

JOURNAL OF THE FLORIDA SENATE

Tuesday, May 4, 1976

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

INTRODUCTION

By Senators Myers, Ware, Lewis, Wilson, Brantley, McClain, Zinkil, Winn, Sims, D. Lane, Firestone, Saylor, Henderson, J. Lane, Vogt, Deeb, Gordon, Stolzenburg, MacKay, W. D. Childers, Spicola, Tobiassen, Barron, J. Thomas and Hair—

SB 1156—A bill to be entitled An act relating to legislative review of agencies, programs and functions which regulate a profession, occupation, business, industry and other endeavor; repealing various chapters and sections of the Florida Statutes, relating to such agencies, programs and functions; providing for periodic legislative review, modification and reestablishment of such agencies, programs, and functions; providing criteria for determining reestablishment; providing for appointment of a select joint committee; preserving causes of action by or against agencies terminated; providing an effective date.

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

By Senator Deeb—

SB 1157—A bill to be entitled An act relating to bingo and guest games; amending s. 849.093(1), (6), (8), (9), Florida Statutes, and adding a new subsection to said section; providing definitions; clarifying language; limiting the use of property leased for conducting bingo games; requiring the filing of any lease agreement with the county clerk; prohibiting certain terms in lease agreements; requiring any organization which owns property on which such games are held to file an affidavit with the county clerk; requiring the posting of certain notice at the entrance of any building where such games are conducted; requiring the filing of certain banking information with the Clerk of the Circuit Court; providing penalties; providing an effective date.

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

By Senator Plante—

SB 1158—A bill to be entitled An act relating to charity racing days; amending s. 550.03(2)(c), Florida Statutes, authorizing the Board of Business Regulation to extend the time limitations for horse or dog racing or jai alai operation in Seminole County, the proceeds of which shall go to Valencia Community College and Rollins College; providing an effective date.

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

By Senator Dunn—

SB 1159—A bill to be entitled An act relating to judges of industrial claims; amending s. 440.45(1), (4), Florida Statutes; requiring that the initial appointment by the Governor of each judge be from a list of nominees presented by the Appellate District Judicial Nominating Commission in the appellate district in which the nominee will principally conduct hearings; prescribing the required experience of an appointee to such position; providing an effective date.

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

By Senator McClain—

SJR 1160—A joint resolution proposing an amendment to Sections 4 and 5, Article IV of the State Constitution; removing the attorney general from the cabinet; providing for the appointment of the attorney general by the governor subject to confirmation by the senate; providing for the qualifications and duties of the attorney general.

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

By Senators Graham, Lewis, Peterson, Spicola, and MacKay—

SB 1161—A bill to be entitled An act relating to exceptional student education services; providing for local review of educational placement of students; providing for appeal of local action to the Commissioner of Education; providing for state review of local action; requiring local school officials to implement the decisions of the Commissioner of Education when based on findings of a state review; providing an effective date.

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

By Senator J. Lane—

SB 1162—A bill to be entitled An act relating to motor vehicle dealer licenses; adding s. 320.27(9)(k), Florida Statutes; providing additional grounds for license denial, suspension, or revocation; providing an effective date.

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

By Senator Lewis—

SCR 1163—A concurrent resolution approving the types, amounts and use of registration fees, tuition fees, and course fees to be charged and collected from students enrolled in the institutions of higher learning under the Board of Regents during the 1976-1977 school year.

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

By Senator J. Lane—

SB 1164—A bill to be entitled An act relating to food products having the semblance of milk or milk products; amending s. 502.161, Florida Statutes; redefining the term industry trade products to include all food products having the semblance of milk or a milk product; providing labeling requirements for such products; providing that industry trade products shall comply with certain health standards; requiring a permit for engaging in the manufacture, distribution, or sale of industry trade products; providing an effective date.

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

By Senator Ware—

SB 1165—A bill to be entitled An act relating to corporations; adding s. 607.164(1)(k), Florida Statutes; requiring a subsidiary corporation to include in its articles of incorporation the names and addresses of the directors and resident agent, if any, of the parent corporation; amending s. 607.357(1), Florida Statutes; requiring a subsidiary corporation to include in its annual report to the Department of State the names and addresses of the directors and resident agent, if any, of the parent corporation; providing an effective date.

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

By Senator Lewis—

SB 1166—A bill to be entitled An act relating to the maintenance dredging of navigation channels, port harbors, turning basins and harbor berths; adding s. 403.813(3), Florida Statutes; providing for permits from the Department of Environmental Regulation; providing for review of such permits; providing for recovery by the Trustees of the Internal Improvement Trust Fund of an amount equal to the difference between the fair market value and the actual cost of the maintenance dredging for material removed during such maintenance dredging; repealing s. 403.813(1)(f), Florida Statutes, which pro-

vides for the permitting of maintenance dredging; providing an effective date.

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

By Senator Vogt—

SB 1167—A bill to be entitled An act relating to health and rehabilitative services; amending s. 402.17(7)(b), Florida Statutes; providing that if a unit of the Department of Health and Rehabilitative Services deposit any funds of a child, patient, or resident in its care, any interest or increment accruing thereon shall be property of the child, patient, or resident; providing an effective date.

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

By Senator Vogt—

SB 1168—A bill to be entitled An act relating to developments of regional impact; adding s. 380.06(4)(c), (d), Florida Statutes; specifying parcels of land to be considered or not considered as a part of the proposed development by the state land planning agency in determining whether a proposed development is a development of regional impact; requiring the state land planning agency to issue under certain conditions a binding letter of interpretation authorizing certain development and prohibiting further development of such a tract under certain conditions; providing an effective date.

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

By Senators Plante and P. Thomas—

SB 1169—A bill to be entitled An act relating to motor carriers; amending s. 323.01(4), (6), (10) and (18), Florida Statutes, and adding subsections, providing definitions; creating s. 323.011, Florida Statutes, providing a fee schedule for various applications or petitions for hearings relating to motor carriers and a penalty fee schedule for violations by motor carriers; providing for the disposition of moneys collected from such fees and penalties; providing a new fee for temporary authority to operate a motor carrier; increasing and decreasing certain existing application and penalty fees; amending s. 323.02, Florida Statutes, relating to the prohibited operation of a motor carrier without a certificate or permit; amending s. 323.03, Florida Statutes, relating to the issuance of certificates of convenience to combine all types of motor carriers within its provisions; specifying items to be considered in issuing a certificate and providing for the issuance thereof absent timely protest; provides for the issuance of temporary certificates; deleting provisions requiring a hearing if no protests filed; creating s. 323.032, Florida Statutes, transferring provisions relating to detour authority for charter carriers and to charter rights; amending s. 323.041(2) and (6), Florida Statutes, deleting provisions relating to the refund of fees to applicants for the transfer of certificates under certain circumstances; authorizing the Public Service Commission to cancel any duplicating authority involved in the reissuance of a transfer of a certificate; amending s. 323.042, Florida Statutes, deleting the hearing requirement for determinations of whether multiple transportation authority by a motor carrier is contrary to the public interest; amending s. 323.05, Florida Statutes, exempting specified motor carriers and types of transportation from requirements of securing a certificate but requiring them to secure permits; providing a procedure for the issuance of such permits; prohibiting the assignment, sale or transfer of permits; creating s. 323.053, Florida Statutes, requiring taxicab operators to obtain a master taxi permit; providing for the application for such permits by motor carriers; exempting taxicab operators operating wholly within a municipality or its suburban areas or within certain counties; creating s. 323.054, Florida Statutes, authorizing municipalities to regulate motor vehicles within their boundaries and suburban areas; amending s. 323.06(1) and (3), Florida Statutes, authorizes the commission to fix the amount of insurance required of carriers from time to time instead of only at the issuance of the certificate or permit; clarifying information to be supplied by carriers wishing to self-insure; amending s. 323.08, Florida Statutes, specifying items to be considered by the commission in fixing rates and charges for motor carriers; deleting provisions requiring a

public hearing for rate increases; authorizing charter carriers and newspaper carriers to negotiate their compensation with the parties to be served; amending s. 323.09, Florida Statutes, deleting provisions relating to mileage reports maintained by certificate and permit holders; amending s. 323.10(1), (3) and (5), Florida Statutes, relating to the application fee for suspensions of operations of certificate holders; amending s. 323.15(1), (2) and (6), Florida Statutes, incorporating various road taxes imposed upon motor carriers into three based upon capacity and location of operation; amending s. 323.16, Florida Statutes, providing for the redistribution of moneys collected from motor carriers; amending s. 323.21, Florida Statutes, authorizing commission investigators to inspect the contents of trucks and motor carriers; amending s. 322.22, Florida Statutes, authorizing motor carriers to obtain emergency or trip-lease permit cards to identify vehicles under certain circumstances; amending s. 323.28, Florida Statutes, conforming fee provisions to the act; amending s. 323.29, Florida Statutes, relating to transportation exempted from regulation of motor carriers; repealing s. 323.01(9), Florida Statutes, which defined "for hire" for purposes of the regulation of motor carriers; repealing s. 323.031, Florida Statutes, relating to certificates for the hauling of construction aggregates; repealing s. 323.04, Florida Statutes, relating to requirements for obtaining a contract carrier certificate; repealing s. 323.051, Florida Statutes, relating to single county road aggregate permits; repealing s. 323.14(2)-(8), Florida Statutes, relating to charter carriers, to conform to the act; repealing s. 323.151, Florida Statutes, relating to the imposition of additional taxes on certificates and permits; repealing s. 323.19, Florida Statutes, which prohibits carriers from varying from tariffs which are on file; repealing s. 323.191, Florida Statutes, which permits carriers to negotiate fees for carrying newspapers; repealing s. 323.20, Florida Statutes, conforming suspension provisions to the act; repealing s. 323.23, Florida Statutes, relating to records of commission hearings relating to motor carriers; repealing s. 323.27, Florida Statutes, which exempts certain carriers from being considered common carriers; repealing s. 323.33, Florida Statutes, conforming fee provisions to the act; providing an effective date.

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

By Senators MacKay and Graham—

SB 1170—A bill to be entitled An act relating to education; creating s. 229.55, Florida Statutes, providing a short title and legislative intent; amending s. 229.551, Florida Statutes, providing for coordination and management of all aspects of a system of accountability in lieu of the currently provided for plan for effecting constructive educational change; providing duties of the Commissioner of Education; creating s. 229.555, Florida Statutes, providing for educational planning and a comprehensive management information system; amending s. 229.561(2)(d) and (e), Florida Statutes, and amending the introductory paragraph of said section; providing legislative intent with respect to allocation of funds for educational research and development; eliminating the required annual report with respect to the Commissioner of Education's 2-year plan for educational research and development; creating s. 229.565, Florida Statutes; providing educational evaluation procedures; providing for the establishment of minimum program standards; amending s. 229.57, Florida Statutes, providing for a statewide student assessment testing program in lieu of current provisions with respect to educational accountability; creating ss. 229.575, and 229.58, Florida Statutes; providing reporting procedures; providing for district and school advisory committees; amending s. 228.071(4), Florida Statutes, requiring a district school board or the board for the Florida School for the Deaf and the Blind to describe its community school program when making a community school grant application; amending s. 230.22(1), Florida Statutes, deleting certain authority with respect to school advisory councils; amending s. 230.33(5), Florida Statutes, deleting certain provisions with respect to school program plans; amending s. 230.2311(2), (3), and (4)(k), Florida Statutes, relating to early childhood and basic skills development programs; removing certain conditions of continued teacher certification; amending s. 230.2313(4) and (5), Florida Statutes, removing language which requires inclusion of student services programs in a school district's comprehensive plan; amending s. 236.02(7), Florida Statutes, providing for conformity with this act in lieu of currently required comprehensive educational plans; amending s. 237.34, Florida Statutes, providing for cost accounting and reporting in lieu of current provisions relating to a comprehensive information, accounting, and reporting sys-

tem; repealing ss. 228.165, 229.813, 233.0682, and 237.35, Florida Statutes, relating, respectively, to annual report of progress, departmental report of educational needs, State Board of Education regulations respecting a comprehensive vocational education program, and program information and audit; directing certain actions by the Division of Statutory Revision and Indexing of the Joint Legislative Management Committee; providing for other matters relative to the foregoing; providing an effective date.

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

By Senator Graham—

SB 1171—A bill to be entitled An act relating to the Beverage Law; adding s. 561.01(12), Florida Statutes; providing definition for "wholesale price"; amending s. 561.50, Florida Statutes; providing that the beverage tax shall be paid, as a percentage on the wholesale cost of alcoholic beverages; amending s. 562.20, Florida Statutes; eliminating requirement for monthly reports by common carriers of alcoholic beverages transported by them in the state; amending ss. 563.05, 564.06, 565.12, Florida Statutes; providing that the beverage tax on malts, wines and liquors shall be a percentage of the wholesale price; deleting exemption for certain beverages sold to certain facilities on military reservations; providing an effective date.

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

By Senator Deeb—

SB 1172—A bill to be entitled An act relating to Pinellas County, amending s. 421.27(3), Florida Statutes; authorizing the Pinellas County Housing Authority to administer and operate the Section 8 Housing Assistance Payments Program as set forth in the 1974 United States Housing and Community Development Act within the corporate limits of certain municipalities in Pinellas County; providing for adoption of a resolution and cooperation agreement between the cities and the Authority prior to such administration and operation; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Vogt—

SB 1173—A bill to be entitled An act relating to pari-mutuel wagering; creating s. 550.0355, Florida Statutes; authorizing horse or dog racing or jai alai establishments to hold an additional day of operation for the benefit of the Florida Fine Arts Council; creating the Florida Fine Arts Council Trust Fund; providing for the disposition of funds collected pursuant to the act; providing a procedure whereby one establishment may conduct more than one benefit day of operation under certain circumstances; providing an effective date.

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

By Senator Sims—

SB 1174—A bill to be entitled An act relating to taxation of motor fuels; creating s. 206.627, Florida Statutes; prescribing a refund of certain motor fuel taxes paid by church-operated schools and private nonprofit schools; directing the Department of Revenue to prescribe rules and forms to effectuate the purposes of the act; providing an effective date.

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

By Senators D. Childers and Johnston—

SB 1175—A bill to be entitled An act relating to insurance contracts; adding s. 627.413(5), Florida Statutes; requiring that all insurance policies contain on the front page a summary of major coverages, conditions, exclusions, and limitations contained in the policy; repealing s. 627.421(3), Florida Statutes, relating to summary required for automobile liability or physical damage insurance policies; providing an effective date.

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

By Senators Gordon, Plante, MacKay, Saylor and Tobiassen—

SB 1176—A bill to be entitled An act relating to public school personnel; amending s. 231.02, Florida Statutes; providing that each district school board prescribe qualifications for employees; amending s. 231.361(1), Florida Statutes; providing equal contractual rights and privileges for vocational and other instructional personnel; repealing ss. 231.03, 231.031, 231.09(1), (2), (4), 231.10, 231.14, 231.15, 231.16, 231.20, 231.24, 231.23-231.30, 231.3505, 231.351, 231.36, 231.361(2), 231.39-231.47, 231.471, 231.48, 231.54, 231.55, 231.57-231.59, Florida Statutes, relating to qualifications, duties, certificates, records, fees, contracts, leave, and professional practices of the instructional personnel of a district school system, the Florida Council on Teacher Education, and the employment of directors of vocational education; providing effective dates.

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

By Senator Poston—

SB 1177—A bill to be entitled An act relating to insurance fees, taxes, and licenses; amending s. 624.501(2)(b) and (c), (4)-(11), (12)(a), (b), (c), and (d), (13), and (15)-(17), Florida Statutes, increasing certain filing, appointment, license, and permit fees relating to certain charter documents and annual statements of insurers, certain insurance agents, fraternal benefit society agents, vending machines, surplus lines agents, adjusters, certain examinations, reissuances of licenses or permits, duplicate copies, and changes of address on licenses or permits; providing an effective date.

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

By Senator Lewis—

SB 1178—A bill to be entitled An act relating to railroads; amending s. 351.30, Florida Statutes, providing that, if a county or municipality provides certain signals at a grade crossing, no train is to make an audible indication of its approach to the crossing except in case of emergency; requiring the Florida Public Service Commission to adopt certain rules; providing an effective date.

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

By Senators Graham, Gordon, Sims, Saylor, D. Lane, MacKay, J. Lane, Hair, Myers, Plante, Tobiassen, Lewis, Henderson and D. Childers—

SB 1179—A bill to be entitled An act relating to health care responsibility; providing definitions; placing the financial responsibility for the costs of medical treatment given to certified indigent patients at regional referral hospitals upon the county in which the indigent patient resides; providing a limitation; providing for certification of eligible residents as indigent by the county; providing for the settlement of disputes between a county and a regional referral hospital; providing for certification to the Comptroller amounts due for services rendered by a regional referral hospital which are not received from the legally responsible county within 60 days of receipt of a statement for costs; providing for payment of such delinquent amounts from funds due such county under any revenue-sharing or tax-sharing fund established by the state; providing an effective date.

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

By Senator Renick (by request)—

SB 1180—A bill to be entitled An act relating to horseracing; amending ss. 550.04, 550.065(2), and 550.291(1), Florida Statutes, and ss. 550.33(3), 550.37(4), and 550.41(3), Florida Statutes, 1974 Supplement, authorizing the conduct of Sunday racing during authorized horseracing seasons; creating s. 550.49, Florida Statutes, authorizing Sunday horseracing and providing

restrictions and limitations on such racing; providing an effective date.

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

By Senators Scarborough, Dunn, Deeb, Vogt, Hair and Firestone—

SB 1181—A bill to be entitled An act relating to parole and probation; amending s. 945.30, Florida Statutes; exempting those on parole or probation under the Interstate Corrections Compact from the requirement for contribution to the cost of rehabilitation; providing that failure to make the required contribution is grounds for revocation of parole or probation; providing exceptions; providing an effective date.

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

Senator W. D. Childers—

SB 1182—A bill to be entitled An act relating to appeals of board of tax adjustment decisions; amending s. 193.122(1), Florida Statutes; deleting authority for property appraisers to appeal board of tax adjustment decisions to the Department of Revenue; amending s. 194.032(3), (5), Florida Statutes, and adding subsection (10) to said section; providing board of tax adjustment records shall be made available for judicial review; providing that board of tax adjustment decisions shall contain findings of fact and conclusions of law; providing that board of tax adjustment decisions are subject to review in the circuit court; repealing s. 193.122(4), Florida Statutes, which provides for the extension of taxes against property under review by the Department of Revenue; providing an effective date.

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

By Senators W. D. Childers, Tobiassen, Peterson, Spicola, J. Thomas, P. Thomas, Hair, Deeb, Sayler and Zinkil—

SB 1183—A bill to be entitled An act relating to county building codes; amending s. 125.56, Florida Statutes; providing that the board of county commissioners of each county may adopt county building codes from a list of nationally recognized model codes for building construction in the incorporated and unincorporated areas of the county; providing for notice and hearings; prescribing guidelines; providing for adoption of fee schedules by county and municipal governments; providing for enforcement by counties and municipalities; authorizing the creation of multicounty enforcement districts; providing for the issuance and revocation of building permits; providing exemptions; providing for an appeals board; providing penalties; repealing ss. 553.70-553.85, Florida Statutes, relating to the Florida Building Codes Act of 1974; providing an effective date.

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

By Senator MacKay—

SB 1184—A bill to be entitled An act relating to trespass; amending ss. 810.08, 810.09, Florida Statutes; providing that defying an order to leave constitutes a trespass; providing penalties; providing an effective date.

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

By Senator Graham—

SB 1185—A bill to be entitled An act relating to the school fiscal matters; amending s. 228.041(18), Florida Statutes; changing the school fiscal year; repealing s. 237.111, Florida Statutes, which authorizes school boards to approve ordinary expenditures from July 1 until the budget becomes official; providing an effective date.

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

By Senator Lewis—

SB 1186—A bill to be entitled An act relating to the payment of professional membership dues; amending s. 216.345, Florida

Statutes; providing for approval of payment of certain membership dues by the agency head or the designated agent thereof; requiring promulgation of rules and criteria to determine justification for membership dues payment; providing an effective date.

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

By Senator Holloway—

SB 1187—A bill to be entitled An act relating to sheriff's fees for service of summons, writs, subpoenas, and executions; amending s. 30.231(1), Florida Statutes; increasing such fees; providing an effective date.

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

By Senator Vogt—

SB 1188—A bill to be entitled An act relating to public officers and employees; amending s. 111.07, Florida Statutes; broadening current authorization with respect to the defense of public officers and employees in tort actions arising out of the officer's or employee's negligence in the scope of employment to include any action arising out of such negligence; authorizing the Department of Legal Affairs to provide defense with respect to actions in Federal Court; providing an effective date.

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

By Senator Sayler—

SB 1189—A bill to be entitled An act relating to saltwater fishing; amending s. 370.102, Florida Statutes; requiring that regulation of the taking or possession of saltwater fish be initiated by general law; prohibiting special laws or general laws of local application pertaining to such regulation; repealing special laws and general laws of local application and county and municipal ordinances pertaining to such regulation; providing an effective date.

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

SR 1190 was introduced and adopted April 28.

By Senator Graham—

SB 1191—A bill to be entitled An act relating to the dissolution of marriage; amending s. 61.08, Florida Statutes; providing standards for a court to follow in determining a proper alimony award relating to the expected earning abilities of the respective parties, and certain other specified factors; providing an effective date.

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

By Senator Peterson—

SB 1192—A bill to be entitled An act relating to the Student Loan Trust Fund; amending s. 239.715, Florida Statutes, making students at institutions accredited by associations which are members of the Council on Postsecondary Accreditation or at private vocational schools licensed by the State Board of Independent, Postsecondary, Vocational, Technical, Trade, and Business Schools eligible for loans; providing an effective date.

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

By Senator Sayler—

SB 1193—A bill to be entitled An act relating to county commissioners' districts; amending s. 124.01(3), Florida Statutes, authorizing the board of county commissioners, in fixing the boundaries of county commissioners' districts, to utilize the most recent population figures supplied by the Department of Administration; providing an effective date.

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

By Senator Ware—

SB 1194—A bill to be entitled An act relating to the sale of liquefied petroleum gas and the sale, manufacture, or installation of liquefied petroleum equipment or appliances; amending s. 527.02(1), Florida Statutes; providing for an increase in license fees for manufacturers of appliances for use with liquefied petroleum gas, for dealers in liquefied petroleum gas only, for persons installing equipment or appliances, and for dealers in liquefied gas, appliances using such gas, and installation; providing an effective date.

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

By Senator Stolzenburg—

SB 1195—A bill to be entitled An act relating to motor vehicle licenses; creating s. 320.065, Florida Statutes; providing for registration of and payment of license taxes and fees for certain trailers for hire; providing an effective date.

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

By Senator Peterson—

SB 1196—A bill to be entitled An act relating to education; amending s. 231.20, Florida Statutes; providing for the issuance, to any regular graduate of any institution accredited by an accrediting association which is a member of the Council on Postsecondary Accreditation, of a graduate certificate to teach; providing an effective date.

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

By Senator Scarborough—

SB 1197—A bill to be entitled An act relating to medical practice by graduates of foreign medical schools; adding s. 458.05(6), Florida Statutes; exempting a foreign medical school graduate from certain prerequisites to taking the examination of the State Board of Medical Examiners if he has certain hospital experience; providing an effective date.

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

By Senator McClain—

SB 1198—A bill to be entitled An act relating to marriage licenses; amending ss. 741.051, 741.055, 741.056, Florida Statutes; deleting the requirement of a physical examination as a prerequisite for a marriage license; extending the time for taking the serological test; providing an effective date.

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

By Senator D. Lane—

SB 1199—A bill to be entitled An act relating to civil medical malpractice; amending s. 768.133(8), Florida Statutes; requiring a medical liability mediation panel to assist parties in reaching a settlement; providing requirements for recommendations as to damages; providing for admissibility of recommendations in subsequent trial; adding s. 768.134(3), Florida Statutes; providing that initial stage of trial is solely for determining liability; requiring the court to take expert testimony as to range of damages and submit summary to jury; providing an effective date.

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

By Senator Gordon (by request)—

SB 1200—A bill to be entitled An act relating to pilots; amending ss. 310.011, 310.021, Florida Statutes; reducing the number of members on the Board of Pilot Commissioners; reducing the number of members on the board required to be licensed state pilots actively practicing their profession; increasing the number of nonpilot members and redesignating the areas of the state from which the board members are to be

appointed; amending s. 310.061(1), Florida Statutes; removing quotas on licensed state pilots; amending s. 310.081(1), (3), Florida Statutes; altering the criteria used for filling vacancies in the number of licensed state pilots; amending s. 310.141, Florida Statutes; including a weight maximum and increasing the maximum number of feet of water a vessel can draw in order to be exempt from the requirement of having a pilot or deputy pilot on board; amending s. 310.161, Florida Statutes; decriminalizing piloting a vessel without a license when a licensed pilot or certificated deputy pilot is not available and eliminating the double pilotage rate for such unlicensed pilotage; providing an effective date.

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

By Senator Graham—

SB 1201—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending chapter 75-190, Laws of Florida, relating to payment of certain fees for services provided by the department; requiring certain persons to be liable for such fees consistent with ability to pay; providing for retroactive redetermination of ability to pay; providing that unpaid fees shall constitute a lien; providing for filing of caveat; providing that transfer of property with the intent of hindering claims of the department is a fraudulent conveyance; providing for deposit of money received; deleting the provision that chapter 75-190, Laws of Florida, be repealed July 1, 1975; providing an effective date.

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

By Senator Poston—

SB 1202—A bill to be entitled An act relating to corrections; amending s. 903.03(2)(a), Florida Statutes, authorizing the Department of Offender Rehabilitation to make certain investigations and reports upon the request of any court of record; amending s. 921.231(1), Florida Statutes, authorizing all courts having original jurisdiction in criminal actions to refer certain cases to the Department of Offender Rehabilitation for investigation and recommendation; amending s. 944.025(1), Florida Statutes, providing that the Department of Offender Rehabilitation shall supervise all pretrial intervention programs; amending s. 948.01(2), Florida Statutes, authorizing courts to refer certain cases, prior to probation, to the Department of Offender Rehabilitation for investigation and recommendation; amending s. 948.02, Florida Statutes, providing that it is the duty of the Department of Offender Rehabilitation to investigate all cases referred to it by courts, to make findings and reports thereon, and to supervise probationers and prisoners upon whom the pronouncing of sentence has been deferred; providing an effective date.

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

By Senator Saylor—

SB 1203—A bill to be entitled An act relating to candidates for and appointees to public office; requiring candidates for nomination or election to public office and persons appointed by the Governor to public office subject to Senate confirmation to disclose certain information; providing that the name of any candidate who fails to disclose or who makes a false disclosure be removed from the ballot; prescribing penalties for failure to disclose or for making a false disclosure; providing an effective date.

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

By Senator Firestone—

SB 1204—A bill to be entitled An act relating to state parks and preserves; adding paragraph (c) to s. 258.165(4), Florida Statutes; prohibiting the use of seines or nets within the Biscayne Bay Aquatic Preserve; providing exceptions; providing an effective date.

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

By Senator Henderson—

SB 1205—A bill to be entitled An act relating to jury commissioners; amending s. 40.13, Florida Statutes, providing that the annual salary of jury commissioners be at least \$100; providing that counties are not prohibited from paying jury commissioners more than the required annual salary; providing an effective date.

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

By Senators Spicola and Brantley—

SB 1206—A bill to be entitled An act relating to the Election Code; amending subsection (1) of s. 98.031, Florida Statutes, and adding subsection (3) to said section; providing limitations with respect to precinct boundaries; limiting the periods of time during which precinct or election district boundaries may be changed; requiring supervisors of elections to provide certain maps to the Secretary of State; providing duties of the Secretary of State; providing for other matters relative to the foregoing; providing an effective date.

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

By Senator MacKay—

SB 1207—A bill to be entitled An act relating to the Florida Medical Liability Insurance Commission; amending s. 627.352(5), Florida Statutes, as created by chapter 75-9, Laws of Florida, extending the time within which the commission shall issue its report; providing an effective date.

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

By Senator Gallen—

SB 1208—A bill to be entitled An act for the relief of Jimmy Carl Smith for injuries received as a result of the negligence of the state; providing an appropriation; 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 Ware—

SB 1209—A bill to be entitled An act relating to the Public Employees Relations Commission; adding subsection (7) to s. 447.207, Florida Statutes, exempting hearing officers appointed pursuant to the Administrative Procedure Act to sit at hearings for the commission from the requirement of making recommended orders; requiring said officers to make a report consisting of their finding of facts; providing an effective date.

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

By Senators Scarborough, Dunn, Deeb, Vogt, MacKay and Firestone—

SB 1210—A bill to be entitled An act relating to restitution to victims of crimes; creating s. 947.181, Florida Statutes; allowing the Parole and Probation Commission to require victim restitution as a condition of parole; amending s. 945.091(1), Florida Statutes, and adding subsection (5) to said section; allowing the Department of Offender Rehabilitation to require victim restitution by inmates working at paid employment; providing an effective date.

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

By Senator Johnston—

SB 1211—A bill to be entitled An act relating to detention homes and schools for delinquent children; repealing chapter 416, Florida Statutes, which provides for establishment of such homes and schools; providing an effective date.

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

By Senator W. D. Childers—

SB 1212—A bill to be entitled An act relating to education; adding subsection (4) to s. 231.39, Florida Statutes, authorizing 4 days of personal leave for full-time instructional staff members, to be used at their discretion; repealing s. 231.43, Florida Statutes, as amended, relating to personal leave; providing an effective date.

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

By Senator Ware—

SB 1213—A bill to be entitled An act relating to the Administrative Procedure Act; creating s. 120.515, Florida Statutes, providing that chapter 120, Florida Statutes, the Administrative Procedure Act, shall apply in all cases unless an exemption is expressly written in the law; providing an effective date.

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

By Senator Ware—

SB 1214—A bill to be entitled An act relating to administrative procedure; adding a new subsection (8) to s. 120.65, Florida Statutes, prohibiting the Division of Administrative Hearings from providing or designating a hearing officer for any proceeding under the Administrative Procedure Act when a conflict of interest would arise; providing for the designation of a hearing officer in such cases; providing an effective date.

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

By Senator Vogt—

SB 1215—A bill to be entitled An act relating to public utilities; creating ss. 366.063 and 367.105, Florida Statutes, placing certain limitations on electric utilities, gas utilities, water utilities, and sewer utilities with respect to deposits required of or charged to, and termination of service provided for, certain non-commercial customers; providing penalties; authorizing and directing the Florida Public Service Commission to adopt rules with respect to the placing of certain decals or warning signs and the termination of utility service in certain specified instances; providing for additional rules; providing for other matters relative to the foregoing; providing an effective date.

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

By Senator Spicola (by request)—

SJR 1216—A joint resolution proposing an amendment to Section 9 of Article IV and the creation of Section 18 of Article XII of the State Constitution relating to the Game and Fresh Water Fish Commission.

—was read the first time and referred to the Committees on Natural Resources and Conservation and Rules and Calendar.

By Senator W. D. Childers—

SB 1217—A bill to be entitled An act relating to the creation of a trust fund for the reproduction and supplying of master files by the Division of Corporations; creating s. 15.16(3), Florida Statutes; providing an effective date.

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

By Senator Poston—

SB 1218—A bill to be entitled An act relating to workmen's compensation; amending s. 440.10(1), Florida Statutes, relating to liability for compensation, requiring payment by employers to hospitals for compensable injuries; providing an effective date.

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

By Senator Stolzenburg—

SB 1219—A bill to be entitled An act relating to drivers' licenses; amending s. 322.251, Florida Statutes, providing that the failure of a licensee to receive notice by mail of cancellation, suspension, or revocation of his license shall not affect the effective date of the cancellation, suspension, or revocation; providing for proof of giving notice; requiring the licensee to return his license and providing the effect of his failure to do so; amending s. 322.262(4), Florida Statutes, providing that a trial by jury for persons charged with driving while intoxicated shall be according to the Florida Rules of Criminal Procedure; amending s. 322.272, Florida Statutes, providing that the filing of a petition for certiorari in court may, rather than shall, stay the cancellation, suspension, or revocation; adding subsections (3) and (4) to s. 322.28, Florida Statutes, imposing an additional suspension or delay before issuance of new license for persons convicted of driving while license is suspended or revoked; extending the beginning of a period of a suspension or revocation until the licensee surrenders his license or his license expires; amending s. 322.34(1), Florida Statutes, expanding the application of provisions relating to driving while license is suspended or revoked; repealing s. 322.27(2)(e), Florida Statutes, removing provisions exempting 36 month old convictions from being counted under the point system; providing an effective date.

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

By Senator Dunn—

SJR 1220—A joint resolution proposing an amendment to Section 2, Article V of the State Constitution, relating to the judiciary; providing for the adoption of rules for the practice and procedure in all courts.

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

By Senator MacKay—

SB 1221—A bill to be entitled An act relating to insurance; amending s. 627.351(8)(d), Florida Statutes, to remove language relating to the temporary joint underwriting plan; providing an effective date.

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

By Senator Gordon—

SB 1222—A bill to be entitled An act relating to nonprofit dental service plan corporations; creating part III of chapter 637, Florida Statutes, authorizing the creation of nonprofit dental service plan corporations, deemed charitable and benevolent institutions by this act, under the supervision of the Department of Insurance; providing for the incorporation of such dental service plans; providing that contracts between such corporations and subscribers are subject to approval by the department; providing for the contractual liability of such corporations; providing for insurance; requiring certain working capital; prohibiting employees or representatives of dental service plan corporations from performing certain actions; authorizing examinations, and requiring the Department of Insurance to examine such corporations under certain circumstances; providing that such corporations be licensed and regulated by the department; providing that funds of nonprofit dental service plan corporations may be invested in specified securities; prohibiting persons or corporations who are not certified by the Department of Insurance from holding themselves out as nonprofit dental service plan corporations; providing for the dissolution of nonprofit dental service plan corporations; providing for revocation of licenses; declaring corporations licensed under this act to be charitable and benevolent institutions and exempt from certain taxation; providing for the disposition of nonprofit dental service plan corporations in existence before the passage of this act; providing penalties; providing an effective date.

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

By Senators Peterson and MacKay—

SB 1223—A bill to be entitled An act relating to poultry; providing definitions; providing public policy; declaring certain acts by poultry processors, their agents, and other persons relating to poultry producers and poultry cooperative bargaining associations to be unfair labor practices including the refusal to bargain with certain associations; authorizing the Department of Agriculture and Consumer Services to adopt rules, receive complaints, make investigations, and seek injunctive relief; requiring state attorneys to prosecute violations of this act; providing for notice by the department; providing for notices and warnings by the department of minor violations; providing a penalty; providing an effective date.

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

By Senators P. Thomas, Saylor, Gallen, Brantley, Sims, Deeb, Peterson, J. Lane and Tobiassen—

SB 1224—A bill to be entitled An act relating to local ordinances; prohibiting the enactment of an ordinance or rule imposing price controls; providing an effective date.

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

By Senators D. Childers and Johnston—

SB 1225—A bill to be entitled An act relating to motor vehicle title certificates; amending s. 319.21(2), Florida Statutes, prohibiting the practice of updating motor vehicles for sale; defining updating; providing an effective date.

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

By Senator J. Thomas—

SB 1226—A bill to be entitled An act relating to environmental control of electric power plants; amending s. 403.182(8), Florida Statutes; providing that, prior to March 1, 1978, no electrical power plant is required to comply with any air pollution control rule, regulation, or order of any local pollution control program, political subdivision, or municipality which is more stringent than those promulgated by the Department of Environmental Regulation pursuant to the Florida Air and Water Pollution Control Act; providing an effective date.

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

By Senator Gordon (by request)—

SB 1227—A bill to be entitled An act relating to Motor Carriers; amending s. 323.22(1), Florida Statutes; increasing the fee charged by the Florida Public Service Commission for motor carrier vehicle identifying devices and permitting their transfer; providing an effective date.

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

By Senator MacKay—

SB 1228—A bill to be entitled An act relating to sales and use taxation; adding paragraph (1) to s. 212.08(7), Florida Statutes, exempting from sales and use tax artificial poppy flowers sold by certain veterans' organizations; providing an effective date.

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

By Senator Graham—

SB 1229—A bill to be entitled An act relating to municipalities; amending s. 166.041(3)(a) and (6), Florida Statutes, requiring that notice of a proposed municipal ordinance shall appear 7 days prior to its second reading; providing procedures for reconsideration of a proposed ordinance; providing for the repeal of conflicting procedures relating to adoption and enactment of ordinances in municipal charters; providing an effective date.

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

By Senator Scarborough—

SB 1230—A bill to be entitled An act relating to the tax on sales, use and other transactions; amending s. 212.08(6), Florida Statutes; providing an exemption on sales of machines, equipment, and the parts and accessories therefor, to be used for electrical energy systems owned and operated by political subdivisions; providing an effective date.

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

By Senator Henderson—

SB 1231—A bill to be entitled An act relating to conservation easements; creating s. 704.06, Florida Statutes, authorizing the conveyance and acquisition of certain rights and interests in real property for certain conservation related purposes; providing definitions; providing limitations on the acquisition of such rights and interests; providing for survival of such rights and interests; providing for enforcement; providing procedures; providing for other matters relative to the foregoing; providing an effective date.

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

By Senator Hair—

SB 1232—A bill to be entitled An act relating to offender rehabilitation; providing the Department of Offender Rehabilitation with authority to develop, establish, and operate a residential restitution center; authorizing parolees and probationers to be assigned to such center; requiring persons assigned to the center to pay restitution to the victim or aggrieved party of his crime; amending ss. 947.17(8), 947.18, 947.20, and 948.03(1)(g), Florida Statutes; authorizing the Parole and Probation Commission, in the case of parolees, and the court, in the case of probationers, to assign offenders to the center as a condition of parole or probation; providing an effective date.

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

By Senator Renick (by request)—

SB 1233—A bill to be entitled An act relating to collective bargaining; providing for the payment of a service representation fee to an employee organization or labor organization by all employees represented by the organization; providing an effective date.

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

By Senator Winn—

SB 1234—A bill to be entitled An act relating to roads and highways; authorizing and directing the Department of Transportation to redesignate that portion of State Road 826 known as Interama Boulevard within the City of North Miami Beach as North Miami Beach Boulevard and Sunny Isles Boulevard; providing an effective date.

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

By Senator Tobiassen—

SB 1235—A bill to be entitled An act relating to district school boards; amending s. 112.12, Florida Statutes; authorizing school boards to pay hospitalization or health insurance premiums for employee's dependents; providing an effective date.

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

By Senator Saunders—

SB 1236—A bill to be entitled An act relating to transportation; providing legislative intent; amending s. 337.143, Florida Statutes, to clarify calculation of pay adjustments on certain Department of Transportation road construction contracts involving bituminous material; 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 Scarborough—

SB 1237—A bill to be entitled An act relating to greyhound racing; creating s. 550.292, Florida Statutes; providing that where four or more greyhound track permitholders are located within a specified radius of each other the Board of Business Regulation is required to reallocate equally the race meetings and matinees of any permitholder who refuses to run its days to the remaining permitholders in that area; providing that such refusal by a permitholder shall not impair or invalidate his permit; providing an effective date.

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

By Senator Lewis—

SB 1238—A bill to be entitled An act relating to beach and shore preservation; adding s. 20.261(13), Florida Statutes; transferring permitting authority under s. 161.041, Florida Statutes, relating to construction or physical activity undertaken for shore protection from the Department of Natural Resources to the Department of Environmental Regulation; 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 Senator Saunders—

SB 1239—A bill to be entitled An act relating to unemployment compensation; adding s. 443.08(7), Florida Statutes, prohibiting the collection of reimbursement payments from a governmental agency under certain conditions; providing an effective date.

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

By Senator Lewis—

SB 1240—A bill to be entitled An act relating to state employees; amending s. 110.061(1), Florida Statutes; providing that if the Legislature causes a reduction in the number of personnel employed by an agency or officer to be made, the employing agency or officer shall select the employees to be terminated and may do so without regard to the length of service of a particular employee; providing assistance of state agencies in locating job opportunities for employees so terminated; providing an effective date.

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

By Senator Dunn—

SB 1241—A bill to be entitled An act relating to gambling; creating the Organized Crime Control-Illegal Gambling Act of 1976, part II of chapter 849, Florida Statutes; prohibiting gambling, promotion of gambling activity, possession of gambling records, and possession of gambling devices; providing penalties; authorizing seizure and forfeiture of gambling devices, records, and proceeds; providing that "social gambling" is an affirmative defense; amending s. 849.092, Florida Statutes, which allows certain licensed businesses to give away prizes to persons selected by lot, to conform such section to the provisions of this act and to correct cross-references; repealing s. 849.08, Florida Statutes, which prohibits gambling; repealing s. 849.09, Florida Statutes, which prohibits lotteries; repealing ss. 849.11-849.14, Florida Statutes, which prohibit games of chance or wagering on contests and provide for forfeitures and penalties; repealing s. 849.25, Florida Statutes, which prohibits bookmaking; providing an effective date.

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

By Senator Graham—

SB 1242—A bill to be entitled An act relating to school system personnel; adding s. 231.36(10), Florida Statutes; providing that certain employment with respect to federally funded projects or transitional categorical programs does not qualify as a basis for continuing contract status; providing an effective date.

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

By Senator Graham—

SB 1243—A bill to be entitled An act relating to traffic safety; amending s. 234.082, Florida Statutes, which requires that school boards notify appropriate agencies of highway hazards to pupils, to provide that the board take those precautions which are within the scope of its authority after such notification; assigning liability in tort to those agencies once notification has been made; providing an effective date.

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

By Senator Dunn—

SB 1244—A bill to be entitled An act relating to combinations restricting trade or commerce; revising chapter 542, Florida Statutes, creating ss. 542.15-542.37, 542.39, Florida Statutes; providing definitions; providing that contracts, combinations, and conspiracies in restraint of trade or commerce are illegal; prohibiting anticompetitive conduct including monopolies, exclusive dealing and tying arrangements, and certain mergers; providing exemptions; providing penalties; providing civil remedies; specifying liability of certain individuals and business entities; providing for consent judgments; providing for forfeiture of charter rights and privileges to do business; providing for judgment in favor of state as prima facie evidence in a private civil action against such defendant; providing a statute of limitations; prescribing venue; providing enforcement authority; providing for a civil investigative demand; providing duties of public officers; providing rules of construction; amending s. 542.12, Florida Statutes, and renumbering said section as s. 542.38, Florida Statutes; deleting obsolete provision; repealing ss. 542.01-542.11, Florida Statutes, which relate to combinations restricting trade or commerce; providing an effective date.

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

By Senators Scarborough, Dunn, Vogt, Hair, Deeb and Firestone—

SB 1245—A bill to be entitled An act relating to parole violation; amending ss. 947.21, 947.23(1), Florida Statutes; requiring a parole violator to serve out the remainder of his original sentence; providing that upon revocation of parole the offender be credited with satisfactorily served parole time, unless the Parole and Probation Commission specifies in writing its reasons for denial of such credit; providing an effective date.

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

By Senator Poston—

SB 1246—A bill to be entitled An act relating to the manufacture, distribution, and use of explosives; providing that the Division of State Fire Marshal of the Department of Insurance regulate the manufacture, distribution, and use of explosives; amending s. 552.081, Florida Statutes; providing definitions; amending s. 552.091, Florida Statutes; increasing the license fee for manufacturers, dealers, and users of explosives and providing a fee for a blaster's permit; creating s. 552.092, Florida Statutes; providing for applications for explosives licenses and permits; creating s. 552.093, Florida Statutes; providing for competency examinations for applicants for an explosives license or permit; creating s. 552.094, Florida Statutes; providing for the issuance of explosive licenses and permits and prescribing certain conditions and qualifications for such licenses and per-

mits; amending s. 552.101, Florida Statutes; deleting the provision exempting from the license requirement persons under the supervision and control of a person holding a blaster's permit; amending s. 552.111, Florida Statutes; prohibiting the sale or distribution of explosives to unlicensed persons; requiring records of sales and inventories to be maintained; amending s. 552.112, Florida Statutes; requiring users of explosives to keep certain records; amending s. 552.113, Florida Statutes; making it unlawful for a holder of explosives not to report any loss of explosives; providing for the investigation of such loss by the Division of the Fire Marshal of the Department of Insurance; creating s. 552.114, Florida Statutes; requiring certain labeling procedures; amending s. 552.13, Florida Statutes; conforming language; amending s. 552.151, Florida Statutes; deleting the initial notice to violators to correct violations before charges are brought; authorizing a civil penalty for violations in addition to cease and desist orders; amending s. 552.161, Florida Statutes; increasing the fine for violations; amending s. 552.171, Florida Statutes; conforming language; amending s. 552.181 and s. 552.20, Florida Statutes; providing that all hearings and reviews of orders of the division shall be conducted in accordance with the Administrative Procedure Act; amending s. 552.21, Florida Statutes; permitting the immediate confiscation of explosives belonging to violators; creating s. 552.211, Florida Statutes; providing regulations for the storage and use of explosives; creating s. 552.212, Florida Statutes; providing for the inspection of certain equipment and storage places; amending s. 552.22, Florida Statutes; providing penalties for violations of act or of rules or orders adopted or issued pursuant to the act; amending s. 552.23, Florida Statutes; providing for injunctive relief; adding s. 552.241(3), (4), Florida Statutes; providing exemptions from licensing requirements; amending s. 552.26, Florida Statutes; requiring the depositing of all license and permit fees in the Insurance Commissioner's Regulatory Trust Fund; amending s. 552.27, Florida Statutes; conforming language; repealing ss. 552.141 and 552.191, Florida Statutes, relating to the conduct of hearings, and procedures regarding witnesses and evidence at such hearings; providing an effective date.

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

By Senator Gordon—

SB 1247—A bill to be entitled An act relating to courts; amending s. 40.24, Florida Statutes, providing an increase in pay of jurors; amending s. 90.14, Florida Statutes, providing an increase in pay and travel expenses of witnesses; amending s. 90.141, Florida Statutes, relating to mileage allowances for law enforcement officers who travel in privately-owned vehicles to testify as official witnesses; providing an effective date.

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

By Senator Holloway—

SB 1248—A bill to be entitled An act relating to the disposition of unclaimed personal property; amending s. 925.06(1), Florida Statutes; providing that unclaimed personal property, in custody after a criminal proceeding, may be retained by sheriffs for departmental use, and title shall permanently vest in the county, if the property is not claimed within a specified period; providing an effective date.

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

By Senator Gordon—

SB 1249—A bill to be entitled An act relating to planning and budgeting; amending s. 216.151, Florida Statutes, 1975, to require the secretary of the Department of Administration to analyze the financial effect on local governments as a result of executive, legislative, or judicial action; creating subsection (3) of s. 216.162, Florida Statutes, to require the Governor's legislative budget to include recommendations for sources of funds for local governments when executive, legislative, or judicial actions cause revenue loss or increased expenditures to local governments; providing an effective date.

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

By Senator Renick (by request)—

SB 1250—A bill to be entitled An act relating to the professional or occupational licensing of foreign licensees; amending s. 455.015(1)(a), Florida Statutes; allowing a person who practiced funeral directing in a foreign country to apply for and participate in the continuing education program for both a funeral director's license and an embalmer's license; providing an effective date.

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

By Senator Dunn—

SB 1251—A bill to be entitled An act relating to mortgage brokerage; amending ss. 494.03(1), 494.04(1)-(3), (12), Florida Statutes; clarifying language; providing for declaration of intention to become U. S. citizen for licensing; providing that mortgage solicitor negotiate loans only for broker he is licensed with; increasing amount of bond; providing for blanket bond; creating s. 494.041, Florida Statutes; providing requirements for mortgage loan transaction on vacant land registered under chapter 478, Florida Statutes; amending s. 494.05(1), (2), (4), Florida Statutes; authorizing suspension and revocation of licenses for certain actions; deleting provisions relating to hearings; creating ss. 494.051, 494.072, and 494.073, Florida Statutes; providing that certain papers of financial examiner are competent evidence; providing for cease and desist orders and orders to refund over charges; providing for attorneys' fees and costs in civil litigation involving violations of chapter; amending s. 494.08(3), (6), Florida Statutes; providing that brokerage fee or commission include certain abstract charges; prohibiting acceptance of deposit or application for mortgage loan without delivery of statement of costs; amending s. 494.10, Florida Statutes; increasing criminal penalty and providing for a civil penalty; providing an effective date.

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

By Senator Graham—

SB 1252—A bill to be entitled An act relating to displaced homemakers; providing legislative intent and definitions; requiring the Department of Health and Rehabilitative Services to establish multipurpose service programs to aid displaced homemakers in becoming financially secure; specifying services to be included in such programs; authorizing the department to enter into contracts and make grants; requiring the department to coordinate such programs with others in existence; requiring that service program positions shall be filled with displaced homemakers; requiring the department to make certain studies of other programs; requiring the department to submit a report to the Legislature; prohibiting discrimination; providing for appropriations; providing an effective date.

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

By Senator Saylor—

SB 1253—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091(6)(c), (d), (e), (8), Florida Statutes; providing for the designation of beneficiaries; providing for the payment of certain benefits to such beneficiaries; providing that a member may change his selection of a retirement option or his designation of a joint annuitant within a specified period after retirement; providing for disposition of benefits if no beneficiary of a deceased member was designated or if no beneficiary who was designated survives; providing for validity of a member's designation of beneficiary in an existing system in the event of transfer or participation of the member in the Florida Retirement System; providing an effective date.

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

By Senators W. D. Childers and Tobiassen—

SB 1254—A bill to be entitled An act relating to Murphy Act lands; amending s. 197.386, Florida Statutes; requiring the Board of Trustees of the Internal Improvement Trust Fund to

sell such lands to persons claiming through a subsequent tax deed or through a chain of title from the June 9, 1939 owner if such sale is in the best interest of the citizens upon application and payment of all taxes; deleting the requirements for showing hardship and tendering payment; designating the clerk of the circuit court as agent for the state; providing the applicable interest rate and method of distributing moneys collected; providing an effective date.

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

By Senator Graham—

SB 1255—A bill to be entitled An act relating to education; providing that community colleges are responsible for administering funds for any community services or community instructional services program; providing for allocation of such funds among community college districts; assigning certain school districts to certain community college districts; requiring community colleges to provide such community services directly or through contractual arrangements; providing for the establishment of an advisory council on community services at each community college; providing for regulation by the State Board of Education of expenditures for such services; requiring the Department of Education to include community services funding in its annual budget; amending s. 230.767(1)(a), Florida Statutes; providing the level of state funding for adult basic education and adult high school courses in the community colleges; amending ss. 230.7651, 233.0682, Florida Statutes; requiring the State Board of Education to adopt rules under which the Commissioner of Education will approve vocational education program matters in community colleges and school districts; providing an effective date.

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

By Senator Wilson—

SB 1256—A bill to be entitled An act relating to the adjudication of traffic infractions; amending ss. 318.14(5), 318.18, and 316.026(2) and (3), Florida Statutes, 1974 Supplement; providing a civil penalty for a driver cited for an infraction not requiring a mandatory hearing, which shall be applicable if he elects to have a hearing; providing an effective date.

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

By Senator Scarborough—

SB 1257—A bill to be entitled An act relating to private investigative agencies, watchman, guard and patrol services; amending s. 493.01, Florida Statutes, redefining watchman, guard or patrol agency; adding s. 493.02(3), Florida Statutes; providing for access to criminal justice information and criminal justice intelligence information; amending ss. 493.03, 493.04, Florida Statutes; requiring certain persons to fulfill experience requirements; providing an exemption from application fee and experience requirements; requiring termination of employee who is denied license; requiring a Class "G" licensee to keep license in his possession and prohibiting issuance of such license except to an employee; amending s. 493.06, Florida Statutes; authorizing additional fees; amending s. 493.07(1)(a), Florida Statutes; requiring examination of certain records in investigations of applicants; amending s. 493.09(2), Florida Statutes; exempting Class "E" licensees from insurance requirements; amending s. 493.10(1), Florida Statutes; providing for expiration of licenses; amending s. 493.12, Florida Statutes; providing for license renewal and fees; requiring Class "F" and "G" licensees to fulfill health and training requirements; amending s. 493.18, Florida Statutes; providing for a trust fund; amending s. 493.21(3), (4), (5), Florida Statutes, and adding subsection (6) to said section; providing an exception to requirement that employee's weapon be encased in view; providing for temporary Class "G" license; providing for the weapon a Class "G" licensee is authorized to carry; amending s. 493.23(3), Florida Statutes; increasing advisory council membership; providing an effective date.

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

By Senator Gordon—

SB 1258—A bill to be entitled An act relating to hospitals; creating s. 395.19, Florida Statutes; requiring hospitals maintaining emergency department facilities to operate such facilities 24 hours a day, 7 days a week; providing for the coordination of emergency services to ensure provision and availability of emergency care in each region; requiring maintenance of two-way communication with certain ambulances; requiring provision for emergency attendance by one or more physicians; requiring adequate staff; providing an effective date.

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

By Senators Firestone, Gordon, Winn and Wilson—

SB 1259—A bill to be entitled An act relating to registration of electors; amending s. 97.063, Florida Statutes, providing for registration of electors by mail; providing application procedures for such registration; providing grounds for denial; providing penalties; providing an effective date.

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

By Senator Graham—

SB 1260—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.01, Florida Statutes, increasing the membership of the commission to five members; creating part II of chapter 106, Florida Statutes, relating to public campaign financing for public service commissioners; providing definitions; entitling candidates for the office of commissioner to public funds; providing procedures for such candidates to qualify for public funds according to either a petition method or matching contributions method; providing for the filing and verification of petitions; providing for the reimbursement of verification costs incurred by supervisors of elections by the Division of Elections of the Department of State; providing for the filing of statements and matching contribution reports by candidates using the matching contributions method; providing for the allocation of public funds in specified amounts to qualified recipient candidates under either method; creating a Florida Public Service Commission Campaign Trust Fund for the allocation of public funds and reimbursement of costs of supervisors of elections; creating s. 350.782, Florida Statutes, imposing tax on intrastate gross operating revenues of certain utilities and companies regulated by the commission to fund the Florida Public Service Commission Campaign Trust Fund; directing that changes in terminology in the Florida Statutes be made; providing for the applicability of certain statutes relating to campaign financing; 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 Zinkil and Deeb—

SB 1261—A bill to be entitled An act relating to mechanics' liens; amending ss. 713.01(3), (7), (10), (12), 713.02(6), 713.03(3), 713.05, 713.06(1), (2)(a), (3)(d), (h), 713.08(1)(h), (2), (4)(c), 713.13(1)(f) and (g), and adding a new paragraph to said subsection, 713.14, 713.16(2), 713.22(1), 713.23, 713.29, 713.32, Florida Statutes; providing procedures for acquiring liens; designating who qualifies as a lienor; providing forms for payment of bonds and notices of such bonds; requiring notice to interested persons; extending the effectiveness of a lien by recording a notice of lis pendens; changing the determination of attorney's fees in legal proceedings and on appeal; changing requirements of a notice of commencement; requiring copies of contracts and statements of account upon demand; providing liabilities and penalties; repealing ss. 627.756(1), Florida Statutes, relating to performance and payment bonds; repealing s. 713.02(7), (8), Florida Statutes, relating to types of lienors; providing an effective date.

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

By Senator Peterson—

SB 1262—A bill to be entitled An act relating to grapefruit; creating s. 601.1515, Florida Statutes; providing for the Depart-

ment of Citrus to establish a Grapefruit Offshore Export Indemnity Program to indemnify Florida handlers against losses from unforeseen foreign governmental actions; imposing on the producer an excise tax of a specified amount per standard packed box of grapefruit entering the primary channel of trade in Florida; providing a limitation on the amount of such tax; providing that the provisions of s. 601.15, Florida Statutes, shall apply to this act except to the extent of inconsistencies; providing for payment of taxes collected into a trust fund; providing purpose for expenditure of funds by the Department of Citrus; providing authority for the Department of Citrus to adopt rules governing administration of the program; providing a deductible factor on all claims; providing authority for the Department of Citrus to contract for technical and professional services; providing authority for the Department of Citrus to enter into contracts or agreements to carry out objectives of this act; providing for expiration of tax; providing authority for Department of Citrus to transfer and repay funds in trust fund; providing for termination of program; providing an appropriation of the funds collected by the excise tax to the Department of Citrus; providing for liberal construction; providing for appointment of an advisory committee; providing for producer referendum to implement this act; providing an effective date.

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

By Senator Renick—

SB 1263—A bill to be entitled An act relating to distribution and use of explosives; amending s. 552.081(10), Florida Statutes, and adding a new subsection to said section; amending s. 552.091, Florida Statutes; requiring a permit for any person who assists a blaster in using or working with explosives; prescribing a fee for such permit; increasing fees for other licenses and permits; providing criteria for issuance of such licenses or permits; providing that a convicted felon not be licensed; amending ss. 552.101, 552.112, 552.113, Florida Statutes; creating ss. 552.114 and 552.121, Florida Statutes; requiring certain records to be kept by blasters; requiring watchmen at all explosives storage magazines; prohibiting certain vehicles from being driven or parked within a specified distance of an explosives storage magazine or blasting site; requiring theft or loss of explosives to be reported; prescribing a penalty for failure to report; providing an effective date.

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

By Senator Myers—

SB 1264—A bill to be entitled An act relating to alcoholic beverage licenses; amending s. 561.20(2), Florida Statutes; providing that owners of hotels, motels, or motor courts may lease their restaurant operation to others, who may operate independently of the hotel or motel and may provide room service for alcoholic beverages within such hotel, motel, or motor court; providing an effective date.

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

By Senator J. Thomas—

SB 1265—A bill to be entitled An act relating to pharmacists; amending ss. 465.071(1)(b) and (c) and s. 465.102, Florida Statutes; deleting reference to number of years of educational training necessary to qualify for examination; providing for waiver of internship requirements for certain persons; providing for acceptance of certain persons as interns; providing an effective date.

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

By Senator J. Thomas—

SB 1266—A bill to be entitled An act relating to regulation of motor carriers; removing motor carriers engaged in the business of transporting certain ill, infirm, handicapped, or injured persons from regulation by the Public Service Commission; authorizing the Department of Health and Rehabilitative Services to adopt reasonable rules and regulations to regulate

motor carriers engaged in such business; providing an effective date.

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

By Senator Lewis—

SB 1267—A bill to be entitled An act relating to banking; amending s. 659.11(2), (3), Florida Statutes; eliminating the requirement that every director serving on the board of directors of a state bank or trust company must own a specified amount of stock in such bank or trust company; providing an effective date.

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

By Senator Wilson—

SB 1268—A bill to be entitled An act relating to the Seminole County Port Authority; amending s. 1, chapter 65-2270, Laws of Florida; providing for the appointment of members of the governing body of the port authority by the Board of County Commissioners of Seminole County; amending s. 3(4), chapter 65-2270, Laws of Florida, as amended; amending s. 3(17)(b), (d), chapter 65-2270, Laws of Florida; authorizing such authority to borrow money and prescribing methods of borrowing; prescribing the maximum authorized interest rates for bonds of the authority; adding s. 3(20), chapter 65-2270, Laws of Florida; authorizing the authority to advertise and promote its activities and profits; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Vogt—

SB 1269—A bill to be entitled An act relating to Brevard County; abolishing San Sebastian Drainage District in Brevard County, as of December 31, 1978; designating trustees for the district; providing for retirement of all indebtedness of the district; vesting certain assets, drainage easements and rights-of-way of the district in the Board of County Commissioners of Brevard County, to equitably distribute and refund the remaining assets to present and past taxpayers of the Amended Plan of Reclamation of the district; providing for method of refund of the remaining assets of the district (and the method for application therefor); repealing all laws in conflict herewith; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Lewis—

SB 1270—A bill to be entitled An act relating to real property; providing a cause of action for the diminishment of property value as a result of land development regulations or coastal construction setback lines; providing remedies; providing a limitation on actions; providing that remedies are cumulative; providing an effective date.

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

By Senators Lewis and Gordon—

SB 1271—A bill to be entitled An act relating to the purchase of real property by state agencies; requiring appraisal of such property prior to purchase; prescribing qualifications and duties of the appraiser; providing that a state agency require the seller to file with the Department of State a statement disclosing certain information with respect to the property prior to purchase by the agency; providing an effective date.

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

By Senator MacKay—

SB 1272—A bill to be entitled An act relating to the Suwannee River Authority; amending s. 370.015, Florida Statutes; authorizing the Department of Natural Resources, through the Suwannee River Authority, to enforce and assist counties in enforcing ordinances which provide for a scenic corridor along the Suwannee River, the Withlacoochee River, the Santa Fe River, and a portion of the Ichetucknee River; authorizing the department to prohibit certain types of construction within a certain distance from such rivers; authorizing the department to institute and maintain injunctive and civil proceedings; authorizing the employment of an inspector; authorizing county commissions to grant variances; authorizing certain counties to establish an advisory committee to coordinate county actions with the authority; providing an effective date.

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

By Senator MacKay—

SB 1273—A bill to be entitled An act relating to investment of state agency funds and trust funds; amending s. 215.44(1), Florida Statutes; restricting investment of trust funds under specified conditions; amending s. 215.49(1), Florida Statutes; providing guidelines for conditions under which funds will be made available for investment; adding s. 215.50(3), Florida Statutes; requiring interest earnings to be recorded at least annually; 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 Spicola, Renick, Johnston, Henderson, J. Thomas, Winn, Lewis and J. Lane—

SB 1274—A bill to be entitled An act relating to water resources; amending s. 373.069(3), Florida Statutes; transferring certain areas within certain water management districts to other water management districts; revising the boundaries of certain water management districts; creating s. 373.0691, Florida Statutes; providing for the assumption, by the district receiving the transferred area, of all contractual obligations with respect to a transferred area; providing for the transfer, to the district receiving the transferred area, of all property interests therein, and of all equipment, vehicles, and other personal property and records owned, located and used by a district solely within a transferred area; amending s. 373.0693(1), (6), Florida Statutes and adding subsection (7) to said section; authorizing each water management district governing board to change the boundaries of basins within its district; providing for the formation of the Manasota Basin; amending s. 373.0697, Florida Statutes; authorizing basin ad valorem taxes; amending s. 373.073, Florida Statutes; providing for the appointment of members of the governing board of a water management district; providing residence requirements for members of the governing board of the Southwest Florida Water Management District; amending s. 373.109, Florida Statutes; requiring the Department of Environmental Regulation to authorize water management districts to establish permit application fees based on costs; exempting governmental entities from such fees; amending s. 373.171(1), (2), (5), Florida Statutes; authorizing governing boards to regulate, and establish rules concerning, the use of water; creating s. 373.217, Florida Statutes; providing that Part II of the Florida Water Resources Act of 1972 provides the exclusive authority for requiring permits for the consumptive use of water and authorizing transportation thereof; amending s. 373.223(2), Florida Statutes; providing that the governing board or the department may authorize a consumptive use permit holder to transport and use ground or surface water across county boundaries; amending s. 373.229(3), Florida Statutes; changing hearing requirements for consumptive use permits; amending s. 373.503(2), (3), Florida Statutes; authorizing and prescribing the manner of taxation within the districts; amending s. 373.506, Florida Statutes; authorizing the district board to borrow money to pay the expenses of operation or to meet emergencies; providing for the assumption of certain contractual obligations of the Southwest Florida Water Management District by the St. Johns River Water Management District; repealing sections 3, 14, Ch. 61-691, Laws of Florida, relating to the organization and membership of the Southwest Florida Water Management District governing board and to the boundaries of such district; repealing s. 373.509, Florida Statutes, which

subjects land within water management districts to taxes, based on the benefits derived from the works of the district; repealing s. 373.513, Florida Statutes, which provides for the determination of such benefit by the district board; repealing s. 373.519, Florida Statutes, which provides a hearing for any landowner in the district objecting to the determination of benefits by the board; repealing s. 373.523, Florida Statutes, which provides for consideration of such objections by the district board; repealing s. 373.526, Florida Statutes, relating to court review procedures; repealing s. 373.529, Florida Statutes, which provides for the determination by the district board of the proportion of total benefits to be used to determine the tax rate to apply in arriving at the amount of tax; repealing s. 373.533, Florida Statutes, which provides for readjustment of benefits; repealing s. 373.549, Florida Statutes, which provides for extension of district boundaries; repealing s. 373.606, Florida Statutes, which authorizes the creation of subdistricts within major districts; 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 Senators Plante and Brantley—

SB 1275—A bill to be entitled An act relating to redevelopment or restoration of slum or blighted areas; authorizing municipalities to designate slum or blighted areas for redevelopment or restoration; providing for submission and approval of plans for redevelopment or restoration of such areas or for property within such areas; providing procedures for assessment for ad valorem tax purposes of slum property located within such areas on which property redevelopment or restoration has commenced in accordance with an approved plan; providing for the inspection of such property to ensure redevelopment or restoration is in substantial conformity with the approved plan and to ensure redevelopment or restoration is not abandoned; providing an effective date.

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

By Senators J. Thomas, Winn and Henderson—

SB 1276—A bill to be entitled An act relating to the restoration of the Kissimmee River Valley and the Taylor Creek-Nubbins Slough Basin; establishing a coordinating council; directing the council to develop restoration measures for the water quality of such area; providing for the implementation of the restoration measures; requiring reports to the Legislature; 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.

The Senate recessed at 8:52 a.m.

The Senate was called to order by Senator Ware at 9:00 a.m. A quorum present—40:

Barron	Graham	Myers	Stolzenburg
Brantley	Hair	Peterson	Thomas, J.
Childers, D.	Henderson	Plante	Thomas, P.
Childers, W. D.	Holloway	Poston	Tobiassen
Deeb	Johnston	Renick	Trask
Dunn	Lane, D.	Saunders	Vogt
Firestone	Lane, J.	Saylor	Ware
Gallen	Lewis	Scarborough	Wilson
Glisson	MacKay	Sims	Winn
Gordon	McClain	Spicola	Zinkil

Dr. Robert M. McMillan, Senate Chaplain, introduced Father William A. Kerr, pastor, St. Thomas Moore Co-Cathedral, Pensacola-Tallahassee, who delivered the following prayer:

Heavenly Father, as the mid-point of this legislative session draws near, we pray for a renewal of spirit. We pray for a renewal of heart and mind. Give us the will to seek the *Lasting Good*. As we consider the problems of air pollution and the management of water resources, welfare systems and educational programs, law enforcement and correctional facilities, care for the aged and the retarded, the rights of industrial and

agricultural workers—in all of these areas, Lord, give us the wisdom and the courage to seek the lasting good. Help us to remember our responsibilities not only to those at home, waiting to applaud or criticize, but also to those yet to be born—to the future generations of Floridians and Americans. As we deliberate legislation, help us to be aware of the truth of what was written long ago: "Except the Lord keep the city, the watchman waketh but in vain."

BICENTENNIAL OBSERVANCE

The Fife and Drum Corps entered with Colors.

Senator Henderson led the Senate in the pledge of allegiance to the flag of the United States of America.

Senator Ware recognized The Honorable Philip F. Ashler, narrator of the Bicentennial observances, who announced the activities for this day and the following were presented:

Musical Program: Medley of Country Music by the Performing Arts Class of Bay High School, Panama City.

Mr. Ashler: The Civil War is three years over and Reconstruction is nearing its end in Florida. The year is 1868, and the day is Saturday, July 4, and the hour is half past 12. The scene is just down today's corridor before me, in the Hall of the Assembly, as the House of Representatives then was known. Present are the members of the Senate and Assembly and newly elected Governor Harrison Reed. They are gathered in the Hall to hear the farewell address of the retiring military Governor, Colonel John T. Sprague. The Journal of the Assembly brings us Colonel Sprague's century-old words.

Portraying Colonel John T. Sprague who was appointed Military Governor of Florida in 1865, The Honorable Allen Morris, distinguished author and historian and Clerk of the Florida House of Representatives, read the following excerpts from Colonel Sprague's farewell address:

Governor Reed, Governor Walker, Mr. President, Mr. Speaker, Members of the Legislature of Florida:

In compliance with instructions, I hereby relinquish my authority as military and civil Governor of Florida, to you, Governor Reed, duly elected by the people.

It may not be uninteresting to review the events of the past, and refer briefly to some of the incidents connected with my administration, culminating as it does today in the legislative body which I see before me—a body of men elected by the people to represent their interests, and to legislate for the welfare of the State.

Three years ago, I assumed command in Florida, and I cannot but contrast the condition of things now with the time when I first landed in Jacksonville. I found a State devastated by war, a people ruined and scattered.

Business was dead, and widows and orphans came to me to beg for bread to save them from starvation, and for a roof to shelter them. They sought, again, the protection of that government which for sixty years had spread its palladium of freedom and safety above them. Time rolled on, until I found myself with the whole State and all its interests upon my hands, acting as military commander, civil Governor, judge, jury, doctor, and lawyer. I must confess that I doubted my ability, but the work was done, and now you are here as legislators, duly prepared to legislate. I found among your citizens true and faithful men, who were ready to come up to the work—to gather around me and assist me, and to them I cannot refrain from expressing my obligations. . . .

. . . I feel satisfied, Governor Reed, thus coming up as you are to assume the administration of affairs, that the people will find in you a faithful public officer. It is for the people now to support their Governor, and if they will, I am sure that Florida will soon stand out as one of the brightest States in the Union.

With me, in coming to Florida, there is much of peculiar interest. Many years ago I was here tramping over the State as a lieutenant, and became acquainted with your citizens and their sons. Here in Tallahassee I received many marks of friend-

ship and courtesy from those whose names I have ever since cherished. I call upon them, and all other citizens, now to come forward to the support of the Governor. I do not see them here, but if my voice can reach them, I call upon them to come up and support the Governor like men, irrespective of political feeling and regardless of the past; and if he errs in judgment forgive him, but still sustain him. There are other things around me which are remarkable. Men are seated here who ten years ago were in bondage. I meet them today as freemen enjoying all the privileges which I enjoy, and I call upon them to stand up and realize the position in which they are placed. You are called upon as freemen to sustain your own respectability. . . . You have rights and privileges as freemen, but these rights and privileges are nothing without virtue and intelligence. . . .

This is a day, my fellow-citizens, upon which we may well review the past—the natal day of our country—and we may well remember with gratitude those who fought for our freedom and for the independence of our common country. No matter from whence they came, North, South, East, or West, they and their memory belongs to us.

For thirty long years I have been identified with every section of the Union, in the service of our country. I have seen the star-spangled banner go up and down with the rising and setting sun in every State, and those who have come under its folds have felt that it floated over protection, prosperity and virtue. I am detaining you too long, but it is a subject very near my heart. I am desirous that all the people of Florida should come up to the support of their government in its new relations with the Union. I warn them to come up and take counsel; to destroy their prejudices, and, like the patriarch of old, to burn incense and offer up prayer for their country.

Oh, my country, my country, for four long years blood gushed from your veins. North, South, East and West met upon the field, and now side by side lay sleeping in the grave those who fell fighting in defense of the nation's life, and those who fell in a mistaken but honest cause. They were brave men fighting the battles of their country.

Brave and departed men, if you are permitted to look down upon our devotions here today, assemble around the immortal Washington, and hear the accents of a grateful people—peace! peace!

Senator Ware expressed appreciation of the Senate for the program and the Fife and Drum Corps led the departure from the Chamber.

The Senate recessed at 9:25 a.m., to reconvene at 9:30 a.m.

The Senate was called to order by Senator Ware at 9:30 a.m. A quorum present—40:

Barron	Graham	Myers	Stolzenburg
Brantley	Hair	Peterson	Thomas, J.
Childers, D.	Henderson	Plante	Thomas, P.
Childers, W. D.	Holloway	Poston	Tobiassen
Deeb	Johnston	Renick	Trask
Dunn	Lane, D.	Saunders	Vogt
Firestone	Lane, J.	Sayler	Ware
Gallen	Lewis	Scarborough	Wilson
Glisson	MacKay	Sims	Winn
Gordon	McClain	Spicola	Zinkil

The Presiding Officer recognized Senator Brantley for remarks relative to biennial recognition by the Senate of the President and President Pro Tempore and their wives.

Senator Brantley moved that a committee be appointed to escort the President and Mrs. Barron to the rostrum. The motion was adopted and the Presiding Officer appointed Senators W. D. Childers, Plante and Gordon. President and Mrs. Barron were escorted to the rostrum and seated.

Senator Brantley moved that a committee be appointed to escort the President Pro Tempore and Mrs. Trask to the rostrum. The motion was adopted and the Presiding Officer appointed Senators Winn, McClain and J. Lane. The President Pro Tempore and Mrs. Trask were escorted to the rostrum and seated.

The Presiding Officer presented Mrs. Louverne Barron, wife of the President, Steve Barron, son of the President and Mrs. Barron, and Mrs. Jan Trask, wife of the President Pro Tempore to the Senate.

Senator Brantley was recognized and introduced conservation folksinger Paul Ott of the National Wildlife Federation. Mr. Ott, also a television and radio personality, songwriter and recording artist, presented his story of conservation and patriotism in song.

The Presiding Officer recognized Senator Brantley who introduced Boca Raton artist Jack Wittrup, who painted portraits of three former Presidents of the Senate and President Barron. Whereupon, Mrs. Barron and Mr. Wittrup unveiled the portrait of President Barron.

The President and Mrs. Barron, the President Pro Tempore and Mrs. Trask were presented gifts of appreciation by the Senate.

On motion by Senator Lewis, the following remarks by the President were ordered spread upon the journal:

I think I'll give the speech I gave at the beginning of the session. I would like to repeat it, and a lot of you didn't hear it well the first time.

Seriously, I want to express my deep appreciation for your permitting me to serve up until now as President of the Senate.

Howard Walton, the real President, told me not to make a speech. I want Howard to tell you the reason that Paul Ott sang the song about "Ole Blue", some of you might not have heard it. It was really in my honor because there's a story about Ole Blue that was a forerunner to the song.

There was a fellow living out in Mississippi about like a big W. D. Childers whose greatest possession was an old blue tick hound. In addition to that he had two boys. This story has a real meaning now because of the crisis in education.

The boys drove fast cars, drank hard liquor and threw away most of the money the old man had made. He was sort of a Burl Ives-type guy who had a big white columned antebellum Mississippi house on a big plantation. His children were not doing well because he had too much money. You know, money is the root of most evil, especially in government. Finally, one of the boys decided to go off to college, which was the greatest news that the father had ever received.

The boy went to college and the first month he was there, he spent all the money he had for the whole semester. He had inherited some degree of intelligence from his father, and he had to have some more money, so he called his daddy up and said "I'm doing well up here." The old man said, "Great, son, how is college?" He said, "College is wonderful, they have a good teacher/pupil ratio and they have a lot of administrators, they spend a lot of money and are always increasing student fees. They're doing a good job, and I'm learning a lot. It's wonderful, you know, up here in this college they could teach Ole Blue to talk."

Now, news had been good up until then but now it was terrific. His father said, "No kidding?" He could just see himself then; if Ole Blue could talk he would be the rage of all Mississippi. He said, "What does it cost?" The son said, "\$500." The father said, "I'll have him on the way on the train tonight."

He sent Ole Blue up, with the \$500. About a month later his son called and said, "Dad I'm still doing well in college." His father said, "I don't care about that, how is Ole Blue doing?" "He's doing great," the boy said, "he's one of the best talkers we've got up here. He's talking real good, he's the head of the class, he will not be in the lottery if he decides to go to graduate school. He's making all A's in talking, but he's at a heck of a disadvantage because he can't read." And the old man said, "I'm sending you another \$500."

He sent him \$500 and about a month later called again, this time when he said "How's Ole Blue doing?" the boy said, "He's doing good, really good. He's reading well and talking good and in fact, he's a student assistant and he's teaching some classes on the side and doing a little lecturing for outside pay and he

has appeared some as an expert witness but he still needs some more money because he's handicapped somewhat by the fact that he can't write." The old man said, "Another \$500 is on the way."

So the \$500 went up and the semester finally terminated and it was time for Ole Blue to come home. The old man, using all of his political authority, got all the schools turned out and most of the stores closed, all the people came down to the railroad station in Tupelo, Mississippi, where Ole Blue was to make a major policy address upon arrival on the train. When the train came pulling into town all the people were waiting in wild anticipation to hear the wisdom of Ole Blue.

The band struck up "Dixie", the train came to a stop, steam flying from the boiler of the engine, and the boy got off the train and his father saw the boy but he didn't see Ole Blue so he just brushed past him and said, "Where's Ole Blue?" And the boy said, "Well daddy, I've got to tell you about that."

The old man said, "This is no time to be telling stories, we've got all these people waiting, the *Miami Herald* has sent a reporter up here, Martin Dyckman has his recorder and notebook, it's a momentous occasion in the South." The son said, "But I've got to tell you something Daddy."

"No I've got to have him, the band's playing."

The boy said, "But you've got to listen to me for a moment." The old man said, "All right, but make it quick."

The son said, "We were coming back from college last night on the train and we got up this morning and went down to have breakfast and we went in to clean up to get ready to meet everyone and I was shaving and Ole Blue was sitting there reading the newspaper and we were just generally talking and he asked me about how you were getting along, and I told him fine. He asked me how the cotton crop was and I told him good, the tobacco was doing well, the corn crop was good this year. He was extremely pleased about everything that he heard from home and finally he said, 'Boy, is your old man still running around with that girl in the mini skirt?' and I cut his throat and threw him out the window."

The old man said, "Are you sure you killed him?"

It's been a great, great experience, serving so far as President of the Florida Senate but I've got to tell you again some figures that I hope you will take as seriously as I do. And, I want to tell you this—everything that I do in the Legislature is to try to improve the government of this state. I'm not going to college, I'm not going to graduate school, I'm not going fishing with a cane pole, I do it because I think that it is right.

But I've got to tell you that the government of this country, the cost of it, has increased *seven* times while the gross national product has only doubled. The cost of education has gone up seven times as fast as enrollment in the nation. The Social Security fund is 2.5 *trillion* dollars in the hole.

In the last decade, we added 4.4 million people to the bureaucracy. We added 50 new employees in the last 10 years every hour of every day and every night.

Last year when we got an 8 billion dollar tax cut, the inflation in HEW alone consumed it before the people of this country received it in their hands. And we've got to do something about it.

We're trying to educate, at the college level, every person in the world, but you ought to know these figures: in 1954, the salary of a college graduate was 10% higher than the rest of the working people of this country. By 1969, it was 24% higher, but last year, it was only 6% higher. It cost about \$20,000 to educate a child in this country. I don't know yet and we cannot find out how the money is being spent. I confess to you that sometime I'm tough, sometime I'm uncompromising, oftentimes I'm unreasonable, hardheaded, relentless, and downright mean, but it takes tough decisions to solve tough problems and we've got to do that.

I'm proud of every member of the Senate because it's easy to get the volunteers to do the easy things but it's hard to get people to take on the tough jobs, but you have come forth to do it.

I think you should know, if you've not read the papers and followed the news, that for the first time in my lifetime,

every person seeking to be President of the United States is trying to out-promise the other, not with programs, not with increased bureaucracy, not with handouts, not with spoon-feeding, but a promise to return to the freedom of the individual and a promise to do something about the growth of the bureaucracy, which now represents 40% of the gross national product.

As a result of the position that we have had to take, there have been a few news stories, a few jokes, and they reached their height last evening when I was being introduced to speak to the Jaycees here in Tallahassee.

The young man who was introducing me said that time had passed and we had all died, Reubin had died, I had died, Don Tucker had died, Dick Clark had died, everybody was there going into heaven. He had me dying first, which I didn't like. Anyway, we got to heaven, and they said somebody had everybody gathered up there in a crowd and the guy that was doing the talking had a coat on that said "D.B." Reubin asked, "Who is that fellow?" He said, "Well, it's really God, but he thinks he's Dempsey Barron."

There's a fellow in this country named, Kemmons Williams, who has lived, and is living, the boyhood dream. From operating a popcorn concession in a movie theatre, he has grown to be the biggest owner of hotels and restaurants in the world, the Holiday Inn chain. Any morning, within five minutes, he can and does, summon into his office and ask the computer or somebody with a key, "How much did we make last night and how much did it cost us around the world?" They instantly answer.

He says, "How about the motel in Podunk? What did the bar do and how much did it cost to do it? What did the restaurant do and how much did it cost to do it? How many rooms did they rent and what was the percentage of occupancy and how much did it cost to do it?" And from that they decide how to best and most efficiently operate their business.

Only yesterday, I called the chancellor of the Board of Regents and his P.R. man, Mr. McTarnaghan, and asked them for some simple information: "What does it cost to educate a lawyer, a doctor, an engineer, an economist, someone in business, for bread and butter subjects? What does it cost for the bachelor's degree in teaching, what does it cost for the doctorate, what does it cost for the graduate and how much of the capital outlay do you allot to this?"

I said, "You people teach how to do these kind of things, and I know you must have this information at your fingertips."

I was told that they didn't have it, that they had never thought of it until Senator Graham asked them last year to provide like information.

We're going to have to find out the answers to those questions, the people are going to insist that we do it. And, if you get criticized for doing it, so it be. It's what we must do.

Ogden Nash wrote a little poem and I don't know what it means. It's very short, it goes like this.

"A gourmet challenged me to eat
A tiny bit of rattlesnake meat,
Remarking, don't look horror stricken,
You'll find it tastes a lot like chicken.
It did, but now chicken I cannot eat,
Because it tastes like rattlesnake meat."

I suggest to you, fellow senators, that the job is as tough now as it was when we started. We are more determined and more resolute now than we were when we started.

As long as blood flows through my veins and I serve in the Legislature, at whatever cost, or whatever criticism, I will take every reasonable step to protect the taxpayers of this State and try to return our country to what it used to be when men were free and unfettered by unnecessary government. Again, thank you very much.

The President Pro Tempore addressed the Senate briefly.

The President presiding.

REPORTS OF COMMITTEES

The Committee on Commerce recommends the following pass:
SB 746

The Committee on Ways and Means recommends the following pass: SJR 421 with 3 amendments

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

The Committee on Judiciary-Criminal recommends the following pass: SB 523 with 4 amendments

The Committee on Transportation recommends the following pass: HB 1381 with 4 amendments

The bills contained in the foregoing reports were referred to the Committee on Commerce.

The Committee on Commerce recommends the following pass: SB 335

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

The Committee on Commerce recommends the following pass: SB 760 with 2 amendments, SB 910

The Committee on Judiciary-Civil recommends the following pass: SB 557 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Commerce recommends the following pass: SB 748

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

The Committee on Commerce recommends the following pass: SB 816

The Committee on Judiciary-Civil recommends the following pass: SB 754 with 8 amendments

The bills contained in the foregoing reports were referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Commerce recommends the following pass: SB 773

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

The Committee on Judiciary-Criminal recommends the following pass: SB 608 with 2 amendments

The bill was referred to the Committee on Natural Resources and Conservation under the original reference.

The Committee on Judiciary-Criminal recommends the following pass: SB 466

The bill was referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Commerce recommends the following pass:

SB 183 SB 403 with 1 amendment
SB 332 SB 590
SB 337 SB 895

The Committee on Judiciary-Criminal recommends the following pass: SB 899 with 1 amendment SB 408 SB 508

The Committee on Natural Resources and Conservation recommends the following pass: SB 429 with 1 amendment

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

The Committee on Judiciary-Civil recommends the following pass: SB 216 with 1 amendment, HB 1565

The Committee on Commerce recommends the following pass:

SB 518 with 1 amendment SB 776
SB 647 HB 1445
SB 696 with 2 amendments

The Committee on Judiciary-Criminal recommends the following pass: SB 618, SB 569

The Committee on Natural Resources and Conservation recommends the following pass: SB 939, SB 950 with 1 amendment

The Committee on Transportation recommends the following pass:

HB 1135 with 3 amendments SB 965 with 1 amendment
SB 963 SB 823 with 2 amendments

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

The Committee on Judiciary-Criminal recommends a Committee Substitute for the following: SB 75 and SB 453

The Committee on Commerce recommends a Committee Substitute for the following: SB 86

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Transportation recommends a Committee Substitute for the following: SB 189

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

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 225

The bill with Committee Substitute attached was referred to the Committee on Commerce under the original reference.

The Committee on Education recommends a Committee Substitute for the following: SB 799

The Committee on Judiciary-Criminal recommends a Committee Substitute for the following: SB 60

The Committee on Commerce recommends a Committee Substitute for the following: SB 212

The Committee on Commerce recommends a Committee Substitute for the following: SB 525

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 898

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

The Committee on Judiciary-Civil recommends the following not pass: SB 215

The bill was laid on the table.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Poston, the rules were waived and by two-thirds vote SB 773 was withdrawn from the Committee on Transportation and placed on the calendar.

On motion by Senator W. D. Childers, the rules were waived and by two-thirds vote SB 394 was withdrawn from the Committee on Commerce and referred to the Committee on Judiciary-Civil.

On motion by Senator Henderson, the rules were waived and by two-thirds vote SB 335 was withdrawn from the Committee on Education and referred to the Committee on Ways and Means.

On motion by Senator Tobiassen, the rules were waived and by two-thirds vote SB 772 was withdrawn from the Committee on Commerce.

On motion by Senator Lewis, the rules were waived and by two-thirds vote CS for HB 344 was withdrawn from the Committee on Education.

REQUESTS FOR EXTENSION OF TIME

The Committee on Commerce requests an extension of 15 days for consideration of the following:

SB 528 by Senator W. D. Childers	SB 202 by Senator Hair
SB 292 by Senator Trask	SB 203 by Senator Hair
CS for SB 242 by Governmental Operations Committee	SB 210 by Senator Glisson
SB 556 by Senator Peterson	SB 211 by Senator Glisson
SB 721 by Senator J. Thomas	SB 214 by Senator Winn
SB 724 by Senator Holloway	SB 250 by Senator Saylor
SB 728 by Senator Winn	SB 260 by Senator Gordon
SB 736 by Senator Plante	SB 265 by Senator Gordon
SB 739 by Senator Johnston	SB 275 by Senator Johnston
SB 744 by Senator Peterson	SB 278 by Senator Hair
SR 746 by Senator Holloway	SB 280 by Senator Hair
SB 747 by Senator Firestone	SB 281 by Senator Hair
SB 748 by Senator Firestone	SB 300 by Senator P. Thomas
SB 750 by Senator J. Thomas	SB 312 by Senator Myers
SB 751 by Senator J. Thomas	SB 313 by Senator MacKay
SB 753 by Senator Holloway	SB 330 by Senator Plante
SB 758 by Senator P. Thomas	SB 332 by Senator Henderson
SB 760 by Senator J. Thomas	SB 335 by Senator Henderson
SB 773 by Senator Stolzenburg	SB 337 by Senator Henderson
SB 774 by Senator Glisson	SB 343 by Senator Spicola
SB 776 by Senator Glisson	SB 370 by Senator MacKay
SB 777 by Senator J. Thomas	SB 380 by Senator Winn
SB 783 by Senator J. Thomas	SB 391 by Senator Poston
SB 785 by Senator Plante	SB 394 by Senator Zinkil
SB 793 by Senator J. Thomas	SB 399 by Senator J. Thomas
SB 795 by Senator W. D. Childers	SB 401 by Senator Gordon
SB 796 by Senator Gordon	SB 402 by Senator Trask
SB 797 by Senator D. Childers	SB 403 by Senator Trask
SB 559 by Senator Peterson	SB 411 by Senator Zinkil
SB 8 by Senator Glisson	SB 413 by Senator Hair
SB 15 by Senator Glisson	SB 416 by Senator Hair
SB 18 by Senator Winn	SB 418 by Senator Johnston
SB 26 by Senator Holloway	SB 426 by Senator Peterson
SB 28 by Senator Johnston	SB 430 by Senator Gallen
SB 29 by Senator Scarborough	SB 432 by Senator Poston
SB 36 by Senator Glisson	SB 437 by Senator Deeb
SB 72 by Senator Saylor	SB 441 by Senator Gordon
SB 76 by Senator Firestone	SB 444 by Senator Gordon
SB 79 by Senator Holloway	SB 449 by Senator W. D. Childers
SB 88 by Senator Firestone	SB 451 by Senator Poston
SB 93 by Senator Dunn	SB 452 by Senator Firestone
SB 118 by Senator Henderson	SB 455 by Senator Firestone
SB 120 by Senator J. Thomas	SB 461 by Senator Peterson
SB 144 by Senator J. Thomas	SB 462 by Senator Peterson
SB 151 by Senator Hair	SB 474 by Senator Winn
SB 152 by Governmental Operations Committee	SB 476 by Senator Gordon
SB 157 by Senator Johnston	SB 486 by Senator W. D. Childers
SB 161 by Senator Holloway	SB 487 by Senator W. D. Childers
SB 162 by Senator Holloway	SB 493 by Senator Hair
SB 168 by Senator Sims	SB 505 by Senator Scarborough
SB 171 by Senator Tobiassen	SB 516 by Senator Poston
SB 183 by Senators Wilson, Vogt	SB 519 by Senator W. D. Childers
SB 188 by Senator Peterson	SB 539 by Senator MacKay
SB 197 by Senator Plante	SB 542 by Senator MacKay
	SB 543 by Senator MacKay
	SB 544 by Senator MacKay
	SB 545 by Senator MacKay
	SB 546 by Senator MacKay
	SB 547 by Senator MacKay
	SB 550 by Senator Gordon

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following:

SB 4 by Senators Zinkil, Wilson and Holloway	SB 273 by Senator Tobiassen, et al
SB 6 by Senator Glisson	SB 291 by Senator Trask
SB 9 by Senator Zinkil	SB 293 by Senator Trask (by request)
SB 12 by Senator Zinkil	SB 294 by Senator Trask (by request)
SB 13 by Senator W. D. Childers	SB 297 by Senator P. Thomas, et al
SB 16 by Senator Glisson	SB 325 by Senator McClain
SB 17 by Senator Winn	SB 327 by Senator P. Thomas, et al
SB 25 by Senator Holloway	SB 334 by Senator Henderson
SB 38 by Senator McClain	SB 340 by Senator Henderson
SB 51 by Senator Saylor, et al	SB 373 by Senator MacKay
SB 59 by Senator Gallen	SB 376 by Senator Zinkil et al (by request)
SB 68 by Senator Glisson	SB 377 by Senator McClain
SB 78 by Senator Holloway	SB 382 by Senator Winn
SB 95 by Senator Gallen	SB 389 by Senator Vogt, et al
SB 124 by Senator Tobiassen, et al	SB 396 by Senator Spicola
SB 130 by Senator Saylor	SB 404 by Senator Trask
SB 134 by Senator Stolzenburg	SB 414 by Senator Hair
SB 139 by Senators Glisson and McClain	SB 419 by Senator Peterson
SB 155 by Senator Zinkil (by request)	SB 420 by Senator Peterson
SB 156 by Senator Spicola	SB 425 by Senator Renick
SB 159 by Senator Poston, et al	SB 427 by Senator Hair
SB 163 by Senator Lewis	SB 485 by Senator Holloway
SB 165 by Senator Poston	SB 500 by Senator Spicola (by request)
SB 174 by Senator Zinkil (by request)	SB 501 by Senator Spicola
SB 176 by Senator Zinkil	SB 531 by Senator J. Lane, et al
SB 190 by Senator Plante, et al	SB 533 by Senator J. Thomas
SB 205 by Senator J. Lane	CS for
SB 232 by Senator Myers	SB 160 by Transportation Committee and Senator Poston
SB 246 by Senator Sims	HB 1247 by Representative Morgan
SB 251 by Senator Saylor	HB 1983 by Representative Dick Clark, et al
SB 261 by Senator Dunn	
SB 267 by Senator Vogt, et al	

The Committee on Education requests an extension of 15 days for consideration of the following:

SB 218 by Senator Deeb	SB 802 by Senator Graham
SB 272 by Senator D. Childers	SCR 805 by Senator Lewis (by request)
SB 374 by Senator MacKay	SB 835 by Senator Lewis
SB 435 by Senator Lewis	SB 848 by Senator MacKay
CS for	SB 852 by Senator Lewis
SB 342 by Judiciary-Criminal Committee and Senator Deeb	SB 885 by Senator Graham
	SB 926 by Senator Hair

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following:

SB 31 by Senator Spicola	SB 913 by Senator Dunn
SB 828 by Senator Spicola	SB 915 by Senator Johnston
SB 834 by Senator Gordon	SB 922 by Senator Dunn
SB 841 by Senator Vogt	SB 925 by Senator Hair
SB 851 by Senator Dunn	HB 1514 by Representative McKnight
SB 904 by Senator Henderson	HB 2469 by Representative Flynn
SB 909 by Senator W. D. Childers	
SB 912 by Senator W. D. Childers	

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following:

SB 233 by Senator MacKay	SB 457 by Senator Lewis
SB 302 by Senator Sims	SB 548 by Senator Spicola
SB 303 by Senator Sims	HB 2799 by Representative Freeman
SB 488 by Senator Spicola	

The Committee on Transportation requests an extension of 15 days for consideration of the following:

SB 836 by Senator Gordon SB 911 by Senator McClain
 SB 843 by Senator Ware

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed in the office of the Secretary of State House Bills 2312, 2978, 2981, 2982 and 2984 which he had approved May 3.

EXECUTIVE BUSINESS

By direction of the President, the following executive order was read:

EXECUTIVE ORDER NUMBER 76-17

WHEREAS, George R. Brumfield was suspended as a county officer of Pinellas County, Florida, pursuant to Executive Order Number 74-53 dated September 9, 1974, and in accordance with Section 7(a) of Article IV, Florida Constitution (1968) and the Laws of Florida, and

WHEREAS, I have received a resignation from George R. Brumfield, resigning as a member of the Board of County Commissioners of Pinellas County, dated April 1, 1976, and accepted by me on April 1, 1976;

NOW, THEREFORE, I, REUBIN O'D. ASKEW, as Governor of the State of Florida, by the power vested in me by the Constitution and Laws of Florida, do hereby promulgate the following Executive Order, effective immediately:

Section 1.

That Executive Order of the Governor Number 74-53 is hereby revoked and the suspension of George R. Brumfield is terminated, pursuant to Section 7(a) of Article IV, Florida Constitution (1968).



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 30th day of April, 1976.

Reubin O'D. Askew
 Governor

Attest:

Bruce A. Smathers
 Secretary of State

—which was referred to the Select Committee on Executive Suspensions

REPORT TO THE LEGISLATURE ON THE STATE OF THE JUDICIARY

By Chief Justice Ben F. Overton for the Supreme Court of Florida, 1976

A strong independent judiciary is essential to our freedom. If the people of this state and country ever lose faith in their system of justice, either because the court system cannot respond to their needs or because it is controlled or manipulated by other officials, we will lose the freedom we gained two hundred years ago.

The responsibility of the judicial branch to maintain our freedom is great although the cost to the state is small—approximately seven-tenths of one percent of the total state budget.

Even though the cost is small, the court system must compete for its needs with other governmental services such as education, health and rehabilitative programs, and roads.

Courts are not politically salable products. A citizen is ordinarily apprehensive and does not want to be involved with courts or the court system. However, when presented with the needs of the judicial system, most citizens recognize that it must be given a high priority because it is essential to the maintenance of our governmental structure. I have the responsibility to communicate those needs both to the Legislature and the public.

I have appeared regularly at committee hearings expressing the requirements of the judicial branch and believe they have been received responsibly and with understanding. I recognize that the state, through its legislative representatives, must in this period be particularly cautious in spending and diligent in trying for efficiency.

In addition to our judicial manpower needs, I am concerned about the proposal to extend the date for the final abolishment of municipal courts. This, I believe, is a step backward as is discussed later in this report.

JUDICIAL MANPOWER NEEDS - FIRST PRIORITY

The judicial manpower needs of this state should be given first priority consideration. We for the first time are now developing congestion in some courts in parts of this state.

We have an excellent basic judicial system that has by and large worked well, but it is in need of help. The Supreme Court has certified the need for eight additional District Court of Appeal judges, eighteen additional circuit judges, and twenty-six additional county judges. A copy of that certification is made a part of this report as an appendix.

The judicial system desperately needs more manpower in order to meet and absorb the additional work load caused by (1) our population growth, (2) the necessity for courts to resolve disputes arising from new regulatory legislation and broadened legislative programs, and (3) the increase in crime and the resulting increase in case loads in our criminal courts. A fourth factor results from the constitutional mandate to consolidate all municipal courts into the state court system. The specific judicial impact of each of these factors is illustrated below.

Population Growth

Since the adoption of Article V and the initial judicial certification, the population of this state has increased by 1,400,000 people. Although more were certified as needed, the Legislature has added only twelve circuit judges and thirteen county judges to absorb this growth.

Legislative-Judicial Impact

The Legislature, by meeting annually, has substantially increased the amount of new legislation and, in addition, has adopted new regulatory legislation which requires construction and resolution in the court system. Legislation that does not regulate but which is new or extensive in its coverage ordinarily finds its way to the courts for construction and interpretation. More and more the courts are called upon to resolve disputes between competing governmental entities. Examples of other new types of proceedings in the court system include presiding at medical mediation panels, reviewing the issuance or denial of environmental type permits, resolving school discipline disputes, resolving the number of automobile agencies that should be authorized in a metropolitan area, reviewing the granting or denial of bank charters, and, finally, construing and interpreting public employees' collective bargaining law disputes. Many of these matters previously were settled in the executive branch or did not exist. These simply are illustrations of the new types of matters now having to be resolved in the court system. The judicial impact is substantial.

Increase in Crime

The third factor that has substantially affected the court system is the increase in crime. The criminal case load increase is graphically illustrated by the increase in criminal felony filings from 64,489 in 1973 as compared to 82,536 in 1975. How a criminal case is counted for statistical purposes has been questioned, but what is not in dispute is the fact that the courts increased the prison inmate population by 4,294 in the calendar year 1975. That increase in prison inmate population is more than the increase for the prior fourteen years.

The aforementioned factors have placed pressure on the court system to the extent that in some areas the courts are becoming unable to respond to the needs of the public. In one area of our state it was indicated that it had taken as long as three months to have a domestic relations temporary support matter heard, nine months to have a civil foreclosure suit heard, and up to two years for a civil jury trial.

The recommended judicial manpower needs for District Courts of Appeal and circuit courts are related only to present day-to-

day responsibilities of these courts. Our certification did not take into account any new legislation that will have substantial judicial impact, nor did it consider that we may have to absorb all cases based on diversity of citizenship jurisdiction now in the federal courts. With reference to the latter, the Chief Justice of the United States has recommended to the Congress the removal of diversity cases from the federal courts to the state court system, thereby transferring to the state court system twenty percent of the case load for each of the federal district judges.

Abolishment of Remaining Municipal Courts

The certification for twenty-six additional county court judges is to complete the abolition of municipal courts that by population is seventy percent complete. In 1972 the people of this state adopted a constitutional provision that provided for a uniform court system in order to ensure that justice would be administered in a uniform and just manner. At the time of its adoption, the abolishment of municipal courts was a controversial issue, and many municipalities through their public officials adopted resolutions in opposition to the new constitutional provision. It was, however, adopted by an overwhelming vote.

The consolidation of your state court system is almost complete. Seventy percent of the population of this state is now served entirely by the state court system. Only thirty percent of the population of this state is served by both the state court system and municipal courts. The state fiscal impact to fully implement the mandate of the people is \$661,000 for the present fiscal year, recurring at the rate of \$1,300,000 per year.

The reasons for the abolishment of municipal courts have not changed. These reasons include (1) the elimination of part-time judges and the conflicts resulting from an individual being a judge one day and a lawyer the next day; (2) the assurance of an independent judiciary by the elimination of control by city councils or city managers over municipal judges since they serve solely at their pleasure; and (3) the elimination of "cash register justice" where the factor of court income is sometimes essential for the general operations of the municipality.

We should not only complete the task of consolidating our court system, but also should make sure that our new county courts are fully responsive to the needs of the public. This can be accomplished by holding court sessions at various convenient locations in the county and by establishing court times that will allow working citizens to appear after working hours in court sessions that concern not only traffic and ordinance violations but also small claims and minor criminal charges.

We should continue to look at new ways to resolve disputes that are in the county courts. The removal of certain traffic offenses from the criminal sphere is working well. I have been impressed with a new pilot program entitled, "Citizen Dispute Settlement Program." This type of program now in existence in Dade County removes minor neighborhood disputes from the criminal justice system itself. It accomplishes two purposes. It conserves both law enforcement and judicial manpower by settling the dispute without the necessity of either being directly involved.

We must recognize that these county courts are important to the confidence of the electorate in the judicial system. This is the court with which most citizens have contact. Many have said that it is the picture window for the judicial system. We should make sure it is properly staffed and funded and not extend the time at which all citizens will be entitled to its judicial service.

JUDICIARY FOR THE FUTURE

What type of individual do we want to judge us? We all want individuals who have integrity, intelligence, and judicial temperament. In my opinion, the individual should be interested in making the judiciary a twenty- or thirty-year career. Clearly the judiciary should not be a stepping-stone to a better law practice or a political office in the legislative or executive branches. It also should not be a place to retire.

I am concerned about the future quality of the judiciary. In my opinion, it will be difficult to obtain outstanding attorneys for the judiciary in the future because of a reduction in the prestige of the office, caused by the proliferation of the office and the conduct problems of a few. The reduction in

prestige is also in part related to a judicial officer's compensation. Where the circuit judge was once the highest paid public official in the community, now state, county, and municipal funds pay more to law professors, county and assistant county attorneys, city and county managers, superintendents of public instruction, and, in some instances, court clerks. The compensation that ten to twelve years ago was within reasonable range of that of a good trial lawyer is no longer within that range in many areas of this state. This coupled with the investment restrictions that are much greater than for other public officials may well limit the persons who will apply for or seek judicial office. Last, but not least, an individual thinking of the judiciary as a career may be concerned about the political uncertainty of the office even though he has been diligent and industrious.

I do not see these problems as insoluble. I recognize that the state cannot compensate judges for the amount many of them could make practicing law. I believe that compensation on a par with that of other public officials in the community, together with the security of a fully funded retirement plan which offsets investment restrictions, will solve this problem. With reference to specific compensation for the judiciary, I would suggest that a cost-of-living increase or decrease formula be established and thereby avoid annual legislative requests for pay increases.

I believe merit retention would help substantially. I recognize there are many who are concerned about merit retention and believe that it too far removes the judge from the people of his community. Merit retention is frankly a compromise between a politically selected judge and an appointed judge. It is a means to take the judge out of the political sphere but still require that he be periodically accountable to the people. To those of you who have serious questions about this type of plan, I suggest you examine the records of those states which have adopted it and inquire fairly and objectively of the officials and populace who are served by that system.

In conclusion, I know you recognize that the independence of all three branches of our government must be maintained, and neither must be intimidated or indirectly controlled by either of the others.

The role of the judiciary has been summarized in these words:

"Protected by the Constitution, the judiciary has ever been the poor man's shield against oppression, the rich man's defense against the mob, and though the reformer may wince under the law's restraints, it is his only recourse for justice if he permits blind passion to enmesh him in its clutches. It will save the minority from the tyranny of the majority and protect both from the ruthless hand of the demagogue. It is the saving quality that will make this government one of the laws and not a government of men."

The judiciary, in order to operate as an independent branch, must have sufficient manpower and be properly funded.

No rule, statute, or constitutional provision makes our government work. They are only the tools. People make a system work, and particularly people working together. I pledge to you my full and complete cooperation and invite your suggestions concerning the operation of the judicial branch.

**IN THE SUPREME COURT OF FLORIDA
JANUARY TERM, A. D. 1976**

IN RE: CERTIFICATE OF JUDICIAL MANPOWER AS REQUIRED BY SECTION 9, ARTICLE V, CONSTITUTION OF FLORIDA, AS REVISED MARCH 14, 1972. :
: CASE NO. 48,987 :
: :
:

Opinion filed March 4, 1976
Case of Original Jurisdiction

PER CURIAM

The courts and our system of justice must be fully open and readily available for the administration of justice. Courts cannot restrict the number of cases they hear, or deny an individual his day in court. Congestion and delay, however, create that effect. When Article V was adopted in March of 1972, we certified the necessary judicial manpower on the basis of July, 1971 population figures. The population increase from July 1, 1971 to July 1, 1975 was estimated at 1.4 million. The additional judicial

manpower created to take care of that population growth has only been twelve circuit judges and thirteen county judges.

The future provides no respite for our growth problems. Some courts of this state have developed congestion and backlogs in their court calendars. In addition, some legislative acts have caused increased work loads for certain courts. Two examples are the Administrative Procedure Act and its resulting increase in appellate review matters in the District Courts of Appeal, and Medical Mediation Panels which require additional proceedings in medical malpractice actions in the circuit courts.

We bring to your attention that in 1975 we certified 23 judicial positions which the Legislature, because of the severe economic situation, failed to approve. These positions are with one exception recertified today.

We further direct your attention to the fact that as of January 1, 1977, all remaining municipal courts must be abolished. Presently 70% of the population of this State is served exclusively by the state court system, while 30% is served by both the state court system and municipal courts. A substantial number of the municipal courts that must be abolished are in five counties of this state, specifically Broward, Orange, Palm Beach, Pinellas, and Volusia. A number of municipal courts for large population cities will be abolished in Dade County. These Dade County municipal courts do not presently have jurisdiction of traffic offenses. We note that our certification for county judges is substantially less than the 62 recommended by the Select House Committee for Municipal Courts.

We therefore, in accordance with Section 9, Article V, Constitution of Florida, as revised March 14, 1972, hereby certify the need for additional District, Circuit, and County Judges in accordance with the following schedule. For information purposes, we note in a separate column the judge positions certified but not approved by the Legislature in 1975 and in a separate column the 1976 request by each Circuit Chief Judge:

District Courts of Appeal:	Judges Certified in 1975 and Not Approved	Judges Requested in 1976	Judges Certified Judicial Positions for 1976
First	2		2
Second	2		2
Third	0		2
Fourth	2		2
TOTAL	6		8

Circuit Courts:

Circuit	Judges Certified in 1975 and Not Approved	Judges Requested in 1976	Judges Certified Judicial Positions for 1976
Third		1	1
Fourth		2	1
Fifth		1	1
Sixth	2	2	2
Seventh		2	1
Eighth		1	0
Ninth	1	4	1
Tenth		1	1
Eleventh	1	4*(Modified)	2
Thirteenth		3	1
Fifteenth	1	3	2
Seventeenth	1	4	3
Nineteenth	1	1	1
Twentieth	1	1	1
TOTAL	8	30	18

County Courts:

County	Judges Certified in 1975 and Not Approved	Judges Requested in 1976	Judges Certified Judicial Positions for 1976
Santa Rose		1	0
Duval		1	1
Pinellas		3	2
Putnam		0	0**
Volusia	1	2	2
Alachua	2	2	1
Orange		4	2
Osceola		1	0
Polk		2	2
Dade	2	3*(Modified)	2
Sarasota		1	1
Bay		1	1
Palm Beach		4	2

Monroe		1	1
Broward	3	8	6
Brevard		1	1
Seminole		1	1
Lee	1	1	1
Hillsborough		2	0
TOTAL	9	39	26

**Originally requested one but modified it if an additional judge was provided in Volusia.

This Court certifies the aforementioned judicial officers as necessary and recommends that they be made permanent by law and funded by this State.

OVERTON, C. J., ROBERTS, ADKINS, BOYD, ENGLAND, SUNDBERG and HATCHETT, JJ., concur

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1351 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Tolton—

HB 1351—A bill to be entitled An act relating to motor vehicles; adding paragraph (i) to s. 325.19(1), Florida Statutes, and adding subsection (8) to said section; requiring that the front and rear suspension systems of motor vehicles be inspected for safety; providing that a suspension is unsafe if it has been altered in such a way as to adversely affect the control and stability of the vehicle; providing exceptions; providing an effective date.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 886 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Redman—

HB 886—A bill to be entitled An act relating to campaign financing; amending s. 106.25(2), Florida Statutes, 1974 Supplement, requiring the Department of State to provide any candidate, political committee, or state executive committee of any political party charged with a violation of the campaign financing laws with a copy of the complaints a reasonable period prior to any proceeding on such complaints before the Elections Commission; amending s. 106.251(3) and (4), Florida Statutes, 1974 Supplement, requiring the Department of Legal Affairs and the Elections Commission to provide a copy of such complaints in certain circumstances; providing an effective date.

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

The Honorable Dempsey J. Barron, President

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

HB 1926 CS for HB 2810 HB 2430

—and requests the concurrence of the Senate.

Allen Morris, Clerk

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

HB 1926—A bill to be entitled An act relating to gambling; amending s. 849.093(6), Florida Statutes, and adding a new sub-

section (7), prohibiting persons who operate a bingo or guest game for a charitable or nonprofit organization from being compensated either directly or indirectly; restricting the types of prizes which may be distributed at such games; providing an effective date.

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

By the Select Committee on Standards & Conduct and Representative McPherson—

CS for HB 2810—A bill to be entitled An act relating to public officers and employees; amending s. 112.313(3) and (7), Florida Statutes, permitting certain public officers and employees to do business with their own agency in certain circumstances; requiring disclosure of conflicting interests; providing an effective date.

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

By Representatives Becker (by request) and Adams—

HB 2430—A bill to be entitled An act relating to the Florida Consumer Finance Act; repealing s. 516.05(2)(b), Florida Statutes, relating to the authority of the Department of Banking and Finance to grant a license to a person to make and collect loans under the provisions of the Florida Consumer Finance Act, eliminating the requirement that approval must be based upon a finding that the issuance of such a license will promote the convenience and advantage of the community; providing an effective date.

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

The Honorable Dempsey J. Barron, President

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

HB 597	HB 584	HB 2440
HB 1023	HB 1443	HB 2426
HB 2174	HB 1929	HB 2596
HB 562(cs)	HB 1886	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary and Representative Richard and others—

HB 562(cs)—A bill to be entitled An act relating to civil litigation; creating s. 57.105, Florida Statutes; providing that a court may award attorney's fees when it finds that a civil action or an appeal has been filed frivolously or vexatiously or when equity demands; providing an effective date.

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

By Representatives Brown and Bell—

HB 1886—A bill to be entitled An act relating to elections; adding section 97.063(6), Florida Statutes, providing for sworn statement of physical disability; providing a penalty; amending section 97.065, Florida Statutes, providing for two witnesses to attest absentee registration application; adding subsection (6) to section 98.051, Florida Statutes, providing for the registration of physically handicapped persons by mail; providing an effective date.

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

By Representative Considine and others—

HB 597—A bill to be entitled An act relating to condominiums and cooperatives; creating ss. 711.809, 711.810, and 711.811, Florida Statutes; prohibiting infringement upon right of owners to peaceably assemble at reasonable times and in a reasonable manner on common elements, common areas or recreational facilities; prohibiting infringement upon right of owner to invite public officers or candidates for public office

to appear and speak on common elements, common areas or recreational facilities at reasonable times and in a reasonable manner; providing for injunction upon the application of an aggrieved owner; providing an effective date.

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

By Representative Nuckolls and others—

HB 584—A bill to be entitled An act relating to corporations; creating s. 607.0245, Florida Statutes, prohibiting the use of the words "veteran" or "veterans" in the name of any nonprofit corporation except upon prior approval of the advisory council on veterans' affairs established under s. 292.04, Florida Statutes; providing a penalty; providing an effective date.

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

By Representative Maxwell and others—

HB 2440—A bill to be entitled An act relating to public officers and employees; authorizing certain governmental units which provide group insurance plans for employees to extend such coverage to retired employees under certain circumstances; providing an effective date.

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

By Representative McDonald—

HB 1023—A bill to be entitled An act relating to initiative procedures; providing procedures for amendment to the State Constitution by initiative; requiring submission of a certified copy of the complete text of any proposed amendment to the Secretary of State prior to circulation of a petition; requiring the Secretary of State to prepare summaries for proposed amendments of a certain length and to adopt a form for petitions to amend the State Constitution; requiring the proponents of an amendment to transmit the petition therefor to the several Supervisors of Elections for verification and certification of signatures; requiring the Secretary of State to determine if all requirements have been met; prohibiting persons from forging signatures or falsifying a petition; providing a penalty; providing an effective date.

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

By Representatives Fontana and Smith—

HB 1443—A bill to be entitled An act relating to prescriptions; amending s. 893.13(1)(e), Florida Statutes, prohibiting possession of false or forged prescriptions for narcotics or other controlled substances; providing an effective date.

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

By Representative Easley and others—

HB 2426—A bill to be entitled An act relating to marriage licenses; amending s. 741.04, Florida Statutes, 1974 Supplement, eliminating a requirement of posting a copy of the application for said license at the county courthouse for a certain period of time; providing an effective date.

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

By the Committee on Education—

HB 2174—A bill to be entitled An act relating to the State University System; creating parts I, II, III, and IV of chapter 239, Florida Statutes, consisting of ss. 239.01-239.036, 239.115-239.138, 239.215-239.264, and 239.315-239.341, respectively; transferring all sections of chapters 239, 240, and 241, Florida Statutes, not repealed by this act, to the appropriate part of chapter 239, Florida Statutes; amending ss. 239.01, 239.53, 239.54, 239.56(1)-(4) and (6), 240.011, 240.181(3), 240.191(3), and 241.621(8) and (12), Florida Statutes, and s. 240.042(1) and (2)(a), (g), (j), and (n), Florida Statutes, 1975; deleting duplications in statutory language; clarifying and correcting statutory language to conform to existing provisions of law;

repealing s. 239.011, Florida Statutes, relating to establishment of a university in east central Florida; repealing s. 239.012, Florida Statutes, relating to establishment of a 4-year college in Dade County; repealing s. 239.013, Florida Statutes, relating to establishment of a state university or branch in Duval County; repealing s. 239.04, Florida Statutes, relating to deposits of federal funds and vouchers therefor; repealing s. 239.05, Florida Statutes, relating to duties of the State Treasurer; repealing s. 239.07, Florida Statutes, relating to endowment funds; repealing s. 239.08, Florida Statutes, relating to annual appropriation to supplement endowment fund income; repealing s. 239.55, Florida Statutes, as amended, relating to violations and penalties for violations of traffic rules or ordinances; repealing s. 239.57, Florida Statutes, relating to costs, fines, and penalties; repealing s. 240.021, Florida Statutes, relating to the chairman of the Board of Regents and expenses of members; repealing s. 240.031(1) and (2), Florida Statutes, relating to responsibilities of the State Board of Education for higher education; repealing s. 240.044, Florida Statutes, relating to the establishment of a continuing education center in Dade County; repealing s. 240.211, Florida Statutes, relating to applicability of laws applicable to Board of Control; repealing s. 241.08, Florida Statutes, relating to establishment of a college of forestry at the University of Florida; repealing s. 241.091, Florida Statutes, relating to establishment of a department of real estate at the University of Florida; repealing s. 241.096, Florida Statutes, relating to establishment of a school of dentistry at the University of Florida; repealing s. 241.121, Florida Statutes, relating to the Florida State Museum; repealing s. 241.24, Florida Statutes, relating to establishment of a branch citrus experiment station near Winter Haven; repealing s. 241.26, Florida Statutes, relating to establishment of a branch tobacco experiment station near Quincy; repealing s. 241.28, Florida Statutes, relating to establishment of an Everglades agricultural experiment station; repealing s. 241.36, Florida Statutes, relating to a branch livestock experiment station in Hardee County; repealing s. 241.361, Florida Statutes, relating to establishment of a light horse unit for horse research under the University of Florida; repealing s. 241.42, Florida Statutes, relating to the Florida national egg laying contest; repealing s. 241.45, Florida Statutes, relating to establishment of a branch experiment station in Northwest Florida; repealing s. 241.475, Florida Statutes, relating to authorization for a law school at Florida State University; repealing s. 241.476, Florida Statutes, relating to authorization for a medical school at the University of South Florida; repealing s. 241.48, Florida Statutes, relating to establishment of a branch agricultural experiment station near Sanford; repealing s. 241.49, Florida Statutes, relating to establishment of a branch agricultural experiment station near Live Oak; repealing s. 241.491, Florida Statutes, relating to establishment of a branch agricultural experiment station near Fort Pierce; repealing s. 241.60, Florida Statutes, relating to establishment of a tobacco insect research laboratory at Quincy; repealing s. 241.69, Florida Statutes, relating to establishment of a branch agricultural experiment station in Orange County; repealing s. 241.71, Florida Statutes, relating to authorization for a dormitory at Florida State University for students on athletic scholarships; repealing s. 241.72, Florida Statutes, relating to transfer of funds in the Milk Commission account; providing for renumbering of cross references; providing that repeals shall be construed as removal of obsolete or superfluous language and shall not be construed to discontinue or disestablish existing institutions or functions; providing an effective date.

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

By Representatives Gordon and Rude—

HB 1929—A bill to be entitled An act relating to occupational license taxes; amending subsections 205.171(1), (3), (4) and (6), Florida Statutes, relating to the exemption from such taxes for disabled veterans and their unremarried spouses, to provide that the exemption shall be applicable to both men and women and the surviving spouse of either; providing an effective date.

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

By Representatives Margolis and Becker—

HB 2596—A bill to be entitled An act relating to public utilities; requiring a monthly accounting and payment of col-

lections of utility receipts representing local government franchise fees or franchise taxes; providing for other matters relative to the foregoing; providing exceptions; providing an effective date.

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

The Honorable Dempsey J. Barron, President

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

HB 184 (cs)	HB 358	HB 2983
HB 1826	HB 2980	
HB 1069	HB 2392	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Retirement, Personnel & Claims and Representatives Richard and Gordon—

HB 184 (cs)—A bill to be entitled An act relating to public officers and employees; adding paragraph (e) to s. 112.061(3), Florida Statutes, 1974 Supplement, requiring annual reports to the legislature of travel outside the state by public officers and employees; providing an effective date.

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

By Representatives Hutto and Dyer—

HB 358—A bill to be entitled An act relating to landlord and tenant; amending s. 83.49(3)(b), Florida Statutes; requiring the balance of a tenant's security deposit to be refunded within 30 days after the landlord's notice of intention to impose a damage claim, when the tenant fails to timely object to such claim; providing an effective date.

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

By Representative T. Lewis—

HB 1826—A bill to be entitled An act relating to the Council for the Purchase of Products and Services of the Blind or Other Severely Handicapped within the Department of General Services; amending s. 413.034(1), Florida Statutes, 1974 Supplement, to remove the Chief of the Bureau of Budget of the Division of Budget of the Department of Administration from the membership of the council, and providing, in lieu thereof, a representative of private enterprise to be appointed to the council by the Governor; providing an effective date.

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

By the Committee on Agriculture & General Legislation—

HB 2980—A bill to be entitled An act relating to the Florida Citrus Code; amending s. 601.15(5) and (6), Florida Statutes, requiring citrus fruit handlers to make full payment of excise taxes upon filing a return with the Department of Citrus; deleting obsolete provisions relating to the use of advertising tax stamps; providing an effective date.

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

By the Committee on Agriculture & General Legislation—

HB 2983—A bill to be entitled An act relating to citrus fruit dealers' licenses; amending s. 601.59, Florida Statutes, to establish when license and agent registration fees are payable; providing an effective date.

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

By Representative Hector—

HB 1069—A bill to be entitled An act relating to miscellaneous liens; creating s. 713.501, Florida Statutes, providing

for a lien in favor of processors of certain films upon said films; including the distribution and exhibition rights therein; providing an effective date.

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

By Representatives Richard and Moore—

HB 2392—A bill to be entitled An act relating to wills; amending s. 732.503, Florida Statutes, 1975, relating to the form for executing a self-proving will; providing an effective date.

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

The Honorable Dempsey J. Barron, President

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

HB 2476 **HB 1814** **HB 2378** **HB 180**

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Poorbaugh—

HB 2476—A bill to be entitled An act for the relief of Robert L. Crowder; providing an appropriation to compensate him for court costs and attorney's fees; 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 Representative Morgan (by request)—

HB 2378—A bill to be entitled An act for the relief of Kermit Ellis; providing an appropriation to compensate him for the loss of the sight of one eye; 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 Representative Redman—

HB 180—A bill to be entitled An act for the relief of Millard E. Futch, James B. McPherson, and Ruben Espinola; providing an appropriation to compensate them for attorney's fees incurred during the appeal of their dismissal by the Division of Beverage of the Department of Business Regulation; 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 Representative Pajcic—

HB 1814—A bill to be entitled An act relating to fraudulent conveyances; amending section 726.09, Florida Statutes, to change the notice requirement and to provide for the filing of a financing statement whenever a lease, loan or other conveyance with reservations or limitations has been made under which goods or chattels remain with a party for more than 2 years; providing an effective date.

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

The Honorable Dempsey J. Barron, President

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

HB 625 (cs)	HB 650 (cs)	HB 708 (cs)
HB 1219	HB 1379	HB 1641
HB 1711	HB 1841	HB 1842
HB 2417	HB 2288	HB 2754
HB 2979	HB 3442	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance & Taxation and Representative Maxwell—

HB 625 (cs)—A bill to be entitled An act relating to the Board of Tax Adjustment; amending s. 196.194(2), Florida Statutes; providing that public notice of the board shall not include those exemptions granted or denied wholly or partially, pursuant to s. 196.031, s. 196.081, s. 196.091, s. 196.101, or s. 196.202, Florida Statutes, but that a list of such exemptions shall be maintained by the property appraiser and made available to the public; providing an effective date.

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

By the Committee on Education and Representative Hodes and others—

HB 650 (cs)—A bill to be entitled An act relating to education; amending s. 230.23(5)(e), Florida Statutes, 1974 Supplement; authorizing contracts for administrative personnel; amending ss. 231.06 and 231.07, Florida Statutes; prohibiting assaults on members of the administrative staff of district school systems; amending s. 231.48(2), Florida Statutes, 1974 Supplement; providing terminal pay for administrative personnel; redefining "normal retirement"; amending section 228.041(10), Florida Statutes, 1974 Supplement; providing definitions of administrative personnel; providing an effective date.

—was read the first time by title and referred to the Committees on Education, Judiciary-Criminal and Ways and Means.

By the Committee on Judiciary and Representative Bloom—

HB 708 (cs)—A bill to be entitled An act relating to the adjudication of traffic infractions; amending ss. 318.14(5), 318.18, and 316.026(2) and (3), Florida Statutes, 1974 Supplement; providing a civil penalty for a driver cited for an infraction not requiring a mandatory hearing, which shall be applicable if he elects to have a hearing; providing an effective date.

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

By Representative Fontana—

HB 1219—A bill to be entitled An act relating to motor vehicles; amending s. 320.33, Florida Statutes, relating to unlawful possession of motor vehicles from which the serial number has been removed; increasing the penalty from a misdemeanor of the second degree to a felony of the third degree; providing an exception; providing an effective date.

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

By the Committee on Transportation and Representatives Jones and Easley—

HB 1379—A bill to be entitled An act relating to transportation; amending s. 334.21(4)(b), Florida Statutes, relating to the matching of federal aid funds by the Department of Transportation; providing that the department may budget matching funds for those projects which are economically consistent with Florida's transportation needs; providing an effective date.

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

By Representative Foster—

HB 1641—A bill to be entitled An act relating to livestock at large; amending s. 588.13(4), Florida Statutes; enlarging the definition of "public roads" for purposes of the fence law to include county maintained roads in addition to Department of Transportation maintained roads; providing an effective date.

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

By Representative G. C. Robinson and others—

HB 1711—A bill to be entitled An act relating to the letting of public contracts; creating s. 163.04, Florida Statutes, pro-

viding definitions; granting preferences to certain contractors; 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 the Committee on Transportation and Representatives Mann and Rude—

HB 1841—A bill to be entitled An act relating to turnpike projects; amending s. 340.02, Florida Statutes, to set forth the intent of the Legislature to approve every turnpike project before it is begun by the Department of Transportation; amending s. 340.03(4), Florida Statutes, to remove reference to certain specific turnpike projects and to provide that the Department of Transportation may make certain expert studies for new or additional turnpike projects; amending s. 340.06(10), Florida Statutes, to provide that the department shall follow record keeping and inventory procedures set forth in chapter 273, Florida Statutes, with respect to certain property; amending s. 340.12(1), Florida Statutes, to require the department to equalize fees charged on certain toll roads; amending s. 340.15, Florida Statutes, to require specific information from the department to the legislature before the issuance of bonds which must be approved by the Legislature; amending s. 340.16, Florida Statutes, to require all trust agreements entered into by the Department of Transportation with respect to turnpike projects to be secured with the State Board of Administration; amending s. 340.23(1), Florida Statutes, 1974 Supplement, to provide that the department adopt all rules and regulations pursuant to chapter 120, Florida Statutes; amending s. 340.24(1), Florida Statutes, to provide for cessation of tolls; repealing ss. 340.03(1), (2) and (3), 340.031, 340.032, 340.033, 340.06(1), (2), (3), (4), (5), (6), (7), (8), (13), and (17), 340.07, 340.10, 340.24(2) and (3), 340.25, 340.28, 340.32, 340.33, and 340.35, Florida Statutes, relating to provisions in the turnpike projects chapter which grant the Department of Transportation authority to approve bonds or projects without the approval of the Legislature and removing provisions which are contrary to the intent of this act that the Legislature approve all projects and the department act upon such approval; providing an effective date.

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

By Representative Foster—

HB 1842—A bill to be entitled An act relating to safety equipment inspection of motor vehicles; amending s. 325.14(1), Florida Statutes, 1975, and ss. 325.23 and 325.31, Florida Statutes, providing specific penalties for misdemeanor violations thereof; providing an effective date.

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

By Representative G. C. Robinson and others—

HB 2417—A bill to be entitled An act relating to the delinquency of children; adding subsection (3) to s. 827.04, Florida Statutes, 1974 Supplement, as amended, relating to child abuse; providing a penalty for contributing to the dependency or delinquency of a child; providing an effective date.

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

By the Committee on Education—

HB 2288—A bill to be entitled An act relating to education; creating subsection (17) of s. 230.23, Florida Statutes, 1975; creating paragraph (j) of s. 230.754(2), Florida Statutes; creating paragraph (r) of s. 240.042(2), Florida Statutes, 1975; providing for penalties for violations of rules in all levels of education; amending s. 239.55, Florida Statutes, to provide that traffic violations in the state university system shall be punished in accordance with Board of Regents rules; providing an effective date.

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

By Representatives Morgan and McPherson—

HB 2754—A bill to be entitled An act relating to public officers and employees; amending s. 104.31(1), Florida Statutes, 1974 Supplement, as amended, providing that it is unlawful for any public officer or employee to coerce, command, instruct, or require, or attempt to coerce, command, instruct, or require, any other public officer or employee to solicit political contributions; providing an effective date.

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

By the Committee on Agriculture & General Legislation—

HB 2979—A bill to be entitled An act relating to the citrus code; adding a new subsection (8) to s. 601.10, Florida Statutes, providing for preparation and dissemination of information by the Department of Citrus; providing an effective date.

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

By the Committee on Criminal Justice—

HB 3442—A bill to be entitled An act relating to criminal trespass; creating s. 810.095, Florida Statutes; defining "utility"; prohibiting alteration of, attachment to, or interference with certain utility fixtures; providing a presumption of intent; providing a penalty; providing liability for damages in a civil action; providing an effective date.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1433 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Brown and others—

HB 1433—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021 (18), Florida Statutes; revising the definition of past service; amending s. 121.081 (1)(a), Florida Statutes, 1974 Supplement, and adding a new paragraph (d); removing a restriction on claiming past service as creditable service; providing for the purchase of past service by members of the Florida Retirement System who were former officers or employees of a city or special district, notwithstanding the status and form of the retirement system, if any, of said city or special district; providing an effective date.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of the membership of the house, HJR 324, and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Rish and others—

HJR 324—A joint resolution proposing an amendment to Section 8 of Article III of the State Constitution relating to when the legislature takes up the governor's veto messages.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of the membership of the House, HJR 1202, and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Pajcic—

HJR 1202—A joint resolution proposing an amendment to Section 4 of Article X of the State Constitution relating to the homestead exemption from forced sale.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3143 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 3143—A bill to be entitled An act relating to racing; adding subsection (13) to s. 550.37, Florida Statutes, authorizing certain holders of ratified permits to conduct harness racing to apply for and receive a license to conduct dograce meetings in lieu of harness racing at such harness tracks under certain circumstances; providing an effective date.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 832 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Nuckolls—

HB 832—A bill to be entitled An act relating to witnesses; providing that anyone appearing as a witness cannot lose his employment because of the nature or length of service as a witness; providing an effective date.

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

The Honorable Dempsey J. Barron, President April 30, 1976

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

By the Committee on Judiciary-Civil—

CS for SB 417—A bill to be entitled An act relating to the filing of disclosure forms by public officers, candidates for public office, and public employees; amending s. 111.011(2)(b), Florida Statutes; requiring statement of contributions by elected public officers to be filed annually; requiring statement of contributions by elected municipal officers to be filed with the Clerk of the Circuit Court; amending s. 112.3145(5), Florida Statutes; prescribing period of time in which certain forms must be sent; amending s. 112.3147, Florida Statutes; specifying agencies which are to prescribe certain forms; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, lines 29 and 30, strike “for the 12 months beginning July 1 of the previous year” and insert: for the previous calendar year

Amendment 2—On page 2, lines 8 and 9, strike “certified mail, return receipt requested,” and insert: mail

Amendment 3—On page 3, lines 4 & 5, strike “for purposes of ethics in government and financial disclosure required by law,”

Amendment 4—On page 3, line 4, strike Section 4. (1) and insert: Section 4. Present subsections (9)-(16) of section 112.312 are renumbered as subsections (10)-(17) and a new subsection 9 (a) (b) are added to said section to read: (9) (a)

Amendment 5—On page 3, line 10, strike numbers “(2)” and “(1)” on said line and insert respectively: (b) and (a)

On motions by Senator Brantley, the Senate concurred in House amendments 1, 2, 4 and 5 to CS for SB 417.

On motion by Senator Brantley, the Senate refused to concur in House amendment 3 to CS for SB 417, and the House was requested to recede therefrom.

Senator MacKay moved that the Senate reconsider the vote by which the Senate concurred in Amendment 4. The motion failed.

On motion by Senator Brantley, the rules were waived and the action, with the bill and amendments, was immediately certified to the House.

SPECIAL ORDER

SB 470—A bill to be entitled An act relating to regulation of the acquisition of voting securities of domestic stock insurers and companies owning a specified percentage of such insurers; amending s. 628.461, Florida Statutes; prescribing prerequisites for making a tender offer or exchange offer, entering into an agreement to, or otherwise seeking to acquire, a specified percentage of the outstanding voting securities of a domestic stock insurer or of a corporation, association, or trust which owns in excess of a specified percentage of the voting securities of one or more domestic stock insurance companies; requiring approval of such acquisitions by the Department of Insurance; providing exceptions; requiring statements to be filed with the department; specifying persons to be furnished copies of such statements; prescribing content of such statement; providing procedure and criteria for approval of such acquisition by the department; providing that any vote of any security acquired in contravention of the act shall be void; providing that any acquisition of any voting security contrary to the act is void; providing for the enforcement in Circuit Court; providing that approval by the department shall not constitute a recommendation by the department of any acquisition; providing penalty for any person to represent that approval by the department constitutes a recommendation; amending s. 48.151, Florida Statutes; providing that any person making or proposing an acquisition regulated by this act, thereby designates the Insurance Commissioner and Treasurer, his assistant, deputy, or other employee as his agent for service of process; providing an effective date.

—was read the second time by title.

Senator MacKay offered the following amendment which was moved by Senator Graham and adopted:

Amendment 1—On page 3, line 15, insert after the period: It shall apply, however, whenever any domestic stock insurance company or controlling company shall make a tender offer, exchange offer, enter into an agreement to exchange securities for 5 per cent or more of the voting stock, or otherwise seek to acquire 5 per cent or more of the outstanding voting securities of any stock insurance company or controlling company.

On motion by Senator W. D. Childers, by two-thirds vote SB 470 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Hair	Plante	Thomas, J.
Brantley	Henderson	Poston	Thomas, P.
Childers, D.	Johnston	Renick	Tobiasen
Childers, W. D.	Lane, D.	Saunders	Trask
Deeb	Lane, J.	Saylor	Vogt
Dunn	Lewis	Scarborough	Ware
Firestone	McClain	Sims	Zinkil
Glisson	Myers	Spicola	
Gordon	Peterson	Stolzenburg	

Nays—3

Graham	MacKay	Wilson
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Votes after roll call:

Yeas—Gallen and Holloway

SB 635—A bill to be entitled An act relating to the Real Estate License Law; amending s. 475.01(2), Florida Statutes; allowing corporate officers who are not licensed real estate brokers or salesmen to engage in the sale or lease of corporate properties; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendment which was moved by Senator Myers:

Amendment 1—On page 3, line 4, insert: a new section 2 and renumber subsequent section.

Section 2. The provisions of this chapter shall not apply to any person employed as a manager or acting in a management or leasing capacity of or for a residential apartment building or complex in regard to any activities or duties such person may have in respect to the managing, leasing or renting thereof.

Senator Scarborough presiding.

Senator W. D. Childers moved the following Substitute amendment for Amendment 1 which was adopted:

Amendment 2—On page 3 between lines 3 and 4, insert: Section 2. The provisions of chapter 475, Florida Statutes, shall not apply to any person employed as a manager of or acting in a management or leasing capacity for a residential apartment building or complex in regard to any activities or duties such person may have in respect to the managing, leasing or renting thereof.

(Renumber subsequent section)

The Committee on Commerce offered the following amendment which was moved by Senator Myers:

Amendment 3—On page 2, line 31, insert after the word "properties": , or to any full time salaried employee of a corporation, business trust, or other business entity who engages in a transaction relating to any real property owned, leased or held by such corporation or business trust or to be owned, leased or held by such corporation or business trust for use in its trade or business only as an incident to the primary business of the corporation

Senator Glisson moved the following substitute amendment for Amendment 3:

Amendment 4—On page 2, line 31, after the word "properties" insert: , or to any full time salaried employee of a corporation, business trust, or other business entity, who without compensation by commissions for such actions, engages in a transaction relating to any real property owned, leased or held by such corporation or business trust, or to be owned, leased or held by such corporation or business trust for use as an incident to the primary business of the corporation

Senator Myers moved the following amendment to Amendment 4 which failed:

Amendment 4A—On page 1, line 1, strike "any" and insert: any one

The President presiding

Amendment 4 was adopted.

Senator Glisson moved the following amendment which was adopted:

Amendment 5—On page 3, line 3, after the period insert: Such corporation, business trust, or other business entity whose officers or employees engage in real estate transactions shall be identified annually to the Florida Real Estate Commission by name, address, and occupation.

Senator Myers moved the following title amendments which were adopted:

Amendment 6—On page 1, line 6, after the word "officers" insert: or certain employees of a corporation, business trust, or other business entity

Amendment 7—On page 1, line 9, after the semicolon insert: exempting persons who are employed as a manager of or who act in a management or leasing capacity for a residential apartment building or complex from the provisions of the Real Estate Licensing Law with regard to certain activities or duties;

Senator Glisson moved the following title amendment which was adopted:

Amendment 8—On page 1, line 9, after the semicolon insert: requiring corporations, business trusts, or other business entities whose officers or employees engage in real estate transactions to be identified to the Florida Real Estate Commission;

On motion by Senator Myers, by two-thirds vote SB 635 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—26

Mr. President	Henderson	Peterson	Thomas, P.
Brantley	Holloway	Poston	Tobiassen
Childers, W. D.	Lane, J.	Renick	Trask
Deeb	Lewis	Saunders	Ware
Gordon	MacKay	Sayler	Wilson
Graham	McClain	Sims	
Hair	Myers	Stolzenburg	

Nays—12

Childers, D.	Gallen	Lane, D.	Vogt
Dunn	Glisson	Plante	Winn
Firestone	Johnston	Thomas, J.	Zinkil

Vote after roll call:

Yea—Spicola

Senator McClain was recorded as voting yea on SB 200 which passed the Senate April 28.

On motion by Senator Saunders, the rules were waived and by two-thirds vote SB 468 was withdrawn from the Committee on Ways and Means and placed on the calendar.

Senator Sims moved that the Senate reconsider the vote by which SB 635 passed this day.

CO-INTRODUCERS RECORDED

Senator Renick—SB 1009; Senator Spicola—Senate Bills 533 and 966

Senators Brantley and Barron removed as co-introducers of SB 1007

The Journal of May 3 was corrected and approved.

The Journal of April 30 was corrected and approved as follows:

Page 192, counting from bottom of column 1, line 4, strike "Yeas" and insert: Nay

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:00 noon to convene at 8:30 a.m., May 5, 1976 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 2:00 p.m.