

JOURNAL OF THE FLORIDA SENATE

Wednesday, April 24, 1974

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

INTRODUCTION

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

By Senator Trask—

SB 893—A bill to be entitled An act relating to commercial concrete testing laboratories; requiring such laboratories to adhere to specified standards of the American Society of Testing and Materials; providing minimum qualifications for personnel; providing specified duties; prohibiting falsification of test results; requiring the filing of a personnel list with qualifications included; requiring a compliance affidavit; providing penalties; establishing the state standards for testing commission within the department of commerce; providing powers of the commission; providing an effective date.

—to Commerce.

By Senators Trask and Peterson—

SB 894—A bill to be entitled An act relating to the public service commission; amending section 323.31 subsection (2) providing that the commission shall consider, with respect to applications for transportation brokerage licenses, the effect of granting same on existing facilities in the area concerned; providing that such applications may be denied where an affirmative need for the proposed service is not shown; providing an effective date.

—to Commerce.

By Senators Trask and Peterson—

SB 895—A bill to be entitled An act relating to elections; amending section 103.111(2) and (3)(a), Florida Statutes, 1973, to conform the filing period for candidates for state and county executive committee members to that of other elected officials; providing an effective date.

—to Judiciary.

By Senator Graham—

SB 896—A bill to be entitled An Act relating to schools; amending §231.471 (1), (2), Florida Statutes, 1971, to provide that school boards may use their discretion in the hiring of certified and non-certified part-time personnel; adding vocational education courses to a list of examples of courses which part-time teachers may teach; providing that part-time teachers shall not receive additional benefits other than salary payments for periods taught; providing an effective date.

—to Education.

By Senator Smathers—

SB 897—A bill to be entitled An act relating to drug abuse; amending §11 of chapter 73-350, Laws of Florida, appearing as §397.20, Florida Statutes, 1973, to increase the time during which certain drug abuse centers may receive funds from the drug abuse trust fund; amending §3, 4, 5, 6, 7 and 9 of chapter 73-350, Laws of Florida, appearing as sections 397.12—397.16 and 397.18, Florida Statutes, 1973, to provide for referrals from multiple sources; renaming the drug abuse trust fund; providing an effective date.

—to Health and Rehabilitative Services.

By Senators Peterson, Lewis, Gordon and Pettigrew—

SB 898—A bill to be entitled An act relating to education; amending section 231.602, Florida Statutes, by adding subsection (10), defining "clinical preservice"; amending section 231.603(2), Florida Statutes, prescribing functions of the council; amending section 231.604, Florida Statutes, relating to mem-

bership of the council; amending section 231.606, Florida Statutes, defining classroom teachers; amending section 231.608, Florida Statutes, relating to evaluation; amending section 231.610, Florida Statutes, relating to funding noncredit activities; amending section 231.600, Florida Statutes, authorizing establishing teacher education centers; amending section 236.081, Florida Statutes, and creating section 236.0811, Florida Statutes, providing funding to school districts for in-service educational personnel development; providing an effective date.

—to Education and Ways and Means.

By Senators Smathers and Johnson—

SB 899—A bill to be entitled An act relating to the Florida retirement system; amending subsections (1)(b) and (c) and (6)(a) of section 121.052, Florida Statutes, providing for the removal of legislators from the elected state officers class; providing for restoring them to membership in the regular members class; providing an effective date.

—to Governmental Operations and Ways and Means.

By Senators Henderson and Johnson—

SM 900—A memorial to the Congress of the United States requesting restoration of citizenship of General Robert E. Lee.

—to Rules and Calendar.

By Senators Henderson and Johnson—

SM 901—A memorial to the congress of the United States requesting that body to recommend to the Veterans' Administration that a veterans' hospital be constructed in southwest Florida.

—to Rules and Calendar.

By Senator Vogt—

SB 902—A bill to be entitled An act relating to the Florida casualty insurance risk management trust fund; amending sections 284.31, 284.34, and 284.40, Florida Statutes, 1972 Supplement; providing that the insurance risk management trust fund shall cover the employees, agents or other authorized persons of the departments of the state of Florida; removing the prohibition that the fund cannot provide coverages for medical malpractice insurance; prohibiting the fund from providing any professional medical liability insurance for the board of regents, the physicians, officers, employees or agents of the board; providing that the claim files of the division of risk management of the department of insurance shall be privileged and confidential; providing an effective date.

—to Ways and Means.

By Senator Trask (by request)—

SB 903—A bill to be entitled An act relating to the land sales industry; amending Section 4(b) of Chapter 73-348, Florida Statutes, relating to unplatted subdivisions and providing an effective date.

—to Consumer Affairs.

By the Committee on Criminal Justice—

SB 904—A bill to be entitled An act relating to criminal law; creating section 775.011, Florida Statutes, providing for title and applicability; creating section 775.012, Florida Statutes, providing for general purposes; creating section 775.021, Florida Statutes, providing for rules of construction; amending section 775.08, Florida Statutes, providing for classes and definitions of offenses; amending section 775.082, Florida Statutes, providing for penalties; amending section 775.083, Florida Statutes, relating to fines; amending section 775.084, Florida Statutes, relating to subsequent felony offenses; creating section 775.085, Florida Statutes, relating to extended terms for subsequent misdemeanors; creating section 775.086, Florida Statutes, relating to felony reclassification for possession

of weapons or for battery; renumbering and amending section 932.465, Florida Statutes, relating to time limitations; renumbering and amending section 776.011, Florida Statutes, relating to principal in first degree; renumbering and amending section 776.04, Florida Statutes, relating to attempts, solicitation and conspiracy; creating sections 776.012, 776.021, 776.031, 776.041, 776.05, 776.06, 776.07, and 776.08, Florida Statutes, relating to justifiable use of force; amending section 782.04, Florida Statutes, defining the crimes of and providing the penalties for murder; amending section 782.07, Florida Statutes, defining the crime of and providing the penalty for manslaughter; creating section 782.071, Florida Statutes, defining the crime of and penalty for vehicular homicide; renumbering and amending section 784.02, Florida Statutes, defining the crime of and providing the penalty for assault; renumbering and amending section 784.04, Florida Statutes, defining the crime of and providing the penalty for aggravated assault; amending section 784.03, Florida Statutes, defining the crime of and providing the penalty for battery; amending section 784.045, Florida Statutes, defining the crime of and providing the penalty for aggravated battery; amending section 784.05, Florida Statutes, defining the crime of and providing the penalty for culpable negligence; renumbering and amending section 805.02, Florida Statutes, defining the crime of and providing the penalty for kidnapping; renumbering and amending section 805.01, Florida Statutes, defining the crime of and providing the penalty for false imprisonment; creating section 787.03, Florida Statutes, defining the crime of and providing the penalty for interference with custody; renumbering and amending section 805.03, Florida Statutes, defining the crime of and providing the penalty for removing children from state; amending section 806.01, Florida Statutes, defining the crimes of and providing the penalties for arson; amending section 806.02, Florida Statutes, defining the crime of and providing the penalties for criminal mischief; amending section 806.10, Florida Statutes, defining the crime of and providing the penalty for obstructing extinguishment of fire; amending subsection (1) of section 806.111, Florida Statutes, defining the crime of and providing the penalty for possession of fire bombs; creating section 810.011, Florida Statutes, providing for definitions; amending section 810.02, Florida Statutes, defining the crime of and providing the penalties for burglary; amending section 810.06, Florida Statutes, defining the crime of and providing the penalty for possession of burglary tools; amending section 810.07, Florida Statutes, relating to evidence of intent; creating section 810.08, Florida Statutes, defining the crime of and providing the penalty for trespass in structure or conveyance; creating section 810.09, Florida Statutes, defining the crime of and providing the penalty for trespass on property other than structure or conveyance; renumbering and amending section 821.071, Florida Statutes, defining the crime of and providing the penalty for unlawfully removing notices; renumbering and amending section 821.02, Florida Statutes, defining the crime of and providing the penalty for placing signs adjacent to highway; renumbering and amending section 813.011, Florida Statutes, defining the crimes of and providing the penalties for robbery; creating section 812.011, Florida Statutes, providing for definitions; renumbering and amending section 811.021, Florida Statutes, defining the crime of and providing the penalty for larceny; renumbering and amending section 811.16, Florida Statutes, defining the crime of and providing the penalty for receiving stolen property; renumbering and amending section 814.04, Florida Statutes, defining the crime of and providing the penalty for unauthorized use of motor vehicle, etc.; renumbering and amending subsection (2) of section 811.165, Florida Statutes, relating to records of purchases and sales; renumbering and amending section 799.01 and 799.02, Florida Statutes, defining the crime of and providing the penalty for bigamy; renumbering and amending section 799.03, Florida Statutes, defining the crime of and providing the penalty for knowingly marrying the spouse of another; creating section 826.04, Florida Statutes, defining the crime of and providing the penalty for incest; creating section 827.01, Florida Statutes, providing for definitions; renumbering and amending section 828.04, Florida Statutes, defining the crime of and providing the penalty for aggravated child abuse; creating section 827.04, Florida Statutes, defining the crime of and providing the penalty for child abuse; renumbering and amending section 828.042, Florida Statutes, defining the crime of and providing the penalty for negligent treatment of children; creating section 827.06, Florida Statutes, defining the crime of and providing the penalty for persistent non-support; creating section 837.011, Florida Statutes, providing for definitions; renumbering and amending section 837-

01, Florida Statutes, defining the crime of and providing the penalty for perjury not in an official proceeding; amending section 837.02, Florida Statutes, defining the crime of and providing the penalty for perjury in official proceedings; amending subsection (1) of section 837.021, Florida Statutes, defining the crime of and providing the penalty for perjury by contradictory statements; creating section 837.05, Florida Statutes, defining the crime of and providing the penalty for making false reports to law enforcement authorities; creating section 837.06, Florida Statutes, defining the crime of and providing the penalty for false official statements; creating section 838.014, Florida Statutes, providing for definitions; creating section 838.014, Florida Statutes, providing 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 penalty; creating section 838.021, Florida Statutes, defining the crime of and providing the penalty for corruption by threat against public servant; creating section 838.031, Florida Statutes, defining the crime of and providing the penalty for official misconduct; creating section 838.041, Florida Statutes, defining the crime of and providing the penalty for misuse of confidential information; providing that reference to punishable as provided in specific section of chapter 775 shall be changed to punishable as provided in chapter 775; renumbering section 776.03, Florida Statutes, as section 777.03, Florida Statutes; renumbering sections 779.01, 779.02, 779.03, 779.04, 779.05, 779.06, 779.07, 779.08, 779.09, 779.10, 779.11, 779.12, 779.13, 779.14, 779.15, 779.16, 779.17, 779.18, 779.19, 779.20 and 779.21, Florida Statutes, as sections 876.32, 876.33, 876.34, 876.35, 876.36, 876.37, 876.38, 876.39, 876.40, 876.41, 876.42, 876.43, 876.44, 876.45, 876.46, 876.47, 876.48, 876.49, 876.50, 876.51 and 876.52, Florida Statutes, respectively; renumbering section 806.06, Florida Statutes, as section 817.60, Florida Statutes; renumbering section 811.022, Florida Statutes, as section 901.27, Florida Statutes; renumbering sections 811.165 and 811.201, Florida Statutes, as sections 812.051 and 812.201, Florida Statutes, respectively; renumbering section 814.05, Florida Statutes, as section 814.07, Florida Statutes, as section 319.36, Florida Statutes; renumbering section 823.03, Florida Statutes, as section 806.101, Florida Statutes; renumbering section 828.041, Florida Statutes, as section 827.07, Florida Statutes; and renumbering section 828.201, Florida Statutes, as section 827.08, Florida Statutes; repealing section 741.22, Florida Statutes, relating to incest; repealing section 775.11, Florida Statutes, relating to prosecution for second offenses; repealing section 775.12, Florida Statutes, relating to limitation of appeal; repealing sections 782.01, 782.02, and 782.05, Florida Statutes, relating to homicide; repealing section 784.06, Florida Statutes, relating to assault; repealing sections 794.02, 794.03, 794.04, 794.05, and 794.06, Florida Statutes, relating to rape; repealing section 800.04, Florida Statutes, relating to crimes against nature; repealing sections 806.03, 806.04, 806.05, 806.061, 806.07, 806.08, 806.09, 806.11, and 806.12, Florida Statutes, relating to arson; repealing sections 810.01, 810.03, 810.04, 810.05, and 810.051, Florida Statutes, relating to burglary; repealing sections 811.03, 811.04, 811.163, 811.17, 811.28, 811.29, and 811.30, Florida Statutes, relating to larceny; repealing sections 812.10 and 812.12, Florida Statutes, relating to embezzlement; repealing sections 814.01, 814.02, 814.03, and 814.06, Florida Statutes, relating to auto theft; repealing sections 821.01, 821.011, 821.03, 821.04, 821.041, 821.05, 821.07, 821.08, 821.09, 821.10, 821.11, 821.12, 821.121, 821.13, 821.14, 821.15, 821.16, 821.17, 821.18, 821.19, 821.20, 821.21, 821.22, 821.221, 821.23, 821.24, 821.25, 821.26, 821.27, 821.28, 821.29, 821.30, 821.31, 821.32, 821.33, 821.34, 821.35, 821.37, and 821.38, Florida Statutes, relating to trespass and injury to real property; repealing sections 822.01, 822.02, 822.03, 822.04, 822.05, 822.06, 822.07, 822.08, 822.09, 822.10, 822.11, 822.12, 822.13, 822.14, 822.15, 822.16, 822.17, 822.18, 822.19, 822.20, 822.21, 822.22, and 822.23, Florida Statutes, relating to malicious injury to building; repealing sections 823.01, 823.02, 823.04, 823.041, 823.05, 823.06, 823.07, 823.08, 823.09, and 823.10, Florida Statutes, relating to nuisances and doors of certain buildings; repealing sections 828.01, 828.03, 828.05, 828.06, 828.07, 828.08, 828.09, 828.10, 828.11, 828.17, 828.18, 828.19, 828.20, and 828.21, Florida Statutes, relating to cruelty to animals and children; repealing sections 833.03 and 833.04, Florida Statutes, and section 833.05, Florida Statutes, relating to conspiracy; repealing sections 837.01, 837.03, and 837.04, Florida Statutes, relating to perjury; repealing sections 838.01, 838.012, 838.013, 838.02, 838.03, 838.04, 838.05, 838.06, 838.07,

838.071, 838.08, 838.09, and 838.10, Florida Statutes, relating to bribery; repealing sections 851.01, 851.02, 851.03, and 851.04, Florida Statutes, relating to bucket shops; providing an effective date.

—to Criminal Justice.

By Senator Graham—

SB 905—A bill to be entitled An act relating to community colleges; amending Section 230.767, Florida Statutes; providing procedures for determining state financial support and the annual apportionment to each community college district; providing an effective date.

—to Education and Ways and Means.

By Senator Lane (31st)—

SB 906—A bill to be entitled An act relating to district mental health boards; amending §394.70(1)(c) to provide for physician membership; providing an effective date.

—to Health and Rehabilitative Services.

By Senator Graham—

SB 907—A bill to be entitled An act relating to personnel of school system; creating §231.431, Florida Statutes; authorizing vacation leave for 12-month instructional and non-instructional personnel; providing an effective date.

—to Education.

By Senator Graham—

SCR 908—A concurrent resolution approving the types, amounts and use of registration fees, tuition fees, and course fees to be charged and collected from students enrolled in the institutions of higher learning under the board of regents during the 1974-75 school year.

—to Education and Ways and Means.

By Senator Winn—

SB 909—A bill to be entitled An act relating to handguns; creating §790.13, Florida Statutes; requiring a seventy-two (72) hour delay before delivery of a handgun providing penalties; providing an effective date.

—to Commerce.

By Senator Johnson—

SB 910—A bill to be entitled An act relating to corporations; repealing chapter 608, Florida Statutes, 1973, in its entirety; providing a new general corporation law in the entirety; providing an effective date.

—to Judiciary.

By Senator Brantley—

SB 911—A bill to be entitled An act relating to motor carriers; amending §323.01, Florida Statutes, by adding a new subsection (19), providing a definition of backhaul; amending §323.29(1), Florida Statutes, by adding a new subsection (e), providing for the exemption of a motor carrier engaged in the backhauling of property; providing an effective date.

—to Commerce.

By Senator Peterson—

SB 912—A bill to be entitled An act relating to the Florida career service system; amending §110.022(1), Florida Statutes; providing for recognition of prior service with political subdivisions; providing an effective date.

—to Ways and Means.

By Senator Peterson—

SB 913—A bill to be entitled An act relating to motor vehicle licenses; amending §320.08(4)(e), Florida Statutes, pre-

scribing license taxes for trucks hauling agricultural, horticultural, and livestock products; providing for operation within a 250 mile radius; providing an effective date.

—to Commerce and Ways and Means.

By Senator Peterson—

SB 914—A bill to be entitled An act relating to education; amending §228.165(5), Florida Statutes, as created by chapter 73-338, Laws of Florida; providing for distribution of the annual report of school progress; providing an effective date.

—to Education.

By Senator Scarborough—

SB 915—A bill to be entitled An act relating to mobile homes; providing that no mobile home park owner or operator shall have a lien for unpaid fees, charges or assessments, superior to a purchase money security interest; creating subsection (5) of section 83.231, Florida Statutes; providing an effective date.

—to Commerce.

By Senator Myers—

SB 916—A bill to be entitled An act relating to guardianship; amending §744.31(5)(b), Florida Statutes, providing that the court shall terminate guardianship proceedings if the report of the examiners is that the alleged incompetent is neither mentally nor physically incompetent; providing an effective date.

—to Judiciary.

By Senators Myers, Johnson and Glisson—

SJR 917—A joint resolution proposing an amendment to Section 2, Article I of the State Constitution, relating to basic rights; prohibiting discrimination based upon physical or mental handicaps.

—to Health and Rehabilitative Services.

By Senator Graham—

SB 918—A bill to be entitled An act relating to public property; amending §274.01 (1), Florida Statutes, 1971, to redefine the term governmental unit to include school boards for purposes of the chapter relating to acquisition, recording, inventory, and disposal of tangible personal property owned by certain political subdivisions of the state; amending §274.05, Florida Statutes, 1971, relating to surplus property, to provide alternative means for disposal of property owned by school districts; amending §274.06, Florida Statutes, 1971, relating to alternative methods of property disposal, to increase the value of property which may be disposed of under the provisions of the section; providing an effective date.

—to Education.

By Senator McClain—

SB 919—A bill to be entitled An act relating to local government; expressing the intent and purpose of the act; amending Chapter 177, Florida Statutes by creating Part II thereof; defining certain terms; requiring local government to regulate the subdivision of land; requiring adoption by local government of a thoroughfare plan as a prerequisite to enforcement of subdivision regulation; setting forth certain exceptions; providing for the delegation of certain powers; providing for municipal extraterritorial authority; requiring certain procedures and establishing standards for consideration and approval of subdivision plats and time limitations for such; requiring notice of proposed subdivision be given adjoining local governments; allowing for bond in lieu of construction of improvements prior to recordation of final plat; requiring certain minimum improvements and establishing minimum standards for the design thereof; providing injunctive relief to restrain subdivision sales and transfers where final plat is not recorded; prohibiting issuance of development permits for land

divided in violation of this act and providing a remedy for bona fide purchases of such property; providing a severability clause; and providing an effective date.

—to Governmental Operations.

By Senator Glisson—

SB 920—A bill to be entitled An act relating to family services; amending section 409.267(2)(b), Florida Statutes, to limit county contributions for medical assistance programs; providing an effective date.

—to Ways and Means.

By Senator Graham—

SB 921—A bill to be entitled An act relating to per diem and traveling expenses of public officers and employees; repealing §112.061(6)(a), Florida Statutes, 1972 Supplement, and amending §112.061(6)(b), (c), and (d), Florida Statutes, 1972 Supplement; eliminating the distinction between conferences and conventions; raising the allowed rates for meal allowances; removing a statutory ceiling on travel expenses consisting of actual expenses for lodging plus meal allowances; providing an effective date.

—to Ways and Means.

By Senator Graham—

SB 922—A bill to be entitled An act relating to education; amending §232.255 (3), Florida Statutes, as created by chapter 73-346, Laws of Florida; providing a method for computation of district allocations under the safe schools act of 1973; providing an effective date.

—to Education and Ways and Means.

By Senators Gordon and Lane (23rd)—

SB 923—A bill to be entitled An act relating to mobile homes; amending Section 553.36(4), Florida Statutes, by requiring all mobile homes over eight (8) feet in width to fall within the provisions of the "Florida Factory-Built Housing Act of 1971"; amending Section 553.36(5), Florida Statutes, to exempt "mobile homes" under eight (8) feet in width; providing an effective date.

—to Commerce.

By Senator Wilson—

SB 924—A bill to be entitled An act relating to hospital licensing and regulation; providing requirements for emergency medical services; providing for treatment of rape victims; providing a penalty; providing an effective date.

—to Health and Rehabilitative Services.

By Senator Williams—

SB 925—A bill to be entitled An act relating to pari-mutuel wagering; abolishing the operating trust fund and the additional harness and dog track tax trust fund; amending sections 550.069 (1), 550.09 (1), 550.13, 550.16 (8), 550.161 (1), 550.163 (3), 550.26 (4), 550.39 (2), 550.42 (2), 551.06, and 551.10, Florida Statutes, to delete references to distribution among counties and references to use of the division; providing for deposit of taxes in the general revenue fund; providing a continuing annual appropriation for distribution among counties; repealing section 550.16 (9), Florida Statutes, relating to a guaranteed amount to be distributed to counties; providing an effective date.

—to Commerce.

By Senators Scarborough, Johnson, Henderson, Gallen, Lane (31st) and Glisson—

SB 926—A bill to be entitled An act relating to thoroughbred horse racing, amending Chapter 550, Florida Statutes, by adding new sections allowing certain licensed thoroughbred horse race track permittees to deduct an amount from the percentage of commission paid by the track to the state to be

used for operational costs and for the purpose of providing additional purse monies; providing for a thoroughbred study committee; providing an effective date.

—to Commerce.

By Senator Deeb—

SB 927—A bill to be entitled An act relating to residential designers; providing definitions; creating a five (5) member Florida state board of residential designers; providing for the expenses of board members; providing for oath and commission of members; official seal, providing for the powers and duties of the board with respect to the registration of residential designers; providing authorization for the employment of an executive director, for the establishment of headquarters, and for meetings of the board; authorizing the board to employ necessary personnel; requiring residential designers to be registered with the board; establishing qualifications for residential designers and fees for registration thereof; providing for the issuance of a certificate of registration under certain circumstances; authorizing reciprocity under certain circumstances; providing an exemption to the operation of the act; providing for the revocation, suspension, and reissuance of certificates; authorizing members of corporations and partnerships to practice residential design through a corporate name under certain circumstances; requiring the board to publish annually a list of registered residential designers; providing penalties; providing an effective date.

—to Governmental Operations and Ways and Means.

By Senator Gordon—

SB 928—A bill to be entitled An act relating to hospital pharmacies; requiring a patient profile record to be maintained in all hospital pharmacies; provides for enforcement by the state board of pharmacy; requires a pharmacist to refer to the profile record; requires the profile record to be maintained for five (5) years; requires periodic review of each profile record; requires that irregularities be reported to the physician; providing an effective date.

—to Health and Rehabilitative Services.

By Senator Childers—

SB 929—A bill to be entitled An act relating to environmental control, Chapter 403, Florida Statutes; amending section 403.201(1) to include within the departments power to grant variances the entire chapter 403; amending section 403.201(1)(c) to allow variances granted pursuant to Part II of Chapter 403 to extend for the life of the permit; providing for an effective date.

—to Natural Resources and Conservation.

By Senator Wilson—

SB 930—A bill to be entitled An act relating to records required of junk dealers and persons dealing in secondhand goods; amending §811.165, Florida Statutes; providing for records kept by such persons; providing for the issuance of bills of sale; providing a penalty; providing an effective date.

—to Commerce.

By Senator Myers—

SB 931—A bill to be entitled An act relating to mental health; amending subsection (4) of section 394.76, Florida Statutes, which relates to the state's share of financial participation in community mental health services, to clearly define the formula for determining the state's share; increasing the level of the state's financial participation to 75 percent; providing an effective date.

—to Ways and Means.

By Senator Henderson—

SB 932—A bill to be entitled An act relating to the Florida retirement system; amending subsection (15) of section 121.021, Florida Statutes, to include assistant state attorney as a special risk member; providing an effective date.

—to Ways and Means.

By Senator Henderson—

SB 933—A bill to be entitled An act relating to the sale of securities; amending §517.05 (1), Florida Statutes, to require for exemption from registration the furnishing of adequate written information in the sale of securities issued or guaranteed by agencies, instrumentalities and political subdivisions of states, territories or the United States; requiring industrial revenue bonds to comply with the rules of the department; amending §517.05 (5), Florida Statutes, to require that the department of banking and finance be furnished a copy of the written report required by the subsection to be exempt, excluding industrial revenue bonds; providing an effective date.

—to Commerce.

By Senator Henderson—

SB 934—A bill to be entitled An act relating to the sale of securities amending §517.02 (4) and (6), Florida Statutes, and adding subsection (11) thereto, to define certain issuers as dealers, redefine salesman, and transfer the definition of investment advisers to the added subsection which shall include those who advise issuers on the provisions of Chapter 517; amending the introductory paragraph of §517.05, Florida Statutes, to exempt certain securities from the registration requirements of the chapter; amending the introductory paragraph and subsections (1), (2), (3), (4), (5), (6), (11), (14), and (16) of §517.06, Florida Statutes, to not allow the isolated sale exemption to dealers, to not allow the exemption provided by subsections (4) and (6) to corporate shells or otherwise for the purposes of evading the chapter, to eliminate the exemption for transfers or deliveries of securities to certain institutions or dealers, and to require the furnishing of adequate written information in compliance with rules of the department to utilize the exemption provided under subsection (11) which can only be used to sell securities for investment purposes as defined by the department's rules and to no more than 25 persons; amending §517.07, Florida Statutes, to provide that the registration of securities shall be effective for one year; amending §517.08 (5), Florida Statutes, to allow maximum expenses relative to securities registered by coordination to be prescribed by order of the department, amending §517.10, Florida Statutes, to require dealer, salesman, and investment advisor license applicants to file an irrevocable written consent to service with the department; amending §517.12, Florida Statutes, to require fingerprints of applicants, to require the registration of investment advisors, to require the filing of a \$50,000 bond by all dealers and investment advisors except those dealers who sell only mutual funds, who shall file a \$10,000 bond and those investment advisors who restrict their advice and counseling to issuers of securities, who shall file a \$10,000 bond, except that no person shall file a bond who is a member of Securities Investor Protection Corporation or maintains a net worth or deposit with the department of cash or U.S. government securities in excess of \$50,000, providing an annual license fee for dealers and investment advisors of \$100, for salesmen of \$20 and for listing of branch offices of \$50 prohibiting applicants for licensing as dealers or investment advisors from using names similar to other dealers or investment advisors or certain financial institutions; repealing §517.13, §517.14, and §517.15, Florida Statutes; amending §517.16, Florida Statutes, to provide as grounds for denying revoking or suspending the license of a dealer, investment advisor, or salesman the filing of an incomplete application, conviction of the licensee of a criminal offense involving a security or any felony within the last ten years; the enjoining of the licensee or applicant by any court, the failure of licensee to properly supervise his employees or maintain financial responsibility; licensee being subject to a disciplinary order by an agency regulating securities, a national securities association or exchange or the United States post office, or by an agency regulating financial industries similar to securities, or the failure of licensee to keep employed in a supervisory capacity a natural person who passed the examination required by §517.13 (6); amending §517.19, Florida Statutes, to allow the circuit courts in actions to enjoin violations of Chapter 517 to order violators to divest themselves of any proceeds obtained in violation of this chapter; amending §517.301, Florida Statutes, by adding subsection (4) making fictitious or pretended sales of securities a fraudulent transaction; amending §517.311 (2), (3), and (4), Florida Statutes, to change the word registered to licensed; amending §517.32 to change the word registered to licensed; providing an effective date.

—to Commerce and Ways and Means.

By Senator Brantley—

SB 935—A bill to be entitled An act relating to the Department of Commerce; amending sections 13.9974, 440.48, 443.12(1) and 446.031(2), Florida Statutes, changing the reporting date for annual reports required of the Department of Commerce; providing an effective date.

—to Commerce.

By Senator Brantley—

SB 936—A bill to be entitled An act relating to insurance; amending chapter 627, Florida Statutes, by adding section 627.481, to provide that premium on life, ordinary life or term life insurance when written by or through any lender or creditor shall not be deemed interest or consideration in excess of permitted charges; providing an effective date.

—to Commerce.

By Senator Gillespie—

SB 937—A bill to be entitled An act relating to corporations; amending section 617.021 (16), Florida Statutes, as amended by Chapter 73-171, Laws of Florida, and section 617.051 (1), Florida Statutes; providing for the merger and consolidation of a corporation for profit with a corporation not for profit; providing an effective date.

—to Judiciary.

By Senator Williams—

SB 938—A bill to be entitled An act relating to police and correctional standards board; amending §23.061(2) and (3), Florida Statutes, 1973, and adding a new subsection (6) to expand the police standards board to include correctional officers; amending §23.062(1) and (3), Florida Statutes, 1973, and adding a new subsection (5) to expand the police and correctional board to fourteen (14) members and include representatives of correctional institutions; providing for method of gubernatorial appointment; amending §23.067, Florida Statutes, 1973, to include correctional officers in minimum standards of training for law enforcement officers; amending §23.068, Florida Statutes, 1973, providing for qualifications for employment as correctional officers; amending §23.069, Florida Statutes, 1973, to include correctional officers in training programs; amending §23.0691, Florida Statutes, 1973, to require correctional institutions to notify the board of the employment, appointment, or termination of employment of correctional officers; amending §23.072(2), Florida Statutes, 1973, permitting correctional institutions to receive grants for in-service training of correctional officers; amending §23.074, Florida Statutes, 1973, to require the board to study the compensation paid to correctional officers and to report its findings annually to the legislature; amending §23.0741, Florida Statutes, 1973, to provide legislative intent to upgrade correctional institutions and correctional officers; amending §23.075, Florida Statutes, 1973, exempting from minimum standards currently employed correctional officers; amending §23.076, Florida Statutes, 1973, permitting correctional institutions to require more stringent standards; amending §23.078, Florida Statutes, 1973, including correctional officers within the salary incentive plan now established for law enforcement officers; providing an effective date.

—to Governmental Operations.

By Senator Peterson—

SB 939—A bill to be entitled An act relating to education; creating §§228.072 and 242.333, Florida Statutes; amending §§230.23 (4)(m) and 236.081(4)(c)2., Florida Statutes; providing for a comprehensive deaf education program; establishing responsibilities for deaf education by district school boards and the Florida school for the deaf and the blind; adjusting the Florida education finance program cost factor for deaf education programs; providing an appropriation; providing an effective date.

—to Education and Ways and Means.

By Senator Gordon—

SB 940—A bill to be entitled An act relating to education; creating §231.142, Florida Statutes; providing for a school volunteer program; providing an effective date.

—to Education.

By Senator Gordon—

SB 941—A bill to be entitled An act relating to education; authorizing the purchase of tax sheltered annuities for employees of district school boards, community college boards of trustees and the board of regents; providing an effective date.

—to Education.

By Senator Sims—

SB 942—A bill to be entitled An act relating to state agency application forms; providing for review and limitation of inquiry into past or present, physical or mental condition or treatment; providing an effective date.

—to Governmental Operations.

By Senator Graham—

SB 943—A bill to be entitled An act relating to education; amending §231.30 (2)(a), Florida Statutes, altering the formula for distribution of teacher certificate fees; providing an effective date.

—to Education and Ways and Means.

By Senator Childers—

SB 944—A bill to be entitled An act relating to insurance; amending part I of chapter 626, 1971 Florida Statutes, by adding section 626.565, providing that if an insurance policy or insurance contract is cancelled prior to its normal expiration date, all persons who received commissions for that policy or contract shall pay to the insurer the unearned portion of their commissions; providing that the basis for determination of the amount owed in unearned commissions shall be the cancellation provisions of the policy or contract; providing an effective date.

—to Commerce.

By Senator Gordon—

SB 945—A bill to be entitled An act relating to the state university system; providing legislative intent; establishing enrollment limitations and degree program limitations for state universities; providing for board of regents recommendation and legislative approval of new colleges and degree programs within the existing universities; providing an effective date.

—to Education.

By Senator Deeb—

SB 946—A bill to be entitled An act relating to the Division of Health, deleting the power of the Division of Health to regulate and inspect public food service establishments; transferring the duty of the Division of Health to administer and enforce laws and rules and regulations relating to sanitation in public food service and lodging establishments to the Division of Hotels and Restaurants, Department of Business Regulation.

—to Health and Rehabilitative Services.

By the Committee on Criminal Justice—

SB 947—A bill to be entitled An Act to amend Section 817.52 (3) changing penalty for fraudulently abandoning or neglecting to redeliver a hired motor vehicle from a misdemeanor of the second degree to a felony of the third degree; providing an effective date.

—to Criminal Justice.

By Senator Winn—

SB 948—A bill to be entitled An act relating to handguns; creating section 790.001 (14), and 790.26, Florida Statutes; pro-

viding definitions; prohibiting the manufacture, assembly, sale, possession or use of certain handguns; providing injunctive relief; providing penalties; providing an effective date.

—to Commerce.

By Senator Pettigrew—

SB 949—A bill to be entitled An act relating to state universities; providing an appropriation for renovation of state university campus facilities to make them more accessible to physically disabled persons; providing an effective date.

—to Education and Ways and Means.

The Senate was called to order by the President at 2:00 p.m. A quorum present—40:

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

Prayer by the Senate Chaplain:

Our Father, we would bear these Senators up before your presence, beseeching you for grace and strength for each of them. As they vary in background and in philosophy so do they have varied needs that are personal and real. We are not as self-sufficient as we boast for there are moments of wonderment at our purpose and tasks in life. There are disappointments and frustrations both personal and public and we need a word of assurance and a touch of care.

Cause these, your servants in government, to know that there are hosts who care, lest the loud voices of the harping critics deceive them by their raucous complaints.

Keep us enthusiastic about our role in society and encouraged as we see the good effects of our labors. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Wednesday, April 24, 1974, at 2:00 p.m.:

SB 63	SB 437	SB 391	SB 683
SB 176	SB 309	CS/SB 79	SB 341
SB 133	SB 73	SB 195	SB 627
SB 518	SB 406	SB 459	
SB 506	SB 97		

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Criminal Justice recommends the following pass: SB 419 with 1 amendment

The Committee on Consumer Affairs recommends the following pass: SB 700 with 2 amendments

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

The Committee on Consumer Affairs recommends the following pass: SB 20 with 1 amendment

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

The Committee on Criminal Justice recommends the following pass: HB 1538 with 2 amendments

The Committee on Commerce recommends the following pass: SB 442 with 1 amendment
SB 66 with 3 amendments as offered by the committee on Judiciary.

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

Yeas—32

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

Nays—None

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

By permission, the following certificates were received:

IN THE SUPREME COURT OF FLORIDA
JANUARY TERM, A.D., 1974
APRIL 1, 1974

IN RE: CERTIFICATE OF JUDICIAL *
MANPOWER AS REQUIRED *
BY SECTION 9, ARTICLE V, * CASE NO. 45,292
CONSTITUTION OF FLORIDA, *
AS REVISED MARCH 14, 1972 *

PER CURIAM.

Pursuant to Section 9, Article V, Constitution of Florida, as revised March 14, 1972, we hereby certify the need for additional judges.

The recommendations of the court will be presented to the Legislature as an amendment to this certification.

ADKINS, C.J., ROBERTS, ERVIN, BOYD, McCAIN and DEKLE, OVERTON, J.J., concur.

A True Copy
Test:
Sid J. White, Clerk
Supreme Court.

IN THE SUPREME COURT OF FLORIDA
JANUARY TERM, A.D., 1973
APRIL 22, 1974

IN RE: AMENDMENT ONE TO CER- **
TIFICATE FILED APRIL 1, **
1974. **
CERTIFICATE OF JUDICIAL **
MANPOWER AS REQUIRED ** CASE NO. 45,292
BY SECTION 9, ARTICLE V, **
CONSTITUTION OF FLOR- **
IDA, AS REVISED MARCH **
14, 1972 **

PER CURIAM.

As an amendment to our Certificate of Judicial Manpower, Case No. 45, 292, filed April 1, 1974, we hereby certify pursuant to Section 9, Article V, Constitution of Florida, as revised March 14, 1972, the need for additional county judges as follows:

County Courts:	
Duval	1
Bay	1
Total	2 County Court Judges

We recognize the need for additional judge power in some areas at the county, circuit and district court levels. It is our opinion, however, as stated by Chief Justice Adkins in his Report to the Legislature on the State of the Judiciary, that through improvements in court management and, at the circuit and county levels, increased rotation within the circuits and assignment between the circuits of judges, qualified to sit anywhere in any type of case, we can meet much of the need for additional judge power. It is in this spirit that, except for the emergency needs of the Duval and Bay County courts, we are deferring certification of any additional judicial manpower for a period of one year. Moreover, as an emergency measure, we strongly support the need for the immediate expansion of research aide positions at the district court level.

James C. Adkins, Chief Justice
Justice B. K. Roberts
Justice Richard W. Ervin
Justice Joseph A. Boyd
Justice David L. McCain
Justice Hal P. Dekle

A True Copy
Test:
Sid J. White, Clerk
Supreme Court of Florida.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Lane (23rd), SB 433 was withdrawn from the Committees on Education and Ways and Means by two-thirds vote and from further consideration of the Senate.

Senator Weber moved that SB 271 be withdrawn from the Committee on Ways and Means. The motion failed.

On motion by Senator Lewis, SB 341 was removed from the calendar by two-thirds vote and referred to the Committee on Ways and Means.

On motion by Senator Weber, SB 271 was withdrawn from the Committee on Ways and Means by two-thirds vote and from further consideration of the Senate.

Senator Wilson was recorded as voting nay on the motion.

On motion by Senator Trask, by two-thirds vote SB 646 was also referred to the Committee on Consumer Affairs.

COMMITTEE REQUESTS FOR EXTENSION OF TIME

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

SB 23 by Senator Wilson	SB 318 by Senator Poston
SB 33 by Senator Sayler	SB 320 by Senator Poston
SB 36 by Senator Sykes	SJR 348 by Senator Poston
SB 40 by Senator Winn	SB 361 by Senator Brantley
SB 94 by Senator Wilson	SB 389 by Senator Lane (23rd)
SB 154 by Senator Gillespie	SB 399 by Senator Winn
SB 155 by Senators Poston and Henderson	SB 408 by Senator Wilson
SB 190 by Senators Johnson and Henderson	SB 420 by Senator Johnson
SB 229 by Senator Scarborough	SB 421 by Senator Johnson
SB 241 by Senator Johnson	SB 460 by Senator Glisson
SB 243 by Senator Wilson	SB 480 by Senator Pettigrew
SB 268 by Senator Winn	SB 492 by Senator Gallen
SB 298 by Senator Graham	SB 568 by Senator Zinkil
SB 305 by Senator Pettigrew	CS for HB 2800 by Rules and Governmental Operations Committees

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

SB 5 by Senator Zinkil	SB 232 by Senator Trask
SB 12 by Senators Zinkil, Winn, Firestone, Myers and Deeb	SB 242 by Senator Johnson
SB 93 by Senator Sykes	SB 279 by Senator Johnson
	HB 1772 by Representative Harllee

The Committee on Natural Resources and Conservation requests an extension of 10 days for the consideration of the following:

SB 1 by Senators Sayler and Henderson	SB 316 by Natural Resources and Conservation Committee
SB 3 by Senators Henderson and Sayler	SB 351 by Senator Vogt
SB 4 by Senators Ware and Sayler	SB 452 by Senator Glisson
SB 124 by Senator Weber and others	SB 481 by Senator Pettigrew
SB 147 by Senator Gillespie	SB 504 by Senator Lane (23rd)
	SB 574 by Senator Childers

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

SB 141 by Senator Poston	SB 308 by Transportation Committee
SB 196 by Senator Lewis	SB 396 by Senator Poston
SB 221 by Senator Plante	

SB 508 by Senator Pettigrew	HB 776 by Representative Harlee
SB 548 by Senator Gillespie	HB 1955 by Finance and Taxation Committee
SB 553 by Senator Stolzenburg	HB 1982 by Transportation Committee
SB 560 by Senator Stolzenburg	HB 2088 by Transportation Committee
SB 575 by Transportation Committee	HB 2674 by Governmental Operations Committee
HB 218 by Representative Carlucci	SB 319 by Senator Poston
HB 435 (cs) by Representatives Holloway and Lockward	SB 549 by Senator Childers
HB 548 by Community Affairs Committee	

(b) For every person who is entitled to the exemption provided in subsection (1) who has been a resident of this state for the five (5) consecutive years prior to claiming the exemption under this subsection, and who qualifies for the exemption granted pursuant to section 196.202, Florida Statutes, the exemption shall be increased by four thousand five hundred dollars, so that the sum of the combined exemptions is five thousand dollars (\$5,000).

(c) No homestead shall be exempted under both paragraphs (a) and (b) of this subsection.

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

(b) There is hereby created the local government additional homestead exemption trust fund. The fund shall be administered by the department of revenue. The department shall after approval of all tax rolls determine the revenue that would have been raised by each qualified local governmental unit except school districts based upon ninety-six percent (96%) of the value of property exempted under section 196.031(4), Florida Statutes, and the operating millage levied by each such governmental unit. A qualified local government is one which makes application to the department of revenue to participate in the fund prior to December of each year or which participated in the fund in the prior year and which levied a millage in the current year. The department shall deliver the replacement funds to each qualified governmental unit by no later than January 1 of each year for the revenue lost in the current fiscal year's ad valorem tax levy. If the funds appropriated to the trust fund are insufficient to fully compensate all qualified local governmental units, all distributions from the fund shall be reduced pro rata. If a governmental unit's loss cannot be determined by January 1, then the department shall not make any distribution to that governmental unit until such time as sufficient facts become available to the department.

(b) Beginning with the 1973 regular session and each regular session thereafter, the legislature shall provide sufficient appropriations for the minimum foundation program for kindergarten through grade twelve to enable each school district to receive additional state funds in an amount which shall be equal to the net loss of school funds as reflected in the report for that year.

Section 2. Section 196.197 is amended to read as follows:

(4)(b) The exemption provided for in paragraph (a) shall be increase to ten thousand dollars; but only for taxes levied by district school boards for current school operating purposes, for each apartment or unit:

1. Which is used by such homes for the aged for the purposes for which they were organized, and

2. Which is occupied on January 1 of the year in which exemption from ad valorem property taxation is requested by a person who is sixty-five years of age or older and who has resided therein and in good faith made the State of Florida his or her permanent home for the five consecutive years prior to such date.

Section 3. Section 196.011, Florida Statutes, is amended by adding a new subsection 196.011(3), Florida Statutes, to read:

(3) For the 1974 assessment roll the additional homestead exemption granted to persons over sixty-five who have qualified for the additional exemption granted in section 196.031(3), Florida Statutes, for school operating purposes shall be automatically, without further application, extended to include the additional exemption for all governmental units.

Section 4. It is the legislative intent that this act shall be construed as a whole, that its provisions are interdependent, and if any provision or applications of the act is held to be invalid that the entire act shall be held to be invalid.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President April 24, 1974

I am directed to inform the Senate that the House of Representatives has adopted SCR 685.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President April 24, 1974

I am directed to inform the Senate that the House of Representatives has passed SB 609.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Mallory E. Horne, President April 23, 1974

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 1 and 2, further amended and passed as further amended—

By Senator de la Parte and others—

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, and adding a new subsection to said section; 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 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.

Amendments attached

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 7—On page 1, line 28, strike all after the enacting clause and insert:

Section 1. Subsection (3) and (4) of section 196.031, Florida Statutes, 1973, and amended to read:

196.031 Exemption of homestead.—

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

Section 5. This act shall take effect immediately upon becoming a law provided however, the exemption granted for persons over sixty-five shall apply beginning with the 1974 assessment roll, and the exemption granted disabled persons shall apply beginning with the 1975 assessment roll.

Senators de la Parte and Zinkil offered the following amendment to House amendment 7 which was moved by Senator de la Parte and adopted:

Amendment 7a—On page 1, line 22 after the word "Statutes" insert: *as a totally and permanently disabled person,*

The Senate concurred in House amendment 7 as amended.

Amendment 8—On page 1, line 3, strike the entire title and insert:

A bill to be entitled

An act relating to homestead exemption; amending §196.031(3) and (4), Florida Statutes, to extend the additional exemption provided in subsection (3) for persons over sixty-five to taxes levied for all operating purposes and to increase the exemption provided by §196.202, Florida Statutes, for totally and permanently disabled persons; providing replacement revenues through a trust fund; adding subsection (3) to section 196.011, Florida Statutes, relating to annual application requirement; amending section 196.197 to increase the exemption contained therein to ten thousand dollars; providing an effective date.

On motion by Senator de la Parte, the Senate concurred in House amendment 8 to SB 2. The action of the Senate was certified to the House.

The Honorable Mallory E. Horne, President April 22, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3425 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance & Taxation—

HB 3425—A bill to be entitled An act relating to the state working capital fund; adding subsection (3) to section 215.32, Florida Statutes; authorizing the department of administration to make loans from the fund to local governments which are unable to collect all or part of their ad valorem tax revenues; establishing requirements and procedures; 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 22, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1106 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Insurance and Representative Avon and others—

HB 1106—A bill to be entitled An act relating to health care services; requiring hospitals or nursing homes to furnish copies of records; providing for a reasonable charge for payment therefor; providing for examination of certain records; providing an effective date.

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

The Honorable Mallory E. Horne, President April 23, 1974

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

HB 1554 (cs) HB 1659

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Appropriations and Representatives Mixson and Cherry—

HB 1554 (cs)—A bill to be entitled An act relating to state officers and employees; authorizing a group health insurance program; amending subsection (2), (7), and (8) of section 112.075, Florida Statutes, and adding a new subsection (10); including personnel employed for eight (8) months or more; providing for promulgation of administrative rules; providing for the deposit of interest and funds in the general revenue fund; providing an effective date.

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

By Representative David Clark—

HB 1659—A bill to be entitled An act relating to criminal procedure; creating section 921.024, Florida Statutes, requiring judgments in felony cases to be in writing, signed by judge and recorded; requiring guilty judgments in felony cases to contain fingerprints of the accused; providing for admissibility in evidence; providing an effective date.

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

The Honorable Mallory E. Horne, President April 23, 1974

I am directed to inform the Senate that the House of Representatives has passed HB 1990 and requests the concurrence of the Senate.

Allen Morris, Clerk

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

HB 1990—A bill to be entitled An act relating to veterans; requiring state funded or supported vocational training centers, vocational-technical schools, and vocational programs to give certain preferences for acceptance and admission to persons who served in the armed forces of the United States at any time during the period August 4, 1964, to January 27, 1973; 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 23, 1974

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

HB 1504	HB 1078	HB 1660
HB 2746	HB 2622	HB 788

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Insurance—

HB 1504—A bill to be entitled An act relating to group life insurance; amending Chapter 627, Part V, Florida Statutes, 1971, by adding new section 627.573 to provide that when master group life policies are replaced the new policy must cover all participants covered under the replaced policy; providing an effective date.

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

By Representative Mixson—

HB 1078—A bill to be entitled An act relating to the Farm Labor Registration Law; amending §450.28(1), Florida Statutes, to clarify the definition of farm labor contractor and the exclusions from said definition; repealing §450.29, Florida Statutes, which relates to exclusions from said law; providing an effective date.

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

By Representative Smith (by request)—

HB 1660—A bill to be entitled An act relating to stamped or marked egg containers; amending chapter 506, Florida Statutes, by adding sections 506.46, 506.47, 506.48, 506.49, 506.50, 506.51, and 506.52, providing for registration of brand names or marks of egg containers by persons engaged in receiving and selling eggs in containers; providing for procedure for registration; providing for issuance of certificate and filing fee; prohibiting the illegal use of egg containers; regulating the transportation of egg containers; providing that deposits upon egg containers shall not be deemed a sale thereof; providing a penalty; providing an effective date.

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

By Representative Rish—

HB 2746—A bill to be entitled An act relating to motorboat registration; amending section 371.041, Florida Statutes, 1971, providing for a grace period of ten days for registering such motorboat by the owner after purchase; 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 G. C. Robinson and others—

HB 2622—A bill to be entitled An act relating to veterans; adding subsection (6) to §292.05, Florida Statutes, 1971, to authorize the division of veterans' affairs of the department of community affairs to administer the provisions of chapter 292, Florida Statutes, relating to veterans, and further authorizing the division to apply for and administer certain federal and state programs beneficial to the interests of veterans of the state; providing an effective date.

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

By Representatives Rish and Cherry—

HB 788—A bill to be entitled An act relating to the state board of funeral directors and embalmers; amending section 470.30, Florida Statutes, by adding a new subsection (8); establishing branch funeral chapels; providing for licensing and revocation of licenses of branch funeral chapels; authorizing the board to make rules and regulations concerning branch funeral chapels; providing an effective date.

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

The Honorable Mallory E. Horne, President April 23, 1974

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

CS for HB 2917	HB 2551	HB 2903
HB 2539	HB 2550	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs and Representative Boyd and others—

CS for HB 2917—A bill to be entitled An act relating to water and sewer utility regulation by the public service commission; amending §367.041(4)(a), Florida Statutes, 1973, to include municipalities in notification of intent to file an application; amending §367.051(3), Florida Statutes, 1973, to allow a county or municipality first right of refusal; providing an effective date.

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

By Representatives David Clark and Martinez—

HB 2551—A bill to be entitled An act relating to agricultural and nonprofit cooperative associations; amending §618.01(1),

Florida Statutes, 1971; including aquatic products within the definition of agricultural products; amending §619.01, Florida Statutes, 1971; permitting those engaged in the production and marketing of aquatic products to form a nonprofit cooperative association; providing an effective date.

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

By Representative Price—

HB 2903—A bill to be entitled An act relating to elections; amending §103.111(2) and (3)(a), Florida Statutes, 1973, to conform the filing period for candidates for state and county executive committee members to that of other elected officials; providing an effective date.

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

By Representative Martinez—

HB 2539—A bill to be entitled An act relating to tax on sales, use, and other transactions; creating paragraph (j) of subsection (7) of section 212.08, Florida Statutes, 1972 Supplement; exempting certain pre-postage paid materials from the state sales and use tax; providing an effective date.

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

By Representatives David Clark and Price—

HB 2550—A bill to be entitled An act relating to forfeiture of bail bond; amending §903.28(1), Florida Statutes, 1971, increasing to three (3) years the time in which the court may direct partial or complete remission of forfeiture of the bail bond to the surety; providing an effective date.

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

The Honorable Mallory E. Horne, President April 22, 1974

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

HB 3119	HB 3032
HB 2440	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative James—

HB 3119—A bill to be entitled An act relating to water management districts; creating §373.605, Florida Statutes; authorizing the governing board of any district to adopt a plan of group insurance for employees of the district; authorizing the payment of the premiums therefor; ratifying group insurance agreements now in effect which conform to this act; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By the Committee on Natural Resources and Representative Fulford and others—

HB 3032—A bill to be entitled An act relating to coastal mapping of Florida; providing definitions; providing powers and duties of the department of natural resources; providing a comprehensive and continuous program of coastal boundary mapping which will permit accurate surveys; providing standards for establishment of local tidal datums and methods of determining mean high-water and mean low-water lines; restricting admissibility of maps and surveys as evidence in courts and in other proceedings; providing for severability; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Representative Cohen and others—

HB 2440—A bill to be entitled An act relating to firearms; amending §790.07(2), Florida Statutes, 1971, to provide for a minimum five (5) year sentence for certain offenses committed with the use of a firearm; providing an effective date.

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

RECONSIDERATION

The motion to reconsider the vote by which HB 308 passed was not taken up, and the motion was abandoned.

SPECIAL ORDER

SB 63—A bill to be entitled An act relating to emergency medical services; amending section 13(4) of Chapter 73-126, Laws of Florida, providing an exemption from the provisions of section 7 for certain non-profit volunteer emergency squads; providing an effective date.

—was taken up with pending Amendment 1 and pending Amendment 1a which was withdrawn.

The question recurred on the adoption of Amendment 1 and the amendment failed.

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

Amendment 2—On page 1, line 25, add new Section 2 and re-number existing Section 2, and insert: Section 2. Subsection (5) of section 13 of Chapter 73-126, Laws of Florida, is created to read:

Section 13. Exemptions

The following vehicles or ambulances are exempt from the provisions of this act:

(5) *Vehicles operated by licensed funeral directors or persons in their employ and under their supervision who provide casual but recurring service to persons on a nonemergency basis of transporting ill or infirm persons from place to place in order to aid, assist, or promote such persons' recuperation from illness.*

Amendment 3—On page 1, line 8, After squads; insert: creating section 13(5) of Chapter 73-126, Laws of Florida, exempting the operation of vehicles by funeral directors for certain purposes from the Florida emergency medical services act of 1973;

Senators McClain, Lane (23rd) and Vogt offered the following amendment which was moved by Senator McClain and adopted:

Amendment 4—On page 1, strike all of lines 18—24 and insert: (4) Any ambulance owned and operated by a volunteer emergency squad chartered by the state as a corporation not for profit prior to October 1, 1973, shall be exempt from the provisions of Section 7 of this act; ~~provided, however, that such ambulances shall be manned by one (1) attendant who is certified as an emergency medical technician in compliance with Section 7, provided the competence of the volunteers is certified to by two physicians licensed by chapters 458 or 459, Florida Statutes, practicing in the county in which the volunteer squad operates, and the volunteer squad serves an area as defined by the department having a population not in excess of 15,000 persons.~~

Senators McClain and Lane (23rd) offered the following title amendment which was moved by Senator McClain and adopted:

Amendment 5—On page 1, line 8, before the semicolon (;) insert: serving areas having less than 15,000 persons

SB 63 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—34

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

Nays—2

Myers Saunders

By unanimous consent Senators de la Parte, Pettigrew and Lane (31st) were recorded as voting yea.

SB 176 was taken up, together with:

By the Committee on Education—

CS for SB 176—A bill to be entitled An act relating to public school, community college, and state university instructional personnel records; amending 230.7591, 231.29(3) and 239.78, Florida Statutes; providing that each public school, community college, and state university shall maintain limited access records on its instructional personnel; providing an effective date.

—which was read the first time by title and SB 176 was laid on the table.

On motion by Senator Deeb, by two-thirds vote CS for SB 176 was read the second time by title.

Senator Graham moved the following amendment which was adopted:

Amendment 1—On page 1, line 26, on page 2, line 13, and on page 3, line 1, after “excluding” insert: evaluations by

On page 2, line 15 after “instructor” strike the period and insert: , and

Senator Gillespie moved the following amendment which failed:

Amendment 2—On page 2, line 18, strike “or” and insert: and

On motion by Senator Deeb, by two-thirds vote CS for SB 176 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—21

Barron	Johnston	Pettigrew	Wilson
Deeb	Lane (31st)	Plante	Winn
Firestone	Lane (23rd)	Saylor	Zinkil
Gordon	McClain	Scarborough	
Graham	Myers	Smathers	
Gruber	Peterson	Ware	

Nays—16

Mr. President	Gallen	Lewis	Trask
Brantley	Gillespie	Poston	Vogt
Childers	Glisson	Saunders	Weber
de la Parte	Johnson	Sims	Williams

By unanimous consent Senator Sykes was recorded as voting nay.

SB 133—A bill to be entitled An act relating to the department of legal affairs; amending section 20.11, Florida Statutes, adding subsection (4) thereto; establishing four divisions within the department; 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 Williams and adopted:

Amendment 1—On page 1, line 20, strike: “(c) division of administration”

Senator Williams moved the following amendment which was adopted:

Amendment 2—On page 1, line 20, insert: (c) *division of opinions.*

On motion by Senator Williams, by two-thirds vote SB 133 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—38

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

Nays—None

SB 518 was taken up, together with:

By the Committee on Commerce—

CS for SB 518—A bill to be entitled An act relating to insurance; creating section 627.642, Florida Statutes, to require an outline of coverage for individual health insurance policies; providing an effective date.

—which was read the first time by title and SB 518 was laid on the table.

On motion by Senator Brantley, by two-thirds vote CS for SB 518 was read the second time by title.

Senator Henderson moved the following amendment which was adopted:

Amendment 1—On page 1, line 19, after the word “application.” insert the following sentence: In the case of a direct response such as a written application to the insurance company from an applicant, the outline of coverage shall accompany the policy when issued.

On motion by Senator Brantley, by two-thirds vote CS for SB 518 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—38

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

Nays—None

SB 506 was taken up, together with:

By the Committee on Commerce—

CS for SB 506—A bill to be entitled An act relating to amounts retained on state contracts; amending §255.052(1)(d), Florida Statutes; authorizing the substitution of certificates of deposit from state or federal savings and loan associations for amounts retained on state contracts; providing an effective date.

—which was read the first time by title and SB 506 was laid on the table.

On motions by Senator Sykes, by two-thirds vote CS for SB 506 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—38

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

Nays—None

By unanimous consent Senator Williams was recorded as voting yea.

Senators Lewis and Johnson were recorded as co-introducers of CS for SB 506.

SM 437—A memorial to the Congress of the United States urging the Congress to require the executive branch of the government to report what is being done to secure an accounting of the more than 1300 persons reported missing in action in Southeast Asia and urging the Congress to take steps to speed the accounting procedure and provide for the release of any persons still held in prison.

—was read the second time in full. On motion by Senator Johnson, SM 437 was unanimously adopted and certified to the House.

SB 309—A bill to be entitled An act relating to driving under the influence of alcoholic beverages; amending section 316.028, Florida Statutes, to provide that persons convicted of violating the section shall be punished by a fine of not less than \$25 or more than \$500 or imprisonment of not more than twelve months or by both fine and imprisonment; providing that in lieu of or in addition to a fine, the court may require attendance of a driver improvement course; prohibiting the withholding of adjudication for persons convicted of violating section 316.028, Florida Statutes; 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 1, strike all of lines 22 through 29 and insert the following: 316.028 Driving or being in actual physical control of a vehicle while under the influence of alcoholic beverages, model glue, or controlled substances.—

(1) It is unlawful and punishable as provided in subsection (2) for any person who is under the influence of alcoholic beverages, model glue, or any substance controlled under Chapter 893, when affected to the extent that his normal faculties are impaired, to drive or be in the actual physical control of any vehicle within this state.

Amendment 2—On page 2, strike all of lines 1 through 4

Amendment 3—On page 2, line 8, strike “\$500” and insert: \$1,000

Amendment 4—On page 2, strike entire line 13 and insert: addition to any fines imposed under this

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

Amendment 5—On page 2, strike entire lines 16 and 17 and insert: no court shall withhold adjudication of guilt for a violation of this section.

The President Pro Tempore presiding

Senator Pettigrew moved the following substitute amendment which was adopted:

Amendment 6—On page 2, lines 15—17, strike subsection (4) and insert: (4) a finding of guilt but a withholding of adjudication shall constitute a prior conviction for purposes of determining the penalty for subsequent offenses under this chapter.

On motion by Senator Wilson the Senate reconsidered the vote by which Amendment 4 was adopted.

The question recurred on the adoption of Amendment 4 which failed.

Senator Pettigrew moved the following amendment which failed:

Amendment 7—On page 2, line 8, strike "less than \$25 or"

Senator Zinkil moved the following amendment:

Amendment 8—On page 2, lines 21 through 29, strike the hyphens on lines 21 thru 29 and on page 3, lines 1 and 2, strike lines 1 and 2 and reinsert the language stricken by the hyphens.

On motion by Senator Zinkil, SB 309 with amendments was removed from the calendar by two-thirds vote and referred to the Committee on Criminal Justice.

SB 73 was taken up, together with:

By the Committee on Education—

CS for SB 73—A bill to be entitled An act relating to the state university system; amending Section 240.062, Florida Statutes, to provide a procedure for approval of registration and tuition fees by the legislature; amending Section 240.031(1), Florida Statutes, to provide for approval of registration and tuition fees by the legislature; providing an effective date.

—which was read the first time by title and SB 73 was laid on the table.

On motions by Senator Saylor, by two-thirds vote CS for SB 73 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—37

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

Nays—None

The President presiding

On motion by Senator Lane (31st), HB 2665 was withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

SB 406 was taken up and on motion by Senator Lane (31st)—

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.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Lane (31st), by two-thirds vote HB 2665 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

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

Nays—6

Brantley	Gillespie	Smathers	Williams
Childers	Johnston		

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

SB 406 was laid on the table.

SB 97—A bill to be entitled An act relating to public officers; creating §111.08, Florida Statutes; requiring disclosure by public officers of any interest in an express trust; requiring department of state to maintain file; providing penalty; providing an effective date.

—was read the second time by title.

The Committee on Consumer Affairs offered the following amendment which was moved by Senator Trask:

Amendment 1—On page 1, line 15, between "express" and "trust" insert: real estate land

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

Amendment 2—On page 1, line 13, strike everything after the enacting clause and insert:

Section 1. Any public official or employee holding real property in the form of a partnership, limited partnership, corporation, trust or in any form of representative capacity whatsoever for others, except as otherwise provided in this act, shall make a public disclosure in writing, under oath subject to the penalties prescribed for perjury, which shall state his name and address, and the name and address of every person having a beneficial interest in the real property, however small or minimal, before entering into any contract whereby real property held in representative capacity is sold or leased, taken by eminent domain, or otherwise conveyed to the state or to any local governmental unit, or agency of either. This written disclosure shall be made to the state or to the local governmental unit, or agency of either with which the transaction is made at least ten days prior to the time of closing or within forty-eight hours after the time when the required sum is deposited in the registry of the court in the case of an eminent domain taking.

Section 2. Corporations registered with the federal securities exchange commission and whose stock is for sale to the general public are hereby exempt from the provisions of this act.

Section 3. This act shall be liberally construed to accomplish the purpose of requiring the identification of the actual parties benefiting from any transaction with a governmental unit or agency involving the procurement of the ownership or use of real property by such governmental unit or agency.

Section 4. This act shall take effect upon becoming a law.

Senator Ware moved that SB 97 be temporarily deferred. The motion failed.

Senator Weber moved that SB 97 with pending amendments be referred to the Committee on Judiciary.

Senator Sykes moved that the Senate reconsider the vote by which the motion by Senator Ware failed. The motion was adopted by the following vote:

Yeas—26

Mr. President	Graham	Peterson	Vogt
Barron	Gruber	Plante	Ware
Brantley	Henderson	Saunders	Williams
Childers	Johnson	Smathers	Wilson
Deeb	Lane (23rd)	Stolzenburg	Zinkil
Firestone	Lewis	Sykes	
Glisson	McClain	Trask	

Nays—11

Gillespie	Lane (31st)	Poston	Weber
Gordon	Myers	Scarborough	Winn
Johnston	Pettigrew	Sims	

The question recurred on the motion by Senator Ware which was adopted and SB 97 with pending amendments was temporarily deferred.

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 third time by title, having been read the second time on April 17.

Senator Gillespie moved the following amendment:

Amendment 2—On page 2, strike all of line 14 after the period and all of lines 15 through 22 and insert: The provisions of this act shall not apply unless the owner of the real estate has specifically consented in writing to the dedication.

On motion by Senator Barron, the rules were waived and SB 391 was placed back on second reading.

Senator de la Parte presiding.

The question recurred on Amendment 2 which was adopted.

On motion by Senator Johnston, SB 391 as amended was read by title, passed and ordered engrossed. The vote was:

Yeas—37

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

Nays—1

Glisson

Senator Gillespie moved that the Senate reconsider the vote by which SB 391 as amended passed this day.

Senator Poston moved that the rules be waived and the following bill be admitted for introduction notwithstanding the fact that the deadline for filing bills pursuant to Rule 4.4 had passed:

A bill to be entitled

An act relating to aeronautics; creating section 333.025, Florida Statutes, providing for the department of transportation to issue or deny permits for erection of structures exceeding federal obstruction standards; amending section 333.03(1) and (2), Florida Statutes, providing for adoption of airport zoning regulations by municipalities, authorities, and political subdivisions; providing guidelines; providing for injunctive relief; providing an effective date.

The motion was referred to the Committee on Rules and Calendar.

Consideration of SB 79 was deferred.

SB 195—A bill to be entitled An act relating to elevators; amending §399.02(2), Florida Statutes; providing that certain new elevators be of sufficient size to accommodate an ambulance stretcher; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 23, strike the period and insert: at least twenty-two inches wide and seventy-five inches long when in a flat-bed position.

Amendment 2—On page 1, line 22 strike "all new elevators" and insert: at least one elevator

Amendment 3—On page 1, line 20, after the word "building" insert: constructed subsequent to the effective date of this act

Pending further consideration of SB 195, as amended, on motion by Senator Zinkil, by two-thirds vote HB 2441 was withdrawn from the Committee on Commerce and placed on the calendar. On motion by Senator Zinkil—

HB 2441—A bill to be entitled An act relating to elevators; amending §399.02(2), Florida Statutes, 1971, directing the division of hotels and restaurants of the department of business regulation to require that certain elevators be constructed of a size sufficient to accommodate an ambulance stretcher; providing an effective date.

—a companion measure to SB 195 was substituted therefor and read the second time by title. On motion by Senator Zinkil, by two-thirds vote HB 2441 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

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

Nays—7

Barron	Lane (23rd)	Myers	Williams
Lane (31st)	McClain	Saunders	

SB 195 was laid on the table.

On motion by Senator Brantley, Rule 2.5 was waived and the Committee on Commerce was granted permission to consider SB 613 at the scheduled meeting May 25.

SB 459—A bill to be entitled An act relating to security of communications; amending §934.02(2), Florida Statutes, 1972 Supplement, defining oral communication; amending §934.03(2) (c) and (d), Florida Statutes, to authorize interception of wire or oral communications by law enforcement officers or persons acting under the direction of a law enforcement officer with

consent of only one party for the purpose of obtaining evidence of a crime; requiring persons to have the prior consent of all parties prior to interception of a wire or oral communication; deleting references to color of law; providing an effective date.

—was read the second time by title.

The Committee on Criminal Justice offered the following amendments which were moved by Senator Childers and adopted:

Amendment 1—On page 2, line 17, insert: (a new section, 3 to read:)

Section 3 Paragraph (e) of subsection (2) of section 934.03, Florida Statutes, is created to read:

(e) It is lawful under this chapter for an employee of a telephone company to intercept a wire communication for the sole purpose of tracing the origin of such communication when the interception is requested by the recipient of the communication and the recipient alleges that the communication is obscene, harassing or threatening in nature. Provided that the individual conducting the interception shall notify local police authorities within forty-eight hours after the time of the interception.

RENUMBER EXISTING SECTION 3 as SECTION 4

Amendment 2—On page 1, lines 12—15, strike “requiring persons to have the prior consent of all parties prior to interception of a wire or oral communication” and insert: to authorize interception of wire or oral communications when all parties to the communication have given prior consent to such interception; creating section 934.03(2)(e), Florida Statutes, to authorize interception of obscene, harassing, or threatening wire communications when requested by the recipient of the communication

On motion by Senator Childers, by two-thirds vote SB 459 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—33

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

Nays—None

By unanimous consent Senator Vogt was recorded as voting yea.

SB 683—A bill to be entitled An act relating to the department of agriculture and consumer services; authorizing the department to establish a state standard of enrichment for certain flours and related food products; providing definitions; prohibiting sale at retail of such products not meeting the state standard; providing exceptions; providing the department with enforcement and investigatory powers; providing a penalty; providing an effective date.

—was read the second time by title.

The Committee on Agriculture offered the following amendment which was moved by Senator Peterson and adopted:

Amendment 1—On page 5, line 29 and page 6, line 1, strike “or any order, rule, or regulation promulgated by the department pursuant to this act”

On motion by Senator Peterson, by two-thirds vote SB 683 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

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

Nays—None

SB 627—A bill to be entitled An act relating to credit unions; amending §657.22, Florida Statutes, 1973, to provide that credit unions shall not be required to keep files and records for a period longer than five (5) years, except that no ledger sheets shall be destroyed unless photographic or microphotographic copies are maintained; providing for photographing and microphotographing of records; providing that a credit union shall not be held liable for destruction of records in accordance with this act; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations offered the following amendment which was moved by Senator Childers and adopted:

Amendment 1—On page 1, lines 24—28, and on page 2, lines 1—3, strike all of subsection (1) and insert: (1) Credit unions shall preserve the following records, if used, or files or photographic or microphotographic copies thereof for a period of not less than five (5) years next after the first day of January of the year following the time of making or filing of such records or files: cash received voucher, balance sheet and statement of income and expense, general ledger, individual share and loan ledger, journal and cash record, bank reconciliation, dividend record, and expense record except that ledger sheets or photographic or microphotographic copies of such ledger sheets shall not be destroyed and shall be retained in an accessible location.

On motion by Senator Childers, by two-thirds vote SB 627 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—38

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

Nays—None

THIRD READING

On motion by Senator Weber consideration of SB 139 with pending amendment was deferred.

Senator Childers announced that the Committee on Natural Resources and Conservation would not meet on April 25 as scheduled but would meet on April 29 and May 1.

The Journal of April 23 was corrected and approved as follows:

Page 226, column 2, strike lines 2 and 3 and insert: amendment which was moved by Senator Johnson and failed:

Page 226, column 2, between lines 5 and 6 insert: The Committee on Education offered the following title amendment which was moved by Senator Johnson and adopted:

CO-INTRODUCERS

Senators Firestone and Trask were recorded as co-introducers of Senate Bills 266 and 726, Senator Gillespie as a co-introducer of Senate Bills 700, 721 and 732, Senator Scarborough as a co-introducer of SB 819, Senator Ware as a co-introducer of SB 518, Senator Zinkil as a co-introducer of SCR 494.

Senator Scarborough withdrew as co-introducer of SB 520.

On motion by Senator Barron, the Senate adjourned at 4:55 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 25, 1974.