

# JOURNAL OF THE FLORIDA SENATE

Tuesday, May 21, 1974

The Senate was called to order by the President at 1:30 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	Zinkl

Prayer by the Senate Chaplain:

Dear Lord, we seek once again your wisdom and the counsel of your presence in each of our minds as we continue our deliberations.

Grant us perspective to see beyond economics to people. May our programs ever keep in mind not merely the mechanics of administration but the effectiveness of ministry to the people of our state. Amen.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bill be placed on Special and Continuing Order for Tuesday, May 21, 1974, at 1:30 p.m.:

SB 1100

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

SCR 488	HB 99	SB 828	HB 1911
SB 124	HB 3287	SB 529	SB 408
SB 278	SB 579	SB 758	SB 431
SB 429	SB 173	SB 817	SB 519
SB 362	SB 138	HB 580	SB 1020
SB 941	HB 2922	SB 904	CS for CS for HB 3096
SB 71	SB 643	HB 2099	

Respectfully submitted,  
*Dempsey J. Barron, Chairman*

The Committee on Governmental Operations recommends the following pass:

HB 352(cs 352, 36) with 2 amendments	HB 1543(cs) with 3 amendments
HB 1542(cs 1542, 1370) with 5 amendments	

The Committee on Transportation recommends the following pass: SB 196

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

The Committee on Governmental Operations recommends the following pass: HB 803, HB 2622

The Committee on Judiciary recommends the following pass:

SB 647	HB 2930 with 2 amendments
CS for CS for HB 1605	HB 3405
CS for CS for HB 1739	HB 3955
CS for HB 1830 with 1 amendment	HB 4093

The Committee on Natural Resources and Conservation recommends the following pass:

SB 1	CS for HB 2809
SB 589	HB 2849
CS for HB 584 with 3 amendments	HB 3119 with 1 amendment
CS for HB 1814	HB 3561
CS for HB 2131 & 2132 with 2 amendments	HB 3633
	HB 4018

The Committee on Rules and Calendar recommends the following pass: SJR 125 HB 2346 HB 2708

The Committee on Transportation recommends the following pass:

HB 2812	HB 3086 with 5 amendments
HB 3141 with 2 amendments	HB 2794
HB 2088	

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

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following:

SB 574

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

The Committee on Judiciary recommends the following not pass: HB 2533

The Committee on Natural Resources and Conservation recommends the following not pass: CS for HB 2409

The Committee on Rules and Calendar recommends the following not pass: SB 635

The Committee on Transportation recommends the following not pass:

HB 3710	HB 1963	SB 992
HB 2389	HB 1546	HB 2087

The bills contained in the foregoing reports were laid on the table.

## ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

CS SB 99 with 2 amendments	SB 335 with 4 amendments
SB 264 with 3 amendments	SB 937 with 1 amendment
SB 334 with 3 amendments	SB 1091 with 2 amendments

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

*JOE BROWN, Secretary*

The bills were ordered enrolled.

## ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

SB 34	SB 475
CS for SB 101	CS for SB 518
SB 239	SB 966
SB 325	

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 21, 1974.

*JOE BROWN, Secretary*

Your Enrolling Clerk to whom was referred SB 192 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on May 21, 1974.

JOE BROWN, Secretary

Your Enrolling Clerk to whom was referred—

SB 80 SB 340

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 21, 1974.

JOE BROWN, Secretary

Your Enrolling Clerk to whom was referred CS for SB 727 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on May 21, 1974.

JOE BROWN, Secretary

Your Enrolling Clerk to whom was referred SCR 1082 reports same has been enrolled, signed by the required Constitutional officers and presented to the Secretary of State on May 21, 1974.

JOE BROWN, Secretary

Your Enrolling Clerk to whom was referred—

SCR 784 SCR 1085 SCR 1086

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Secretary of State on May 21, 1974.

JOE BROWN, Secretary

EXECUTIVE BUSINESS

By direction of the President, the following report was read:

Senator Mallory E. Horne May 21, 1974  
 President, The Florida Senate  
 The Capitol

Dear Mr. President:

Your Standing Committee on Criminal Justice to whom was referred for inquiry and recommendation the following appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
William A. Troelstrup Tallahassee	Executive Director, Florida Department of Law Enforcement	Pleasure of Governor and Cabinet

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointment made by the Governor.

Respectfully submitted,  
 RICHARD A. PETTIGREW, RICHARD J. DEEB  
 Chairman JACK D. GORDON  
 KENNETH M. MYERS, TOM JOHNSON  
 Vice Chairman JAMES A. JOHNSTON  
 DAVID H. McCLAIN

On motion by Senator Firestone, the report of the Committee was adopted, and the Senate in open session approved and confirmed the appointment set forth in the foregoing report. The vote was:

Yeas—22

Mr. President	Gruber	Plante	Trask
Brantley	Henderson	Poston	Vogt
Childers	Johnston	Saunders	Winn
Firestone	Lewis	Sayler	Zinkil
Gillespie	McClain	Sims	
Graham	Peterson	Smathers	

Nays—None

By unanimous consent Senators Pettigrew and Gallen were recorded as voting yea.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Gruber, SB 254 was withdrawn from the Committee on Criminal Justice by two-thirds vote and placed on the calendar.

On motion by Senator de la Parte, SB 504 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motion by Senator Lewis, SB 554 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motion by Senator Glisson, SB 260 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motion by Senator Pettigrew, Rule 2.5 was waived and the Committee on Criminal Justice was granted permission to consider House Bills 3385, 3146 and CS for HB 2751 this day.

REQUEST FOR EXTENSION OF TIME

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

SB 23 by Senator Wilson	SB 320 by Senator Poston
SB 33 by Senator Sayler	SJR 348 by Senator Poston
SB 36 by Senator Sykes	SB 361 by Senator Brantley
SB 94 by Senator Wilson	SB 399 by Senator Winn
SB 154 by Senator Gillespie	SB 408 by Senator Wilson
SB 155 by Senators Poston and Henderson	SB 420 by Senator Johnson
SB 190 by Senators Johnson and Henderson	SB 421 by Senator Johnson
SB 229 by Senator Scar- borough	SB 460 by Senator Glisson
SB 241 by Senator Johnson	SB 480 by Senator Pettigrew
SB 243 by Senator Wilson	SB 493 by Senator Gallen
SB 298 by Senator Graham	SB 568 by Senator Zinkil
SB 305 by Senator Pettigrew	HB 603 by Representative Harris
	CS for HB 522 by Commerce Committee

MESSAGE FROM THE GOVERNOR

The Governor advised that he had filed in the office of the Secretary of State SB 212 which he had approved on May 21.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

I am directed to inform the Senate that the House of Representatives has receded from House Amendment 1 and passed SB 300.

Allen Morris, Clerk

The bill contained in the above message was ordered enrolled.

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

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment to House Amendment 1 and requests the Senate to recede.

By Senator Poston—

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

(amendments attached)

Allen Morris, Clerk

House Amendment 1—On page 1, line 27, strike This act shall take effect upon becoming law. and insert the following: after Section 2

*Section 100.102, Florida Statutes, 1973, is created to read:*

*100.102 Cost of special elections to be incurred by the state.—Whenever any special election shall be held as required in §100.101, each county incurring expenses resulting from such special election shall be reimbursed by the state. Reimbursement shall be based upon actual expenses as filed by the supervisor of elections with the county governing body. The department of state shall verify expenses of special elections and authorize payment for reimbursement to each county affected.*

Section 3: Notwithstanding the provisions of chapter 215 F.S. There is hereby appropriated from the Working Capital Fund the amounts sufficient for reimbursement to each county as authorized in section 2 above. Amounts reimbursed to counties may be replenished to the Working Capital Fund by the legislature.

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

#### Senate Amendment 1 to House amendment 1

On page 1, strike all of section 3 and renumber

On motions by Senator Poston, the Senate refused to recede from the amendment to House amendment 1 to SB 470, and a conference committee was requested to adjust the differences between the House and the Senate. The action of the Senate was certified to the House.

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

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 3, 5, and 6 and passed HB 157(cs), as amended.

has refused to concur in Senate Amendments 1, 2, and 4 and requests the Senate to recede.

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.

(amendments attached)

*Allen Morris, Clerk*

Amendment 1—On page 5, continue on line 6: A downward salary adjustment may not be put into effect until one year from the date of the reassignment.

Amendment 2—On page 3, strike all of lines 8 through 11 and insert in Chapter 230: A supervisor or principal may receive a written contract for an initial period not to exceed three years, subject to annual renewal, and such contracts may be subsequently renewed for a period not to exceed three years, which renewal contracts shall contain provisions for dismissal only for just cause and such other provisions as prescribed by the school board.

Amendment 4—On page 5, line 12, insert new subsection (h):  
(h) School boards are authorized to enter into continuing contracts with principals and supervisors who were employed as principals or supervisors on or before the effective date of this act and who otherwise meet the requirements of paragraph (a) of this subsection; provided, however, that this authorization shall expire three years from the effective date of this act or, in any case where the period of service has been extended to four years as provided in paragraph (c) of this subsection, four years from the effective date of this act.

On motions by Senator Graham the Senate refused to recede from Amendments 1, 2, and 4 to HB 157 (cs) and a conference committee was requested to adjust the differences between the House and the Senate. The action of the Senate was certified to the House.

The President appointed Senators Gordon, Lewis and Graham as conferees on the part of the Senate.

On motion by Senator Poston, the President appointed Senators Poston, de la Parte and Myers as a committee to escort into the chamber and to the rostrum Potentates Benjamin Parks, Araba Temple, Naples; Addison Robinson, Egypt Temple, Tampa; Carlos G. Murr, Hadji Temple, Pensacola; Bob Lambdin, Mahi Temple, Miami and Harold Martin, Morocco Temple, Jacksonville.

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

I am directed to inform the Senate that the House of Representatives has adopted as amended HCR 3564 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Ryals and others—

HCR 3564—A concurrent resolution saluting the crippled children's hospitals of the Ancient Arabic Order of the Nobles of the Mystic Shrine of North America.

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

On motion by Senator Poston, by two-thirds vote HCR 3564 was read the second time in full, adopted and certified to the House. The vote was:

Yeas—32

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

Nays—None

SCR 488 was laid on the table.

By unanimous consent Senators Childers and Gallen were recorded as voting yea.

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

I am directed to inform the Senate that the House of Representatives has refused to recede from House Amendments 1 and 2 to SB 50, and again requests the Senate to concur.

*Allen Morris, Clerk*

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)

Amendment 1—On page 1, line 24, after the word "found" insert the following: , 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 concurred in House amendments 1 and 2 to SB 50.

SB 50 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—28

Mr. President	Graham	Myers	Sykes
Brantley	Gruber	Peterson	Vogt
Childers	Johnson	Pettigrew	Ware
Deeb	Lane (31st)	Saylor	Weber
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Smathers	Winn
Glisson	McClain	Stolzenburg	Zinkil

Nays—5

Henderson	Plante	Poston	Sims
Johnston			

*The Honorable Mallory E. Horne, President* May 20, 1974

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 to HJR 3911 requests the Senate to recede and in the event the Senate refuses to recede requests a Conference Committee.

*Allen Morris, Clerk*

By the Committee on Judiciary—

**HJR 3911**—A joint resolution proposing an amendment to section 12 of Article V of the State Constitution relating to the judicial qualifications commission; providing that the commission shall have the power to investigate and recommend removal or a reprimand of any justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966, demonstrates a present unfitness to hold office; providing that the commission shall adopt rules which may be repealed by a majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring; providing that the commission may by majority vote recommend the temporary suspension of any justice or judge against whom formal charges are pending; providing that if the supreme court suspends, all proceedings shall be public, otherwise all proceedings shall be confidential until a recommendation is filed by the commission; providing that the commission shall have access to all information from all executive, legislative and judicial agencies, including grand juries; providing that the commission shall make available information for use in consideration of impeachment or suspension.

**Amendment 1**—On page 2, line 6, strike everything after the resolving clause and insert:

That the amendment to section 12 of Article V of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November, 1974:

Article V

Section 12. DISCIPLINE; REMOVAL AND RETIREMENT.—

~~(a) There shall be a judicial qualifications commission composed of:~~

*(a) There shall be a judicial qualifications commission vested with jurisdiction to investigate and recommend to the Supreme Court of Florida the removal from office of any justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966, (without regard to the effective date of this section) demonstrates a present unfitness to hold office, and to investigate and recommend the reprimand of a justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966 (without regard to the effective date of this section), warrants such a reprimand. The commission shall be composed of:*

(1) Two judges of district courts of appeal selected by the judges of those courts, two circuit judges selected by the judges of the circuit court and two judges of county courts selected by the judges of those courts;

(2) Two electors who reside in the state, who are members of the bar of Florida, and who shall be chosen by the governing body of the bar of Florida; and

(3) Five electors who reside in the state, who have never held judicial office or been members of the bar of Florida, and who shall be appointed by the governor.

(b) The members of the judicial qualifications commission shall serve staggered terms, not to exceed six years, as prescribed by general law. No member of the commission except a justice or judge shall be eligible for state judicial office so long as he is a member of the commission and for a period of two years thereafter. No member of the commission shall hold office in a political party or participate in any campaign for judicial office or hold public office; provided that a judge may participate in his own campaign for judicial office and hold that office. The commission shall elect one of its members as its chairman.

~~(c) The supreme court shall adopt rules regulating proceedings of the commission, the filling of vacancies by the appointing authorities and the temporary replacement of disqualified or incapacitated members. After a recommendation of removal of any justice or judge, the record of the proceedings before the commission shall be made public.~~

*(c) The commission shall adopt rules regulating its proceedings, the filling of vacancies by the appointing authorities, the disqualification of members, and the temporary replacement of disqualified or incapacitated members. The commission's rules, or any part thereof, may be repealed by general law enacted by majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring. After a recommendation of removal or public reprimand of any justice or judge, the record of the proceedings before the commission shall be made public. The commission may by a two-thirds vote recommend to the supreme court the temporary suspension of any justice or judge against whom formal charges are pending and in the event the supreme court suspends such justice or judge all proceedings before the commission and all hearings shall be public. Otherwise, all proceedings before the commission shall be confidential until a recommendation is filed with the clerk of the supreme court recommending removal or public reprimand at which time such proceedings shall become public record.*

*(d) The commission shall have access to all information from all executive, legislative and judicial agencies, subject to the rules of the commission. On request of the speaker of the house of representatives or the governor, the commission shall make available information for use in consideration of impeachment or suspension, respectively.*

~~(d) (e)~~ Upon recommendation of two-thirds of the members of the judicial qualifications commission, the supreme court may order that the justice or judge be disciplined by appropriate reprimand, or be removed from office with termination of compensation for willful or persistent failure to perform his duties or for other conduct unbecoming a member of the judiciary, or be involuntarily retired for any permanent disability that seriously interferes with the performance of his duties. After the filing of a formal proceeding and upon request of the commission, the supreme court may suspend the justice or judge from office, with or without compensation, pending final determination of the inquiry.

~~(e) (f)~~ The power of removal conferred by this section shall be both alternative and cumulative to the power of impeachment and to the power of suspension by the governor and removal by the senate.

SCHEDULE

*The existing judicial qualifications commission shall exercise the additional jurisdiction, powers and duties provided herein. The terms of office of the present members of the judicial qualifications commission shall not be affected by this amendment.*

Be It Further Resolved that in accordance with the requirements of section 101.161, Florida Statutes, the substance of the amendment proposed herein shall appear on the ballot as follows:

An amendment to section 12 of Article V of the State Constitution to permit the judicial qualifications commission to investigate and recommend to the supreme court the removal or reprimand of any justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966, demonstrates a present unfitness to hold office or warrants a reprimand, to permit the commission to adopt rules regulating its proceedings which rules may be repealed by general law enacted by

majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring, to require all proceedings before the commission to be confidential until a recommendation is filed by the commission or unless the supreme court suspends a justice or judge as recommended by a two-thirds vote of the commission, then all proceedings shall be public, further permitting the commission access to all information from all executive, legislative, and judicial agencies, and requiring the commission to make available information for use in consideration of impeachment or suspension when requested by the speaker of the house of representatives or the governor, respectively.

**Amendment 2**—On page 1, line 3, strike the title and insert: A joint resolution proposing an amendment to section 12 of Article V of the State Constitution relating to the judicial qualifications commission; providing that the commission shall have the power to investigate and recommend removal or a reprimand of any justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966, demonstrates a present unfitness to hold office; providing that the commission shall adopt rules which may be repealed by a majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring; providing that the commission may by two-thirds vote recommend the temporary suspension of any justice or judge against whom formal charges are pending; providing that if the supreme court suspends, all proceedings shall be public, otherwise all proceedings shall be confidential until a recommendation is filed by the commission; providing that the commission shall have access to all information from all executive, legislative and judicial agencies; providing that the commission shall make available information for use in consideration of impeachment or suspension.

Senator Myers moved that the Senate refuse to recede from Senate Amendments 1 and 2 to HJR 3911 and accede to the request for a conference committee.

The motion was adopted by the following vote:

Yeas—33

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

Nays—None

By unanimous consent Senator Johnston was recorded as voting yea.

The President appointed Senators Myers, Scarborough and Williams as conferees on the part of the Senate.

*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 1051 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Natural Resources and Representative Fechtel—

**CS for HB 1051**—A bill to be entitled An act relating to the game and fresh water fish commission; repealing the following sections of chapter 372, Florida Statutes, 1973: §372.02, relating to powers of the commission, §372.022, relating to the power of the commission to sell and trade commission lands in Lake and Marion Counties, §372.27, relating to fishing in waters associated with Silver Springs and Rainbow Springs, §372.43, relating to carrier pigeons, §372.572, relating to the right to fish in certain

waters, §372.63, relating to the licensing of boats rented for hunting and fishing, and §372.67, relating to reports by hunters and trappers; providing an effective date.

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

*The Honorable Mallory E. Horne, President* May 20, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3249 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Transportation and Representative Holloway—

**HB 3249**—A bill to be entitled An act relating to eminent domain; amending chapter 73, Florida Statutes, by adding a new section 73.113, creating the eminent domain trust fund to be administered by the state treasurer; providing that all funds deposited with any court for the purpose of acquiring property for roads or other transportation purposes shall be deposited in the eminent domain trust fund; providing investment of funds; providing return to county of record of earned interest; providing withdrawal of funds; 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 as amended—

HB 3870                      HB 816 (cs)                      HB 3467  
HB 3608

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Birchfield and Williams—

**HB 3870**—A bill to be entitled An act relating to county boundaries, amending sections 7.10 and 7.16, Florida Statutes, defining the boundaries of Clay and Duval counties, amending section 7.41, Florida Statutes, defining the boundary of Manatee County, providing an effective date.

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

By the Committee on Health and Rehabilitative Services and Representative Boyd and others—

**HB 816 (cs)**—A bill to be entitled An act relating to mental health; adding subsection (4) to section 394.461, Florida Statutes, to require separate housing facilities for the criminally insane and mentally ill offenders who are dangerous to others and security risks; providing an effective date.

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

By Representative Hodges and others—

**HB 3467**—A bill to be entitled An act relating to the Suwannee River Authority; amending chapter 61-538, Laws of Florida, adding counties; providing for matching appropriation from the general revenue fund of the state for the Suwannee River Authority; providing an effective date.

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

By Representative Forbes—

**HB 3608**—A bill to be entitled An act relating to excise tax on documents; amending section 201.01, Florida Statutes, to provide a documentary stamp tax on the recording of documents enumerated in section 201.01; amending subsection (1) of section 201.02, Florida Statutes, to include recording of the documents named in subsection (1) in the tax imposed by sec-

tion 201.02; repealing section 201.08, Florida Statutes, relating to tax on promissory notes, written obligations to pay money, and assignments of wages or other compensation; 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 17, 1974

I am directed to inform the Senate that the House of Representatives has adopted as amended HM 3502 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Nuckolls and others—

HM 3502—A memorial to the Congress of the United States requesting restoration of citizenship of General Robert E. Lee.

—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 as amended—

CS for HB 3289 CS for HB's 3208 and 3166

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Natural Resources and Representative Craig—

CS for HB 3289—A bill to be entitled An act relating to salt water fisheries and conservation; amending section 370.13(1), Florida Statutes, pertaining to parts of stone crabs and prohibiting possession or certain means of transportation of stone crabs; providing only the claws shall be removed and the live animals returned to water in same area where taken; providing permitting procedure for stone crabs to be possessed or transported for educational, exhibitional or scientific purposes; amending section 370.13(2), Florida Statutes, as amended by chapter 73-28, Laws of Florida, adding paragraph (j) to subsection (2); providing for transferring of ownership of stone crab traps; 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 Health & Rehabilitative Services and Representatives Hodes and Harris—

CS for HB's 3208 and 3166—A bill to be entitled An act relating to health and rehabilitative services; providing for a statewide school health services plan; providing an appropriation, contemplating phased in funding; 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 17, 1974

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

HB 2773 HB 3178 HB 3428  
HB 4033 HB 4017

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Easley—

HB 2773—A bill to be entitled An act relating to fire protective equipment; amending §633.061(6), Florida Statutes, 1971, relating to licenses and permits, to remove certain exemptions; creating §633.065, Florida Statutes, to provide requirements for installation of fire protective equipment; providing an effective date.

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

By Representatives Carlucci and Cherry—

HB 3178—A bill to be entitled An act relating to paternity; amending §§39.11(2)(e) and (3)(d), 95.11(9), 382.17, 382.21, the introductory paragraph and subsections (1), (2), and (4), 731.29, 742.011, 742.091, 742.10, 744.13(1), and 856.04(2), all Florida Statutes, 1973, which relate to birth information, bastardy, and illegitimacy; replacing the term "illegitimate" with the term "child born out of wedlock"; limiting the information regarding legitimacy on birth certificates; providing that a child born out of wedlock shall inherit from his mother and, when so recognized, from his father, as if the child had been born in lawful wedlock, including any part of the parents' kindred, either lineal or collateral; directing the division of statutory revision to change the title of chapter 742, Florida Statutes, from "Bastardy" to "Determination of Paternity"; providing an effective date.

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

By Representative Dixon—

HB 3428—A bill to be entitled An act relating to greyhound dog racing; authorizing any holder of a valid outstanding permit for greyhound dog racing in a county in which there is only one such permit issued to move the location of said permit to another location within a 30 mile radius within the county, providing certain local conditions are met, and providing further that the move is approved by the board of business regulation after a public hearing; providing an effective date.

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

By the Committee on Insurance—

HB 4033—A bill to be entitled An act relating to insurance; amending section 625.131(2), Florida Statutes, to provide for computation of reserves for insurers of single premium credit life insurance policies on the basis of 130% of the commission's 1958 standard mortality table and 3½% interest; providing an effective date.

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

By the Committee on Environmental Protection—

HB 4017—A bill to be entitled An act relating to environmental control, chapter 403, Florida Statutes; amending §403.201(1), Florida Statutes, to allow variances granted pursuant to part II of chapter 403 to extend for the life of the permit; amending §403.511, Florida Statutes, to allow variances as conditions of certification of power plant sites; 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 as amended—

HB 3706 HB 3396 HB 2268

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Tolton—

HB 3706—A bill to be entitled An act relating to district mental health boards; amending §394.70(1)(c), Florida Statutes, to provide for physician membership; providing an effective date.

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

By Representative Williamson and others—

HB 3396—A bill to be entitled An act relating to mortgages, liens, and judgments; creating §701.045, Florida Statutes, requiring persons entitled to payment of money upon a mortgage

note, lien, or judgment to divulge the amount owed upon written request from the debtor within a certain time period; providing a penalty; providing an effective date.

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

By Representative Earle and others—

**HB 2268**—A bill to be entitled An act relating to the division of family services of the department of health and rehabilitative services; discontinuing the practice of forwarding public assistance warrants by mail; 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 as amended—

HB 3573	HB 3778	HB 3433
HB 3531	HB 3534	HB 3615
HB 2352		

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Tucker and others—

**HB 3573**—A bill to be entitled An act relating to additional days for charitable purposes for summer thoroughbred horse tracks; creating subsection (6) of §550.41, Florida Statutes, authorizing the board of business regulation to grant one additional day of racing for summer thoroughbred tracks in addition to those days presently allowed under law; providing that the proceeds from the additional charity day shall be allocated and paid to Florida State University for the use and benefit of the Florida State University department of intercollegiate athletics; providing an effective date.

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

By Representatives Turlington and Andrews—

**HB 3778**—A bill to be entitled An act relating to county government; amending paragraph (x) of section 125.01(1), Florida Statutes, 1973, to eliminate the prohibition against employing certain independent auditing firms; providing an effective date.

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

By Representative Hodes—

**HB 3433**—A bill to be entitled An act relating to regional neonatal intensive care program centers; providing legislative intent; providing definitions; establishing the regional neonatal intensive care program center grant program; providing for powers and duties of department, providing conditions for grant agreements, providing for program review; providing for rules and regulations; providing an appropriation; providing an effective date.

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

By Representatives Nergard and Clem—

**HB 3531**—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 St. Lucie County or Marion County with the proceeds of said day to be paid, respectfully, to the Indian River Community College or the Central Florida Community College; providing an effective date.

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

By Representatives J. C. Thomas and Kutun—

**HB 3534**—A bill to be entitled An act relating to pool contractors; amending the introductory paragraph and paragraph (j) of §468.102(1), Florida Statutes, and adding paragraphs (k) and (l) thereto; adding swimming pool work to those items which a contractor shall sub-contract; providing for a delineation between commercial pool contractors and residential pool contractors; providing for a classification of swimming pool servicing contractor; providing an effective date.

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

By Representatives Turlington and Andrews—

**HB 3615**—A bill to be entitled An act relating to jurisdiction over lands ceded to the United States; amending section 6.04, 6.05 and 6.06, Florida Statutes, 1971, to provide for the board of trustees of the internal improvement trust fund to cede such lands with the reservation of taxing powers on all lands ceded after the effective date of this act; providing an effective date.

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

By Representatives Kutun and Dyer—

**HB 2352**—A bill to be entitled An act relating to the Florida psychological practice act; amending §490.16, Florida Statutes, 1971; deleting portions of expenses for members and providing for reimbursement for actual expenses incurred in the performance of the board's official duties and providing for traveling expenses as provided in §112.061, Florida Statutes, 1971; amending §490.18, Florida Statutes, 1971; relating to the examination fee each applicant to practice psychology shall pay; amending §490.20, Florida Statutes, 1971, relating to fees of license certificates; amending §490.25(1), (2)(a), and (3), Florida Statutes, 1971, relating to fees for renewal of licenses to practice psychology and providing for annual renewal of licensure; adding a new subsection (2) to §490.26, Florida Statutes, 1971; providing for a civil penalty to be imposed by the Florida state board of examiners of psychology for violations of board rules and regulations or statutory violations; providing an effective date.

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

On motion by Senator Childers, the President appointed Senators Childers, Johnston and de la Parte as a committee to escort Susan Walden, Florida Junior Miss for 1974, to the rostrum and her family to the Senate Chamber.

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

**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.

—which was read the second time in full. On motion by Senator Childers, SCR 1104 was adopted and certified to the House. The vote was:

Yeas—35

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

Nays—None

Miss Walden introduced her family and addressed the Senate briefly.

On motion by Senator Childers, the rules were waived and SCR 1104 was ordered immediately certified to the House.

By unanimous consent Senator Lewis changed his vote from nay to yea on SB 335 which passed the Senate May 20.

**SPECIAL ORDER**

**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 taken up with pending Amendment 9.

Senators Glisson and Pettigrew offered the following amendment to Amendment 9 which was moved by Senator Glisson and failed:

**Amendment 9a**—On page 14, strike “\$912,447,694” and insert: \$965,447,694

The reduction made hereby is intended to provide the sum of \$51.6 million to fund utility tax relief and intangible tax relief subject to passage of the necessary implementing legislation.

Amendment 9 failed.

On motion by Senator Barron the Senate reconsidered the vote by which Amendment 7 passed May 20.

The question recurred on Amendment 7 which failed.

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

**Amendment 10**—On page 31, Item 525, after “From Federal Aid Trust Fund” insert: Any portion of this amount (general revenue and/or Federal Aid Trust Fund) may be utilized to implement SB 281, or similar legislation, and the department of administration is authorized to transfer any amount requested by the department of health and rehabilitative services to implement SB 281 to the appropriate account.

Senator Gillespie moved the following amendment which failed:

**Amendment 11**—On page 42, strike Item 730 and Item 732 and insert:

County Courts	Positions	Amount
Item 730 - Salaries and Benefits	522	
From General Revenue Fund		8,690,774
From Grants and Donations Trust Fund		365,646
Item 732 - Expenses		
From General Revenue Fund	102,485	
From Grants and Donations Trust Fund		45,600

Senator Barron moved the following amendment which was adopted:

**Amendment 12**—On page 46, strike entire Item 813 and insert:

813 Lump Sum (2 positions)	
From General Revenue Fund	364,215

Senator Gordon moved the following amendment which was adopted:

**Amendment 13**—On page 46, Item 815B, strike “864,341” and insert: 664,341

Senator Plante moved the following amendment which was adopted:

**Amendment 14**—On page 46, after Item 816 insert: Provided, the positions and moneys appropriated in Item 816 may be transferred to a state agency for operational purposes, if permitted or directed by general legislation becoming law.

Senator Sims moved the following amendment which was adopted:

**Amendment 15**—On page 53, Items: 971—976, strike

“971 Salaries and benefits	98	
from operating trust fund		965,269
972 Other personal Services		
from operating trust fund		189,302
973 Expenses		
from operating trust fund		481,911
974 Grants and aids		
from operating trust fund		23,000
975 Operating Capital Outlay		
from operating trust fund		24,048
976 Data Processing Services		
From operating trust fund		18,000”

and insert:

971 SALARIES AND BENEFITS	133	1,181,735
FROM OPERATING TRUST FUND		
972 OTHER PERSONAL SERVICES		189,302
FROM OPERATING TRUST FUND		
973 EXPENSES		513,489
FROM OPERATING TRUST FUND		
974 GRANTS AND AIDS		23,000
FROM OPERATING TRUST FUND		
975 OPERATING CAPITAL OUTLAY		54,225
FROM OPERATING TRUST FUND		
976 DATA PROCESSING SERVICES		18,000
FROM OPERATING TRUST FUND		

Senators Gordon, Sykes and Smathers offered the following amendment which was moved by Senator Gordon and failed:

**Amendment 16**—On page 56, item 1042, strike “200,000” and insert: 400,000

Senator Firestone moved that the Senate reconsider the vote by which Amendment 6 was adopted May 20. The motion failed.

Amendment 17 was withdrawn.

Senator Plante moved the following amendment which was adopted:

**Amendment 18**—On page 48, Item 856, strike “Salaries and Benefits (561 positions)

From General Revenue Fund 2,673,949” and insert: Salaries and Benefits (564 positions)

From General Revenue Fund	2,709,949
---------------------------	-----------

Senator Zinkil moved the following amendment which was adopted:

**Amendment 19**—On page 59, Item 1095, strike “200,000” and insert: 100,000

Senator Scarborough moved the following amendment which was adopted:

**Amendment 20**—On page 59, Proviso following Item 1095: insert:

Provided that funds included in Item 1095 shall not be utilized to purchase or maintain benches or shelters.

Senator Poston moved the following amendment:

**Amendment 21**—On page 59, after Item 1099 insert:

1099A Special Categories	
Bicycle Trails	
From General Revenue Fund	500,000

Senator Sims moved the following substitute amendment which failed:

**Amendment 22**—On page 59, after item 1099 insert: 1099A Special categories bicycle path trust funds. \$500,000

The question recurred on Amendment 21 which failed.

Senators Ware and Johnson offered the following amendment which was moved by Senator Ware and failed:

**Amendment 23**—On page 63, line item 18, strike "18 Fixed capital outlay U. F. Health Center Parking Garage From General Revenue Fund 4,500,000"

Senator Henderson presiding

Senator Sayler moved the following amendment which failed:

**Amendment 24**—On page 70, Section 11, line 3, strike "1-1-75 \$40,000" and insert: 1-1-75 \$45,000

Senator Sims moved the following amendment which failed:

**Amendment 25**—On page 70, section 11, strike "circuits with a population from 200,001 through 1,000,000 32,000 36,800 circuits over 1,000,000 34,815 40,037" and insert: circuits with a population over 200,000 32,000 36,800

Senator Glisson moved the following amendment which failed:

**Amendment 26**—On page 70, section 11, under judges—County Courts, strike "27,600" and insert: 32,200

The President presiding.

On motion by Senator Saunders, by two-thirds vote SB 1100 as further amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—26

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

Nays—14

Barron	Johnson	Sayler	Weber
Deeb	Johnston	Sims	Wilson
Glisson	Lewis	Stolzenburg	
Henderson	McClain	Ware	

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

#### Explanation of Vote

While the Ways and Means Committee has worked tirelessly and has done a fine job, the appropriations total of 4-1/2 billion dollars is much too high. It will expend nearly all of the anticipated revenue, leaving no margin for real tax relief. With over one-half billion of excess revenues in the past 2 years, tax relief for all citizens is overdue. A 40 percent budget increase in the past 2 years is unwarranted and unjustified.

*Henry B. Sayler, 20th District*

On motion by Senator Williams, Rule 2.5 was waived and the Committee on Governmental Operations was granted permission to consider CS for CS for HB 3418 May 22.

On motion by Senator Firestone, HB 1315 was removed from the calendar by two-thirds vote and indefinitely postponed.

On motion by Senator Saunders, Rule 2.5 was waived and the Committee on Ways and Means was granted permission to consider SB 815 May 22.

On motions by Senator Wilson, Senate Bills 614 and 547 were withdrawn from the Committee on Ways and Means by two-thirds vote and from further consideration of the Senate.

On motion by Senator Wilson, SB 243 was withdrawn from the Committee on Governmental Operations by two-thirds vote and from further consideration of the Senate.

On motion by Senator Graham, Rule 2.5 was waived and the Committee on Education was granted permission to consider SB 186 this day.

Senator Zinkil moved that the rules be waived and SB 1110 relating to homestead exemption, and SM 1111, a memorial to the Congress of the United States urging the rejection of any amendment to the Marine Mammal Protection Act of 1972 be admitted for introduction notwithstanding the fact that the deadline for filing bills pursuant to Rule 4.4 had passed. The motion was referred to the Committee on Rules and Calendar.

On motion by Senator de la Parte the rules were waived and the Senate reverted to—

#### INTRODUCTION

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

By Senators Scarborough, Brantley and Smathers—

**SB 1105**—A bill to be entitled An act relating to Duval County, Florida, community education program; providing a method for delegation of school board powers and duties as defined in the Florida community school act of 1970, as amended; providing for continuing relationship with State of Florida department of education; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1105.

—to Rules and Calendar.

By Senators Scarborough, Brantley and Smathers—

**SB 1106**—A bill to be entitled An act relating to the Jacksonville Electric Authority; amending Chapter 67-1569, Laws of Florida, as amended; providing for notice of and public hearing on the fixing of rates by the authority; authorizing contracts not to exceed a twenty (20) year term for the procurement of fuel but requiring prior approval of the council of the city for certain contracts amending the contracting and purchasing procedures of the authority to permit acceptance of multiple low bids and dissimilar low bids under certain conditions; exempting from bid provisions the procurement of fuel when reasonably procurable only through negotiation; exempting from bid provisions products and services necessary for nuclear powered generation facilities; exempting from bid provisions the procurement of fuel in the spot market; requiring approval of the purchases under the bid exemptions by the chief purchasing officer of the City of Jacksonville; providing a termination for the amendments to the contracting and purchasing procedures of the authority; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1106.

—to Rules and Calendar.

By Senators Wilson and Vogt—

**SB 1107**—A bill to be entitled An act relating to Brevard County; prohibiting governmental units levying ad valorem taxes from increasing ad valorem tax revenues in excess of ten percent in any one year without an affirmative vote of the voters; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1107.

—to Rules and Calendar.

By Senators Scarborough, Brantley and Smathers—

**SB 1108**—A bill to be entitled An act amending section 11 of Chapter 67-1569, Laws of Florida, to permit the Jacksonville Electric Authority to contract for the acquisition and

construction of nuclear powered or other large generation plants and facilities when revenue certificates or bonds to finance the cost thereof have been authorized and validated, and to permit said revenue certificates or bonds to be sold in installments as funds are needed to make payments under any such contract; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1108.

—to Rules and Calendar.

By Senators Brantley, Scarborough and Smathers—

SB 1109—A bill to be entitled An act amending section 18.05 of Chapter 67-1320, Laws of Florida, as amended, by adding a new subsection (4) thereto so as to permit handicapped persons to participate in any retirement and pension system of the City of Jacksonville provided said person satisfies the examination provisions herein; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1109.

—to Rules and Calendar.

By unanimous consent the following was received:

**REPORT OF COMMITTEE**

The Committee on Rules and Calendar advises that an emergency exists compelling the introduction and consideration of SB 1110 and SM 1111.

Respectfully submitted,  
Dempsey J. Barron, Chairman

The Senate resumed Introduction.

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

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

SB 1110—A bill to be entitled An act relating to homestead exemption; amending §196.031(3) and (4), Florida Statutes, 1973, to extend the additional exemption provided in subsection (3) for persons over sixty-five (65) to ad valorem taxes levied by all local taxing authorities and to increase the exemption provided by §196.031(1), Florida Statutes, as to totally and permanently disabled persons; providing for a maximum combined exemption under §§196.202 and 196.031, Florida Statutes; creating §196.032, Florida Statutes, providing replacement revenues through a trust fund; adding subsection (4) to §196.011, Florida Statutes, 1973, relating to annual application requirement; amending §196.197, Florida Statutes, 1973, relating to exemption of property used by hospitals and similar institutions, to remove the limitation of its application to levies for school operating purposes; repealing chapter 74-11, Laws of Florida, relating to homestead exemption; providing an effective date.

—to Rules and Calendar.

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

SM 1111—A memorial to the Congress of the United States urging the rejection of any amendment to the Marine Mammal

Protection Act of 1972 that would permit commercial fishermen to kill dolphins.

—to Rules and Calendar.

On motions by Senator Barron, SB 1110 and SM 1111 were withdrawn from the Committee on Rules and Calendar by two-thirds vote and placed on the calendar.

The Senate resumed 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 taken up with the following pending substitute amendment 2 which was adopted:

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.

Senator Henderson moved the following title amendment which was adopted:

Amendment 3—On page 1, line 3, strike entire title and insert: A bill to be entitled An act relating to the Big Cypress Area; providing for a review of a portion of the Big Cypress Area of critical state concern, providing an effective date.

On motion by Senator Weber, by two-thirds vote SB 124 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

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

Nays—1

Zinkil

The Journal of May 20 was corrected and approved.

The Journal of May 15 was further corrected and approved as follows:

Page 415, counting from the bottom of column 2, line 32, between "amended" and "passed" insert: was read by title,

On motion by Senator Barron, the Senate adjourned at 4:21 p.m. to convene at 9:00 a.m., May 22, 1974.