

JOURNAL OF THE FLORIDA SENATE

Friday, April 11, 1975

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

INTRODUCTION

By Senator Plante—

SB 304—A bill to be entitled An act relating to taxation; authorizing any county to levy a local option resort tax on the rental charged for specific classes of public lodging establishments; requiring a referendum as a prerequisite for such levy; providing procedures for the payment and collection of such tax; providing the purposes for which such tax revenues may be expended; authorizing the pledging of funds collected as security for bonds; providing an effective date.

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

By Senator Zinkil—

SB 305—A bill to be entitled An act relating to the Mechanics' Lien Law; amending ss.713.05, 713.06(1), (3)(h), Florida Statutes, to provide lien rights for subsubcontractors; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary-Civil and Commerce.

By Senator Zinkil—

SB 306—A bill to be entitled An act relating to the Unemployment Compensation Law; amending s.443.06(1), Florida Statutes, to require disqualification for benefits for voluntarily leaving employment without good cause; providing an effective date.

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

By Senator Deeb—

SB 307—A bill to be entitled An act relating to abuse of children; amending s.827.07(8), Florida Statutes, 1974 Supplement; requiring that the Department of Health and Rehabilitative Services transmit reports of child abuse to the state attorney's office; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Judiciary-Criminal.

By Senators Lane (23rd) and Saylor—

SB 308—A bill to be entitled An act relating to resource recovery and management; amending s.403.1835(1), (2), (3), (7), Florida Statutes; amending ss.403.704(1), 403.705(2), 403.710(1), (4), (6), 403.711, 403.712, Florida Statutes, 1974 Supplement; providing for a loan program for sewage treatment, resource recovery and solid waste disposal facilities; extending the time for adoption by rule of a resource recovery and management program from 1 to 2 years; changing the name of the Resource Recovery and Management Advisory Council to the Resource Recovery Council and providing that the council identify counties, municipalities and regions which will generate sufficient solid waste to make it economically practical to recycle solid waste; authorizing the council to contract with consultants; providing for the issuance of revenue bonds payable from certain funds; providing for the negotiation of bond sales in certain cases; repealing s.403.1835(8), Florida Statutes, which provides for the sewage treatment loan fund to revert to the General Revenue Fund; providing an effective date.

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

By Senators Lewis, Firestone, Childers (28th) and Johnston—

SB 309—A bill to be entitled An act relating to residential condominiums and residential cooperative apartments; creating ss.711.80—711.87, Florida Statutes; renaming the Division of Florida Land Sales of the Department of Business Regulation; prescribing powers, duties and functions of the division with respect to the enforcement of the condominium act; requiring developers to file disclosure materials with the division; providing filing fees; empowering the division to make investigations and seek administrative and judicial enforcement notwithstanding unit owner and association remedies; providing for dissemination of information by the division; providing for an advisory board; prescribing authority for rules and regulations governing the development, construction, sales, lease, operation, ownership and management of condominiums and cooperatives; providing an appropriation; providing an effective date.

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

By Senators Wilson and Gordon—

SB 310—A bill to be entitled An act relating to abortion; repealing s.797.02, Florida Statutes, relating to prohibition of advertising for abortion; providing an effective date.

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

By Senator Holloway—

SB 311—A bill to be entitled An act relating to the Florida Electrical Code; amending s.553.19, Florida Statutes; adopting the current editions of certain electrical standards; providing an effective date.

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

By Senators Vogt and Hair—

SB 312—A bill to be entitled An act relating to public records; amending s.119.011(1), Florida Statutes, to define "public records"; providing an effective date.

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

By Senator Vogt—

SB 313—A bill to be entitled An act relating to deputy sheriffs; amending s.30.09(1), Florida Statutes; providing that deputy sheriffs may be covered by a "blanket bond"; providing an effective date.

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

By Senator Vogt—

SB 314—A bill to be entitled An act relating to unsurveyed marsh lands; amending s.253.381, Florida Statutes; authorizing the Board of Trustees of the Internal Improvement Trust Fund to conduct surveys of unsurveyed lands; authorizing a report to the legislature; setting forth the legislative intent; authorizing the promulgation of rules and regulations; providing an effective date.

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

By Senator Thomas (4th)—

SB 315—A bill to be entitled An act relating to criminal procedure; amending s.394.457(6)(d), Florida Statutes, as amended, relating to the Florida Mental Health Act, to provide that certain orders of hearing examiners shall be subject to review of the committing court; amending s.394.467(3)(b),

Florida Statutes, as amended, to provide that persons committed for treatment shall be treated pursuant to part 1 of chapter 394, Florida Statutes, or as otherwise provided in Rules of Criminal Procedure 3.460 or s.921.26, Florida Statutes; creating s.921.26, Florida Statutes, relating to the verdict of not guilty by reason of insanity, to provide that final release authority shall rest with the committing court; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary-Criminal and Health and Rehabilitative Services.

By the Committee on Agriculture—

SB 316—A bill to be entitled An act relating to livestock marks and brands; amending s.534.021, Florida Statutes, to increase the fee for recording a mark or brand; amending s.534.031, Florida Statutes, to increase the fee for a certified copy thereof; amending s.534.041, Florida Statutes, to provide for renewal and a fee therefor; amending s.534.051, Florida Statutes, to increase the fee for recording a transfer of ownership; providing an effective date.

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

By Senator Peterson—

SB 317—A bill to be entitled An act relating to school buildings; amending s.235.33, Florida Statutes; providing for amounts and percentage of retainages on payments of construction contracts for school buildings; providing an effective date.

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

By the Committee on Education—

SB 318—A bill to be entitled An act relating to the Unemployment Compensation Law; amending s.443.05(3), Florida Statutes; excluding certain employees within the state public education system from eligibility for unemployment benefits during periods between successive academic years, during holidays, or during certain other periods; providing that no benefits shall be paid to temporary or substitute employees; defining contracts; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations, Commerce and Education.

By Senator Lewis—

SB 319—A bill to be entitled An act relating to abortion; creating s.797.03, Florida Statutes; requiring an abortion referral or counseling agency to furnish certain information to a person seeking its advice and to obtain an informed consent; prohibiting such an agency from charging or accepting any compensation from a physician, hospital, clinic or other medical facility for a referral; providing penalties; providing an effective date.

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

By Senator Henderson—

SB 320—A bill to be entitled An act relating to the ad hoc council for red tide research; amending s.369.15(2), Florida Statutes, 1974 Supplement; providing additional duties; authorizing the council to award grants; providing an appropriation; providing an effective date.

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

By the Committee on Natural Resources and Conservation—

SB 321—A bill to be entitled An act relating to aquatic preserves; creating ss.258.35-258.41, Florida Statutes; providing a short title and legislative intent; creating 26 aquatic preserves; excluding privately held upland from the preserves; requiring the Board of Trustees of the Internal Improvement Trust Fund

to maintain the preserves; prohibiting the sale or transfer of sovereignty submerged lands except in the public interest; prohibiting dredging or filling except in certain cases; prohibiting the drilling of gas or oil wells, excavation of minerals and erection of structures unless authorized; providing for rules and regulations and for the regulation of activities within the preserves; providing for the protection of the rights of riparian owners; providing severability; repealing s.258.165, Florida Statutes, 1974 Supplement, relating to the establishment of Biscayne Bay as an aquatic preserve; providing an effective date.

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

By Senator Lewis—

SB 322—A bill to be entitled An act relating to termination of pregnancy; amending s.458.22(4)—(7), Florida Statutes, and adding two new subsections to said section; providing the standard of medical procedure to be used when the fetus has any reasonable possibility of survival outside its mother's womb; prohibiting experimentation on a live fetus prior to or following a termination of pregnancy; providing an exception; providing penalties; providing an effective date.

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

By Senator Thomas (30th)—

SB 323—A bill to be entitled An act relating to the mentally retarded; providing legislative intent; providing definitions; establishing regional human rights advocacy committees; specifying purpose, objectives and functions of committees; specifying membership and terms; providing confidentiality; establishing a statewide human rights advocacy commission; specifying terms and membership; specifying duties and powers of commission; providing confidentiality; specifying channels of appeal; providing an appropriation; providing an effective date.

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

By Senator MacKay—

SB 324—A bill to be entitled An act relating to state-administered trust funds; repealing certain state-administered trust funds; transferring the uncommitted and unexpended balances of such funds to the General Revenue Fund; requiring the staff of the senate ways and means committee and the staff of the house appropriations committee to undertake a study of all state-administered trust funds; requiring a report; providing an effective date.

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

By the Committee on Transportation—

SB 325—A bill to be entitled An act relating to professional driver training schools and instructors; creating s.488.015, Florida Statutes, providing definitions; amending ss.488.02-488.06, Florida Statutes; providing for licensing and certification; providing for payment of fees; providing for suspension and revocation of licenses and certificates; providing for promulgation of rules and regulations by the Department of Highway Safety and Motor Vehicles; providing a penalty; creating s.488.08, Florida Statutes; providing for disposition of revenues; repealing s.488.01, Florida Statutes, relating to licensing of driver's schools; providing that act does not apply to driver education programs under s.233.063, Florida Statutes; providing an effective date.

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

By Senator Renick—

SB 326—A bill to be entitled An act for the relief of the City of Coral Gables, Dade County; providing an appropriation to compensate the city for its loss of revenue sustained by over-

payment of motor vehicle license taxes on city buses; providing an effective date.

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

By Senator Renick—

SB 327—A bill to be entitled An act for the relief of Metropolitan Dade County Transit Authority; providing an appropriation to compensate the county for its loss of revenue sustained by overpayment of motor vehicle license taxes on county buses; providing an effective date.

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

By Senators Plante, Sayler, Sims, Glisson, Brantley and Henderson—

SB 328—A bill to be entitled An act relating to the Inter-American Center Authority; repealing chapter 554, Florida Statutes, relating to the Inter-American Cultural and Trade Center; providing for the transfer of certain real and personal property to the Board of Trustees of the Internal Improvement Trust Fund; providing an effective date.

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

By Senator Glisson—

SB 329—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; adding s.478.121(1)(t), Florida Statutes; providing for proof that common facilities used as an inducement to purchase will remain accessible to purchasers; providing an effective date.

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

By the Committee on Transportation—

SB 330—A bill to be entitled An act relating to drivers' licenses; amending s.322.12(1), Florida Statutes; amending ss.322.28(2)(e) and 322.282(2), Florida Statutes, 1974 Supplement; authorizing the Department of Highway Safety and Motor Vehicles, pursuant to court order and administrative hearing, to issue temporary driving permits to persons convicted of first offense of driving with an unlawful blood alcohol level or of driving while under the influence of alcoholic beverages; prescribing restrictions on such driving permits; providing for fees to cover cost of examinations; providing an effective date.

—was read the first time by title and referred to the Committees on Transportation and Judiciary-Criminal.

By the Committee on Transportation and Senator Zinkil—

SB 331—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s.320.-071, Florida Statutes; providing advance registration for 12-month period instead of 6-month period; requiring payment of a \$2 processing fee; providing an effective date.

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

EXECUTIVE BUSINESS

The Secretary read the following communications and certificate:

Honorable Joe Brown
Secretary of the Senate
The Capitol

April 8, 1975

Dear Mr. Brown:

Pursuant to the provisions of Section 112.071 (1), (b), Florida Statutes, we are enclosing a certificate listing the names of persons for whom commissions have been prepared and which are subject to confirmation by the Senate.

With kind regards, I remain

Cordially,
DOROTHY W. GLISSON
Director, Division of Elections

I, **BRUCE A. SMATHERS**, Secretary of State of the State of Florida, do hereby certify that pursuant to the provisions of Section 112.071 (1), (b), Florida Statutes, commissions which are subject to Confirmation by the Senate have been prepared for the following:

David O. Hamrick, Bradenton; Member, Citrus Commission, State at Large, for term ending May 31, 1977

Danforth K. Richardson, Vero Beach; Member, Citrus Commission, District Five, for term ending May 31, 1977

Charles M. Shinn, Jr., Winter Haven; Member, Citrus Commission, District Seven, for term ending May 31, 1977

[Referred to the Committee on Agriculture which will report to the Select Committee on Executive Suspensions]

Jody Tharp Hendry, Fort Myers; Member, Board of Trustees, Edison Junior College, for term ending May 31, 1975

George G. Tapper, Port St. Joe; Member, Board of Trustees, Gulf Coast Community College, for term ending May 31, 1978

Frank M. Hancock, Palatka; Member, Board of Trustees, St. Johns River Junior College, for term ending May 31, 1978

M. L. Flora, Panama City; Member, Board of Pilot Commissioners for the Port of Panama City, Bay County; for term ending June 14, 1977

James N. Tookes, Tallahassee; Member, Board of Trustees, Tallahassee Community College, for term ending May 31, 1978

Clarence L. Morrison, Crawfordville; Member, Board of Trustees, Tallahassee Community College, for term ending May 31, 1978

Charlie M. Macon, Greensboro; Member, Board of Trustees, Tallahassee Community College, for term ending May 31, 1978

Melba K. Ilgen, Keystone Heights; Member, Board of Trustees, St. Johns River Junior College, for term ending May 31, 1978

John T. Lesley, Tampa; Member, Citrus Commission, District One, State of Florida Department of Citrus, for term ending May 31, 1977

[Referred to the Committee on Agriculture which will report to the Select Committee on Executive Suspensions]

Y. E. Hall, Jacksonville; Member, Pollution Control Board, State of Florida Department of Pollution Control for term ending Pleasure of the Governor

[Referred to the Committee on Natural Resources and Conservation which will report to the Select Committee on Executive Suspensions]

James C. Miller, Madison; Member, Board of Trustees, North Florida Junior College, for term ending May 31, 1978

Samuel C. Nixon, Jr., Sebring; Member, Board of Trustees, South Florida Junior College, for term ending May 31, 1978

Paul J. Eubanks, Bristol; Member, Board of Trustees, Chipola Junior College, for term ending May 31, 1978

Ida S. Baker, Fort Myers; Member, Board of Trustees, Edison Community College, for term ending May 31, 1978

W. D. Carter, Panama City; Member, Board of Trustees, Gulf Coast Community College, for term ending May 31, 1978

Anne M. McKinnon, Winter Garden; Member, Board of Trustees, Valencia Community College, for term ending May 31, 1978

Raymer F. Maguire, Jr., Orlando; Member, Board of Trustees, Valencia Community College, for term ending May 31, 1978

Hilman F. Bowden, Plant City; Member, Board of Trustees, Hillsborough Community College, for term ending May 31, 1978

Archie N. Anderson, Ponce de Leon; Member, Board of Trustees, Okaloosa-Walton Junior College, for term ending May 31, 1978

E. P. Greene, Cross City; Member, Board of Trustees, Lake City Community College, for term ending May 31, 1978

Leroy Bowdoin, Trenton; Member, Board of Trustees, Lake City Community College, for term ending May 31, 1978

James S. Sheffield, Marianna; Member, Board of Trustees, Chipola Junior College, for term ending May 31, 1978

Francis Marion Turner, III, Pensacola; Member, Historic Pensacola Preservation Board, for term ending February 9, 1978

Marlene M. Smith, Tampa; Member, Board of Trustees, Hillsborough Community College, for term ending May 31, 1978

Carolyn P. Stenstrom, Sanford; Member, Board of Trustees, Seminole Junior College, for term ending May 31, 1978

John Daniels, Sanford; Member, Board of Trustees, Seminole Junior College, for term ending May 31, 1978

S. C. Bexley, Jr., Land O Lakes; Member, Board of Trustees, Pasco-Hernando Community College, for term ending May 31, 1978

William A. Young, DeFuniak Springs; Member, Board of Trustees, Okaloosa-Walton Junior College, for term ending May 31, 1978

Samuel A. Allen, Crestview; Member, Board of Trustees, Okaloosa-Walton Junior College, for term ending May 31, 1978

Robert L. Smith, West Palm Beach; Member, Board of Trustees, Palm Beach Junior College, for term ending May 31, 1978

Frederick B. Karl, Tallahassee; Member, State Board of Independent Colleges and Universities, for term ending August 18, 1974

Cleo S. Higgins, Daytona Beach; Member, State Board of Independent Colleges and Universities, for term ending August 24, 1975

Theodore C. Taub, Tampa; Member, Tampa-Hillsborough County Expressway Authority, for term ending July 1, 1977

H. L. Culbreath, Tampa; Member, Tampa-Hillsborough County Expressway Authority, for term ending July 1, 1978

J. O. Driggers, Brandon; Member, Tampa-Hillsborough County Expressway Authority, for term ending July 1, 1975

George R. McElvy, Tampa; Member, Tampa-Hillsborough County Expressway Authority, for term ending July 1, 1976

Lewis E. Wadsworth, III, Bunnell; Member, Board of Trustees, Daytona Beach Community College, for term ending May 31, 1978

Robert E. Hudson, Palatka; Member, Board of Trustees, St. Johns River Junior College, for term ending May 31, 1977

Philip Benjamin, St. Petersburg; Member, Board of Trustees, St. Petersburg Junior College, for term ending May 31, 1978
[Referred to the Committee on Education which will report to the Select Committee on Executive Suspensions]

Jack Kasewitz, Coral Gables; Member, Board of Trustees, Miami-Dade Community College, for term ending May 31, 1978
[Referred to the Committee on Education which will report to the Select Committee on Executive Suspensions]

Charlotte F. Hubbard, Dunedin; Member, Commission on Ethics, for term ending July 1, 1975
[Referred to the Committee on Governmental Operations which will report to the Select Committee on Executive Suspensions]

W. George Allen, Fort Lauderdale; Member, Commission on Ethics, for term ending July 1, 1975
[Referred to the Committee on Governmental Operations which will report to the Select Committee on Executive Suspensions]

Fred W. Alsup, St. Petersburg; Member, Board of Examiners of Nursing Home Administrators, for term ending January 22, 1976

Ronald T. Giddens, Jacksonville; Member, Board of Funeral Directors and Embalmers, District Two, for term ending July 18, 1978

Kenneth A. Barnebey, Bradenton; Member, Manasota Basin Board, Ridge and Lower Gulf Coast Water Management District, for term ending June 30, 1977

Leroy M. Fulton, Lake Wales; Member, State Board of Independent Colleges and Universities, for term ending August 25, 1974

George Desharnais, Hialeah; member, Everglades Recreational Planning Board, for term ending Pleasure of the Governor

Louis Hautzig, Tampa; Member, Tampa Port Authority, Hillsborough County, for term ending November 25, 1977

R. V. Phillips, Haines City; Member, Citrus Commission, District Seven, State of Florida Department of Citrus, for term ending May 31, 1976
[Referred to the Committee on Agriculture which will report to the Select Committee on Executive Suspensions]

Roy F. Corrigan, New Port Richey; Member, Board of Trustees, Pasco-Hernando Community College, for term ending May 31, 1978

Russell R. Stewart, Panama City; Member, Board of Pilot Commissioners for the Port of Panama City, Bay County, for term ending June 14, 1977

Albert J. Bauknecht, Jacksonville; Member, Board of Trustees, Florida Junior College at Jacksonville, for term ending May 31, 1977

Jewell Haddock, Jacksonville; Member, Board of Trustees, Florida Junior College at Jacksonville, for term ending May 31, 1978

Charles E. Simmons, Jr., Jacksonville; Member, Board of Trustees, Florida Junior College at Jacksonville, for term ending May 31, 1978

Claude L. Rucker, Jr., Fernandina Beach; Member, Board of Trustees, Florida Junior College at Jacksonville, for term ending May 31, 1978

LeRoy Collins, Tallahassee; Member, Commission on Ethics, for term ending July 1, 1976

Holland T. Salley, Naples; Member, Board of Trustees, Edison Community College, for term ending May 31, 1978

Leroy M. Fulton, Lake Wales; Member, State Board of Independent Colleges and Universities, for term ending August 25, 1977

Russell J. Godwin, Jacksonville; Member, Florida State Fair Authority, for term ending July 1, 1977

Bruce M. Robbins, Jr. Tampa; Member, Florida State Fair Authority, for term ending July 1, 1978

C. H. Stanton, Orlando; Member, Florida State Fair Authority, for term ending July 1, 1976

Charles M. Davis, Tampa; Member, Florida State Fair Authority, for term ending July 1, 1978

Parke Wright III, Tampa; Member, Florida State Fair Authority, for term ending July 1, 1978

William B. Faber, Tampa; Member, Florida State Fair Authority, for term ending July 1, 1977

Jack G. Whiddon, Tallahassee; Member, Florida State Fair Authority, for term ending July 1, 1976

George H. Gage, Jr., Tampa; Member, Florida State Fair Authority, for term ending July 1, 1978

Charles P. Lykes, Tampa; Member, Florida State Fair Authority, for term ending July 1, 1978

E. P. Taliaferro, Tampa; Member, Florida State Fair Authority, for term ending July 1, 1978

Charles R. Smith, Brooksville; Member, Florida State Fair Authority, for term ending July 1, 1977

L. Grace Bliss, Auburndale; Member, State Board of Cosmetology, District Two, for term ending June 27, 1976

Peter R. Gindl, Cantonment; Member, Florida State Fair Authority, for term ending July 1, 1977

Leonard Sacks, Daytona Beach; Member, Board of Trustees, Daytona Beach Community College, for term ending May 31, 1978

John Henry Logan, Sr., Bryson City, North Carolina; Member, Florida State Fair Authority, for term ending July 1, 1975

Marie Nickels, Miami; Member, Florida State Fair Authority, for term ending July 1, 1975

Ralph Kettler, West Palm Beach; Member, Florida State Fair Authority, for term ending July 1, 1975

T. Torrence, Daytona Beach; Member, Florida State Fair Authority, for term ending July 1, 1975

Walter B. Arnold, Jr., Miami; Member, Florida State Fair Authority, for term ending July 1, 1977

Barbara Griffin Lupfer, Kissimmee; Member, Board of Trustees, Valencia Community College, for term ending May 31, 1977

Joseph Bennett Shirah, St. Cloud; Member, Board of Trustees, Valencia Community College, for term ending May 31, 1978

Murray W. Overstreet, Jr., Kissimmee; Member, Board of Trustees, Valencia Community College, for term ending May 31, 1976

Douglas L. Stowell, Tallahassee; Secretary, Department of Professional and Occupational Regulation, for term ending Pleasure of the Governor

[Referred to the Committee on Commerce which will report to the Select Committee on Executive Suspensions]

H. Quentin Duff, Hollywood; Member, Florida State Fair Authority, for term ending July 1, 1975

S. L. Kilgore, Leesburg; Member, Northwest Lake County Hospital District, for term ending October 10, 1976

Carl R. Gardner, Jacksonville; Member, Jacksonville Port Authority, Duval County, for term ending October 1, 1975

Palmer W. Collins, Indian Harbour Beach; Member, Board of Trustees, Brevard Community College, for term ending May 31, 1978

George F. Schlatter, Melbourne; Member, Board of Trustees, Brevard Community College, for term ending May 31, 1978

H. George Burke, Jr., Bartow; Member, Board of Trustees, Polk Community College, for term ending May 31, 1978

Stephen G. Denmark, Starke; Member, Board of Trustees, Santa Fe Community College, for term ending May 31, 1978

William L. Hendry, Okeechobee; Member, Board of Trustees, Indian River Community College, for term ending May 31, 1978

Ira M. McAlpin, Jr., Fort Pierce; Member, Board of Trustees, Indian River Community College, for term ending May 31, 1978

Ben F. Dixon, Okeechobee; Member, Board of Trustees, Indian River Community College, for term ending May 31, 1978

James W. Coffey, Vero Beach; Member, Board of Trustees, Indian River Community College, for term ending May 31, 1978

Latimer H. Turner, Sarasota; Member, Florida State Fair Authority, for term ending July 1, 1976

Herbert G. Paige, Coral Gables; Member, State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, for term ending July 1, 1975

D. John Benanti, Tampa; Member, State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, for term ending July 1, 1977

Rex C. Bishop, Miami; Member, Florida State Fair Authority, for term ending July 1, 1976

Marcelino Huerta, Jr., Tampa; Member, Board of Trustees, Hillsborough Community College, for term ending May 31, 1975

Agnes Elizabeth Craighead, Punta Gorda; Member, Board of Trustees, Edison Junior College, for term ending May 31, 1978

Jack H. Jones, Jacksonville; Member, State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, for term ending July 1, 1977

C. C. Mertins, Jr., Pensacola; Member, State Board of Independent Post-Secondary, Vocational, Technical, Trade and Business Schools, for term ending July 1, 1975. (Resigned January 23, 1975)

Charles F. Wilson, Tampa; Member, State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, for term ending July 1, 1976

Castle A. Barringer, Jr., Jacksonville; Member, State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, for term ending July 1, 1977

Wesley C. Paxson, Jacksonville; Member, Jacksonville Transportation Authority, Duval County, for term ending August 1, 1978

Patricia I. Odiorne, Brandon; Member, Alafia River Basin Water Management Board, Southwest Florida Water Management District, for term ending June 30, 1975

Robert Purdy Rodgers, Chiefland; Member, Board of Trustees, Central Florida Community College, for term ending May 31, 1978

John H. Payne, Fort Lauderdale; Member, Board of Trustees, Broward Community College, for term ending May 31, 1975

Beatrice F. Lewis, Clearwater; Member, Board of Trustees, St. Petersburg Junior College, for term ending May 31, 1978

Irving Goldstein, Miami; Member, State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, representing Nonpublic Vocational or Business Schools, for term ending July 1, 1975

E. J. Gibbs, Sr., Pensacola; Member, Governing Board, Northwest Florida Water Management District, for term ending July 1, 1975

L. Nelson Donnell, Cocoa; Member, State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, representing Public Education Schools, for term ending July 1, 1976

Doyle E. Carlton, Jr., Wauchula; Member, Florida State Fair Authority, for term ending July 1, 1976

George A. Brown, Casselberry; Member, St. Johns River Water Management District, for term ending July 1, 1975

Charles R. Robinette, Tallahassee; Member, Fire Fighters Standards Council, for term ending September 14, 1978

Charles Wm. Beaufort, Jacksonville; Member, Jacksonville Port Authority, Duval County, for term ending September 30, 1978

Byron E. Herlong, Leesburg; Member, Northwest Lake County Hospital District, Lake County, for term ending October 10, 1976

Leo M. Haskins, Jr., Key West; Member, Board of Trustees, Florida Keys Community College, for term ending May 31, 1978

Everett H. Williams, Jr., Jacksonville; Member, State Board of Funeral Directors and Embalmers, for term ending October 2, 1978

Frederick B. Karl, Tallahassee; Member, State Board of Independent Colleges and Universities, for term ending August 18, 1977

Paul Pennington, Orlando; Member, Fire Fighters Standards Council, State of Florida Department of Community Affairs, for term ending September 10, 1978

John A. Anderson, St. Petersburg; Member, Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1978

Jack E. Snider, Jacksonville; Member, Board of Trustees, Florida School for the Deaf and the Blind, for term ending November 14, 1978

Grace C. Park, Winter Park; Member, Board of Trustees, Florida School for the Deaf and the Blind, for term ending November 13, 1977

Robert Mason, St. Augustine; Member, Board of Trustees, Florida School for the Deaf and the Blind, for term ending November 7, 1975

Carl N. Taylor, Key West; Member, Board of Trustees, Florida Keys Community College, for term ending May 31, 1978

Walter C. Young, Pembroke Pines; Member, Board of Trustees, Broward Community College, for term ending May 31, 1978

Pauline Hicks, Jacksonville; Member, Board of Trustees, Florida School for the Deaf and the Blind, for term ending November 19, 1976

Richard J. Tugg, Miami; Member, Board of Trustees, Florida School for the Deaf and the Blind, for term ending November 20, 1977

Norman O. Protsman, Live Oak; Member, Board of Trustees, North Florida Junior College, for term ending May 31, 1978

Thomas M. Vander Veer, Yankeetown; Member, Governing Board of Southwest Florida Water Management District, for term ending July 1, 1978

Leander J. Shaw, Jr., Tallahassee; Member, Industrial Relations Commission, for term ending Pleasure of the Governor
[Referred to the Committee on Commerce which will report to the Select Committee on Executive Suspensions]

Susan Uhl Wilson, Miami; Member, Pollution Control Board, for term ending Pleasure of the Governor
[Referred to the Committee on Natural Resources and Conservation which will report to the Select Committee on Executive Suspensions]

S. C. Bexley, Jr., Land O'Lakes; Member, Governing Board, Southwest Florida Water Management District, for term ending July 1, 1978

Mary Mauldin, Panama City; Member, Board of Trustees, Florida School for the Deaf and the Blind of the State of Florida Department of Education, for term ending December 10, 1976

Francis O. Oden, Inverness; Member, Withlacoochee River Basin Water Management Board of the Southwest Florida Water Management District, for term ending June 30, 1977

Elver M. Hodges, Wauchula; Member, Board of Trustees, South Florida Junior College, for term ending May 31, 1978

Michael E. Stuart, Sarasota; Member, Manasota Basin Board, Ridge and Lower Gulf Coast Water Management District, for term ending June 30, 1977

Wilbur A. Steen, Jr., Lakeland; Member, Board of Funeral Directors and Embalmers, District Four, State of Florida Dept. of Professional and Occupational Regulation, for term ending July 25, 1976

Betty T. Rushton, Sarasota; Member, Manasota Basin Board, Ridge and Lower Gulf Coast Water Management District, for term ending June 30, 1976

Randall Jenkins, Inverness; Member, Board of Trustees, Citrus County Hospital, for term ending July 8, 1978

Jimmy J. Coplon, Tampa; Member, Board of Pilot Commissioners for the Port of Tampa, Hillsborough County, for term ending June 16, 1975

Edward I. Cutler, Tampa; Commissioner for the Promotion of Uniformity of Legislation, for term ending June 5, 1975

Alfred H. Moffat, North Palm Beach; Member, Board of Pilot Commissioners for the Port of Palm Beach, Palm Beach County, for term ending August 29, 1977

Thomas J. James, Lake Park; Member, Board of Pilot Commissioners for the Port of Palm Beach, Palm Beach County, for term ending September 12, 1977

Mark K. Wheeler, Fort Lauderdale; Member, State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, for term ending July 1, 1976

LaRue John Hastings, Ocala; Member, Florida Board of Building Codes and Standards as the County Code Enforcement Official of the State of Florida Department of Community Affairs, for term ending January 6, 1977

James W. Kynes, Tampa; Member, Board of Business Regulation, State of Florida Department of Business Regulation, for term ending Pleasure of the Governor

Thomas R. Pledger, West Palm Beach; Member, Board of Business Regulation, State of Florida Department of Business Regulation, for term ending Pleasure of the Governor
[Referred to the Committee on Commerce which will report to the Select Committee on Executive Suspensions]

Lawrence Lewis, Jr., Richmond, Virginia; Member, Historic St. Augustine Preservation Board, for term ending August 4, 1977

Marie Louis Whitney, New York, N. Y.; Member, Historic St. Augustine Preservation Board, for term ending August 31, 1978

Michael V. Gannon, St. Augustine; Member, Historic St. Augustine Preservation Board, for term ending August 13, 1977

Henry W. McMillan, St. Augustine; Member, Historic St. Augustine Preservation Board, for term ending August 12, 1978

Laura C. Helvenston, Live Oak; Member, Board of Trustees, North Florida Junior College, for term ending May 31, 1978

Paul R. Brautigan, Fort Lauderdale; Member, Florida Board of Building Codes and Standards as a City or Enforcement District Official, State of Florida Department of Community Affairs, for term ending January 9, 1977

W. M. Sanderlin, Orlando; Member, Board of Business Regulation, State of Florida Department of Business Regulation, for term ending Pleasure of the Governor
[Referred to the Committee on Commerce which will report to the Select Committee on Executive Suspensions]

Richard A. Pallot, Miami; Member, Board of Business Regulation, State of Florida Department of Business Regulation, for term ending Pleasure of the Governor
[Referred to the Committee on Commerce which will report to the Select Committee on Executive Suspensions]

Christopher G. Tyson, Coral Gables; Member, Florida Board of Building Codes and Standards as the Structural Engineer, State of Florida Department of Community Affairs, for term ending January 13, 1977

Thomas M. Moses, Lake Buena Vista; Member, Florida Board of Building Codes and Standards as a City Official, State of Florida Department of Community Affairs, for term ending January 15, 1979

J. H. Baroco, Pensacola; Member, Board of Business Regulation, State of Florida Department of Business Regulation, for term ending Pleasure of the Governor
[Referred to the Committee on Commerce which will report to the Select Committee on Executive Suspensions]

Ronald B. Lambert, Wauchula; Member, Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1978

J. Stanley Shirah, Ormond Beach; Member, Florida Board of Building Codes and Standards as the Residential Contractor, State of Florida Department of Community Affairs, for term ending January 21, 1979

Edward L. Stickney, Key West; Member, Historic Key West Preservation Board of Trustees, for term ending October 31, 1978

Elmer O. Friday, Jr., Tallahassee; Member, Industrial Relations Commission, for term ending Pleasure of the Governor

Y. E. Hall, Jacksonville; Member, Pollution Control Board, State of Florida Department of Pollution Control, for term ending Pleasure of the Governor
[Referred to the Committee on Natural Resources and Conservation which will report to the Select Committee on Executive Suspensions]

Edward J. Trombetta, Tallahassee; Secretary, Department of Community Affairs, for term ending Pleasure of the Governor (Resigned February 28, 1975)

John Robert Middlemas, Panama City; Member, Pollution Control Board, State of Florida Department of Pollution Control, for term ending Pleasure of the Governor

Mark D. Hollis, Lakeland; Member, Pollution Control Board, State of Florida Department of Pollution Control, for term ending Pleasure of the Governor
[Referred to the Committee on Natural Resources and Conservation which will report to the Select Committee on Executive Suspensions]

O. J. Keller, Jr., Tallahassee; Secretary, Department of Health and Rehabilitative Services, for term ending Pleasure of the Governor
[Referred to the Committee on Health and Rehabilitative Services, the Select Committee on Executive Suspensions and the

Committee on Rules and Calendar. The first Committee of reference will report to the Select Committee, the Select Committee will report to the Committee on Rules and Calendar]

Thomas B. Webb, Jr., Tallahassee; Secretary of the Department of Transportation, for term ending Pleasure of the Governor

Gary S. Brooks, Miami; Member, Assessment Administration Review Commission, for term ending January 2, 1979

Leonard A. Carson, Tallahassee; Chairman, Industrial Relations Commission, for term ending Pleasure of the Governor

Geo. W. Fizell, Riviera Beach; Member, Board of Pilot Commissioners for the Port of Palm Beach, for term ending September 29, 1977

Carl S. Williams, Webster; Member, Board of Trustees, Lake-Sumter Community College, for term ending May 31, 1978

William Guy Davis, Jr., Pensacola; Member, Historic Pensacola Preservation Board of Trustees, for term ending September 19, 1978

Thomas E. George, St. Petersburg; Member, Florida Board of Building Codes and Standards as the City or Enforcement District Official; for term ending January 23, 1979

James R. Henry, Jr., Sarasota; Member, Florida Board of Building Codes and Standards as the Mechanical Contractor, for term ending February 3, 1979

Edward B. Balme, Boca Raton; Member, Florida Board of Building Codes and Standards as a Licensed Plumbing Contractor, for term ending January 31, 1979

Robert J. Serfling, Tallahassee; Member, Assessment Administration Review Commission, for term ending January 2, 1979

Joe E. Hill, Leesburg; Member, Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1978

Leland Porter McKeown, Brooksville; Member, Board of Trustees, Pasco-Hernando Community College, for term ending May 31, 1978

Marshall S. Harris, Miami; Member, Board of Regents, for term ending January 1, 1984
[Referred to the Committee on Education which will report to the Select Committee on Executive Suspensions]

J. H. Williams, Tallahassee; Secretary, Department of Administration, for term ending Pleasure of the Governor

Edwin E. Crusoe IV, Key West; Member, Board of Pilot Commissioners for the Port of Key West, Monroe County, for term ending June 19, 1977

J. Haden McCormick, Jacksonville Beach; Member, Florida Board of Building Codes and Standards as the General Contractor, for term ending February 11, 1977

Denny R. Wood, Miami; Member, Florida Board of Building Codes and Standards as the Representative from the Florida Council of Handicapped, for term ending February 7, 1977

W. F. Eldredge, Chattahoochee; Member, Florida Board of Building Codes and Standards as the Representative from the fire protection engineering or technology, for term ending February 7, 1977

W. Dexter Douglass, Tallahassee; Member, Board of Trustees, Florida School for the Deaf and the Blind, for term ending February 7, 1979

Levie D. Smith, Jr., Lakeland; Member, Assessment Administration Review Commission, for term ending January 2, 1979

William R. Cotton, Hastings; Member, Board of Trustees, St. Johns River Junior College, for term ending May 31, 1978

James L. Pleitz, Pensacola; Member, Commission on Ethics, for term ending July 1, 1975
[Referred to the Committee on Governmental Operations which will report to the Select Committee on Executive Suspensions]

Charles R. Willis, St. Augustine; Brigadier General, Florida Army National Guard, for term ending Pursuant to Chapter 250.12, Florida Statutes

Marjorie R. Renfroe, Ocala; Member, Board of Trustees, Central Florida Community College, for term ending May 31, 1978

Leander J. Shaw, Jr., Tallahassee; Member, Industrial Relations Commission, for term ending Pleasure of the Governor
[Referred to the Committee on Commerce which will report to the Select Committee on Executive Suspensions]

Katie Barrineau, Pensacola; Member, Board of Trustees, Pensacola Junior College, for term ending May 31, 1978

Daniel R. Evers, Avon Park; Member, Board of Trustees, South Florida Junior College, for term ending May 31, 1978

Frederick Norris Paddock, Fruitland Park; Member, Northwest Lake County Hospital District, for term ending October 10, 1977

Glenn Franklin Wade, Bushnell; Member, Board of the Sumter County Recreation and Water Conservation and Control Authority, for term ending October 9, 1977

W. D. Frederick, Jr., Orlando; Member, Pollution Control Board of the State of Florida Dept. of Pollution Control, for term ending Pleasure of the Governor
[Referred to the Committee on Natural Resources and Conservation which will report to the Select Committee on Executive Suspensions]

Edward J. Trombetta, Tallahassee; Secretary, Department of Commerce of the State of Florida, for term ending Pleasure of the Governor

William H. Ravenell, Tallahassee; Secretary, Department of Community Affairs of the State of Florida, for term ending Pleasure of the Governor
[Referred to the Committee on Governmental Operations which will report to the Select Committee on Executive Suspensions]

Charles J. Scriven, Tallahassee; Member, Parole and Probation Commission, for term ending March 24, 1981
[Referred to the Committee on Judiciary-Criminal which will report to the Select Committee on Executive Suspensions]

Woodrow W. Wilkins, Miami; Member, Historic Pensacola Preservation Board, for term ending September 19, 1975

Hal Chasey, Palmetto; Member, Board of Trustees, Manatee Junior College, for term ending May 31, 1978

Garth C. Reeves, Miami; Member, Board of Trustees, Miami-Dade Community College, for term ending May 31, 1978

John R. Broxson, Gulf Breeze; Member, Board of Trustees, Pensacola Junior College, for term ending May 31, 1978

L. Don Combs, Boynton Beach; Member, Board of Funeral Directors and Embalmers, District V, State of Florida Department of Professional and Occupational Regulation, for term ending July 22, 1976

Douglas L. Stowell, Tallahassee; Secretary, Dept. of Professional and Occupational Regulation, for term ending Pleasure of the Governor
[Referred to the Committee on Commerce which will report to the Select Committee on Executive Suspensions]

Anabel P. Mitchell, Tallahassee; Member, Parole and Probation Commission, for term ending March 10, 1981
[Referred to the Committee on Judiciary-Criminal which will report to the Select Committee on Executive Suspensions]

Frank D. Jackson, II, Tampa; Member, Northwest Hillsborough County Basin Water Management Board, for term ending June 30, 1976

J. L. Taylor, Pensacola; Member, Civil Service Board, Escambia County, for term ending February 15, 1979

Anthony J. Ciano, Pensacola; Member, Civil Service Board, Escambia County, for term ending March 15, 1979

Charles Eugene Chick, Tallahassee; Member, Florida Board of Building Codes and Standards as the Representative from a State Agency, for term ending March 11, 1977

Marian P. Edwards, Leesburg; Member, Northwest Lake County Hospital District, for term ending October 10, 1977

Philip D. Conant, Umatilla; Member, Board of Trustees, Lake-Sumter Community College, for term ending May 31, 1977

Robert Carbaugh, Tavares; Member, Board of Trustees, Lake-Sumter Community College, for term ending May 31, 1978

Richard R. Powell, Tampa; Member, Northwest Hillsborough County Basin Water Management Board, for term ending June 30, 1977

Robert D. Hart, Jr., Pensacola; Member, Historic Pensacola Preservation Board, for term ending September 13, 1978

Denise L. Hodnette, Cantonment; Member, Historic Pensacola Preservation Board, for term ending January 22, 1979

J. Lynn Harrison, Arcadia; Member, Manasota Basin Board, Ridge and Lower Gulf Coast Water Management District, for term ending June 30, 1977

E. Harris Drew, Tallahassee; Member, Commission on Ethics, for term ending July 1, 1975

James G. Feiber, Jr., Gainesville; Member, Board of Trustees, Santa Fe Community College, for term ending May 31, 1978

J. Milton Brownlee, Gainesville; Member, Board of Trustees, Santa Fe Community College, for term ending May 31, 1978

C. W. Beaufort, Jacksonville; Member, Jacksonville Port Authority, Duval County, for term ending September 30, 1974

Beulah M. Savage, Leesburg; Member, Northwest Lake County Hospital District, for term ending October 10, 1977

Robert Roy Meador, Jr., Leesburg; Member, Board of Trustees, Lake-Sumter Community College, for term ending May 31, 1978

Robert W. Carlton, Brooksville; Member, Withlacoochee River Basin Water Management Board, for term ending June 30, 1977

Philip F. Ashler, Tallahassee; Member, State Board of Independent Colleges and Universities, for term ending August 17, 1977

Murray Read, Trenton; Member, Waccasassa River Basin Water Management Board, for term ending June 30, 1977

Harriet M. Wilson, Tallahassee; Member, Board of Trustees, Tallahassee Community College, for term ending May 31, 1975



GIVEN under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Eighth day of April, A. D., 1975.

BRUCE A. SMATHERS
Secretary of State

—which were referred, with the exception of reference to the contrary, to the Select Committee on Executive Suspensions.

Honorable Dempsey J. Barron
President, The Florida Senate
The Capitol

April 10, 1975

Dear Mr. President:

This is to advise that I have appointed Mr. Vasco Peeples as a member of the Peace River Basin Water Management Board of the Southwest Florida Water Management District for a term ending June 30, 1976.

It would be appreciated if the Senate would take up the confirmation of this appointment during the current session of the Florida Legislature.

Sincerely,
REUBIN O'D. ASKEW, Governor

—which was referred to the Select Committee on Executive Suspensions.

The Senate recessed at 8:39 a.m.

The Senate was called to order by the President at 10:00 a.m.
A quorum present—39:

Mr. President	Graham	Peterson	Thomas (30th)
Brantley	Hair	Plante	Thomas (4th)
Childers (28th)	Henderson	Poston	Tobiassen
Childers (1st)	Holloway	Renick	Trask
Deeb	Johnston	Saunders	Vogt
Dunn	Lane (31st)	Sayler	Ware
Firestone	Lewis	Scarborough	Wilson
Gallen	MacKay	Sims	Winn
Glisson	McClain	Spicola	Zinkil
Gordon	Myers	Stolzenburg	

Excused: Senator Lane (23rd)

Prayer by the Senate Chaplain:

Dear God, our days are crowded with ever increasing demands on time and talents: So we ask for strength for today, that physical tiredness may not detrimentally affect our discussions and decisions.

Continue to give us courage to stand firmly for our convictions while remaining pliable with our opinions: And grant us the wisdom to distinguish between the two.

Bless each Senator and each of their families: Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Friday, April 11, 1975:

SB 169	SB 138	SB 15	SB 148
SB 181	SB 49	SB 132	

Respectfully submitted,
Lew Brantley, Chairman

The Committee on Commerce recommends the following pass:
SB 221

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

The Committee on Commerce recommends the following pass:
SB 226 with 1 amendment

The Committee on Education recommends the following pass:
SB 129

The Committee on Judiciary-Criminal recommends the following pass: SB 104 with 3 amendments

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

The Committee on Transportation recommends the following pass: SB 161

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

The Committee on Transportation recommends the following pass: SB 189

The bill was referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Commerce recommends the following pass:

SB 44 with 3 amendments	SB 107
SB 74	SB 108 with 3 amendments
SB 84 with 1 amendment	SB 122

The Committee on Education recommends the following pass:
SB 302

The Committee on Judiciary-Criminal recommends the following pass:
SB 2, SB 55 with 1 amendment, SB 85 with 2 amendments

The Committee on Natural Resources and Conservation recommends the following pass: SB 223

The Committee on Transportation recommends the following pass: SB 89 with 2 amendments, SB 159 with 1 amendment

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

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 181

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

The Committee on Commerce recommends the following not pass: SB 30, SB 79

The Committee on Education recommends the following not pass: SB 48

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

ENGROSSING REPORTS

Your Engrossing Clerk has incorporated amendments to CS for SB 157.

Joe Brown, Secretary

The bill was certified to the House.

Your Engrossing Clerk has incorporated amendments to CS for SB 165.

Joe Brown, Secretary

The bill was certified to the House.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Gallen, by two-thirds vote Senate Bills 200, 282 and 283 were withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Hair, by two-thirds vote SB 213 was withdrawn from the Committee on Health and Rehabilitative Services and indefinitely postponed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President April 10, 1975

I am directed to inform the Senate that the House of Representatives has adopted CS for HCR 2 and HCR 68 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Select Committee on Human Rights and Representative Gordon and others—

CS for HCR 2 and HCR 68—A concurrent resolution ratifying the proposed amendment to the Constitution of the United States relating to equal rights for men and women.

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

SPECIAL ORDER

CS for SB 169—A bill to be entitled An act relating to correctional reorganization; creating s.20.315, Florida Statutes, to create a Department of Corrections; providing for the internal structure of the department; providing for adult corrections district advisory councils; transferring the Division of Corrections, the Vocational Training Advisory Council of the Department of Health and Rehabilitative Services and the functions of the Parole and Probation Commission relating to the supervision of parolees and probationers to the new department; amending s.20.32(1), Florida Statutes, redesignating the Parole and Probation Commission as the Parole Commission and providing its powers; adding s.110.051(2)(n), Florida Statutes, to exempt specified positions from the career service; providing duties of the Department of Administration; providing certain duties of the Department of Corrections; providing for discharges from commitments; providing for commitments; providing duties of the Department of Health and Rehabilitative Services; providing for continuing effectiveness of specified rules; providing severability; adding s.921.231(4), Florida Statutes, 1974 Supplement; providing requirements for nonconfidential portion of presentence investigation reports; amending s.944.024(1), Florida Statutes, 1974 Supplement; providing a procedure for the performance of pretrial investigations; amending s.945.10(4), Florida Statutes, 1974 Supplement; providing for cooperation of the Department of Corrections, the Department of Health and Rehabilitative Services, and the Parole Commission; providing for information on released felons by the Parole Commission; repealing s.947.081, Florida Statutes, relating to the Department of Community Services of the Parole and Probation Commission; providing an effective date.

—having been read the second time and amended April 9, was taken up together with the following pending amendment:

Amendment 17—On page 13, line 4, add: Provided that clients of the Department of Corrections shall not be confined in mental institutions or mental health facilities of the Department of Health and Rehabilitative Services without prior legislative approval.

Senator Sims moved that the Senate reconsider the vote by which amendment 1 failed April 9.

Senator Myers raised a point of order that the motion to reconsider was out of order, because another amendment was pending.

The President ruled the point not well taken and the motion to reconsider in order.

The question recurred on the motion to reconsider and the motion was adopted by the following vote:

Yeas—20

Brantley	Henderson	Sayler	Thomas (4th)
Childers (1st)	Lane (31st)	Scarborough	Tobiassen
Deeb	Lewis	Sims	Trask
Gallen	McClain	Spicola	Ware
Glisson	Plante	Stolzenburg	Zinkil

Nays—19

Mr. President	Graham	Myers	Thomas (30th)
Childers (28th)	Hair	Peterson	Vogt
Dunn	Holloway	Poston	Wilson
Firestone	Johnston	Renick	Winn
Gordon	MacKay	Saunders	

On motion by Senator Myers, further consideration of CS for SB 169 with pending amendments was deferred.

SB 181 was taken up, together with:

By the Committee on Judiciary-Civil and Senator Lane (31st)—

CS for SB 181—A bill to be entitled An act relating to the limitation of actions for professional malpractice; amending paragraph (a) of s.95.11(4), Florida Statutes, 1974 Supplement, to provide that an action for professional malpractice may not be brought more than four years from the date the incident giving rise to the action occurred regardless of when the cause of action is discovered or should have been discovered; providing an effective date.

—which was read the first time by title and SB 181 was laid on the table.

On motion by Senator Lane (31st), by two-thirds vote CS for SB 181 was read the second time by title.

Senator Thomas (30th) presiding

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

Amendment 1—On page 1, line 28, insert after the word "action.": Provided, however, that upon a showing that the aggrieved party could not have discovered the malpractice within the said 4 year period by reason of fraudulent concealment, deceit or misleading representation, or for other good cause showing unusual circumstances, the appropriate district court of appeal, based upon a sworn original petition setting forth such facts, with the submittal of any other supportive evidence required by the court, may extend the time within which said action may be brought for a reasonable period. The limitation of actions herein for professional malpractice shall be limited to persons in privity with the professional.

Further consideration of Amendment 1 was temporarily deferred.

Senator McClain moved the following amendment:

Amendment 2—Strike everything after the enacting clause and insert: Section 1. Subsections (4) and (5) of section 95.11, Florida Statutes, 1974 Supplement, are amended to read:

95.11 Limitations other than for the recovery of real property.—Actions other than for recovery of real property shall be commenced as follows:

(4) WITHIN TWO YEARS.—

~~(a) An action for professional malpractice, whether founded on contract or tort, provided that the period of limitations shall run from the time the cause of action is discovered with the exercise of due diligence. However, the limitation of actions herein for professional malpractice shall be limited to persons in privity with the professional.~~

~~(a)(b) An action to recover wages or overtime or damages or penalties concerning payment of wages and overtime.~~

~~(b) (c) An action for wrongful death.~~

(5) WITHIN ONE YEAR.—

(d) An action for professional malpractice, whether founded on contract or tort, shall be commenced within one year from the time the cause of action is discovered or should have been discovered with the exercise of due diligence, but in no case later than 4 years from the date of the incident or occurrence out of which the cause of action accrued. However, the limitation of actions herein for professional malpractice shall be limited to the professional and persons in privity with the professional.

Section 2. This act shall take effect July 1, 1975.

The President presiding

On motion by Senator Brantley, by two-thirds vote the morning session scheduled for Monday, April 14, was cancelled and the afternoon session set to convene at 1:00 p.m. in lieu of 2:00 p.m. as previously scheduled.

The Journal of April 9 was corrected and approved as follows:

Page 39, counting from the bottom of column 2, strike lines 21 and 22 and insert: In Section 8 (4) strike "within the divisions" and "within such divisions"

CO-INTRODUCERS

Senator Firestone was recorded as co-introducer of SB 55, and Senator McClain as a co-introducer of SJR 270 and SB 271.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:01 p.m. to convene at 8:30 a.m., April 14, 1975 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 1:00 p.m.