

# JOURNAL OF THE FLORIDA SENATE

Wednesday, April 17, 1974

The Senate was called to order by Senator Saunders 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 the Committee on Agriculture—

SB 645—A bill to be entitled An act relating to larceny; creating §811.115, Florida Statutes, providing for the crime of larceny of specified animals; providing penalties; providing an effective date.

—to Criminal Justice.

By Senator Johnson—

SB 646—A bill to be entitled An act relating to public display of offensive sexual material; creating §877.145, Florida Statutes; providing definitions; prohibiting public display of offensive sexual material; providing a penalty; providing an effective date.

—to Criminal Justice.

By Senator Brantley—

SB 647—A bill to be entitled An act relating to elections; amending section 97.021(14), Florida Statutes, redefining "minority political party"; amending section 98.111(5), Florida Statutes, providing for registrants' choice of political affiliation; amending sections 101.261 and 101.262, Florida Statutes, providing the requirements for placing the names of minority political party candidates for legislative, state, and local offices on the general election ballot; amending section 103.021(3), Florida Statutes, providing the requirements for placing the names of minority political party candidates for president and vice president of the United States on the general election ballot; repealing section 103.021(4), Florida Statutes, relating to procedure for printing names on the general election ballot; providing a severability clause; providing an effective date.

—to Judiciary.

By Senator Poston—

SB 648—A bill to be entitled An act relating to transportation, directing and authorizing the department of transportation to contract with the National Railroad Passenger Corporation to provide additional rail passenger service between certain counties; providing an appropriation; providing an effective date.

—to Transportation and Ways and Means.

By Senators Myers and Deeb—

SB 649—A bill to be entitled An act relating to sentence review; amending subsection (1) of section 924.06, Florida Statutes, providing for a right to appeal from a sentence on the ground that the sentence is excessive; creating section 924.061, Florida Statutes, providing an effective date.

—to Criminal Justice.

By Senators Saunders and Williams—

SB 650—A bill to be entitled An act relating to the payment for indigent patients treated at the shands teaching hospital of the j. hillis miller health center; adding paragraph three (3) to section 241.471, Florida Statutes; providing authority to collect from counties whose indigent patients are brought to the hospital without proper referral; providing authority for the

department of banking and finance to withhold monies held in the state treasury for distribution to such counties; providing an effective date.

—to Ways and Means.

By Senators Saunders and Wilson—

SB 651—A bill to be entitled An act relating to district school boards; amending §230.05, Florida Statutes, providing for the election of board members at the time of the primary elections; amending chapter 230, Florida Statutes, by adding §230.065, providing for the nonpartisan election of district school board members at the time of the primary elections; amending chapter 100, Florida Statutes, by adding §100.055, providing for election and term of office of school board members; repealing §§100.041(3), 230.08 and 230.10, Florida Statutes, relating to the election of district school board members; providing an effective date.

—to Education.

By Senator Glisson—

SB 652—A bill to be entitled An act relating to mobile home, travel trailer and recreational parks; amending sections 513.01, 513.02, 513.03, 513.04, 513.05, 513.06, 513.07, 513.08, 513.09, and 513.12, Florida Statutes, redefining tourist camps and mobile home parks in order to conform with the present use of such facilities; providing an effective date.

—to Commerce.

By Senator Glisson—

SB 653—A bill to be entitled An act relating to department of health and rehabilitative services, division of health; amending section 500.351, Florida Statutes, transferring fees paid to the division of health to the state treasurer for deposit in the general revenue fund; providing an effective date.

—to Health and Rehabilitative Services and Ways and Means.

By Senators Wilson and Saylor—

SB 654—A bill to be entitled An act relating to fire prevention and safety, amending section 633.01, Florida Statutes, adding subsection (8), providing duties for state fire marshal; amending section 633.05, Florida Statutes, adding subsection (8), providing rulemaking authority for state fire marshal; amending section 633.081, Florida Statutes, adding subsections (2), (3), (4), (5) and (6), providing for annual school fire safety inspections; providing qualifications for inspectors; providing for fire safety coordinators and instructors and duties thereof; amending section 163.480, Florida Statutes, adding subsections (8) and (9), providing new duties for fire fighters' standard council; creating section 633.082, Florida Statutes, providing for annual fire safety inspections of state-owned or -leased buildings, providing requirements for building construction or alteration; amending subsection (2) of section 235.06, Florida Statutes, 1972 Supplement, providing regulation-making duty for state fire marshal; creating section 272.10, Florida Statutes, providing prerequisites to lease or rental of office space by state; providing for appropriation; providing an effective date.

—to Governmental Operations and Ways and Means.

By Senator Vogt—

SB 655—A bill to be entitled An act relating to drug abuse; amending section 397.096, Florida Statutes, information confidential; providing an effective date.

—to Health and Rehabilitative Services.

By Senator Trask—

SB 656—A bill to be entitled An act relating to Chapter 665, Florida Statutes, and the "Savings Association Act"; amending Section 665.051(4), Florida Statutes, to provide that

an association may change the location of a branch office upon application to and on approval by the department in accordance with procedures presently provided in that section for change of name or for change of location of a home office; providing an effective date.

—to Commerce.

By Senators Gillespie, Vogt and Wilson—

SB 657—A bill to be entitled An act relating to railroad passenger service; creating section 350.12(2)(o), Florida Statutes, 1973, enabling the public service commission to require intrastate railroad passenger service which connects with interstate railroad service facilities; providing an effective date.

—to Transportation.

By Senator Graham—

SB 658—A bill to be entitled An act authorizing expenditures for fixed capital outlay projects at community colleges, area vocational-technical centers, and institutions under the board of regents; providing an effective date.

—to Education and Ways and Means.

By Senator Graham—

SB 659—A bill to be entitled An act authorizing the state board of education to issue bonds in the amount of one hundred seventeen million dollars (\$117,000,000) during the 1973-75 biennium in accordance with the provisions of §9, Article XII of the Constitution of the State of Florida; providing an effective date.

—to Education and Ways and Means.

By Senators de la Parte, Lane (23rd), Trask, Deeb, Peterson, McClain, Smathers, Scarborough, Glisson, Sykes, Johnson, Ware, Poston, Gallen, Stolzenburg, Childers, Barron, Myers and Winn—

SB 660—A bill to be entitled An act relating to the state fair; creating the Florida State Fair Authority as an instrumentality of the state; providing for membership of the authority and for gubernatorial appointment with senate confirmation; providing location of fair and offices in the City of Tampa, Hillsborough County; providing powers including power to acquire and dispose of property, and borrow money; authorizing and providing procedure for the issuance of revenue bonds; providing that revenue bonds issued shall not be a debt of the state; permitting bonds to be secured by trust agreements; providing contents of such trust agreement; providing for payment of revenue bonds and interest through certain fees and charges; providing for establishment of a trust fund; providing for protection of rights and for remedies for holders of revenue bonds; providing for the issuance of revenue refunding bonds and for payment of cost of improvements and of outstanding revenue bonds; providing tax exemption for revenue bonds; providing that revenue bonds shall constitute investments; requiring annual report to the governor; providing an effective date.

—to Agriculture.

By Senator McClain—

SCR 661—A concurrent resolution designating the week of May 6, 1974, through May 12, 1974, as Florida Historic Preservation Week.

—to Rules and Calendar.

By Senators Barron and Horne—

SCR 662—A Concurrent Resolution in Memoriam Verle Allyn Pope

—to calendar.

By Senator Barron—

SB 663—A bill to be entitled An act relating to quarter horse racing; amending section 550.33, Florida Statutes, by adding subsection (7); authorizing substitute races of horses registered

with the international arabian horse association, appaloosa horse club, the palomino horse breeders of America or the jockey club; providing an effective date.

—to Commerce.

By Senator Vogt—

SB 664—A bill to be entitled An act relating to community mental health services; amending 394.70 (1) (d), Florida Statutes 1971, relating to the appointment of board members; providing an effective date.

—to Health and Rehabilitative Services.

By Senator Winn—

SB 665—A bill to be entitled An act relating to plumbing contractors; creating the Florida plumbing contractors' licensing board; fixing qualifications of members and providing powers and duties of the board; fixing registration and certification procedures and fees therefor; providing exceptions; providing that violation is a misdemeanor of the second degree; providing that the Florida plumbing contractors' licensing board shall be a part of the division of occupations of the department of professional and occupational regulation; providing an appropriation; amending §553.03(1) and (2), Florida Statutes, 1973, redefining "plumbing contractor" and "plumbing" to conform to the definitions in this act; providing an effective date.

—to Commerce.

By Senator Lane (23rd)—

SB 666—A bill to be entitled An act relating to architects; amending Chapter 467, Florida Statutes, 1973 to provide for Executive Secretary and staff of the State Board of Architecture; compensation of Board members; examination schedules; qualification and requirements for examination and registration; registration fee; regulation of practice of architecture by partnerships and corporations; repealing 467.19 (1)(c) pertaining to practice of architecture by partnerships and corporations; providing an effective date.

—to Commerce.

By Senator Glisson—

SB 667—A bill to be entitled An act relating to taxation on motor fuels; providing that school boards shall be entitled to an annual refund of the eight cents (8¢) state tax on motor fuel purchased for the operation of school buses; requiring the department of revenue to adopt rules and regulations; authorizing inspection of school board records by the department of revenue; requiring the seller of motor fuel to school buses to make out a motor fuel invoice; requiring school boards to maintain a record of invoices; authorizing the department of revenue to withhold from gasoline tax and special fuel tax revenues an amount sufficient to pay such refunds; providing an effective date.

—to Education and Ways and Means.

By Senator Ware—

SB 668—A bill to be entitled An act relating to local management assistance; creating §163.10, Florida Statutes, authorizing state agencies to provide specialized or technical services to units of local government under certain circumstances; directing the department of community affairs to report to the legislature on any such services provided; creating the state assistance for long term debt act consisting of §215.84 through 215.90, Florida Statutes; providing legislative intent; providing definitions; authorizing state technical and advisory assistance through the division of bond finance of the department of general services in cooperation with the department of community affairs regarding the issuance of long-term debt to local governments requesting assistance; providing for review upon request of proposed local government long-term debt issues by the division of bond finance; providing for state sale of local debt issues upon request; providing for the powers and duties of the division; providing standards for official statements on local long-term debt issues; amending §125.31(4), Florida Statutes, 1973, to

redefine the term "surplus funds"; creating the state assistance with regard to the investment of surplus funds by local governments; providing fees; providing an effective date.

—to Ways and Means.

By Senator Brantley—

**SCR 669**—A concurrent resolution requiring the Florida Department of Transportation to erect an appropriate direction sign indicating the exits from I-95 to the Jacksonville Blood Bank.

Evidence of notice and publication was established by the Senate as to SCR 669.

—to Transportation.

By Senators Zinkil and Johnson—

**SB 670**—A bill to be entitled An act relating to local government repealing Chapter 171 and providing for a new chapter 171; providing for procedures for the extension or contraction of municipal boundaries; setting forth legislative purpose; providing definitions; providing annexation procedures; providing prerequisites to annexation; providing character of the area to be annexed; providing separate procedures for voluntary annexation; providing contraction procedures; providing criteria for contraction; providing for the apportionment of debts and taxes in annexations or contractions; providing for effect of the act in Dade County; providing for appeal on annexation or contraction; providing for an effective date.

—to Governmental Operations and Ways and Means.

By Senator Lane (23rd)—

**SB 671**—A bill to be entitled An act relating to Florida ports providing for the creation of the Florida port study committee; providing for membership, a chairman, duties and functions of the committee; providing powers of subpoena; providing a legislative intent; allowing the acceptance of funds, grants, gifts, and services; providing an appropriation; providing an effective date and a date for repeal.

—to Natural Resources and Conservation and Ways and Means.

The Senate was called to order by the President at 9:00 a.m. A quorum present—37:

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

Excused: Senators Deeb and Winn; Senators Brantley and Weber from 9:45 a.m. until 11:00 a.m. for the purpose of attending a meeting of the House Committee on Education.

Prayer by the Senate Chaplain:

Hear our morning prayer, our God: Let today be blessed with your presence even as we are blessed to see its light. We cannot know what a day may bring forth for human events change so rapidly and we know not what of good or misfortune may attend us at any time. But we do know that to be busy about our calling and doing well the work to which we are commissioned can give us assurance, hope, and a sense of well-being no matter what may come.

We commend ourselves to your watchcare and seek your grace upon our families who are denied so much of our time and attention during these busy days.

Hear us in our need. Amen.

REPORTS OF COMMITTEES

The Committee on Commerce recommends the following pass: SB 541

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

The Committee on Commerce recommends the following pass:

HB 1271                      HB 1972                      HB 1974

The Committee on Ways and Means recommends the following pass: SB 2 with 2 amendments, SB 609

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

The Committee on Commerce recommends a Committee Substitute for the following: SB 506    SB 518

The bills with Committee Substitutes attached were placed on the calendar.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred SB 184 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on April 17, 1974.

JOE BROWN, Secretary

Your Enrolling Clerk to whom was referred SB 321 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on April 17, 1974.

JOE BROWN, Secretary

Senator Barron moved that SB 2 be placed on Special Order following the consent calendar. The motion was adopted by the following vote:

Yeas—24

Mr. President	Gallen	Lewis	Stolzenburg
Barron	Gillespie	McClain	Sykes
Brantley	Gruber	Peterson	Trask
Childers	Johnson	Poston	Vogt
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (23rd)	Smathers	Zinkil

Nays—10

Glisson	Lane (31st)	Sims	Wilson
Gordon	Plante	Weber	
Graham	Sayler	Williams	

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Poston by two-thirds vote SCR 669 was withdrawn from the Committee on Transportation and placed at the end of the consent calendar.

On motion by Senator Saunders by two-thirds vote SB 609 was placed at the end of the consent calendar.

On motion by Senator Plante SB 201 was placed at the end of the consent calendar.

MESSAGE FROM THE GOVERNOR

STATE OF FLORIDA

OFFICE OF GOVERNOR REUBIN O'D. ASKEW

April 17, 1974

The Honorable President and Members of the Senate, and The Honorable Speaker and Members of the House of Representatives

*Honorable Members of the Legislature:*

This letter transmits a special message along with my supplemental budget recommendation in the area of health and rehabilitative services. Each has been thoughtfully and carefully prepared to reflect my personal commitment to you as legislators, as well as to Florida's taxpayers that we are prudently using their tax dollars to address the priority problems of those in need. In this context, I am pleased to report that the program expansion and improvements contained in my recommendation were accomplished through a revised and more effective use of existing general revenue and federal funds which will not require substantial additional state dollars. The highlights of my supplemental budget and program recommendations follow.

In the area of public assistance, positive actions have and will continue to be taken to remove the ineligible from the welfare rolls. We must also provide job training and support to help mothers receiving Aid to Families with Dependent Children (AFDC) find and keep jobs. Further, by reducing welfare rolls to those who genuinely are in need, we can provide a more humane and realistic level of income for Florida's poorest of the poor.

In contemplating correctional reform we must be positive that, in our continuing efforts to correct crime, we also wage war on the vicious cycle which returns prisoners to society only to become future crime statistics. The correctional system must work closely with all rehabilitation programs in fighting this war. The field staff of the Parole and Probation Commission is a part of that correctional system and should be transferred to the Department of Health and Rehabilitative Services as a division of that rehabilitation team.

In considering Florida's senior citizens, we applaud those who are fortunate enough to live active and independent lives, but we must not forget that those who are less fortunate should not be treated as supplicants for charity. Many older citizens can, with help, live in dignity, with freedom and reasonable security, in their own communities.

Community based programs such as home care services, expanded group living homes and programs to treat the emotionally disturbed elderly will allow many more individuals to remain in their own homes or communities and reserve nursing home facilities for those who truly require such care. For those who do require nursing home placement, I urge your support for my recommendation to increase the Medicaid nursing home payments to a more adequate level. This, along with vigorous enforcement of nursing home standards, will provide improved care for all elderly Floridians in nursing homes.

We must also address ourselves to some overlooked problems of children. My recommendations include an intensive care program for premature babies, as well as funds to provide additional community-based services for emotionally disturbed children, and an expanded day care program for the children of low income working mothers.

I am happy to report that through our review of program priorities and a more effective use of state and federal funds I am able to recommend the full implementation of the Myers Act to improve the care to all who suffer from the tragic problem of alcoholism and provide treatment rather than jail for the public inebriate.

We must take all reasonable efforts to assure that adequate health care is available to all Floridians at affordable prices. I am also recommending that we provide prosthetic devices

through Medicaid to those who need them and that we provide funds so that state operated hospitals can meet the same standards we require the private sector to meet.

In conclusion, I wish to stress that we owe you and the taxpayers of Florida every assurance that the programs and responsibilities of the Department of Health and Rehabilitative Services will be carried out effectively and efficiently. That we pledge to do. I say that fully recognizing that your support, your confidence, and that of the public, will not be won and maintained by promises but by performance.

With kind regards,

Sincerely,  
**REUBIN O'D. ASKEW**  
Governor

**Message To The 1974 Session Of The Legislature On Health And Rehabilitative Services**

This message gives me an opportunity to report to members of the Legislature on some of the important work being done in the area of health and rehabilitative services, and to share with you my thoughts and recommendations on new programs and new directions which I believe we should undertake to improve our efforts to more effectively and efficiently respond to our fellow Floridians in need.

**PUBLIC ASSISTANCE REFORM**

I am sure that you share my concern over some of the glaring problems and inequities in our present welfare system. In January, 1973, the Division of Family Services had a caseload of 94,661 in the Aid to Families with Dependent Children (AFDC) program. Since then positive corrective actions have been taken to assure that Florida's welfare rolls become free of ineligible persons. Now, for the first time in the history of this program the caseload is showing a declining trend. On March 1, 1974 it was down more than 12,000 cases or 12.8 percent, and projections for Fiscal Year 1974-75 are down to 81,500. This constructive record is second in the Nation among states with similar programs. We must not only continue this trend, but assure that the truly needy receive adequate assistance. The primary thrust of my recommendations for changes in this very complex system will be four-fold.

My first goal is to assure that any AFDC mother who is able to work receives realistic job training to assist her in securing specific and available jobs. To this end, I am recommending that AFDC mothers be trained to fill some of the existing jobs in the Department of Health and Rehabilitative Services (HRS). Specifically, on-the-job training can be offered in positions designed to help people in institutions become capable of living in the community. This will combine the dual objectives of helping AFDC mothers find training and work and moving people back into their communities. In addition, I am directing that a comprehensive review be undertaken of the Work Incentive Program to insure that we make maximum use of this resource to train and secure employment for AFDC mothers.

Secondly, for those mothers who are unable to work, we should provide a more humane and realistic standard of living. At present we pay welfare mothers only 68 percent of a budgetary standard which is based on outdated 1969 cost-of-living figures. This amounts to a maximum cash grant of \$151 for a mother with three children and no other income. While welfare payments can be augmented by the purchase of food

stamps, the program is so complex and inequitable that only about one half of the current AFDC mothers are able to effectively take advantage of them.

I have directed the Department to make specific recommendations to the U.S. Department of Agriculture to streamline the procedures for disbursing food stamps so that they are more readily available to all eligible AFDC families. In addition HRS is moving to implement administrative actions which will improve the issuance procedures for food stamps. My recommendations further include an update of the budgetary standard and an increase in the level of payment so that a family of four with no other income will now receive a cash grant of \$177. When implemented these efforts will not only improve the level of assistance available to needy Florida citizens, but should also reduce the administrative costs of the food stamp program.

Thirdly, I am recommending a change in the cumbersome and complex method of calculating eligibility for cash grants. The revised method will substantially reduce the possibility of errors occurring in the eligibility process. It should also result in substantial savings in State funds which would otherwise be repaid to the federal government for penalty charges related to errors in welfare payments.

Fourthly, we must redouble our efforts to assure that public assistance is available only to those persons who genuinely deserve it. My recommendations require vigorous efforts by the Department to locate the absent parents who can and should be required to provide financial support for their children. In addition, I am recommending a more stringent statewide auditing process to prevent and detect welfare fraud. To carry out this expanded auditing program I have asked the Department of Health and Rehabilitative Services to contract with the Auditor General who will continue to have direct responsibility for fraud detection.

These changes should enable us to move more effectively to make as many people as possible more independent and self-supporting through employment. In addition they will assure a greater degree of dignity and self-sufficiency for those who cannot work. Finally, we will execute equally important changes which will tighten controls and improve the efficiency of the public assistance program as well as prevent and reduce fraud.

#### CORRECTIONAL REFORM

Extensive committee hearings on corrections legislation and various executive studies place Florida governmental leaders in the enviable position of being thoroughly knowledgeable concerning the problems which must be confronted and solved in order to increase the effectiveness of our present system. There are several recommendations contained in these various studies which I fully support. New community-based facilities and programs to offer judges more sentencing alternatives including "halfway in" houses and pretrial intervention programs are needed in Florida. I also support mandatory pre-sentence investigations in all felony cases to assist the courts in determining an appropriate sentence, and sentence review provisions enabling the offender and the State to appeal sentences of more than one year. Disparate sentences and internal prison conflict underscore the need for sentence review.

I recognize that no matter how efficient and rehabilitatively sound our correctional program may be, there will be hardcore, dangerous offenders who cannot be effectively reached. In these cases, maximum security is essential. However, statistics reveal that of all offenders sentenced to prison, approximately

98 percent will eventually be returned to society. Of those inmates who received fixed sentences in 1971-72, fifty percent were sentenced to periods of confinement of three years or less. These figures demonstrate that we must continue our thrust toward moving offenders back into productive lives in their communities. In failing to do so we sow the seeds for more crimes involving the same offenders over and over again. We must provide in our institutions humane conditions and rehabilitative programs that will improve the skills and attitudes of these offenders who will return to society as contributing members, not as future crime statistics. As you may know, the Division of Corrections works closely with other HRS Divisions as a rehabilitative team. That effort must not be disrupted. I continue to believe the Division of Corrections can best carry out its functions within the Department of Health and Rehabilitative Services. As indicated in my prior messages to the Legislature on this subject, I feel that transferring the field staff of the Parole and Probation Commission into a separate Division of the Department of Health and Rehabilitative Services is necessary. This will insure that probationers, parolees and their families receive the same kind of supportive services currently provided to correctional inmates.

It is my strong belief, however, that the question of parole must be insulated against political influence. These decisions should continue to be made by an independent and strengthened parole commission.

I urge that the Legislature address itself to the crucial question of adult correctional reform regardless of the outcome of our efforts to improve the structure of the present system.

#### IMPROVED SERVICES TO THE AGED

Many of Florida's 1.5 million elderly citizens are fortunate enough to have the financial security to lead active, independent lives. Many others are not so fortunate. These older Floridians must face the overwhelming economic dilemma of attempting to live on an inadequate fixed income in the face of spiraling inflation. Many are unable to take advantage of existing services because of the cost or lack of transportation or because they simply do not know that services they need are available. I am especially concerned for those who are forced into nursing homes or even mental hospitals because services which would allow them to remain in their own homes are not available.

We have made good progress in this area. Since creation of the Division of Aging last July, \$8,600,000 in State and Federal funds has been committed to provide new and expanded nutritional programs, social services and area-wide planning for the aged.

While our recent progress is encouraging, much more must be done. My budget recommendation includes substantial additional funds to provide improvements in two areas of critical need. I am recommending an increase in nursing home payments and new alternatives to nursing home placement.

In those cases where nursing home care is appropriate, I believe we must adjust the Medicaid payment level to be more realistic and equitable. A recent study of nursing home costs conducted by the Department of Health and Rehabilitative Services confirmed that our current payment level of \$394 per patient month for skilled nursing home care and \$315 per patient month for intermediate care are inadequate and work a hardship both on our patients and on the nursing home op-

erators. Therefore, I am recommending the following payment increases to be effective July 1, 1974:

- For skilled nursing homes, up to an actual cost of \$550 per patient month;
- For intermediate care, up to an actual cost of \$450 per patient month

Minor adjustments to offset increased costs due to changes in the minimum wage law can be implemented on May 1 without any additional appropriations.

These needed increases should provide a better quality of care for the approximately 13,000 Medicaid patients who need nursing home care. The Department of Health and Rehabilitative Services meanwhile, has been directed to vigorously administer and enforce all licensing standards and requirements to insure that all nursing home patients receive the safety and quality of care they have a right to expect.

We must also respond in another area of special interest and concern—that of assisting older Floridians to remain in their own home or community for as long as they wish and are able. To help the elderly maintain their independence and self care, I am recommending increased funds to provide:

- A statewide information and referral program to assure that elderly persons receive all available services they may need.
- Transportation to make existing services accessible to the elderly.
- Home delivered meals for those who are unable to do their own shopping and prepare their own meals.
- Homemaker and chore services for those who need assistance in caring for their home.

I am sure that you share my sentiments that Florida's senior citizens must not be treated as supplicants for charity. Indeed most are entirely capable and willing to contribute to their community, and all deserve to live in dignity, with freedom and reasonable security.

#### HEALTH AND MENTAL HEALTH IMPROVEMENTS

The task of obtaining adequate health care at affordable prices is a continuing problem for Floridians. Spiraling costs, however, are rapidly putting good health care beyond the financial means of the average citizen. We should do all that we can to insure that the health care system is responsive to the needs of the people and their ability to pay while avoiding excessive regulation which could lead to deterioration in quality and stifling of innovation.

Florida has an excellent record in the area of health legislation, and has been one of the leaders nationwide in the development of enabling legislation for health maintenance organizations, and emergency medical services. There are other steps that we can take now to help us reach the goal of improved health care for those Floridians with special health problems which diminish their lives and for which there are scant resources.

#### ALCOHOLIC REHABILITATION

I am particularly happy to give a report on the progress made toward the prevention, control and treatment of alcoholism and alcohol abuse. As you know, there are an estimated 300,000 Floridians who suffer from this terrible illness and it remains

our number one drug problem. Those afflicted with this problem range from residents of "Skid Row" to bank presidents, from senior citizens to adolescents. Last year we appropriated \$4.3 million, including Federal funding, to implement a comprehensive system to treat people with this problem. Since April of 1973, all twenty-three Mental Health Districts in the State have significantly increased their capabilities to provide services to people with alcohol problems. These services include consultation with courts, hospital care for the acutely ill, outpatient care, halfway house facilities, educational programs, alcohol safety action programs, and occupational alcohol programs. We are also working to develop comprehensive prevention programs.

Despite these efforts, we have had to delay implementing one key provision of the Myers Act that offers a more humane alternative than arrest and incarceration for those found publicly intoxicated.

With the additional funds which I am recommending, each of the 23 Mental Health Districts should have by January 1, 1975 facilities to receive any alcoholic in need of treatment, including those found publicly intoxicated. I am further recommending that the Myers Act be amended to give law enforcement officers the option of placing publicly intoxicated persons in protective custody for no more than 12 hours, during which time they must seek appropriate health care. This will greatly reduce the burden on the local police who may not have sufficient staff and resources to immediately transport an individual to a receiving center.

#### MEDICAL SERVICES

Our Medicaid program covers two vital areas which can be a severe financial burden on persons with low or fixed incomes—prescription drugs and prosthetic devices. Providing prescription drugs has been a complex administrative process and has been limited to \$20.00 per person per month. For most people this is sufficient, but for those with chronic and severe conditions, that amount does not reach very far. I am recommending that we enter into a contract with a private firm which will not only reduce administrative costs, but will also allow us to provide all necessary prescription drugs at no additional cost to the State.

Secondly, the loss of an arm or leg can mean the loss of employment and security. An artificial limb can mean the difference between dependence and self-support, between employment and loss of financial security. I am recommending that our Medicaid program cover the cost of artificial limbs, eyeglasses, hearing aids and dentures. I also feel it is essential to include payment for the physician's services involved in their use.

#### EPILEPSY

Epilepsy is a disability about which too little is known and too little done. All too often people with this disability are misunderstood or mistreated, and tragically there are few places where individuals or their families can turn for help or understanding. I am happy to include in these recommendations the funds to begin a major thrust toward improved diagnosis, evaluation and counseling of persons with epilepsy.

#### BLIND

The creative minds and talents of people who are blind are often lost or wasted for lack of specialized services, job training and employment opportunities. This is a needless and costly loss both to the blind individuals and their communities. I am recommending a needed increase in the training staff of the

Bureau of the Blind Services to further insure that all blind Floridians are given the opportunity to realize their full potential.

#### MENTAL HEALTH

I have already recommended full funding, by a uniform formula, of community mental health programs. At the present time very few resources or services are dedicated to emotionally disturbed children and emotionally disturbed elderly adults. Therefore, I am recommending that increased funds be matched by local communities to stimulate the development of additional services designed to enable the emotionally disturbed child or older adult to receive help in community-based programs. In most cases this will assist the individual to become more self sufficient and to remain at home rather than being placed in a medical facility which is usually more costly and often less effective.

#### HEALTH CARE INSTITUTIONS

Along with these improvements in our health and mental health services, it seems to me that we should also turn our attention to the health and safety standards of our State Institutions. State Institutions have historically been unable to get sufficient funding to keep their facilities well maintained and up-to-date. Some HRS institutions do not presently meet state health standards. This is a serious situation, whatever the causes. I have recommended a total of \$6 million to eliminate fire and safety hazards in these facilities. This includes funds which will allow the Division of Retardation to improve conditions at the Sunland Centers so that a minimum of 500 beds receive Medicaid certification. This action alone will make the State eligible for more than \$1 million a year in increased federal funding.

#### IMPROVED SERVICES FOR CHILDREN

Approximately 25 percent of this State's population is under fourteen years of age. The majority of these youth are healthy, law-abiding citizens.

However, some of them need our help to correct or prevent medical and emotional problems. Certainly, many potential problems can be diagnosed and treated early, saving the cost and burden of dealing with them in later years. I have already mentioned a major step to improve community services to emotionally disturbed children, and I would like to urge your support for three other special programs which will benefit our children.

Children born prematurely risk the tragedy of crippling birth defects. My budget calls for funding of five intensive care units for the new-born which, thanks to specialized equipment, can save many lives and many children can be spared such birth related defects as retardation, cystic fibrosis, cerebral palsy and epilepsy. These clinics will begin to solve many of the problems which have allowed birth defects to mar the lives of many of our children.

Diabetes is a serious disease at any age, but in a young child it is particularly difficult to handle. I am recommending an innovative way of assisting children afflicted with this disease to learn to control it so that they may remain as independent as possible. At the special diabetes camp, included in my supplemental request, young children will learn to administer the life sustaining insulin which may be their constant companion the rest of their lives.

Finally, let me reassert my conviction that we must continue to support and invest in the healthy development of Florida's youth. As you know, last year we launched a day care program for the children of working mothers. I am recommending an increase in funding for this program for the coming year. As more and more of Florida's low income mothers leave home to work we must continue to be vigilant in our efforts to provide adequate care for their children. In this context, I would urge you to give favorable consideration to legislation which would require all day care centers to meet uniform standards to insure the safety and well-being of the children in their care.

#### MANAGEMENT IMPROVEMENTS

In 1969 the Florida Legislature enacted legislation combining more than twenty separate people-serving agencies into a single Department of Health and Rehabilitative Services. Despite some growing pains and administrative difficulties, experience has shown that the Legislature was correct in establishing a single umbrella organization as the most effective way to administer and provide these services.

As you know, in August I appointed and submitted for your approval Mr. O. J. Keller as Secretary of the Department. He has since appointed Dr. E. W. Sandberg as Deputy Secretary. Under their creative leadership a number of management improvements have already been initiated. At my request the Department has begun to establish a system of management by objectives. This system, simply put, will require HRS to establish departmental goals and clearly stated program priorities and translate those priorities into measurable program objectives which will tell me as Governor and you as Legislators what they expect to achieve, for how many people and how much it will cost. It will further require a program and fiscal reporting and evaluation system which will tell us how well they are doing their job. I intend to personally monitor and participate in this system through regularly scheduled management conferences with the secretary and other staff members. My supplemental and regular budget recommendations to you contain other specific recommendations to further improve the management and accountability of the Department. These will improve and expand the capability of the Secretary's Office to:

- Provide strong leadership, management and administrative direction throughout the Department.
- Monitor and account for the effective and efficient use of all state and federal funds.
- Respond more effectively and expeditiously to priority communications, program and policy issues, as well as complaints from consumers and other concerned groups.

I believe we can further improve the coordination and delivery of services by establishing regional representatives of the Secretary in each HRS region. The representatives will serve as a direct link with the Secretary's Office to implement policy and program decisions. They will insure the coordination of services through the development and implementation of a system which provides for central intake, whereby one contact will open the door to all HRS services. In addition, I have asked the Department to make a concerted effort with its existing resources to consolidate the support staff in each region so that these functions can more effectively serve all programs in the region.

#### SUMMARY

We can be justly proud of the accomplishments our state government has made in the field of human needs. However, we

must continue to press to improve the management, quality, content and delivery of these vital services. I believe the recommendations contained in this message, if implemented, will begin to close some gaps in needed services and set in motion constructive actions to correct the key management and service delivery problems of the Department.

#### EXECUTIVE BUSINESS

By direction of the President, the Secretary read the following communications:

Honorable Mallory E. Horne April 15, 1974  
President, The Florida Senate  
The Capitol

Dear Mr. President:

This is to advise that I have reappointed Mr. James Edwards as a member of the Board of the Sumter County Recreation and Water Conservation and Control Authority, for a term ending December 3, 1977. Attached is his questionnaire for executive appointment.

It would be appreciated if the Senate would take up the confirmation of this appointment during the current session of the Florida Legislature.

Sincerely,  
REUBIN ASKEW  
Governor

[Committee on Natural Resources and Conservation]

Honorable Mallory E. Horne April 15, 1974  
President, The Florida Senate  
The Capitol

Dear Mr. President:

This is to advise that I have reappointed Mr. Harry Lovett as a member of the Board of the Sumter County Recreation and Water Conservation and Control Authority, for a term ending October 9, 1977. Attached is his questionnaire for executive appointment.

It would be appreciated if the Senate would take up the confirmation of this appointment during the current session of the Florida Legislature.

Sincerely,  
REUBIN ASKEW  
Governor

[Committee on Natural Resources and Conservation]

Honorable Mallory E. Horne April 15, 1974  
President, The Florida Senate  
The Capitol

Dear Mr. President:

This is to advise that I have reappointed Mr. James William Veal as a member of the Board of the Sumter County Recreation and Water Conservation and Control Authority, for a term ending November 16, 1977. Attached is his questionnaire for executive appointment.

It would be appreciated if the Senate would take up the confirmation of this appointment during the current session of the Florida Legislature.

Sincerely,  
REUBIN ASKEW  
Governor

[Committee on Natural Resources and Conservation]

Honorable Mallory E. Horne April 15, 1974  
President, The Florida Senate  
The Capitol

Dear Mr. President:

This is to advise that I have appointed Mr. Eddie Joseph Richburg as a member of the Suwannee River Water Management District for a term ending July 1, 1975. Attached is his questionnaire for executive appointment.

It would be appreciated if the Senate would take up the confirmation of this appointment during the current session of the Florida Legislature.

Sincerely,  
REUBIN ASKEW  
Governor

[Committee on Natural Resources and Conservation]

The President referred each appointment to the Committee shown.

#### 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 346	HB 347	HB 608
HB 611	HB 1107	HB 2939
HB 2643	HB 2665	HB 2504
HB 2621	HB 1433	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Insurance—

HB 346—A bill to be entitled An act relating to insurance; creating sections 631.215 and 631.216, Florida Statutes; providing that reinsurance recoverable by the receiver shall not be reduced as a result of delinquency proceedings instituted against the delinquent insurer; prohibiting a reinsurer from settling any policy claim with a policyholder or claimant of an insurer if a delinquency proceeding has been commenced against such insurer; providing an effective date.

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

By the Committee on Insurance—

HB 347—A bill to be entitled An act relating to insurance; amending section 631.291(3), Florida Statutes; providing that certain arbitration awards shall not be considered by the receiver of an insolvent insurer as conclusive evidence of liability or the amount of damages; providing an effective date.

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

By the Committee on Insurance—

HB 608—A bill to be entitled An act relating to insurance; amending section 624.610(1), Florida Statutes; providing that no insurer shall cede or retrocede credit life, credit disability or both credit life and credit disability insurance with an insurer not authorized to do business in Florida; providing an effective date.

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

By the Committee on Insurance—

HB 611—A bill to be entitled An act relating to insurance; amending §625.308, Florida Statutes, 1971, to authorize insurers to invest in student loans guaranteed as to principal by the United States Government; providing an effective date.

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

By the Committee on Insurance—

HB 1107—A bill to be entitled An act relating to insurance; amending section 624.404(5), Florida Statutes, 1971; extending the definition of "fronting company" to include one or more lines of insurance or all the business produced by one or more agents or agencies; providing an effective date.

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

By the Committee on General Legislation—

**HB 2939**—A bill to be entitled An act relating to alcoholic beverages; amending §561.15(2), Florida Statutes; clarifying certain grounds for denial of an alcoholic beverage license; providing an effective date.

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

By Representative Hair and Others—

**HB 2643**—A bill to be entitled An act relating to motor vehicle licenses; amending §320.089(1), Florida Statutes, 1971, to provide that members of the Florida national guard need pay no additional fee for special license plates; providing an effective date.

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

By Representatives Martinez and Gordon—

**HB 2665**—A bill to be entitled An act relating to dog racing and horse racing; amending §550.07 and repealing §550.33(2)-(c), Florida Statutes; deleting authorization for the division of pari-mutuel wagering of the department of business regulation to revoke the permit of a licensee who contributes to a political party or political campaign; providing an effective date.

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

By Representatives Hazelton and Birchfield—

**HB 2504**—A bill to be entitled An act relating to insurance; amending section 631.52, Florida Statutes, 1971, deleting surety insurance from the exemptions under Section 631, Part II, Florida Statutes, 1971; providing an effective date.

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

By the Select Committee on Military & Veterans Affairs and Representative Lewis and others—

**HB 2621**—A bill to be entitled An act relating to veterans; amending subsection (4) of §240.052, Florida Statutes, as created by chapter 73-184, Laws of Florida, to include community colleges among those state institutions where veterans and their dependents under the federal educational assistance act shall have an extra sixty (60) days for payment of registration fees; providing an effective date.

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

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.

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

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

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

HB 612	HB 794	HB 808
HB 1503	HB 2038	HB 1785
HB 455	HB 812	

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Insurance—

**HB 612**—A bill to be entitled An act relating to disability insurance; creating §627.6115, Florida Statutes, and adding sub-

section (5) to §627.662, Florida Statutes, 1971, to require the development and use of standardized claim forms for individual and group disability insurance; providing an effective date.

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

By Representatives Holloway and Rude—

**HB 794**—A bill to be entitled An act relating to traffic control; amending section 316.027(1), Florida Statutes, providing that vehicles involved in an accident be moved out of the driving lane of traffic; adding section 316.0991, F. S., providing disabled vehicles on the street or highway shall not obstruct traffic; providing an effective date.

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

By the Committee on Transportation and Representative Holloway—

**HB 808**—A bill to be entitled An Act relating to loads on vehicles, amending section 316.196, F. S., by adding subsection (6); providing for the transportation of rowing shells; providing an effective date.

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

By the Committee on Insurance—

**HB 1503**—A bill to be entitled An act relating to group, blanket and franchise disability insurance; amending chapter 627, part VII, Florida Statutes, 1971; by adding new section 627.665 to provide that when master group disability policies are replaced the new policy must cover under the replaced policy; providing an effective date.

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

By the Committee on Insurance and Representative Cherry—

**HB 2038**—A bill to be entitled An act relating to insurance; adding a new subsection (4) to section 627.657, Florida Statutes, 1971; providing conversion privileges to certificate holders of group disability policies without evidence of insurability providing for the promulgation of rules and regulations by the department of insurance; providing an effective date.

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

By Representatives Holloway and Rude—

**HB 1785**—A bill to be entitled An act relating to transportation; requiring traffic to yield right of way to construction workers and vehicles; providing an effective date.

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

By Representatives Holloway and Rude—

**HB 455**—A bill to be entitled An act relating to motor vehicle safety inspection; amending §325.12, Florida Statutes, exempting motor vehicles, sale of which constitutes an occasional or private sale from the provision of this section for a period of twenty-four hours; providing a penalty; providing an effective date.

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

By Representative Rude and others—

**HB 812**—A bill to be entitled An act relating to estrays; repealing §707.22, Florida Statutes, 1971, which relates to stud-horses and asses running at large, and §707.23, Florida Statutes, 1971, which relates to proceedings when studhorses and asses are not gelded, both as amended by chapter 73-334, Laws of Florida; providing an effective date.

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

*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 2448

HB 2544

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Webb and Tucker (by request)—

HB 2448—A bill to be entitled An act for the relief of Timothy S. Strickland, a minor, by and through his parents, Mr. and Mrs. Glover Strickland, Tallahassee, Leon County, for damages sustained as a result of falling from a tree; providing an appropriation; providing an effective date.

Proof of Publication attached.

Evidence of notice and publication was established by the Senate as to HB 2448.

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

By Representative L. McDonald—

HB 2544—A bill to be entitled An act relating to provision for the relief of Brenda Bembry, a minor, arising out of an accident on April 21, 1971, while she was in attendance as a pupil in the public schools of Hamilton County, Florida, which resulted in grievous and permanent injuries to her right hand; providing for an appropriation to compensate her for such injuries; and providing an effective date.

Proof of Publication attached.

Evidence of notice and publication was established by the Senate as to HB 2544.

—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 2379 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Birchfield—

HB 2379—A bill to be entitled An act for the relief of Mary Llewellen Parker for the loss of her husband and for injuries sustained as the result of the negligence of the department of transportation.

—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 2801

HB 2431

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Tittle—

HB 2801—A bill to be entitled An act providing for the relief of John D. Cruz of Key West, Monroe County, Florida; providing an appropriation to John D. Cruz to compensate him for injuries suffered due to negligence of personnel of the district school board of Monroe County; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 2801.

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

By Representative Brown and others—

HB 2431—A bill to be entitled An act for the relief of Jesse D. Daniels; providing an appropriation to compensate him for the losses, damages and injuries he suffered through no fault of his own as the result of wrongful imprisonment; 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 16, 1974

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

HB 2086

HB 1191

HB 1105

HB 2019

HB 1190

HB 100 (cs)

HB 417 (cs)

HB 2389

HB 2545

HB 1878 (cs)

HB 2631

HB 2040

HB 2393

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Commerce—

HB 2086—A bill to be entitled An act relating to the state board of funeral directors and embalmers; amending subsection (1) of section 470.02, Florida Statutes, providing that the director of the division of health may designate a representative to represent him on said board; providing an effective date.

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

By Representatives Rude and Avon—

HB 1191—A bill to be entitled An act relating to motor vehicle license plates for wheelchair using veterans; amending §320.0842(2)(b), Florida Statutes, 1972 Supplement, to provide that any veteran with a service-connected disability requiring use of a wheelchair may be issued a free license plate; providing an effective date.

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

By the Committee on Insurance and Representative Carlucci and others—

HB 1105—A bill to be entitled An act relating to medical examination reports; amending section 458.16, Florida Statutes, 1971; providing for the furnishing of medical examination reports upon written authorization of the patient or his designee; providing for a reasonable charge for furnishing such reports; providing an exception; providing an effective date.

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

By the Committee on Retirement, Personnel & Claims—

HB 2019—A bill to be entitled An act relating to the career service commission; amending §110.041(2), Florida Statutes, 1971, which relates to duties of the commission; removing language which provides for the commission to hear appeals arising from rules adopted by the department of administration; providing for the hearing of appeals arising under the Florida retirement system; deleting language regarding the holding of public hearings on proposed rules and regulations; providing for the performance of other duties as authorized by rules of the administration commission; providing an effective date.

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

By Representatives Rude and Avon—

HB 1190—A bill to be entitled An act relating to motor vehicle license plates; creating §320.0843, Florida Statutes; pro-

viding for a wheelchair user to be issued a motor vehicle license plate stamped with the international wheelchair user symbol; providing an effective date.

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

By the Committee on Natural Resources and Representative Rude—

**HB 100 (cs)**—A bill to be entitled An act establishing the Florida recreational trails system; providing for a network of recreational trails to be used for hiking, bicycling, and horseback riding; providing for recreational trails to interconnect units of the state parks system; providing for the multiple use of public rights-of-way; designating the establishment and maintenance of recreational trails as a public purpose; providing definitions; providing for the division of recreation and parks of the Florida department of natural resources to acquire land pursuant to provisions of chapter 375, Florida Statutes; authorizing the transfer of recreational trails to local governmental agencies if they agree to maintain such trails; providing for the establishment of a Florida recreational trails advisory council to advise the division of recreation and parks on matters concerning the Florida recreational trails system; providing for the coordination of the activities of all governmental bodies or private organizations who desire to participate in the operation and development of the recreational trails; providing general regulations; providing an effective date.

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

By the Committee on Transportation and Representatives Rude and Holloway—

**HB 417 (cs)**—A bill to be entitled An act relating to participation by the state in federal aid road programs; amending section 339.06, Florida Statutes; providing an effective date.

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

By the Committee on Transportation and Representatives Holloway and Rude—

**HB 2389**—A bill to be entitled An act relating to traffic control; amending §316.081, Florida Statutes, by adding a new subsection (4) providing that trucks drive on the right hand side of roadways with certain exceptions; providing an effective date.

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

By Representatives Birchfield and Malloy—

**HB 2545**—A bill to be entitled An act relating to insurance; adding subsection (3) to §627.311, Florida Statutes, 1971; providing for an alternative plan for the equitable apportionment or sharing among insurers of motor vehicle insurance by means of assigned risk, joint underwriting, or other reasonable and appropriate arrangement; providing for one (1) or more designated subscribers able and willing to provide policy and claim service to act on behalf of all other subscribers to provide insurance for applicants who are in good faith entitled to, but unable to, procure insurance through the voluntary insurance market at standard rates; providing an effective date.

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

By the Committee on Transportation and Representatives A. S. Robinson and Holloway—

**HB 1878 (cs)**—A bill to be entitled An act relating to uniform traffic control; amending §316.097, Florida Statutes, 1971, relating to unattended motor vehicles, to exempt law enforcement vehicles or emergency vehicles and to provide a five dollar (\$5) fine for certain persons leaving private passenger motor vehicles unattended with the ignition key readily visible in the car; providing an effective date.

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

By Representative Fontana—

**HB 2631**—A bill to be entitled An act relating to law enforcement officers; amending §561.25, Florida Statutes, 1972 Supplement, as amended; providing an exception to allow officers to own certain securities of corporations dealing in the sale or distribution of alcoholic beverages; providing an effective date.

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

By the Committee on Insurance and Representative Cherry—

**HB 2040**—A bill to be entitled An act relating to health insurance; amending part VI of chapter 627, Florida Statutes, 1971, by adding new section 627.642 to require the department of insurance to adopt rules and regulations establishing minimum standards for the content of individual health policy forms; provide for the minimum benefits in certain categories of such forms; provide for an outline of coverage for such forms; provide for the disapproval of noncomplying forms; providing an effective date.

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

By Representative Hair—

**HB 2393**—A bill to be entitled An act relating to public officers; amending §99.012(3), Florida Statutes, 1971, to provide that resignations of county and municipal public officers in compliance with the resign-to-run law shall be directed to the officer with whom such officers qualified or by whom such officers were appointed with copies to the governor and the department of state; providing an effective date.

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

## RECONSIDERATION

The motion by Senator Graham on April 16 that the Senate reconsider the vote by which—

**SB 80**—A bill to be entitled An act relating to public school instructional personnel; amending §§231.40(1)(b) and 231.43, Florida Statutes; authorizing district school boards to permit two days of sick leave annually to be used for personal reasons; providing an effective date.

—passed as amended on April 15 was taken up and adopted; and the Senate reconsidered the vote.

Senator Graham moved the following amendment which was adopted by two-thirds vote:

**Amendment 12**—On page 1, line 26, strike all of paragraph (a) as amended and insert: (a) Each member of the instructional staff employed on a full-time basis shall be entitled to four days of sick leave as of the first day of employment of each contract year, and shall thereafter earn one day of sick leave for each month of employment, which shall be credited to the member at the end of that month, and which shall not be used prior to the time it is earned and credited to the member; provided, that the member shall be entitled to earn no more than one day of sick leave times the number of months of employment during the year of employment; ten days of sick leave at the beginning date of employment or at any time during any school year; provided, that such leave shall be taken only when necessary because of sickness as herein prescribed. Such sick leave shall be cumulative from year to year; provided, there shall be no limit on the number of days of sick leave a member of the instructional staff may accrue; that no more than one hundred twenty days of sick leave may be accumulated including sick leave for the current year; and provided, further, that at least one half of this cumulative leave must be established within the district granting such leave.

SB 80 as further amended was read by title, passed and ordered engrossed. The vote was:

## Yeas—34

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

Nays—None

## CONSENT CALENDAR

On motion by Senator Poston, HB 1086 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

SB 123 was taken up and on motion by Senator Poston, by unanimous consent—

**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.

—a similar measure was substituted therefor and read the second time by title. On motion by Senator Poston, by two-thirds vote HB 1086 was read the third time by title, passed and certified to the House. The vote was:

## Yeas—32

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

Nays—None

SB 123 was laid on the table.

**SB 470**—A bill to be entitled An act relating to special elections; amending §100.111(1), Florida Statutes; providing that the dates fixed by the governor for special primaries and special elections be specific and not conditional or alternative; providing an effective date.

—was read the second time by title.

The Committee on Judiciary offered the following amendment which was moved by Senator Poston and adopted:

**Amendment 1**—On page 1, line 24, between the words “specific” and “and” insert: days certain

On motion by Senator Poston, by two-thirds vote SB 470 as amended was read the third time by title, passed and ordered engrossed. The vote was:

## Yeas—31

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

Nays—None

On motion by Senator Poston, the rules were waived and SB 470 was ordered immediately certified to the House after engrossing.

SB 371 was taken up, together with:

By the Committee on Transportation—

**CS for SB 371**—A bill to be entitled An act relating to the adjudication of traffic infractions; creating chapter 318, Florida Statutes, to be known as the “Florida uniform disposition of traffic infractions act”; providing definitions; providing for decriminalization of certain traffic violations; establishing procedures for adjudication of traffic infractions; establishing standard statewide civil penalties for infractions; providing for mandatory hearings for certain infractions; establishing notification duties of the department; amending sections 316.026, 316.061, 316.067, 316.112, 316.164, 339.30, 340.23 and 239.55, Florida Statutes; providing for penalty provisions consistent with this act; providing an effective date.

—which was read the first time by title and SB 371 was laid on the table.

On motion by Senator Poston, by two-thirds vote CS for SB 371 was read the second time by title.

Senator Poston moved the following amendments which were adopted:

**Amendment 1**—On page 7, strike all of line 10 and insert: accordance with section 318.18.

**318.21** Disposition of civil penalties and forfeitures by county courts.—All civil penalties and forfeitures received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly to the municipalities and counties, respectively, in the same manner, upon the same bases, and upon the same terms and conditions, that fines and forfeitures are distributed and paid to municipalities and counties under the provisions of section 316.0261, Florida Statutes.

**Amendment 2**—On page 1, in title, strike all of line 14 and insert: lishing notification duties of the department; providing that the provisions of section 316.0261, Florida Statutes, shall apply to the disposition of all civil penalties and forfeitures received by a county court pursuant to chapter 318, Florida Statutes;

On motion by Senator Poston, by two-thirds vote CS for SB 371 as amended was read the third time by title, passed and ordered engrossed. The vote was:

## Yeas—33

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

Nays—None

Senator Ware was recorded as a co-introducer of CS for SB 371.

**SB 103**—A bill to be entitled An act relating to drivers' licenses; amending §322.02(2), Florida Statutes; eliminating the requirement that the director of the division of driver licenses be a member of the Florida highway patrol; amending §322.04(2), Florida Statutes, providing a time period within which nonresidents are required to obtain drivers' licenses; amending §322.16(2), Florida Statutes, defining motor-driven cycles; providing for restricted license holders to drive after dark; amending §322.17, Florida Statutes, providing for replacement licenses; requiring that licenses renewed while the licensee was out of the state be replaced with a license with photograph upon return to Florida; providing a replacement fee; amending §322.18(7), Florida Statutes, 1972 Supplement, providing an extension of license expiration date; repealing §322.031, Florida Statutes, as created by §1, chapter 73-238, Laws of Florida, relating to non-resident drivers' licenses; providing an effective date.

—was read the second time by title.

Senators Gallen and Poston offered the following amendment which was moved by Senator Gallen:

Amendment 1—On page 5, between lines 2 and 27 insert: Section 7. Subsections (2) and (4) of section 322.18, Florida Statutes, are amended to read:

322.18 Original applications, licenses and renewals; expiration of licenses; delinquent licenses.—

(2) Every applicant who is entitled to the issuance of an original driver's license, as provided in this section, shall purchase have the option of purchasing either a two year or four year driver's license, as follows:

(a) 1. A two year driver's license issued to a person born in an odd-numbered year shall expire at midnight on the last day of the licensee's birth month in the first odd-numbered calendar year after the expiration of twelve months from the date of issuance of the license.

(a) 2. A four year driver's license issued to a person born in an odd-numbered year shall expire at midnight on the last day of the licensee's birth month in the first odd-numbered calendar year after the expiration of twenty-four months from the date of issuance of the license.

(b) 1. A two year driver's license issued to a person born in an even-numbered year shall expire at midnight on the last day of the licensee's birth month in the first even-numbered calendar year after the expiration of twelve months from the date of issuance of the license.

(b) 2. A four year license issued to a person born in an even-numbered year shall expire at midnight on the last day of the licensee's birth month in the first even-numbered calendar year after the expiration of twenty-four months from the date of issuance of the license.

(4) All renewal licenses issued when such renewal is not in conjunction with the examination scheduled in §322.121 shall be for a two-year period. However, such renewal may be for a period of four years.

Section 8. Subsection (1) of section 322.21, Florida Statutes, is amended to read:

322.21 Fees to be paid for licenses and machinery for handling and collecting the same.—

(1) The fee for:

(a) A two year license shall be \$2, in addition to the fee for driver education as provided by §233.063 and in addition to the fee for color photograph as provided by §322.142.

(a) (b) A four year license shall be \$4, in addition to the fee for driver education as provided by §233.063 and in addition to the fee for color photograph as provided by §322.142.

(c) A two year chauffeur's license shall be \$4, in addition to the fees provided by §§233.063 and 322.142.

(b) (d) A four year chauffeur's license shall be \$8, in addition to the fees provided by §§233.063 and 322.142.

(Renumber subsequent section)

Amendment 1 was adopted by the following vote:

Yeas—19

Mr. President Gordon Peterson Sykes
Childers Graham Plante Trask
de la Parte Johnson Poston Vogt
Firestone Lane (31st) Saylor Zinkil
Gallen Myers Smathers

Nays—11

Gillespie Johnston McClain Ware
Glisson Lane (23rd) Sims Wilson
Gruber Lewis Stolzenburg

By unanimous consent Senator Williams was recorded as voting nay.

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

Amendment 2—On page 1, line 24, strike "providing an effective date." and insert: amending §322.18(2) and (4) and §322.21(1), Florida Statutes, to eliminate two years' drivers' licenses and fees therefor; providing an effective date.

On motion by Senator Poston, by two-thirds vote SB 103 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—30

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

Nays—3

Glisson Stolzenburg Ware

SB 105—A bill to be entitled An act relating to traffic court cases; providing for reports to the department of highway safety and motor vehicles of final judicial disposition of all moving traffic cases; providing an effective date.

—was read the second time by title.

Senator Poston moved the following amendment which was adopted:

Amendment 1—On page 1, strike lines 18 and 19 and insert: of highway safety and motor vehicles on a copy of the uniform traffic ticket, which form shall be consistent with section 316.018, Florida Statutes, the final judicial

On motion by Senator Poston, by two-thirds vote SB 105 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—32

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

Nays—None

Consideration of Senate Bills 138 and 309 was deferred.

SB 392—A bill to be entitled An act relating to temporary driving permits; creating subsection (7) of section 322.25 and amending section 322.28(2)(e), Florida Statutes, to provide for the issuance of temporary driving permits to persons presenting court orders for reinstatement; providing that courts may issue court orders for reinstatement to persons convicted of certain violations; providing restrictions on the use of such temporary driving permits; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 21, after the word "reinstatement" insert: and a written request for a hearing established in section 322.271,

Amendment 2—On page 3, line 4, after the word "cancelled" insert: Upon administrative hearing, if the department determines the applicant is not eligible for modification of revocation, the permit shall be cancelled and the original revocation imposed by the court shall be reimposed.

Senator Poston moved the following amendments which were adopted:

**Amendment 3**—On page 1 underscore lines 22 through 30, and on page 2 underscore lines 1 through 9.

**Amendment 4**—On page 1, lines 21 and 30, strike “temporary driving permit” and insert: driving privilege on a temporary basis

**Amendment 5**—On page 2, line 12, strike “322.38” and insert: 322.28

On motion by Senator Poston, by two-thirds vote SB 392 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—30

Mr. President	Gruber	Peterson	Sykes
Childers	Henderson	Plante	Trask
Firestone	Johnson	Poston	Vogt
Gallen	Johnston	Saylor	Ware
Gillespie	Lane (23rd)	Scarborough	Williams
Glisson	Lewis	Sims	Zinkil
Gordon	McClain	Smathers	
Graham	Myers	Stolzenburg	

Nays—None

**SB 255**—A bill to be entitled An act relating to per diem and travel expenses; amending §112.061(5)(a), (6), (10)(a), and (12), Florida Statutes, 1972 Supplement; providing for computation of travel time for reimbursement, rates of per diem and subsistence allowance, travel to a convention or conference, rules and regulations, travel voucher forms, and travel authorization forms; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 3, after line 20, insert:

(b) *Each state agency shall promulgate such additional specific rules and regulations, specific criteria to be used by a state agency to predetermine justification for attendance by state officers, employees, and authorized persons at conventions and conferences, not in conflict with the general criteria to be used by a state agency to predetermine justification for attendance by state officers, employees, and authorized persons at conventions and shall be filed with the department.*

**Amendment 2**—On page 3, strike line 16 and insert: regulations, including, but not limited to, the general criteria to be used

**Amendment 3**—On page 4, lines 20-22, strike “, and unless it has attached thereto the original copy of the executed travel authorization form.” and insert: a period following “department”

**Amendment 4**—On page 5, line 3, insert: *The original copy of the executed uniform travel authorization request form shall be attached to the uniform travel voucher on file with the respective agency.*

On motion by Senator Firestone, by two-thirds vote SB 255 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—34

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

Nays—None

SB 99 was taken up, together with:

By the Committee on Governmental Operations—

**CS for SB 99**—A bill to be entitled An act relating to government operations; creating §110.0611, Florida Statutes, providing for a personnel information system for all authorized and established positions in state service; providing for revision of state payroll procedures; providing an effective date.

—which was read the first time by title and SB 99 was laid on the table.

On motion by Senator Firestone, by two-thirds vote CS for SB 99 was read the second time by title.

Senator Myers presiding.

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

**Amendment 1**—On page 1, line 20, after the word “service” insert: with the exception of employees of the legislature

**Amendment 2**—On page 1, line 26, strike “This” and insert: With the exception of employees of the legislature, this

**Amendment 3**—On page 2, line 19, strike the “.” and insert: , and the number of employees who have been hired out of their salary classification.

**Amendment 4**—On page 1, line 8 in title after the “;” insert: excluding legislative employees;

On motion by Senator Firestone, by two-thirds vote CS for SB 99 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—31

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

Nays—None

SB 119 was taken up, together with:

By the Committee on Criminal Justice—

**CS for SB 119**—A bill to be entitled An act relating to extension of the limits of confinement; amending section 945.091, Florida Statutes, by adding a subsection (5), requiring that the division of corrections notify the local sheriff and the police chief authorizing the granting of furloughs to an inmate; providing an effective date.

—which was read the first time by title and SB 119 was laid on the table.

On motions by Senator McClain, by two-thirds vote CS for SB 119 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—29

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

Nays—None

**The President presiding.**

SB 475—A bill to be entitled An act relating to alcoholic beverage licenses; creating §565:02(6), Florida Statutes, allowing certain entities which support or manage the affairs of symphony orchestras to obtain liquor licenses; providing an effective date.

—was read the second time by title.

Senators Myers and Smathers offered the following amendment which was moved by Senator Smathers and adopted:

**Amendment 1**—On page 1, line 22, strike the comma (,) and insert: after the word “performs”: and in which enclosure alcoholic beverages are otherwise authorized,

On motion by Senator Myers, by two-thirds vote SB 475 as amended was read the third time by title, passed and ordered engrossed. The vote was:

**Yeas—25**

Mr. President	Gruber	Myers	Vogt
de la Parte	Henderson	Plante	Ware
Firestone	Johnson	Poston	Wilson
Gallen	Lane (31st)	Sims	Zinkil
Gillespie	Lane (23rd)	Smathers	
Gordon	Lewis	Stolzenburg	
Graham	McClain	Sykes	

**Nays—7**

Childers	Johnston	Sayler	Williams
Glisson	Peterson	Trask	

SB 332 was taken up, together with:

By the Committee on Education—

CS for SB 332—A bill to be entitled An act relating to public school principals; creating §231.095, Florida Statutes, requiring principals to be assigned to five days of teaching duties during each school year; providing procedures for assignment; providing an effective date.

—which was read the first time by title and SB 332 was laid on the table.

On motions by Senator Graham, by two-thirds vote CS for SB 332 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—21**

Mr. President	Gordon	McClain	Trask
de la Parte	Gruber	Poston	Vogt
Firestone	Henderson	Sayler	Wilson
Gallen	Johnson	Smathers	
Gillespie	Lane (31st)	Stolzenburg	
Glisson	Lane (23rd)	Sykes	

**Nays—10**

Childers	Lewis	Plante	Zinkil
Graham	Myers	Ware	
Johnston	Peterson	Williams	

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

SB 427—A bill to be entitled An act relating to sales and use tax; providing a declaration of intent relating to telecommunications satellites; amending section 212.06(5), Florida Statutes; providing a declaration of intent regarding existing law; providing an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote SB 427 was read the third time by title, passed and certified to the House. The vote was:

**Yeas—29**

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

**Nays—None**

By unanimous consent Senator Sims was recorded as voting yea.

On motion by Senator Wilson, the rules were waived and SB 427 was ordered immediately certified to the House.

SB 227—A bill to be entitled An act relating to public sidewalks; amending §335.075(1), Florida Statutes, 1972 Supplement; providing that minimum standards of design and construction adopted by the department of transportation include a requirement for permanent curb ramps for use of handicapped persons and persons in wheelchairs; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendment which was moved by Senator Wilson and adopted:

**Amendment 1**—On page 1, strike all of line 22 and insert: highways, bridges, sidewalks, curbs and curb ramps, crosswalks where feasible, bicycle

Senators Wilson and Glisson offered the following amendment which was moved by Senator Wilson and adopted:

**Amendment 2**—On page 1, strike line 29 and insert: Section 2. Notwithstanding the provisions of any general or special law to the contrary, all plans and specifications for the construction of public streets and roads by any municipality or county shall provide for permanent curb ramps at crosswalks at all intersections where curbs and sidewalks are constructed in order to give handicapped persons and persons in wheelchairs safe access to crosswalks.

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

On motion by Senator Wilson, by two-thirds vote SB 227 as amended was read the third time by title, passed and ordered engrossed. The vote was:

**Yeas—33**

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

**Nays—None**

Senator Glisson was recorded as a co-introducer of SB 227.

SB 212—A bill to be entitled An act relating to the department of professional and occupational regulation; adding subsection (13) to §20.30, Florida Statutes, 1972 Supplement, to provide for uniform procedures for complaints received by or within the department; providing for semiannual reports; providing an effective date.

—was read the second time by title. On motion by Senator Williams, by two-thirds vote SB 212 was read the third time by title, passed and certified to the House. The vote was:

## Yeas—33

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

## Nays—1

Zinkil

**SB 262**—A bill to be entitled An act relating to oil spill prevention and pollution control; amending §376.031(9), Florida Statutes, exempting from the term "terminal facility", solely for application and license fee purposes, marine service stations with no more than twelve hundred barrels of pollutants in storage; providing an effective date.

—was read the second time by title. On motion by Senator Stolzenburg, by two-thirds vote SB 262 was read the third time by title, passed and certified to the House. The vote was:

## Yeas—31

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

## Nays—1

Glisson

**SB 380**—A bill to be entitled An act relating to the sales and use tax; adding paragraph (j) to §212.08(7), Florida Statutes, 1972 Supplement; exempting from said tax the sale of the flag of the United States and the state flag; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote SB 380 was read the third time by title, passed and certified to the House. The vote was:

## Yeas—32

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

## Nays—1

Sayler

**SB 391**—A bill to be entitled An act relating to dedication of roads; amending §337.31(2), Florida Statutes, and adding a new subsection to said section; providing that when private persons, firms, or corporations have constructed a road, and the road has been maintained or kept in repair or worked by a county, municipality or division of road operations, and used by the public, continuously and uninterruptedly for a period of four years, such road shall be deemed dedicated to the public to the extent so worked and used; providing that persons claiming any interest in said road shall have one year to institute suit against the governmental authority assuming control to recover damages; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendment which was moved by Senator Poston and failed:

**Amendment 1**—On page 1, line 27 insert after the word "corporation": , other than a public utility,

Further consideration of SB 391 was deferred.

**SB 496**—A bill to be entitled An act relating to the Florida state board of chiropractic examiners; amending §460.21 (4), Florida Statutes; increasing the per diem allowance for members of the board; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 496 was read the third time by title, passed and certified to the House. The vote was:

## Yeas—34

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

## Nays—None

**SB 497**—A bill to be entitled An act relating to the practice of chiropractic; amending §460.01, Florida Statutes; amending §460.02(1) and (2), Florida Statutes, and adding subsection (5) to said section; increasing membership of the Florida state board of chiropractic examiners and term of office of board members; amending §460.04(3), Florida Statutes; increasing quorum; amending §460.27(1) and (5), Florida Statutes; increasing renewal and restoration fees; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 2, strike all of lines 19 through and including 28 and insert: *(5) On July 1, 1974, the governor shall appoint two members to the board. One member shall serve for a period of thirty-six months and one shall serve for a period of forty-eight months. All subsequent terms shall be four year terms.*

Section 3. Subsection (3) of section 460.04, Florida Statutes, is amended to read:

460.04 Board organization meetings; quorum; seal.—

(3) ~~Three~~ *Two* members shall constitute a quorum at any meeting of the board *as of July 1, 1974.*

On motion by Senator Vogt, by two-thirds vote SB 497 as amended was read the third time by title, passed and ordered engrossed. The vote was:

## Yeas—31

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

## Nays—2

Johnston      Wilson

**SB 498**—A bill to be entitled An act relating to the Florida state board of chiropractic examiners; amending §460.08(1), Florida Statutes; increasing the application fees for a license and for a second examination; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 498 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

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

Nays—None

On motion by Senator Peterson, HB 802 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

SB 451 was taken up and on motion by Senator Peterson—

HB 802—A bill to be entitled An act relating to plant industry; amending section 581.131, Florida Statutes, to authorize an increase in inspection fee; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 802 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

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

Nays—None

SB 451 was laid on the table.

SB 285—A bill to be entitled An act relating to drug abuse prevention and control; renumbering §893.02(4) through (16), Florida Statutes, as created by §1, Chapter 73-331, Laws of Florida, to read §893.02(5) through (17), Florida Statutes; adding a new subsection (4), to define "counterfeit substance"; adding a new subsection (5) to §893.13, Florida Statutes, as created by §13, Chapter 73-331, Laws of Florida, establishing prohibited acts and penalty; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote SB 285 was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Barron	Graham	Myers	Smathers
de la Parte	Gruber	Pettigrew	Trask
Firestone	Henderson	Poston	Vogt
Gallen	Johnston	Saunders	Ware
Gillespie	Lane (31st)	Sayler	Williams
Glisson	Lane (23rd)	Scarborough	Wilson
Gordon	McClain	Sims	Zinkil

Nays—8

Mr. President	Johnson	Peterson	Stolzenburg
Childers	Lewis	Plante	Sykes

Consideration of SB 136 was deferred.

SB 156 was taken up, together with:

By the Committee on Criminal Justice—

CS for SB 156—A bill to be entitled An act relating to criminal law; creating section 838.014, Florida Statutes, providing

for definitions; creating section 838.015, Florida Statutes, defining the crime of and providing the penalty for bribery; creating section 838.016, Florida Statutes, making unlawful certain compensation or rewards for past official behavior and providing the penalty for violation; repealing sections 838.01—838.013, and 838.02—838.10, Florida Statutes, relating to bribery; providing an effective date.

—which was read the first time by title and SB 156 was laid on the table.

On motions by Senator Myers, by two-thirds vote CS for SB 156 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—32

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

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

SB 395—A bill to be entitled An act relating to sales and use taxes; amending §212.08(7)(h), Florida Statutes; providing new procedures for tax exemptions on sales and rentals of guide dogs for the blind and supplies for such dogs; repealing §212.083, Florida Statutes, which requires payment of such taxes and application for refund; providing a saving clause; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 395 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

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

Nays—None

Senators Stolzenburg and Wilson were recorded as co-introducers of SB 395.

SB 609—A bill to be entitled An act relating to education; amending §236.081(5), Florida Statutes, as created by §4 of Chapter 73-345, Laws of Florida; providing for adjustment in computation of district-required local effort when the tax roll is under litigation; providing for re-computation and adjustment following adjudication; providing an effective date.

—was read the second time by title. On motion by Senator Saunders, by two-thirds vote SB 609 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

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

Nays—None

By unanimous consent Senator Gillespie was recorded as voting yea.

On motion by Senator Saunders, the rules were waived and SB 609 was ordered immediately certified to the House.

**SCR 669**—A concurrent resolution requiring the Florida Department of Transportation to erect an appropriate direction sign indicating the exits from I-95 to the Jacksonville Blood Bank.

On motion by Senator Brantley, by two-thirds vote, SCR 669 was read the second time in full, adopted and certified to the House. The vote was:

Yeas—31

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

Nays—1

Lane (31st)

SB 201 was taken up, together with:

By the Committee on Governmental Operations—

**CS for SB 201**—A bill to be entitled An act relating to licensing of construction industry; amending §468.102(7), Florida Statutes, to redefine "register"; amending §468.105(1)(a), (2), Florida Statutes, as amended by §4, chapter 73-205, Laws of Florida, to provide that contractors register by filing an application as prescribed by the Florida construction industry licensing board and to provide that registration permits contracting in any area of the state; providing an effective date.

—which was read the first time by title and SB 201 was laid on the table.

On motions by Senator Plante, by two-thirds vote CS for SB 201 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

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

Nays—1

Williams

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

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

**SB 103**—A bill to be entitled An act relating to drivers' licenses; amending §322.02(2), Florida Statutes; eliminating the requirement that the director of the division of driver licenses be a member of the Florida highway patrol; amending §322.04(2), Florida Statutes, providing a time period within which nonresidents are required to obtain drivers' licenses; amending §322.16(2), Florida Statutes, defining motor-driven cycles; providing for restricted license holders to drive after dark; amending §322.17, Florida Statutes, providing for replacement licenses; requiring that licenses renewed while the licensee was out of the state be replaced with a license with photograph upon return

to Florida; providing a replacement fee; amending §322.18(7), Florida Statutes, 1972 Supplement, providing an extension of license expiration date; repealing §322.031, Florida Statutes, as created by §1, chapter 73-238, Laws of Florida, relating to non-resident drivers' licenses; providing an effective date.

—as amended passed this day.

On motion by Senator Saunders the Senate reconsidered the vote by which Amendment 1 was adopted.

By permission Amendment 1 was withdrawn.

Senators Gallen and Poston offered the following amendment which was moved by Senator Gallen and adopted by two-thirds vote:

**Amendment 3**—On page 5, between lines 26 and 27 insert: Section 7. Subsections (2) and (4) of section 322.18, Florida Statutes, are amended to read:

322.18 Original applications, licenses and renewals; expiration of licenses; delinquent licenses.—

(2) Every applicant who is entitled to the issuance of an original driver's license, as provided in this section, shall purchase have the option of purchasing either a two year or four year driver's license, as follows:

(a) 1. A two year driver's license issued to a person born in an odd-numbered year shall expire at midnight on the last day of the licensee's birth month in the first odd-numbered calendar year after the expiration of twelve months from the date of issuance of the license.

(a) 2. A four year driver's license issued to a person born in an odd-numbered year shall expire at midnight on the licensee's birthday in the second odd-numbered calendar year from the date of issuance of the license.

(b) 1. A two year driver's license issued to a person born in an even-numbered year shall expire at midnight on the last day of the licensee's birth month in the first even-numbered calendar year after the expiration of twelve months from the date of issuance of the license.

(b) 2. A four year license issued to a person born in an even-numbered year shall expire at midnight on the licensee's birthday in the second even-numbered calendar year from the date of issuance of the license.

(4) All renewal licenses issued when such renewal is not in conjunction with the examination scheduled in §322.121 shall be for a two year period. However, such renewal may be for a period of four years.

Section 8. Subsection (1) of section 322.21, Florida Statutes, is amended to read:

322.21 Fees to be paid for licenses and machinery for handling and collecting the same.—

(1) The fee for:

(a) A two year license shall be \$2, in addition to the fee for driver education as provided by §233.063 and in addition to the fee for color photograph as provided by §322.142.

(a) (b) A four year license shall be \$4, in addition to the fee for driver education as provided by §233.063 and in addition to the fee for color photograph as provided by §322.142.

(c) A two year chauffeur's license shall be \$4, in addition to the fees provided by §§233.063 and 322.142.

(b) (d) A four year chauffeur's license shall be \$8, in addition to the fees provided by §§233.063 and 322.142.

(Renumber subsequent section)

SB 103 as further amended passed and was ordered engrossed. The vote was:

Yeas—26

Mr. President	de la Parte	Gordon	Henderson
Barron	Firestone	Graham	Johnson
Brantley	Gallen	Gruber	Lane (31st)

Lane (23rd)	Peterson	Saylor	Vogt
Lewis	Plante	Smathers	Wilson
McClain	Poston	Sykes	
Myers	Saunders	Trask	

Nays—10

Gillespie	Pettigrew	Ware	Zinkil
Glisson	Sims	Weber	
Johnston	Stolzenburg	Williams	

By unanimous consent Senator Childers was recorded as voting yea.

**SPECIAL ORDER**

SB 2—A bill to be entitled An act relating to homestead tax exemption; amending subsections (3) and (4) of section 196.031, Florida Statutes, as amended by chapters 72-372 and 72-373, Laws of Florida; providing that the additional homestead exemption in the amount of five thousand dollars of assessed valuation of certain real property shall apply to taxes levied by county commissions, by municipal governing bodies, and by special district governing bodies; providing for reporting of revenue losses; requiring legislative appropriations for reimbursement of revenue losses; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 15, insert:

(NEW PARAGRAPH AND RENUMBER SUBSEQUENT PARAGRAPHS) (4) *For every person who is certified as totally and permanently disabled by the United States Veterans' Administration, Social Security Administration, or pursuant to the Florida workmen's compensation law, and who has resided in Florida for at least the preceding five (5) years, the exemption specified in subsection (1) is increased to ten thousand dollars (\$10,000). Application for this additional exemption shall be made by the applicant in person or by mail.*

Senator Barron moved the following amendment to Amendment 1 which was adopted:

Amendment 1a—On page 1, line 5, after the word "law," insert: or any person who is permanently and totally disabled as certified by two medical doctors licensed to practice medicine and practicing in this state, and who is not included in the above classifications

Senator Saunders moved that the rules be waived and time of adjournment be extended until final action on SB 2. The motion was adopted by the following vote:

Yeas—28

Mr. President	Gillespie	McClain	Smathers
Barron	Gruber	Myers	Stolzenburg
Brantley	Henderson	Peterson	Sykes
Childers	Johnson	Pettigrew	Trask
de la Parte	Johnston	Saunders	Ware
Firestone	Lane (23rd)	Scarborough	Wilson
Gallen	Lewis	Sims	Zinkil

Nays—6

Glisson	Graham	Saylor	Williams
Gordon	Lane (31st)		

Senator Glisson moved the following amendment to Amendment 1 which was adopted:

Amendment 1b—On page 1, line 3 of amendment 1a strike the words "medical doctors" and insert: two physicians licensed under chapter 458 or chapter 459

Senator Stolzenburg moved the following amendment to Amendment 1 which failed:

Amendment 1c—On page 1, line 2, after "disabled" insert: , providing such disability is not the result of an intentionally self-inflicted injury,

Amendment 1 as amended was adopted:

Senator Gordon moved the following amendment:

Amendment 2—On page 3, between lines 14 and 15 insert: Section 2. Paragraph (d) of subsection (8) of section 320.08, Florida Statutes, is amended to read:

320.08 License taxes.—There are hereby levied and imposed annual license taxes for the operation of motor vehicles and mobile homes, as defined in §320.01, which shall be paid to and collected by the department upon the registration or reregistration of the following:

(8) TRAILERS AND SEMITRAILERS FOR PRIVATE USE.—

(d) "MH" Series: Mobile homes used for housing accommodations as defined by §320.01(2), provided that persons age 65 or older shall be exempt from the provisions of this paragraph, other than "RV" series vehicles:

1. Mobile homes not exceeding 35 feet in length: \$20.00 flat.
2. Mobile homes over 35 feet in length but not exceeding 40 feet: \$25.00 flat.
3. Mobile homes over 40 feet in length but not exceeding 45 feet: \$30.00 flat.
4. Mobile homes over 45 feet in length but not exceeding 50 feet: \$35.00 flat.
5. Mobile homes over 50 feet in length but not exceeding 55 feet: \$40.00 flat.
6. Mobile homes over 55 feet in length but not exceeding 60 feet: \$45.00 flat.
7. Mobile homes over 60 feet in length but not exceeding 65 feet: \$50.00 flat.
8. All mobile homes over 65 feet in length: \$80.00 flat.

Senator de la Parte raised a point of order that the amendment was not germane to the bill in that it pertains to Chapter 320 and the bill pertains to Chapter 196, dealing with an entirely different matter, and therefore the amendment was out of order.

The President ruled the point well taken.

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

Amendment 3—On page 1, strike "for reporting of revenue losses;" on line 16 and all of lines 17, 18 and 19. and insert: *for increased homestead tax exemption for certain persons over sixty-five (65) years of age and for certain totally and permanently disabled veterans and other persons; providing for reporting of revenue losses; requiring legislative appropriations for reimbursement of revenue losses; providing an effective date.*

Senator de la Parte moved the following title amendment which was adopted:

Amendment 4—On page 1, line 8, strike the semicolon and insert: , and adding a new subsection to said section;

On motion by Senator de la Parte, by two-thirds vote SB 2 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—34

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

Nays—None

On motion by Senator de la Parte, the rules were waived and SB 2 was ordered immediately certified to the House after engrossing.

Because of legislative business outside the chamber, supplemental to my excused absence earlier today, I was not present to vote on SB 2 which passed by unanimous vote. Had I been in the chamber I would have voted yea.

*Senator Charles Weber, District 30*

#### CO-INTRODUCERS

Senators Barron, Gruber, Lane (23rd), Lewis, Scarborough, Smathers and Ware were recorded as co-introducers of SB 2.

Senator Myers announced cancellation of the meeting of Subcommittee C of Ways and Means scheduled for 5:00 p.m. this day.

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

Page 144, counting from the bottom of column 1, line 20, strike "2574" and insert: 2261

Page 144, counting from the bottom of column 1, line 26, strike "2261" and insert: 2574

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:26 p.m. to convene at 8:30 a.m., for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:30 a.m., April 18, 1974.