

# JOURNAL OF THE FLORIDA SENATE

Wednesday, May 8, 1974

The Senate was called to order by the President Pro Tempore 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 measure was read the first time and referred to committee as indicated:

By Senator Gillespie—

**SB 1090**—A bill to be entitled An act relating to Volusia County; providing a definition; amending §2 of chapter 20187, Laws of Florida, 1939, and §3 of chapter 18964, Laws of Florida, 1937, as amended, permitting public school teachers to become permanent employees of the district school system of Volusia County by earning district in-service education points equivalent to present educational and occupational tenure requirements; permitting teachers in Volusia County to earn equivalent district in-service education points in lieu of certain educational requirements for purposes of maintaining the status of permanent employees; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1090.

—to Rules and Calendar.

The Senate was called to order by the President Pro Tempore at 9:00 a.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)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil

Prayer by Rev. Victor L. Oliver, formerly a missionary in Vietnam who was presented to the Senate by the Senate Chaplain:

Dear God: You are Lord of the universe, our earth, its kingdoms and nation states. Unfortunately, we confess that some of the peoples of our earth have not recognized your sovereignty and our own nation seems to be forgetting our spiritual heritage. The men and women in this elected body are representatives of your people. In order for them to fulfill their task adequately they need your help. They need insight to apply Christian principles in all their endeavors; they need courage to withstand the pressures of a society which often disregards your laws and above all, they need a vital faith in you and a confidence in your plan for their lives. Father, may their needs be satisfied through your Son Jesus Christ. Amen.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Wednesday, May 8, 1974, at 9:00 a.m.:

HB 2028	SB 374	HB 2621
CS for HCR 2800	SB 600	SB 727
SB 158	SB 827	SB 722
SB 663	SB 679	SB 366
SB 638	SB 783	SB 825

Respectfully submitted,  
*Dempsey J. Barron, Chairman*

The Committee on Commerce recommends the following pass: SB 833 with 2 amendments

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

The Committee on Criminal Justice recommends the following pass: SB 947, HB 2724

The Committee on Commerce recommends the following pass:

SB 60 with 1 amendment	HB 972 with 2 amendments
SB 403 with 2 amendments	HB 1078
SB 935	HB 2746
SB 953	CSHB 3093
SB 976	

The Committee on Consumer Affairs recommends the following pass: HB 1772 with 2 amendments

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

SB 225 with 1 amendment                      SB 322                      SB 562

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

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 367, SB 417.

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

The Committee on Commerce recommends a Committee Substitute for the following: SB 957

The Committee on Commerce recommends a Committee Substitute for the following: SB 579

The Committee on Criminal Justice recommends a Committee Substitute for the following:

SB 904                      SB 973                      SB 649                      SB 1035

The Committee on Rules and Calendar recommends a Committee Substitute for the following: SB 892

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

Subcommittee A of the Ways and Means Committee recommends favorably to the Committee: Senate Bills 87, 90, 260, 329, 287 with 1 amendment, 88 with 2 amendments, HB 549; unfavorably: SB 275.

## ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

CS for SB 56 with 2 amendments      SB 139 with 2 amendments  
SB 966 with 9 amendments

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

*JOE BROWN, Secretary*

The bills were certified to the House.

Your Engrossing Clerk to whom was referred CS for SB 79 with 6 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

*JOE BROWN, Secretary*

The bill was certified to the House.

## ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

SB 7                      SB 245                      SB 251

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 8, 1974.

*JOE BROWN, Secretary*

Your Enrolling Clerk to whom was referred—

SB 9 SB 240

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 8, 1974.

JOE BROWN, Secretary

Your Enrolling Clerk to whom was referred SB 627 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on May 8, 1974.

JOE BROWN, Secretary

Senator Saunders 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 the Florida School for the Deaf and the Blind; creating §242.333, Florida Statutes, to rename the school in honor of Senator Verle Allyn Pope; directing the division of statutory revision and indexing to conform the Florida Statutes to reflect this change; providing an effective date.

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

**MOTIONS RELATING TO COMMITTEE REFERENCE**

Senator Scarborough moved that CS for CS for HB 3096 be withdrawn from the Committee on Ways and Means and the motion failed.

On motions by Senator Deeb, Senate Bills 693 and 694 were withdrawn from the Committee on Commerce by two-thirds vote and referred to the Committee on Rules and Calendar.

On motions by Senator Winn, Senate Bills 40 and 268 were withdrawn from the Committee on Governmental Operations by two-thirds vote and from further consideration of the Senate.

On motions by Senator Winn, SB 42 was withdrawn from the Committees on Commerce and Ways and Means by two-thirds vote and from further consideration of the Senate.

**COMMITTEE REQUESTS FOR EXTENSION OF TIME**

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

SB 439 by Senator Johnson	SB 691 by Senator Trask
SB 551 by Senator Gordon	CS for HB 183 by Committee on Commerce
SB 680 by Senator Trask	
SB 682 by Senator Trask	HB 1024 by Representative Forbes
SB 689 by Senator Brantley	

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

SB 116 by Senator Pettigrew	HB 788 by Representative Rish
SB 620 by Senator Saunders	
SB 626 by Senator Deeb	HJR 1464 by Representative Dubbin
SB 634 by Senator Vogt	
SB 1068 by Senator Saunders	CS for HB 1542 by Governmental Operations Committee
SB 1078 by Senator Graham	
SB 1080 by Senator Graham	CS for HB 1543 by Appropriations Committee
HB 232 by Representative Spicola	
CS for HB 352 by Governmental Operations Committee	HB 2622 by Select Committee on Military and Veterans Affairs

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

SB 1039 by Senator Johnson	SB 647 by Senator Brantley
HB 2796 by Representative Forbes	

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

SB 589 by Senator Henderson	SB 929 by Senator Childers
SB 764 by Senator Childers	SB 1057 by Senator Henderson and others
SB 862 by Senator Deeb and others	SB 1059 by Senator Pettigrew
SB 293 by Natural Resources and Conservation Committee	SB 1076 by Senator Graham
	HB 3119 by Representative James

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Mallory E. Horne, President* May 8, 1974

I am directed to inform the Senate that the House of Representatives has passed SB 212.

Allen Morris, Clerk

The bill contained in the above message was ordered enrolled.

*The Honorable Mallory E. Horne, President* May 8, 1974

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

CS for HB 2929	HB 3295
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Allen Morris, Clerk

*The Honorable Mallory E. Horne, President* May 6, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3499 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Business Regulation and Representative Libertore and others—

HB 3499—A bill to be entitled An act relating to mobile homes; amending section 320.77 (11), Florida Statutes, eliminating the net worth statement as a substitute for a surety bond for mobile home dealers and providing an increased surety bond; amending section 320.822, Florida Statutes, amending the introductory paragraph and definitions (1) and (2) and adding definitions (8), (9), (10), (11), (12), and (13) relating to mobile homes; creating section 320.8225, Florida Statutes, providing licensing of manufacturers with provisions for a fee, surety bond or insurance program; creating section 320.8245, Florida Statutes, limiting warranty coverage if alterations to mobile homes are performed by non-qualified persons; providing designation of qualified persons by department, providing rule making power for department; creating section 320.8255, Florida Statutes, requiring inspection of mobile homes by the department; authorizing department to develop fee schedules for seals and inspection services; providing an appropriation; creating section 320.8285, Florida Statutes, requiring counties to develop and adopt mobile home onsite inspection plans, providing for development of on-site inspection plans when a county does not develop such plans, authorizing department to designate persons to perform onsite inspections when a county does not designate such persons; repealing sections 320.829 and 320.830, Florida Statutes, relating to fees and reciprocal agreements; creating sections 320.840 thru 320.845, Florida Statutes, providing warranty responsibility for mobile home manufacturers, dealers, and suppliers, providing for warranty service, providing manner of presenting warranty claims, providing civil action and providing cumulative remedies; creating section 320.846, Florida Statutes, providing maximum retention of liquidated damages or deposits in absence of express agreement between buyer and seller; providing an effective date.

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

## SPECIAL ORDER

Senator Barron presiding

**HB 2028**—A bill to be entitled An act relating to labor, implementing Section 6 of Article I of the Constitution of the State of Florida; amending section 447.03, Florida Statutes, 1971, to include the right to refrain from participation in labor organizations; creating section 447.17, Florida Statutes, to provide civil and injunctive relief for denial or abridgement of right; amending chapter 447, Florida Statutes, by adding Part II; providing right to organize and bargain collectively as to terms and conditions of employment; providing method of bargaining procedure; creating and providing administration by the Florida public employees relations commission within the department of commerce defining rights of public employees and employers; providing payroll dues deduction; providing rules and procedures for registration, recognition, and certification of employee organizations and bargaining agents; providing payment of fees and expenses in collective bargaining process; providing grievance procedures; providing procedures for resolution of impasse; providing factors to be considered by the special master; providing for compensation and records; establishing unfair labor practices by employers and employee organizations; providing procedures to resolve unlawful actions and practices, penalties and remedies; providing injunctive relief; providing effect on merit and civil service systems and state and local control of same; providing for local option; providing certain exceptions to §286.011 and chapter 119, Florida Statutes, and providing limits to such exceptions; providing for severability; repealing §230.22 (1)(a), Florida Statutes, as created by chapter 73-338, Laws of Florida, relating to general powers of school boards; providing for repeal of chapter 72-275, Laws of Florida, which creates the Fire Fighters Bargaining Act; providing repeal of §839.221, Florida Statutes, which prohibits participation in strikes or membership in organizations that assert right to strike against government employer by governmental officers and employees; providing an effective date.

—was taken up with pending substitute Amendment 20, which failed and pending Amendment 19, which was adopted:

**Amendment 19**—On page 33, strike all of lines 1 through 3 and insert: Employer and employee organizations, their members, agents, representatives, or any persons acting on or against their behalf are hereby prohibited from:

The Committee on Judiciary offered the following amendment which was moved by Senator Scarborough and failed:

**Amendment 21**—On page 34, line 22, after the word "appeal" insert: Nothing contained herein shall in any way alter, amend or repeal the provisions of Chapter 73-651, pertaining to Volusia County.

Senators de la Parte and Sykes offered the following amendment which was moved by Senator de la Parte:

**Amendment 22**—On page 12, lines 9—16, strike everything and insert: organization which has been certified as a bargaining agent shall, upon request, have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees who authorize the deduction of said dues and uniform assessments; provided that reasonable costs to the employer of said deductions shall be a proper subject of collective bargaining. Such deduction shall be in force during the term of the collective bargaining agreement.

Senators Saylor and Deeb offered the following substitute amendment which was moved by Senator Saylor and failed:

**Amendment 23**—On page 12, lines 8—18, strike all of 447.007

Senators Smathers and Vogt offered the following amendment to Amendment 22 which was moved by Senator Smathers:

**Amendment 22a**—On page 12, line 5, after the semi-colon insert: provided that such authorization is revocable at the employee's will upon thirty (30) days written notice to the employer and employee organization;

Amendment 22a was adopted by the following vote:

Yeas—23

Brantley	Glisson	Saylor	Vogt
Deeb	Johnston	Scarborough	Ware
de la Parte	Lewis	Sims	Wilson
Firestone	McClain	Smathers	Winn
Gallen	Peterson	Stolzenburg	Zinkil
Gillespie	Plante	Sykes	

Nays—10

Mr. President	Graham	Pettigrew	Williams
Barron	Lane (23rd)	Poston	
Gordon	Myers	Saunders	

Senators Saylor and Wilson offered the following amendment to Amendment 22 which was moved by Senator Wilson and failed:

**Amendment 22b**—On page 1, line 2, after "request," insert: and upon agreement with the public employer

Amendment 22 as amended was adopted.

Senator Gordon moved the following amendment:

**Amendment 24**—On page 18, line 21, strike "administered by the chief executive officer" and insert: negotiated

Senator Myers moved the following substitute amendment:

**Amendment 25**—On page 18, line 22, after "body" strike the period and insert: subject to the right of the employee's representative to negotiate the application of such appropriated funds.

Senator Pettigrew moved the following amendment to Amendment 25:

**Amendment 25a**—Line 2, insert before the word "subject": and unless otherwise specifically mandated by the legislative body, then

Amendment 25a failed by the following vote:

Yeas—8

Gordon	Lane (31st)	Pettigrew	Smathers
Graham	Myers	Sims	Stolzenburg

Nays—26

Mr. President	Gillespie	Peterson	Weber
Barron	Glisson	Saunders	Williams
Brantley	Gruber	Scarborough	Wilson
Childers	Johnson	Sykes	Winn
Deeb	Lane (23rd)	Trask	Zinkil
de la Parte	Lewis	Vogt	
Gallen	McClain	Ware	

Amendments 25 and 24 failed.

Senator Gordon moved the following amendment:

**Amendment 26**—On page 34, line 8, insert: 447.022 Prior agreements.—All public employee agreements now in existence shall remain in effect until their expiration.

Senator Gillespie moved the following amendment to Amendment 26 which failed:

**Amendment 26a**—On page 1, strike line 1 and insert: 447.022 Prior Agreements and Special Acts—All public employee Special Acts and

Senators Ware, Deeb and Saylor offered the following amendment to Amendment 26 which was moved by Senator Ware:

**Amendment 26b**—Line 3, after the period insert: Existing collective bargaining, agreement, ordinance or resolutions in effect on the effective date of this act shall not be limited in scope by the provisions of this act.

Amendment 26b failed by the following vote:

Yeas—7

Deeb	Glisson	Sims	Ware
Gillespie	Sayler	Stolzenburg	

Nays—24

Barron	Gruber	Peterson	Sykes
de la Parte	Johnston	Pettigrew	Vogt
Firestone	Lane (23rd)	Poston	Weber
Gallen	Lewis	Saunders	Williams
Gordon	McClain	Scarborough	Wilson
Graham	Myers	Smathers	Zinkil

Amendment 26 was adopted.

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

**Amendment 27**—On page 34, strike lines 29 through 31 and insert: (2) The tentative collective bargaining agreement shall be made available to the public at least seven days prior to the date on which said agreement is submitted for ratification to the legislative body.

Senator Brantley presiding

Senator Barron presiding

Senators McClain, Ware and Glisson offered the following substitute amendment which was moved by Senator Glisson:

**Amendment 28**—On page 34, lines 23—31 and page 35 lines 1—3, strike all of said lines and insert: The provisions of 286.-011, Florida Statutes shall apply to all collective bargaining negotiations

Amendment 28 failed by the following vote:

Yeas—10

Brantley	Lane (23rd)	Trask	Zinkil
de la Parte	McClain	Ware	
Glisson	Sims	Winn	

Nays—22

Barron	Gordon	Peterson	Smathers
Childers	Graham	Pettigrew	Stolzenburg
Deeb	Gruber	Plante	Weber
Firestone	Johnston	Poston	Williams
Gallen	Lewis	Saunders	
Gillespie	Myers	Scarborough	

Senator Lewis moved the following amendment to Amendment 27 which was adopted:

**Amendment 27a**—On page 1, line 3, strike "Seven" and insert: fifteen

Amendment 27 as amended was adopted by the following vote:

Yeas—18

Barron	Gruber	Pettigrew	Stolzenburg
Brantley	Johnston	Poston	Sykes
Childers	Lewis	Saunders	Weber
Deeb	Myers	Scarborough	
Gordon	Peterson	Smathers	

Nays—17

de la Parte	Graham	Sims	Winn
Firestone	Lane (23rd)	Trask	Zinkil
Gallen	McClain	Ware	
Gillespie	Plante	Williams	
Glisson	Sayler	Wilson	

Senator Plante moved the following amendment:

**Amendment 29**—On pages 14 and 15, lines 27—31—page 14 1—10—page 15, strike all lines 27—31 page 14 and 1—10 page 15 and insert: (1) Any employee organization which is desig-

nated or selected by 1 or more public employees in an appropriate unit as their representative for the purpose of collective bargaining shall request recognition by the public employer. The public employer shall recognize each such employee organization as a collective bargaining representative of employees in the designated unit. No employee organization may be recognized by a public employer unless it has first been certified by the commission.

Senator Saunders presiding

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:00 noon to reconvene at 2:30 p.m.

**AFTERNOON SESSION**

The Senate was called to order by Senator Barron at 2:30 p.m. A quorum present—38:

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

On motion by Senator Poston, by two-thirds vote, the Senate scheduled a session for Friday, May 17 from 9:00 a.m. until 12:00 noon.

On motion by Senator Saunders the Senate stood in informal recess at 2:32 p.m.

The Senate was called to order by Senator Barron at 2:37 p.m.

**REPORT OF COMMITTEE**

The Committee on Rules and Calendar advises that an emergency exists compelling the introduction and consideration of SB 1091.

Respectfully submitted,  
Dempsey J. Barron, Chairman

**INTRODUCTION**

On motion by Senator Saunders, by two-thirds vote the following measure was introduced, read the first time by title and referred to the committee as indicated:

By Senators Horne and Saunders—

**SB 1091**—A bill to be entitled An act relating to the Florida School for the Deaf and the Blind; creating §242.333, Florida Statutes, to rename the school in honor of Senator Verle Allyn Pope; directing the division of statutory revision and indexing to conform the Florida Statutes to reflect this change; providing an effective date.

—to Commerce.

On motion by Senator Brantley, SB 1091 was withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

Senator Barron welcomed the following former members of the Senate in attendance for Alumni Day:

Adams, J. Frank	(1941, 1943)
Adams, Tom	(1957, 1959)
Arnold, Lynwood	(1971, 1972)
Askew, Reubin O'D.	(1963-1970)
Beaufort, C. W. (Bill)	(1968-1972)
Blank, Ralph J.	(1961-1963)
Boyd, J. A. (Tar)	(1959-1963)
Brannen, R. F. (Bob)	(1971-1972)
Broxson, John R.	(1967-1972)
Cleveland, Jr., Mack N.	(1963-1965)

Daniel, C. Welborn (1964-1972)  
 Davis, Hal (1966)  
 Dayton, George C. (1951-1953)  
 Dickinson, Jr., Fred O. (1956-1959)  
 Fraser, Edwin G. (1945-1963)  
 Friday, Elmer O. (1963-1970)  
 Gray, Carl R. (1945-1948)  
 Gong, Edmond J. (1966-1972)  
 Hair, Horry (1957-1959)  
 Herrell, W. C. (1961-1963)  
 Hodges, W. Randolph (1953-1961)  
 Hollahan, George L. (1963-1972)  
 Johnson, Beth (1967-1972)  
 Johnson, Dewey M. (1951-1965)  
 Karl, Frederick (1968-1972)  
 Kelly, Scott (1957-1961)  
 Lewis, Gerald (1971-1972)  
 Mapoles, Clayton (1961-1965)  
 Mathews, John E. (1963-1970)  
 McCarty, John M. (1963-1965)  
 McDonald, John A. (1964-65)  
 Ott, T. Truett (1967-1972)  
 Rawls, John (1955-1961)  
 Rodgers, Jr., J. B. (1951-1957)  
 Sanchez, G. Warren (1945-1951)  
 Savage, Charles A. (1935, 1937, 1939)  
 Spottswood, John (1963-1965)  
 Slade, Tom (1966-1967)  
 Usher, Etter (1963, 1965)  
 Thomas, Jerry (1964-1972)  
 Williams, Robert (1963, 1965)  
 Wilson, Harold S. (1968, 1969, 1970, 1971, 1972)

Also former officers of the Senate and special guests:

LeRoy Adkison, Sergeant at Arms (1951-1971)  
 Hazel Seymour, Secretary of the Senate (1945)  
 Esther K. Horne, widow of Senator R. C. Horne  
 Ibbie Edwards, daughter of Senator L. K. Edwards, Jr.

On motion by Senator Scarborough time of adjournment was extended until 4:30 p.m. or final consideration of HB 2028 which ever occurred first.

The Senate resumed—

HB 2028—A bill to be entitled An act relating to labor, implementing Section 6 of Article I of the Constitution of the State of Florida; amending section 447.03, Florida Statutes, 1971, to include the right to refrain from participation in labor organizations; creating section 447.17, Florida Statutes, to provide civil and injunctive relief for denial or abridgement of rights; amending chapter 447, Florida Statutes, by adding Part II; providing right to organize and bargain collectively as to terms and conditions of employment; providing method of bargaining procedure; creating and providing administration by the Florida public employees relations commission within the department of commerce defining rights of public employees and employers; providing payroll dues deduction; providing rules and procedures for registration, recognition, and certification of employee organizations and bargaining agents; providing payment of fees and expenses in collective bargaining process; providing grievance procedures; providing procedures for resolution of impasse; providing factors to be considered by the special master; providing for compensation and records; establishing unfair labor practices by employers and employee organizations; providing procedures to resolve unlawful actions and practices, penalties and remedies; providing injunctive relief; providing effect on merit and civil service systems and state and local control of same; providing for a local option; providing certain exceptions to §286.011 and chapter 119, Florida Statutes, and providing limits to such exceptions; providing for severability; repealing §230.22 (1)(a), Florida Statutes, as created by chapter 73-338, Laws of Florida, relating to general

powers of school boards; providing for repeal of chapter 72-275, Laws of Florida, which creates the Fire Fighters Bargaining Act; providing repeal of §839.221, Florida Statutes, which prohibits participation in strikes or membership in organizations that assert right to strike against government employer by governmental officers and employees; providing an effective date.

—which was taken up with pending Amendment 29, which failed.

Senator Plante moved the following amendment which was adopted:

**Amendment 30**—On page 35, after section 4, insert new section 5 and re-number subsequent sections: Section 5. The legislature shall retain the right to approve, amend or rescind all rules promulgated by the commission pursuant to this act. In the absence of legislative action to the contrary, all rules shall have full force and effect upon their approval by the commission.

Senator Deeb moved the following amendment which failed:

**Amendment 31**—On page 14, between lines 25 and 26, insert: (7) The officers and bargaining agents of an employee organization shall make full financial disclosure in the same manner as required by law for public officers.

Senators Graham, Lane (31st), Myers and Gordon offered the following amendment which was moved by Senator Graham:

**Amendment 32**—On page 35, between lines 3 and 4 insert: 447.024 Meet and confer.—For units containing professional employees, the bargaining agent and the chief executive officer shall meet and confer at reasonable times regarding terms and conditions of employment other than wages, compensable fringe benefits, and grievance procedures relating thereto, and shall report jointly to the public employer and to the general public regarding the issues discussed, facts relating to such issues, the solutions proposed, solutions agreed upon, and other information deemed appropriate by either party.

Amendment 32 failed by the following vote:

Yeas—15

Gordon	Lewis	Saunders	Vogt
Graham	Myers	Saylor	Weber
Henderson	Peterson	Smathers	Wilson
Lane (31st)	Poston	Stolzenburg	

Nays—19

Barron	Gillespie	Pettigrew	Trask
Brantley	Gruber	Plante	Williams
de la Parte	Johnston	Scarborough	Winn
Firestone	Lane (23rd)	Sims	Zinkil
Gallen	McClain	Sykes	

Senator Saunders moved the following amendment which was adopted:

**Amendment 33**—On page 19, lines 13—25 insert: 447.011. Grievance procedures.—

Each public employer and bargaining agent shall negotiate a grievance procedure to be used for the settlement of disputes between employer and employee, or group of employees, involving the interpretation or application of a collective bargaining agreement. Such grievance procedure shall have as its terminal step final and binding disposition by an impartial neutral, mutually selected by the parties; provided, however, that a neutral shall not have the power to add to, subtract from, modify or alter the terms of a collective bargaining agreement. If an employee organization is certified as the bargaining agent of a unit, the grievance procedure then in existence may be the subject of collective bargaining, and any agreement which is reached shall supersede the previously existing procedure.

Senator Graham moved the following amendment:

**Amendment 34**—On page 19, line 13 insert: (6) Nothing in this chapter shall be construed to prevent the board of regents, any community college board of trustees, or any district school board and the bargaining agent for any bargaining unit from conducting limited local campus or school-level

collective bargaining negotiations where feasible, upon mutual agreement between the employer and the bargaining agent.

Amendment 34 failed by the following vote:

Yeas—15

Gordon	Myers	Saunders	Vogt
Graham	Peterson	Sayler	Weber
Lane (31st)	Pettigrew	Sims	Wilson
Lewis	Poston	Stolzenburg	

Nays—17

Barron	Gallen	Plante	Winn
Brantley	Gillespie	Scarborough	Zinkil
Deeb	Johnston	Sykes	
de la Parte	Lane (23rd)	Trask	
Firestone	McClain	Williams	

Senator Weber moved the following amendment which was adopted:

Amendment 35—On page 19, line 30 (at end of Section 447.011) insert: All public employees shall have the right to a fair and equitable grievance procedure, administered without regard to membership or non-membership in any organization

Senator Plante moved the following amendment:

Amendment 36—On page 11, strike all of lines 25—27 and insert: their public employer in the determination of the compensation for services rendered and other monetary employee benefits, and to be represented in the deter-

Amendment 36 failed by the following vote:

Yeas—15

Deeb	Plante	Smathers	Weber
de la Parte	Saunders	Stolzenburg	Williams
Gallen	Sayler	Sykes	Winn
Peterson	Sims	Trask	

Nays—17

Barron	Johnston	Myers	Wilson
Firestone	Lane (31st)	Pettigrew	Zinkil
Gillespie	Lane (23rd)	Poston	
Gordon	Lewis	Scarborough	
Graham	McClain	Vogt	

Senator Johnston moved the following amendment which failed:

Amendment 37—On page 17, line 24, insert: (9) In defining bargaining units, the commission shall attempt to insure that representation of public employees is not fractionalized to a degree that would diminish the effectiveness and purposes of this part.

Senators Johnston and McClain offered the following amendment which was moved by Senator Johnston and failed:

Amendment 38—On page 9, lines 19—22, strike everything after "statutes" and insert: On line 20

(3) The commission shall employ a director, who shall be responsible for the administrative functions of the commission, and such other personnel as are necessary to carry out the provisions of this part.

Senator Gordon moved the following title amendment which was adopted:

Amendment 39—On page 1, between lines 31 and 32, insert: providing for preservation of prior agreements;

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

Amendment 40—On page 1, line 32, strike "providing for a local option;"

Senator Plante moved the following title amendment which was adopted:

Amendment 41—On page 1, line 16, after the word "commerce" insert: ; providing for legislative review of commission rules;

Senator Brantley presiding

Senator Saunders moved that the Senate reconsider the vote by which Amendment 22 was adopted.

The motion failed by the following vote:

Yeas—11

Deeb	Plante	Sims	Weber
Henderson	Saunders	Trask	Wilson
Peterson	Sayler	Ware	

Nays—26

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

The President presiding

Senator Sims moved the following amendment which failed:

Amendment 42—On page 34, line 8, insert:

447.022 Local option.—Any district school board may elect to adopt by resolution its own provisions and procedures in lieu of the requirement of this part, provided that such provisions and procedures effectively secure to public employees substantially equivalent rights and procedures as set forth in this part. Any interested party may apply to the circuit court of the circuit in which the representative school district is located for a determination as to whether local provisions or procedures, or both, are substantially equivalent to the provisions and procedures set forth in this part. The determination of the circuit court may be appealed to the district court of appeal. All public employee agreements now in existence shall remain in effect until their expiration.

On motion by Senator Scarborough, HB 2028 as further amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

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

Nays—7

Deeb	Plante	Stolzenburg	Weber
Henderson	Sayler	Ware	

By unanimous consent Senator Barron was recorded as voting yea.

The Journal of May 7 was corrected and approved as follows:

Page 342, column 2, strike line 27 and insert: for purpose of maximum state bank loans; amending §659.17—

CO-INTRODUCERS

All Senators were recorded as co-introducers of SB 1091.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 3:40 p.m. to convene at 9:00 a.m., May 9, 1974.