB 267	SB 239	SB 296	SB 100
SB 96	SB 240	SB 300	
SB 102	SB 246	SB 314	

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Education recommends the following pass: SB 478

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

The Committee on Education recommends the following pass:

SB 189 with 6 amendments	SB 477 with 4 amendments
SB 362 with 2 amendments	

The Committee on Health and Rehabilitative Services recommends the following pass: SB 466 with 2 amendments

The Committee on Judiciary recommends the following pass:

SB 462 with 1 amendment	SB 573	SB 522
SB 515 with 1 amendment		

The Committee on Rules and Calendar recommends the following pass: SCR 337, SM 437

The Committee on Transportation recommends the following pass: SB 532 HB 840 HB 980 with 2 amendments

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

The Committee on Education recommends a Committee Substitute for the following: SB 369

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

The Committee on Education recommends a Committee Substitute for the following: SB 176 SB 332 SB 429

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 464 SB 468

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

The Committee on Judiciary recommends the following not pass: SB 572

The bill was laid on the table.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred SB 131 with 3 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

JOE BROWN,
Secretary

The bill was certified to the House.

Your Engrossing Clerk to whom was referred—

SB 128 with 3 amendments SB 340 with 1 amendment
CS for SB 270 with 2 amendments SB 491 with 1 amendment

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

JOE BROWN, Secretary

The bills were certified to the House.

REQUESTS FOR EXTENSION OF TIME

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

SB 107 by Senator Sykes SB 514 by Senator Glisson

The Committee on Rules and Calendar requests an extension of 15 days for the consideration of the following:

SJR 125 by Senator Henderson SB 175 by Senator Horne

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

SB 511 by Senator Brantley

The President announced the appointment of Senator Lane (23rd) to the Committee on Natural Resources and Conservation.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President April 16, 1974

I am directed to inform the Senate that the House of Representatives has passed SB 321.

Allen Morris, Clerk

The bill contained in the above message was ordered enrolled.

The Honorable Mallory E. Horne, President April 15, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1086 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Holloway and others—

HB 1086—A bill to be entitled An act relating to property taxation; adding subsection (4) to §196.011, Florida Statutes, 1973, to permit the owner of property fully exempt from taxation to file, in lieu of the annual application, a certified statement that no change in use has occurred; providing an effective date.

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

The Honorable Mallory E. Horne, President April 15, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 217 (cs) and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on General Legislation and Representatives Sessums and Libertore—

HB 217 (cs)—A bill to be entitled An act relating to alcoholic beverages; amending §561.15(3), Florida Statutes, 1972 Supplement, adding a subsection thereto and adding paragraph (f) to §561.29(1), Florida Statutes, 1972 Supplement, to provide for mandatory nonissuance or revocation of alcoholic beverage licenses for conviction of offenses which would have required denial of the initial issuance of the license; providing an exception; amending §561.32(1), Florida Statutes, 1972 Supplement, to forbid transfer of a license during pendency of suspension or revocation proceedings and upon conviction of an offense specified in §561.15(2), Florida Statutes, 1972 Supplement;

amending §561.65, Florida Statutes, 1972 Supplement, to provide for the enforcement of a mortgagee's interest except during the pendency of suspension or revocation proceeding or upon conviction of specified offenses and providing exceptions; providing for the payment to the general revenue fund of any proceeds from certain foreclosure sales in excess of that required to satisfy all lienholders; providing a severability clause; providing an effective date.

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

The Honorable Mallory E. Horne, President April 15, 1974

I am directed to inform the Senate that the House of Representatives has passed HB 2591 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative J. R. Clark—

HB 2591—A bill to be entitled An act relating to driver education courses; repealing §233.063(4)(b), Florida Statutes, 1971, which provides that, as a condition for receiving moneys appropriated for driver education, schools offering such courses shall require a physical screening examination of each enrollee in such courses; providing an effective date.

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

The Honorable Mallory E. Horne, President April 15, 1974

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

HB 371 HB 2174

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Melvin—

HB 371—A bill to be entitled An act relating to claims bills; amending §215.425, Florida Statutes; deleting the provision which prohibits the payment of certain claims except upon enactment of a bill passed by two thirds (2/3) of the members elected to each house of the legislature; providing an effective date.

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

By the Committee on Retirement, Personnel & Claims—

HB 2174—A bill to be entitled An act relating to special acts providing compensation for injuries; creating section 1.03, Florida Statutes; providing that no special act providing compensation for injuries resulting from acts of state officers, employees or agents or conditions of state property shall modify pre-existing general law; providing an effective date.

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

The Honorable Mallory E. Horne, President April 12, 1974

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

HB 1854 (cs) HB 558 HB 232

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Transportation and Representative Fortune and others—

HB 1854 (cs)—A bill to be entitled An act relating to road designation; providing that a portion of State Road 10 be named

the University of West Florida Causeway; authorizing and directing the department of transportation to erect appropriate markers; providing an effective date.

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

By Representative Easley and others—

HB 558—A bill to be entitled An act relating to municipal streets and roads; requiring the inclusion of ramps for wheelchair users in construction, reconstruction, and improvement plans and specifications for municipal streets and roads; providing specifications; providing an effective date.

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

By Representatives Spicola and Malloy—

HB 232—A bill to be entitled An act relating to air and water pollution control; amending section 403.088 (1), (2), (3) and (4), Florida Statutes; providing that persons presently discharging or intending to discharge pollutants into the air or water of the state shall obtain an operation permit; requiring certain permit holders to maintain monitoring equipment; providing for advertisement in a newspaper of general circulation; providing an effective date.

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

The Honorable Mallory E. Horne, President April 12, 1974

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

HM 2574

HM 2261

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Cherry—

HM 2574—A memorial to the Congress of the United States, requesting the institution of a uniform policy with regard to the granting of political asylum.

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

By Representative Lockward and others—

HM 2261—A memorial to the Congress of the United States, urging that the date of observance of Veterans Day be returned to the eleventh day of November of each year.

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

The Honorable Mallory E. Horne, President April 15, 1974

I am directed to inform the Senate that the House of Representatives has passed HB 544 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Singleton and others—

HB 544—A bill to be entitled An act relating to sentencing for criminal offenses; creating §921.185, Florida Statutes; providing that in imposing sentences for felonies or misdemeanors involving property but not injury or opportunity for injury to persons, courts shall consider restitution a mitigation of the severity of an otherwise appropriate sentence; providing an effective date.

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

The Honorable Mallory E. Horne, President April 15, 1974

I am directed to inform the Senate that the House of Representatives has passed HB 2626, proof of publication attached, and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative L. McDonald—

HB 2626—A bill to be entitled An act relating to Columbia County; providing for the relief of W.L. Hunter and compensation to him for medical, hospital and other expenses incurred by him on account of the injury to Glenn J. Hunter, his minor son, while the son was engaged in football practice as a member of the Columbia High School football team on September 2, 1970, at Lake City, Columbia County; providing an appropriation; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 2626.

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

RECONSIDERATION

The motion to reconsider the vote by which SB 203 failed to pass was not taken up, and the motion was abandoned.

SPECIAL ORDER

SB 206—A bill to be entitled An act relating to motor carriers; amending §§323.01(10) and 323.14, Florida Statutes; deleting the requirement that prohibits the Public Service Commission from granting charter rights except in conjunction with the grant of regular route certificates to motor common carriers of passengers; deleting the nonseverability provision relating to charter rights; providing an effective date.

—was read the second time by title.

Senator Brantley moved the following amendment which failed:

Amendment 1—On page 4, line 26, insert: (8) In the interest of the safety of the public the Public Service Commission shall employ at least one additional investigator at each District Office of the Commission who shall pursuant to rules of the Commission conduct regular inspections and investigations of equipment and personnel utilized in providing charter services.

Senator Ware moved the following amendment:

Amendment 2—On page 2, line 12, after the period insert: Said rules shall require a showing of financial responsibility and public liability coverage in the minimum amount of \$100,000.00 for each passenger who could be carried by said vehicle.

Amendment 2 failed by the following vote:

Yeas—15

Mr. President	Lewis	Saunders	Trask
Brantley	McClain	Sims	Vogt
Gillespie	Plante	Smathers	Ware
Lane (23rd)	Poston	Stolzenburg	

Nays—18

de la Parte	Henderson	Pettigrew	Wilson
Firestone	Johnson	Saylor	Winn
Gallen	Johnston	Scarborough	Zinkil
Graham	Myers	Sykes	
Gruber	Peterson	Weber	

On motion by Senator Gallen, by two-thirds vote SB 206 was read the third time by title.

Senator Ware moved the following amendment:

Amendment 3—On page 2, line 12, insert: The bonds required in section 323.06 to indemnify passengers and the public

from personal injuries, or insurance coverages shall be in an amount prescribed by the commission but not less than 100,000.00 per passenger

Senator Graham moved the following amendment to Amendment 3 which was adopted:

Amendment 3a—On page 1 of the amendment before the words "The bonds" insert: Section 2. Amending Section 323.06 by adding a new subsection (4)

Section 323.06

(4)

(and renumber subsequent sections)

Amendment 3 as amended was adopted by two-thirds vote.

Senator Myers moved that the Senate reconsider the vote by which Amendment 3 was adopted. The motion failed by the following vote:

Yeas—16

Deeb	Glisson	Myers	Sykes
de la Parte	Gordon	Peterson	Trask
Firestone	Graham	Pettigrew	Wilson
Gallen	Gruber	Sayler	Winn

Nays—17

Mr. President	Lewis	Smathers	Williams
Henderson	McClain	Stolzenburg	Zinkil
Johnson	Plante	Vogt	
Lane (31st)	Saunders	Ware	
Lane (23rd)	Sims	Weber	

SB 206 as amended passed and was ordered engrossed. The vote was:

Yeas—28

Mr. President	Glisson	Lewis	Trask
Childers	Gordon	Myers	Vogt
Deeb	Graham	Peterson	Ware
de la Parte	Gruber	Pettigrew	Williams
Firestone	Henderson	Saunders	Wilson
Gallen	Johnson	Sayler	Winn
Gillespie	Johnston	Sykes	Zinkil

Nays—7

Lane (31st)	McClain	Poston	Smathers
Lane (23rd)	Plante	Sims	

By unanimous consent Senator Weber was recorded as voting yea.

On motion by Senator Gallen, the rules were waived and SB 206 was ordered immediately certified to the House after engrossing.

Senator Glisson was recorded as a co-introducer of SB 206.

SB 146—A bill to be entitled An act relating to agricultural cooperative marketing associations; amending §618.01(1), Florida Statutes, to include aquatic products in the definition of agricultural products; providing an effective date.

—was read the second time by title.

The President Pro Tempore presiding.

The Committee on Agriculture offered the following amendments which were moved by Senator Gallen and adopted:

Amendment 1—On page 1, strike entire line 19 and insert: Section 2. Section 619.01, Florida Statutes, is amended to read:

619.01 Nonprofit cooperative associations; powers.—Three or more persons engaged in the production, preserving, drying, packing, canning, bottling, shipping, or marketing of agri-

cultural, viticultural, or horticultural products, or all or any of them, or in the manufacture or preparation of any confection, extracts, oils, juices, or by-products, or any or all of them, or three or more persons engaged in the production and marketing of aquatic products and sponges, may form a nonprofit cooperative association under the provisions of this chapter to carry on said business; and such associations shall have and may exercise powers authorized by this chapter, and powers, necessarily incidental thereto and all other powers granted to private corporations by the laws of this state, except such powers as are inconsistent with those granted by this chapter.

Section 3. This act shall take effect October 1, 1974.

Amendment 2—On page 1 in title, line 4, after the word "agricultural" insert: and nonprofit

Amendment 3—On page 1 in title, line 7, after the word "products;" insert: amending section 619.01, Florida Statutes, permitting those engaged in the production and marketing of aquatic products to form a nonprofit cooperative association;

On motion by Senator Gallen, by two-thirds vote SB 146 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—32

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

Nays—None

By unanimous consent Senator Glisson was recorded as voting yea.

SB 101 was taken up, together with:

By the Committee on Governmental Operations—

CS for SB 101—A bill to be entitled An act relating to state agencies and state officers and employees; requiring the approval of the administration commission for the use of state funds for the payment of membership dues of state agencies, officers, or employees in professional or other organizations where such membership is essential to the statutory duties and responsibilities of a state agency; providing an effective date.

—which was read the first time by title and SB 101 was laid on the table.

On motions by Senator Firestone, by two-thirds vote CS for SB 101 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

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

Nays—None

By unanimous consent Senator Glisson was recorded as voting yea.

SB 267—A bill to be entitled An act relating to uniform traffic control; amending §316.184, Florida Statutes, 1971, as amended, to require the department of transportation to develop

a uniform system of traffic and pedestrian control devices around school zones in the state and to publish and distribute a manual concerning said devices and regulations to every county and municipality in the state; providing that school zones shall be maintained by the governmental authority which controls the area in which the school zone is located; providing for the periodic inspection of school zones; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendments which were moved by Senator Gillespie and adopted:

Amendment 1—On page 2, line 9, after the word “state” insert: *maintained*

Amendment 2—On page 2, line 11, after the word “transportation” insert: *Nothing herein shall prohibit the department of transportation from entering into agreements with counties or municipalities whereby the local governmental entities would maintain specified school zones on state maintained primary or secondary roads.*

Amendment 3—On page 1, line 21: (1) and (2) should be changed to (1), (2) and (3).

On page 1, line 24: (3), (4), (5), (6) should be changed to (4), (5), (6), (7).

- On Page 1, line 25: (7) should be (8)
- On Page 2, line 28: (3) should be (4)
- On Page 3, line 5: (4) should be (5)
- On Page 3, line 11: (5) should be (6)
- On Page 3, line 17: (6) should be (7)
- On Page 3, line 23: (7) should be (8)

Amendment 4—On page 1, line 15, after the word “located” insert: providing the department of transportation may enter into agreements whereby counties or municipalities would maintain specified school zones;

On motion by Senator Gillespie, by two-thirds vote SB 267 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—32

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

Nays—None

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

SB 96 was taken up, together with:

By the Committee on Education and Senator Wilson—

CS for SB 96—A bill to be entitled An act relating to schools; amending §232.01(d), (e), (g) and (h), Florida Statutes; establishing conditions relating to the entry age for first grade; providing for entry at any time during the school year; providing an effective date.

—which was read the first time by title and SB 96 was laid on the table.

On motion by Senator Pettigrew, by two-thirds vote CS for SB 96 was read the second time by title.

Senator Graham moved the following amendments which were adopted:

Amendment 1—On page 2, lines 12 and 13, strike “subsequent to January 1 and” and insert: *subsequent to January 1 and*

Amendment 2—On page 2, line 13, strike “fiscal” and insert: *fiscal*

Amendment 3—On page 2, line 14, strike “shall” and insert: *shall may*

Amendment 4—On page 2, line 26, after the word “test” insert: *approved*

On motion by Senator Pettigrew, by two-thirds vote CS for SB 96 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—30

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

Nays—None

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

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

SB 206—A bill to be entitled An act relating to motor carriers; amending §§323.01(10) and 323.14, Florida Statutes; deleting the requirement that prohibits the Public Service Commission from granting charter rights except in conjunction with the grant of regular route certificates to motor common carriers of passengers; deleting the nonseverability provision relating to charter rights; providing an effective date.

—as amended passed this day.

Senator Gallen moved the following Title amendment which was adopted:

Amendment 4—On page 1, line 11, after “charter rights;” insert: Amending section 323.06 by adding a new subsection (4);

SB 206 as further amended passed and was ordered engrossed. The vote was:

Yeas—25

Childers	Graham	Peterson	Weber
Deeb	Gruber	Pettigrew	Wilson
de la Parte	Henderson	Sayler	Winn
Firestone	Johnson	Stolzenburg	Zinkil
Gallen	Johnston	Sykes	
Gillespie	Lewis	Trask	
Gordon	Myers	Vogt	

Nays—5

Lane (31st)	McClain	Sims	Smathers
Lane (23rd)			

By unanimous consent Senator Poston was recorded as voting yea.

Pursuant to the motion by Senator Gallen this day, SB 206 was ordered immediately certified to the House after engrossing.

Senator Barron presiding.

SB 102—A bill to be entitled An act relating to homestead tax exemption; amending §196.161(1), Florida Statutes, to provide that lien imposed on property of a nonresident decedent who

claimed exemption shall not be filed or shall be canceled when court of ancillary administration in this state determines decedent was a bona fide resident; providing an effective date.

—was read the second time by title.

Senators Sykes, Johnson and Poston offered the following amendment which was moved by Senator Sykes:

Amendment 1—On page 2, between lines 13 and 14, strike everything thereafter and insert: Section 2. Subsections (3) and (4) of section 196.031, Florida Statutes, as amended by chapter 72-372 and 72-373, Laws of Florida, are amended to read:

196.031 Exemption of homesteads.—

(3) For every person who is entitled to the exemption provided in subsection (1), who has been a permanent resident of this state for the five consecutive years prior to claiming an exemption under this subsection, and who is sixty-five years of age or older, the exemption is increased to ten thousand dollars for taxes levied by district school boards for current school operating purposes, by county commissions, by municipal governing bodies, and by special district governing bodies. Application for this additional exemption shall be made by the applicant in person or by mail. Submission of an affidavit that the applicant claiming the additional exemption under this subsection has been a permanent resident of this state for the five years immediately preceding the date of application shall be prima facie proof of such residence.

(4) (a) The tax assessors of the various counties shall each year compile a list of taxable property and its value removed from the tax rolls as a result of this increased exemption as well as a statement of the loss of tax revenue to the school board governing body of each local government entity. These reports shall be furnished to the department of revenue by the various tax assessors not later than ~~October 1, 1972 and October 1 of each year thereafter.~~ The department of revenue shall in turn compile a list of lost revenue by ~~county all local government entities and provide the house appropriations committee, the senate ways and means committee, the department of administration, and the commissioner of education with such report not later than October 15, 1972 and October 15 of each year thereafter.~~

(b) Beginning with the 1974 regular session and each regular session thereafter, the legislature shall provide sufficient appropriations for the minimum foundation program for kindergarten through grade twelve, to enable each school district to receive additional state funds in an amount which shall be equal to the net loss of school funds as reflected in the report for that year. *Beginning with the 1974 regular session and each regular session thereafter, the legislature shall appropriate sufficient funds to reimburse the governing bodies of each local government entity in an amount equal to the net loss of revenue under the additional exemption provided in subsection (3).*

Section 3. This act shall become effective on December 31, 1974.

Senator Sykes: If the Senators want to get a close look at the amendment they should read Senate Bill 2 by Senator de la Parte. Senate Bill 2 is being offered now as an amendment to SB 102.

Senator Myers: Point of order. Senate Bill 2 is still in the Ways and Means Committee and has not been considered by any committee.

Senator Barron, who was presiding, deferred ruling on the point of order.

Further consideration of SB 102 with pending amendment was deferred.

SB 106 was taken up, together with:

By the Committee on Judiciary—

CS for SB 106—A bill to be entitled An act relating to Florida election code; amending §§97.041(1), 97.062(1) and

97.063(4), Florida Statutes, and repealing §97.041(2) and (3), Florida Statutes, deleting the sixty day residency requirement; amending §98.051(4) and (5), Florida Statutes, providing that the registration books be closed on the forty-fifth day before a state or local election and on the thirtieth day before a national election; providing an effective date.

—which was read the first time by title and SB 106 was laid on the table.

On motions by Senator Saylor, by two-thirds vote CS for SB 106 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—27

Barron	Johnston	Poston	Vogt
Deeb	Lane (31st)	Saylor	Ware
Gallen	Lane (23rd)	Sims	Weber
Gillespie	Lewis	Smathers	Wilson
Gruber	McClain	Stolzenburg	Winn
Henderson	Myers	Sykes	Zinkl
Johnson	Peterson	Trask	

Nays—2

Graham	Pettigrew
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By unanimous consent Senators Firestone, Glisson and Childers were recorded as voting yea; Senator Myers changed his vote from yea to nay.

SB 171—A bill to be entitled An act relating to operation of a motor vehicle while under the influence of alcohol; amending §322.262(2)(d), Florida Statutes; providing basis for determination of percent of alcohol in blood; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote SB 171 was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Barron	Johnson	Pettigrew	Vogt
Deeb	Johnston	Poston	Ware
Gallen	Lane (31st)	Saylor	Wilson
Gillespie	Lane (23rd)	Sims	Winn
Gordon	Lewis	Smathers	Zinkl
Graham	McClain	Stolzenburg	
Gruber	Myers	Sykes	
Henderson	Peterson	Trask	

Nays—None

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

SB 210—A bill to be entitled An act relating to mobile home and recreational vehicle manufacturers; creating §§320.85-320.99, Florida Statutes; providing definitions; requiring a license; providing for issuance of a license; requiring bond or net worth statement; providing for denial, suspension or revocation of a license; providing hearing procedures; providing for inspection of books, etc., providing for rules and regulations; establishing an advisory council; providing for warranty responsibility; providing an effective date.

—was read the second time by title.

The Committee on Consumer Affairs offered the following amendments which were moved by Senator Ware and adopted:

Amendment 1—On page 5, strike all of lines 8 through and including 18 and insert: 320.891 Bond.—Annually, before any license shall be issued to a manufacturer, the applicant shall deliver to the department a good and sufficient surety bond, executed by the applicant as principal and by a surety company qualified to do business in the state as surety, in the sum of fifty thousand dollars. The bond shall be in

Amendment 2—On page 1 in title, line 8 strike the words “bond or net worth statement” and insert: a bond

On motion by Senator Ware, by two-thirds vote SB 210 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—31

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

Nays—None

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

SB 239—A bill to be entitled An act relating to security of communication; creating §934.091, Florida Statutes, prohibiting the publishing of the names of parties to intercepted communications; prescribing punishment for violation; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendment which was moved by Senator Johnson and adopted:

Amendment 1—On page 1, line 23, strike "indicated" and insert: indicted

On motion by Senator Johnson, by two-thirds vote SB 239 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—27

Barron	Gruber	McClain	Sykes
Childers	Henderson	Myers	Trask
Deeb	Johnson	Peterson	Vogt
Gallen	Johnston	Poston	Ware
Gillespie	Lane (31st)	Sayler	Weber
Gordon	Lane (23rd)	Sims	Wilson
Graham	Lewis	Smathers	

Nays—1

Pettigrew

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

SB 240—A bill to be entitled An act relating to jurors; amending §40.08, Florida Statutes, to give judges the discretionary power to exempt practicing physicians from jury duty; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote SB 240 was read the third time by title, passed and certified to the House. The vote was:

Yeas—25

Barron	Gruber	Peterson	Ware
Childers	Henderson	Poston	Weber
Deeb	Johnson	Sayler	Winn
Firestone	Johnston	Sims	Zinkil
Gallen	Lane (31st)	Sykes	
Gillespie	Lane (23rd)	Trask	
Graham	McClain	Vogt	

Nays—5

Gordon	Pettigrew	Smathers	Wilson
Lewis			

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

Consideration of Senate Bills 246 and 247 was deferred.

SB 251—A bill to be entitled An act relating to admissibility of evidence; amending section 92.12, Florida Statutes; providing for custodians of state or county public records to certify as to the non-existence of such records; providing an effective date.

—was read the second time by title. On motion by Senator Ware, by two-thirds vote SB 251 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

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

Nays—None

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

SB 264—A bill to be entitled An act relating to garnishment; amending §77.06(2), Florida Statutes; providing for service to the defendant of an answer filed by a bank or other financial institution as garnishee; providing an effective date.

—was read the second time by title.

Senator Gillespie moved the following amendment which was adopted:

Amendment 1—On page 2, lines 3 and 4, strike the periods and insert: at the address of the defendant as shown on the records of the bank.

On motion by Senator Gillespie, by two-thirds vote SB 264 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

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

Nays—1

Lane (31st)

By unanimous consent Senator Glisson was recorded as voting yea.

The President presiding

On motion by Senator Sayler, the rules were waived and the Senate immediately reconsidered the vote by which CS for SB 106 passed this day. Pending further consideration of CS for SB 106 on motion by Senator Sayler, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President April 16, 1974

I am directed to inform the Senate that the House of Representatives has passed HB 2699 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Martinez—

HB 2699—A bill to be entitled An act relating to the Florida election code; amending §§97.041(1), 97.062(1) and 97.063(4), Florida Statutes, and repealing §97.041(2) and (3), Florida Statutes, deleting the sixty day residency requirement; amending §98.051(4) and (5), Florida Statutes, providing that the registration books be closed on the forty-fifth day before a state or local election and on the thirtieth day before a national election; providing an effective date.

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

On motion by Senator Saylor, unanimous consent was obtained to take up HB 2699 out of order.

On motions by Senator Saylor, by two-thirds vote HB 2699 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—31

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

Nays—4

Gordon	Graham	Myers	Pettigrew
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By unanimous consent, Senator Glisson was recorded as voting yea.

CS for SB 106, a companion to HB 2699, was laid on the table.

The President ruled as follows on the point of order raised previously by Senator Myers as to an amendment to SB 102:

The President: To the point, if you take the identical substance of a bill that is pending in committee, which has either not been reported on or has been reported unfavorably, and offer it as an amendment to a bill being considered on the floor, that amendment is out of order for the reason that it circumvents the mandatory requirement of the rules that all bills be considered by a standing committee. The correct procedure would be to withdraw that measure from the committee, then seek to amend its substance into the bill. So, on the point, for the reasons cited, the amendment would be out of order.

On motion by Senator Saunders, the rules were waived and the Committee on Ways and Means was granted permission to consider SB 2 at the scheduled meeting this day.

The Senate resumed—

SB 102—A bill to be entitled An act relating to homestead tax exemption; amending §196.161(1), Florida Statutes, to provide that lien imposed on property of a nonresident decedent who claimed exemption shall not be filed or shall be canceled when court of ancillary administration in this state determines decedent was a bona fide resident; providing an effective date.

On motion by Senator Gallen, by two-thirds vote SB 102 was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

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

Pettigrew	Scarborough	Trask	Winn
Plante	Sims	Vogt	Zinkil
Poston	Smathers	Ware	
Saunders	Stolzenburg	Weber	
Saylor	Sykes	Williams	

Nays—None

By unanimous consent Senator Glisson was recorded as voting yea.

On motion by Senator Trask, SB 296 was removed from the calendar by two-thirds vote and referred to the Committee on Consumer Affairs.

SB 300—A bill to be entitled An act relating to mobile home manufacturers and dealers; amending §320.831, Florida Statutes, to provide for penalties for violation of §§320.821-320.832, Florida Statutes; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 300 was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

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

Nays—None

By unanimous consent Senator Glisson was recorded as voting yea.

SB 314—A bill to be entitled An act relating to travel agencies; amending §112.061(9), Florida Statutes; deleting the bond requirement for travel agencies providing service to the state; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 314 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

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

Nays—None

By unanimous consent Senator Glisson was recorded as voting yea.

SB 325—A bill to be entitled An act relating to securities in which specified funds may be invested; amending §§18.112, 518.01(5), and 625.313(7), Florida Statutes, 1971, to include notes, bonds, debentures or similar obligations, consolidated or otherwise, issued by farm credit institutions pursuant to the farm credit act of 1971, Public Law 92-181, as authorized se-

curities for the deposit of public funds, the investment of fiduciary funds, and the investment of insurance funds; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote SB 325 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

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

Nays—None

By unanimous consent Senator Glisson was recorded as voting yea.

Consideration of SCR 488 was deferred.

SB 192—A bill to be entitled An act relating to charity racing days; amending §550.03, Florida Statutes, as amended by §137, chapter 73-333, Laws of Florida; authorizing the board of business regulation to extend the time limitations for jai alai operation at certain frontons to an additional third charity day, the proceeds of which shall go to Florida Agricultural and Mechanical University; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendment which was moved by Senator Firestone and adopted:

Amendment 1—On page 4, line 16, strike “January 1, 1974” and insert: July 1, 1974

Senator Plante moved the following amendment:

Amendment 2—On page 3, line 28—29, strike “Florida Agricultural and Mechanical University” and insert: Rollins College

Senator de la Parte presiding.

Senator Wilson moved the following substitute amendment:

Amendment 3—On page 3, line 28—29, strike the period and insert: and Rollins College equally.

Senator Henderson moved the following amendment to Amendment 3, which failed:

Amendment 3a—after “Rollins College” add: New College

Senator Smathers moved the following amendment to Amendment 3 which failed:

Amendment 3b—insert: and Florida State University Athletic Program, equally.

The question recurred on the adoption of Amendment 3, which failed.

The question recurred on the adoption of Amendment 2, which failed.

On motion by Senator Horne, by two-thirds vote SB 192 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—34

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

Nays—5

Henderson	Peterson	Plante	Ware
Johnson			

SB 100—A bill to be entitled An act relating to planning and budgeting; amending §216.102, Florida Statutes, 1971, relating to state agency balance sheets, to provide for filing of statements of operation and to provide for withholding of agency funds for failure to comply; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations offered the following amendments which were moved by Senator Firestone and adopted:

Amendment 1—On page 1, line 18, strike “August 31” and insert: September 30

Amendment 2—On page 1, line 21, insert after the word “operation” ;, prepared in compliance with generally accepted governmental accounting principles,

Amendment 3—On page 1, line 23 insert: a comma before the word “income”

On motion by Senator Firestone, by two-thirds vote SB 100 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—39

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

Nays—None

On motion by Senator Saunders, HB 308 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motion by Senator Barron the rules were waived and the Committee on Rules and Calendar was granted permission to meet at 12:00 noon this day in lieu of 1:00 p.m. as previously scheduled.

Senator Graham moved that the Senate reconsider the vote by which SB 80 passed as amended on April 15.

The Journal of April 15 was corrected and approved.

CO-INTRODUCERS

Senator Gallen was recorded as a co-introducer of SJR 28.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:00 noon to convene at 8:30 a.m., for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m., April 17, 1974.