

# JOURNAL OF THE FLORIDA SENATE

Monday, May 20, 1974

The Senate was called to order by the President 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 by title and referred as indicated:

By Senators Childers and Johnston—

SCR 1104—A concurrent resolution honoring Miss Susan Walden, Florida's Junior Miss for 1974 and third runner-up in America's Junior Miss Pageant.

—to calendar.

The Senate was called to order by the President at 10:00 a.m. A quorum present—35:

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

Excused: Senator Winn for the morning session.

Prayer by the Senate Chaplain:

We come, our God, in yet another week with all its prospects and possibilities. The respite of the weekend calls our weaker selves to the less complicated life of recreation but our better and stronger selves accept the challenge of meaningful activity to which we have committed ourselves.

Help these Senators not to doubt their calling to government for doubt destroys peace of mind and makes us weak: It makes us cynics. So we come doubting neither you nor ourselves but offering the best we have for the most we can do for our people. Amen.

The Senate pledged allegiance to the flag of the United States of America.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Monday, May 20, 1974, from 10:00 a.m. to 11:00 a.m.:

SB 124 CS for SB 278

Local Bill Calendar

Special and Continuing Order starting at 11:00 a.m.: SB 1100

In the event final action is taken on SB 1100 take up Special Order as follows:

SB 485	SB 138	HB 2099
SB 429	HB 2922	HB 1911
SB 362	SB 643	SB 403
SB 941	SB 828	SB 431
SB 71	SB 529	SB 519
CS for HB 99	SB 758	SB 1020
HB 3287	SB 817	CS for CS for HB 3096
SB 579	HB 580	
SB 173	SB 904	

Respectfully submitted,  
*Dempsey J. Barron, Chairman*

The Committee on Rules and Calendar recommends that the following bills be placed on the Local Calendar for May 20, 1974:

SB 199	SB 1095	CS for HB	HB 3461
SB 693	SB 1096	3279	HB 3462
SB 694	SB 1097	HB 3298	HB 3463
SB 746	SB 1098	HB 3299	HB 3464
SB 1081	SB 1099	HB 3332	HB 3465
SB 1083	SB 1103	HB 3333	HB 3466
SB 1084	HB 2954	HB 3338	HB 3479
SB 1087	HB 3219	CS for HB	HB 3480
SB 1088	HB 3220	3362	HB 3481
SB 1090	HB 3221	HB 3389	HB 3482
SB 1092	HB 3237	HB 3414	HB 3484
SB 1093	CS for HB	HB 3459	HB 3399
SB 1094	3275	HB 3460	SB 1101

*Dempsey J. Barron, Chairman*

The Committee on Education recommends the following pass:

SB 658 with 4 amendments SB 487  
SB 659 SB 1004 with 7 amendments

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

The Committee on Health and Rehabilitative Services recommends the following pass: SB 897 with 1 amendment.

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

The Committee on Commerce recommends the following pass:

SB 791 with 1 amendment SB 991 HB 3956  
HB 3487

The Committee on Criminal Justice recommends the following pass:

HB 544 HB 3006 HB 1871 with 3 amendments

The Committee on Education recommends the following pass:

HB 714 HB 2543  
HB 1990 SB 945 with 3 amendments  
HB 2496 with 3 amendments SB 975

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

SB 263	SB 1019 with 3 amendments
SM 385	CS for HB 701
SB 906 with 1 amendment	HB 1836
SJR 917 with 2 amendments	HB 2086
SB 982	HB 2802 with 2 amendments
SB 1014	

The Committee on Ways and Means recommends the following pass:

SB 553	HB 1293 with 4 amendments
SB 698 with 2 amendments	HB 1315
SB 829 with 1 amendment	HB 1408
SB 870 with 1 amendment	HB 1554
SB 931	HB 3422
SB 965	HB 3424 with 1 amendment
SB 971 with 4 amendments	CS for HB 2747 and 3113
HB 851	with 4 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 866 (and 949)

The bill with Committee Substitute attached was referred to the Committee on Ways and Means under the original reference for SB 949.



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

- SB 288 by Senator Johnson
- SB 635 by Senator Childers
- HB 371 by Representative Melvin
- SM 901 by Senator Henderson
- SB 970 by Senator Gillespie
- SB 972 by Senator Firestone
- SB 1074 by Senator Graham

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

- SB 141 Senator Poston
- SB 196 by Senator Lewis
- SB 221 by Senator Plante
- SB 308 by Transportation Committee
- SB 319 by Senator Poston
- SB 548 by Senator Gillespie
- SB 549 by Senator Childers
- SB 560 by Senator Stolzenburg
- SB 575 by Transportation Committee
- SB 735 by Senator Brantley
- SB 795 by Transportation Committee
- SB 832 by Senator Stolzenburg
- SB 837 by Senators Trask and Peterson
- SB 852 by Senator Johnson
- SB 954 by Senator Williams
- SB 992 by Senator Poston
- HB 1546 by Representative McPherson
- HB 1963 by Transportation Committee and Rep. Holloway
- HB 2088 by Transportation Committee
- HB 2389 by Transportation Committee
- HB 2972 by Representative Spicola
- HB 3122 by Representative Holloway
- HB 3141 by Representative Holloway

**EXECUTIVE BUSINESS**

By direction of the President, the following communications and certificates were read:

Honorable Joe Brown  
Secretary of the Senate  
The Capitol  
May 16, 1974

Dear Mr. Brown:

Pursuant to the provisions of Section 112.071 (1), (b), Florida Statutes, we are enclosing a certificate listing the name of a person for whom a commission has been prepared and which is subject to confirmation by the Senate.

With kind regards, I remain

Cordially,  
**RICHARD (DICK) STONE**  
Secretary of State  
By (Mrs.) Dorothy W. Glisson  
Director, Division of Elections

I, Richard (Dick) Stone, Secretary of State of the State of Florida, do hereby certify that pursuant to the provisions of Section 112.071 (1), (b), Florida Statutes, a commission which is subject to Confirmation by the Senate has been prepared for the following:

NAME	OFFICE	FOR TERM ENDING
Henry V. Haskins Key West	Harbor Master, Port of Key West, Monroe County	February 8, 1976



Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Sixteenth day of May A. D. 1974

**RICHARD (DICK) STONE**  
Secretary of State

Which was referred to the Committee on Natural Resources and Conservation.

Honorable Joe Brown  
Secretary of the Senate  
The Capitol

May 16, 1974

Dear Mr. Brown:

Pursuant to the provisions of Section 112.071 (1), (b), Florida Statutes, we are enclosing a certificate listing the name of a person for whom a commission has been prepared and which is subject to confirmation by the Senate.

With kind regards, I remain

Cordially,  
**RICHARD (DICK) STONE**  
Secretary of State  
By (Mrs.) Dorothy W. Glisson  
Director, Division of Elections

I, Richard (Dick) Stone, Secretary of State of the State of Florida, do hereby certify that pursuant to the provisions of Section 112.071 (1), (b), Florida Statutes, a commission which is subject to Confirmation by the Senate has been prepared for the following:

NAME	OFFICE	FOR TERM ENDING
Mark D. Hollis Lakeland	Member, Pollution Control Board	Pleasure of the Governor



Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Sixteenth day of May A. D. 1974

**RICHARD (DICK) STONE**  
Secretary of State

Which was referred to the Committee on Natural Resources and Conservation.

**MESSAGE FROM THE GOVERNOR**

The Governor advised that he had filed in the office of the Secretary of State Senate Bills 683 and 532 which he had approved on May 17.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Mallory E. Horne, President* May 17, 1974

I am directed to inform the Senate that the House of Representatives has adopted SCR 1082.

*Allen Morris, Clerk*

*The Honorable Mallory E. Horne, President* May 17, 1974

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

SB 80 SB 340

*Allen Morris, Clerk*

The bills contained in the above messages were ordered enrolled.

*The Honorable Mallory E. Horne, President* May 17, 1974

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

By Senator Horne and others—

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.

(amendments attached)

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment (1)**—On page 1, line 24, strike everything after the enacting clause and insert the following:

Section 1. Section 242.333, Florida Statutes, is hereby created to read:

242.333 Verle Allyn Pope Complex for the Deaf.—

The Board of Trustees of the Florida School for the Deaf and Blind, located in St. Johns County, shall designate a portion of the school as "The Verle Allyn Pope Complex for the Deaf," in tribute to the late Senator Verle Allyn Pope.

Section 2. This act shall take effect upon becoming a law.

**Amendment (3)**—On page 1, lines 3-10, strike all of title and insert the following: A bill to be entitled An act relating to the Florida School for the Deaf and Blind; creating §242.333, Florida Statutes, providing that the Board of Trustees of the Florida School for the Deaf and Blind shall designate a portion of the school as the Verle Allyn Pope Complex for the Deaf, in honor of the late Senator Verle Allyn Pope; providing an effective date.

On motions by Senator Saunders, the Senate concurred in House amendments 1 and 3 to SB 1091.

SB 1091 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—30

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

Nays—None

By unanimous consent Senators Pettigrew, Johnston and Winn were recorded as voting yea.

*The Honorable Mallory E. Horne, President*      **May 17, 1974**

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

By the Committee on Consumer Affairs—

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

(amendment attached)

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 1, lines 16 & 17, strike or any of the rules and regulations promulgated by the department

On motion by Senator Trask, the Senate refused to concur in the House amendment to SB 300, and the House was requested to recede therefrom. The action, with the bill and amendment, was certified to the House.

*The Honorable Mallory E. Horne, President*      **May 17, 1974**

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

By the Committee on Governmental Operations—

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

(amendments attached)

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 1 & 2, strike everything after the enacting clause and insert: Section 1. Section 110.0611, Florida Statutes, is created to read:

110.0611 Personnel information system; payroll procedures.— The department of administration, division of personnel, shall establish and maintain in coordination with the office of comptroller's payroll system; a complete personnel information system for all authorized and established positions in the state service with the exception of employees of the legislature. The specifications shall be developed in conjunction with the office of comptroller's payroll system and in coordination with the auditor general. The office of comptroller shall determine that the position occupied by the employee has been authorized and established in accordance with the provisions of Section 216.251, F.S. The department of administration shall develop and maintain a position numbering system that will identify each established position and such information shall be a part of the office of comptroller's payroll system. With the exception of employees of the legislature, this system shall include all career service positions and those positions exempted from career service provisions notwithstanding the funding source of the salary payments and including information regarding persons receiving payments from other sources. Necessary revisions will be made in the personnel and payroll procedures of the state, to avoid duplication insofar as is feasible. A report shall be furnished to the head of each state agency periodically and shall include, but not be limited to, each employee's name, length of service with the state, current salary, position classification and whether the employee is overlapped, in a multiple-filled position, or hired out of class. A listing by department, division, or agency shall be presented to the speaker of the house of representatives and the president of the senate by March 1, 1975, and each year thereafter and shall, as of February 1, show filled positions, exempt or nonexempt from career service, and vacant positions, turnover percentages by classes of positions for each department, division or agency and statewide turnover percentages by classes of positions, and the number of employees who have been hired out of their salary classification.

Section 2. This act shall take effect upon becoming a law.

**Amendment (2)**—On page 1, lines 3—10, strike the entire title and insert: A bill to be entitled An act relating to government operations; creating §110.0611, Florida Statutes, providing for a personnel information system for all authorized and established positions in state service; excluding legislative employees; in conjunction with the state payroll system established and maintained by office of comptroller; providing an effective date.

On motions by Senator Firestone, the Senate concurred in House amendments 1 and 2 to CS for SB 99.

CS for SB 99 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

## Yeas—30

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

## Nays—None

By unanimous consent Senators Pettigrew, Johnston and Winn were recorded as voting yea.

*The Honorable Mallory E. Horne, President* May 17, 1974

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

By Senator Firestone—

SB 334—A bill to be entitled An act relating to savings associations; amending §665.111(1), Florida Statutes, 1973, providing that access to certain books and records of certain savings associations shall be open to inspection by legislative subpoena as provided by law; providing for confidentiality; providing an effective date.

(amendments attached)

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment (1)**—On page 2, lines 19—20, strike *impeachment of or a criminal indictment of a public official*, and insert the following: *investigation of charges against any officer subject to impeachment*.

**Amendment (2)**—On page 2, line 25, after the period “.” insert the following:

*Any violation of the provisions of this section relating to an unlawful disclosure of confidential information is a felony of the third degree, punishable as provided for in §775.082, §775.083, or §775.084.*

**Amendment (3)**—On page 1, line 9, after the semicolon “;” insert the following: providing a penalty;

On motions by Senator Firestone, the Senate concurred in House amendments 1, 2 and 3 to SB 334.

SB 334 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

## Yeas—30

Mr. President	Graham	Pettigrew	Sykes
Brantley	Gruber	Plante	Trask
Childers	Henderson	Poston	Ware
Deeb	Johnson	Saunders	Weber
Firestone	Lane (23rd)	Saylor	Wilson
Gallen	Lewis	Scarborough	Zinkil
Gillespie	McClain	Sims	
Gordon	Peterson	Smathers	

## Nays—None

By unanimous consent Senator Lewis changed his vote from yea to nay; Senators Johnston, Williams and Winn were recorded as voting yea.

*The Honorable Mallory E. Horne, President* May 17, 1974

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

By Senator Firestone—

SB 335—A bill to be entitled An act relating to bank and trust companies; amending §658.10(1), Florida Statutes, 1973, providing that applications, examination reports, and investigation reports may be disclosed or made public in response to a legislative subpoena; providing for confidentiality under certain circumstances; providing an effective date.

(Amendments attached)

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment (1)**—On page 2, lines 24-25, strike *impeachment of or a criminal indictment of a public official*, and insert the following: *investigation of charges against any officer subject to impeachment*.

**Amendment (2)**—On page 2, line 26, after the period “.” insert:

*(b) Violation of the provisions of this subsection relating to an unlawful disclosure of confidential information is a felony of the third degree punishable as provided for in §775.082, §775.083, or §775.084.*

**Amendment (3)**—On page 1, line 18, after “(1)” insert: *(a)*

**Amendment (4)**—On page 1 in title, line 9, after the semicolon “;” insert: providing a penalty;

On motions by Senator Firestone, the Senate concurred in House amendments 1, 2, 3 and 4 to SB 335.

SB 335 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

## Yeas—30

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

## Nays—1

Lewis

By unanimous consent Senators Winn and Johnston were recorded as voting yea.

*The Honorable Mallory E. Horne, President* May 17, 1974

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

By Senator Gillespie—

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

(Amendments attached)

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment No. 1**—On page 1, line 27, after the words “garnishee of” add the following: the defendant and

**Amendment No. 2**—On page 1, line 30, after the words “or by mail on” insert the following: the defendant and

**Amendment No. 3**—On page 2, lines 4—7, strike everything beginning with the word "At" on line 4 through the period "." on line 7.

On motions by Senator Gillespie, the Senate concurred in House amendments 1, 2 and 3 to SB 264.

SB 264 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—31

Mr. President	Gordon	Pettigrew	Sykes
Brantley	Gruber	Plante	Vogt
Childers	Henderson	Poston	Ware
Deeb	Johnson	Sayler	Weber
Firestone	Lane (23rd)	Scarborough	Williams
Gallen	Lewis	Sims	Wilson
Gillespie	McClain	Smathers	Zinkil
Glisson	Peterson	Stolzenburg	

Nays—None

By unanimous consent Senators Graham, Johnston and Winn were recorded as voting yea.

*The Honorable Mallory E. Horne, President* May 17, 1974

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

By Senator Gillespie—

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

(amendment attached)

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment (1)**—On page 2, lines 10 & 11, strike October 1, 1974 and insert: upon becoming law.

On motion by Senator Gillespie, the Senate concurred in the House amendment to SB 937.

SB 937 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—31

Mr. President	Gordon	Pettigrew	Sykes
Brantley	Gruber	Plante	Vogt
Childers	Henderson	Poston	Ware
Deeb	Johnson	Sayler	Weber
Firestone	Lane (23rd)	Scarborough	Williams
Gallen	Lewis	Sims	Wilson
Gillespie	McClain	Smathers	Zinkil
Glisson	Peterson	Stolzenburg	

Nays—None

By unanimous consent Senators Graham, Johnston and Winn were recorded as voting yea.

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

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 2606 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Finance & Taxation and Representative Baumgartner—

**CS for HB 2606**—A bill to be entitled An act relating to sales and use tax; amending subsection (4) of section 212.03, Florida Statutes, to reduce the residency requirement for exemption from the transient rentals tax from twelve (12) months to one hundred and twenty (120) days; providing for a loss of exemption if a person moves; repealing subsection (7) of section 212.03, Florida Statutes, which provides an exemption from the transient rentals tax for facilities intended primarily for rental as a principal or permanent place of residence; providing an effective date.

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

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

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3109 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Williamson and Poole—

**HB 3109**—A bill to be entitled An act relating to elections; amending §101.33, Florida Statutes, providing that there be one voting machine available for every five hundred registered electors; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 17, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3980 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Education—

**HB 3980**—A bill to be entitled An act relating to education; amending §§163.165(2), 163.185(5), 163.205, 163.260, 163.265(2), 163.270(2)(c), 163.280(2)(b), 163.295, 177.041, 235.15, and 235.19(1), Florida Statutes, and adding subsection (3) to §177.081, Florida Statutes; providing that education and school siting be a consideration in county and municipal plans for future development; requiring that subdivision plats be filed with the local district school board and be used in development of the district comprehensive plan; providing requirements for school sites in subdivision plans and plats; requiring that copies of surveys of district school systems be filed with the local planning commission; 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 16, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3562 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Holloway and Nelson—

**HB 3562**—A bill to be entitled An act relating to transportation; amending section 334.062, F. S., providing that the five road districts shall be five field operation districts; providing that the secretary may revise the boundaries of the field operation districts; amending section 334.14(4), F. S., providing that the position title of district engineer be changed to that of director; authorizing additional offices within the road districts; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 17, 1974

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

HB 3968 HB 2728

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Judiciary—

HB 3968—A bill to be entitled An act relating to statutory construction; creating section 1.04, Florida Statutes; providing for the construction of acts passed during the same session of the legislature.

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

By Representative Title—

HB 2728—A bill to be entitled An act relating to taking of marine corals and sea fans; amending §2 of chapter 73-145, Laws of Florida, appearing as §370.114(2), Florida Statutes, 1973; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 21, 1974

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

HB 296 HB 3697

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Nuckolls and Smith—

HB 296—A bill to be entitled An act relating to arrest powers; granting arrest powers to agents of the United States Secret Service; providing that trial jurisdiction shall remain with the governmental agency having jurisdiction at the scene of an arrest; providing certain restrictions; providing an effective date.

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

By Representative Hartnett (by request)—

HB 3697—A bill to be entitled An act relating to intergovernmental programs; authorizing local governmental units to enter into interlocal agreements with the Florida highway patrol, to provide for the highway patrol to exercise its duties, functions and powers within the jurisdiction of such local governmental units; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 17, 1974

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

HB 3395 HB 3672 HB 3628 CS for HB 3793

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Williamson and others—

HB 3395—A bill to be entitled An act relating to mortgages; adding subsection (3) to §697.01, Florida Statutes, 1973, defining the term purchase-money mortgage; creating §697.06, Florida Statutes, providing that mortgagors may prepay mortgages without penalty when the mortgage note is silent with respect to prepayment; providing an effective date.

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

By Representative Tucker and others—

HB 3672—A bill to be entitled An act relating to the naming of state buildings; authorizing and directing the board of regents to name the union complex at Florida State University "Roscoe R. Oglesby Union"; providing an effective date.

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

By Representative MacKay and others—

HB 3628—A bill to be entitled An act relating to the Florida energy committee; amending Section 2(2), (4)(b), (5) and Section 5 of Chapter 73-130, Laws of Florida; providing for a one year extension in tenure and a study of growth and energy demand; providing an effective date.

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

By the Committee on Insurance and Representative Birchfield—

CS for HB 3793—A bill to be entitled An act relating to the department of insurance and to non-profit tax exempt corporations and charitable trusts which have been in operation for ten (10) years and which have qualified as an exempt organization under the Internal Revenue Code, 26 U.S.C., §501(c)(3); creating §627.481, Florida Statutes, to authorize such corporations or trusts to obtain a special permit to enter into annuity agreements; providing for the filing of forms and annuity rates; requiring reserves and assets; authorizing reinsurance and specifying certain investments with exceptions; authorizing the department to require certain statements; exempting such corporations or trusts from the provisions of the insurance code in entering into annuity agreements under a special permit; requiring language in certain annuity agreements to protect state assets from recourse by donors and annuitants; 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 16, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3475 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Birchfield and others—

HB 3475—A bill to be entitled An act relating to newspapers in which legal and official advertisements may be published, amending §50.031, Florida Statutes, to allow legal and official advertisements to be published in a newspaper which has been in existence for one (1) year and has been entered as second class mail matter at a post office in the county where published; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 17, 1974

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

HB 3323 HB 3967 HB 2940 HB 3235

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Dick Clark (by request)—

HB 3323—A bill to be entitled An act relating to minors; amending §743.06, Florida Statutes of 1973; providing that any minor who has reached the age of 17 years may give consent to the donation of his blood and to the penetration of tissue

which is necessary to accomplish such donation without the prior consent of the parent or parents of such a minor; providing an effective date.

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

By Committee on Judiciary and Representative Lockward—

**HB 3967**—A bill to be entitled An act relating to constructive service of process; amending §§49.031(2), 49.10(1) and 49.12, Florida Statutes, to authorize posting of notices of action on behalf of insolvent persons; providing an effective date.

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

By Representatives Turlington and Andrews—

**HB 2940**—A bill to be entitled An act relating to caves and caverns; prohibiting any person without permission of the owner to injure any natural or cultural material, or to injure or collect any plant, refuse, artifacts, living creature, or biologic life form in any cave or cavern, or to disturb any structure designed to obstruct entrance to any cave or cavern; providing penalties; providing an effective date.

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

By Representative Crabtree—

**HB 3235**—A bill to be entitled An act relating to unlawful detainer; creating §82.001, Florida Statutes; providing that the remedy for unlawful detention is available only for cases not covered by Part II of Chapter 83, Florida Statutes, 1973; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 17, 1974

I am directed to inform the Senate that the House of Representatives has passed HB 3146 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Andrews and others—

**HB 3146**—A bill to be entitled An act relating to coroner's juries; amending §936.04, Florida Statutes, 1971, as amended by chapter 73-334, Laws of Florida, to allow women to serve on coroner's juries; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 17, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 2703 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Hector—

**HB 2703**—A bill to be entitled An act relating to penalties for violation of rules and regulations promulgated by state agencies; providing legislative intent; providing for statutory interpretation by specific reference; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 17, 1974

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

**HB 3059**      **HB 3385**      **HB 3447**      **HB 3559**

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Agriculture & Citrus—

**HB 3059**—A bill to be entitled An act relating to the department of agriculture and consumer services; amending §570.10(1), Florida Statutes, 1973, removing certain provisions relating to the number, qualifications, assignment, removal, and compensation of members of the department's legal staff; repealing §570.10(5), Florida Statutes, 1973, which provides for the employment of a part-time attorney as counsel for the division of plant industry; providing an effective date.

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

By Representative Tolton—

**HB 3447**—A bill to be entitled An act relating to elections; amending §106.08(3), Florida Statutes, 1973, relating to limitations on contributions through or in the name of another, to remove the reference to religious groups; providing an effective date.

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

By Representative Hodes—

**HB 3559**—A bill to be entitled An act relating to mental health; amending subsection (4) of section 394.76, Florida Statutes, which relates to the state's share of financial participation in community mental health services, to clearly define the formula for determining the state's share; increasing the level of the state's financial participation to 75 percent; providing an effective date.

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

By Representative Andrews—

**HB 3385**—A bill to be entitled An act relating to cigarette tax law; adding subsection (3) to §210.10, Florida Statutes, providing subpoena powers for division of beverage; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 17, 1974

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

**HB 3821**      **HB 3364**      **HB 2849**  
**HB 3236**      **HB 4016**

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Harris—

**HB 3821**—A bill to be entitled An act relating to charitable pledges and subscriptions; providing that the act shall not apply to pledges of \$5,000 or less; providing for under certain circumstances enforceability; providing an effective date.

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

By Representatives Langley and Cherry—

**HB 3364**—A bill to be entitled An act relating to corrections; providing a lien in favor of the division of corrections of the department of health and rehabilitative services for the costs of imprisonment upon royalties payable to or accruing to the benefit of a prisoner from any literary, cinematic, or other account of the crime for which he is imprisoned; providing for the distribution of any funds collected; providing an effective date.

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

By Representative Spicola—

**HB 2849**—A bill to be entitled An act relating to pollution control; providing for sewage treatment project funding and

priorities; requiring the department of pollution control to publish certain information; amending section 403.1829, Florida Statutes; providing an effective date.

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

By Representative Crabtree—

**HB 3236**—A bill to be entitled An act relating to obtaining lodging with intent to defraud; amending Section 509.151, Florida Statutes, as amended by Chapter 73-325 Section 10, Laws of Florida, to limit its applicability to transient occupants; providing an effective date.

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

By the Committee on Judiciary—

**HB 4016**—A bill to be entitled An act relating to claims against the state; amending §768.28(9), Florida Statutes, as created by chapter 73-313, Laws of Florida; providing for the inclusion of agents as persons who shall not be personally liable for certain acts; providing that the state shall pay monetary judgments within certain limitations which are rendered in civil actions personally against an officer, employee, or agent of the state; repealing sections 2 and 3 of chapter 73-313, Laws of Florida, appearing as §768.29, Florida Statutes; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 17, 1974

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

CS for HB 2235 CS for HB 2898

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

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

**CS for HB 2235**—A bill to be entitled An act relating to veterans; amending §295.02, Florida Statutes, 1972 Supplement, relating to funds for the payment of fees for children of certain veterans attending certain schools in the state; amending §295.04, Florida Statutes, 1971, to remove the dollar limitation on certain benefits provided for the children of veterans who attend certain schools in the state; providing an effective date.

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

By the Committee on Governmental Operations and Representatives David Clark and Easley—

**CS for HB 2898**—A bill to be entitled An act relating to public documents; providing legislative intent; amending section 11.45(6)(c), Florida Statutes, 1973, to include an examination of public documents in the auditor general's reports; creating a new subsection (3) of section 257.05, Florida Statutes, 1973, to include a list of all periodic and non-periodic public documents in the materials to be given the division of library services; creating section 283.29, Florida Statutes, to provide for purging of mailing lists for periodic public documents; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 17, 1974

I am directed to inform the Senate that the House of Representatives has passed— **HB 3281** **HB 3759**

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Moudry—

**HB 3281**—A bill to be entitled An act relating to charity racing days; amending §550.03(1), Florida Statutes, 1973, authorizing the board of business regulation to extend the time limitations for jai alai operations at certain frontons to an additional charity day, the proceeds of which shall go to the Civic Opera of Palm Beach; providing an effective date.

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

By Representative Ryals—

**HB 3759**—A bill to be entitled An act relating to charity racing days; amending subsection (1) of §550.03, Florida Statutes, to provide for an additional charity day for any track or fronton in Hillsborough County with the proceeds of said day to be paid to the Brandon Cultural Center Civic Association; 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 17, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3416 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Sackett—

**HB 3416**—A bill to be entitled An act relating to medical practice; providing that no person shall break or in any way interrupt the integrity of the skin of another for cosmetic reconstruction unless licensed under chapter 458, 459, 461, 462, 464, or 466, Florida Statutes; making a violation a misdemeanor of the first degree; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 17, 1974

I am directed to inform the Senate that the House of Representatives has passed CS for HB 2815 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Health & Rehabilitative Services and Representative Peaden—

**CS for HB 2815**—A bill to be entitled An act relating to imprisonment; amending §922.051, Florida Statutes, 1971, to provide that prisoners may be sentenced to the county penal or correctional institution other than the county jail instead of a state prison, if the total of the prisoner's cumulative sentences is not more than three (3) years; and to the county jail if the total of the prisoner's sentence is not more than one (1) year; providing an effective date.

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

#### SPECIAL ORDER

**SB 124**—A bill to be entitled An act relating to the Big Cypress Area; amending section 380.055(2)(a) and (b), Florida Statutes, to remove certain lands from the described boundaries of the area; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was moved by Senator Weber:

**Amendment 1**—On page 1, lines 19 through 29, and on page 2, lines 1 through 20, strike all of Section (2), subsection (a) and insert: (a) The term "Big Cypress Area" means the area generally depicted on the map entitled "Boundary Map, Big

Cypress National Fresh Water Reserve, Florida," numbered BC-91,001 and dated November 1971, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior, Washington, D. C., and in the office of the trustees of the internal improvement trust fund, Tallahassee, which is the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, ~~together with such contiguous land and water areas as are ecologically linked with the Everglades National Park, certain of the estuarine fisheries of south Florida, or the fresh water aquifer of south Florida, whose definitive boundaries shall be set in the following manner,~~ together with the following described lands:

Parcel #1—A tract of land lying in Collier County, Florida, more particularly described as follows:

- (1) Beginning at a point on the southerly right of way line of State Road 84 (Alligator Alley) and the northwest corner of Section 1, Township 50 South, Range 28 East run; thence
- (2) East along the southerly right of way line of State Road 84 (Alligator Alley) 9 miles to the northeast corner of Section 5, Township 50 South, Range 30 East; thence
- (3) South and southwesterly on a course 1 mile, more or less, east of and parallel to the easterly right of way line of State Road 29 to the southwest corner of Section 31, Township 52 South, Range 30 East; thence
- (4) South 2 miles, more or less, to a point on the Everglades National Park boundary line being the southwest corner of Section 7, Township 53 South, Range 30 East; thence
- (5) In a southerly, westerly and northerly direction along the boundary of the Everglades National Park to the point which is the western most point of the Everglades National Park adjacent to Round Key of the Ten Thousand Islands in Gullivan Bay; thence
- (6) On a line in a Westerly direction one mile seaward of the most Southerly of the Ten Thousand Islands to a point, which point is the Southeastern tip of Cape Romano; in Section 15, Township 53 South, Range 26 East; thence
- (7) Turning and running Northwesterly along the West shore of Morgan Beach to a point in the South side of Caxambas Pass, which point is the Northeast corner of Section 32 in Township 52 South, Range 26 East; thence
- (8) In Easterly and Northerly direction across Caxambas Pass, Barfield Bay and Blue Hill Creek along the mean high tide line of the South shore of Marco Island and continuing along the South and East shore of Goodland to a point, which point is the point of intersection of the South right of way line of State Road 92 with the South line of Section 18 in Township 52 South, Range 27 East; thence
- (9) In a Northeasterly direction along the South right of way line of State Road 92 to its point of intersection with the West line of Section 33 in Township 51 South, Range 27 East; thence
- (10) Turning and running South along the West line of Section 33 in Township 51 South, Range 27 East; thence Still South along the West line of Sections 4, 9 and 16 in Township 52 South, Range 27 East, a distance of three miles; thence
- (11) Turning and running East along the South line of Section 16 in Township 52 South, Range 27 East, a distance of one mile; thence
- (12) Turning and running North along the East line of Section 16 in Township 52 South, Range 27 East, a distance of one mile; thence
- (13) Turning and running East along the South line of Section 10 in Township 52 South, Range 27 East, a distance of one mile; thence
- (14) Turning and running North along the East line of Sections 11 and 2 in Township 52 South, Range 27 East, a distance of two miles; thence
- (15) Turning and running East along the boundary line between Townships 51 and 52 South which line is also the South line of Section 35, in Township 51 South, Range 27 East, a distance of one mile; thence
- (16) Turning and running North along the East line of Sections 35 and 26 in Township 51 South, Range 27 East, a distance of two miles; thence
- (17) Turning and running East along the North line of Section 25 in Township 51 South, Range 27 East and the North line of Sections 30, 29, 28, 27 and 26 in Township 51 South, Range 28 East, a distance of six miles; thence
- (18) Turning and running North along the West line of Sections 24, 13, 12 and 1 in Township 51 South, Range 28 East and North along the West line of Sections 36, 25, 24, 13, 12 and 1 in Township 50 South, Range 28 East, a distance of ten miles to the point or place of beginning.

Parcel #2—A tract of land lying in Collier County, Florida, more particularly described as follows:

- (1) Beginning at a point on the southerly right of way line of State Road 84 (Alligator Alley) which point is the northwest corner of Section 5, Township 50 South, Range 32 East, thence
- (2) East along the southerly right of way line of State Road 84 (Alligator Alley) to its point of intersection with the westerly right of way line of Canal L-28, a distance of 16 miles, thence
- (3) In a southeasterly direction along the southerly right of way line of Canal L-28 to its point of intersection with the boundary line between Collier and Broward Counties, thence
- (4) South along the boundary line between Collier and Broward Counties and Collier and Dade Counties, a distance of 6 miles to a point, which point is the southeast corner of Section 1, Township 51 South, Range 34 East, thence
- (5) West along the south line of Sections 1 and 2, Township 51 South, Range 34 East, a distance of 2 miles, thence
- (6) North along the west line of Section 2, Township 51 South, Range 34 East, a distance of 1 mile, thence
- (7) West along the north line of Sections 3, 4 and 5, Township 51 South, Range 34 East, a distance of 3 miles, thence
- (8) North along the east line of unsurveyed Section 31, Township 50 South, Range 34 East, a distance of 1 mile, thence
- (9) West along the north line of unsurveyed Section 31, Township 50 South, Range 34 East and Section 36, Township 50 South, Range 33 East, a distance of 2 miles, thence
- (10) North along the west line of Section 25, Township 50 South, Range 33 East, a distance of 1 mile, thence
- (11) West along the north line of Sections 26, 27, 28 and 29, Township 50 South, Range 33 East, a distance of 4 miles, thence
- (12) North along the east line of Section 19, Township 50 South, Range 33 East, a distance of 1 mile, thence
- (13) West along the north line of Section 19, Township 50 South, Range 33 East and Sections 24 and 23, Township 50 South, Range 32 East, a distance of 3 miles, thence
- (14) North along the east line of Section 15, Township 50 South, Range 32 East, a distance of 1 mile, thence
- (15) West along the north line of Section 15, Township 50 South, Range 32 East, a distance of 1 mile, thence
- (16) North along the east line of Section 9, Township 50 South, Range 32 East, a distance of 1 mile, thence
- (17) West along the north line of Sections 9 and 8, Township 50 South, Range 32 East, a distance of 2 miles, thence
- (18) North along the east line of irregular Section 6, Township 50 South, Range 32 East, a distance of 2 miles, more or less to the Point of Beginning.

Within one hundred twenty days following the effective date of this act, the state land planning agency shall recommend ~~land development regulations definitive boundaries~~ for the Big Cypress Area to the administration commission, after giving notice to all local governments and regional planning agencies which include within their boundaries any part of the ~~area proposed to be included in the Big Cypress Area~~ and holding such hearings as the state land planning agency deems appropriate. Within forty-five days following receipt of the recommended ~~land development regulations boundaries~~, the administration commission shall ~~either reject the recommendation as tendered or adopt the same by rule with or without modification. The commission shall specify the extent to which regulations adopted pursuant to this act supersede local land development regulations. adopt, modify or reject the recommendation and shall by rule establish the boundaries of the area defined as the Big Cypress Area.~~

Senator Henderson moved the following substitute amendment:

**Amendment 2**—On page 1, line 10, strike everything after the enacting clause and insert: Section 1. Within 90 days after the effective date of this act, the division of state planning, in cooperation with the board of trustees of the internal improvement trust fund and the united states geological survey, shall review the area of the big cypress area of critical state concern, located above alligator alley, exclusive of the proposed purchase area, and shall determine the exact boundary of the Okaloacoochee Slough and related flood prone and drainage areas. Based on such review, the division of state planning shall recommend to the administration commission any appropriate boundary modifications relative to such areas. Within forty-five days following receipt of such recommendations, the administration commission shall either reject or adopt the same by rule with or without modification.

Section 2. This act shall take effect upon becoming law.

On motion by Senator Weber, further consideration of SB 124 with pending amendments was deferred.

On motion by Senator Lane (31st), by two-thirds vote, the Senate reverted to—

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Mallory E. Horne, President*      May 17, 1974

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

By Senator Lane (31st)—

**SB 50**—A bill to be entitled An act relating to motor vehicle safety equipment; amending Section 325.16, Florida Statutes, to provide that when a vehicle has failed to pass inspection the official receipt and statement shall operate as a temporary permit for the purpose of repairing and reinspecting the vehicle. (amendments attached)

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 1, line 24, after the word "found" insert: , during which time the operator shall not be subject to the penalty as provided in section 316.285, Florida Statutes,

**Amendment 2**—On page 1, lines 24 and 27, strike "ten" and insert: "thirty"

On motions by Senator Lane (31st), the Senate refused to concur in House amendments 1 and 2 to SB 50, and the House was requested to recede therefrom. The action, with the bill and amendments, was certified to the House.

On motion by Senator Saunders, the rules were waived and the staff of the Committee on Ways and Means was granted privileges of the floor.

**SB 1100**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1974 and ending June 30, 1975, to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 216.262, 216.292, 216.301(2), 27.34(1), and 215.32(2)(c), F.S.; providing an effective date.

—was read the second time by title.

On motion by Senator Saunders, the rules were waived and time of adjournment was extended until completion of explanation of SB 1100 by Senator Myers.

On motions by Senator Brantley, Rule 2.5 was waived and the Committee on Commerce was granted permission to consider HM 3336, House Bills 2407 and 2739 this day.

On motion by Senator Williams, Rule 2.5 was waived and the Committee on Governmental Operations was granted permission to consider HB 2898 this day, and in the event consideration thereof is not completed, that it would be considered at the meeting May 21.

On motion by Senator Pettigrew, Rule 2.5 was waived and the Committee on Criminal Justice was granted permission to consider SB 980 this day.

On motion by Senator Poston, Rule 2.5 was waived and the Committee on Transportation was granted permission to consider SB 852 May 21.

By unanimous consent Senator Gruber was recorded as voting yea on the passage of SB 1102 and SB 809 which passed the Senate May 17; yea on Amendment 2a to SB 485 and nay on Amendment 2 to SB 485 on May 17; and yea on SB 809 as amended May 17.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:08 p.m. to reconvene at 2:00 p.m.

#### AFTERNOON SESSION

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

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

On motion by Senator Lewis, HB 3059 was withdrawn from the Committee on Agriculture by two-thirds vote.

On motion by Senator Barron, Rule 2.5 was waived and the Committee on Rules and Calendar was granted permission to consider HB 2703 May 21.

The Senate resumed—

**SB 1100**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1974 and ending June 30, 1975, to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 216.262, 216.292, 216.301(2), 27.34(1), and 215.32(2)(c), F.S.; providing an effective date.

Senator Poston moved the following amendment:

**Amendment 1**—On page 2, Item 13A strike entire Item 13A and proviso pertaining thereto.

Amendment 1 failed by the following vote:

Yeas—17

Childers	Gruber	Poston	Ware
Deeb	Henderson	Sayler	Weber
Gallen	Johnson	Sims	
Gillespie	Johnston	Smathers	
Glisson	Lane (31st)	Sykes	

Nays—20

Brantley	Lane (23rd)	Plante	Vogt
de la Parte	McClain	Saunders	Williams
Firestone	Myers	Scarborough	Wilson
Gordon	Peterson	Stolzenburg	Winn
Graham	Pettigrew	Trask	Zinkil

By unanimous consent Senator Lewis was recorded as voting nay.

Amendment 2 was withdrawn.

Senator Barron offered the following amendment which was moved by Senator Saunders and adopted:

Amendment 3—On page 4, strike Items 57A, 57B, and 57C entirely and insert:

57A. Salaries & Benefits (16 positions)	
From General Revenue Fund	190,000
57B. Expenses	
From General Revenue Fund	70,000
57C. Operating Capital Outlay	
From General Revenue Fund	32,000

Senator Trask moved the following amendment which was adopted:

Amendment 4—On page 9, item 162, strike "\$2,000" and insert: \$27,000

Senator Plante moved the following amendment which was adopted:

Amendment 5—On page 10, Item 191 strike "1,000,000" and insert: 700,000

Senator McClain moved the following amendment:

Amendment 6—On page 12, item 209A strike the entire item (\$100,000)

Amendment 6 was adopted by the following vote:

Yeas—24

Barron	Gruber	Peterson	Sykes
Brantley	Henderson	Plante	Trask
Childers	Johnson	Poston	Vogt
Firestone	Lane (23rd)	Sayler	Ware
Gallen	Lewis	Sims	Weber
Glisson	McClain	Stolzenburg	Zinkil

Nays—11

Gillespie	Johnson	Saunders	Wilson
Gordon	Myers	Smathers	Winn
Graham	Pettigrew	Williams	

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

Senators Johnson, Childers, McClain and Gallen offered the following amendment which was moved by Senator Johnson:

Amendment 7—On page 12, immediately following Item 222 insert:

Item 222A—Santa Rosa County	
From General Rev. Fd.	\$84,340.
From Trust Fund	563,660.

Senator Myers raised a point of order on the amendment stating that it required writing substantive legislation into the appropriations bill because the state did not have the authority to operate nursing homes.

Senator Ware, speaking to the point, stated that the Division of Veterans' Affairs in the Department of Community Affairs presently had authority under Section 292.05 Florida Statutes.

The President ruled the point not well taken based on the authority quoted by Senator Ware.

Senator Deeb moved the following amendment to Amendment 7 which failed:

Amendment 7a—Strike "Santa Rosa County" and insert: Hillsborough County

Amendment 7 failed by the following vote:

Yeas—18

Brantley	Henderson	Poston	Ware
Childers	Johnson	Scarborough	Weber
Deeb	Lane (31st)	Sims	Zinkil
Gallen	Lewis	Stolzenburg	
Glisson	McClain	Sykes	

Nays—19

Barron	Graham	Peterson	Vogt
de la Parte	Gruber	Pettigrew	Williams
Firestone	Johnson	Plante	Wilson
Gillespie	Lane (23rd)	Saunders	Winn
Gordon	Myers	Smathers	

Senator Pettigrew moved the following amendment which failed:

Amendment 8—On page 14, Item 246D, in 7th sub-item strike "\$4,300,000" and insert: \$6,800,000

Senator Johnson moved that the Senate reconsider the vote by which Amendment 7 failed. The motion was adopted by the following vote:

Yeas—21

Brantley	Gordon	Poston	Sykes
Childers	Gruber	Sayler	Ware
Deeb	Henderson	Scarborough	Winn
Gallen	Johnson	Sims	
Gillespie	Johnston	Smathers	
Glisson	McClain	Stolzenburg	

Nays—14

Barron	Lewis	Plante	Williams
Firestone	Myers	Saunders	Wilson
Graham	Peterson	Trask	
Lane (23rd)	Pettigrew	Vogt	

The question recurred on Amendment 7 and the amendment was adopted.

Senator Pettigrew moved the following amendment:

Amendment 9—On page 14, Item 246D, strike 12th sub-item "\$1,026,447,694" and insert: \$912,447,694

On motion by Senator Barron, by two-thirds vote, the Senate scheduled a session for Tuesday, May 21 from 1:30 p.m. until 5:00 p.m.

On motion by Senator Graham, HB 3672 was withdrawn from the Committee on Education by two-thirds vote and placed on the calendar.

On motion by Senator Graham, CS for HB 4026, having been first referred to the Committee on Ways and Means, was also referred to the Committee on Education as the first committee of reference.

On motion by Senator Childers, Rule 2.5 was waived and the Committee on Natural Resources and Conservation was granted permission to consider HB 2849 May 21.

On motion by Senator Poston, Rule 2.5 was waived and the Committee on Transportation was granted permission to consider HB 3562 May 21.

On motion by Senator Henderson, Rule 2.5 was waived and the Committee on Commerce was granted permission to consider SB 999 this day.

The Journal of May 17 was corrected and approved.

#### CO-INTRODUCER

Senator Smathers was recorded as co-introducer of SB 298.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:00 p.m. to convene at 1:30 p.m., May 21, 1974.

LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE  
MAY 13 THROUGH MAY 17

<i>Name &amp; Address</i>	<i>Entity Represented and Address</i>	<i>Legislation Involved: Association with Legislator</i>
Boyd, William L. P.O. Box 5617 Tallahassee, 32301	Shell Oil Company P.O. Box 60193 New Orleans, La. 70160	Matters concerning the company
Carleton, Robertine Palm Beach County Schools Central Office Belvedere Rd. West Palm Beach, 33406	Palm Beach County Schools Belvedere Rd. West Palm Beach, 33406	Exceptional child education
Drum, Ted E. 101 E. Sunrise Blvd. Ft. Lauderdale, 33304	Self and Pine Island 9200 W. State Rd. 84 Ft. Lauderdale, 33304	Annexation and deannexation
Gardner, Lillian B. 330 W. Platt St. Suite 200 Tampa, 33606	Greater Tampa Alcohol Safety Action Project Same	Drinking-driving legislation
Holley, Carol LeVann 330 W. Platt St. Tampa, 33606	Greater Tampa Alcohol Safety Action Project Same	Drinking-driving
Hopping, Wade L. P.O. Box 5617 Tallahassee, 32301	Shell Oil Company P.O. Box 60193 New Orleans, La. 70160	Matters concerning the company
Karl, Frederick B. Barnett Bank Bldg. Tallahassee, 32302	Board of Optometry & F.O.A.	Licensing Law and school creation
Karl, Frederick B. Same as above	Florida E. Co-Op Assoc. Tallahassee	El. Co-Op bills, water and sewer bills
Phillips, James Floyd 1932 Tyler St. Hollywood, 33311	Communications Workers of America, Florida Council Same	Labor and others
Ries, Karen Ziegler 332 Valley Forge Road West Palm Beach, 33405	Better Government/Education Palm Beach County Schools West Palm Beach, 33405	All bills pertaining to education
Schuck, Joe P. 2005 Apalachee Pkwy, S-107 Tallahassee, 32301	Self Same	General
Thompson, Richard C., Jr. 444 N. Dixie Highway Titusville, 32780	Self Same	Prison reform, all matters relating to Civil Rights, legislation relating to teenagers
Wood, Bruce R. 4705 Travertine Dr. Tampa, 33615	Marion Laboratories, Inc. P.O. Box 9627 Kansas City, Mo. 64134	Pharmaceutical industry
Wood, William Stuart Village Sq. Shopping Center, U.S. Highway #1 Tequesta, 33458	Loxahatchee River Environmental Control Dist. Indiantown Road Jupiter, 33458	HB 3889, Palm Beach Co. Solid Waste Authority, amendments to 71-822, Sp. Acts of 1971, general environmental legislation