

JOURNAL OF THE FLORIDA SENATE

Thursday, May 9, 1974

The Senate was called to order by Senator Barron 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 Senators Johnston and Childers—

SB 1092—A bill to be entitled An act relating to the City of Pensacola; amending §4, chapter 21483, Laws of Florida, as amended by chapters 24809, 1947, 31157, 1955, 57-1713, 59-1723 and 61-2653, Laws of Florida, relating to the creation and maintenance of the firemen's relief and pension fund, to provide increased contributions of firemen and the City of Pensacola into said fund; repealing conflicting laws; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1092.

—to Rules and Calendar.

By Senators Johnston and Childers—

SB 1093—A bill to be entitled An act relating to the City of Pensacola; providing an increase in the amount of pension received by persons from the Firemen's Relief and Pension Fund; prescribing the computation of such increase and the amount thereof; prohibiting transfers; repealing conflicting laws; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1093.

—to Rules and Calendar.

The Senate was called to order by Senator Barron at 9:00 a.m.

A quorum present—39:

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

Excused: Senator Gallen

Prayer by Rev. Ernest Pretsch, St. Paul's Lutheran Church, Orlando:

Gracious God, heavenly Father, Thou hast revealed in Thy Word that rule and authority in government are in keeping with Thy divine order. Keep us mindful, we pray Thee, of the sacred trust which Thou hast committed to our care by using us, as officers of the state, to carry out Thy will.

Give us wisdom and understanding that we may perform the duties of our office for the good of our fellow citizens. Grant us Thy grace that we may never use our office to enrich ourselves nor to serve selfish interests.

Raise up men who will fashion and shape laws that will not only check brutality but will also encourage men to live in peace. Keep our lawmakers from enacting laws that are marred by prejudice, favoritism, or inequity. Restrain them from acting

hastily or reacting in vengeance. Give them the ability to work for what is necessary to keep the peace, and let them exercise care, lest their laws become impossible burdens.

Gracious and sovereign Lord, we pray for Your servant, Reubin Askew, our Governor, that You might keep him faithful to the solemn office with which You have charged him. Strengthen him and uphold him. Guide and direct him to fulfill Your purposes. Give him counsel and aid that he may preserve the integrity and honor of our State.

Give to all who live here a grateful heart for the advantages we enjoy, ready obedience to our laws, and a profound concern for the rights and privileges of every citizen. Help us to be a light of the world and a salt of the earth in our communities, and a blessing to our neighbors.

Protect our state from all calamities and epidemics, and shield us especially from those temptations which could corrupt our officials and cause our citizens to despise Thee, who art Ruler of all.

To thee, Heavenly Father, we give thanks acknowledge thy Glory as we say, "Praise God from whom all blessings flow;

Praise him, all creatures here below;

Praise him above, ye heavenly host;

Praise Father, Son and Holy Ghost. Amen."

REPORTS OF COMMITTEES

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

SCR 662 Senator Verle Pope Resolution to be heard at 9:15 a.m.

SB 1091	SB 638	SB 679	SB 722
CS/HCR 2800	SB 374	SB 783	SB 366
SB 158	SB 600	HB 2621	SB 825
SB 663	SB 827	SB 727	

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Education recommends the following pass: SB 639

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

The Committee on Ways and Means recommends the following pass:

SB 87	SB 650
SB 180	SB 1012 with 1 amendment
SB 311 with 4 amendments	HB 3425
SB 630	

The Committee on Education recommends the following pass: HB 307 with 5 amendments

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

The Committee on Education recommends a Committee Substitute for the following: SB 724

The bill with Committee Substitute attached was placed on the calendar.

The Committee on Education recommends the following not pass: SB 651

The bill was laid on the table.

MOTION RELATING TO COMMITTEE REFERENCE

On motion by Senator McClain, SCR 661 was withdrawn from the Committee on Rules and Calendar by two-thirds vote and placed on the calendar.

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

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

On motion by Senator McClain, SCR 661 was read the second time in full and unanimously adopted.

On motion by Senator McClain, the rules were waived and SCR 661 was immediately certified to the House.

COMMITTEE REQUESTS FOR EXTENSION OF TIME

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

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|---------------------------------------|--|
| SB 654 by Senator Wilson | CS for HB 687 by Representative MacKay |
| SB 670 by Senators Zinkil and Johnson | HB 782 by Representative G. Robinson |
| SB 675 by Senator Smathers | HB 803 by Agriculture Committee |
| SB 684 by Senator Saunders | HB 1403 by Representative Steinberg |
| SB 707 by Senator Ware | |
| SB 729 by Senator Trask | |
| HB 524 by Representative Carlucci | |

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

- | | |
|-----------------------------|-----------------------------|
| SM 900 by Senator Henderson | SB 972 by Senator Firestone |
| SM 901 by Senator Henderson | SB 981 by Senator Deeb |
| SB 969 by Senator Barron | SB 1067 by Senator Saunders |
| SB 970 by Senator Gillespie | SB 1073 by Senator Graham |
| | SB 1074 by Senator Graham |

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 as amended HB 157 (cs) and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Education and Representatives Earle and MacKay—

HB 157 (cs)—A bill to be entitled An act relating to public education; amending sections 228.041(9), 228.041(10), Florida Statutes, 1972 Supplement, relating to instructional personnel and administrative personnel, and sections 231.36(1), and 231.36(3) (a), Florida Statutes, 1972 Supplement, and adding paragraphs (f) and (g) to said subsection (3), relating to contracts with instructional staff; providing an effective date.

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

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

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1788 (cs) and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Business Regulation and Representative Forbes—

HB 1788 (cs)—A bill to be entitled An act relating to used motor vehicle warranties; creating subsection (12) to section 320.27, Florida Statutes; providing definitions for warranty ratings; prohibiting waiver of implied warranties; providing an exception; providing a civil remedy; providing an effective date.

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

The Honorable Mallory E. Horne, President May 7, 1974

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

- | | | |
|----------------|----------------|-------------------------|
| HB 4005 | CS for HB 3767 | CS for HB's 2131 & 2132 |
| HB 3901 | HB 1485 (cs) | HB 3317 |
| CS for HB 2714 | | |

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance and Taxation—

HB 4005—A bill to be entitled An act relating to ad valorem taxes; relating to assessors' and collectors' budgets and commissions; amending §§192.091(1), 192.102(1), 193.085(4), 193.114(5), 193.122(1), 193.461(3), 194.015, 194.032(3) and (5), 194.171(2), (5) and (6), 195.002, 195.022, 195.027(2) and (3), the introductory paragraph and subsections (1) and (2) of §195.073, 195.087, 195.095(1) and (2), 195.096(2), (3) and (4), 195.097(2), 196.011(1), 196.012(10), 196.111(1) and (2), 196.131, 197.018, 197.121, 200.065(1), (2), (3), (5) and (8), 218.36(1), (2) and (4), and 373.536(1), (3) and (4), all Florida Statutes; creating §§193.075, 193.116, 193.122(4), 195.073(4), 200.065(9) and 373.536(5), Florida Statutes; providing for clarification of the assessment of railroad and private car lines; providing for municipal assessment rolls; providing for the memberships, procedures, operation and duties of the board of tax adjustment; providing dates and short forms for the submission of annual applications to the tax assessor; amending §195.106(2), Florida Statutes, to provide for tax refunds; providing duties of the department of revenue; providing for forms by the department of revenue; providing for the use and form of computer programs; providing for classification of property on the assessment roll; providing for disposition of returned checks; including collectors and county commissions in the state standard contracts and approved bidder lists for assessment and collection contracts; providing qualifications for bidders on assessment and collection contracts; establishing presumptions of law relating to the assessment of mobile homes; providing dates and duties of the auditor general in auditing county assessment rolls; providing method of determining total and permanent disability; providing notices relating to homestead exemption and said tax certificates; providing for office liability of the collector for errors; providing for millage rollback; providing method of fixing millage including newspaper notice and public hearings; providing dates to drainage district budgets to correlate with assessment rolls; providing notice of drainage district tax levies; providing for the nonapplicability of the administrative procedures act to certain acts of the department of revenue; repealing §§193.115, 195.201, 195.202, 195.203, 195.204, 195.205, 195.206, and 195.027(5), Florida Statutes; repealing provisions relating to municipal assessment rolls; the confidential information sales information forms; repealing §195.106(3), Florida Statutes, relating to certain budget inclusions and tax levies in some counties; providing an effective date.

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

By the Committee on Environmental Protection and Representative Shreve—

CS for HB 3767—A bill to be entitled An act relating to the environmental land and water management act; providing for the applicability of development principles adopted under 380.05-1(b); providing for binding letters of interpretation on development of regional impact; providing for determining vesting of rights; providing for hearings by local government on applications for developments of regional impact only after the regional planning agency certifies that the application contains sufficient information or written notice is received that the requested information will not be supplied; providing procedures for determining the sufficiency of such information; providing that notice of such hearings shall be given sixty days in advance by local government; providing for a decision on the application within thirty days, unless an extension is requested by the developer; extending period within which the regional planning agency shall prepare its report and recommendations; providing for joint public hearings on developments of regional impact; providing for joint review of comprehensive development of regional impact applications where two or more developments of regional impact are involved; providing for one public hearing on such applications at the discretion of the de-

veloper; providing for enforcement; amending paragraph (b) of §380.05(1), paragraph (a) of §380.06(4), §380.06(7) and §380.06(8) and (12), Florida Statutes; creating §§380.06(13) and 380.11, Florida Statutes; 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 Environmental Protection—

CS for HB's 2131 & 2132—A bill to be entitled An act relating to pollution control amending subsection (2) of section 403.031, Florida Statutes, providing for a definition of pollution; adding subsection (12) to section 403.031, Florida Statutes, providing for a definition of effluent limitation; amending subsections (7) and (18) of section 403.061, Florida Statutes, providing for effluent limitations, pretreatment requirements, and standards of performance comparable to federal requirements; providing 100 days to grant or deny NPDES applications and associated state permits; amending subsections (1) and (4) of section 403.087, Florida Statutes, providing for a five year limit to permits, subject to renewal, providing for the issuance of permits in conformance with the prohibitions in section 124.41 of Volume 40 of the Code of Federal Regulations; amending subsection (3)(b) of section 403.088, Florida Statutes, providing 100 days to grant or deny NPDES applications and associated state permits; amending section 403.111, Florida Statutes, providing for the exemption of effluent data from the confidentiality provision; amending subsection (1) of section 403.141, Florida Statutes, providing for civil penalties, amending section 403.161, Florida Statutes, providing a violation and criminal penalty for falsification of information in applications, records, plans, and reports and tampering with monitoring devices, providing for additional criminal penalties for violations of the act; providing for an effective date.

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

By the Committee on General Legislation—

HB 3901—A bill to be entitled An act relating to thoroughbred horse racing, 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.

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

By the Committee on Business Regulation and Representatives Steinberg and Cohen—

HB 1485 (cs)—A bill to be entitled An act relating to motor carriers; adding subsection (6) of section 323.29, Florida Statutes, permitting chartered counties to regulate and license for hire motor vehicles; providing for uniform rates and charges and minimum standards; providing for retention of certain authority by municipalities; providing for a limitation on certificates and permits; providing for the repeal of such limitation; providing for the validity of prior issued certificates; providing an effective date.

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

By Representative P. Thomas and others—

HB 3317—A bill to be entitled An act relating to rural water and sewer service; directing the Department of Administration, Division of Planning to plan and administer the installation, operation and maintenance of such services in cooperation with a non-profit corporation in a pilot project serving rural areas of the state; providing for annual reports to the legislature regarding the results; providing an appropriation; providing an effective date.

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

By the Committee on Commerce and Representative Hazelton—

CS for HB 2714—A bill to be entitled An act relating to migrant farm worker carriers; amending §316.003(63), Florida

Statutes, 1972 Supplement; revising the definition of said carriers; eliminating the exemption for a crop owner from compliance with safety regulations required of others transporting migrant farm workers; providing an effective date.

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

The Honorable Mallory E. Horne, President May 7, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1140 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Sessums and Foster—

HB 1140—A bill to be entitled An act relating to workmen's compensation; amending §440.13(1) and (2), Florida Statutes, 1971; providing that, after initial treatment, an injured employee shall have the right to select a physician reasonably necessary for medical treatment furnished by the employer; providing that the employer may exercise one (1) peremptory objection to the physician selected; providing that the division of labor may order a change in remedial care for cause; providing an effective date.

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

The Honorable Mallory E. Horne, President May 7, 1974

I am directed to inform the Senate that the House of Representatives has passed CS for HB 2809 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Appropriations and Representative Walker and others—

CS for HB 2809—A bill to be entitled An act relating to beach erosion control; amending §161.091(1) and (2), Florida Statutes, 1973, to authorize the department of natural resources to pay up to seventy-five percent (75%) of the nonfederal construction and maintenance costs of specified beach erosion control projects; prohibiting use of funds for beach restoration where there is no public access; requiring specified local effort; providing for reimbursement of local outstanding obligations and of funds advanced prior to availability of state or federal funds; repealing §161.091(3), Florida Statutes, 1971, as amended, relating to the establishment of project trust fund accounts; prohibiting transfer from the trust fund; providing an effective date.

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

SPECIAL ORDER

SCR 662—A Concurrent Resolution in Memoriam Verle Allyn Pope

—was read the second time in full.

The presiding officer recognized the following Senators, former Senators and special guests who spoke briefly in memory of the late Senator Pope: President Mallory E. Horne, Governor Reubin O'D. Askew, Senator Edwin G. Fraser, Senator Ed Price, Representative Gus Craig, Hank Drane, Senator Beth Johnson and Senator John E. Mathews.

The President presiding

Also speaking were: Senators Kenneth Myers, Jim Williams, Ralph Poston, John Spottswood, David McClain, Kenneth Plante, Jim Glisson and Dempsey Barron.

The Senate stood in a moment of silent prayer in memory of Senator Verle Allyn Pope, thereby reflecting the unanimous adoption of SCR 662.

On motion by Senator Barron the rules were waived and SCR 662 was immediately certified to the House.

All Senators were recorded as co-introducers of SCR 662.

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

Senate Concurrent Resolution No. 662

A CONCURRENT RESOLUTION IN MEMORIAM VERLE ALLYN POPE

WHEREAS, his was an affable manner which endeared him to friend and adversary alike—as an entertaining conversationalist and charming host he was without equal—but in pursuit of an espoused cause he knew no deterrence. To paraphrase Shakespeare, there was no bending of the pregnant hinges of the knee where wealth might follow fawning in his rugged individuality and inherent honesty. He was not afraid to stand alone against the tumult of the multitude in the espousal of what he conceived to be a just cause. It was his indomitable courage that won for him the sobriquet “The Lion of St. Johns” just as aeons before him the title of “Richard the Lion-Hearted” was won by a King of like attributes, and

WHEREAS, he was devoted to the service of his family, his friends, his community, his state and his country; his gratuitous deeds for government and charitable institutions constituting a legend, being without peer in his contribution to Florida government, and

WHEREAS, the life's work of this great man, who is mourned by countless thousands from the humblest levels of society to the highest ranks of officialdom, affords inspiration for the attainment of higher levels of human endeavor which we would record for posterity, NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That this resolution be inscribed upon the Journals of the Senate and the House of Representatives of the State of Florida—

IN MEMORIAM VERLE ALLYN POPE FIFTY-FIRST PRESIDENT OF THE FLORIDA SENATE

—who was born on December 12, 1903, at Jacksonville, Florida, the son of the late Artemus and Cora Carlton Pope, the first deaf students to be graduated from the Florida School for the Deaf and the Blind. Enterprising as a boy, he turned avidly to hunting and fishing, grew and sold his own black-eyed peas, he dove off ocean jetties for stone crabs to sell, ran errands, peddled newspapers, made deliveries for a local drug store. At one interval he engaged in the business of raising frogs for sale. At age thirteen, his business operations having eclipsed his interest in scholastic endeavor, he left school in St. Augustine—in which city he was to spend almost all of his life—and proceeded to Jacksonville where he became a soda jerk and later a commercial fisherman. He was lured back to school, however, engaged in oratory and athletics quite successfully, and was graduated from high school. A promising football career at the University of Florida was lost to him through a torn knee cartilage. Back in St. Augustine he made a modest fortune in the real estate boom of the 1920's but lost it when the boom burst. In 1928 he joined the U. S. Air Corps, but the football knee again took its toll. He returned to St. Augustine and engaged in the industrial insurance business until 1933 when he went back into real estate. He became one of the city's most successful businessmen and one of St. Johns County's largest land owners.

In November, 1933, at Gainesville, he and Miss Edith Taylor, daughter of state Senator and Mrs. A. M. Taylor, were married. They had one daughter, Peggy, now Mrs. Richard Watson. Theirs was a happy union, marred only by Mrs. Pope's ill health. Long a victim of rheumatoid arthritis, she died in 1961. She was an authoress of note. As a tribute to her, he donated in her memory \$50,000 to be used in remodeling two historic houses on St. George Street, in St. Augustine, the nation's oldest thoroughfare.

His 38-year political career began in 1934 as a candidate for the St. Johns County Commission, which race he won by 26 votes. He later received an appointment to the District Welfare Board. In 1942, at age 39, he offered for the House of Representatives and won. On election day for the Democratic Primary, May 5, his long-standing application for the armed services came through. He continued in the successful race but resigned his seat in the House of Representatives to enter the service. Frustrated, he was transferred from one U. S. Army base to another for two years. Finally, in 1944 he was transferred to England to a bombardment group as an intelligence officer, then as an aerial observer on Liberator bombers making bomb strikes over continental Europe. In December, 1945, as a Major, he returned to St. Augustine with an accumulation of medals including the Air Medal and most unusual, the Croix de Guerre, the French military award for heroism seldom bestowed on other than a native son.

Not wishing to announce against a friend occupying the House seat he had resigned, he again engaged in the real estate business. In 1948, after a hard battle, he was elected to the Florida Senate from the then 31st district, comprised of Flagler and St. Johns Counties, which combined had less than one per cent of the state's population. Nevertheless, he refused to identify himself with the majority bloc of lawmakers from small rural counties who then dominated the Legislature. Instead, he thundered against measures which he considered contrary to the interests of most of the people; advocated the one-man, one-vote principle, engaged in tireless verbal battles over the controversial issues of reapportionment, imposition of severance tax and removal of exemptions for big business; fought legislation seeking to close public schools as a last resort to prevent integration. He delighted in passing good bills but his real forte was in defeating bad ones. Although he stood alone and was sometimes a loser, he was ever undaunted and continued his attacks on what he conceived to be bad bills and bad legislation, in a style which a columnist described as similar to that of the late Senator Everett Dirksen of Illinois, with whom he shared the same imposing appearance, gravelly voice and brilliant oratory. A member who sought to question him adversely when he had the floor did so to his own complete undoing. It is recounted that a Senator, after one such experience, voted against his own bill.

He served the Senate as President, 1966—1968. During his tenure customs that had helped the small county bloc hold its control were eliminated, including proxy voting in committees; lobbyists were required to register; a code of ethics for legislators, lobbyists and public officials was adopted, and official actions by public bodies in secret sessions were barred. In 1967 the federal courts mandated a reapportionment plan, and his fight on that subject was vindicated. Always a great favorite with the members of the Press, ironically it was during his presidency that by dint of some members of the fourth estate refusing to leave the Chamber, on a motion made from the floor to proceed to the consideration of executive business, closed executive sessions of the Senate became a thing of the past. While still permissible both by Constitutional provision and Senate Rule, no such session has been resorted to since that incident.

He enjoyed a popularity that saw him through reapportionment that enlarged his district; a popularity which no doubt would have netted him the governorship of the state had he offered. Concern for his wife's health caused him to forego this ambition.

Among the major legislative achievements to which he lent the weight of his powerful influence was the Constitutional revision of 1968, the establishment of the community college system, the creation of the Historic St. Augustine Preservation Board, progress at the Florida School for the Deaf and the Blind, the latter being always a matter right next to his heart and to which he lent invaluable assistance. He donated some 40 acres of land as the site for St. Augustine's new Technical High School; in November 1972 made a considerable donation to the historical preservation agency which he helped to create and to which he and his wife Edith gave their continual support.

His service in the Senate concluded with the Regular Session of 1972, at which time St. Johns County was in the 12th Senatorial District. Because of failing health, he did not seek reelection.

The Florida Times Union graphically delineated him:

"He will be remembered, as time inevitably glosses over the warmth and breadth of his personality, for his contributions to Florida and its government. His name will appear in history books and in plaques on public buildings. But before time starts its process of eroding the public memory, let us dwell for a moment on Verle Pope, the master storyteller.

"His medium was the spoken word. He used it as an artist does his brush, a sculptor his chisel. And, as he did so, the pattern of the inner man appeared. The love for his native state did not have to be proclaimed. It was woven in his tales of his adventures in life from his days as a barefoot boy amidst the palmettoes to his experiences in the seats of the mighty in Tallahassee. Florida has no trivia for him. The least of its people were as important to him as the powerful. He was a storehouse of Florida history, custom, fauna and folkways. Life brought him an ample share of suffering as well as honor and wealth. He wore them all with a rumpled dignity that put his listeners at ease while keeping their respect and attention.

"Time will remember Verle Pope, former State Senate president, lawmaker extraordinary, leading citizen of St. Augustine, benefactor, confidante of governors, state historical figure. But time will obscure the essential warmth, humanity, decency and strength of character that inevitably showed through when Verle Pope, raconteur, spun his tales of Florida. Those who had the opportunity to know him personally should treasure the memory. Florida shall not see his like again."

The more than five hundred persons, including many dignitaries, who overflowed tiny Trinity Episcopal Church—of which he was a member—and followed his bier to Evergreen Cemetery in his homeland on Saturday, July 21, 1973, constituted a small segment of those who mourned. Legion are those who shall long continue to mourn him at the "suburb of the life elysian, whose portal we call Death."

BE IT FURTHER RESOLVED that copies of this Concurrent Resolution, duly attested by the President of the Senate and the Speaker of the House of Representatives, be presented to Mr. and Mrs. Richard O. Watson, Richard, Jeffery and Edith Watson, son-in-law, daughter, and grandchildren, respectively, of our beloved friend, Verle Allyn Pope, together with the profound condolences of these Legislative Bodies.

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.

—was read the second time by title. On motion by Senator Saunders, by two-thirds vote SB 1091 was read the third time by title, passed and certified to the House. The vote was:

Yeas—39

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

Nays—None

On motion by Senator Barron, the rules were waived and SB 1091 was immediately certified to the House.

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

SR 1089—A Senate Resolution commemorating Mother's Day, Sunday, May 12, 1974.

—which was read the second time in full. On motion by Senator Myers, SR 1089 was adopted. The vote was:

Yeas—39

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

Nays—None

On motion by Senator Brantley, HB 3397 was withdrawn from the Committee on Commerce by two-thirds vote.

Consideration of CS for HCR 2800 was deferred.

SB 158—A bill to be entitled An act relating to building construction standards; creating §553.065, Florida Statutes; providing that no building be constructed without provision for future installation of solar hot water heating equipment; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, strike all of lines 16 through and including line 20 and insert: 553.13, no single family residence shall be constructed within the state, unless the plumbing therein is designed to facilitate the future installation of solar water heating equipment. The words "facilitate the future installation" as used in this act shall mean the provision of pipe fittings that will allow easy future connection into the system of solar water heating equipment. The minimum requirement under this act shall be the placing of a capped pipe T near the cold water inlet of the structure's electric or gas water heater and a shutoff valve upstream of the aforementioned T. "Facilitation" also means accessibility of aforementioned connection points so structural elements of the building

need not be disturbed. It is the intent of the legislature to minimize cost of rearranging plumbing should solar water heaters be added to buildings.

On motion by Senator Gillespie, by two-thirds vote SB 158 as amended was read the third time by title.

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

Amendment 2—On page 1, lines 10—12, strike "Facilitation" also means accessibility of aforementioned connection points so structural elements of the building need not be disturbed."

Senator Firestone presiding

SB 158 as further amended was read by title, passed and ordered engrossed. The vote was:

Yeas—18

Deeb	Gruber	Peterson	Sykes
Firestone	Henderson	Pettigrew	Winn
Gillespie	Horne	Plante	Zinkil
Gordon	Johnson	Saylor	
Graham	Johnston	Scarborough	

Nays—16

Barron	Lane (23rd)	Sims	Vogt
Brantley	Lewis	Smathers	Ware
Childers	McClain	Stolzenburg	Williams
Lane (31st)	Poston	Trask	Wilson

By unanimous consent Senator Myers was recorded as voting yea.

On motion by Senator Barron, the rules were waived and Ronnie D. Gallant, Donna G. Holleger, Frederick Douglas, Jr., Scott Dunn and A. Ridgeley Jones were escorted to the chamber and seated.

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

SCR 1085—A concurrent resolution commending Ronnie D. Gallant and Donna G. Holleger for their bravery and courage in acting swiftly to protect the lives of their fellow classmates at Key Largo Elementary School after a truck-school bus collision.

On motion by Senator de la Parte, SCR 1085 was read the second time in full, adopted and certified to the House. The vote was:

Yeas—36

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

Nays—None

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

SCR 1086—A concurrent resolution commending Frederick Douglas, Jr., and Scott Dunn for bravery and courage in saving the life of a small boy.

On motion by Senator de la Parte, SCR 1086 was read the second time in full, adopted and certified to the House. The vote was:

Yeas—35

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

Nays—None

Senator Johnson 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 court costs and filing fees; amending ss34.041 and 28.241, Florida Statutes, 1973, to provide that service charges may be imposed for the funding of legal aid programs; providing an effective date.

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

The Senate resumed Special Order.

CS for HCR 2800—A concurrent resolution adopting a policy on growth for the State of Florida.

—was read the second time.

The Committee on Governmental Operations offered the following amendment which was moved by Senator Plante:

Amendment 1—On page 1 strike all of lines 7-29 inclusively and strike remaining pages through 31 inclusively and insert:

WHEREAS, few areas in America offer so many benefits as a place to live, work, and play as Florida does, and

WHEREAS, because of these benefits, Florida has had an undisciplined growth which has generated problems in shaping the quality of life for Florida's nearly 8,000,000 citizens particularly in the areas listed below:

1. It has been necessary to provide quality education at a greater cost to the taxpayer to the growing enrollment of Florida school students;
2. The additional cost to the taxpayer for providing sewers, roads, trash collection, zoning, police and fire protection;
3. Neighborhoods have been growing too much, too fast, and with the wrong type of growth which has been breeding unrest, delinquency, and decay of family life;
4. Many areas of Florida already are suffering water shortages;
5. The cost of housing has risen to such an extent that many families are now no longer able to buy their own home;
6. There has been too much growth in some areas and not enough in other areas of the state;
7. The cost of living has increased at such a pace that Florida's many citizens on a fixed income have found it impossible to keep pace;
8. There is a growing need for a fair and rational approach to both land-use planning and regulation designed to protect both the general public and the individual property owner;
9. The people appear to be losing in their government's ability to solve problems arising on the local, state, and federal level, NOW THEREFORE

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

All state agencies, departments, and the legislature shall work to fund and implement that legislation which will relieve the problems arising out of the "overgrowth" of Florida. However, nothing in this policy statement on growth shall be interpreted as a mandate to any branch of state government unless enacted into general law.

The President Pro Tempore presiding

Senators Williams, Zinkil, Firestone, Henderson, Smathers and Pettigrew offered the following substitute amendment which was moved by Senator Williams:

Amendment 2—On page 1, strike all of lines 8—29 inclusively and strike remaining pages through 31 inclusively, and insert: Growth is the most compelling force in Florida today shaping the quality of life for its nearly 8,000,000 citizens.

Of all the 50 states probably no other has been so blessed, endangered, transformed and challenged by growth.

Few areas in America are so envied as a place to live and work and play and raise a family and enjoy the sunset of life.

Although once regarded as a barren and remote peninsula, Florida has grown to become a productive, inviting mecca for millions of Americans. Each week at least 6,000 persons move into Florida to make new homes.

So rapid and massive has been this growth that Floridians are increasingly alarmed that the very progress they sought for so long and worked so hard to create may be in danger of degrading or even destroying not only itself but also those unique endowments of nature which made it all possible.

Sand and clay, palmetto and palm and pine, sawgrass and hammock, river and lake, bayou and seashore, that natural wilderness which denied so many attempts to convert it to a congenial environment for human livelihood has now yielded, revealing itself to be not limitless and indestructible but finite and fragile.

More and more, Floridians are concerning themselves with seeking solutions to problems and answers as to what should be realistic limits on the kinds, rates and extents of growth in Florida; that concern is not merely for the quality of the natural environment—the air, water, soil, vegetation, wildlife and native beauty of Florida:

It has to do with the quality of living together, too closely in places, too remotely in others.

It has to do with finding enough jobs, the right kinds of jobs.

It has to do with starting a private business and keeping it going.

It has to do with ability to provide opportunities for education, the highest quality of education, for a mushrooming population.

It has to do with ability of taxpayers and their various governments to provide adequate essential public services—sewers, roads, trash collections, zoning, police and fire protection.

The concern is caught up in implications of the magnitude of growth—too much in some areas of the state, not enough in others.

But the highest concern is not over the quantity of growth.

Rather, it is over the quality of life in Florida—and how the kind, rate and extent of growth throughout Florida affect the quality of life in each area of the state. The family is, and has been throughout history, the basic unit of society. It is the institution in which most, both as children and as parents, acquire a sense of continuity with the past and a sense of commitment to the future. It is the source of both our individual and collective values and attitudes. Yet our government has so often ignored the family structure and the family relationships, and developed programs and policies which directly affect the family but fail to take its welfare into consideration. The family feels the impact of growth, directly and indirectly.

The concern is magnified by a feeling of frustration shared by numerous Floridians—that in some areas growth may be passing beyond control, in other areas little is being done to induce needed growth, and in all areas there is lacking an acceptable means for influencing desirable growth.

The concern is heightened further by an understandable and legitimate apprehension that controls on growth may prove to be worse than the ill effects of the wrong kind of growth, that those controls may be administered by a central state authority remote from and insensitive to widely varying realities of the unique local areas of Florida, that government by rule-making may supplant government by law and that those presently living in Florida will be penalized.

There is also concern that no sensible formula can be found which will recognize what the desired kind, rate and extent of growth are in any given area of the state—let alone what they should be in each of the differing areas.

And there is concern that planning which goes beyond the most narrow local base will be too arbitrary, to the point where rights of individual Floridians will be impaired.

Some see any attempts to influence growth as the end of local citizen-control of government. They desire government which is more, not less, responsive to the people.

At the very time it is needed most, government is in danger of being trusted the least.

Florida's growth has occurred so quickly, yet so unevenly. In one generation Florida emerged from a minor state—larger than only 17 others—to one of the largest major states—surpassed by only seven: Michigan, Ohio, Illinois, Texas, Pennsylvania, New York and California. By the year 2000, Florida may be the nation's third-largest urban region—behind only California and the Northeast.

Florida's growth is faster than that of any other major state. During the past three decades, while the population of the United States as a whole was increasing by half and that of California was nearly tripling, the number of Floridians was growing almost four-fold.

In just eight years, by 1982, Florida may attain 10,000,000 residents if present growth trends persist. By the turn of the next century, a mere quarter-century away, the estimate is for 15,000,000—nearly double the figure today.

Were Florida's present and projected population distributed fairly evenly throughout the peninsula, the consequences of this growth would be of far less concern. But it is not. Nine out of 10 Floridians now dwell in only a dozen of the 67 counties.

Florida is urbanizing faster than any other state. A child born this year in Florida has less than one chance in 10 of growing up outside an urban area. Had that child's parents been born in Florida 25 or 30 years ago, they stood a far better than even chance of being raised in a rural setting. Within this next decade, nearly half a million fewer Floridians will be living outside the larger towns and cities while the urban population is expected to jump by two-thirds.

Rural areas should be used for the development of new communities where feasible and where necessary support can be provided.

Part of the heritage of Florida is the charm of its small towns. With proper planning they need not disappear but can become the nucleus of other developments.

In some areas of Florida parents are troubled, even frightened, to think of their children growing up in overcrowded neighborhoods which, under impact of too much of the wrong kind of growth too fast, have become breeding plots of unrest, delinquency and decay of family life.

In other areas of Florida other parents are heartbroken to see sons and daughters leaving because there is no future for them there, due to lack of growth.

If present trends of growth in Florida continue, those extreme examples will become more, rather than less, typical.

Consider this conservative appraisal of where Florida stands today and the road down which it is headed unless it elects to alter its course:

PROPERTY VALUES

If Florida is to protect the property values of its citizens, it must prevent the wrong kind of growth in the wrong places at the wrong time, and plan for the right kind of growth.

Yet, in most counties there is no zoning, and where zoning does exist it is a crazy-quilt of variations both within and among counties.

In some instances zoning practices are arbitrary and often result in windfall profits to some and economic deprivations to others.

Frequently, zoning and other land-use regulations are adopted without benefit of adequate scientific data.

There is even less planning, particularly planning of a comprehensive nature and on an area-wide scale. In those localities where this patchwork planning does exist, it is not always adopted by those agencies of government with powers to implement it. When it is adopted it is not always enforced.

The result is a resentment and suspicion of any kind of land-use regulation at a time when there is a growing need for fair, rational, scientifically based land-use planning and regulation designed to protect the interests of the general public as well as those of individual property owners.

There is a need for a comprehensive planning procedure which will provide an appropriate forum for public debate based on a factual rather than emotional consideration of zoning and planning, to facilitate reasonable compromises between advocates of growth and no growth.

ENVIRONMENT

Already unable to cope satisfactorily with wastes generated by its present population, Florida faces dramatically increased costs if it is to maintain even its current levels of waste collection and treatment as the state grows.

Florida's greatest natural resources, besides our weather, are our state's beautiful beaches and countless rivers, streams, lakes, bays and other bodies of water. Unplanned growth threatens most severely the recreational, economic, aesthetic and environmental value of these bodies by depletion of, destruction, pollution and elimination of public access to these state lands and waters.

Many areas of Florida already suffer water shortages, which will limit the extent of growth. Under present trends, most Floridians will experience shortages of water in a few years.

Yet, Florida has no statewide plan for managing its water resources. With current procedures, it is at least six years away from developing one.

With three-quarters of its population living along the coasts, Florida is in danger of overburdening, possibly destroying, its coastal zone and interior wetlands. Existing public recreational lands will fall far short of being able to serve the growing populations.

Yet, no adequate mechanism for comprehensive planning throughout Florida to avoid such disasters exists. Nor is there an adequate administrative structure within state government for developing and carrying out a cohesive environmental-protection policy.

ENERGY

In view of the current national energy situation, which underscores the need for a state policy on growth, there is no assurance Florida can meet its immediate energy needs, let alone provide for future growth.

Failure to deal effectively with energy shortages as they may occur makes the problems of growth more acute. The most effective way to cope, on an equitable basis, with energy shortages is within the overall framework of resolving Florida's growth problems.

Like any other natural resource, energy has limits which can be determined and must be observed through sound conservation measures practiced by each individual in all aspects of daily life.

In the search for alternative and additional sources of energy, Florida has a unique contribution to make and a special benefit to gain through development of solar and hydrogen energy. Florida has the scientific talent, experience and facilities to provide leadership in our national quest for energy self-sufficiency.

CRIME

This year, more than a quarter of a million persons in Florida will fall victim to crimes of violence against their person or property, at a cost in excess of \$100,000,000 exclusive of the price to be paid in terms of human suffering. That is an increase of \$60,000,000 over the past 10 years. By 1982, the rate of violent crimes will have climbed by nearly half.

Florida needs a coordinated and cohesive criminal justice system capable of deterring crime and must continue to develop and implement legislation for the prevention of crime.

EDUCATION

Florida now has what is regarded as the most advanced system in the nation for financing and accounting for education in the elementary and secondary grades, with state government guaranteeing every child, regardless of where he or she lives, equal opportunity for a quality education.

Yet, only 10 states in the nation have worse records on percentage of draftees who failed the selective service mental test. Of the 10 largest states, Florida has the second-worst record.

Florida must adopt a proper set of priorities to assure that each dollar spent is spent wisely and properly to prepare students to become active and employable members of society.

Only 16 other states had a greater rate of functional illiteracy than Florida in the last census.

Moreover, due to rapidly growing and shifting population, Florida has been unable to provide adequate school facilities to house each school child in a sound educational environment. Shortages and physical inadequacies in school facilities deprive Florida's children of a maximum quality education.

Although Florida now is making impressive strides in improving its public school system, the Legislature has yet to enact a comparable plan for education beyond the high school. Universities and community colleges, public and private, abound but not within a system that avoids needless duplication of effort. The role, indeed, the future existence, of private institutions remains in doubt.

HEALTH

Although Florida has made great strides in keeping its population healthy, it still lacks enough physicians of the right kind in the right places at the right time.

Florida needs, but does not have, an adequate system for delivering health care.

Yet, it does not even have adequate information for planning such a system.

Health-maintenance organization legislation requires periodic review and updating to assure financial protection for subscribers.

YOUNG AND OLD

Florida has a greater percentage of Americans 60 and above than any other state. One out of every five Floridians—nearly 1,500,000—is in that age group. In another 10 years, there will be 2,000,000.

Florida's population not only is growing older; it also is growing younger. Approximately as many Floridians are under 14 as are over 60. Nearly two-thirds of a million children are under six.

HOUSING

Today, 120,000 of Florida's 2,600,000 housing units are classified substandard. To bring its housing up to acceptable standards and keep pace with projected population growth, Florida must have some 2,000,000 new and rehabilitated units in the next decade.

Florida has a construction industry capable of building this needed housing.

Virtually two-thirds of the families then living in Florida may be unable to afford to buy a new home and one-fourth may be unable to afford to rent one.

Even though last year Florida had more residential construction starts than any other state in America, the average price of a new house in this state had risen to \$28,000—which effectively excluded families with incomes less than \$11,000.

That reality is reflected in the fact that last year more than nine out of 10 dwellings purchased under \$15,000 were mobile homes.

MOBILITY

Even with its present population Florida could not survive as a static state. Mobility for Floridians is now essential.

Yet, present methods of funding can be expected to meet only half of Florida's transportation needs of the next decade.

There is no overall priority list for competing systems or transportation. And most transportation developments in Florida today dictate land use rather than result from land-use planning.

DIVERSIFIED ECONOMY

Florida has been especially fortunate in growing toward an economy which is diversified and not dependent entirely or largely upon agriculture, tourism or industry alone. Any departure from this direction, which would place Florida in a dependency on any single segment of the economy, would be highly detrimental.

Although one of the most urban states, Florida is among the fastest-growing agricultural states. In many areas of the state, urbanization is expanding at the expense of valuable agricultural land, which once taken out of production is lost forever for farming.

A head-on collision between those two must be avoided if the entire economy is to remain viable, for at the base of the Florida economy is agriculture.

Florida cannot afford to slip into dependency upon the importation of food products to sustain its future population. Thus, adequate land must be reserved for farming without, at the same time, unduly limiting farmers' options or unfairly penalizing them.

Adequate water, fuel, labor, pesticides and fertilizers must be available for farm use if agriculture is to play its vital role in Florida's growth.

Also vital to the Florida economy, tourism is unevenly distributed within the state. Last year more than 25,000,000 visitors came. In 10 years 40,000,000 annually are expected. Yet, Florida lacks adequate means of measuring the impact of tourism or its effect on growth.

As of 1973, Florida had a far lower unemployment rate than the national average: 2.8 per cent, compared with 4.5 per cent for the nation.

But by 1982, Florida's work force is due to increase by one-third, to more than 4,000,000, a growing number of whom—around one-half—will be women and young people. State government needs to review current manpower programs and help improve the employability potential of the work force.

To meet Florida's projected population growth, local and state governments will need improved means for recruiting and retaining better-qualified public servants.

Even though employment is higher in Florida than in the nation generally, Floridians still have relatively lower incomes: \$3,930 per-capita income, compared with \$4,156 nationally, and \$8,620 median-family income, compared with \$9,590 nationally.

Roughly a third of Florida's cities and counties have no building code, and codes vary among those which do. Both the public and the construction industry in Florida suffer from lack of a minimum statewide building code.

COMPETITION IN THE MARKETPLACE

Conduct restricting free and open competition in the marketplace injures businesses and consumers alike. Increased industrialization and complexity of Florida's economy have increased opportunities for such practices.

Yet, defining and prosecuting such practices have proved extremely difficult. And remedies for consumer fraud have suffered because of emphasis on criminal penalties rather than restitution.

Regulation of professional and occupational licensing needs reappraisal.

Existing consumer credit laws restrict ability of lending institutions to accommodate growth. Inflexible interest rates and ceilings limit sources of credit funds, forcing higher interest

rates. Competition among creditors is restrained by licensing and statutory barriers. Rights and remedies for creditors exceed those of consumers.

FISCAL POLICY

Given present trends, and taxes total state government revenue, apart from payments received from the federal government, is expected to more than double within the next decade—from \$3,890,300,000 in 1973-1974 to \$8,849,400,000 in 1982-1983.

In state taxes per capita, this represents a projected increase from \$496.29 to \$884.94. But when considered in the context of the expected total increase in per-capita income this actually represents a slight decrease in the percentage of personal income going into state taxes—from 10.39 per cent down to 10.18 per cent.

As required by the Florida constitution, expenditures by state government are not allowed to rise above actual revenues. Whether state taxes need to be reduced, raised or retained at present levels depends on whether less or more money is needed to fund programs authorized by the Florida Legislature and whether actual revenues fall above or below estimates.

Traditionally, Florida has made little conscious effort to employ its taxing and spending powers as instruments for influencing growth. The complex combination of how Florida raises and spends tax monies undeniably has some effect on growth. For example, Florida's overall tax burden is clearly lower than that in many northern states.

Yet, the extent of these and other effects of Florida's fiscal policies on growth is not yet fully studied.

NO POLICY ON GROWTH

Today, Florida, like all other states, has no policy on growth.

Yet, virtually everything state government does, and does not do, has some influence on growth.

Originally, acts of the Florida Legislature and programs of state government tended to be growth promoting. Later, they tended to be growth accommodating. More recently, a few have been growth inhibiting.

Still, it is unclear whether growth in Florida is to be promoted or discouraged or influenced at all. Nor is there a policy on whether growth should be regarded in the same light in all areas of the state.

Florida can escape neither growth nor the consequences of growth. It can either deal with growth or be dealt with by growth.

WHAT KIND OF GROWTH?

Growth, as such, is to be neither feared nor revered.

It should be measured and judged by how it affects the quality of life in Florida. For it is the quality of life, rather than the quantity of growth, which is the critical test.

The key questions which should be asked about growth in any area of Florida are: What kind, what rate and what extent?

Florida should welcome only that kind of growth which will enrich, not degrade, the quality of life of those Floridians it affects.

A desirable rate of growth in one area may be undesirable in another, and desirable growth in suburban areas should be paralleled by improved development of deteriorated inner city areas.

In some areas the extent of growth may have exceeded its desirable limit, but in other areas additional growth may be desirable.

No statewide moratorium is needed on Florida's growth at the present time.

Nor is there a fixed population figure to which Florida should aspire to grow or beyond which it now should refuse to accept further growth.

NEED FOR A GROWTH POLICY

The various aspects of growth are so numerous, so complex and so bound up with one another that anything less than an attempt to deal with the subject as a related whole, rather than piecemeal, is unlikely to be effective.

A policy on growth should not be a specific prescription to cure all ailments of growth for all time. Its purpose should be to set forth, in broad terms, the general directions the state should chart for the future.

No private business of major proportions would consider risking its stockholders' investments without such planning. State government owes no less an obligation to its taxpayers.

From time to time, as conditions change and experience provides clearer understanding, it may be desirable to amend the policy. Certainly, the policy should be subject to annual review by the people of Florida through their elected representatives in the Florida Legislature.

The growth policy should not be confused with specific programs. Such programs should be the province of proposed legislation for which the growth policy is intended to serve as a general guide.

The need for a state policy on growth is pressing.

LEGISLATIVE RESPONSIBILITY

The proper body to consider adopting a state policy on growth is the Florida Legislature, the elected representatives of the people of Florida.

The members of the Legislature must constantly be responsive and accountable to the people of Florida in their deliberations of matters dealing with a growth policy.

Under the Florida constitution it is the responsibility of the Legislature to establish policy and the responsibility of the executive branch to administer policy subject to the review of the Legislature.

In addition to the aforementioned growth policy commitments, the Florida legislature further recognizes its responsibility to continually review all legislation to insure that its intent and direction is being administered by those agencies charged with the implementing of said laws.

Since it is the intent of the Florida Legislature that such a growth policy is established by this concurrent resolution, NOW, THEREFORE,

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

QUALITY OF LIFE

It is the policy of the State of Florida that the foremost function of its government shall be to help its citizens maintain and enrich the quality of life in Florida. In this pursuit it shall seek to provide a good physical and moral environment for all its citizens.

The state of Florida recognizes that the quality of life of its citizens depends on strong and stable families. It is the state's policy to strengthen and reinforce the family structure, and the various relationships for the care, upbringing and education of the child. Particularly, the moral, religious and value education of the child are the primary right and responsibility of the family.

INFLUENCING GROWTH

This shall be done through laws and programs designed primarily to influence the kind, rate and extent of growth and the ways of adjusting to that growth in any area of Florida.

In view of existing population trends Florida's growth is assured. It shall not be the state's policy to stimulate further growth generally, but to plan for and distribute such growth as may develop.

GOVERNMENT

Florida state government shall encourage economy and efficiency in state government and work to reduce waste and duplication. Top priority shall be given to prudent expenditure of tax revenues.

RIGHTS OF CITIZENS

The legislature recognizes that increasing population and urbanization in Florida will result in an increasing conflict between individual rights and the public need.

Protection of rights of individual Floridians shall be the overriding concern. Growth shall be influenced in such ways as to implement, rather than weaken, the rights of individual citizens of Florida.

The executive branch of government shall administer the laws of Florida in such ways to insure that individual Floridians shall have direct access to individual state agencies and shall insure that no state action affecting the rights of any citizen shall be implemented without affording the citizen affected due process of law.

LOCAL RESPONSIBILITY

Planning and management of this state policy on growth shall be administered to the maximum extent possible at the local level of government with guidance, technical assistance and resources furnished by state government.

Local government shall provide services effectively and efficiently, without overlapping of effort among counties, cities and special districts.

State government shall encourage coincidence of taxes and services between various units of local government so that citizens of Florida pay for services available to them and do not pay for services unavailable to them.

To facilitate this, state government shall encourage and support modernization of local government and reexamine its sometimes competing and conflicting relationships with local government.

INDIVIDUAL CITIZEN RESPONSIBILITY

Individual Floridians are encouraged to participate in the implementation of this growth policy. The communications media are requested to continue to assist in the dissemination of information by which Floridians can become familiar with the subjects covered in this growth policy. Responsibility for the improvement of the quality of life of all Floridians will rest primarily with voluntary individual action at all levels of society.

CARRYING CAPACITY

The desired kind, rate and extent of growth shall be primarily determined by the carrying capacity of natural and man-made systems of an area.

Carrying capacity shall be based on availability of natural resources such as air, soils, water and space and may vary further depending on available energy, technology, means of waste disposal, other essential public services and the financial capability of an area.

In defining carrying capacity local government shall use a uniform statewide method of measurement if one can be determined by the legislature.

This shall be one basis on which local government adopts the desired kind, rate and extent of growth for its area so long as these do not exceed the carrying capacity of that area as found by the uniform statewide method of measurement. And the state in trying to plan for growth shall adopt guidelines which take into account number of people already located in the various counties and cities as related to carrying capacity.

LOCAL DIFFERENCES

Policies and programs affecting growth shall reflect accurately local differences in ability and willingness to accommodate growth and shall provide appropriate incentives, guidelines, and inducements to those areas willing to take the unwanted growth from those areas where continued rapid growth is no longer acceptable.

Where growth is determined to be desirable, efforts shall be directed toward influencing growth to enrich the quality of life in those areas. Many areas in north and northwest Florida thereby may have beneficial and quality growth.

Where growth is determined to be undesirable, growth shall be discouraged in such ways as to enrich the quality of life in those areas.

IMPACT COSTS

Growth, through the influx of new residents and new construction, imposes increased costs on local government in providing essential services and facilities. Local government should not place the brunt of these increased costs on present residents but rather should require the new Florida residents and new

construction to contribute an equitable share toward meeting these costs. Consideration should be given to proration of all property taxes after issuance of certificate of occupancy.

State and local government must review the budgets of the local governmental units, including the state revenue sharing formula, to insure that the tax revenues, charges and fees collected are allocated equitably between old and new facilities. Study should be given to the effect that new residents and new construction have upon the costs of rendering services by local government in both the old and new areas. Local governments, pursuant to their police powers, presently impose many assessments similar to impact charges. Careful consideration should be given to the feasibility of local government imposing impact charges which bear a reasonable relationship to a pro-rata share of the total impact costs caused by new residents and new construction.

Pursuant to this consideration, state and local government shall identify these costs of increased residents and new construction and develop an appropriate policy regarding their equitable allocation including consideration of fees in kind in lieu of impact costs.

Urban blight, decay, crime rate and other environmental deficiencies have caused mass migrations of population to the suburbs where necessary municipal services are available only at great expense. Accordingly, state and local government should, through their respective taxing powers and appropriate tax incentives, consider encouraging when authorized by law the redevelopment and rehabilitation of the inner cities as a place for people to live.

The legislature should direct the public service commission to study the feasibility of allowing differential connection charges for the extension of public utility services to new construction in order to insure that an unreasonable portion of the cost of the extension of service to new construction is not borne by present residents.

PROPERTY TAXES AND FEES

Ad valorem taxes and fees for governmental services shall be assessed equitably in proportion to the services provided.

COMPREHENSIVE PLANNING

Comprehensive planning at the local level and local participation in similar planning for the area shall be encouraged, with proper incentives, by state government.

Local government shall be encouraged to join appropriate public bodies to coordinate with state government in achieving comprehensive planning statewide.

Such coordinating bodies shall provide for sufficient local initiative and active citizen participation and control.

If such planning is not accomplished at local and area levels within a reasonable period of time, state government shall perform such minimal planning as is necessary to assure comprehensive statewide planning including requirements for subdivision plats and rules for zoning where there is no comprehensive land-use plan.

A statewide minimum building code applicable to all aspects of the construction industry shall be developed.

State government shall develop and implement integrated statewide transportation systems, basing their kind and routing on land use determined by comprehensive planning rather than allowing land use to be decided by transportation systems.

To help influence Florida's growth in desired directions, state government shall assure an adequate supply of specialists trained to carry out the comprehensive planning needed.

To help facilitate the implementation of such comprehensive planning, state government shall explore such concepts as tax incentives, greenbelting and the creation of transferable development rights.

The state government shall provide coordination and technical assistance to local governments to insure proper implementation of comprehensive local planning.

PROPERTY VALUES AND RIGHTS

All land-use regulation shall conform with federal and state constitutional mandates that property may not be taken without due process of law and reasonable compensation.

Present and future property values and rights shall be safeguarded through comprehensive planning which determines the

desired kind, rate, and extent of growth of an area based on the carrying capacity of its natural and man-made systems.

AGRICULTURAL LAND

Farmers shall be encouraged to keep desirable agricultural land out of commercial development.

Use of land for bona fide farming purposes rather than as a subterfuge for intended future commercial development shall be encouraged through tax laws and assessment procedures, without encroaching on the right of the individual citizen to obtain due process of law in the disposition of his property.

State and local government shall discourage the taking of prime agricultural land for non-agricultural use.

NATURAL HERITAGE

Florida's natural heritage shall be preserved so that its benefits may be shared by the optimum number of Floridians and visitors. The waters of the state of Florida are among its basis resources. The subsurface waters of Florida are declared to be the property of the people of Florida.

State government shall develop coordinated plans statewide for the quality, supply and use of water and for the adequate treatment and management of waste as well as for advanced waste treatment.

State government shall in cooperation with local governments implement a land-management program which will maintain the environmental and economic integrity of Florida's coastal zone and interior wetlands.

In developing plans to preserve the natural resources of Florida, government shall devote particular attention to the value of improved technology in solving long-range problems.

State government will take an active role in the restoration, preservation and acquisition of Florida's beaches and shores for the present and future benefit of all people including insuring adequate public access to public beaches.

State government shall develop and implement a statewide plan for reclamation and restoration of lands which have been utilized for surface mining operations or any other temporary use which, when temporary utilization is completed, leaves the land in an altered or defaced state.

Florida officially recognizes the recreational, economic, aesthetic and environmental importance of all state waters and adopts a state policy to return all state waters to pollution standards which allow their safe use for these public purposes. The maintenance of high standards of air quality for the health, safety and enjoyment of all citizens is also a continuing and permanent policy of the state of Florida.

Acquiring parks, open spaces and environmentally endangered lands adequate for the recreational needs of Florida's residents and visitors shall be a responsibility of state government in cooperation with local government.

To enable it to develop and implement a coherent environmental policy, the state legislature shall implement the consolidation of all environmental agencies.

ENERGY

Growth shall be influenced in ways consistent with available and foreseeable energy sources.

Indigenous energy resources shall be inventoried in conjunction with other resources.

New means shall be developed to provide optimum levels of energy with minimum degradation of Florida's environment and more efficient use of existing energy sources shall be encouraged.

Burdens of energy shortage shall be minimized and made as equitable as possible.

Because of its geographical situation, Florida shall seek to exercise a leading role in development and application of solar energy technology. Moreover, through cooperation with the National Aeronautics and Space Administration, Florida can provide leadership for the attainment of national energy self-sufficiency through the use of hydrogen and other energy technology.

SANCTITY OF PERSON AND PROPERTY

To protect the sanctity of the person and property of Florida citizens and visitors, state government shall establish a system

of criminal justice which shall function as a unified whole, from the criminal code through law enforcement and the judicial system to corrections, parole and probation, with emphasis on coping with punishment for crime and its prevention. The legislature recognizes that the best deterrent to crime is the certainty of punishment.

State government shall assume some responsibility for the burden placed on victims of violent crime.

EDUCATION

State government shall assure that every child has an equal opportunity to obtain a quality education from kindergarten through high school. Each child should be introduced to the variety of careers available to him, and should have an equal opportunity to pursue an occupation, vocational and technical education and continue his education at a higher level. Although busing of children is mandated by the federal courts it will be the policy of this state to assume its rightful and responsible role and set guidelines for busing within the scope of the law.

It shall, through the effective implementation of a Management Information System and Accountability Program, assure that resources allocated for education shall be expended in ways to maximize the quality of education. State government shall assure that the most efficient procedures shall be utilized so that school construction needs may be met rapidly, economically and be based upon sound planning through the use of effective planning coordinated between local school districts and planning agencies, to properly locate and construct school facilities and thereby avoid unnecessary and extensive transportation of students to schools beyond their neighborhood bounds.

The Legislature shall establish a coordinated statewide system of higher education and shall define the mission of the state university system and its component institutions to prevent needless duplication of undergraduate, graduate, research, vocational, technical, and community service programs.

At all levels of education, the state goal shall be to raise the educational achievement levels of Floridians to a level above the national average.

Florida must adopt a proper set of priorities to assure that each dollar spent is spent wisely and properly to prepare students to become active and employable members of society.

HEALTH AND SOCIAL SERVICES

To help Floridians enjoy good health, state government shall plan and assure implementation of, by private and public means, an overall health-care delivery system adequate to meet the needs of every Floridian.

To this end, state government shall measure the present condition of the health of Floridians, determine state health objectives and identify the steps which need to be taken to close any gap.

These shall include improving the ratio and distribution of physicians and other medical personnel where needed throughout Florida, encouraging provision of adequate health facilities where needed, encouraging availability of health-maintenance organizations and other affordable health insurance programs and improving health education.

State government shall seek to enable Florida's growing elderly population to attain a quality of life marked by dignity and in which the elderly can continue to contribute their talents and view themselves, realistically, as wanted and productive citizens.

However, it should be realized that increased costs of living, particularly in the area of housing, will make it increasingly difficult for the elderly, especially those on modest fixed income, to live comfortably.

The state shall also take whatever means necessary to provide equitable tax relief for its older Floridians.

In the area of homes for the aged and nursing homes the state shall take steps to insure that adequate care is provided by addressing itself to the problems of licensing, inspecting and regulation of such homes.

Employment of the elderly shall be encouraged and restrictive hiring provisions reviewed, in both the private and public sectors.

HOUSING

State government shall endeavor to assist its citizens to obtain adequate housing, but recognizes it is not within the financial capability of the state to make available all the needed moderate and low-cost housing. Florida shall encourage private industry to consider the needed moderate and low-cost housing, and shall provide incentives to prevent and redevelop deteriorating areas.

Construction of factory-built housing shall be encouraged and mobile-home standards shall be regulated by state government for the greater protection of consumers.

The maximum feasible application of solar energy technology shall be encouraged to meet residential energy needs.

MOBILITY

To assure Floridians and visitors maximum mobility consistent with safety, convenience, and economy, state government shall expedite the completion of the Interstate Highway system and the four laning of divided primary highways. It shall develop and implement balanced, statewide transportation systems on a priority by needs basis. Emphasis shall be placed on those transportation systems which offer the greatest mobility to the citizens of the state commensurate with the total impact of such systems on the communities. The state shall encourage new technological development which will increase mobility without sacrifice to the quality of the lives of its citizens, such as mass transit systems in the appropriate areas and corridors.

Such transportation systems shall result from, rather than determine, comprehensive planning.

Properly planned transportation systems shall influence methods of funding, rather than result from them.

SOUND ECONOMY

To influence growth in such a way as to foster a sound economy in Florida, state government shall seek a diversified economic balance among agriculture, tourism, manufacturing and business, so the state is not dependent on any one of these.

Florida's agriculture shall be maintained at a level capable of supporting the desired statewide growth while also playing an active role in meeting the demand for export of agricultural products outside of Florida and the United States.

Tourists, including those from other countries, shall be attracted to all areas of Florida.

Industrial and commercial development shall be attracted to those areas capable of utilizing the state's present labor forces without having to seek new residents to satisfy labor needs of new businesses.

Every working man and woman in Florida shall be assured of safe and healthful working conditions, including improved wages and living conditions for farm laborers.

The state goal shall be to raise Florida's per-capita and median-family incomes above the national averages.

MARKETPLACE OF FAIRNESS

State government shall seek to influence growth in such ways as to foster a marketplace of fairness for businesses, employees and consumers alike in Florida.

POLITICAL PROCESS

The political process by which growth in Florida is influenced shall be open and responsive to all citizens.

To encourage even greater participation in the political process as Florida grows, state government shall facilitate registration of the 35 per cent of the eligible voters who today are not registered, simplify voting procedures and provide for broader involvement in political parties.

It is the policy of the State of Florida that it is essential to the formation and implementation of a state policy on growth and to the effective and efficient operation of state government that public officials and employees be independent and impartial, that public office not be used for private gain and that there be complete public confidence in the integrity of all levels of government.

ADMINISTRATIVE PROCESS

Government must be understanding and responsive to needs of the people, their environment and economy, so that the creation of an insensitive and indecisive administrative process is avoided.

To further safeguard the growth policy of the state of Florida, the legislature shall review all rules and regulations promulgated by agencies of state government to insure the statutory authority of said rules and regulations and to safeguard the public from said rules and regulations that have the full force and effect of law.

BE IT FURTHER RESOLVED that his concurrent resolution shall be a broad policy guide for the state and local government. It shall be reviewed annually by the legislature and implementation shall require legislative approval unless previously embodied in the statutes of the state.

The Journal of May 8 was corrected and approved.

The Journal of May 1 was further corrected and approved as follows:

Page 301, column 1, between lines 12 and 13 insert:

Senators Firestone and Zinkil offered the following amendment to Amendment 1 which was moved by Senator Firestone and adopted:

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:01 p.m. to convene at 2:00 p.m., May 13, 1974.