

JOURNAL OF THE FLORIDA SENATE

Friday, May 14, 1976

The Senate was called to order by the President at 9:00 a.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 Dr. Robert Spivey, Department of Religion, Florida State University:

God of justice, work against whatever poisons the people; shatter the spell which keeps persons self-righteous and groups complacent; renew in our time the struggle with overfed ambitions and undernourished compassions.

God of wisdom, make us wise rather than clever and guard us from being either too proud to know our limits or too blind to know our strengths.

God of power, in this place of government and in this company of legislators, conserve past achievements, liberate new beginnings, criticize present failings, and enliven the promise of tomorrow.

For your sake and for ours. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following bills be placed on Special Order Calendar for Friday, May 14, 1976, at 9:00 a.m.:

HB 3500	SB 463	SB 982	SJR 81
SB 518	HB 1445	SB 950	SB 615
SB 524	CS for HB	SB 703	SJR 825
SB 526	2272	SB 827	SB 283
SB 651	HB 1135	SB 501	HB 3442
SB 658	HB 75	SB 552	SB 342
SB 704	HB 2983	SB 1156	SB 609
SB 614	SB 697	SB 752	SB 613
SB 519	SB 738	SB 849	
SB 529	HCR 3560	SJR 49	

Respectfully submitted,
Low Brantley, Chairman

The Committee on Rules and Calendar recommends the following bills be placed on Local Bill Calendar for Friday, May 14, 1976:

SB 329	SB 837	SB 877	SB 1038
SB 344	SB 869	SB 878	SB 1042
SB 349	SB 871	SB 894	SB 1043
SB 511	SB 870	SB 905	SB 1080
SB 585	SB 872	SB 906	SB 1172
SB 599	SB 873	SB 907	SB 1268
SB 755	SB 874	SB 948	SB 1269
SB 756	SB 875	SB 969	
SB 784	SB 876	SB 1037	

Respectfully submitted,
Low Brantley, Chairman

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 1179

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Poston, the rules were waived and by two-thirds vote SCR 838 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Poston, by unanimous consent—
SCR 838—A concurrent resolution recognizing the YMCA for 125 years of service during our nation's history.

—was taken up out of order and read the second time.

Senator Poston moved the following amendment which was adopted:

Amendment 1—On page 2, lines 29 and 30, strike Frank A. Howard, Jr., President of the Greater Miami YMCA and insert: the Presidents of the YMCA's throughout Florida

On motion by Senator Poston, SCR 838 as amended was read in full, adopted, ordered engrossed and then certified to the House. The vote on adoption was:

Yeas—38

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

Nays—None

On motion by Senator P. Thomas, the rules were waived and by two-thirds vote SB 1361 was withdrawn from the Committee on Transportation and placed on the calendar.

On motion by Senator P. Thomas, by unanimous consent—

SB 1361—A bill to be entitled An act relating to state roads; designating the bridge on Interstate 10 spanning the Apalachicola River as the Dewey M. Johnson Bridge; providing for the erection of markers; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator P. Thomas, by two-thirds vote SB 1361 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

On motion by Senator Dunn, the rules were waived and by two-thirds vote SB 1145 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Plante, the rules were waived and by two-thirds vote SB 1077 was withdrawn from the Committees on Health and Rehabilitative Services and Ways and Means.

On motions by Senator Myers, the rules were waived and by two-thirds vote Senate Bills 1179, 407, 573, 988, 1217, 801 and 377 were withdrawn from the Committee on Governmental Operations.

On motion by Senator McClain, the rules were waived and by two-thirds vote SB 377 was withdrawn from the Committee on Judiciary-Criminal and placed on the calendar.

On motions by Senator Myers, the rules were waived and by two-thirds vote SB 226 was withdrawn from the Committees on

Rules and Calendar and Ways and Means and indefinitely postponed.

On motion by Senator Plante, the rules were waived and by two-thirds vote SB 226 was withdrawn from the Committees on Health and Rehabilitative Services and Ways and Means and indefinitely postponed.

On motion by Senator MacKay, the rules were waived and by two-thirds vote SB 1339 was withdrawn from the Committee on Transportation and placed on the calendar.

On motion by Senator MacKay, by unanimous consent—

SB 1339—A bill to be entitled An act designating the bridge on State Road 40 in Marion County, which spans the Oklawaha River, as the R. N. "Bert" Dosh Bridge; authorizing and directing the erection of markers; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator MacKay, by two-thirds vote SB 1339 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34
Mr. President Graham McClain Thomas, P.
Brantley Hair Myers Tobiassen
Childers, D. Henderson Peterson Trask
Childers, W. D. Holloway Plante Ware
Dunn Johnston Poston Wilson
Firestone Lane, D. Renick Winn
Gallen Lane, J. Saylor Zinkil
Glisson Lewis Spicola
Gordon MacKay Thomas, J.

Nays—None

On motion by Senator Renick, the rules were waived and by two-thirds vote SCR 149 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Renick, by unanimous consent—

SCR 149—A concurrent resolution urging the purchase of the Bicentennial-design E Bond and further special support of the United States Savings Bonds Program.

—was taken up out of order and read the second time in full. On motion by Senator Renick, SCR 149 was adopted and certified to the House. The vote on adoption was:

Yeas—36
Mr. President Gordon MacKay Sims
Brantley Graham McClain Spicola
Childers, D. Hair Myers Thomas, J.
Childers, W. D. Henderson Peterson Thomas, P.
Deeb Holloway Plante Trask
Dunn Johnston Poston Vogt
Firestone Lane, D. Renick Ware
Gallen Lane, J. Saunders Winn
Glisson Lewis Saylor Zinkil

Nays—None

REQUESTS FOR EXTENSION OF TIME

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

SB 8 by Senator Glisson
SB 15 by Senator Glisson
SB 18 by Senator Winn
SB 26 by Senator Holloway
SB 28 by Senator Johnston
SB 29 by Senator Scarborough
SB 36 by Senator Glisson
SB 72 by Senator Saylor
SB 76 by Senator Firestone
SB 79 by Senator Holloway
SB 88 by Senator Firestone
SB 93 by Senator Dunn
SB 118 by Senator Hender-son
SB 120 by Senator J. Thomas
SB 144 by Senator J. Thomas
SB 151 by Senator Hair
SB 152 by Senator Governmental Operations
SB 157 by Senator Johnston
SB 161 by Senator Holloway
SB 162 by Senator Holloway
SB 171 by Senator Tobias-son
SB 168 by Senator Sims
SB 188 by Senator Peter-son
SB 197 by Senator Plante
SB 202 by Senator Hair
SB 203 by Senator Hair
SB 210 by Senator Glisson

SB 211 by Senator Glisson
SB 214 by Senator Winn
SB 250 by Senator Saylor
SB 260 by Senator Gordon
SB 265 by Senator Gordon
SB 275 by Senator Johnston
SB 278 by Senator Hair
SB 280 by Senator Hair
SB 281 by Senator Hair
SB 312 by Senator Myers
SB 313 by Senator MacKay
SB 330 by Senator Plante
SB 343 by Senator Spicola
SB 370 by Senator MacKay
SB 380 by Senator Winn
SB 391 by Senator Poston
SB 394 by Senator Zinkil
SB 399 by Senator J. Thomas
SB 401 by Senator Gordon
SB 402 by Senator Trask
SB 411 by Senator Zinkil
SB 413 by Senator Hair
SB 416 by Senator Hair
SB 418 by Senator Johnston
SB 426 by Senator Peter-son
SB 430 by Senator Gallen
SB 432 by Senator Poston
SB 437 by Senator Deeb
SB 441 by Senator Gordon
SB 444 by Senator Gordon
SB 449 by Senator W. D. Childers
SB 451 by Senator Poston
SB 455 by Senator Fire- stone
SB 461 by Senator Peter- son
SB 474 by Senator Winn
SB 476 by Senator Gordon
SB 486 by Senator W. D. Childers
SB 487 by Senator W. D. Childers
SB 493 by Senator Hair
SB 516 by Senator Poston
SB 519 by Senator W. D. Childers
SB 528 by Senator W. D. Childers
SB 539 by Senator MacKay
SB 542 by Senator MacKay
SB 543 by Senator MacKay
SB 544 by Senator MacKay
SB 545 by Senator MacKay
SB 546 by Senator MacKay
SB 547 by Senator MacKay
SB 550 by Senator Gordon
SB 292 by Senator Trask
SB 242 by Senator Governmental Operations
SB 721 by Senator J. Thomas
SB 724 by Senator Hollo- way
SB 728 by Senator Winn
SB 736 by Senator Plante
SB 739 by Senator Johnston
SB 744 by Senator Peter- son
SB 747 by Senator Fire- stone
SB 750 by Senator J. Thomas
SB 785 by Senator Plante
SB 793 by Senator J. Thomas
SB 795 by Senator W. D. Childers
SB 499 by Senator Spicola
SB 857 by Senators Myers and Gordon
SB 225 by Senator Deeb
HB 1381 by Transportation Committee
SB 986 by Senator Deeb
SB 991 by Senator Sims
SB 992 by Senator Plante
SB 1014 by Senator Graham
SB 1022 by Senator Poston
SB 1030 by Senator Gordon
SB 1031 by Senator Winn
SB 1032 by Senator Gordon
SB 1039 by Senator Gordon
SB 1044 by Senator Spicola
SB 1048 by Senator Gordon
SB 1049 by Senator Gordon
SB 1050 by Senator Gordon
SB 1056 by Senator P. Thomas
SB 1060 by Senator Gordon
SB 1068 by Senator Sims
SB 1074 by Senator Trask
SB 1078 by Senator Poston
SB 1081 by Senator Plante
SB 1089 by Senator McClain
SB 1102 by Senator Tobias- son
SB 1103 by Senator Vogt
SB 1104 by Senator Graham
SB 1106 by Senator Graham
SB 1107 by Senator Johnston
SB 1108 by Senator P. Thomas
SB 1111 by Senator Vogt
SB 1115 by Senator P. Thomas
SB 1118 by Senator Scar- borough
SB 1121 by Senator Hender- son
SB 1125 by Senator Lewis
SB 1129 by Senator Myers
SB 1132 by Senator Zinkil
SB 1133 by Senator Spicola
SB 1142 by Senator Vogt
SB 1143 by Senator Graham
SB 1147 by Senator Graham
SB 1150 by Senator Sims
SB 1151 by Senator Scar- borough
SB 1153 by Senator D. Lane
SB 1154 by Senator Glisson

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

SB 983 by Senator Zinkil
SB 988 by Senator Poston
SB 994 by Senator Lewis
SB 1000 by Senator Ware
SB 1007 by Senator Firestone, et al (by request)
SB 1012 by Senator Johnston
SB 1017 by Senator Graham
SB 1020 by Senator J. Thomas, et al
SB 1021 by Senator Stolzenburg, et al
SB 1033 by Senator Graham, et al
SB 1040 by Senators Gordon, Myers, et al
SB 1047 by Senator Gordon
SB 1054 by Senator Graham
SB 1065 by Senator D. Lane
SB 1066 by Senator D. Lane
SB 1076 by Senator Saunders
SB 1085 by Senator Holloway
SB 1087 by Senator Graham
SB 1091 by Senator Saylor
SB 1092 by Senator Lewis

SB 1097 by Senator MacKay, et al
 SB 1100 by Senator W. D. Childers
 SB 1101 by Senator Tobiasen
 SB 1109 by Senator P. Thomas
 SB 1119 by Senator Scarborough
 SB 1123 by Senator Lewis

SB 1128 by Senator MacKay
 SB 1131 by Senator D. Lane
 SB 1136 by Senator Saylor
 SB 1137 by Senator Deeb
 SB 1138 by Senator Saylor, et al
 SB 1146 by Senator P. Thomas, et al
 SB 1155 by Senator Hair (by request)

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

CS for SB 106 by Senator Dunn	SB 1198 by Senator McClain
SB 394 by Senator Zinkil	SB 1203 by Senator Saylor
SB 717 by Senator Hair	SB 1205 by Senator Henderson
SB 822 by Senator Zinkil and others	SB 1247 by Senator Gordon
SB 1002 by Senator Gallen	CS for HB 562 by Representative Richard and others
SB 1024 by Senator Myers	HB 0832 by Representative Nuckolls
SB 1059 by Senator Dunn	HB 1023 by Representative McDonald
SB 1073 by Senator Gallen	HB 2392 by Representative Richard and others
SB 1082 by Senator Graham and others	HB 2426 by Representative Easley and others
SB 1086 by Senator D. Lane	CS for HB 2810 by Representative McPherson
SB 1098 by Senator Dunn	
SB 1105 by Senator Dunn	
SB 1113 by Senator Scarborough	
SB 1187 by Senator Holloway	
SB 1188 by Senator Vogt	
SB 1191 by Senator Graham	

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

SB 764 by Senator Scarborough	SB 1202 by Senator Poston
SB 816 by Senator Plante	SB 1210 by Senator Scarborough and others
SB 996 by Senator Hair	SB 1232 by Senator Hair
SB 997 by Senator Holloway	SB 1241 by Senator Dunn
SB 1006 by Senator Dunn	SB 1245 by Senator Scarborough and others
SB 1011 by Senator Graham	SB 1256 by Senator Wilson
SB 1027 by Senator Graham and others	HB 708 by Representative Bloom
SB 1029 by Senator Gordon	HB 1219 by Representative Fontana
SB 1052 by Senator Graham and others	HB 1443 by Representative Fontana and others
SB 1067 by Senator Dunn	HB 1842 by Representative Foster
SB 1071 by Senator Scarborough	HB 2417 by Representative Robinson, G. and others
SB 1116 by Senator Vogt	
SB 1126 by Senator Vogt	
SB 1139 by Senator Deeb	
SB 1181 by Senator Scarborough and others	
SB 1184 by Senator MacKay	

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed in the office of the Secretary of State SB 255 which he had approved May 14.

Appointments subject to confirmation by the Senate

The Secretary of State on May 13, 1976 certified that pursuant to the provisions of Section 112.071 (1) (b), Florida Statutes, a commission subject to confirmation by the Senate had been prepared for the following:

Marcelino Huerta, Jr., Tampa; Member of the Board of Trustees of the Hillsborough Community College for term ending May 31, 1979

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

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 HB 3237 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 3237—A bill to be entitled An act relating to saltwater conservation; amending s. 370.13(2)(b), (d), (e), and (g), Florida Statutes, relating to stone crabs; making unlawful the transportation and certain uses of parts of traps in the closed season; authorizing seizure and destruction of illegal traps by any officer of the Department of Natural Resources; amending provisions relating to time release buoy, trap numbers, and permit and claw inspection; providing an effective date.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed HB 3238 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 3238—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.141(1), (2), and (3), Florida Statutes, relating to crawfish and stone crabs; providing for permissive rather than mandatory acceptance of dealer's reports; providing for permissive rather than mandatory seizure of frozen stock; providing an effective date.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed HB 2886 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Hattaway and Fechtel—

HB 2886—A bill to be entitled An act relating to Seminole County; amending Chapter 75-505, Laws of Florida; providing the qualifying period for candidates for the nonpartisan election of school board members and superintendent of schools; providing a filing fee and for the retention of such fees by the county; providing an effective date.

Proof of publication of the required notice was attached.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed HB 3520 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative J. W. Robinson and others—

HB 3520—A bill to be entitled An act relating to Brevard County, County Commission District One; amending section 5 of Chapter 69-869, Laws of Florida, special acts of 1969; providing the library district may levy a one-time millage assessment of one (1) mill for site acquisition, construction, and furnishing of a library facility; providing for approval by the voters in a referendum that must be held prior to July 1, 1979; providing an effective date.

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

SPECIAL ORDER

Consideration of HB 3500 was deferred.

SB 518—A bill to be entitled An act relating to regulation of oysters; adding s. 370.16(16)(h), (i), Florida Statutes; prohibiting the bagging or placing in containers of oysters except at certain establishments; prescribing identification required on each shellstock container; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendment which was moved by Senator Spicola and adopted:

Amendment 1—On page 1, line 19, insert after the word "The" *commercial*

On motion by Senator Spicola, by two-thirds vote SB 518 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

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

Nays—None

Votes after roll call:

Yea—Tobiassen
Yea to nay—P. Thomas

SB 524—A bill to be entitled An act relating to gill nets; amending s. 370.08(7), Florida Statutes; providing that gill nets may be gathered or taken in or taken up by power on the open waters of the Gulf of Mexico or the Atlantic Ocean; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 524 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Tobiassen

SB 526 was taken up and on motion by Senator W. D. Childers—

HB 3238—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.141(1), (2), and (3), Florida Statutes, relating to crawfish and stone crabs; providing for permissive rather than mandatory acceptance of dealer's reports; providing for permissive rather than mandatory seizure of frozen stock; providing an effective date.

—a companion measure was substituted therefor. On motions by Senator W. D. Childers, by two-thirds vote HB 3238 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—36

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

Nays—None

Vote after roll call:

Yea—Tobiassen

SB 526 was laid on the table.

SB 651 was taken up and on motion by Senator Spicola—

HB 3237—A bill to be entitled An act relating to saltwater conservation; amending s. 370.13(2)(b), (d), (e), and (g), Florida Statutes, relating to stone crabs; making unlawful the transportation and certain uses of parts of traps in the closed season; authorizing seizure and destruction of illegal traps by any officer of the Department of Natural Resources; amending provisions relating to time release buoy, trap numbers, and permit and claw inspection; providing an effective date.

—a companion measure was substituted therefor. On motions by Senator Spicola, by two-thirds vote HB 3237 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—35

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

Nays—None

SB 651 was laid on the table.

SB 658—A bill to be entitled An act relating to saltwater fisheries and conservation; amending s. 370.135(1), (2), Florida Statutes; changing the requirement for the placement of the opening in a blue crab trap; making a blue crab permit and crabs subject to inspection; authorizing use of a time release buoy and attachment of buoys to a trot line; providing an effective date.

—was read the second time by title. On motion by Senator Spicola, by two-thirds vote SB 658 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Lewis

SB 704 was taken up, together with:

By the Committee on Natural Resources and Conservation—

CS for SB 704—A bill to be entitled An act relating to regulation of crawfish; amending s. 370.14(2)-(4), Florida

Statutes; providing size limits for taking crawfish; prohibiting possession or landing of crawfish or crawfish tails under certain circumstances; providing for issuance of a permit and license by the Division of Law Enforcement of the Department of Natural Resources; regulating the type and use of traps, buoys, and trotlines; providing for notice of sale of licensed crawfish traps and notice of change of address; providing an effective date.

—which was read the first time by title and SB 704 was laid on the table.

On motion by Senator Renick, by two-thirds vote CS for SB 704 was read the second time by title.

Senator Renick moved the following amendments which were adopted:

Amendment 1—On page 5, line 21, after the period insert: The above shall not prohibit retail sales of crawfish by a licensed retail dealer.

Amendment 2—On page 5, line 20, strike “another” and insert: a

On motion by Senator Renick, by two-thirds vote CS for SB 704 as amended was read the third time by title, passed, and ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 614—A bill to be entitled An act relating to oil and gas resources; adding s. 377.19(18), Florida Statutes; defining “well site” for purposes of regulation of oil and gas resources; providing an effective date.

—was read the second time by title.

Senator W. D. Childers moved the following amendment which was adopted:

Amendment 1—On page 1, line 20, strike “to allow access to the well”

On motion by Senator W. D. Childers, by two-thirds vote SB 614 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 519—A bill to be entitled An act relating to regulation of oil and gas resources; amending s. 377.21(2), Florida Statutes; authorizing the Division of Resource Management of the Department of Natural Resources to examine, survey, check, test and gauge certain equipment, plants, and facilities used for storage, treatment, or transportation of oil or gas and products derived therefrom; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 519 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 529—A bill to be entitled An act relating to beach and shore preservation; amending s. 161.053(4), Florida Statutes; revising the penalty for violations of coastal construction and excavation regulations; amending s. 161.121, Florida Statutes; revising the penalty for violations of part I of the Beach and Shore Preservation Act; providing an effective date.

—was read the second time by title.

Senator W. D. Childers moved the following amendment which was adopted:

Amendment 1—On page 1, line 31, strike “October 1, 1976” and insert: upon becoming a law.

On motion by Senator W. D. Childers, further consideration of SB 529 as amended was deferred.

SB 463—A bill to be entitled An act relating to aquatic plants; amending s. 403.271(4)-(8), Florida Statutes, and adding a new subsection to said section; requiring the Department of Natural Resources to maintain and publicize a list of those species of aquatic plants for which certain permits will not be issued; creates the Aquatic Plant Council; 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 Peterson and adopted:

Amendment 1—On page 1, lines 24-31 and On page 2, lines 1-27, strike all of lines 24-31 on page 1 and strike all of lines 1-27 on page 2

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

Amendment 2—On page 1, in title, line 10, after the second semi-colon insert: providing powers, duties, and functions of the Aquatic Plant Council;

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

Amendment 3—On page 1 in title, line 10, strike everything after “issued;” on line 10 “only”

On motion by Senator Peterson, by two-thirds vote SB 463 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Deeb	Gordon	Holloway
Brantley	Dunn	Graham	Johnston
Childers, D.	Firestone	Hair	Lane, D.
Childers, W. D.	Gallen	Henderson	Lane, J.

Lewis	Poston	Stolzenburg	Wilson
MacKay	Renick	Thomas, J.	Winn
McClain	Saunders	Thomas, P.	Zinkil
Myers	Sayler	Tobiassen	
Peterson	Sims	Trask	
Plante	Spicola	Ware	

Nays—None

Vote after roll call:

Yea—Glisson

On motion by Senator W. D. Childers, the House was requested to return SB 635.

On motion by Senator Gallen, by two-thirds vote HB 2811 was removed from the table, the unfavorable report of the Committee on Judiciary-Civil to the contrary notwithstanding. HB 2811 was placed on the calendar.

HB 1445—A bill to be entitled An act relating to the Department of Professional and Occupational Regulation; adding subsection (13) to s. 20.30, Florida Statutes; providing legislative intent with regard to the role of the professional and occupational examining and licensing boards of the department; providing an effective date.

—was taken up with pending Amendment 6 and pending substitute Amendment 7 together with pending Amendment 7A. By permission, Amendment 7A was withdrawn.

Amendment 7—Strike on page 2, lines 17-30 on page 3, lines 1-2 and insert: after the word “place” on page 2, line 16, a period (.)

Senator D. Lane moved the following amendment to Amendment 7 which was adopted:

Amendment 7B—On page 2, line 16, insert after the word “place”: except as provided by law.

Amendment 7 as amended was adopted.

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

Amendment 8—On page 1, line 22, strike “.” and insert: if otherwise qualified.

On motion by Senator Plante, by two-thirds vote HB 1445 as further amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Gallen	Myers	Stolzenburg
Brantley	Gordon	Peterson	Thomas, P.
Childers, D.	Graham	Plante	Tobiassen
Childers, W. D.	Hair	Renick	Trask
Deeb	Johnston	Sayler	Ware
Dunn	Lane, J.	Sims	Winn
Firestone	MacKay	Spicola	

Nays—8

Glisson	Lane, D.	Poston	Vogt
Holloway	McClain	Thomas, J.	Zinkil

Votes after roll call:

Yeas—Lewis and Wilson

Nay to yea—McClain

The President Pro Tempore presiding.

CS for HB 2272—A bill to be entitled An act relating to fertilizer; amending ss. 576.011, 576.021(1)(f) and (3), 576.051(3), (4), and (7), 576.061(2) and adding subsection (4) thereto, 576.085, 576.091(1), and 576.151(8), all Florida Statutes; providing clarification language and new definitions; changing the term “foods” to “nutrients” as it appears throughout the text; providing for less than whole percentage guarantees;

excepting specialty fertilizer from exemption of separate registration when adding secondary plant nutrients or authorized pesticides to commercial fertilizer; providing a penalty for unlabeled commercial fertilizer; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote CS for HB 2272 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Votes after roll call:

Yeas—Childers, W. D., and Spicola

HB 1135—A bill to be entitled An act relating to state uniform traffic control; amending s. 316.210(5), Florida Statutes, 1975, exempting certain electric powered vehicles from the requirement of safety glass windshield and wipers; requiring such vehicles to be equipped with a windscreen when operated on public roads and highways; creating s. 316.267, Florida Statutes, providing that certain electric powered motor vehicles be equipped with hydraulic brakes on two rear wheels; providing specific brake requirements on certain electric powered motor vehicles; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendments which were moved by Senator Hair and adopted:

Amendment 1—On page 2, strike all of lines 13 and 14 and insert: (2) *Decelerating to a stop from not more than 20 miles per hour at not less than 17 feet per second; and*

Amendment 2—On page 1, strike line 30 and insert: *windscreen approved by the department sufficient to give protection from wind, rain, or*

Amendment 3—On page 2, strike line 19 and insert: Section 3. Subsection (1) of section 320.062, Florida Statutes, is amended to read:

320.062 Safety glass prerequisite to registration; penalty.—

(1) On and after January 1, 1954, no school bus, passenger bus, taxicab, private passenger car or other passenger motor vehicle sold as a new motor vehicle on or after that date shall be registered in this state unless it is equipped with safety glass of a type approved by the department with respect to glass used in partitions, doors, windows and windshields. No truck or truck tractor sold as a new motor vehicle after said date shall be registered unless it is equipped with safety glass approved by the said department in all doors, windows and windshields of the driver's compartment. *The windshield as required for electric powered vehicles with a rating of 3 to 6 horsepower shall not be required to have a front windshield equipped with safety glass as a prerequisite to registration.*

Section 4. This act shall take effect October 1, 1976.

Senator Hair moved the following title amendment which was adopted:

Amendment 4—On page 1, line 14, after the semicolon insert: amending s. 320.062, Florida Statutes; providing exception from safety glass requirement for windshields for certain electric powered vehicles;

On motion by Senator Hair, by two-thirds vote HB 1135 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—24

Brantley	Graham	MacKay	Spicola
Childers, D.	Hair	Peterson	Thomas, P.
Dunn	Henderson	Plante	Trask
Firestone	Johnston	Renick	Vogt
Gallen	Lane, D.	Scarborough	Wilson
Glisson	Lewis	Sims	Winn

Nays—9

Childers, W. D.	McClain	Thomas, J.	Zinkil
Holloway	Poston	Tobiassen	
Lane, J.	Sayler		

Vote after roll call:

Yea to nay—Renick

HB 75—A bill to be entitled An act relating to homesteads; creating s. 222.19, Florida Statutes, defining surviving spouse as head of family for purposes of homestead exemption from forced sale; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 75 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Lewis

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

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 2983 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Lewis

SB 361 was laid on the table.

Consideration of SB 697 was deferred.

SB 738 was taken up, together with:

By the Committee on Judiciary-Civil and Senator Gallen—

CS for SB 738—A bill to be entitled An act relating to legal services for state agencies; amending s. 16.01, Florida Statutes; creating s. 16.055, Florida Statutes; specifying persons to whom the Attorney General may give official opinions; creating s.

16.55, Florida Statutes; authorizing the Attorney General to initiate, maintain, prosecute lawsuits to enforce antitrust laws; creating s. 16.57, Florida Statutes; authorizing the Attorney General to initiate civil litigation, with the approval of the Governor and Cabinet, when no state agency is vested with the authority to enforce such right; providing exceptions and authorizing the Attorney General to file under certain statutes; providing procedure for Attorney General to initiate civil litigation when a state agency is vested with authority; amending s. 20.11, Florida Statutes; providing that the Department of Legal Affairs may provide legal services to a state agency only upon written request of the head of such agency; creating s. 542.13, Florida Statutes; providing a trust fund for the purpose of funding investigation, prosecution, and enforcement of the provisions of state or federal antitrust laws; providing for the allocation of recovered funds; repealing s. 16.101, Florida Statutes, which provides that the Attorney General shall be the reporter for the Supreme Court; providing an effective date.

—which was read the first time by title and SB 738 was laid on the table.

On motion by Senator Gallen, by two-thirds vote CS for SB 738 was read the second time by title.

Senator Dunn moved the following amendments which were adopted:

Amendment 1—On page 2, strike lines 9-31 and on page 3, strike lines 1-4 and insert: 16.01 Residence, office and duties of attorney general. The Attorney General shall reside in Tallahassee at the seat of government, and he shall keep his principal office in a room in the capitol; he shall perform the duties prescribed by the constitution and laws of this state; and also perform such other duties appropriate to his office, as may from time to time be required of him by law, or by resolution of the legislature, he shall, on the written requisition of the Governor, Secretary of State, Treasurer, or Comptroller, give his official opinion and legal advice in writing on any matter touching their official duties; he shall represent appear in and attend to in behalf of the state in all civil actions and criminal appeals suits or prosecutions, civil or criminal, or in equity, in which the state may be a party, or in anywise interested, in the supreme court and district courts of appeal of this state; he shall represent the state appear in and attend to such suits or prosecutions in any other of the courts of this state, or in any courts of any other state, or of the United States; he shall have and perform all powers and duties incident or usual to such office, and he shall make and keep in his office a record of all his official acts and proceedings, containing copies of all his official opinions, reports and correspondence, and also keep and preserve in his office all official letters and communications to him, and cause a registry and index thereof to be made and kept, all of which official papers and records shall be subject to the inspection of the Governor of the state, and to the disposition of the Legislature by act or resolution thereof.

Amendment 2—On page 3, line 11, strike "any member of Congress" and insert: any member of the Florida delegation to the United States Congress

The President presiding

Senator Dunn moved the following amendment which failed:

Amendment 3—On page 3, lines 11 and 12, strike "any member of the Florida Senate or the Florida House of Representatives" and insert: the presiding officers and such other members of the Legislature as prescribed by the rules of the respective houses of the Florida Legislature

Senator Dunn moved the following amendment which was adopted:

Amendment 4—On page 3, line 13, after "sheriff," insert: or any other constitutional county officer,

Senator Dunn moved the following amendment which failed:

Amendment 5—On page 3, line 22, strike the period and insert: ; provided, however, the Attorney General may render

his official legal opinion to any other state agency or unit of local government identified in rules promulgated by the Department of Legal Affairs, if the legal question presented raises an issue of state-wide interest or applicability.

Senator Dunn moved the following amendment which was adopted:

Amendment 6—On page 4, line 22, strike “provides a right” and insert: provides a public right

Senator Dunn moved the following amendment which failed:

Amendment 7—On page 4, lines 25-27, strike “Attorney General, with the approval of the Governor and Cabinet, is authorized to commence, prosecute and settle appropriate civil litigation,” and insert: The Attorney General is authorized, with approval of the officer or board charged pursuant to s. 6, Art. IV, State Constitution, with the direct supervision of the executive department or the head of any other state agency, to commence, prosecute and settle appropriate civil litigation which is brought or maintained on behalf or in the name of the executive department or agency. The Attorney General is authorized, with approval of the Governor, to commence, prosecute and settle appropriate civil litigation which is brought or maintained in the name of the state or on behalf of the people of Florida.

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

Amendment 8—On page 5, line 3, after “law” insert:

The Attorney General is authorized to enforce Chapters 119 and 286.011 F.S.

On motion by Senator Dunn the Senate reconsidered the vote by which Amendment 1 was adopted. Senator Dunn withdrew the amendment.

On motion by Senator Gallen, by two-thirds vote CS for SB 738 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was

Yeas—33

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

Nays—1

Wilson

Votes after roll call:

Yeas—Brantley, Glisson, Renick and Sayler

The Senate resumed consideration of—

SB 529—A bill to be entitled An act relating to beach and shore preservation; amending s. 161.053(4), Florida Statutes; revising the penalty for violations of coastal construction and excavation regulations; amending s. 161.121, Florida Statutes; revising the penalty for violations of part I of the Beach and Shore Preservation Act; providing an effective date.

Senators Ware, Sayler and W. D. Childers offered the following amendment which was moved by Senator Ware:

Amendment 2—On page 1, between lines 30 and 31 insert: *However, nothing in this act shall be construed to prevent the reasonable use, repair and access to any structure constructed prior to the establishment of a coastal construction setback line pursuant to the provisions in this act.*

Senator Wilson moved that the Senate reconsider the vote by which HB 2811 was removed from the table. The motion failed.

On motion by Senator Brantley, the Senate proceeded to consideration of—

LOCAL CALENDAR

SB 329—A bill to be entitled An act relating to the Yankee-town-Inglis Special Water and Sewerage District; amending sections 1, 2, 3, and 6, Chapter 73-537, Laws of Florida; confirming election of and term of office of present commissioners; providing for nonpartisan elections of commissioners; providing qualifying procedures; providing for removal of commissioners who fail to attend meetings; providing time of organization; providing that issuance of revenue certificates for construction of a sewerage disposal system be approved by vote of the electors; requiring compliance with state law prior to issuance of ad valorem bonds; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Trask by two-thirds vote SB 329 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nay—1

Henderson

SB 344—A bill to be entitled An act relating to Monroe County; repealing chapter 72-619, Laws of Florida, as amended, abolishing the Monroe County Waste Collection and Disposal District; transferring all duties and functions of the district to the Board of County Commissioners of Monroe County; authorizing the board to vest such duties and functions in the Monroe County Municipal Service District; transferring title to property of the district to the county; providing for the assumption of district debts by the county; transferring ordinances and resolutions of the district and validating acts and preserving vested rights; designating the board as successor to the district; providing an effective date.

—was read the second time by title. On motion by Senator Renick, by two-thirds vote SB 344 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 349—A bill to be entitled An act relating to Charlotte and DeSoto Counties; repealing chapter 74-454, Laws of Florida, which creates the Deer Run Improvement District; providing and effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote SB 349 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

SB 511—A bill to be entitled An act relating to Charlotte County; prohibiting the use of trawl nets exceeding 25 feet in length for the taking of shrimp in Charlotte Harbor and certain inland areas of Charlotte County; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 511 was read the third time title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 585—A bill to be entitled An act relating to the City of Kissimmee, Osceola County; prescribing the boundaries of said city; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 585 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 599—A bill to be entitled An act relating to Brevard County; transferring the duties of the Clerk of the Circuit Court of Brevard County, Florida, as clerk of the board of county commissioners, auditor, recorder, and custodian of all county funds to the Board of County Commissioners of Brevard County, Florida; providing that said duties shall be performed by the administrative director of Brevard County within the administrative structure of Brevard county government; providing a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote SB 599 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Dunn	Graham	Lane, J.
Brantley	Firestone	Hair	Lewis
Childers, D.	Gallen	Henderson	MacKay
Childers, W. D.	Glisson	Johnston	McClain
Deeb	Gordon	Lane, D.	Myers

Poston	Spicola	Tobiassen	Winn
Renick	Stolzenburg	Trask	Zinkil
Sayler	Thomas, J.	Vogt	
Sims	Thomas, P.	Wilson	

Nays—None

SB 755—A bill to be entitled An act relating to the employees' pension or retirement fund of the City of Tampa, Florida; amending s. 16, chapter 23559, Laws of Florida, 1945; providing that the right to a refund of accumulated contributions may be assigned to the Tampa City Employees Federal Credit Union under specified conditions; providing an effective date.

—was read the second time by title. On motion by Senator Spicola, by two-thirds vote SB 755 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 756—A bill to be entitled An act relating to Hillsborough County; amending section 2, chapter 59-1363, Laws of Florida; providing for the appointment of four members of the county planning commission by the board of county commissioners; providing an effective date.

—was read the second time by title. On motion by Senator Spicola, by two-thirds vote SB 756 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 784—A bill to be entitled An act relating to a Southwest Florida Highway Commission, in Charlotte, Collier, Hillsborough, Lee, Manatee, Pinellas, and Sarasota Counties; creating and establishing the Southwest Florida Highway Commission and fixing the boundaries of said commission; providing for a governing board, and for appointment of the members thereof; providing for the terms of office and the qualifications of members of the board of commissioners; setting the compensation of said board; providing for an annual audit, and for meetings of the board; prescribing the duties of the board; constituting the commission as a special district for the purpose of levying ad valorem tax, as authorized by Section 9 of Article VII of the State Constitution; providing procedures and limitations with respect to the taxing authority conferred upon the commission; prescribing general powers and incidental powers of the commission; authorizing the board to cooperate with counties and other governmental entities; authorizing eminent domain; authorizing the issuance of bonds; providing for liberal construction; providing for other matters relative to the foregoing; providing for severability; providing for a referendum, as required by Section 9 of Article VII of the State Constitution, with respect to the taxing authority conferred upon the commission; providing for a referendum for approval or disapproval of the act; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote SB 784 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Glisson	MacKay	Thomas, P.
Brantley	Gordon	Myers	Tobiassen
Childers, D.	Graham	Poston	Trask
Childers, W. D.	Hair	Renick	Vogt
Deeb	Johnston	Sayler	Wilson
Dunn	Lane, D.	Sims	Winn
Firestone	Lane, J.	Stolzenburg	Zinkil
Gallen	Lewis	Thomas, J.	

Nay—1

Henderson

SB 837—A bill to be entitled An act relating to the City of Green Cove Springs; amending section 2, chapter 21262, Laws of Florida, Acts of 1941, as amended; extending the boundaries of the City of Green Cove Springs; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote SB 837 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 869—A bill to be entitled An act relating to the City of Pensacola, Escambia County; relating to the Housing Authority of the City of Pensacola; increasing the number of commissioners of such housing authority from five persons to seven persons; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 869 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 871—A bill to be entitled An act relating to the Melbourne-Tillman Water-Management District; adding s. 298.11(5), Florida Statutes, prescribing the number and method of selection of the supervisors of the district; amending s. 298.12, Florida Statutes; providing for the Brevard Board of County Commissioners to fill any vacancy in the supervisor position of the district not filled by a vote of the landowners; providing an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote SB 871 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Deeb	Glisson	Henderson
Brantley	Dunn	Gordon	Johnston
Childers, D.	Firestone	Graham	Lane, D.
Childers, W. D.	Gallen	Hair	Lane, J.

Lewis	Renick	Thomas, J.	Wilson
MacKay	Sayler	Thomas, P.	Winn
McClain	Sims	Tobiassen	Zinkil
Myers	Spicola	Trask	
Poston	Stolzenburg	Vogt	

Nays—None

SB 870—A bill to be entitled An act relating to the City of Sanford, Seminole County; establishing the Downtown Development Corporation of Sanford as a body corporate; prescribing the boundaries of the Sanford central city neighborhood development area; prescribing the number, qualifications, term, and methods of appointment and removal of members; providing for filling vacancies in office, for service without compensation, for reimbursement of expenses, for bonding, and for personal liability in certain instances; providing for by-laws and internal governance of the board, prescribing its functions and powers, including powers to acquire, own, lease, and dispose of property, to issue, sell, and provide security for revenue certificates, to borrow on short term, to fix, regulate, and collect rates and charges, to maintain offices, to employ and prescribe the duties, authority, tenure, compensation, and expense reimbursement of staff, and to exercise all necessary incidental powers; prescribing for the city to levy an ad valorem property tax of not more than 3 mills to finance board operations; providing for assessment and collection thereof, requiring maintenance of records, budget, and fiscal control; forbidding participation on behalf of the board by personnel financially interested in the matter involved; regulating issuance of board revenue certificates; prescribing scope of this act; providing for its liberal construction, and severability; providing a referendum; providing an effective date.

—was read the second time by title.

Senator Wilson moved the following amendments which were adopted:

Amendment 1—On page 13, line 29, insert: real after "all"

Amendment 2—On page 19, lines 12-13, strike "the Seminole County Courthouse,"

On motion by Senator Wilson, by two-thirds vote SB 870 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 872—A bill to be entitled An act relating to the Canaveral Port District, Brevard County; amending section 3 a., b., and d. of Article V of chapter 28922, Laws of Florida, 1953, to provide that the port commissioners shall be nominated and elected by the voters of the district at large, but shall reside in the individual commissioner port districts; providing an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote SB 872 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Firestone	Henderson	McClain
Brantley	Gallen	Johnston	Myers
Childers, D.	Glisson	Lane, D.	Poston
Childers, W. D.	Gordon	Lane, J.	Renick
Deeb	Graham	Lewis	Sayler
Dunn	Hair	MacKay	Sims

Spicola	Thomas, P.	Vogt	Winn
Stolzenburg	Tobiassen	Wilson	Zinkil
Thomas, J.	Trask		

Nays—None

Consideration of SB 873 was deferred.

SB 874—A bill to be entitled An act relating to Broward County; providing that the Broward County district school board and the board of supervisors of an adjacent water-management district may contract to drain water from school property into the facilities of the water-management district if the district school board bears the cost of such drainage; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote SB 874 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 875—A bill to be entitled An act relating to Brevard County; amending Article XVII of chapter 28922, Laws of Florida, 1953; increasing from \$1,000 to \$3,000 the minimum limitation making mandatory the calling for bids on construction work and purchases of property by the Canaveral Port Authority; requiring at least three telephonic offers for such work or purchases between \$1,000 and \$3,000; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 875 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 876 was taken up and on motion by Senator Vogt—

HB 3520—A bill to be entitled An act relating to Brevard County, County Commission District One; amending section 5 of Chapter 69-869, Laws of Florida, special acts of 1969; providing the library district may levy a one-time millage assessment of one (1) mill for site acquisition, construction, and furnishing of a library facility; providing for approval by the voters in a referendum that must be held prior to July 1, 1979; providing an effective date.

—a companion measure was substituted therefor. On motions by Senator Vogt, by two-thirds vote HB 3520 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—34

Mr. President	Childers, W. D.	Firestone	Gordon
Brantley	Deeb	Gallen	Graham
Childers, D.	Dunn	Glisson	Hair

Henderson	McClain	Spicola	Vogt
Johnston	Myers	Stolzenburg	Wilson
Lane, D.	Poston	Thomas, J.	Winn
Lane, J.	Renick	Thomas, P.	Zinkil
Lewis	Saylor	Tobiassen	
MacKay	Sims	Trask	

Nays—None

SB 876 was laid on the table.

SB 877—A bill to be entitled An act relating to Brevard County; repealing chapter 57-1171, Laws of Florida, providing for the establishment of the South Brevard Hospital District; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 877 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 878—A bill to be entitled An act relating to the Sebastian Inlet District, Indian River and Brevard Counties; amending sections 4 and 15 of chapter 7976, Laws of Florida, 1919, as amended; providing for the nomination and election of members of the board of commissioners of the district; limiting the rate of ad valorem tax which may be levied for district purposes; providing for other matters relative to the foregoing; providing for a referendum; providing an effective date.

—was read the second time by title.

Senator Wilson moved the following amendments which were adopted:

Amendment 1—On page 1, lines 21-30, and on page 2, lines 1-27, strike all of said lines and insert: Section 4. (a) At the general election held in the state at which the President of the United States is elected, three commissioners shall be elected as members of the Board of Commissioners of the Sebastian Inlet District. The terms of office of such commissioners shall be 4 years and until their successors are duly elected and qualified. Each member shall be a qualified elector and resident within the district.

(b) Commissioners shall be elected on a nonpartisan basis by a majority of the qualified electors of the district voting at the election to be held in both Indian River and Brevard Counties as follows:

1. Any candidate for membership on the board shall qualify with the Clerk of the Circuit Court of the circuit in which the candidate resides. The Clerks of the Circuit Courts of Indian River and Brevard Counties shall certify the names of qualified candidates to one another for purposes of placing such names upon the ballot in both counties. The ballots shall be in the form for general elections as provided by law.

2. The election officials of each voting district or precinct within the Sebastian Inlet District shall conduct the election of the commissioners of the district at the time of conducting such general election and shall furnish to each qualified voter of each of such election districts or precincts a ballot for the election of commissioners of Sebastian Inlet District. Each voter qualified to vote in each such general election in the respective election districts or precincts situated within the boundaries of Sebastian Inlet District, and which voter resides within the boundaries of such District, shall be entitled to cast a ballot for the election of commissioners of said Sebastian Inlet District.

3. Upon the closing of the polls in each of said election districts or precincts, the officials conducting such elections shall tally the votes cast for commissioners of Sebastian Inlet

District. The vote shall be canvassed in the manner provided by general law. Upon canvass of such vote the Board of Commissioners of Sebastian Inlet District shall declare as elected as commissioners of said District the three persons receiving the highest number of votes cast at such election; provided, that if all three of said persons shall be residents of one county, namely either Brevard or Indian River County, then the two highest in number of votes so received shall be declared so elected and the person residing in the other of said two counties who shall have received the highest number of votes at such election shall be declared elected as a commissioner of said district; further provided that if all persons who receive votes duly cast at such election for the office of commissioner of said district shall be residents of one county, then the three persons receiving the highest number of votes at such election shall be declared elected as such commissioners.

(c) Before he assumes office, each commissioner shall be required to give to Sebastian Inlet District a good and sufficient surety bond in the sum of \$2,000 conditioned for the faithful performance of the duties of his office and said bond to be approved by and filed with the Clerk of the Circuit Court of Brevard County. Said bond shall be recorded in the minutes of said Board of Commissioners of said Sebastian Inlet District. The failure of any person so elected as commissioner of Sebastian Inlet District to give such bond within thirty days after his election as such, shall create a vacancy as to such commissioner. In such event or in the event of any vacancy on said Board of Commissioners of Sebastian Inlet District whether by resignation, death, removal from the district or otherwise, the remaining commissioners of said District shall elect a successor who upon giving bond as such shall serve for the remainder of such unexpired term. In the event the remaining commissioners of said District shall not fill any such vacancy within thirty days next after the existence of such vacancy, then the Governor of the State of Florida shall appoint a commissioner to fill such vacancy and who shall serve for the remainder of such unexpired term and who shall give bond as such as hereinbefore provided.

(d) Any commissioner in office on the effective date of this section shall remain in office until the election and qualification of his successor.

Amendment 2—On page 3, lines 4-8, strike everything after the comma(,) on line 4 through and including "addition" on line 8

On motion by Senator Wilson, by two-thirds vote SB 878 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Consideration of SB 894 was deferred.

SB 905—A bill to be entitled An act relating to Seminole County; providing the qualifying period for candidates for the nonpartisan election of school board members and superintendent of schools; providing a filing fee and for the retention of such fees by the county; providing an effective date.

—was read the second time by title.

Senator Wilson moved the following amendments which were adopted:

Amendment 1—On page 1, line 12, insert:

Section 1. Sections 4 and 5 are added to Chapter 75-505, Laws of Florida, to read:

Amendment 2—On page 1, line 13, strike "Section 1" and insert: Section 4

Amendment 3—On page 1, line 22, strike "Section 2" and insert: Section 5

Pending further consideration of SB 905 as amended, on motion by Senator Wilson—

HB 2886—A bill to be entitled An act relating to Seminole County; providing the qualifying period for candidates for the nonpartisan election of school board members and superintendent of schools; providing a filing fee and for the retention of such fees by the county; providing an effective date.

—a companion measure, was substituted therefor and by two-thirds vote read the second time by title. On motion by Senator Wilson, by two-thirds vote HB 2886 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—1

Henderson

SB 905 was laid on the table.

SB 906—A bill to be entitled An act relating to Pinellas County; authorizing law enforcement officers in the county to take a truant child into custody to deliver the child to school authorities; providing an effective date.

—was read the second time by title. On motion by Senator Deeb, by two-thirds vote SB 906 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Consideration of SB 907 was deferred.

SB 948—A bill to be entitled An act relating to Pinellas County; establishing the Pinellas County Construction Licensing Board; providing definitions; providing for membership terms, powers, duties, jurisdiction and functions of the board; providing for fees; providing for examination committees, and the membership and duties of the committees; providing for the classification, registration, examination and certification of contractors; providing for the registration and certification of contracting partnerships, corporations or other legal entities; designating prohibited activities; providing for disciplinary action by the board; providing penalties; providing exemptions; adopting building codes and providing for amendments thereto; repealing chapter 75-489, Laws of Florida, which provides for the issuance of countywide occupational licenses, which provides for the registration and certification of contractors, and which adopts building codes; providing an effective date.

—was read the second time by title. On motion by Senator Deeb, by two-thirds vote SB 948 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 969—A bill to be entitled An act relating to Brevard County; amending section 4 of chapter 65-1239, Laws of Florida, relating to the budget of the Merritt Island library district board; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 969 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 1037—A bill to be entitled An act relating to Lee County; removing from the north Fort Myers fire-control district certain described portions of land presently included in such district; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 1037 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Gordon	Myers	Thomas, P.
Brantley	Graham	Poston	Tobiassen
Childers, W. D.	Hair	Renick	Trask
Deeb	Henderson	Sayler	Vogt
Dunn	Lane, D.	Sims	Wilson
Firestone	Lane, J.	Spicola	Winn
Gallen	MacKay	Stolzenburg	Zinkil
Glisson	McClain	Thomas, J.	

Nays—3

Childers, D. Johnston Lewis

SB 1038—A bill to be entitled An act relating to Lee County; removing certain described portions of land from the Matlacha and Pine Island fire control district; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 1038 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 1042—A bill to be entitled An act relating to the City of Sanford; repealing chapter 61-2792, Laws of Florida, and chapter 65-2437, Laws of Florida, which establishes the firemen's relief and pension fund and provides a retirement plan for firemen; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 1042 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 1043—A bill to be entitled An act relating to the City of Sanford, Seminole County; creating a relief and pension fund for the police department of the city; defining the members of the police department; providing the source of funds to create and maintain the relief and pension fund; providing transfer of funds now on hand to said fund; providing for a board of trustees to administer the fund; providing for payment of pensions to members of the police department and their families having the qualifications therefor as herein required as to age, disability, death, and family status; providing for the acceptance or rejection of the benefits of this act; providing for certain examinations for members of the police department concerning disability; prohibiting the pension payments from assignment or garnishment; voiding right to pension payments in certain situations; providing method of paying pensions; repealing all previous legislative acts in conflict; providing an effective date.

—was read the second time by title. On motion by Senator Vogt by two-thirds vote SB 1043 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Consideration of SB 1080 was deferred.

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

—was read the second time by title. On motion by Senator Deeb, by two-thirds vote SB 1172 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Childers, W. D.	Firestone	Gordon
Brantley	Deeb	Gallen	Graham
Childers, D.	Dunn	Glisson	Hair

Henderson	McClain	Spicola	Vogt
Johnston	Myers	Stolzenburg	Wilson
Lane, D.	Poston	Thomas, J.	Winn
Lane, J.	Renick	Thomas, P.	Zinkil
Lewis	Sayler	Tobiassen	
MacKay	Sims	Trask	

Yeas—33

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

Nays—None

Nay—1

Wilson

Vote after roll call:

Nay to yea—Wilson

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

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote SB 1268 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

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

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 1269 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SPECIAL ORDER, continued

SB 697—A bill to be entitled An act relating to the Health Maintenance Organization Act; amending s. 641.19(4), Florida Statutes; providing that chiropractic services be included in the definition of "comprehensive health-care services"; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 697 was read the third time by title, passed and certified to the House. The vote on passage was:

HB 3500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1976 and ending June 30, 1977 to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 27.34(2), 27.54(3), 215.32(2)(C), 216.262, 216.292, 216.301(2), 230.767(4)(B), 230.767(2), 216.011(1)(C), 216.181, 219.192, 216.351, 20.22, 255.25, and 402.17(3), F.S.; providing an effective date.

—was taken up with pending Amendment 33 which was withdrawn.

Senators Zinkil, D. Childers, Graham, Firestone, J. Thomas, Winn, Renick, Poston, Lewis, Deeb, Johnston, Stolzenburg, Holloway, Ware, Sayler, MacKay, Dunn and D. Lane offered the following amendment which was moved by Senator Zinkil:

Amendment 34—

Item	Strike:	Insert:
344: Grants and Aids		
Florida Educational Finance Program		
In the proviso language, 1st paragraph, line 4	6.5	6.3
In the proviso language, 2nd paragraph, line 1, page 18	6.5	6.3
line 3 2nd paragraph page 19	\$605,788,405	\$587,148,764

On motion by Senator Brantley, the rules were waived and time of adjournment was extended until final consideration of HB 3500.

Senators W. D. Childers, Spicola, Brantley, Hair and McClain offered the following substitute amendment which was moved by Senator W. D. Childers and failed:

Amendment 35—On pages 18 and 19, strike all of item 344 and insert:

Item 344:	
Grants and Aids	
Florida Educational Finance Program	
From General Revenue Fund	897,403,731
From Principal State School Trust Fund	4,000,000
From Interest State School Trust Fund	2,000,000
From Federal Revenue Sharing Fund	69,200,000

In computing the FEFP for 1976-1977, the base student cost shall be \$775 and each district's calculated local effort shall be determined by computing 95 percent of the district's nonexempt assessed valuation subject to the provisions of s. 236.081(5)(b), Florida Statutes, and multiplying this product by the millage rate of 7.0 mills. The required local effort millage rate from local ad valorem taxes for any district may be 0.7 mills less than the millage rate used in determining the calculated local effort, provided the district produces the difference from other sources available to such district. Provided, the funds included herein are sufficient to provide a hold harmless at a 2 percent increase as provided in s. 236.081(7)(c), Florida Stat-

utes, and provided the district cost differential shall be based on the last 3-year average as calculated by the Department of Administration.

The Commissioner of Education, in administering the Florida Education finance program, shall not approve nor assign weighted full-time equivalent student memberships in excess of the following maximums in the respective programs: special programs for exceptional students, 210,000; special vocational-technical programs, 280,871; adult basic and adult high school programs, 31,656; and community service programs, 3,042.

Provided, however, a student completing grade twelve (12) under provisions of sec. 228.041(13), Florida Statutes, may be counted in full-time equivalent student membership for a maximum of three (3) full-time equivalent student memberships for grades 10, 11 and 12. If a student has earned less than three (3) full-time equivalent student memberships in grades 10, 11 and 12, the difference between three (3) and that earned, less an appropriate adjustment for any full-time equivalent membership earned in a community college, shall be calculated in the twelfth grade at the cost factor for basic program grade 12.

Provided, that in the event the appropriation from the interest state school trust fund exceeds the funds from this trust fund, the shortage shall be made up from the principal of the state school trust fund.

The vote was:

Yeas—12

Mr. President	Hair	Saunders	Tobiassen
Brantley	Lane, J.	Scarborough	Vogt
Childers, W. D.	McClain	Spicola	Wilson

Nays—26

Childers, D.	Graham	Myers	Thomas, J.
Deeb	Henderson	Peterson	Thomas, P.
Dunn	Holloway	Plante	Ware
Firestone	Johnston	Poston	Winn
Gallen	Lane, D.	Renick	Zinkil
Glisson	Lewis	Saylor	
Gordon	MacKay	Stolzenburg	

The question recurred on Amendment 34 which was adopted by the following vote:

Yeas—24

Childers, D.	Graham	MacKay	Thomas, J.
Deeb	Henderson	Myers	Thomas, P.
Dunn	Holloway	Poston	Ware
Firestone	Johnston	Renick	Wilson
Glisson	Lane, D.	Saylor	Winn
Gordon	Lewis	Stolzenburg	Zinkil

Nays—15

Mr. President	Hair	Plante	Spicola
Brantley	Lane, J.	Saunders	Tobiassen
Childers, W. D.	McClain	Scarborough	Vogt
Gallen	Peterson	Sims	

Vote after roll call:

Nay to yea—Gallen.

Senators Graham and Zinkil offered the following amendment which was moved by Senator Graham:

Amendment 36—

Item	Strike:	Insert:
344: Grants and Aids		
Florida Educational Finance Program	884,903,731	897,886,360
In the proviso language following this item:		
Page 18, paragraph 1, line 3	751	750.50
Page 19, paragraph 3	The entire paragraph	

Insert the following proviso after this item:
 Provided, however, in computing the district cost differential,

the commissioner shall obtain, from the most recent publication of the Florida Price Level Index prepared by the Department of Administration, each district's price level index and multiply each index by 0.008 and to the resulting product add 0.200; the sum thus obtained shall be the cost differential for that district for that year. The district cost differentials to be used in calculating the Florida Education Finance Program in 1976-77 shall be the average of the current year's differential and the differentials for the 2 years immediately preceding, each of which shall be computed as prescribed herein.

Senators W. D. Childers, Sims, Vogt, J. Lane, Plante, Tobiasen, Trask, Dunn, Gallen, Deeb, Saylor, Spicola, P. Thomas and McClain offered the following substitute amendment which was moved by Senator W. D. Childers:

Amendment 37—On page 19 at the end of items 344 insert: Provided, further, the provisions of s. 236.081(3), Florida Statutes, to the contrary notwithstanding, the district cost differential for each school district for 1976-77 shall be computed as 1.0000.

Senator Spicola moved the following amendment to the substitute amendment which was adopted:

Amendment 37A—

Delete lines 1-10 and exhibit of Amendment 37 and insert:

Item 344:
 Grants and Aids
 Florida Educational Finance Program
 In the proviso language following this item:
 On page 19, paragraph 4 strike the entire paragraph.

Amendment 37 as amended was adopted.

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

Amendment 38—

Item 344:	Strike:	Insert:
Grants and Aids		
Florida Educational Finance Program	884,903,731	897,886,360
In the first paragraph following this item:		
Page 18, paragraph 1, line 3	751	750.50

Senators D. Childers, Zinkil, Johnston, Graham, Dunn and Hair offered the following amendment which was moved by Senator D. Childers and failed:

Amendment 39—

Item 345:	Strike:	Insert:
INSERT		
Grants and Aids		
Elementary Counselors		
From General Revenue Fund		\$6,331,562

Item 346:	Strike:	Insert:
INSERT		
Grants and Aids		
Occupational Specialists		
From General Revenue Fund		\$6,483,893

Item 346A:	Strike:	Insert:
DELETE this item		\$6,404,727

Senators Peterson and Plante offered the following amendment which was moved by Senator Peterson and adopted:

Amendment 40—

Item 346A:	Strike:
On page 19	All of item 346A

Senator Plante moved that the rules be waived and HB 3500 as amended be read the third time by title and the motion failed to receive the required two-thirds vote. The vote was:

Yeas—23

Mr. President	Hair	Peterson	Thomas, J.
Brantley	Holloway	Plante	Thomas, P.
Childers, W. D.	Lane, J.	Saylor	Tobiassen
Deeb	Lewis	Sims	Trask
Gallen	McClain	Spicola	Ware
Gordon	Myers	Stolzenburg	

On motion by Senator Plante, by two-thirds vote HB 3500 as amended was read the third time by title.

Senators Myers, MacKay, Wilson, Vogt, and Graham offered the following amendment which was moved by Senator Myers and adopted by two-thirds vote:

Nays—15

Childers, D.	Graham	Poston	Vogt
Dunn	Henderson	Renick	Wilson
Firestone	Johnston	Saunders	Winn
Glisson	MacKay	Scarborough	

Senator Poston moved the following amendment which failed:

Amendment 41—On page 19, At the end of item 344 insert: Provided, further, the Administration Commission shall carefully review the receipts in the General Revenue Fund at the end of the second fiscal quarter for 1976-77, and if it appears that there will be collections in excess of the amount necessary to fund the general revenue appropriations for 1976-77, the amount of such excess shall be determined, and 60 percent of the excess shall be distributed among the several school districts on a basis of an equal amount for each weighted full-time equivalent student.

Senator Deeb moved the following amendment:

Amendment 42—On page 19, at the end of item 344, insert: It is the intent of the Legislature to encourage each school district to achieve a teacher-administrator ratio that is equal to or greater than the district student-teacher ratio. No district shall be required to reduce the number of administrators below 10. Any school district not in compliance with these provisions shall have its allocation withheld until it is in compliance.

Senators Tobiassen and Gordon offered the following substitute amendment which was moved by Senator Tobiassen and failed:

Amendment 43—

Item
344 Grants and Aids
Florida Educational Finance Program
Following the proviso language

Insert:

It is legislative intent to encourage each school district to achieve a teacher-administrator ratio that is equal to the district student-teacher ratio by 1979-80. For the fiscal year 1976-77, each district shall increase its 1975-76 teacher-administrator ratio by one-third of the amount necessary to meet the 1979-80 goal. No district shall be required to reduce the number of administrators below 10. Any school district not in compliance with these provisions shall have its allocation withheld until it is in compliance. Administrators of programs totally funded by federal dollars are exempt from ratio calculations.

Senator Tobiassen moved the following substitute amendment which failed:

Amendment 44—On page 19, after item 344 insert:

If a reduction in personnel becomes necessary to bring operating costs and expenses within the amounts appropriated and available, it is hereby mandated that in no event shall the administrator-teacher ratio in any school district during the school year 1976-77 be greater than the administrator-teacher ratio in effect in that school district during the year 1975-76.

The Commissioner of Education shall report to the Legislature the changes in the ratio of administrators to teachers in each school district for the school year 1976-77. The report shall include school districts plans for increasing or decreasing the ratio of administrators to teachers.

Amendment 42 was adopted.

On motion by Senator Plante, the Senate reconsidered the vote by which Amendment 40 was adopted.

Amendment 40 was withdrawn.

Amendment 45—

Item	Strike:	Insert:
344 Grants and Aids		
Florida Educational Finance Program	897,886,360	895,586,360
From General Revenue		
In the proviso language following Item 344:		
1st paragraph, line 14	3,042	0
Insert:		
293B Grants and Aids		
Community Instructional Services		
From General Revenue		2,300,000

And insert proviso language following this item:

Provided, however, the Commissioner shall develop procedures for the equitable distribution of these funds to the school districts and community colleges for the support of educational courses based on significant community problems related to the environment, health, safety, human relations, government, education and child rearing or consumer economics. The distribution of funds should consider the proposed request submitted by the Educational Agency, the need for courses, the population to be served, any existing or potential duplication of effort, the estimated cost of the courses and appropriate student fees. Priority shall be given to those community instructional services programs that include arrangements for the cooperative use of facilities and resources of other public or private institutions, agencies and organizations.

Provided, further, the Commissioner shall present a report to the legislature on or before February 1, 1977 on the Status of Community Instructional Services Programs and any recommendations he deems appropriate for the improvement of the programs or the method of distributing funds for their support.

Senator Gordon moved the following title amendment which was adopted:

Amendment 46—On page 1, strike entire title and insert:

A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1976 and ending June 30, 1977 to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 20.22, 27.34(2), 27.54(3), 215.32(2)(C), 216.011(1)(C), 216.181, 216.192, 216.262, 216.292, 216.301(2)(3), 216.351, 230-767(4), 242.331(4), 255.25, 287.161, and 402.17(3), F.S.; providing an effective date.

Whereas, the legislature is charged by the Constitution of Florida with the responsibility for appropriating moneys for the expenses of the state, and

Whereas, that responsibility includes an obligation to exert all possible controls over expenditures and to insure that anticipated revenues as provided by law are sufficient to defray those expenditures, and

Whereas, the 1976 legislature has determined that anticipated general revenue of \$2,476,400,000 for fiscal year 1976-77 is adequate to fund all necessary services of state government with no additional taxes on the citizens of Florida, and

Whereas, Federal funds are included in the state appropriations bill that are not subject to control by the legislature, and

Whereas, the 1976 legislature has utilized available state funds in such a way as to attract the maximum available federal funds for programs, services, and activities approved by the legislature.

It is the intent of the legislature in this appropriations bill that the legislative, executive and judicial branches carry out all mandated programs, services, and activities within the funds allocated in this bill.

It is also the intent of the legislature that each state official perform mandated responsibilities in the most efficient manner to obtain the maximum benefit from each dollar spent, and in such a way as to serve the public in a responsive manner.

Senators J. Lane and Lewis offered the following amendment which was moved by Senator J. Lane and failed:

Amendment 47—On page 19, strike the following words from Item 344:

"If the required local effort of 6.5 mills, when applied to the official final tax roll, produces a calculated yield in excess of \$605,788,405, and after computing the Florida Education Finance Program, there remains any surplus of funds appropriated in Item 344, the Commissioner is authorized to adjust the un-weighted full-time equivalent student value or base student cost by an amount sufficient to include the total amount appropriated in a revised calculation of the 76-77 Florida Education Finance Program."

HB 3500 as further amended was read by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Lane, D.	Renick	Tobiassen
Brantley	Lane, J.	Saylor	Trask
Childers, W. D.	Lewis	Sims	Vogt
Deeb	McClain	Spicola	Ware
Gallen	Peterson	Stolzenburg	Wilson
Gordon	Plante	Thomas, J.	Winn
Hair	Poston	Thomas, P.	Zinkil

Nays—12

Childers, D.	Glisson	Holloway	Myers
Dunn	Graham	Johnston	Saunders
Firestone	Henderson	MacKay	Scarborough

Vote after roll call:

Nay to Yea—Myers

On motion by Senator Brantley, the rules were waived and HB 3500 was ordered immediately certified to the House.

Senator Dunn moved that the Senate reconsider the vote by which HB 1445 passed this day. The motion was placed on the calendar for consideration May 18.

Senator Graham moved that the Senate reconsider the vote by which CS for SB 738 passed this day. The motion was placed on the calendar for consideration May 18.

CO-INTRODUCERS

Senator McClain—withdrawn as co-introducer of SB 784; Senator Henderson—withdrawn as co-introducer of SB 349

The Journal of May 12 was further corrected and approved as follows:

Page 287, counting from bottom of column 2, line 6, strike "HB" and insert: SB

The Journal of May 13 was corrected and approved as follows:

Page 299, counting from bottom of column 2, between lines 12 and 13 insert:

HB 3500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1976 and ending June 30, 1977 to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 27.34(2), 27.54(3), 215.32(2)(C), 216.262, 216.292, 216.301(2), 230.767(4)(B), 230.767(2), 216.011(1)(C), 216.181, 219.192, 216.351, 20.22, 255.25, and 402.17(3), F.S.; providing an effective date.

On motion by Senator Brantley, the Senate adjourned at 2:45 p.m. to reconvene at 9:00 a.m. May 18, 1976.