

Wednesday, May 5, 1976

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

INTRODUCTION

By Senator Scarborough—

SB 1277—A bill to be entitled An act relating to remission of bail bond forfeitures; amending s. 903.28(1), Florida Statutes; increasing the time in which the court may direct a partial or complete remission of forfeiture of the bail bond to the surety; providing an effective date.

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

By Senator Gallen—

SB 1278—A bill to be entitled An act relating to insurers and insurance; amending s. 625.317, Florida Statutes; providing that insurers may invest in interest bearing obligations issued by the Florida Windstorm Underwriting Association; amending s. 627.351, Florida Statutes; deleting provisions which authorize the Department of Insurance to require insurers to include coverage for sinkhole losses or adopt plans for the equitable apportionment among insurers of such coverage, and which create a risk apportionment plan for windstorm coverage; providing that the Insurance Commissioner may require property insurers licensed in the state to provide windstorm coverage, or shall adopt a plan for equitable apportionment of windstorm coverage among such insurers; providing for the formation of a nonprofit corporation or unincorporated association to accumulate funds to be used for the payment of catastrophe losses; prescribes property entitled to such coverage; providing for issuance of interest bearing obligations to meet a deficiency in catastrophe funds; requiring any member insurer to purchase such obligations; authorizing a member insurer to adjust premiums on windstorm coverage to recoup certain sums paid by such insurer to the Florida Windstorm Underwriting Association; providing for transfer of funds; providing prerequisites to be met before such windstorm coverage provisions shall be effective with respect to any county or area; providing an effective date.

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

By Senator Gallen—

SB 1279—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; appropriating \$100,000 to be used by the department for the erection of a security fence at the Florida School for Boys at Okeechobee; 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 Renick—

SB 1280—A bill to be entitled An act relating to mobile home, travel trailer, and recreational parks; amending ss. 513.01, 513.02, 513.03, 513.04, 513.05, 513.06, 513.07, 513.08, 513.09, and 513.12, Florida Statutes, redefining tourist camps and mobile home parks in order to conform with the present use of such facilities; providing an effective date.

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

By Senator J. Thomas—

SB 1281—A bill to be entitled An act relating to ambulance service; creating s. 401.255, Florida Statutes; providing the Department of Health and Rehabilitative Services with exclusive jurisdiction to regulate ambulance service; providing for

the establishment of categories of ambulance services and the classes of vehicles which may be used for each category; providing for the establishment of standards and equipment for each category of service and class of vehicles; providing an effective date.

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

By Senator Holloway—

SB 1282—A bill to be entitled An act relating to sale by sheriff of seized, abandoned, wrecked, or derelict property; amending ss. 705.03, 705.14, Florida Statutes; providing for the deduction of actual costs of conducting such sale from the proceeds thereof; providing an effective date.

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

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

SB 1283—A bill to be entitled An act relating to the Parole and Probation Commission; amending s. 947.04(1), Florida Statutes; providing for a vice-chairman to serve in the absence or disability of the chairman; adding s. 947.09(4), Florida Statutes; providing criteria for selection of hearing examiners; amending s. 947.17, Florida Statutes; requiring 15-day notice, prior to any parole determination proceeding, to parolees and also access to any documents to be used by the commission in making its determination requiring the commission to keep full and complete records; requiring written notification to offender, by commission with specific reasons, for denial of parole; amending s. 947.18, Florida Statutes; providing criteria for parole determination; providing an effective date.

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

By Senator Sims—

SM 1284—A memorial to the Congress of the United States urging Congress not to enact legislation which would result in public employee unions having the right to strike, organize union shops, or institute compulsory dues checkoffs.

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

By Senator Lewis—

SB.1285—A bill to be entitled An act relating to education; establishing a trust fund for the replacement of vocational education equipment in public schools; providing a formula for allocation of funds for such equipment to the districts; adding s. 231.36(10), Florida Statutes; providing that instructional personnel employed for federally funded projects or transitional categorical programs do not earn continuing contract status based on such employment; amending s. 233.064(2), Florida Statutes; providing that public high schools may offer a non-required course in Americanism versus Communism; amending s. 233.0641(2), Florida Statutes; providing that public schools may conduct a nonrequired free enterprise and consumer education program; adding s. 233.068(6), Florida Statutes; providing a prerequisite to continued state funding for job-related vocational instruction; amending s. 236.013(3), Florida Statutes; redefining full-time and full-time equivalent students for the purposes of school finance and taxation; amending s. 236.081, Florida Statutes; changing the manner of determination of the annual allocation from the Florida Education Finance Program to the school districts; amending s. 236.0811, Florida Statutes; designating people to be included in the district educational training programs; amending s. 236.122(1), (2), Florida Statutes; requiring a readjustment of instructional materials allocations based on enrollment data; repealing ss. 229.065, 229.0651, Florida Statutes, which authorized the State Board of Education to issue bonds from 1971 to 1975; repealing s. 229.514, Florida Statutes, relating to the authority of the Commissioner of Education to reallocate duties and functions assigned to the

Department of Education; repealing ss. 229.542, 229.543, 229.545, Florida Statutes, which authorize training programs for school, district, and community college administrators and school board members; repealing s. 229.806, Florida Statutes, which authorizes advertising the advantages of teaching in the state; repealing ss. 229.815, 229.820, Florida Statutes, relating to the State Planning Council for Post High School Education and its functions; repealing s. 229.840, Florida Statutes, which authorizes allocations to each district for career education; repealing s. 230.23(5)(c), Florida Statutes, which sets requirements for school board appointments of instructional staff; repealing s. 230.33(7)(c), (d), Florida Statutes, which require a superintendent to submit nominations of district supervisors, principals, and instructional staff; repealing ss. 230.65, 230.651, Florida Statutes, which provide for the designation and funding of area vocational education centers; repealing s. 230.66, Florida Statutes, relating to the industry services training program and the Industry Services Advisory Council; repealing s. 230.67, Florida Statutes, which requires job placement and follow-up services for all students graduating from or leaving the public school system; repealing s. 230.767(2), (4)(b), Florida Statutes, which provides for allocation of funds to districts for community college transportation; repealing s. 231.09(1)(a), Florida Statutes, which designates certain teaching functions of the instructional personnel in public schools; repealing s. 231.3505, Florida Statutes, which authorizes the employment of a director of vocational education in each district; repealing s. 232.031, Florida Statutes, which requires a certification that a child has no contagious or communicable disease as a condition for admission to kindergarten or first grade; repealing s. 232.24, Florida Statutes, relating to the authority to promote pupils; repealing s. 232.255, Florida Statutes, which provides funding for combating disruption of the educational process and vandalism; repealing s. 233.055, Florida Statutes, which provides for a remedial reading program; repealing s. 233.057, Florida Statutes, which provides for the certification, training, duties, and responsibilities of reading and language arts resource specialists; repealing s. 233.061, Florida Statutes, which designates the teaching functions of the instructional personnel in public schools; repealing s. 233.066, Florida Statutes, which requires guidelines to be developed for counseling programs in public schools and approval of district plans for such programs by the Department of Education; repealing s. 233.067, Florida Statutes, which creates a health education program for pupils in grades 1 through 12; repealing s. 233.068, Florida Statutes, which requires job-related vocational instruction and allows provisional certification for instructors without the usual academic background; repealing s. 233.0681, Florida Statutes, which authorizes the use of occupational specialists in place of counselors and provides for the identification and training of such specialists; repealing s. 233.069, Florida Statutes, which provides for The Vocational Improvement Fund, used for the development of vocational education programs; repealing ss. 236.085, 236.086, Florida Statutes, which authorize allocation of funds to districts for occupational and placement specialists and elementary school counselors; providing an effective date.

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

By Senators Gordon, Firestone, Zinkil, Johnston and D. Childers—

SB 1286—A bill to be entitled An act relating to condominiums and cooperatives; creating chapter 718, Florida Statutes, entitled the "Condominium Act"; creating chapter 719, Florida Statutes, entitled the "Cooperative Act"; providing legislative intent; providing definition; providing for the creation of condominiums and cooperatives, the contents of condominium declarations and the contents of cooperative documents; providing for the recording of condominium declarations; providing for condominium and cooperative parcels and providing that condominium parcels are to be considered separate parcels of real property; providing a description of the appurtenances to condominiums and cooperatives and providing for the possession and enjoyment of same; prohibiting the separation and partition of the common elements of a condominium; providing for the common elements of a condominium; providing for condominium and cooperative bylaws; providing that the maintenance of common elements with respect to condominiums is a responsibility of the association; limiting alterations to a condominium; providing for common expenses and common surplus with respect to condominiums and cooperatives; providing for assessments with respect to condominium and cooperative owners and providing for liens, liability and pri-

orities; providing for the termination of condominiums; providing equitable relief for condominium owners under certain circumstances; limiting such owners' liabilities; providing for the taxation of condominium parcels; providing for the effect and validity of liens on condominium property; providing for the disposition of sales deposits with respect to condominiums and cooperatives, prior to closing; providing for condominium and cooperative warranties; providing for the transfer of condominium and cooperative association control; providing for the effect of agreements entered into by such associations; providing for obligations of condominium and cooperative owners; providing for the right of the association to amend condominium declarations or cooperative documents; providing rules with respect to special types of condominiums and cooperatives; providing for the conversion of existing improvements by a developer into a condominium or cooperative; providing for phase condominiums and cooperatives; providing that the Division of Florida Land Sales and Condominiums of the Department of Business Regulation shall administer both newly created chapters; requiring the filing of certain condominium or cooperative documents with the division; requiring the disclosure of certain information prior to the sale of a condominium or cooperative; requiring developers of residential condominiums and cooperatives of a certain size to prepare a prospectus or offering circular containing specified information on the units for sale; providing that a good faith effort by a condominium or cooperative developer to comply with the requirements relating to disclosure, so long as the effort is in substantial compliance and there are no material errors or omissions, shall be sufficient; providing for the effect of false or misleading material with respect to a condominium or cooperative which is published; providing for the effect of zoning and building regulations on condominiums and cooperatives; providing penalties and fees; repealing chapter 711, Florida Statutes, which is the current law on condominiums and cooperative apartments; adding subsection (4) to s. 193.023, Florida Statutes, requiring the property appraiser to assess, at fair market value, property serving unit owners of a condominium or cooperative subject to a lease; precluding the consideration of income derived from the lease; providing an effective date.

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

By Senator Lewis—

SB 1287—A bill to be entitled An act relating to state waters; creating s. 403.072, Florida Statutes; directing the Department of Environmental Regulation to establish a method for determining the landward extent of state waters by use of plant indicators; requiring plant indicators adopted by the department to be consistent with those adopted by the Legislature; providing for review by the Environmental Regulation Commission of plant indicators previously adopted by the department; providing an effective date.

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

By Senator Renick—

SB 1288—A bill to be entitled An act relating to local arts councils; authorizing each county to establish a county fine arts council for the purpose of stimulating, encouraging, promoting, and supporting the arts; declaring same to be a public purpose; setting forth procedures for establishing a council, prescribing terms of office for members; providing for council officers; providing for an executive director; setting forth the duties of the council; providing for powers of the council; providing for the issuance of bonds; providing for meetings; providing an exception for existing councils; providing an effective date.

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

By Senator Poston—

SB 1289—A bill to be entitled An act relating to bail bondsmen; amending s. 648.31(1), Florida Statutes, increasing certain license fees for bail bondsmen, limited surety agents, or runners; providing an effective date.

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

By Senator Poston—

SB 1290—A bill to be entitled An act relating to motor carriers; creating s. 323.043, Florida Statutes; providing for a grant of temporary authority to supply carrier service to certificated carriers in emergencies and to applicants for a certificate of public convenience and necessity; providing for procedure for making application for such temporary authority; establishing a filing fee for applicant for a certificate who apply for temporary authority, and providing guidelines for notice and hearings in such cases; providing an effective date.

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

By Senator W. D. Childers—

SB 1291—A bill to be entitled An act relating to water and sewer systems; adding s. 153.03(11), Florida Statutes; authorizing a county to acquire sewer and water system facilities by gift or by purchase of the capital stock of a corporation presently owning such facilities; providing that a county may pledge revenues from such facilities as security for the purchase price of the stock; providing that a county may continue to operate the facilities through the corporation or may dissolve the corporation after acquisition; providing an effective date.

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

By Senator McClain—

SB 1292—A bill to be entitled An act relating to guardianship; amending s. 744.301(2), Florida Statutes, providing that natural guardians may collect, receive, manage and dispose of any personal property or proceeds accruing to a minor when the amount does not exceed \$5,000; amending s. 744.387(2), Florida Statutes, authorizing natural guardians to settle any claim with respect to any property or proceeds accruing to a minor when the amount does not exceed \$5,000; providing an effective date.

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

By Senator Dunn—

SB 1293—A bill to be entitled An act relating to banking; amending s. 659.03, Florida Statutes; requiring an investigation of new bank or trust company applicants by the Department of Banking and Finance; requiring a public hearing; requiring issuance of an order approving or disapproving the application; requiring findings of fact; providing for appeal; providing an effective date.

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

By Senator Saylor—

SB 1294—A bill to be entitled An act relating to legal holidays; adding a new paragraph (e) to s. 683.01(1), Florida Statutes, designating Susan B. Anthony's birthday as a legal holiday; providing an effective date.

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

By Senator Dunn—

SB 1295—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.181, Florida Statutes, prohibiting certain persons and entities from holding any horseracing or dogracing or jai alai permit; providing for suspension and revocation of permits; requiring certain persons and entities convicted of certain felonies to be divested of interest in a permit-holder as a condition of the holder retaining the permit; providing a saving clause; providing an effective date.

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

By Senators Graham and Johnston—

SB 1296—A bill to be entitled An act relating to the exercise of eminent domain by counties to acquire land for recreational

purposes; amending s. 127.01(2), Florida Statutes; providing that if the land to be acquired is agricultural land or land outside a standard metropolitan statistical area that the owner has the right to present an issue to the court as to the necessity for the proposed taking and the amount of land required for the purpose sought; providing an effective date.

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

By Senator Myers—

SB 1297—A bill to be entitled An act relating to governmental reorganization; amending s. 20.13(1)-(4), Florida Statutes, providing for the division of the Department of Insurance into a Department of Insurance and an Office of the Treasurer; naming the Governor and Cabinet as head of the Department of Insurance; providing for the designation of an Insurance Commissioner; requiring Senate confirmation for appointment or removal of the Insurance Commissioner; delineating the powers, duties, and functions of the Insurance Commissioner; establishing divisions; creating s. 18.031, Florida Statutes, providing for Office of the Treasurer; establishing divisions; creating s. 18.035, Florida Statutes, authorizing the Treasurer to employ and appoint assistants and to fix compensation therefor; amending ss. 633.01 and 624.516(2), Florida Statutes, designating the Insurance Commissioner as State Fire Marshal; providing funds for use by the Insurance Commissioner as State Fire Marshal; providing a directive to statutory revision; 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 Scarborough—

SB 1298—A bill to be entitled An act relating to the Florida Industrial Development Financing Act; amending s. 159.32, Florida Statutes; providing for the payment of wages, pursuant to a scale of minimum wages, for labor provided under certain contracts for the construction, alteration, or repair of a structure or facility; requiring certain contract provisions; providing that minimum wages include amounts expended by a contractor for certain fringe benefits; providing an effective date.

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

By Senator Myers—

SB 1299—A bill to be entitled An act relating to police officers; amending s. 943.13(2), Florida Statutes; providing that any person employed as a police officer be a citizen of the United States; providing an effective date.

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

By Senator Graham—

SB 1300—A bill to be entitled An act relating to state institutions; amending s. 402.17(7)(b), Florida Statutes, providing that the interest on the funds of the Department of Health and Rehabilitative Services' institutional clients shall accrue to the benefit of the client; 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 Senators Gordon, Graham, Myers, Firestone, Brantley and Plante—

...SJR 1301—A joint resolution proposing amendments to Sections 3 and 4 and the creation of Section 16 of Article VII of the State Constitution relating to the valuation and taxation of property lying within certain community redevelopment areas and to the financing of, and issuance of bonds for, certain community redevelopment projects.

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

By Senator Saylor—

SB 1302—A bill to be entitled An act relating to public officers and employees; providing for the liability of a public officer or employee breaching the public trust for private gain and any person or entity inducing such breach; providing an effective date.

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

By Senator Saylor—

SB 1303—A bill to be entitled An act relating to the Municipal Firemen's Pension Trust Fund; amending ss. 175.041(2), 175.131, 175.361, Florida Statutes; deleting the exception from the provisions of chapter 175, Florida Statutes, for a governmental entity whose employees are eligible for membership in a state or state and county retirement system; authorizing funds received under the provisions of chapter 175, Florida Statutes, to be deposited in the Florida Retirement System Trust Fund if certain conditions have been met; excepting an election to join the Florida Retirement System from the apportionment and distribution requirements of pension plans that terminate; authorizing contributions available to the board of trustees of a fund to be used as required payments for the purpose of joining the Florida Retirement System; providing for retroactive effect; providing effective dates.

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

By Senator J. Thomas—

SB 1304—A bill to be entitled An act relating to mental health; amending s. 394.50, Florida Statutes, establishing children's residential and day treatment centers to be under the supervision and control of the Department of Health and Rehabilitative Services; amending ss. 394.56, 394.57, 394.58, 394.59, 394.60, 394.61, and 394.62, Florida Statutes, providing for voluntary admission, involuntary admission, transfer of records, fees for care and treatment, transfer of patients, discharge from a center, and age limits; repealing ss. 394.51, 394.52, 394.53, 394.54, and 394.55, Florida Statutes, which relate, respectively, to employment of the director of the children's division of the South Florida State Hospital, and of other necessary personnel; to powers, duties and compensation of the director and other employees; to bonds required of employees; and to removal of employees; providing an effective date.

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

By Senator MacKay—

SCR 1305—A concurrent resolution creating a joint select committee for the purpose of investigating the regulation of the trucking industry.

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

By Senator J. Thomas—

SB 1306—A bill to be entitled An act relating to loans for the development of group-living homes for the mentally retarded, autistic, or developmentally disabled; amending s. 393.15(5), Florida Statutes; authorizing the Department of Health and Rehabilitative Services to forgive a percentage of the principal of such loans under certain conditions; 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 McClain—

SB 1307—A bill to be entitled An act relating to repayment of funds paid into the State Treasury; amending s. 215.26(2), Florida Statutes; authorizing an application for a sales tax refund within 3 years from the date of repossession of tangible

personal property sold under certain types of contracts; providing an effective date.

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

By Senator Poston—

SB 1308—A bill to be entitled An act relating to for-hire passenger motor carriers; amending s. 323.052, Florida Statutes; providing that chartered counties be the sole authority regulating passenger motor vehicles for-hire; providing for the continuation of for-hire motor vehicle licenses subsequent to the enactment of the county ordinance; providing an effective date.

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

By Senator Wilson (by request)—

SB 1309—A bill to be entitled An act relating to voter registration; amending s. 98.051(4) and (5), Florida Statutes, 1974 Supplement, providing that the closing date for registration for state and local elections shall be the same as that for national presidential elections; prohibiting any person from altering his existing registration except during a period provided for the registration of electors; providing an effective date.

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

By Senator W. D. Childers—

SB 1310—A bill to be entitled An act relating to the Beverage Law; adding s. 561.01(12), Florida Statutes; defining "drop shipments" or "multiple deliveries"; permitting such shipments or deliveries as part of the allowable discount in the usual course of business; providing an effective date.

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

By Senator Lewis—

SB 1311—A bill to be entitled An act relating to environmental regulation; amending s. 403.087(2)-(8), Florida Statutes, and adding a new subsection to said section; requiring the Department of Environmental Regulation to grant or deny completed applications for environmental permits within a specified period; authorizing an applicant for such permit to proceed with an installation if the department fails to act on the permit within such period; repealing s. 403.061(18), Florida Statutes, which requires notice to the department prior to the construction, installation, or expansion of air or water contaminant sources, which provides for submission of plans for such activity upon request of the department, and which authorizes such activity to proceed upon the failure of an order to issue within 60 days after the plans are filed; providing an effective date.

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

By Senator Saunders—

SB 1312—A bill to be entitled An act relating to municipalities; authorizing revenues raised from the operation of municipally-owned utilities to be used for the construction, maintenance, and operation of any municipally-owned utility; prohibiting the use of such revenues for the operation of local government; providing an effective date.

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

By Senator Dunn—

SB 1313—A bill to be entitled An act relating to unemployment compensation; adding s. 443.22(4), Florida Statutes; providing prima facie evidence of identity in fraud prosecution; providing an effective date.

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

By Senator Vogt—

SB 1314—A bill to be entitled An act relating to sales and use taxation; adding paragraph (1) to s. 212.08(7), Florida Statutes, 1975, exempting from the tax certain devices, fixtures, materials, equipment, and machinery the use of which is related to the conversion of solid waste material into an item of real economic value; providing certain conditions upon the exemption; providing an effective date.

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

By Senator Lewis—

SB 1315—A bill to be entitled An act relating to the regulation of the environment; amending s. 253.76, Florida Statutes; providing for appeals to the Governor and Cabinet sitting as the Board of Trustees of the Internal Improvement Trust Fund of certain final orders of the Department of Environmental Regulation; providing for notice of appeal and decisions on such appeals within certain time limits; directing the Governor and Cabinet to adopt rules of procedure for the disposition of such appeals; amending s. 373.114, Florida Statutes; providing for review by the Governor and Cabinet sitting as the Land and Water Adjudicatory Commission of all orders or rules of a water management district, except those involving internal management; providing for initiation of such review by an interested party to such order, or a person affected by such rule; providing time limit for review of an order; amending s. 403.803(11), (12) and adding subsections (13) and (14) to said section; providing definitions; amending s. 403.804(1), (3), Florida Statutes; providing for review by the Environmental Regulation Commission of certain final orders of the Department of Environmental Regulation; providing for notice of appeal and decisions on such appeals within certain time limits; directing the commission to adopt rules of procedure for the disposition of such appeals; authorizing the commission to delegate to the Governor and Cabinet the authority to decide such appeals which involve corresponding appeals under chapter 253, Florida Statutes; amending s. 403.805, Florida Statutes; authorizing the Secretary of the Department of Environmental Regulation to adopt rules relating exclusively to the internal management of the department or other procedural matters; authorizing the secretary to delegate certain authority of the department to certain entities; amending s. 403.808(3), Florida Statutes; providing that when two or more permit requirements are consolidated into one evaluation process, the subject permits shall be issued or denied within a specified number of days of receipt by the Department of Environmental Regulation, or its delegate, of a complete application; amending s. 403.809(1), (2), Florida Statutes; providing for subdistrict managers; excepting district and subdistrict managers from the provisions of chapter 110, Florida Statutes, relating to career service employers; amending s. 403.813(2)(b), (i), Florida Statutes; exempting the installation of certain private piers and the construction of private docks and seawalls in artificial bodies of water from permit requirements; providing an effective date.

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

By Senator Gordon (by request)—

SB 1316—A bill to be entitled An act for the relief of the City of Miami Beach, Dade County; providing for reimbursement for the construction of an ocean outfall in reliance on approval by the Florida State Board of Health and reconversion to secondary waste treatment as required by Florida Statutes and administrative regulation; 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 Scarborough—

SB 1317—A bill to be entitled An act relating to pilotage; amending s. 310.141, Florida Statutes; changing the requirements for exemption of a vessel from pilotage; amending s. 310.151(3),

Florida Statutes; eliminating certain factors to be considered in fixing rates of pilotage; providing an effective date.

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

By Senator Lewis—

SB 1318—A bill to be entitled An act relating to motor carriers; amending s. 323.06(1) and (3), Florida Statutes, to clarify the jurisdiction of the public service commission to require bonds of motor carriers from time to time; amending s. 323.15(6), Florida Statutes, to clarify legislative intent by adding those fees imposed by chapter 323, Florida Statutes, to the fees not in lieu of the road tax; amending s. 323.22(1), Florida Statutes, to prescribe the fee for motor vehicle identifying devices for motor carriers, and to authorize the transfer of such devices pursuant to commission rule; providing an effective date.

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

By Senator Holloway—

SB 1319—A bill to be entitled An act relating to inspection and examination of public records; adding s. 119.07(2)(d), Florida Statutes; providing that reports by law enforcement officers in connection with investigations of crimes are exempt from the requirement that records be open to public inspection and examination; providing an effective date.

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

By Senator Graham—

SB 1320—A bill to be entitled An act relating to law enforcement; creating s. 901.253, Florida Statutes, authorizing designated municipal police officers of charter counties to make fresh pursuit of a person within certain areas outside their jurisdiction for certain violations, to respond to certain requests for assistance in other jurisdictions, and to make investigations of crimes within certain areas outside their jurisdiction; providing procedures for such officers making certain arrests; providing liability of the employing municipality for actions of such officers; providing an effective date.

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

By Senators Gordon and Brantley—

SB 1321—A bill to be entitled An act relating to unemployment compensation; amending s. 443.06(1), Florida Statutes; removing provisions disqualifying individuals from qualifying for benefits on account of pregnancy; providing that voluntarily leaving employment to accept more suitable employment which is no longer available to him because of circumstances which are not disqualifying, shall not be a disqualifying factor; amending s. 443.22(1), Florida Statutes, and adding subsection (4) to said section; reducing the penalty for making a false statement or false representation with respect to unemployment compensation benefits or payments from a third degree felony to a second degree misdemeanor; providing elements of prima facie evidence of identity in prosecution of certain violations of unemployment compensation laws; repealing s. 443.05(1)(d), Florida Statutes, eliminating the 1-week waiting period from benefit eligibility conditions; providing an effective date.

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

By Senator Graham—

SB 1322—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending s. 20.19(20), Florida Statutes, providing that the date for the repeal of all rules of the department and the publication of new rules shall be January 1, 1977, rather than October 1, 1976; providing an effective date.

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

By Senators Saylor and Gallen—

SB 1323—A bill to be entitled An act relating to governmental reorganization; amending s. 20.16(2)(c)-(e), Florida Statutes, and adding subsection (12) to said section; abolishing the Division of Beverage of the Department of Business Regulation and assigning certain powers, duties, and functions of the Division of Beverage to the Department of Business Regulation; providing for issuance of quota beverage licenses; providing for a non-refundable application fee for such licenses; adding s. 20.201(4), Florida Statutes, transferring certain powers, duties, and functions of the Division of Beverage to the sheriffs of the counties and the chiefs of police of municipalities; providing certain powers, duties, and functions of the Division of Law Enforcement of the Department of Criminal Law Enforcement; adding s. 20.21(9), Florida Statutes; transferring certain powers, duties, and functions of the Division of Beverage to the Department of Revenue; requiring criminal law enforcement evidence to be furnished to the Board of Business Regulation; 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 Deeb—

SB 1324—A bill to be entitled An act relating to child abuse; amending s. 827.07(7), Florida Statutes; providing that information contained in the registry of cases of child abuse maintained by the Department of Health and Rehabilitative Services is not to be disclosed to counsel representing a person in any criminal prosecution or civil action involving a case of child abuse; providing an effective date.

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

By Senators Graham, MacKay, Peterson and Spicola—

SB 1325—A bill to be entitled An act relating to the Florida School for the Deaf and the Blind; amending ss. 242.331(3)-(5), Florida Statutes, and adding a new subsection to said section; authorizing the board of trustees of the Florida School for the Deaf and the Blind, pursuant to rules adopted by the State Board of Education, to establish procedures for placing students referred by district school boards in the school; removing the authority of the school to provide clothing for students; requiring parents, legal guardians, or other persons financially responsible for a resident student at the school to be charged for residential services; providing for a waiver of such charges under certain circumstances; authorizing the board of trustees of school to require financial information from parents, guardians, or other persons financially responsible for a student in order to determine the amount to be charged; providing for the deposit and use of such charges collected; creating s. 242.3315, Florida Statutes; requiring the State Board of Education to prescribe procedures to be followed by district school boards in placing students in the Florida School for the Deaf and the Blind; providing for appeal of decisions regarding the placement of a child in the Florida School for the Deaf and the Blind; providing an effective date.

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

By Senator Peterson—

SCR 1326—A concurrent resolution recommending that the agriculture element be incorporated as part of the state comprehensive plan.

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

By Senator Saunders—

SB 1327—A bill to be entitled An act relating to tax administration; amending s. 193.122(1), Florida Statutes, providing a presumption of correctness with respect to changes made by the board of tax adjustment in the property appraiser's rolls; providing an effective date.

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

By Senator Deeb—

SB 1328—A bill to be entitled An act relating to property assessments; amending s. 192.011, Florida Statutes; providing for assessments over a 3-year period; amending ss. 192.042, 193.023(1), Florida Statutes; providing that assessments need not be made each year; providing an effective date.

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

By Senators Ware, Brantley, Glisson, Deeb, Plante and Dunn—

SB 1329—A bill to be entitled An act relating to public defenders; amending s. 27.56, Florida Statutes; providing authorization for court to assess attorney's fees and costs of defense against adjudicated and convicted criminal defendants, and to make payment a condition of probation or suspension of sentence; specifying costs and providing for installment payments; providing protections similar to other judgment debtors in lien process; providing for enforcement by county commissioners; providing court authority to determine amount; creating s. 27.561, Florida Statutes; providing for penalty for nonpayment and authority of court to modify or exclude payment; creating s. 27.562, Florida Statutes; providing for depositing funds collected in county fine and forfeiture fund; providing excess funds to go to state; providing severability; providing an effective date.

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

The Senate recessed at 8:45 a.m.

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

Mr. President	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

Prayer by Rabbi Stanley J. Garfein, Temple Israel Jewish Synagogue, Tallahassee:

Mr. President, members of the Senate, today is Israel's Independence Day. In 1948—28 years ago today, Israel was reborn.

I am going to read to you today, from Ezekiel 37, the "Vision of the Valley of Dry Bones."

Ezekiel, who shared the Babylonian Exile with his fellow captives from Judah, must have marveled at the idea of a future restoration of his people to its land. That was 2500 years ago.

In 1946, when the Allies liberated the concentration camps, they viewed the piles of corpses, bones, living skeletons, confiscated gold fillings and shoes, briefcases made from holy scrolls, lampshades made from human skin.

The Allies must have wondered, "Can these live ever again?"

Reading now from the version in the New Union Prayer Book, Ezekiel 37:

The hand of the Lord was upon me, and He set me down in the midst of a valley. It was full of bones, and they were very dry. He said to me: Son of man, can these bones live? I answered: O Lord God, You alone know. Then He said to me: Prophecy to these bones, and say to them, O dry bones, hear the word of the Lord:

Behold, I will cause breath to enter you, that you may live. I will lay sinews upon you, and cause flesh to come upon you, and cover you with skin, and put breath in you, that you may live. Then you shall know that I am the Lord.

So I prophesied as He commanded me, and the breath came into them, and they lived. They stood on their feet, a very great host. Then He said to me:

These bones are the whole house of Israel. Behold, they say, Our bones are dried up, our hope is lost, and we are cut off.

Therefore prophesy and say to them: Thus says the Lord God. Behold, I will open your graves, O My people; and I will bring you home to the land of Israel.

I will put My spirit within you, and you shall live. I will place you in your own land; then you shall know that I, the Lord, have spoken and acted.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following bills be placed on Special Order Calendar for Wednesday, May 5, 1976, at 2:00 p.m.:

SB 440	SB 364	SB 181
SB 175	SB 606	SB 288
SB 375	SB 655	CS for SB 35 & 37
SB 578	SB 43	CS for SB 97, 102 & 208
SB 347	SB 53	SB 158
SB 348	CS for SB 60	SB 224
SB 468	SB 239	SB 700
SB 235	CS for SB 212	SB 658
SB 362	SB 257	SB 311

Respectfully submitted,
Lew Brantley, Chairman

The Committee on Agriculture recommends the following pass: SB 1090

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

The Committee on Rules and Calendar recommends the following pass: SJR 341 with 1 amendment

The Committee on Governmental Operations recommends the following pass: SB 552

The Committee on Agriculture recommends the following pass: SB 1010

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

The Committee on Rules and Calendar recommends the following pass:

HM 2801	HM 2805	SJR 825
HM 2406	HM 3560	SB 398

The Committee on Ways and Means recommends the following pass: SB 959

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

The Committee on Education recommends a Committee Substitute for the following: SB 814

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 829

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 Judiciary-Civil recommends a Committee Substitute for the following: SB 558

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

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 738

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

The Committee on Commerce recommends a Committee Substitute for the following: SB 796

The Committee on Rules and Calendar recommends a Committee Substitute for the following: SB 949

The Committee on Education recommends a Committee Substitute for the following: SB 575

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator W. D. Childers, by two-thirds vote SB 1257 was withdrawn from the Committee on Governmental Operations.

On motion by Senator W. D. Childers, Rule 2.6 was waived and the Committee on Commerce was granted permission to consider SB 982 May 6.

On motions by Senator Ware, by two-thirds vote Senate Bills 1213 and 1214 were withdrawn from the Committee on Governmental Operations and referred to the Committee on Rules and Calendar.

On motion by Senator Tobiassen, by two-thirds vote HB 1641 was withdrawn from the Committee on Agriculture and placed on the calendar.

On motion by Senator Spicola, the rules were waived and by two-thirds vote SB 659 was withdrawn from the Committee on Commerce.

On motion by Senator Spicola, by two-thirds vote SB 1274 was withdrawn from the Committee on Natural Resources and Conservation.

On motion by Senator Spicola, by two-thirds vote SB 1276 was withdrawn from the Committee on Governmental Operations.

On motions by Senator Peterson, by two-thirds vote HB 2983 was withdrawn from the Committees on Agriculture and Ways and Means and placed on the calendar.

Senator Sims moved that the rules be waived and SB 168 be withdrawn from the Committee on Governmental Operations. The motion failed.

On motion by Senator J. Lane, the rules were waived and by two-thirds vote Senate Bills 804, 809, 833, 845, 846, 847 and 960 were withdrawn from the Committee on Commerce.

On motion by Senator J. Lane, the rules were waived and by two-thirds vote SB 552 was withdrawn from the Committee on Ways and Means.

Senator Vogt moved that SB 124 be withdrawn from the Committee on Judiciary-Criminal, the bill having been in the committee for 15 legislative days without an extension of time being granted. The motion was carried over for 5 legislative days pursuant to Rule 2.14.

REQUESTS FOR EXTENSION OF TIME

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

HB 596 by Representative Nuckolls	HB 872 by Representative Young
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CS for HB 783 by House Education Committee
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The Committee on Commerce requests an extension of 15 days for consideration of the following:

CS for
 HB 76 by Judiciary Committee
 HB 1954 by Representative Forbes
 HB 2237 by Regulated Industries and Licensing Committee
 SB 616 by Senator Gallen
 SB 810 by Senator Gordon
 SB 812 by Senator Graham
 SB 813 by Senator Graham
 SB 817 by Senator Scarborough
 SB 818 by Senator Firestone
 SB 819 by Senator J. Lane
 SB 826 by Senator Graham

SB 831 by Senator Glisson
 SB 833 by Senator Gordon
 SB 842 by Senator Ware
 SB 858 by Senator Trask
 SB 879 by Senator P. Thomas
 SB 880 by Senator Deeb
 SB 888 by Senator Firestone
 SB 889 by Senator Firestone
 SB 891 by Senator Firestone
 SB 893 by Senator Dunn
 SB 918 by Senator Scarborough
 SB 919 by Senator J. Thomas
 SB 920 by Senator Glisson
 SB 929 by Senator Holloway
 SB 469 by Senator Scarborough

SB 536 by Senator J. Lane
 HB 424 by Representative Langley
 HB 1047 by Representative Fontana
 HB 1941 by Representative Moffitt
 HB 2048 by Representative Fortune
 HB 2360 by Representative Hagan

HB 2694 by Agriculture and General Legislation Committees
 HB 3081 by Criminal Justice Committee
 HB 3082 by Criminal Justice Committee
 HB 3083 by Criminal Justice Committee

The Committee on Rules and Calendar requests an extension of 15 days for the consideration of the following:

SB 668 by Senator Tobiassen
 SCR 745 by Senator Renick
 SB 755 by Senator J. Lane
 SB 756 by Senator Spicola
 SJR 778 by Senator Saylor
 SB 784 by Senator Gallen
 HJR 2385 by Representative Crabtree
 HM 2651 by Representative Poole
 HM 2805 by Agriculture and General Legislation Committees
 HJR 3327 by Community Affairs Committee & Representative Mixson
 HCR 3560 by Representatives Mattox and Boyd
 SCR 1 by Senators Wilson and Winn
 SJR 40 by Senator Saylor
 SJR 41 by Senator Saylor
 SJR 49 by Senator Myers
 SJR 63 by Senator Hair
 SJR 81 by Senator McClain
 SJR 89 by Senator Firestone
 SJR 90 by Senator Hair

SJR 114 by Senator Dunn
 SCR 138 by Senator Deeb
 SCR 149 by Senator Renick
 SB 195 by Senator Plante
 SB 213 by Senator Myers
 SB 226 by Senator Myers
 SB 236 by Senator Wilson
 SJR 262 by Senator Dunn
 SJR 264 by Senator Gordon
 SM 304 by Senator J. Thomas
 SB 307 by Senator Gordon
 SB 329 by Senator Peterson
 SJR 341 by Senator Henderson
 SB 344 by Senator Poston
 SB 349 by Senator Gallen
 SJR 351 by Senator McClain
 SJR 369 by Senator MacKay
 SR 378 by Senator Poston
 SM 385 by Senator D. Lane
 SJR 410 by Senator Zinkil
 SJR 433 by Senator Saylor
 SB 442 by Senator Gordon
 SR 465 by Senator Winn
 SJR 475 by Senator Gordon
 SCR 504 by Senator Henderson
 SB 511 by Senator Henderson
 SB 517 by Senator Hair

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

SB 801 by Senator Glisson
 SB 803 by Senator Lewis
 SB 830 by Senator MacKay
 SB 832 by Senator Glisson
 SB 839 by Senator Tobiassen
 SB 844 by Senator Zinkil (by request)
 SB 850 by Senator Henderson
 SB 853 by Senator Ware
 SB 859 by Senator Ware
 SB 861 by Senator Scarborough
 SB 862 by Senator Zinkil
 SB 881 by Senator Vogt

SB 887 by Senator Firestone
 SB 890 by Senator Firestone, et al
 SB 897 by Senator MacKay
 SB 901 by Senator Vogt
 SB 902 by Senator Dunn (by request)
 SB 903 by Senator MacKay
 SB 914 by Senator Johnston
 SB 916 by Senator Lewis
 SB 923 by Senator Johnston
 SB 924 by Senator Glisson
 SB 927 by Senator Johnston

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

SB 648 by Senator Spicola
 SB 649 by Senator Spicola
 SB 656 by Senator Saunders
 SB 729 by Senator Wilson
 SB 730 by Senator Wilson
 SB 743 by Senator Renick
 SB 766 by Senator Wilson
 SB 790 by Senator J. Lane
 SB 791 by Senator P. Thomas and others
 HB 33(cs) by Representative Richmond
 HB 70(cs) by Representative Richard and others
 HB 505 by Representative Hill and others
 HB 895 by Representative Richard and others
 HB 1682 by Representative Gordon and others
 HB 2013 by Health and Rehabilitative Services Committee and others
 HB 2382 by Representative Crabtree

HB 2811 by Representative McPherson
 SB 2 by Senator Zinkil
 SB 20 by Senator Poston
 SB 21 by Senator Poston
 SB 65 by Senator Hair
 SB 110 by Senator McClain
 SB 170 by Senator Peterson
 SB 177 by Senator Gallen
 SB 207 by Senator J. Lane
 SB 244 by Senator Deeb
 SB 254 by Senator Scarborough
 SB 282 by Senator Gallen
 SB 317 by Senator MacKay
 SB 320 by Senator Hair and others
 SB 345 by Senator Myers
 SB 352 by Senator McClain
 SB 383 by Senator D. Lane
 SB 384 by Senator D. Lane
 SB 471 by Senator Winn
 SB 482 by Senator Holloway
 SB 513 by Senator D. Lane
 SB 587 by Senator W. D. Childers
 SB 634 by Senator Graham and others

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

SB 3 by Senator Zinkil
 SB 66 by Senator Hair
 SB 74 by Senator Firestone
 SB 113 by Senator Dunn
 SB 137 by Senator Glisson
 SB 147 by Senator Zinkil
 SB 204 by Senator Hair
 SB 206 by Senator J. Lane
 SB 252 by Senator Saylor

SB 253 by Judiciary-Criminal Committee
 SB 268 by Senator Dunn
 SB 269 by Senator Myers
 SB 284 by Senator Renick
 SB 295 by Senator Trask
 SB 387 by Senator Winn
 SB 388 by Senator Sims
 SB 395 by Senator Zinkil

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 concurred in Senate amendments and passed as amended—

HB 645 (cs) HB 1356

Allen Morris, Clerk

The Honorable Dempsey J. Barron, President

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

HB 1573 (cs) HB 247 HB 657
 HB 2326 HB 152 HB 2797
 HB 1548

—and requests the concurrence of the Senate.

Allen Morris, Clerk

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

HB 1573 (cs)—A bill to be entitled An act relating to employment; providing legislative intent; creating the Florida Age Discrimination in Employment Act; providing definitions; prohibiting employers, including public employers, employment agencies, and labor organizations from discriminating against persons on the basis of age; providing exceptions; authorizing a private cause of action to enforce the provisions of this act; requiring the posting of notice; providing an effective date.

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

By Representative Wilson—

HB 247—A bill to be entitled An act relating to campaign financing; amending s. 106.05, Florida Statutes, providing that contributions totaling less than \$100 received by a campaign treasurer need not be deposited until the end of the 7th day following receipt thereof; providing an effective date.

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

By Representatives Nuckolls and Hodges—

HB 657—A bill to be entitled An act relating to the Internal Improvement Trust Fund; amending s. 253.123(1), Florida Statutes, and creating s. 253.77, Florida Statutes; providing that chapter 253, Florida Statutes, relating to jurisdiction of the Board of Trustees of the Internal Improvement Trust Fund, shall not apply to artificially created navigable waters; providing an effective date.

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

By the Select Committee to Investigate Florida Department of Criminal Law Enforcement—

HB 2326—A bill to be entitled An act relating to criminal law enforcement; creating subsection (3) of section 943.02, Florida Statutes, 1974 Supplement; providing definitions; repealing subsection (6) of section 943.03, Florida Statutes, 1974 Supplement, relating to the interpretation of powers enumerated in chapter 943, and creating a new subsection (6), providing for the authority, responsibilities, and privileges of special agent personnel of the department; creating subsection (11) of section 943.03, Florida Statutes, 1974 Supplement; providing for keeping records of electronic detection; repealing subsections (2) and (3) of section 943.04, Florida Statutes, 1974 Supplement, relating to investigative and related authority of the Department of Criminal Law Enforcement and the Division of Law Enforcement; amending Section 943.07(4), Florida Statutes, 1974 Supplement, limiting the scope of criminal justice intelligence information; amending section 943.08(1), Florida Statutes, 1974 Supplement, increasing the duties of the Criminal Justice Information Systems Council to include the collection of information; providing an effective date.

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

By Representatives Margolis and Bloom—

HB 152—A bill to be entitled An act relating to electors; amending s. 97.111, Florida Statutes, authorizing persons registered to vote to initiate a change in party affiliation by mail; directing the supervisor of elections to mail forms for making such change; providing an effective date.

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

By Representatives Rish and J. W. Lewis—

HB 2797—A bill to be entitled An act relating to local government; creating s. 112.22, Florida Statutes, authorizing counties, other political subdivisions, and municipalities to provide certain types of insurance for volunteer or auxiliary firemen, volunteer or auxiliary law enforcement agents, and volunteer or auxiliary ambulance and emergency service personnel; providing for payment of premiums; limiting policy coverage; providing for purchase on a competitive basis; providing an effective date.

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

By Representative Skinner—

HB 1548—A bill to be entitled An act relating to memorials, museums, and fine arts; amending ss. 265.13, 265.14, 265.15, 265.151, 592.13, Florida Statutes, redesignating the Stephen Foster Memorial and the Stephen Foster Memorial Board of Trustees as the Stephen Foster Center and the Stephen Foster

Center Board of Trustees, respectively; authorizing the board to erect and maintain a center for the performing arts; providing an effective date.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed HB 3242 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Tucker and others—

HB 3242—A bill to be entitled An act relating to the legislative staff internship program; amending s. 11.30, Florida Statutes, providing for supervision and coordination of the program as it affects each house of the Legislature by the house which is so affected; creating sponsoring committees in the House of Representatives and in the Senate; providing for membership, terms, and organization of such sponsoring committees; changing eligibility requirements with respect to cooperating universities; providing for selection and duties of program administrators; providing for receipt of private grants; providing for program expenses; requiring certain reports; 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 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 by the required constitutional three-fifths vote of the membership of the House, HJR 1053, and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Richard and others—

HJR 1053—A joint resolution proposing an amendment to Article I of the State Constitution relating to government in the sunshine.

—was read the first time by title and referred to the Committees on Governmental Operations, Judiciary-Civil and 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 2537 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Lockward and others—

HB 2537—A bill to be entitled An act relating to thoroughbred horse racing; amending s. 550.17, Florida Statutes, placing certain conditions precedent upon the transfer of permits or licenses for the conduct of thoroughbred horse race meetings; providing for payment of certain expenses relating to such conditions; providing a limitation to the provisions of s. 550.47, Florida Statutes; providing an effective date.

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

RECONSIDERATION

The motion by Senator Sims to reconsider the vote by which SB 635 passed May 4 was not taken up and therefore considered abandoned.

SPECIAL ORDER

SB 440—A bill to be entitled An act relating to state purchase of real property; requiring the Department of General Services to cause real property assessed for ad valorem tax

purposes in excess of a specified value to be appraised by two or more qualified appraisers prior to entering into a contract or agreement to purchase such property; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations offered the following amendment which was moved by Senator J. Lane and adopted:

Amendment 1—On page 1, line 19, after the word “purchase” insert: , dispose of or trade

Senator Deeb moved the following amendment which was adopted:

Amendment 2—On page 1, line 18, after “appraisers” insert: not related to each other in any manner

The Committee on Governmental Operations offered the following amendment which was moved by Senator J. Lane and adopted:

Amendment 3—On page 1, line 10 in title, after the word “purchase” insert: , dispose of or trade

On motion by Senator J. Lane, by two-thirds vote SB 440 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—28

Childers, D.	Henderson	Renick	Thomas, J.
Deeb	Johnston	Saunders	Thomas, P.
Dunn	Lewis	Saylor	Trask
Firestone	MacKay	Scarborough	Vogt
Gallen	McClain	Sims	Wilson
Glisson	Peterson	Spicola	Winn
Graham	Poston	Stolzenburg	Zinkil

Nays—None

Votes after roll call:

Yeas—Brantley, Childers, W. D., Hair, Lane, D., Myers and Tobiassen.

On motion by Senator J. Lane, by two-thirds vote HB 358 was withdrawn from the Committee on Commerce and placed on the calendar.

SB 175 was taken up and on motion by Senator J. Lane—

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.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator J. Lane, by two-thirds vote HB 358 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Votes after roll call:

Yeas—Brantley, Childers, W. D., Lane, D., Sims and Tobiassen

SB 175 was laid on the table.

SB 375—A bill to be entitled An act relating to weapons and firearms; adding subsection (14) to s. 790.001, Florida Statutes, defining “electric weapon or device”; amending ss. 790.07, 790.08, 790.10, 790.17, 790.18, 790.22, and 790.23, Florida Statutes, including electric weapons or devices within provisions relating to the following: the unlawful display, use, or attempted use of weapons by persons engaged in certain criminal offenses; the taking possession of and subsequent disposition of weapons by certain law enforcement agencies; the unlawfully improper exhibition of dangerous weapons or firearms; the unlawful furnishing of weapons to minors; the unlawful sale of arms to minors by dealers; the prohibited use of certain weapons and firearms by children under age 16; and the unlawful possession of firearms by convicted felons; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Criminal offered the following amendments which were moved by Senator Firestone and adopted:

Amendment 1—On page 2, strike lines 6 through 8 and insert: Section 2. Subsection (1) of section 790.01 and sections 790.05, 790.06, 790.07, 790.08, 790.10, 790.17, 790.18, 790.22, and 790.23, Florida Statutes, are amended to read:

790.01 Carrying concealed weapons.—

(1) Whoever shall carry a concealed weapon or electric weapon or device on or about his person shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

790.05 Penalty for carrying pistol, electric weapon or device, or repeating rifle without first obtaining license.—Whoever shall carry around with him, or have in his manual possession, in any county in this state, any pistol, electric weapon or device, Winchester rifle, or other repeating rifle, without having a license from the county commissioners of the respective counties of this state shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, or s. 775.083, or 775.084; provided, this section shall not apply to sheriffs, deputy sheriffs, city or town marshals, policemen, or United States marshals or their deputies as to the carrying of concealed weapons.

790.06 How license procured.—The county commissioners of the respective counties of this state may at any regular or special meeting grant a license to carry a pistol, electric weapon or device, Winchester or other repeating rifle, only to such persons as are over the age of 21 years and of good moral character, for a period of 2 years, upon such person giving a bond payable to the Governor of the state in the sum of \$100, conditioned for the proper and legitimate use of said weapons, with sureties to be approved by the county commissioners. The commissioners shall keep a record of the names of the persons taking out such a license the name of the maker of the firearm or electric weapon or device so licensed to be carried, and the caliber and number of the same.

Amendment 2—On page 1, line 10 in title, strike after “provisions relating to the following:” and insert: the unlawful carrying of concealed weapons; the unlawful carrying of a pistol or repeating rifle without a license and the procedure by which a license may be procured;

Amendment 3—On page 1, line 7, strike after “amending ss.” and insert: 790.01(1), 790.05, 790.06,

On motion by Senator Firestone, by two-thirds vote SB 375 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

Childers, D.	Gordon	Lane, J.	Plante
Deeb	Graham	Lewis	Poston
Dunn	Hair	MacKay	Renick
Firestone	Henderson	McClain	Saunders
Gallen	Holloway	Myers	Saylor
Glisson	Johnston	Peterson	Scarborough

Sims	Thomas, J.	Vogt	Winn
Spicola	Thomas, P.	Ware	Zinkil
Stolzenburg	Trask		

Nays—None

Votes after roll call:

Yeas—Brantley, Childers, W. D., Lane, D., Tobiassen and Wilson

SB 578—A bill to be entitled An act relating to community care for the elderly; revising The Community Care for the Elderly Program Development Act of 1973 into The Community Care for the Elderly Act, by amending ss. 409.3621, 409.3622, 409.3623, 409.3624, Florida Statutes, repealing ss. 409.3625, 409.3626, 409.3627, Florida Statutes, and creating ss. 409.3628, 409.3629, 409.3630, Florida Statutes, in order to provide home-delivered service programs, multi-service senior center programs, and family placement programs for elderly persons; prescribing the powers and duties of the Department of Health and Rehabilitative Services; providing for the use of community resources and volunteers; requiring the purchase of insurance to protect volunteers from personal liability; authorizing the department to accept gifts; authorizing the department or entity developing the program to prescribe a rate schedule for contribution of money or services in payment for certain services; providing an effective date.

—was read the second time by title.

The Committee on Health and Rehabilitative Services offered the following amendments which were moved by Senator Graham and adopted:

Amendment 1—On page 6, lines 4-6, strike “Pursuant to s. 455.06, the department shall contract for the necessary insurance” and insert: The department shall assure appropriate

Amendment 2—On page 7, lines 5-8, strike all of subsection (8) and renumber subsequent subsection

On motion by Senator Graham, by two-thirds vote SB 578 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Tobiassen

SB 347—A bill to be entitled An act relating to the Auditor General; amending s. 11.45(3)(b), Florida Statutes, relating to the authority and procedures for municipal audit; permitting all municipal electors to petition for an audit; requiring the county supervisor of elections to certify signatures on the petition for an audit; requiring the Department of Revenue to withhold specified funds in the event the municipality fails to pay the cost of the audit; providing an effective date.

—was read the second time by title.

Senator Dunn moved the following amendment which was adopted:

Amendment 1—On page 1, line 23, strike the words “of the financial department”

Senator Scarborough moved the following amendments which were adopted:

Amendment 2—On page 1, line 24, after the word “municipality”, insert: or independent agency or authority of any municipality

Amendment 3—On page 1, line 7 in title, after the semicolon insert: providing for such audit of any independent agency or authority of any municipality;

On motion by Senator Saunders, by two-thirds vote SB 347 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Votes after roll call:

Yeas—Lane, J., Sims and Tobiassen.

SB 348—A bill to be entitled An act relating to elections; amending s. 98.031(1), Florida Statutes, relating to registration and election districts, precincts, and polling places, to require that voter registration books be maintained in a manner such that the number of electors in each municipality may be determined; providing an effective date.

—was read the second time by title. On motion by Senator Saunders by two-thirds vote SB 348 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Lane, J.

SB 468—A bill to be entitled An act relating to public officers and employees; amending s. 112.061(3)(a), (4)(b), (5), (6)(c), and (12)(a), Florida Statutes, providing that the designated representative of an agency head may authorize traveling expenses under certain circumstances; redefining the term “official headquarters”; eliminating certain provisions relating to Class A and Class B travel; limiting per diem and subsistence allowances when lodging or food are provided at a state institution; eliminating reference to the Department of Banking and Finance with respect to travel authorization forms; providing that travel authorization request forms are necessary only with respect to travel to a convention or a conference; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations offered the following amendments which were moved by Senator Saunders and adopted:

Amendment 1—On page 2, lines 30-31 and on page 3, lines 1-4, strike “Class A and Class B travel shall include any assign-

ment on official business outside of regular office hours and away from regular places of employment when it is considered reasonable and necessary to stay overnight and for which travel expenses are approved," and insert: Class A and Class B travel shall include any assignment on official business outside of regular office hours and away from regular places of employment when it is considered reasonable and necessary to stay overnight and for which travel expenses are approved.

Amendment 2—On page 4, line 3, strike "and" and insert: or

Amendment 3—On page 4, lines 8 and 9, strike "The Department of Banking and Finance shall furnish a uniform A" and insert: The Department of Banking and Finance shall furnish a uniform

Amendment 4—On page 4, line 10, strike "which" and insert: which

Amendment 5—On page 3, lines 19-21, strike "except assignments of official business outside of the traveler's regular place of employment if travel expenses are approved," and insert: ; except assignments of official business outside of the traveler's regular place of employment if travel expenses are approved.

Amendment 6—On page 1, strike all of lines 3 through 20 and insert: A bill to be entitled An act relating to public officers and employees; amending s. 112.061(3)(a), (4)(b), (6)(c), and (12)(a), Florida Statutes, providing that the designated representative of an agency head may authorize traveling expenses under certain circumstances; redefining the term "official headquarters"; limiting per diem and subsistence allowances when lodging or food are provided at a state institution; providing that travel authorization request forms are necessary only with respect to travel to a convention or a conference; providing an effective date.

On motion by Senator Saunders, by two-thirds vote SB 468 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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	Ware
Firestone	Lane, J.	Sayler	Wilson
Gallen	Lewis	Scarborough	Winn
Glisson	MacKay	Sims	Zinkil
Gordon	McClain	Spicola	
Graham	Myers	Stolzenburg	

Nays—None

Vote after roll call:

Yea—Vogt

SB 235—A bill to be entitled An act relating to elections; requiring that polling places be accessible to and usable by elderly persons and by physically handicapped persons; providing exceptions; requiring reports to the board of county commissioners as to inaccessible polling places; providing for affirmative action to make selected polling places accessible; prohibiting the use of certain selected polling places; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Civil offered the following amendment which was moved by Senator Plante and adopted:

Amendment 1—On pages 2 and 3, strike everything after the period on line 29 and all of subsection 7 on page 3.

Senator Plante moved the following title amendment which was adopted:

Amendment 2—On page 1, lines 11 and 12, strike "prohibiting the use of certain selected polling places;"

Senator Henderson moved the following amendment which failed:

Amendment 3—On page 3, line 8, strike "July 4, 1976" and insert: January 1, 1977

The vote was:

Yeas—12

Childers, D.	Graham	Lane, D.	Stolzenburg
Gallen	Henderson	Myers	Trask
Gordon	Johnston	Sims	Ware

Nays—20

Deeb	Holloway	Plante	Thomas, P.
Dunn	Lane, J.	Poston	Vogt
Firestone	Lewis	Renick	Wilson
Glisson	McClain	Spicola	Winn
Hair	Peterson	Thomas, J.	Zinkil

Vote after roll call:

Nay—Childers, W. D.

On motion by Senator Plante, by two-thirds vote SB 235 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Votes after roll call:

Yeas—Childers, W. D., Sayler and Tobiassen

SB 362—A bill to be entitled An act relating to the Florida Pesticide Application Act of 1974; amending s. 487.155, Florida Statutes; providing for certification of applicators of restricted pesticides by October 21, 1977; providing an effective date.

—was read the second time by title.

The Committee on Agriculture offered the following amendments which were moved by Senator Peterson and adopted:

Amendment 1—On page 1, strike lines 20 and 21 and insert:

Section 2. Section 487.166, F.S., is amended to read:

487.166 Application of law.—

(1) This act does not apply to pending litigation or to any offense committed prior to the effective date of this act, and any such offense is punishable as provided by a statute in force at the time such offense was committed.

Section 3. Subsections (2), (3) and (4) of section 487.166, F.S., are hereby repealed.

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

Amendment 2—On page 1, line 8 in title, after "October 21, 1977;" insert: amending subsection (1) and repealing subsections (2), (3) and (4) to section 487.166, F.S., removing obsolete and duplicative language;

On motion by Senator Peterson, by two-thirds vote SB 362 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Ware

SB 364—A bill to be entitled An act relating to dealers in agricultural products; adding s. 604.16(4), Florida Statutes; exempting from regulation by the Department of Agriculture and Consumer Services dealers who purchase less than \$1,000 worth of products from Florida producers in any 1 month; providing an effective date.

—was read the second time by title.

The Committee on Agriculture offered the following amendments which were moved by Senator Peterson and adopted:

Amendment 1—On page 1, line 22, strike “any 1 month” and insert: *the peak month of such purchases within the calendar year*

Amendment 2—On page 1, line 9 in title, strike “in any 1 month” and insert: *during the peak month of such purchases within the calendar year*

On motion by Senator Peterson, by two-thirds vote SB 364 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

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

Nays—1

Glisson

Vote after roll call:

Yea—Ware

SB 606—A bill to be entitled An act relating to the naming of state bridges; authorizing and directing the Department of Transportation to name a bridge being constructed in Charlotte County which will span the Peace River the Albert W. Gilchrist Bridge; directing the department to prepare and locate appropriate signs and markers; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 606 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Ware

SB 655—A bill to be entitled An act relating to the naming of state roads and monuments; authorizing and directing the Division of Forestry of the Department of Agriculture and Consumer Affairs to name a certain fire tower in Charlotte County as Babcock Tower; authorizing and directing the Department of Transportation to name a certain intersection in Charlotte County as Babcock; directing the preparation and location of appropriate signs and markers; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 655 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Consideration of SB 43 was deferred.

SB 53 was taken up, together with:

By the Committee on Health and Rehabilitative Services and Senators Lewis and Graham—

CS for SB 53—A bill to be entitled An act relating to abortion clinics; providing definitions; providing for licensing and regulation by the Department of Health and Rehabilitative Services; providing for denial, suspension and revocation of licenses; providing administrative penalties; prohibiting certain acts and providing penalties; providing injunctive relief; providing severability; providing an effective date.

—which was read the first time by title and SB 53 was laid on the table.

On motion by Senator Lewis, by two-thirds vote CS for SB 53 was read the second time by title.

The Committee on Judiciary-Criminal offered the following amendments which were moved by Senator Lewis and adopted:

Amendment 1—On page 5, strike all of line 24 and insert: *other than in a hospital.*

Amendment 2—On page 4, line 31, strike “total transport time of 15 minutes” and insert: *reasonable time*

The President presiding

The Committee on Judiciary-Criminal offered the following amendment which was moved by Senator Lewis and failed:

Amendment 3—On page 5, line 18, after "office" insert: which is not used primarily for the performance of abortions

Senator D. Lane moved the following amendment:

Amendment 4—On page 5, line 22, after "to" insert: knowingly

Senator Dunn moved the following substitute amendment which was adopted:

Amendment 5—On page 5, line 25, after "Who" insert: wilfully

Senator Myers moved the following amendment which failed:

Amendment 6—On pages 2, 3, 4 and 5, strike

lines 10-31 on page 2
lines 1-31 on page 3
lines 1-31 on page 4
lines 1-28 on page 5

On motion by Senator Lewis, by two-thirds vote CS for SB 53 as amended was read the third time by title, passed, ordered engrossed and the certified to the House. The vote on passage was:

Yeas—30

Mr. President	Glisson	Lewis	Spicola
Brantley	Graham	MacKay	Stolzenburg
Childers, D.	Hair	McClain	Tobiassen
Childers, W. D.	Henderson	Peterson	Vogt
Deeb	Holloway	Plante	Ware
Dunn	Johnston	Poston	Zinkil
Firestone	Lane, D.	Saunders	
Gallen	Lane, J.	Scarborough	

Nays—4

Gordon Myers Saylor Wilson

Votes after roll call:

Yeas—Renick, Sims, Thomas, J., Trask.

On motion by Senator Brantley the rules were waived and Senate Bills 804, 809, 833, 845, 846, 847 and 960 were recommitted to the Committee on Commerce.

On motion by Senator Scarborough, Rule 2.6 was waived and the Committee on Judiciary-Criminal was granted permission to consider SB 142 May 6.

Senator Saunders moved that Rule 4.6 be waived and a bill relating to non-partisan election of school board members be introduced. The motion was referred to the Committee on Rules and Calendar.

SB 60 was taken up, together with:

By the Committee on Judiciary-Criminal and Senators McClain, Hair and Renick—

CS for SB 60—A bill to be entitled An act relating to termination of pregnancy; requiring certification from two physicians for any termination of pregnancy of any human being during the third trimester of pregnancy; providing a penalty; providing an effective date.

—which was read the first time by title and SB 60 was laid on the table.

On motion by Senator McClain, by two-thirds vote CS for SB 60 was read the second time by title.

Senators Dunn, Lewis, Spicola and Vogt offered the following amendment which was moved by Senator Dunn and failed:

Amendment 1—On page 2, after line 3 insert: (3) "If a termination of pregnancy is performed when the fetus is

sufficiently developed to have any reasonable probability of survival outside its mother's womb, the medical procedure used shall be that procedure which in the medical judgment of the physician will give such fetus the best chance of survival, consistent with the physician's concern over the life of the mother. The physician performing such termination of pregnancy shall use reasonable medical skills to promote, preserve, and maintain the life of any fetus sufficiently developed to have any reasonable probability of survival outside its mother's womb."

And re-number subsequent subsections

Senator D. Lane moved the following amendment which was adopted:

Amendment 2—On page 2, line 4, after "who" insert: wilfully

Senator Wilson moved the following amendment which failed:

Amendment 3—On page 1, line 30, strike "two physicians licensed by this chapter certify" and insert: a physician licensed by this chapter certifies

On motion by Senator McClain, by two-thirds vote CS for SB 60 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—30

Mr. President	Hair	Peterson	Thomas, J.
Brantley	Henderson	Plante	Thomas, P.
Childers, W. D.	Holloway	Poston	Tobiassen
Deeb	Lane, D.	Renick	Vogt
Dunn	Lane, J.	Scarborough	Ware
Firestone	Lewis	Sims	Zinkil
Glisson	McClain	Spicola	
Graham	Myers	Stolzenburg	

Nays—5

Childers, D. Johnston Saylor Wilson
Gordon

Votes after roll call:

Yeas—Gallen and Trask

On motion by Senator Lewis the rules were waived and the Senate reverted to—

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 1218 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Singleton and others—

HB 1218—A bill to be entitled An act relating to abortion; creating s. 797.03, Florida Statutes; requiring an abortion referral or counseling agency to furnish certain information to a person or the parents or guardian of a minor seeking its advice; prohibiting such an agency from charging or accepting any compensation from a physician, hospital, clinic or other medical facility for a referral; providing penalties; providing an effective date.

—was read the first time by title. On motion by Senator Lewis, the rules were waived and the bill was placed on the calendar.

Special Order resumed—

SB 43 was taken up and on motion by Senator Lewis, HB 1218, a companion measure, was substituted therefor. On motions by Senator Lewis, by two-thirds vote HB 1218 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Wilson

SB 43 was laid on the table.

SB 239 was taken up, together with:

By the Committee on Judiciary-Civil—

CS for CS for SB 239—A bill to be entitled An act relating to mental health; amending s. 394.457(9), Florida Statutes; amending s. 394.463(1)(a) and (b) and (2)(a), (c) and (d), Florida Statutes, and adding a paragraph thereto, deleting the criteria relating to the need of a mentally ill person for care or treatment as an admission criterion for emergency hospitalization or for a court-ordered evaluation; authorizing county court judges to initiate proceedings for emergency admission of a person for mental health evaluation; requiring a hearing on a petition for court-ordered evaluation to be set within 24 hours of filing of the petition; restricting the granting of continuances; requiring any notice of a hearing on a petition for a court-ordered evaluation to contain certain information; entitling the patient to be present at the hearing and providing his attorney with access to certain information; requiring proof by clear and convincing evidence; providing for notification of right to appeal and appointment of an attorney; amending s. 394.465, Florida Statutes, reducing the period in which a facility may keep a voluntary patient without discharging him or filing a petition for involuntary hospitalization and the period in which the petition must be filed; authorizing a facility to refuse to admit a patient under certain circumstances; requiring notification of a patient's right to discharge on request; changing procedures for the transfer of patients from a voluntary to involuntary status; amending s. 394.467(1) and (3)(a), Florida Statutes, deleting the criteria relating to the need of a mentally ill person for care or treatment as an admission criterion for involuntary hospitalization; requiring notice of a hearing on an involuntary hospitalization petition to the guardian or representative of the patient; requiring the court to set a hearing and give notice within 24 hours of filing of the petition; restricting the granting of continuances; entitling the patient to be present and providing for an attorney for the patient; requiring proof beyond reasonable doubt; requiring a court order of involuntary hospitalization to contain certain information; providing for notification of right to appeal and appointment of an attorney; providing an effective date.

—which was read the first time by title and SB 239 was laid on the table.

On motion by Senator Wilson, by two-thirds vote CS for CS for SB 239 was read the second time by title.

Senator Wilson offered the following title amendments which were adopted:

Amendment 1—On page 1, line 5, after the semicolon insert: deleting the right to a hearing every 60 days for involuntary hospitalization;

Amendment 2—On page 1, line 12, after "authorizing" insert: circuit judges and

Amendment 3—On page 2, line 6, strike "a" and insert: involuntary to voluntary and

Amendment 4—On page 2, lines 19 and 20, strike "proof beyond reasonable doubt" and insert: clear and convincing proof

On motion by Senator Wilson, by two-thirds vote CS for CS for SB 239 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Votes after roll call:

Yeas—Tobiassen and Peterson

SB 212 was taken up, together with:

By the Committee on Commerce—

CS for SB 212—A bill to be entitled An act relating to public contracts; creating s. 163.04, Florida Statutes, providing definitions; granting preferences to certain contractors; creating s. 287.057, Florida Statutes; placing certain conditions upon contracts for purchase of professional and technical services by the state and its agencies; providing for written agreement and for methods of billing for such services; providing that the conditions of this act do not apply to contracts for such services in effect on the effective date of this act; providing an effective date.

—which was read the first time by title and SB 212 was laid on the table.

On motion by Senator Wilson, by two-thirds vote CS for SB 212 was read the second time by title.

Senators W. D. Childers and Trask offered the following amendment which was moved by Senator W. D. Childers and adopted:

Amendment 1—On pages 2 and 3 strike all of lines 27-31 on page 2 and all of lines 1-3 on page 3

On motion by Senator Wilson, by two-thirds vote CS for SB 212 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gordon	McClain	Thomas, J.
Brantley	Graham	Myers	Thomas, P.
Childers, D.	Hair	Plante	Tobiassen
Childers, W. D.	Holloway	Poston	Trask
Deeb	Johnston	Renick	Vogt
Dunn	Lane, D.	Sayler	Ware
Firestone	Lane, J.	Spicola	Winn
Glisson	Lewis	Stolzenburg	Zinkil

Nays—1

MacKay

Votes after roll call:

Yeas—Peterson and Wilson

Nay to Yea—MacKay

SB 257 was taken up, together with:

By the Committee on Commerce—

CS for SB 257—A bill to be entitled An act relating to landlords and tenants; creating s. 83.561, Florida Statutes; prohibiting landlords from discriminating against tenants by raising rent or decreasing service or threatening to bring certain

actions due to certain circumstances; amending s. 83.60(2), Florida Statutes; providing a remedy; providing an effective date.

—which was read the first time by title and SB 257 was laid on the table.

On motion by Senator Gordon, by two-thirds vote CS for SB 257 was read the second time by title.

Senator Gordon moved the following amendment which failed:

Amendment 1—On page 2, line 13, strike “may” and insert: shall

Senator Sims moved the following amendment:

Amendment 2—On page 1, line 26, strike semi-colon and insert: and the agency complained to has found the complaint valid and served notice thereof upon the landlord and the landlord has failed to correct such violation within the time set forth in said notice or any extension thereof;

On motion by Senator Lewis, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lewis, the rules were waived and by two-thirds vote SB 737 was withdrawn from the Committee on Commerce.

On motions by Senator Brantley, the rules were waived and by two-thirds vote Senate Bills 1156 and 798 were withdrawn from the Committee on Rules and Calendar.

On motions by Senator Gordon, the rules were waived and by two-thirds vote SB 274 was recalled from the Special Master and withdrawn from the Committee on Ways and Means and indefinitely postponed.

On motion by Senator Gordon, the rules were waived and by two-thirds vote SB 107 was withdrawn from the Committee on Ways and Means.

Senator Graham moved that the Senate reconsider the vote by which CS for SB 212 passed this day.

The motion was placed on the calendar for consideration May 6.

CO-INTRODUCERS

Senator Poston—Senate Bills 825 and 826; Senator Poston—SB 1194; Senator Zinkil—SB 798; Senator J. Thomas—SJR 778 and SB 752.

The Journal of May 4 was corrected and approved.

The Journal of May 3 was corrected and approved as follows: Page 196, column 1, line 20, after “SB” insert: 994

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:05 p.m. to convene at 8:30 a.m., May 6, 1976 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 2:00 p.m.