

JOURNAL OF THE FLORIDA SENATE

Friday, May 28, 1976

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

INTRODUCTION

By Senator Spicola—

SM 1450—A memorial to the Congress of the United States requesting the Congress to enact a law authorizing the expenditure of federal funds to place sand from navigational inlet and channel operation and maintenance projects in the State of Florida on adjacent beaches.

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

By Senators Spicola, McClain and J. Lane—

SB 1451—A bill to be entitled An act relating to aquatic preserves; creating s. 258.391, Florida Statutes; confirming the designation of the Cockroach Bay Aquatic Preserve in Hillsborough County for inclusion in the aquatic preserve system under the Florida Aquatic Preserve Act of 1975; prescribing boundaries; providing an effective date.

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

By Senator Brantley—

SB 1452—A bill to be entitled An act relating to state buildings and facilities; creating s. 255.31, Florida Statutes; providing that buildings and facilities not be subject to municipal or other local regulatory ordinances and rules, including rules relating to the connection of buildings and facilities to local water, sewer, electrical, or other utility services; providing an effective date.

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

By Senator Gallen—

SB 1453—A bill to be entitled An act relating to Manatee County; amending s. 6 of chapter 67-1671, Laws of Florida, as amended; authorizing the board of county commissioners to supplement the pay of the pollution control director of Manatee County; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senators Saunders and MacKay—

SB 1454—A bill to be entitled An act enlarging and extending the corporate limits of the City of Gainesville so as to include therein additional lands contiguous to the present corporate limits of the City of Gainesville that lie within Alachua County; providing for the exercise by said City of all jurisdiction, powers and duties over the entire area within the corporate limits; providing for occupational license taxes in the newly annexed area; providing for requirements for certificates of competency relating to trades covered by ordinances of the City; providing for the qualification of electors within the newly annexed territory; providing for the application of all codes and ordinances of the City to the newly annexed territory; providing for zoning and land use controls within the newly annexed territory; providing for the repeal of Chapter 67-1415, Laws of Florida, relating to agricultural assessments in the City of Gainesville; providing for a referendum; providing an effective date.

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

By Senators Saunders and MacKay—

SB 1455—A bill to be entitled An act relating to Alachua County; creating a charter government for Alachua County;

dissolving the existing governments of the City of Gainesville and Alachua County; providing the powers and duties of the consolidated government; providing for a board of county commissioners and administrative officers and providing for appointed county manager and authority boards; providing for and limiting ad valorem taxing power; providing for taxation for bonded indebtedness; providing for elections; providing for amendment of the charter; providing transitional policies; requiring the cooperation of predecessor governments; providing for retirement and pension plans; providing for a referendum to ratify the charter; providing an effective date.

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

SB 1456—Introduced May 27.

By Senator Gallen—

SB 1457—A bill to be entitled An act relating to Manatee County; amending sections 3, 4, 5, and 15(d) of chapter 69-1287, Laws of Florida, as amended; providing annual elections for members of the board of trustees of Trailer Estates Park and Recreation District; providing staggered terms of 2 years; requiring petition to have name placed on ballot for election as trustee to be signed by the candidate and notarized; expressing the limitation on the aggregate amount of obligations of Trailer Estates Park and Recreation District in terms of a fiscal year rather than calendar year; providing an effective date.

Proof of publication of the required notice was attached.

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

SCR 1458—Introduced and adopted May 27.

By Senator Holloway—

SCR 1459—A concurrent resolution proclaiming October 15, 1976 as University of Miami Day in Florida.

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

The Senate recessed at 8:40 a.m.

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

Excused: Senators Gordon, J. Lane, Plante, W. D. Childers, Peterson, Brantley and J. Thomas, conferees on HB 3500, periodically

Prayer by the Senate Chaplain:

We recognize our God that through wise action and speech in committee and debate ideas are polished like pebbles on the beach. But teach us also that unnecessary abrasion destroys the very refinement for which we seek in legislation.

Grant us the self-discipline to recognize that conflicts of ideas need not lead to conflicts of persons. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following bills be placed on Special Order for Friday, May 28, 1976, at 9:00 a.m.:

SB 1426	SB 659	SB 1110	SB 132
SB 1337	HB 3121	SJR 825	SB 823
SB 1384	SB 1249	SB 406	SB 481
SJR 619	SJR 341	SB 803	SB 645
SJR 1398	HB 372	HB 505	SB 142
HB 1886	SB 1135	SB 310	SB 898
SB 895	SB 1257	SB 241	SB 527
SB 1274	HB 1290	SB 220	SB 604
SB 397	SB 980	SB 505	CS for
HB 944	HB 1116	HB 3870	SB 1145
SB 23	HB 3242	SB 1402	SB 287
SB 332	HB 1682	SB 367	SB 306
SB 333	SB 1240	SB 723	SB 439
SB 335	HB 2440	SB 842	SB 752
SB 336	HB 1926	SB 483	
HB 1300	HB 886	SB 514	

Respectfully submitted,
Lew Brantley, Chairman

The Committee on Rules and Calendar recommends the following bills be placed on Consent Calendar for Friday, May 28, 1976.

SB 363	SB 1204	SB 842	SB 457
SB 182	SB 431	SB 1329	HB 1433
SB 850	SB 740	SB 403	SB 754
SB 815	SB 311	SB 698	SB 1291
SB 132	HB 81	SB 1195	SB 1212
SB 398	SB 963	SB 773	SB 1367
SB 481	CS for	SB 1051	SB 1023
HB 3986	HB 2558	SB 84	SB 436
SB 551	SB 853	SB 1344	SB 1254
SB 929	SM 646	SB 1288	SB 1102
SB 472	SB 1008	SB 938	SB 866
HB 1052	SB 462	SB 1306	SB 581
HB 2338	SB 464	SB 1015	SB 555
SB 823	HB 2008	SB 915	SB 1298
SB 937	SB 515	SB 1117	SB 1122
SB 829	SB 407	SB 573	SB 397
SB 331	SB 27	SB 140	
SB 405	SB 1064	SB 1061	

Respectfully submitted,
Lew Brantley, Chairman

The Committee on Commerce recommends a Committee Substitute for the following: SB 325

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

ENROLLING REPORTS

SB 39	SB 235	SB 494
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—have been enrolled, signed by the required Constitutional Officers and filed with the Governor on May 28, 1976.

Joe Brown, Secretary

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator W. D. Childers, the rules were waived and by two-thirds vote House Bills 3688 and 2847, Senate Bills 1295 and 1236 were withdrawn from the Committee on Commerce.

On motion by Senator Wilson, the rules were waived and by two-thirds vote SB 672 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Lewis, the rules were waived and by two-thirds vote SB 1285 was withdrawn from the Committee on Ways and Means.

On motion by Senator Lewis, the rules were waived and by two-thirds vote HB 2708 was withdrawn from the Committee on Education.

On motions by Senator Myers, the rules were waived and by two-thirds vote Senate Bills 1346 and 1006 and HB 720 were withdrawn from the Committee on Governmental Operations.

On motions by Senator Gordon, the rules were waived and by two-thirds vote HB 395 was withdrawn from the Committees on Governmental Operations and Education.

On motion by Senator D. Childers the rules were waived and by two-thirds vote SB 1175 was withdrawn from the Committee on Commerce.

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 522, 253 and 324 were withdrawn from the Committee on Ways and Means.

On motion by Senator Spicola, the rules were waived and by two-thirds vote SB 1287 was withdrawn from the Committee on Natural Resources and Conservation.

On motion by Senator Spicola, the rules were waived and by two-thirds vote SB 1451 was withdrawn from the Committee on Rules and Calendar.

REQUEST FOR EXTENSION OF TIME

The Committee on Commerce requests an extension of 7 days for consideration of the following:

SB 265 by Senator Gordon	SB 1014 by Senator Graham
SB 275 by Senator Johnston	SB 857 by Senator Myers
SB 280 by Senator Hair	SB 225 by Senator Deeb
SB 278 by Senator Hair	SB 15 by Senator Glisson
SB 281 by Senator Hair	SB 18 by Senator Winn
SB 312 by Senator Myers	SB 26 by Senator Holloway
SB 313 by Senator MacKay	SB 36 by Senator Glisson
SB 330 by Senator Plante	SB 29 by Senator Scarborough
SB 370 by Senator MacKay	SB 72 by Senator Saylor
SB 380 by Senator Winn	SB 76 by Senator Firestone
SB 399 by Senator J. Thomas	SB 79 by Senator Holloway
SB 401 by Senator Gordon	SB 88 by Senator Firestone
SB 402 by Senator Trask	SB 93 by Senator Dunn
SB 411 by Senator Zinkil	SB 118 by Senator Henderson
SB 413 by Senator Hair	SB 120 by Senator J. Thomas
SB 416 by Senator Hair	SB 144 by Senator J. Thomas
SB 418 by Senator Johnston	SB 151 by Senator Hair
SB 426 by Senator Peterson	SB 162 by Senator Holloway
SB 430 by Senator Gallen	SB 171 by Senator Tobiasen
SB 437 by Senator Deeb	SB 188 by Senator Peterson
SB 441 by Senator Gordon	SB 197 by Senator Plante
SB 444 by Senator Gordon	SB 203 by Senator Hair
SB 455 by Senator Firestone	SB 210 by Senator Glisson
SB 461 by Senator Peterson	SB 211 by Senator Glisson
SB 474 by Senator Winn	SB 214 by Senator Winn
SB 476 by Senator Gordon	SB 250 by Senator Saylor
SB 486 by Senator W. D. Childers	SB 1022 by Senator Poston
SB 487 by Senator W. D. Childers	SB 1031 by Senator Winn
SB 516 by Senator Poston	SB 1044 by Senator Spicola
SB 539 by Senator MacKay	SB 1049 by Senator Gordon
SB 542 by Senator MacKay	SB 1050 by Senator Gordon
SB 543 by Senator MacKay	SB 1068 by Senator Sims
SB 544 by Senator MacKay	SB 1078 by Senator Poston
SB 545 by Senator MacKay	SB 1081 by Senator Plante
SB 546 by Senator MacKay	SB 1089 by Senator McClain
SB 547 by Senator MacKay	SB 1103 by Senator Vogt
SB 550 by Senator Gordon	SB 1104 by Senator Graham
SB 292 by Senator Trask	SB 1106 by Senator Graham
SB 242 by Senator Saylor	SB 1108 by Senator P. Thomas
SB 721 by Senator J. Thomas	SB 1118 by Senator Scarborough
SB 724 by Senator Holloway	SB 1121 by Senator Henderson
SB 728 by Senator Winn	SB 1125 by Senator Lewis
SB 736 by Senator Plante	SB 1129 by Senator Myers
SB 739 by Senator Johnston	SB 1142 by Senator Vogt
SB 747 by Senator Firestone	SB 1143 by Senator Graham
SB 753 by Senator Holloway	SB 1150 by Senator Sims
SB 777 by Senator J. Thomas	SB 1153 by Senator D. Lane
SB 783 by Senator J. Thomas	HB 1381 by Transportation Committee
SB 793 by Senator J. Thomas	
SB 986 by Senator Deeb	
SB 991 by Senator Sims	

MESSAGES FROM THE GOVERNOR

The Governor advised that he had filed in the office of the Secretary of State Senate Bills 45, 184, 318, 697, 606, 647 and 655 which he had approved May 28.

The Governor advised that he had filed in the office of the Secretary of State SB 892 which he had approved May 25, 1976.

The President Pro Tempore presiding

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 adopted SCR 1458.

Allen Morris, Clerk

The concurrent resolution was ordered enrolled.

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment to House Amendment 10 and passed CS for SJR's 49 & 81, as further amended, by the required constitutional three-fifths vote of the membership of the House.

Allen Morris, Clerk

The bill was ordered engrossed and then enrolled.

The Honorable Dempsey J. Barron, President

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

By Senators Sayler and Zinkil—

SB 54—A bill to be entitled An act relating to compensation of county officials; repealing s. 145.18(1), Florida Statutes, which provides annual cost-of-living adjustments to county officials' salaries; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 12, strike everything after the enacting clause and insert: Section 1.

Section 145.18, Florida Statutes, is amended to read:

145.18 Annual cost-of-living adjustments; limitations.—

(1) Commencing October 1, 1976 ~~1974~~ the salaries herein provided shall be adjusted annually, ~~whether the adjustment results in an increase or decrease of the salary,~~ by a factor based upon the United States Department of Labor Consumer Price Index, hereinafter referred to as the index. The factor is the quotient of the value of the index (1967 = 100) for the fiscal year ending June 30 prior to the year for which the factor is being computed, divided by the value of the index for fiscal year ending June 30, 1973. The Department of Administration shall certify the factor to each county not later than September 1 of each year, and the county shall adjust the salaries as of October 1 of each year. The adjusted salary rate shall be the product, rounded to the nearest dollar, of the salary rate granted by the appropriate section of this chapter, multiplied by the factor certified by the Department of Administration.

(2) No county officer whose salary is fixed pursuant to this chapter shall receive, in any county fiscal year, a cost-of-living adjustment unless a salary adjustment for state employees under the career service system is authorized by the Legislature during the comparable state fiscal year and unless the annual cost-of-living adjustment, as computed pursuant to subsection (1), is 3 percent or greater than the adjustment computed for the preceding fiscal year. In no event shall such county officer receive, in any one fiscal year, a cost-of-living adjustment in excess of 3 percent of his salary for the preceding fiscal year. In no event shall any person receive for the execution of his powers, functions, and official duties compensation in excess of the salaries provided in this chapter, and in no event shall any person receive an increase in salary in any one fiscal year in excess of 20 percent of his total compensation for the preceding fiscal year ending June 30. However, the provisions of this section shall not apply to the special qualification salary under s. 145.10(3).

(3) In no event shall any county officer whose salary is fixed pursuant to this chapter receive for the performance of

the powers, functions, and duties of his office only compensation in excess of the salary determined in accordance with this chapter.

Section 2. This act shall not affect cost-of-living adjustments certified prior to the effective date of this act.

Section 3. There shall be no cost-of-living adjustments under the provisions of this act prior to October 1, 1977.

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

Amendment 2—On page 1 in title, lines 5-7, strike "repealing s. 145.18(1), Florida Statutes, which provides annual cost-of-living adjustments to county officials' salaries;" and insert: amending s. 145.18, Florida Statutes, providing additional requirements before county officers may receive cost-of-living salary increases; providing a maximum percentage of increase annually; providing that cost-of-living salary adjustments already certified shall not be affected;

On motions by Senator Sayler, the Senate refused to concur in House amendments 1 and 2 to SB 54, and the House was requested to recede therefrom, and in the event the House refused to recede, a conference committee was requested to adjust the differences between the House and Senate. The action, with bill and amendments, was certified to the House.

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has refused to recede from House Amendments 2, 3, 4 and has refused to concur in Senate Amendment 1 to House Amendment 1 to:

By Senators W. D. Childers and Tobiassen—

SB 935—A bill to be entitled An act relating to the Escambia County School District; providing for the employment of the school superintendent by the school board; providing for two additional school board members-at-large; providing compensation for school board members; providing for nonpartisan election of school board members; providing for filing fees and conduct of candidates; providing penalties; providing a referendum; providing an effective date.

—and again requests the Senate to concur.

Allen Morris, Clerk

Amendment 2—On page 1, lines 27 through page 6, line 5, strike Sections 3 and 4 inclusive and renumber subsequent sections

Amendment 3—On page 6, lines 20-25, strike Questions 3 and 4 inclusive

Amendment 4—On page 1 in title, lines 8-12, strike "providing compensation for school board members; providing for nonpartisan election of school board members; providing for filing fees and conduct of candidates; providing penalties;"

House Amendment 1—On page 6, line 12, strike "on June 8, 1976" and insert the following: held thirty (30) days after the effective date but must be at least seven (7) days prior to July 6, 1976

Senate Amendment to House Amendment 1—On page 1 of the amendment, lines 1 and 2, strike thirty (30) days after the effective date but must be at least seven (7) days

On motions by Senator W. D. Childers, the Senate again refused to concur in House Amendments 2, 3 and 4 and the House was requested to recede therefrom.

On motion by Senator W. D. Childers, the Senate refused to recede from Amendment 1 to House Amendment 1 to SB 935 and again requested the House to concur.

The action of the Senate was certified to the House.

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendments 1 and 2, concurred in same as amended and passed HB 3442, as amended, and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Criminal Justice—

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

House Amendment 1 to Senate Amendment 1—On page 4, line 16, insert after period (.): (6) Nothing in this act shall be construed to apply to licensed and certified electrical contractors while performing usual and ordinary service in accordance with recognized standards.

House Amendment 2 to Senate Amendment 2—On page 1, strike the title and insert: A bill to be entitled An act relating to criminal trespass and larceny; creating s. 810.095, Florida Statutes; defining "utility"; prohibiting certain willful acts of alteration of, attachment to, or interference with certain utility or cable television service and or community antenna line service fixtures or using electricity, gas or water or other specified services from such altered fixtures; providing a presumption of intent; providing a penalty; providing an exemption; providing liability for damages in a civil action; providing an effective date.

On motions by Senator Holloway, the Senate concurred in House Amendment 1 to Senate Amendment 1 and House Amendment 2 to Senate Amendment 2.

HB 3442 passed as amended by the House amendments to the Senate amendments and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Votes after roll call:

Yeas—Gordon, Tobiassen and Wilson

The Honorable Dempsey J. Barron, President

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

By the Committee on Judiciary-Civil and Senator Trask and others—

CS for SB 277—A bill to be entitled An act relating to mobile homes; creating the "Florida Mobile Home Landlord and Tenant Act"; creating ss. 83.750-83.758, Florida Statutes; providing for the application of the act; providing definitions; providing for good faith performance of rental agreements; providing for the effect of unconscionable mobile home lot agreements; prohibiting or declaring unenforceable certain provisions in mobile home lot rental agreements; authorizing award of attorney's fees to mobile home owners in certain cases; providing for park owner's access to mobile homes only upon written consent; providing for reasonable access to lots; providing for the obligation of the mobile home owner and the mobile home park owner to maintain their premises; amending

and renumbering s. 83.69, Florida Statutes, as s. 83.759; providing for the eviction of mobile home owners and residents with written notice; amending and renumbering s. 83.695, Florida Statutes, relating to mobile home leases, as s. 83.760; conforming language to the provisions of the act; repealing ss. 83.72 and 83.73, Florida Statutes, relating to civil remedy and injunctions, and creating s. 83.761, Florida Statutes; providing for civil remedy, venue, court costs, attorney's fees, and injunctions with respect to violation of part III of chapter 83; creating ss. 83.762 and 83.763, Florida Statutes; requiring mobile home park owners to make certain disclosures prior to any rental agreements with mobile home owners; providing defenses to an action for rent or possession with respect to mobile homes; amending and renumbering s. 83.70, Florida Statutes, as s. 83.764, and amending and renumbering s. 83.71, Florida Statutes, as s. 83.765; conforming language to the provisions of the act; designating ss. 83.750-83.765, Florida Statutes, as set forth herein, as part III of chapter 83 Florida Statutes, "Landlord and Tenant: Mobile Homes"; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 9, line 30, strike "shall" and insert: may

Amendment 2—On page 4, lines 29-31, strike "or there is reasonable grounds to believe that entry is necessary for the health and welfare of the tenant." and insert: or to prevent imminent danger to the occupant or the mobile home.

Amendment 3—On page 7, line 1, strike "90 days'" and insert: six months'

Amendment 4—On page 1, line 17, before the semicolon insert: or to prevent imminent danger to the occupant or the mobile home

On motions by Senator Glisson, the Senate concurred in House amendments 1, 2, 3 and 4 to CS for SB 277.

CS for SB 277 passed as amended by the House amendments, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

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

Nays—1

Plante

Votes after roll call:

Yeas—Tobiassen and Wilson

The bill was ordered engrossed and then enrolled.

The Honorable Dempsey J. Barron, President

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

By the Committee on Education and Senator Peterson and others—

CS for SB 575—A bill to be entitled An act relating to student conduct and discipline; adding s. 228.041(26)-(29), Florida Statutes; providing definitions; amending s. 230.23(6)(c), Florida Statutes, and adding paragraph (d) to said subsection; requiring the school board to develop a code of student conduct and requiring such code be made available to certain persons; providing for the procedure in expulsion in hearings; amending s. 230.33(8)(c), Florida Statutes; requiring the superintendent to notify the pupil and his parent or guardian of recommenda-

tion for expulsion; amending ss. 232.26(1), 232.27, Florida Statutes; providing for the authority of principals and teachers in the control and discipline of students; creating s. 232.275, Florida Statutes; providing that certain persons are not liable for disciplinary actions; providing an exception; amending s. 230.234, Florida Statutes; authorizing the district school board to provide legal services and costs to certain persons against whom a civil action or criminal action is brought; adding s. 39.03(1)(g), Florida Statutes; authorizing a law enforcement officer to take a child into custody, for the purpose of delivering the child to the school system, when such officer has reasonable ground to believe that the child is truant; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 6, strike everything after the enacting clause and insert: Section 1. Short title.—This act shall be known and may be cited as the “Student Responsibilities and Discipline Act of 1976.”

Section 2. Legislative intent.—It is the intent of the Legislature that school personnel shall enforce and students shall observe standards of conduct in school conducive to learning. Behavior which is disruptive of the common goals and teaching objectives of the public school system shall be prohibited. It is further intended that all necessary disciplinary measures shall be taken and that reasonable due process procedures shall be followed.

Section 3. Definitions.—As used in this act, unless the context clearly requires otherwise:

(1) “Suspension” means the temporary removal of a student from his regular school program for a period of not more than 10 school days.

(2) “Expulsion” means the removal of the right and obligation of a student to attend a public school for the remainder of that term or school year.

Section 4. Paragraph (c) of subsection (6) of section 230.23, Florida Statutes, is amended and paragraph (d) is added to said subsection to read:

230.23 Powers and duties of school board.—The school board, acting as a board, shall exercise all powers and perform all duties listed below:

(6) **CHILD WELFARE.**—Provide for the proper accounting for all children of school age, for the attendance and control of pupils at school, for proper attention to health, safety, and other matters relating to the welfare of children in the following fields, as prescribed in chapter 232.

(c) **Control of pupils.**—Adopt rules and regulations for the control, discipline, ~~and~~ suspension, and expulsion of pupils and decide all cases recommended for ~~expulsion~~ ~~dismissal~~.

(d) **Code of student conduct.**—Make available to all school personnel, students, and parents or guardians, at the beginning of the 1977-78 school year and every year thereafter, a code of student conduct developed by teachers and other school personnel, students, and parents or guardians. Such a code shall be based upon rules governing student conduct and discipline promulgated by the district school board and may be articulated at the school level in the student handbook or similar publication. The code shall include, but not be limited to, specific grounds for disciplinary action, procedures that will be followed for acts requiring discipline, and an explanation of the responsibilities and rights of students with regard to attendance, respect for persons and property, knowledge and observation of rules for conduct, the right to learn, free speech and student publications, assembly, privacy, and participation in school programs and activities.

Section 5. Paragraph (c) of subsection (8) of section 230.33, Florida Statutes, is amended to read:

230.33 Duties and responsibilities of superintendent.—The superintendent shall exercise all powers and perform all duties listed below and elsewhere in the law; provided, that in so doing he shall advise and counsel with the school board. The recommendations, nominations, proposals and reports required by law and regulation to be made to the school board by the

superintendent shall be either recorded in the minutes or shall be made in writing, noted in the minutes and filed in the public records of the board. It shall be presumed that, in the absence of the record required in this paragraph, the recommendations, nominations and proposals required of the superintendent were not contrary to the action taken by the school board in such matters.

(8) **CHILD WELFARE.**—Recommend plans to the school board for the proper accounting for all children of school age, for the attendance and control of pupils at school, for the proper attention to health, safety, and other matters which will best promote the welfare of children in the following fields, as prescribed in chapter 232:

(c) **Control of pupils.**—Propose rules and regulations for the ~~proper~~ control, discipline, ~~and~~ suspension, and ~~expulsion~~ of pupils and review and may modify recommendations for suspension and ~~expulsion~~ of pupils and transmit to the school board for action recommendations for ~~expulsion~~ ~~dismissal~~ of pupils. *When the superintendent makes a recommendation for expulsion to the district school board, he shall notify the pupil and his parent or guardian in writing of the recommendation, setting forth the charges against the pupil and advising the pupil and his parent or guardian of his right to due process as prescribed by chapter 120.* When school board action on a recommendation for the ~~expulsion~~ ~~dismissal~~ of a pupil is pending, the superintendent may extend the suspension assigned by the principal beyond 10 school days if such suspension period expires before the next regular or special meeting of the school board.

Section 6. Subsection (1) of section 232.26, Florida Statutes, is amended to read:

(Substantial rewording of subsection. See s. 232.26(1), F.S., for present text.)

232.26 Authority of principal.—

(1)(a) Subject to law and rules of the district school board, the principal or his designated representative in charge of school shall develop policies by which he may delegate to other school personnel such responsibility for the control and direction of students as he may consider desirable.

(b) The principal or his designated representative shall suspend a student in accordance with the rules of the district school board; however, each such suspension shall immediately be reported in writing, with the reasons therefor, to the parent or guardian and to the superintendent. No student who is required by law to attend school shall be suspended for unexcused absence or truancy. The principal or his designated representative may suspend any student transported to or from school at the public expense from the privilege of riding on a school bus, giving immediate notice in writing to the parent or guardian and to the superintendent. School personnel shall not be held criminally or civilly liable for suspensions, expulsions or discipline of students made in good faith.

(c) The principal or his designated representative may recommend to the superintendent expulsion for any student who has committed a serious breach of conduct including, but not limited to, violence against persons or property or any other act which substantially disrupts the orderly conduct of the school. Any recommendation of expulsion shall include a detailed report by the principal or his designated representative on the alternative measures taken prior to the recommendation of expulsion.

(d) The principal or his designated representative shall include an analysis of suspensions and expulsions in the annual report of school progress.

Section 7. Section 232.27, Florida Statutes, is amended to read:

232.27 Authority of teacher.—*Subject to law and rules of the district school board each teacher or other member of the staff of any school shall have ~~assume~~ such authority for the control and discipline of pupils as may be assigned to him by the principal or his designated representative and shall keep good order in the classroom and in other places in which he is assigned to be in charge of pupils. If the teacher feels that corporal punishment should be inflicted upon a pupil, he shall refer the pupil to the principal or his designated representative who may administer this punishment. A teacher shall not*

inflict corporal punishment except upon prior approval of, and in the presence of, the principal or his designated representative. , but he shall not inflict corporal punishment before consulting the principal or teacher in charge of the school, and In no case shall such punishment be degrading or unduly severe in its nature. Under no circumstances may a teacher (except of a one-teacher school) suspend a pupil from school or class. No teacher shall be held criminally or civilly liable for discipline of a pupil or recommendation of suspension made in good faith.

Section 8. This act shall take effect September 1, 1977.

On motion by Senator Peterson, the Senate refused to concur in the House amendment to CS for SB 575, and the House was requested to recede therefrom. The action, with the bill and amendment, was certified to the House.

Senator Graham moved that the House be requested to return SB 321. The motion failed.

Senator Graham moved that the Senate reconsider the vote by which the motion to recall SB 321 from the House failed. The motion failed.

CONSENT CALENDAR

SB 363—A bill to be entitled An act relating to destruction of diseased cattle; amending s. 585.10, Florida Statutes; increasing compensation to cattle owners for destruction of diseased cattle upon order of the Department of Agriculture and Consumer Services; providing an effective date.

—was read the second time by title. On motion by Senator J. Lane, by two-thirds vote SB 363 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Votes after roll call:

Yeas—Childers, W. D., Graham and Lane, D.

SB 182—A bill to be entitled An act relating to homestead exemption; amending s. 196.081(1), Florida Statutes; deleting the listing of specified disabilities from provisions which exempt from taxation the homestead property of certain totally and permanently disabled veterans; requiring such veterans to be permanent residents of the state; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 20, strike “an ex-serviceman” and insert: a veteran

Amendment 2—On page 2, line 3, strike “ex-serviceman” and insert: veteran

On motion by Senator J. Lane, by two-thirds vote SB 182 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Childers, W. D.

SB 850—A bill to be entitled An act relating to the Solicitation of Charitable Funds Act; adding s. 496.021(4), Florida Statutes; providing certain employees of the Department of State access to criminal justice information; amending s. 496.03(1), Florida Statutes; providing that certificates of registration be received by charitable organizations before solicitation of charitable funds; increasing the amount of charitable contributions received by the organization that entitled it to exemption from the public accountant audit requirement; amending s. 496.031(1), (2), Florida Statutes; requiring applicants for registration as professional solicitors to submit fingerprints and photographs; providing that employees of a professional solicitor meet the same standards as professional solicitors; amending s. 496.04(1)(c), Florida Statutes; increasing the minimum amount of funds that must be raised by charitable organizations before they are required to pay registration fees; amending s. 496.08, Florida Statutes; deleting the requirement that the department send lists of registrants to clerks of the circuit courts; amending s. 496.11(11), Florida Statutes; prohibiting misleading solicitation in the name of governmental agencies; creating s. 496.133, Florida Statutes; providing for the exclusion of additional local permits for charitable organizations and professional solicitors; repealing s. 496.132, Florida Statutes, which permits more stringent local regulation; 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 Henderson:

Amendment 1—On page 3, line 31, after the period insert: *Such statement also shall be submitted in lieu of an audit when the charitable organization is a local chapter of a national charitable organization whose financial records are determined by the Department of State to provide adequate information to protect the public from solicitations not permitted by this act.*

Senator Henderson moved the following substitute amendment which was adopted:

Amendment 2—On page 3, line 31, insert at the end of line 31: *Provided however, that if the charitable organization is a local chapter of a national charitable organization which has submitted a financial statement that the department of state determines is adequate to provide information to protect the public the provisions of this paragraph shall not apply.*

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

Amendment 3—On page 7, lines 7 through 15, strike all of Section 7 and insert a new Section 7 to read: Section 7. Subsection (12) is added to section 496.11, Florida Statutes, to read:

496.11 Prohibited act.—

(12) *Every charitable organization which intends to use the telephone to solicit contributions, sales of tickets, advertising, or any other service, shall prior to the solicitation file and have approved by the Department of State a copy of the text to be used for such purpose. The Department of State may require full disclosure of the use and purposes of the funds solicited, may reject language submitted or may require additional language to clarify or prevent misleading statements or interpretations in the solicitation.*

The Committee on Commerce offered the following amendments which were moved by Senator Henderson and adopted:

Amendment 4—On page 2, lines 1-3, strike “providing for the exclusion of additional local permits for charitable organizations and professional solicitors;” and insert: providing for telephone solicitations under certain conditions;

Amendment 5—On page 1, line 31 in title, strike the words “creating s. 496.133,” and on page 2, lines 1-3, strike all of lines 1-3 and insert: creating s. 496.11(12), Florida Statutes; limiting the use of telephones for charitable solicitations;

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

Amendment 6—On page 1, line 15, after the “;” insert providing an alternative to submitting certified audits;

Senator Henderson moved the following title amendment which was adopted:

Amendment 7—On page 1, line 15, after “requirement” insert: and allowing exemption of local chapters of national charitable organizations

On motion by Senator Henderson, by two-thirds vote SB 850 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Sims

SB 815—A bill to be entitled An act relating to assessments for ad valorem tax purposes; providing that when any building used by the public is renovated to make it accessible to the physically handicapped, the renovations shall be assessed at the salvage value of the materials; providing minimum renovation requirements; providing an effective date.

—was read the second time by title.

Senator Henderson moved the following amendments which were adopted:

Amendment 1—On page one, line 29, strike “free movement between public use areas,”

Amendment 2—On page 1, line 25, strike “minimum”

On motion by Senator Henderson, by two-thirds vote SB 815 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

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

Nays—None

Votes after roll call:

Yeas—Childers, W. D. and Sims

SB 132—A bill to be entitled An act relating to the Solicitation of Charitable Funds Act; amending s. 496.02(5)(b), Florida Statutes; excluding an employee of a professional solicitor from the definition of the term “professional solicitor”; amending s. 496.031(2), Florida Statutes; excluding certain employees making telephone solicitations from the requirement of applying for an employee’s certificate; amending s. 496.11(5), (7)-(11), Florida Statutes; prohibiting agents, servants, or employees of professional solicitors from soliciting without complying with certain conditions; amending s. 496.13(2), Florida Statutes; including agents, servants, or employees of professional solicitors within the group which the Department of State may investigate with respect to violations; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator McClain and adopted:

Amendment 1—On pages 1 and 2, strike all of Section 1 and insert: Section 1. Paragraph (a) of subsection (5) of section 496.02, Florida Statutes, is amended to read:

(5)

(a) “Professional solicitor” means any person who, for a financial or other consideration, solicits contributions for, or on behalf of a charitable organization whether such solicitation is performed personally or through his agents, servants or employees or through agents, servants or employees specially employed by or for a charitable organization, who are engaged in the solicitation of contributions under the direction of such person, or a person who plans, conducts, manages, carries on or advises a charitable organization in connection with the solicitation of contributions; provided, that no agent, servant or employee of a professional solicitor shall be deemed to be a professional solicitor.

Amendment 2—On page 1, line 5 in title, strike “(b)” and insert: (a)

On motion by Senator McClain, by two-thirds vote SB 132 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—30

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

Nays—1

Lane, D.

Votes after roll call:

Yeas—Childers, W. D. and Sims

SB 398—A bill to be entitled An act relating to campaign financing; renumbering s. 106.10(4), Florida Statutes, and adding a new subsection to said section; requiring the return of unexpended campaign contributions; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 17, after “a candidate” insert: who is unopposed

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

Amendment 2—On page 1, line 20, strike "said contributions" and insert: the amount of contributions remaining in excess of \$1,000.00

Senators McClain and Peterson offered the following amendment to Amendment 2 which was moved by Senator McClain and adopted:

Amendment 2A—On page 1, line 2 of amendment 2, strike "\$1,000.00" and insert: \$5,000.00

Amendment 2 as amended was adopted.

On motion by Senator McClain, by two-thirds vote SB 398 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—3

Childers, D. Plante Wilson

Votes after roll call:

Yeas—Childers, W. D. and Sims

SB 481 was taken up and on motion by Senator Lewis—

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

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Lewis, by two-thirds vote HB 1826 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Votes after roll call:

Yeas—Childers, W. D. and Sims

SB 481 was laid on the table.

HB 3986—A bill to be entitled An act relating to pari-mutuel wagering; adding subsection (3) to s. 550.08, Florida Statutes, providing for the restoration of certain racing and jai alai performances when such performances are lost as a result of circumstances beyond the control of the permittee; providing an effective date.

—was read the second time by title. On motion by Senator P. Thomas, by two-thirds vote HB 3986 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—1

Peterson

Votes after roll call:

Yeas—Childers, W. D. and Sims

On motion by Senator P. Thomas, the rules were waived and by two-thirds vote HB 2970 was withdrawn from the Committee on Commerce and placed on the calendar.

SB 551 was taken up and on motion by Senator P. Thomas—

HB 2970—A bill to be entitled An act relating to sale of livestock; requiring prompt payment by livestock processors for cattle and hogs purchased; providing a penalty for failure to comply or for actions of a processor causing artificial delay in collection of funds; creating a lien in favor of the seller in livestock and the products and proceeds therefrom; providing for other matters relative to the foregoing; providing an effective date.

—a companion measure was substituted therefor and read the second time by title.

Senator P. Thomas moved the following amendment which was adopted:

Amendment 1—On page 2, line 31, strike "for slaughter"

On motion by Senator P. Thomas, by two-thirds vote HB 2970 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Votes after roll call:

Yeas—Childers, W.D., and Sims

SB 551 was laid on the table.

SB 929—A bill to be entitled An act relating to the regulation of motor carriers; amending s. 323.29(4)(b), Florida Statutes; providing a limitation on the exemption from regulation of wreckers; providing an effective date.

—was read the second time by title. On motion of Senator Brantley, by two-thirds vote SB 929 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—23

Brantley	Hair	Peterson	Tobiassen
Childers, D.	Holloway	Poston	Trask
Deeb	Johnston	Renick	Vogt
Dunn	Lane, J.	Spicola	Ware
Glisson	McClain	Stolzenburg	Winn
Gordon	Myers	Thomas, J.	

Nays—10

Firestone	Lane, D.	Plante	Zinkil
Gallen	Lewis	Saylor	
Henderson	Mackay	Wilson	

Votes after roll call:

Yeas—Childers, W. D. and Sims
Yea to Nay—Spicola and Vogt

SB 472—A bill to be entitled An act relating to diabetes; creating diabetes centers for education, treatment, and research; providing for administration of the program by the Secretary of the Department of Health and Rehabilitative Services; providing duties for the centers; creating a Diabetes Advisory Council; providing for its membership; authorizing the diabetes centers to apply for and accept funds, grants, gifts, or services; providing an effective date.

—was read the second time by title.

The Committee on Health and Rehabilitative Services offered the following amendment which was moved by Senator D. Lane and adopted:

Amendment 1—On page 3, between lines 14 and 15, insert a new section 6 and renumber present section 6: Section 6. The total cost related to the act shall be paid from grants, donations and funds for services and not from general revenue funds.

Senator D. Lane moved the following amendments which were adopted:

Amendment 2—On page 1, line 21, strike “administered by the Secretary of the Department of Health and Rehabilitative Services in consultation with the Department of Education.” and insert: administered by the medical schools of the state in consultation with the Secretary of the Department of Rehabilitative Services.

Amendment 3—On page 2, line 22, following the word “by” insert: the Board of Regents, the Board of Trustees of the University of Miami, and

Amendment 4—On page 2, line 16, following the word “the” insert: Deans of the medical schools in which are located

Amendment 5—On page 1, line 7, strike “Secretary of the Department of Health and Rehabilitative Services” and insert following the word “the”: Medical Schools of the State in consultation with the Secretary of the Department of Health and Rehabilitative Services

On motion by Senator D. Lane, by two-thirds vote SB 472 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Votes after roll call:

Yeas—Childers, W. D. and Sims

HB 1052—A bill to be entitled An act relating to holidays; recognizing Patriots' Day on the nineteenth day of April as one of great historical significance and encouraging its commemoration; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator Plante and adopted:

Amendment 1—On page 2, line 6, insert new section 2 and renumber subsequent sections:

Section 2. Section 683.03, Florida Statutes, is created to read:

683.03 Paid holidays observed by state agencies.—

(1) The following holidays shall be paid holidays observed by state agencies:

- (a) New Year's Day
- (b) Memorial Day
- (c) Independence Day
- (d) Labor Day
- (e) Veterans' Day November 11
- (f) Thanksgiving Day
- (g) Friday after Thanksgiving
- (h) Christmas Day

(2) The Secretary of Administration may designate any one other working day as a paid holiday for employees in career service or may declare, when appropriate a State Day of Mourning in observance of the death of a statesman in recognition of services rendered to the state or the nation.

Amendment 2—On page 1, line 7 in title, insert after the semicolon: creating section 683.03, Florida Statutes, providing for paid holidays observed by state agencies

On motion by Senator Plante, by two-thirds vote HB 1052 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Votes after roll call:

Yeas—Childers, W. D. and Sims

HB 2338—A bill to entitled An act relating to motor vehicle registration; amending s. 320.05, Florida Statutes, prohibiting disclosure of certain information with respect to motor vehicle registration by telephone unless authorized by departmental rule; 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 Zinkil:

Amendment 1—On page 1 beginning on line 13, strike everything after the enacting clause and insert: Section 1. Section 320.05, Florida Statutes, is amended to read:

320.05 Registration: *disclosure of information open to inspection.*—

(1) Upon the receipt of an application for the registration of a motor vehicle, trailer, or semitrailer, as herein provided for, the department shall file such application and register such motor vehicle, trailer, or semitrailer, with the name, residence, and business address of the owner, manufacturer, or dealer, as the case may be, together with the facts stated in such application, in a book or index to be kept for the purpose, under the distinctive number assigned to such motor vehicle, trailer, or semitrailer by the department, ~~which book or index shall be open to the inspection of the public during business hours.~~

(2) *Except as provided in subsection (3), no information received in conjunction with an application for the registration of a motor vehicle, trailer, or semitrailer shall be disclosed by the department or by the office of any county tax collector to any person except upon receipt of a written request stating the name and address of the person making the request and stating a legitimate need to know such information, unless the person making the request is the owner of record, his agent or personal representative, a public official acting in the performance of his duties, or an attorney, private investigator, or detective licensed in this state, then he need only make a written request stating his name and address. If, upon receipt of a written request for information, the department, or the office of the county tax collector finds that the person has properly identified himself and is the owner of record, his agent or personal representative, a public official acting in the performance of his duties, or an attorney, private investigator, or detective licensed in this state, or has stated a legitimate need to know the requested information, the department or office of the county tax collector shall disclose such information to such person and shall make and maintain a record of the disclosure, which record shall contain the name and address of the person to whom the information is disclosed, the nature of the information disclosed, the date the disclosure is made, and, if the person to whom the information is disclosed is not the owner of record, his agent or personal representative, a public official acting in the performance of his duties, or an attorney, private investigator, or detective licensed in this state, the reason for which the information was requested.*

(3) *The department or an office of a county tax collector may disclose information received in conjunction with an application for the registration of a motor vehicle, trailer, or semitrailer without receipt of a written request or over the telephone to a law enforcement officer making the request in his official capacity, provided that the department or the office of county tax collector verifies that the person to whom the information is disclosed is a law enforcement officer and makes and maintains a record of the disclosure, which record shall contain the name of the person to whom the information is disclosed, the nature of the information disclosed, and the date the disclosure is made.*

(4) *The department shall promulgate rules prescribing the forms and procedures to be followed in disclosing any information received in conjunction with an application for the registration of a motor vehicle, trailer, or semitrailer, prescribing the procedures to be followed in making and maintaining records of disclosures, and prescribing the reasons and circumstances which constitute a legitimate need to know based on those legal, contractual, marital, and family relationships between a person requesting information and an owner of record, which relationship reasonably entitles such person to the information, and based on those legal, contractual and equitable rights in a registered vehicle, trailer or semitrailer which reasonably entitles the person to information about such vehicle or its owner.*

Section 2. This act shall take effect October 1, 1976.

Senator Zinkil moved the following amendment to Amendment 1 which was adopted:

Amendment 1A—On page 3, line 9, after the word "owner" strike the period and insert: ", except that a legitimate need shall be deemed to include the use of registration information for statistical reports so prepared as to prevent the identification of any individual or use of such information to be provided to a governmental agency or a third party pursuant to federal or state law.

Amendment 1 as amended was adopted.

Further consideration of HB 2338 as amended was deferred.

SB 823—A bill to be entitled An act relating to revenues from taxes levied for road and bridge purposes; amending s. 336-59(2), Florida Statutes; providing that the share of such revenues turned over to cities and towns by the county commissioners may be used for construction of roads and streets; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, strike line 21 and insert: *constructing, repairing, and maintaining the roads, and streets, and bridges*

Amendment 2—On page 1, in title, strike line 9 and insert: *used for the construction of roads, streets and bridges;*

On motion by Senator Zinkil, by two-thirds vote SB 823 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Childers, W. D.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 3156 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health & Rehabilitative Services and Representatives Hodes and others—

CS for HB 3156—A bill to be entitled An act relating to regional neonatal intensive care program centers; providing legislative intent and definitions; establishing the regional neonatal intensive care program centers and providing for affiliated centers to be administered by the Department of Health and Rehabilitative Services; providing conditions for grant agreements, reimbursements, and guidelines for disbursing grants; establishing the Neonatal Advisory Council; providing for program review; providing an effective date.

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

CONSENT CALENDAR, continued

SB 937 was taken up and on motion by Senator Henderson, CS for HB 3156, a companion measure was substituted therefor. On motions by Senator Henderson, by two-thirds vote CS for HB 3156 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

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

Nays—None

Votes after roll call:

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

SB 937 was laid on the table.

SB 829 was taken up, together with:

By the Committee on Natural Resources and Conservation and Senator Spicola—

CS for SB 829—A bill to be entitled An act relating to the State Wilderness System Act; amending ss. 258.17, 258.19, 258.21, 258.22, 258.23, 258.25, 258.26, 258.28, 258.29, 258.30, 258.32, Florida Statutes; providing for administration of the act by the Department of Natural Resources; changing the duties of the interagency advisory committee; providing management and use criteria for the system; providing for withdrawal of lands from the system; prohibiting any use of land leased by the department for incorporation in the system which is incompatible with the provisions of the act; repealing s. 258.20, Florida Statutes, which designates the types of wilderness areas; repealing s. 258.27, Florida Statutes, which requires consideration of competing uses of potential wilderness areas; repealing s. 258.33, Florida Statutes, which requires review of land holdings by governmental units prior to 1973; providing an effective date.

—which was read the first time by title and SB 829 was laid on the table.

On motions by Senator Spicola, by two-thirds vote CS for SB 829 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

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

Nays—2

Saunders Zinkil

Vote after roll call:

Yea—Childers, W. D.

SB 331—A bill to be entitled An act relating to boards of tax adjustment; amending ss. 193.116(1), 193.122(1), (2), (4), 193.461(2), 193.507(4), 194.011(3)(b), 194.015, 194.032(1), (3), (5), (7), (8), 194.042(1), 194.181(2), 195.022, 195.027(1), 195.032, 195.096(2), (4), 196.151, 196.193(1)(c), (5), 196.194, 196.195(1), (4), 200.011(2), (6), 200.065(5), Florida Statutes; changing the name of each board of tax adjustment to "property appraisal adjustment board" and conforming all affected sections to this change in nomenclature; providing an effective date.

—was read the second time by title. On motion by Senator Spicola, by two-thirds vote SB 331 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Childers, W. D.

SB 405—A bill to be entitled An act relating to battery; amending s. 784.03, Florida Statutes; providing that a battery against a law enforcement officer, fire fighter, or volunteer fireman acting within the performance of his duties is punishable as a felony; providing an effective date.

—was read the second time by title.

Senator Firestone moved the following amendments which were adopted:

Amendment 1—On page 1, line 13, strike everything after the enacting clause and insert: Section 1. Section 784.07, Florida Statutes, is created to read:

784.07 Assault or battery of law enforcement officers or fire fighters; reclassification of offenses.—

(1) *As used in this section, the term "law enforcement officer" includes, but shall not be limited to, any sheriff, deputy sheriff, municipal police officer, highway patrol officer, beverage enforcement agent, county probation officer, officer of the parole and probation commission, and law enforcement personnel of the Game and Fresh Water Fish Commission and the Departments of Natural Resources and Criminal Law Enforcement.*

(2) *"Fire Fighter" as used in this section shall mean any person employed by any public employer of this state whose duty it is to extinguish fires, to protect life, or to protect property, and the enforcement of municipal, county, and state fire prevention codes, as well as any law pertaining to the prevention and control of fires.*

(3) *Whenever any person is charged with knowingly committing an assault or battery upon a law enforcement officer or fire fighter while the officer or fire fighter is engaged in the lawful performance of his duties, the offense for which the person is charged shall be reclassified as follows:*

(a) *In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree;*

(b) *In the case of battery, from a misdemeanor of the first degree to a felony of the third degree.*

Section 2. Subsection (2) of section 775.087, Florida Statutes, is amended to read:

775.087 Possession or use of weapon; aggravated battery; felony reclassification; minimum sentence.—

(2) *Any person who is convicted of any murder, sexual battery, robbery, burglary, arson, aggravated assault, aggravated battery, kidnapping, escape, breaking and entering with intent to commit a felony, or aircraft piracy, or any attempt to commit the aforementioned crimes, or of any battery upon a law enforcement officer or fire fighter while the officer or fire fighter is engaged in the lawful performance of his duties, and who had in his possession a "firearm," as defined in subsection 790.001(6), or "destructive device," as defined in subsection 790.001(4), shall be sentenced to a minimum term of imprisonment of 3 calendar years. Notwithstanding the provisions of s. 948.01, adjudication of guilt or imposition of sentence shall not be suspended, deferred, or withheld, nor shall the defendant be eligible for parole or statutory gain time under ss. 944.27 or 944.29, prior to serving such minimum sentence.*

Section 3. This act shall take effect October 1, 1976.

Amendment 2—On page 1, strike all of lines 4-9 and insert: An act relating to criminal law; creating s. 784.07, Florida Statutes, defining "law enforcement officer" and fire fighter; providing that persons who knowingly commit an assault or battery upon a law enforcement officer or fire fighter in the lawful performance of his duty shall be charged with a more serious crime; amending s. 775.087(2), Florida Statutes, including battery upon a law enforcement officer or fire fighter among those offenses subject to a minimum 3-year sentence if a firearm or destructive device was in the possession of the offender during the commission of the offense; specifying that the minimum 3-year sentences for specified offenses shall be for 3 calendar years; providing an effective date.

On motion by Senator Firestone, by two-thirds vote SB 405 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

Table with 4 columns: Brantley, Childers, D., Deeb, Dunn, Firestone, Gallen, Glisson, Gordon, Graham, Hair, Henderson, Holloway, Johnston, Lane, D., Lane, J., Lewis, MacKay, McClain, Myers, Peterson, Poston, Renick, Saunders, Saylor, Scarborough, Sims, Spicola, Stolzenburg, Thomas, J., Thomas, P., Trask, Vogt, Ware, Wilson, Winn, Zinkil

Nays—None

Votes after roll call:

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

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

—was read the second time by title. On motion by Senator Firestone, by two-thirds vote SB 1204 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Table with 4 columns: Brantley, Childers, D., Dunn, Firestone, Gallen, Glisson, Gordon, Graham, Hair, Henderson, Holloway, Johnston, Lane, D., Lane, J., Lewis, MacKay, McClain, Myers, Peterson, Poston, Saunders, Saylor, Scarborough, Sims, Spicola, Stolzenburg, Thomas, P., Trask, Vogt, Ware, Wilson, Winn, Zinkil

Nays—None

Votes after roll call:

Yeas—Childers, W. D., Thomas, J., Renick, and Tobiassen

On motion by Senator Firestone, the rules were waived and SB 1204 was ordered immediately certified to the House.

On motion by Senator Gallen, the rules were waived and by two-thirds vote HB 1954 was withdrawn from the Committees on Commerce, Judiciary-Civil and Ways and Means and placed on the Calendar.

SB 431 was taken up and on motion by Senator Gallen—

HB 1954—A bill to be entitled An act relating to proof of publication and the minimum charge therefor; amending s. 50-041(3), Florida Statutes; providing an effective date.

—a companion measure was substituted therefor and read the second time by title.

Senator Gallen moved the following amendment which was adopted:

Amendment 1—On page 1, line 18, strike "shall" and insert: may

On motion by Senator Gallen, by two-thirds vote HB 1954 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—32

Table with 4 columns: Brantley, Childers, D., Deeb, Dunn, Gallen, Glisson, Gordon, Graham, Hair, Henderson, Holloway, Johnston, Lane, D., Lane, J., Lewis, MacKay, McClain, Myers, Poston, Renick, Saunders, Saylor, Scarborough, Sims, Spicola, Stolzenburg, Thomas, J., Thomas, P., Trask, Vogt, Ware, Wilson

Nays—1

Zinkil

Votes after roll call:

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

SB 431 was laid on the table.

On motion by Senator Myers, the rules were waived and by two-thirds vote HB 249(cs) was withdrawn from the Committees on Commerce and Judiciary-Civil and placed on the calendar.

SB 740 was taken up and on motion by Senator Myers—

HB 249 (cs)—A bill to be entitled An act relating to towing of motor vehicles; creating sections 713.78 and 715.07, Florida Statutes; providing for removal of motor vehicles from private property; providing conditions for such removal without liability; establishing liability for improper removal; establishing liens for towing and storage of motor vehicles; establishing immunity from liability for towing and storage under certain conditions; providing for enforcement; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Myers, by two-thirds vote HB 249 (cs) was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Table with 4 columns: Brantley, Childers, D., Dunn, Gallen, Glisson, Gordon, Graham, Hair, Henderson, Holloway, Johnston, Lane, D., Lane, J., Lewis, MacKay, McClain, Myers, Peterson, Poston, Renick, Saunders, Saylor, Scarborough, Sims, Spicola, Stolzenburg, Thomas, P., Trask, Vogt, Ware, Wilson, Winn, Zinkil

Nays—None

Votes after roll call:

Yeas—Childers, W. D., and Tobiassen

SB 740 was laid on the table.

SB 311—A bill to be entitled An act relating to confidentiality of information with respect to the rehabilitation of drug dependents; amending s. 397.096, Florida Statutes; prohibiting disclosure in a manner as to identify individuals; removing the prohibition against disclosure in a manner as to identify treatment facilities; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote SB 311 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

HB 81—A bill to be entitled An act relating to insurance; adding subsection (8) to s. 626.970, Florida Statutes, 1975, to restrict insurers from increasing premiums or refusing coverage solely because of a citation for a moving traffic violation which was nolle prosequi or dismissed; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote HB 81 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Votes after roll call:

Yeas—Childers, W. D. and Myers

SB 963—A bill to be entitled An act relating to vehicle dimension control; adding s. 316.196(7), Florida Statutes; providing a maximum width for vehicles used in regularly scheduled local transit service operated by a city transit system; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote SB 963 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Votes after roll call:

Yea—Childers, W. D.

Consideration of CS for HB 2558 was deferred.

SB 853—A bill to be entitled An act relating to community development; adding subsection (3) to s. 163.603, Florida Statutes, to provide exemptions from the application of the New Communities Act of 1975; 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 Ware and adopted:

Amendment 1—On page 1, line 20, strike period and insert: *and was owned by or under contract for acquisition on July 1, 1975 by the parties seeking creation of the district; and provided, further, that this exemption shall apply only if all contiguous properties of such parties to be included in such district are included in the district or territorial extension thereof at the time of such creation or extension. The exemption granted by this subsection shall be deemed to apply only to the creation, with no territorial extension thereof, of a special road and bridge district pursuant to the above conditions or to one territorial extension of the boundaries of an existing district.*

On motion by Senator Ware, by two-thirds vote SB 853 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

Brantley	Hair	McClain	Stolzenburg
Childers, D.	Henderson	Peterson	Thomas, J.
Deeb	Holloway	Poston	Thomas, P.
Dunn	Johnston	Saunders	Tobiassen
Firestone	Lane, D.	Sayler	Trask
Gallen	Lane, J.	Scarborough	Ware
Gordon	Lewis	Sims	Wilson
Graham	MacKay	Spicola	

Nays—None

Vote after roll call:

Yea—Childers, W. D.

On motion by Senator Ware, the rules were waived and SB 853 after being engrossed was ordered immediately certified to the House.

SM 646—A memorial to the President and Congress of the United States, urging facilitation of the naturalization of prospective Americans.

—was read the second time in full. On motion by Senator Graham, SM 646 was adopted and certified to the House. The vote on adoption was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Childers, W. D.

SB 1008—A bill to be entitled An act relating to the Florida Mental Health Act; adding s. 394.461(4), Florida Statutes; requiring separate housing facilities for the criminally insane; requiring early transfer from state hospitals; providing an effective date.

—was read the second time by title.

Senator J. Thomas moved the following amendments which were adopted:

Amendment 1—On page 2, strike all of line 7 and insert: Section 2. It is the intent of the Legislature that treatment programs for those patients found to be incompetent to stand trial and, therefore, involuntarily hospitalized in certain mental health facilities under the Florida Rules of Criminal Procedure

be provided in such manner as to insure the full protection of the rights of said patients as set forth in part I of chapter 394, Florida Statutes. It is further intended by the Legislature that facilities or parts of facilities in which such patients who are found to be dangerous or present a security risk are placed for purposes of treatment be established and available for use at the earliest possible time and that said facilities or parts of facilities be made secure in order to control the ingress and egress of the facility and to protect the patient, hospital personnel, other patients, and citizens in adjacent communities.

Section 3. The Department of Health and Rehabilitative Services is authorized and directed to locate, establish, and maintain, by not later than January 1, 1977, a secure and separate unit (or units) for the treatment of patients who, under the Florida Rules of Criminal Procedure, have been involuntarily hospitalized for reason of having been determined by the court to be incompetent to stand trial and who have been found by the Department of Health and Rehabilitative Services to have the clear and present potential to escape or to cause severe injury to themselves or others. This unit (or units) shall be sufficient to accommodate the number of patients involuntarily hospitalized under the conditions noted above and shall be designed and administered so that ingress and egress may be strictly controlled by staff responsible for unit security. Such security staff shall be independent of treatment staff and shall meet or exceed the uniform minimum standards for employment and training of correctional officers established by the Correctional Standards Council under the provisions of ss. 944.581-944.593, Florida Statutes. The Department of Health and Rehabilitative Services may contract with the Department of Offender Rehabilitation or any law enforcement unit of county or local government or with any entity licensed under chapter 493, Florida Statutes, whichever shall be less, for the provision of security services in said units should such an arrangement prove effective, cost beneficial, and not detrimental to treatment.

Section 4. Any current provisions of law to the contrary notwithstanding, the Department of Health and Rehabilitative Services, in consultation with the Department of Administration, shall for purposes of expediting the implementation of this act, have the sole responsibility for the appointment of architects and engineers, approval of plans, and awarding of contracts to make available the secure and separate mental health treatment unit or units provided under section 2. The provisions of s. 287.055, Florida Statutes, regarding a public emergency, shall apply and the Department of Health and Rehabilitative Services is authorized to contract for the use or reuse of plans.

Section 5. The Department of Health and Rehabilitative Services is authorized to promulgate rules, enter into contracts, and do such things as may be necessary and incidental to assure compliance with and to carry out the provisions of this act in accordance with the above stated legislative intent.

Section 6. There is appropriated to the Department of Health and Rehabilitative Services from the General Revenue Fund the sum of \$478,000 as specifically provided in the Appropriations Act for fiscal year 1976-1977 for purposes of implementing the provisions of this act.

Section 7. This act shall take effect July 1, 1976, except that Section 1 shall take effect October 1, 1976.

Amendment 2—On page 1, lines 4 and 5, strike "An act relative to the Florida Mental Health Act;" and insert: An act relating to mental health; providing legislative intent with respect to treatment programs for certain involuntarily hospitalized patients who have been found to be incompetent to stand trial; authorizing and directing the Department of Health and Rehabilitative Services to provide secure and separate facilities for treatment of such patients; providing conditions and limitations; providing for security services; declaring a public emergency; providing that the department shall have sole responsibility for the provision of such facilities; providing for rules and specifying departmental authority; providing an appropriation;

On motion by Senator Graham, by two-thirds vote SB 1008 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

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

Nays—None

Vote after roll call:

Yea—Childers, W. D.

Consideration of SB 462 was deferred.

SB 464—A bill to be entitled An act relating to securities dealers; amending ss. 517.13-517.15, Florida Statutes; reducing the amount of the surety bond, or the deposit in lieu thereof, from \$50,000 to \$5,000, to be given by dealers in certain securities; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 464 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—2

Lewis Saunders

Votes after roll call:

Yea—Childers, W. D.

Yea to nay—Dunn

HB 2008—A bill to be entitled An act relating to the Central Florida Air Fair; designating the Central Florida Air Fair as the official Florida State Air Fair; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote HB 2008 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Childers, W.D.

SB 515—A bill to be entitled An act relating to jurors; amending ss. 40.231, 40.24, Florida Statutes; authorizing jurors placed in jury pools to elect to be on call; denying compensation to jurors on call unless required to attend court; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 22, after the comma insert: when authorized by the court

On motion by Senator Vogt, by two-thirds vote SB 515 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Childers, W. D.

Consideration of SB 407 was deferred.

SB 27—A bill to be entitled An act relating to the Florida Electrical Contractors' Licensing Board; amending s. 468.182 (2)(b), (3)(b), Florida Statutes; providing that members may succeed themselves; providing an effective date.

—was read the second time by title. On motion by Senator Holloway, by two-thirds vote SB 27 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Wilson

Vote after roll call:

Yea—Childers, W. D.

SB 1064 was taken up, together with:

By the Committee on Education and Senators MacKay, Saunders, Wilson, Graham, Johnston, Dunn, Firestone, and Vogt—

CS for SB 1064—A bill to be entitled An act relating to the State University System; directing the Division of Universities of the Department of Education to undertake a program to eradicate sex discrimination in the granting of faculty salaries; providing for reversion of certain funds not committed prior to February 15, 1977; requiring annual reports by the Commissioner of Education; providing an effective date.

—which was read the first time by title and SB 1064 was laid on the table.

On motions by Senator MacKay, by two-thirds vote CS for SB 1064 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

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

Nays—None

Vote after roll call:

Yea—Childers, W. D.

SB 842 was taken up, together with:

By the Committee on Commerce—

CS for SB 842—A bill to be entitled An act relating to community development; amending s. 153.63(1), Florida Statutes, to remove interest rate limitations upon bonds issued by independent water and sewer districts; creating s. 336.68, Florida Statutes, to remove interest rate limitations upon bonds issued by independent road and bridge districts except such rates shall not exceed the state usury rate; providing an effective date.

—which was read the first time by title and SB 842 was laid on the table.

On motions by Senator Ware, by two-thirds vote CS for SB 842 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—29

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

Nays—6

Childers, D.	Hair	Scarborough	Vogt
Graham	Saunders		

Vote after roll call:

Yea—Childers, W. D.

On motion by Senator Ware, the rules were waived and CS for SB 842 was ordered immediately certified to the House.

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

—was read the second time by title.

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

Amendment 1—On page 1, line 29, underline "(1)"

Amendment 2—On page 2, line 4, strike “require” and insert: order

Amendment 3—On page 4, line 4, strike the comma

Amendment 4—On page 3, strike all of lines 6 and 7 and insert: the value thereof by the court, the court shall enter a judgment in favor of the county for the amount of the services and costs. a statement of claim showing The judgment shall show the name and residence of the defendant-recipient and

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Childers, W. D.

On motion by Senator Tobiassen, the rules were waived and SB 403 after being engrossed was ordered immediately certified to the House.

SB 698—A bill to be entitled An act relating to insurance contracts; adding s. 627.419(5), Florida Statutes; providing that any accident and sickness policy which provides for payment for services within the scope of services a chiropractor is licensed to perform shall be construed to include payment to a chiropractor who performs such services; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator Scarborough and adopted:

Amendment 1—On page 1, line 15, after “subsection” strike the remainder of line 15 and all of lines 16 through 26 and insert: (4) of section 627.419, Florida Statutes, is amended to read:

627.419 Construction of policies.—

(4) If the insurer offers a policy containing a provision for medical expense benefits that does not provide payment for chiropractic services, it shall offer as a part thereof an optional rider or endorsement, if specifically requested by the insured or subscriber under an individual policy or a certificate holder or subscriber under a master policy, which defines such benefits as including payment to a chiropractor for procedures specified in the policy which are within the scope of the practices of chiropractic as now defined in chapter 460. Any additional cost to the insured or certificate holder must be reasonably related to benefits provided.

Amendment 2—On page 1 in title, line 4, strike “adding” and strike all of lines 5 through 10 and insert: amending s. 627.419(4), Florida Statutes; providing a certificate holder or subscriber under a master policy may request optional coverage for chiropractic services in an accident and sickness insurance policy; providing that additional costs relating to such services, when requested by a subscriber under a master policy, shall be charged only to such subscriber;

On motion by Senator Scarborough, by two-thirds vote SB 698 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—4

Johnston Lane, D. Saunders Saylor

Vote after roll call:

Yea—Childers, W. D.

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Childers, W. D.

On motion by Senator Ware, the rules were waived and SB 1329 after being engrossed was ordered immediately certified to the House.

SB 403—A bill to be entitled An act relating to the regulation of real estate transactions; creating ss. 475.481-475.487, Florida Statutes; creating the Florida Real Estate Recovery Fund; providing for administration of the fund; providing for reimbursement from the fund to any person or corporation which suffers monetary damages resulting from certain acts of a licensed real estate salesman or broker; providing a transfer of money from the Florida Real Estate Trust Fund to such fund; increasing the license fee for real estate salesmen and brokers; providing for deposit of the increase in fees to the fund; providing conditions and procedures for recovery from the fund; providing for amounts of recovery; providing for revocation of license of broker or salesman upon payment of claim against such broker or salesman; providing uses for excess money in such recovery fund; providing for rules and regulations; providing penalty for any person to file a notice, statement, or other document which is false or contains a material misstatement of fact; providing an effective date.

—was read the second time by title.

The Committee on Ways and Means offered the following amendment which was moved by Senator Tobiassen and adopted:

Amendment 1—On page 3, line 2, after the word “Fund.” add the following: Should the Fund at any time exceed \$450,000, collection of special fees for this fund shall be discontinued at the end of the two year licensing renewal cycle. Such special fees shall not be reimposed unless the Fund shall be reduced below \$250,000 by disbursement made in accordance with this act.

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

Amendment 2—On page 6, strike all of lines 14 through 30 and renumber subsequent sections

On motion by Senator Tobiassen, by two-thirds vote SB 403 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

On motion by Senator Tobiassen, the rules were waived and SB 698 after being engrossed was ordered immediately certified to the House.

Lane, J.	Poston	Sims	Tobiassen
Lewis	Renick	Stolzenburg	Trask
Myers	Saunders	Thomas, J.	Winn
Peterson	Sayler	Thomas, P.	

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

Nays—7

—was read the second time by title.

Gordon	MacKay	Vogt	Zinkil
Johnston	McClain	Wilson	

The Committee on Transportation offered the following amendment which was moved by Senator Stolzenburg and adopted:

Votes after roll call:

Amendment 1—On page 2, strike line 4 and insert: be made annually commencing June 1, 1977, and be evidenced

Yea—Childers, W. D.

Nay—Spicola

Yea to Nay—Graham

SB 773 was laid on the table.

On motion by Senator Stolzenburg, by two-thirds vote SB 1195 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

SB 1051 was taken up, together with:

By the Committee on Governmental Operations and Senator Poston—

Yeas—36

CS for SB 1051—A bill to be entitled An act relating to disabled persons; providing definitions; requiring the provision of a certain number of specifically reserved parking spaces adjacent to or near public buildings and facilities for use by disabled persons and disabled persons confined to wheelchairs; providing for location, configuration and identification of such spaces; providing for removal of unauthorized vehicles from such spaces; prohibiting unauthorized use of such spaces; providing penalties; providing for implementation; providing an effective date.

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

—which was read the first time by title and SB 1051 was laid on the table.

Nays—None

Vote after roll call:

On motions by Senator Poston, by two-thirds vote CS for SB 1051 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:

Yea—Childers, W. D.

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

Yeas—37

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 4079 and requests the concurrence of the Senate.

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

Allen Morris, Clerk

Nays—None

By the Committee on Transportation—

HB 4079—A bill to be entitled An act relating to outdoor advertising; amending s. 479.23, Florida Statutes, providing that lawfully erected signs which do not conform to the statutory regulation of outdoor advertising shall not be required to be removed by the Department of Transportation until after the end of the fifth year after such signs have become non-conforming; providing an effective date.

On motion by Senator Poston, the rules were waived and CS for SB 1051 was ordered immediately certified to the House.

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

SB 84—A bill to be entitled An act relating to the tax on sales, use and other transactions; amending s. 212.08(2), Florida Statutes; defining prosthetic and orthopedic appliances which are exempt from such tax; providing an effective date.

Consent Calendar resumed—

—was read the second time by title. On motion by Senator Deeb, by two-thirds vote SB 84 was read the third time by title, passed and certified to the House. The vote on passage was:

SB 773 was taken up and on motion by Senator Stolzenburg HB 4079, a companion measure, was substituted therefor. On motions by Senator Stolzenburg, by two-thirds vote HB 4079 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Yeas—27

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

Brantley	Dunn	Glisson	Henderson
Childers, D.	Firestone	Graham	Holloway
Deeb	Gallen	Hair	Lane, D.

Nays—None

SB 1344—A bill to be entitled An act relating to banks, trust companies, and savings associations; amending ss. 659.20, 665.-361, Florida Statutes; authorizing a specified percentage of unimpaired capital and surplus of a bank or trust company to be used to invest in or purchase bonds or other evidences of indebtedness of the State of Israel; authorizing a specified percentage of capital reserves and surplus of a savings association to be used to invest in or purchase bonds or other evidences of indebtedness of the State of Israel; providing an effective date.

—was read the second time by title. On motion by Senator Gordon, by two-thirds vote SB 1344 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

SB 1288 was taken up, together with:

By the Committee on Governmental Operations and Senator Renick—

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

—which was read the first time by title and SB 1288 was laid on the table.

On motions by Senator Renick, by two-thirds vote CS for SB 1288 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

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

Nays—None

Vote after roll call:

Yea—Sims

SB 938—A bill to be entitled An act relating to the State Career Service System; amending s. 110.051(2)(b), Florida Statutes, to allow employees of the Legislature to participate in the meritorious service awards program; providing an effective date.

—was read the second time by title. On motion by Senator Renick, by two-thirds vote SB 938 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Votes after roll call:

Yeas—Sims and Vogt

On motion by Senator J. Thomas the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 4084 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health & Rehabilitative Services—

HB 4084—A bill to be entitled An act relating to retardation; amending s. 393.15(5) and (6), Florida Statutes, providing that group-living homes operating as nonprofit corporations receiving a loan from the Group-Living Home Trust Fund be forgiven repayment of such loans under certain circumstances; providing for the repayment of such loans under certain circumstances; providing an effective date.

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

Consent Calendar resumed—

SB 1306 was taken up and on motion by Senator J. Thomas HB 4084, a companion measure, was substituted therefor. On motion by Senator J. Thomas, by two-thirds vote HB 4084 was read the second time by title.

Senator J. Thomas moved the following amendment which was adopted:

Amendment 1—On page 1, line 23, strike the words “, as defined in s. 617.01,” and insert: meeting the requirements of section 501(c)3 of the Internal Revenue Code

On motion by Senator J. Thomas, by two-thirds vote HB 4084 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Vogt

SB 1306 was laid on the table.

SB 1015—A bill to be entitled An act relating to freshwater fish; requiring the tagging of fish taken from or caught in

certain lakes as a condition precedent to sale for consumption; authorizing the assessment of a tag fee by the Game and Fresh Water Fish Commission; providing an appropriation; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 5, after the period (.) insert: Bass and pickerel taken by any method other than hook and line shall be immediately returned to the lake.

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

Amendment 2—On page 2, line 5, after the . (period) insert: Bass or pickerel taken by any method other than hook and line shall be returned immediately to the water. Trawls and haul seines shall not be operated within one mile of rooted aquatic vegetation.

The Committee on Natural Resources and Conservation offered the following amendments which were moved by Senator Johnston and adopted:

Amendment 3—On page 2, line 13, strike the period and insert: including the employment of seven personnel.

Amendment 4—On page 2, line 1, after the word "No" insert: game

On motion by Senator Johnston, by two-thirds vote SB 1015 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—5

Henderson	Sims	Ware	Wilson
Lane, D.			

On motions by Senator Brantley, time of adjournment was extended until completion of the Consent Calendar; motions by Senator Gordon relating to committee references; passage of a local bill by Senator Deeb and reading of House Messages containing local bills.

SB 915—A bill to be entitled An act relating to animals; amending s. 828.12, Florida Statutes, increasing the penalty for certain actions deemed cruel to animals; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, lines 19-21, strike all of said lines and insert: *felony punishable by a term of imprisonment not to exceed two years or by a fine not to exceed \$2500, or both, misdemeanor of the first degree, punishable as provided in s. 775.082, or s. 775.083, or 775.084.*

Senator Ware moved the following amendment which was adopted:

Amendment 2—On page 1, lines 13 and 15, strike "unnecessarily" and insert: willfully

On motion by Senator Johnston, by two-thirds vote SB 915 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—4

Gordon	Henderson	Lane, D.	Myers
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Senator Scarborough presiding

SB 1117—A bill to be entitled An act relating to tax-sheltered retirement plans for employees of governmental agencies; amending s. 112.21, Florida Statutes; authorizing payment for such plans to a credit union, bank, or savings and loan association; authorizing payment into a qualified custodial account as a means of providing supplemental retirement benefits for employees; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 1117 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

SB 573—A bill to be entitled An act relating to funeral directing and embalming; amending s. 470.08, Florida Statutes; providing certain changes in qualifications of applicants; amending s. 470.09(2), (3), Florida Statutes; providing certain changes in examinations; amending s. 470.10(1)(b), (3), (5), (7), (9), Florida Statutes; providing certain changes in licensing requirements; providing registration and inspection fees for cinerators; amending s. 470.11(1), (3), Florida Statutes; providing certain changes in intern training; amending s. 470.112(1), (2), Florida Statutes; providing certain changes in number of interns permitted at a training agency; amending s. 470.113(3), Florida Statutes; providing certain changes in transfer of interns; amending s. 470.12(1)(c), (f)-(h), (2)(c), (d), (i), (l), (m), Florida Statutes; providing certain changes in grounds for license revocation; amending s. 470.13(2), (3), Florida Statutes; providing certain changes in license revocation or suspension procedure; amending ss. 470.14, 470.17, 470.19, Florida Statutes; providing certain changes in judicial review of administrative disciplinary action, records to be kept and fees received by the board; amending s. 470.30(1), (7), Florida Statutes; providing certain changes in registration of funeral directors and embalmers; repealing ss. 470.25, 470.33, Florida Statutes, relating to certain funeral director duties, and penalty for failure to register a funeral establishment; providing an effective date.

—was read the second time by title.

Senator Myers moved the following amendment which was adopted:

Amendment 1—On page 10, lines 3-9, strike beginning with the words "all credit for"

On motion by Senator Hair, by two-thirds vote SB 573 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—1

Vogt

Vote after roll call:

Yea to nay—Lane, D.

Abstention from Voting

Since I am licensed under Chapter 470 I am not voting.

Jon C. Thomas, 30th District

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended—HB 3243 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig and others—

HB 3243—A bill to be entitled An act relating to burglary; amending s. 810.02, Florida Statutes, providing that burglary of a dwelling place is a capital felony if other specified offenses are committed upon persons lawfully within the dwelling; providing for the disposition of persons who are sentenced under s. 810.02(2), Florida Statutes, under certain circumstances; amending section 775.084, Florida Statutes, relating to penalties for subsequent felony offenders; providing for minimum sentences without eligibility for parole; removing provisions relating to the recency of prior felonies; providing an effective date.

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

Consent Calendar resumed—

SB 140 was taken up, together with, by the Committee on Judiciary-Criminal and Senator Glisson, CS for SB 140 which was read the first time by title and SB 140 was laid on the table.

CS for SB 140 was taken up and on motion by Senator Glisson, HB 3243, a companion measure was substituted therefor. On motion by Senator Glisson, by two-thirds vote HB 3243 was read the second time by title.

Senator Glisson moved the following amendments which were adopted:

Amendment 1—On page 1, lines 21-28, strike all of lines 21 through line 28 and insert: Section Present subsections (2) and (3) of section 810.02, Florida Statutes, are renumbered as subsections (3) and (4), and a new section (2) is added to said section to read:

810.02 Burglary.—

Amendment 2—On page 2, lines 3-31, and on page 3, lines 1-31, and on page 4, lines 1-9, strike all of lines 3 through 31 on page 2, strike all of lines 1 through 31 on page 3, and strike all of lines 1 through 9 on page 4.

Amendment 3—On page 1 in title, strike all of lines 4 through 17 and insert: An act relating to burglary; renumbering s. 810.02(2), (3), Florida Statutes, and adding a new subsection to said section; providing that burglary of a dwelling place is a capital felony if other specified offenses are committed upon persons lawfully within the dwelling; providing an effective date.

On motion by Senator Glisson, by two-thirds vote HB 3243 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Gordon

CS for SB 140 was laid on the table.

SB 1061—A bill to be entitled An act relating to the Uniform Standards Code for Mobile Homes; amending s. 320.822(1), Florida Statutes; redefining "mobile home manufacturer" to exclude certain manufacturers; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, lines 20 and 21, strike "or recreational vehicles" and insert: on line 22 following "person", a resident of Florida

Senator Glisson moved the following substitute amendment which was adopted:

Amendment 2—On page 1, line 29, before the period insert: also provided he is a resident of Florida

On motion by Senator Glisson, by two-thirds vote SB 1061 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—26

Brantley	Graham	Renick	Trask
Childers, W. D.	Henderson	Saunders	Ware
Deeb	Lane, J.	Saylor	Wilson
Dunn	MacKay	Sims	Winn
Firestone	McClain	Thomas, J.	Zinkil
Gallen	Peterson	Thomas, P.	
Glisson	Poston	Tobiassen	

Nays—7

Childers, D.	Johnston	Lewis	Vogt
Holloway	Lane, D.	Spicola	

Votes after roll call:

Yea to nay—Wilson

Yea—Hair

The President Pro Tempore presiding

Consideration of SB 457 and HB 1433 was deferred.

SB 754 was taken up, together with:

By the Committee on Judiciary-Criminal and Senator Dunn—

CS for SB 754—A bill to be entitled An act relating to evidence; creating ss. 90.101-90.958, Florida Statutes, to be known as the "Florida Evidence Code"; providing standards for the admission of evidence in the state in statutory form and abrogating inconsistent common-law rules of evidence; providing definitions; providing standards for the introduction of documentary evidence; providing for standards relating to proof of the contents of writings; providing standards for the relevance of evidence submitted in any court; providing standards regarding hearsay evidence; providing standards relating to judicial notice; providing standards relating to presumptions and inferences; providing standards relating to witnesses and standards for the production of proof through witnesses; providing standards relating to opinion testimony and expert witnesses; providing standards relating to privileged communications and privilege generally; repealing ss. 90.04, 90.05, 90.06, 90.08, 90.09, 90.10, 90.241, 90.242, 90.243, 92.01, 92.02, 92.03, 92.031, 92.032, 92.04, 92.10, 92.11, 92.12, 92.121, 92.22, 92.35, 92.36, 92.37, 473.141, and 490.32, Florida Statutes, relating to witnesses, admissibility of evidence, and privileged communications; transferring and renumbering ss. 90.01, 90.011, 90.02, 90.14, 90.141, 90.15, 90.231, and 90.25, Florida Statutes; amending s. 827.07, Florida Statutes, relating to privileges in litigation in which child abuse is in issue, to conform the provisions thereof to this act; providing an effective date.

—which was read the first time by title and SB 754 was laid on the table. On motion by Senator Dunn, by two-thirds vote CS for SB 754 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

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

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 1291 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

On motion by Senator W. D. Childers, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed HB 882 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Young—

HB 882—A bill to be entitled An act relating to public school personnel; amending s. 231.40(1)(b), Florida Statutes, 1974 Supplement, authorizing district school boards to permit 4 days of sick leave annually to be used for personal reasons; 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.

Consent Calendar resumed—

SB 1212 was taken up and on motion by Senator W. D. Childers HB 882, a companion measure, was substituted therefor. On motions by Senator W. D. Childers, by two-thirds vote HB 882 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

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

Nays—None

SB 1367—A bill to be entitled An act relating to forest protection; creating s. 590.025, Florida Statutes, authorizing the Division of Forestry of the Department of Agriculture and Consumer Services to control burn wild lands under certain circumstances and subject to certain conditions; providing an effective date.

—was read the second time by title.

The Committee on Agriculture offered the following amendment which was moved by Senator D. Lane and adopted:

Amendment 1—On page 1, line 12, strike everything after the enacting clause and insert: Section 1. Section 590.025, Florida Statutes, is created to read:

590.025 Control burn of wild lands; authorization; conditions.—

(1) For purposes of this act "wild lands" shall be defined as follows:

(a) Uncultivated land other than fallow. Such land may be neglected altogether or maintained for such purposes as wood or forage production, wild life, recreation or protective plant cover.

(b) Land virtually uninfluenced by human activity.

(2) The Division of Forestry of the Department of Agriculture and Consumer Services is authorized and empowered, subject to the provisions and qualifications contained in subsection (3), without objection of the landowner to control burn any area of wild land in this state which is reasonably determined to be in danger of conflagration if any open and uncontrolled fire were to occur in the area.

(3) No area of wild land shall be control burned under the provisions of this section unless notice of intent to control burn, describing particularly the area to be burned and the

tentative date or date of the burning, is published in a conspicuous manner in one or more newspapers of general circulation in the area of the burn not less than 10 days prior to the burn.

(4) The Division of Forestry shall prepare and the county tax collector shall include with the annual tax bill an information form to be sent to all landowners in each township designated by the Division of Forestry as a high fire hazard area. The information form shall list reasons for and benefits expected to result from control burning and shall state that no response by the landowners shall be understood as implied consent for the Division of Forestry to control burn.

Section 2. This act shall take effect upon becoming a law.

On motion by Senator D. Lane, by two-thirds vote SB 1367 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Hair

Consideration of SB 1023 was deferred.

SB 436—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; establishing a Neonatal Intensive Care Unit in Pinellas County to be administered by the Department of Health and Rehabilitative Services; providing an appropriation; providing an effective date.

—was read the second time by title.

Senator Deeb moved the following amendments which were adopted:

Amendment 1—On page 1, lines 17-21, strike all Section 2 and Renumber remaining section

Amendment 2—On page 1, lines 8 & 9 in title, strike "providing an appropriation"

On motion by Senator Deeb, by two-thirds vote SB 436 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Hair

SB 1254 was taken up, together with:

By the Committee on Commerce and Senators W. D. Childers and Tobiassen—

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

Trust Fund to sell such lands to persons claiming through a subsequent tax deed or through a chain of title from the June 9, 1939 owner if such sale is in the best interest of the citizens upon application and payment of all taxes; deleting the requirements for showing hardship and tendering payment; designating the clerk of the circuit court as agent for the state; providing the applicable interest rate and method of distributing moneys collected; providing that conveyances made pursuant to this act shall contain no encumbrance or reservations and that encumbrances or reservations made in prior conveyances under this act are null and void; providing an effective date.

—which was read the first time by title and SB 1254 was laid on the table.

On motion by Senator W. D. Childers, by two-thirds vote CS for SB 1254 was read the second time by title.

Senator MacKay moved the following amendments which were adopted:

Amendment 1—On page 3, line 5, strike the period and insert: , on any sale to the former owner. Nothing herein shall be construed to deprive the former owner of any rights he now has of notice and opportunity to redeem his property.

Amendment 2—On page 4, line 30, strike Section 2

On motion by Senator W. D. Childers, by two-thirds vote CS for SB 1254 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—24

Brantley	Gordon	McClain	Spicola
Childers, D.	Henderson	Myers	Thomas, J.
Childers, W. D.	Holloway	Peterson	Thomas, P.
Deeb	Lane, D.	Renick	Tobiassen
Gallen	Lane, J.	Scarborough	Trask
Glisson	Lewis	Sims	Ware

Nays—7

Firestone	Johnston	Poston	Zinkil
Graham	MacKay	Wilson	

Votes after roll call:

Yea—Hair

Nay—Vogt

Yea to Nay—Spicola

SB 1102—A bill to be entitled An act relating to veterinary medicine; amending ss. 474.14(2), 474.16, 474.20(2), Florida Statutes; providing that passage of the examination prepared by the National Board of Veterinary Medical Examiners be a prerequisite to taking the examination prepared by the Florida State Board of Veterinary Medicine; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote SB 1102 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Hair

SB 866—A bill to be entitled An act relating to foster care; providing legislative intent; providing definitions; providing

procedures, including periodic court review, relating to the placement of foster children; providing for notice of hearing; providing an effective date.

—was read the second time by title.

The Committee on Health and Rehabilitative Services offered the following amendment which was moved by Senator Wilson and adopted:

Amendment 1—On page 3, line 21, strike “once every 6 months” and insert: annually

On motion by Senator Wilson, by two-thirds vote SB 866 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Hair

SB 581—A bill to be entitled An act relating to the manatee; requiring the Department of Natural Resources to conduct studies of the manatee; requiring the department to prescribe rules and regulations, including regulations on boating, to protect the manatee; authorizing the department to grant permits for the capture, possession, transportation, sale, or display of manatees; providing penalties for violation of rules of the department, for the capture, possession, transportation, or display of manatees without a permit, for the capture of manatees in excess of the number authorized, and for the willful killing, destroying, injuring, or torturing a manatee; repealing s. 370.12(2), Florida Statutes, which subsection relates to protection of the manatee and provides a penalty; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, strike lines 15-22, (renumber subsequent subsections).

Amendment 2—On page 1, lines 4-6 in title, strike “requiring the Department of Natural Resources to conduct studies of the Manatee;”

On motion by Senator Wilson, by two-thirds vote SB 581 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

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

Nays—None

Vote after roll call:

Yea—Hair

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1645(cs) and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulated Industries & Licensing and Representative Dixon (by request)—

HB 1645(cs)—A bill to be entitled An act relating to cosmetology; amending s. 477.02(1) and (4), Florida Statutes, and adding a new subsection; requiring licensure of any person who operates a cosmetology salon or specialty salon; providing that each cosmetology salon shall be supervised by a registered master cosmetologist; providing for supervision of specialty salons by registered cosmetologists or specialists; providing for inspection of salons; amending s. 477.03, Florida Statutes, providing definitions of the various practices of cosmetology; amending s. 477.06(4), Florida Statutes, to provide for categories and qualifications of specialists, repealing s. 477.06(2), Florida Statutes, relating to discontinuation of issuance of certificates of registration to practice manicuring and pedicuring; adding subsection (9) to s. 477.08, Florida Statutes, providing for approval by the board of courses of training for certification; adding subsections (5) and (6) to s. 477.29, Florida Statutes, providing for issuance of certificates to persons already practicing as specialists; providing an effective date.

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

Consent Calendar resumed—

SB 565 was taken up and on motion by Senator Scarborough HB 1645 (cs), a companion measure, was substituted therefor. On motions by Senator Scarborough, by two-thirds vote HB 1645 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

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

Nays—None

Vote after roll call:

Yea—Hair

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

—was read the second time by title.

Senator Scarborough moved that the rules be waived and SB 1298 be read the third time by title. The motion failed.

SB 1122—A bill to be entitled An act relating to the Game and Fresh Water Fish Commission; creating s. 372.651, Florida

Statutes, authorizing the commission to issue permits for the use of haul seines and trawls in certain freshwater lakes; providing for annual permit fees; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 1122 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 397—A bill to be entitled An act relating to hospitals and physicians; requiring the Department of Insurance to prescribe standard health claim forms; requiring acceptance of such forms by insurers; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 17, strike "1976" and insert: 1977

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

Amendment 2—On page 1, line 17, insert new section: Section 2. The provisions of this act shall not apply to claims submitted by electronic or electro-mechanical means.

Renumber subsequent section.

On motion by Senator D. Childers, by two-thirds vote SB 397 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

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

Nays—None

The Senate resumed consideration of—

HB 2338—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.05, Florida Statutes, prohibiting disclosure of certain information with respect to motor vehicle registration by telephone unless authorized by departmental rule; providing an effective date.

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

Amendment 2—On page 1, lines 3-9 in title, strike all of lines 3-9 and insert: A bill to be entitled An act relating to motor vehicle registration; amending s. 320.05, Florida Statutes; restricting the disclosure of information received in conjunction

with an application for registration of a motor vehicle, trailer, or semitrailer; providing procedures for disclosure of such information; providing for promulgation of rules; providing an effective date.

On motion by Senator Poston, by two-thirds vote HB 2338 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Tobiassen

CS for HB 2558—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091(5)(g), Florida Statutes, 1975, to provide for the forfeiture of benefits for elected officials who are members of the system and who are found guilty of the commission of a felony relating to their official duties and responsibilities whether or not such officials are still in office; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 21, after the words "impeachable offense" insert: , or any official who is removed from office by the Senate pursuant to Art. IV, s. 7 of the State Constitution for any reason other than permanent inability to perform his official duties.

Amendment 2—On page 1, line 23, after the words "his conviction" insert: or removal from office

Amendment 3—On page 1, lines 24 and 25, strike "is adjudicated guilty of committing" and insert: has been found guilty by the trier of fact, or has entered a plea of guilty or a plea of nolo contendere to,

Amendment 4—On page 1, lines 30 and 31, strike "is adjudicated guilty of committing" and insert: Who has been found guilty by the trier of fact, or has entered a plea of guilty or a plea of nolo contendere to,

Amendment 5—On page 1, strike all of lines 6 through 11 in title and insert: Statutes; providing that any official who is removed from office by the Senate for certain reasons shall forfeit his Florida Retirement System benefits; providing that any elected official who is found guilty of or enters a guilty or nolo contendere plea to a felony charge relating to the duties and responsibilities of office shall forfeit his Florida Retirement System benefits; providing for repayment of accumulated contributions; providing for payment to the state of excess benefits in certain cases;

Further consideration of CS for HB 2558 as amended was deferred.

SB 457—A bill to be entitled An act relating to water-management districts; amending s. 298.33(3), (4), Florida Statutes; providing for notice and copies of report of commissioners appointed to appraise lands within and without a water-management district and to assess benefits and damages to land by reason of a plan of reclamation; specifying persons and agencies entitled to notice and copy of report; specifying manner of giving notice and copy of report; amending s. 298.55(2), Florida Statutes; deleting provision requiring, in the event of a readjustment of benefits, the limitation of 10 percent of the annual maintenance tax which may be levied to be applied to

the amount of benefits as readjusted; authorizing the Department of Environmental Regulation to file a petition for a readjustment of the assessment of benefits under certain circumstances; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendments which were moved by Senator Lewis and adopted:

Amendment 1—On page 4, strike all of lines 3, 4 and 5 and insert: Section 3. Subsections (4) and (5) of section 298.02, Florida Statutes, are amended to read:

298.02 Notice of application to form district.—

(4) In addition to the publication of notice, a copy of the petition and the attached map or plat, together with a summons, shall be served on the water management district created under chapter 373 in which lands described in the petition are situated; the board of county commissioners and the governing body of any municipality in which the lands are situated each owner of land, as shown on the county tax roll, within the boundaries of the proposed district; on each owner of land, as shown on the county tax roll, immediately adjacent and contiguous to the boundaries of the proposed district; on the local governing bodies which have authority over any of the area proposed to be included in the district; and on the Department of Environmental Regulation, in the manner provided by the Florida Rules of Civil Procedure for the service of pleadings and papers on parties for process and service of process in chapters 48 and 49 and the Florida Rules of Civil Procedure, as from time to time amended. In addition thereto, a copy of the notice as published and a copy of the petition and the attached map or plat shall be mailed by the clerk to each person owning land within, and to each person owning land immediately adjacent and contiguous to, the boundaries of the proposed district as shown on the current tax roll, and the clerk shall file a certificate of mailing. The parties served and receiving notice by mail shall have 20 days after the date of service or the date of mailing, or the time allowed in the published notice, service of original process under chapter 48, the time allowed in the notice as published herein, or the time allowed under chapter 49, in the case of constructive service, in which to file objections to the formation of the district. The Department of Environmental Regulation shall, in the case of every petition, file with the court its objections, recommendations, or proposed amendments to the petition. Service of process may be waived in writing.

(5) The Central and Southern Florida Flood Control District, if the lands within the boundaries of the proposed district are situated in said district, or the Southwest Florida Water Management District, if the lands within the boundaries of the proposed district are situated in said district, shall be served with a copy of the petition and attached map or plat and summons as provided in subsection (4), and shall have the time allowed as provided for in said subsection in which to file objections to the formation of the district. Said districts shall file with the court their objections, recommendations or proposed amendments to the petition.

Section 4. Subsections (5) and (6) of section 298.07, Florida Statutes, are amended to read:

298.07 Amending former decree incorporating district; changing boundary lines and water-management plan; form of notice; objections, hearing and determination on petition.—

(5) In addition to the publication of notice, a copy of the petition and the attached map or plat, together with a summons, shall be served on the water management district created under chapter 373 in which lands described in the petition are situated; the board of county commissioners and the governing body of any municipality in which the lands are situated each owner of land, as shown on the county tax roll, within the boundaries of the proposed district; on each owner of land, as shown on the county tax roll, immediately adjacent and contiguous to the boundaries of the proposed district; on the local governing bodies which have authority over any of the area included in the district; and on the Department of Environmental Regulation in the manner provided by the Florida Rules of Civil Procedure for the service of pleadings and papers on parties for process and service of process in chapters 48 and 49 and the Florida Rules of Civil Procedure, as from time to

time amended. In addition thereto, a copy of the notice as published and a copy of the petition and the attached map or plat shall be mailed by the clerk to each person owning land within, and to each person owning land immediately adjacent and contiguous to, the boundaries of the existing or proposed district as shown on the current tax roll, and the clerk shall file a certificate of mailing. The parties person served and receiving notice by mail shall have 20 days after the date of service or the date of mailing, or the time allowed in the published notice, service of original process under chapter 48, the time allowed in the notice as published herein, or the time allowed under chapter 49, in the case of constructive service, in which to file objections to the amendment of the former decree. The Department of Environmental Regulation shall, in the case of every petition, file with the court its objections, recommendations, or proposed amendments to the petition. Service of process may be waived in writing.

(6) The Central and Southern Florida Flood Control District, if the lands within the boundaries of the proposed district, or the Southwest Florida Water Management District, if the lands within the boundaries of the proposed district are situated in said district, shall be served with a copy of the petition and attached map or plat and summons as provided in subsection (5) and shall have the time allowed as provided for in said subsection in which to file objections to the amendment of the former decree. Said districts shall file with the court their objections, recommendations, or proposed amendments to the petition.

Section 5. This act shall apply to all assessments and reassessments pending on the effective date of this act.

Section 6. This act shall take effect July 1, 1976.

Amendment 2—On page 1 in title, line 22, strike everything after the semi-colon and insert: amending s. 298.02(4), (5), Florida Statutes; specifying persons and agencies entitled to notice and copy of petition to form district; specifying manner of giving notice and copy of petition; deleting provision requiring notice only to the Central and Southern Florida Flood Control District and to Southwest Florida Water Management District; amending s. 298.07(5), (6), Florida Statutes; specifying persons and agencies entitled to notice and copy of petition to amend former decree incorporating district or to change boundary lines; specifying manner of giving notice and copy of petition; deleting provision requiring notice only to the Central and Southern Florida Flood Control District and to Southwest Florida Water Management District; providing an effective date.

On motion by Senator Lewis, by two-thirds vote SB 457 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

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

Nays—None

Vote after roll call:

Yea—Hair

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

—was read the second time by title.

Senator Dunn moved the following amendment which was adopted:

Amendment 1—On page 3, line 14, after "total" insert: actuarial

On motion by Senator Dunn, by two-thirds vote HB 1433 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

On motion by Senator D. Lane, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 2814 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Bloom and Young—

HB 2814—A bill to be entitled An act relating to the district school system; amending s. 230.67(2), Florida Statutes, relating to job placement and follow-up services, to require district school boards to conduct follow-up studies of all students graduating or leaving public and vocational-technical schools or a random sample thereof; providing an effective date.

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

Consent Calendar, continued

SB 1023 was taken up and on motion by Senator D. Lane, HB 2814, a companion measure was substituted therefor. On motion by Senator D. Lane, by two-thirds vote HB 2814 was read the second time by title.

Senator Graham moved the following amendment which was adopted:

Amendment 1—On page 1, line 28, strike the period and insert: , which random samples shall be stratified to reflect the appropriate vocational programs of such students.

On motion by Senator D. Lane, by two-thirds vote HB 2814 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

SB 1023 was laid on the table.

On motion by Senator Deeb, the rules were waived and by two-thirds vote SB 1456 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

SB 1456—A bill to be entitled An act relating to Pinellas County; prescribing method of fixing millage for purposes of ad valorem taxation by the board of county commissioners and all other taxing authorities other than the school board; requiring the county, municipalities and taxing districts to decrease the millage required of said county, municipality, or taxing district in proportion to the increase of the general level of assessed valuation of property; authorizing a 10 percent or one-half mill, whichever is greater, increase in millage; providing for further millage increases in emergencies; specifying millages to be excluded from the reductions required by this act; providing local taxing authorities the option of maintaining millage necessary to participate in state funding programs; providing an effective date.

—was read the second time by title. On motion by Senator Deeb, by two-thirds vote SB 1456 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—20

Brantley	Glisson	Peterson	Thomas, J.
Childers, W. D.	Hair	Poston	Thomas, P.
Deeb	Lane, D.	Renick	Tobiassen
Firestone	Lane, J.	Spicola	Trask
Gallen	McClain	Stolzenburg	Vogt

Nays—9

Childers, D.	Graham	Lewis	Saunders
Dunn	Holloway	MacKay	
Gordon	Johnston		

Votes after roll call:

Nays—Myers and Sayler

On motion by Senator Deeb, the rules were waived and SB 1456 was ordered immediately certified to the House.

On motion by Senator Lewis, the rules were waived and by two-thirds vote CS for HB 2455 was withdrawn from the Committee on Education.

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 1246, 1133, 988, 371, 1005, 168, 1236, 1030; and House Bills 1773, 1105 and CS for HB 2847 were withdrawn from the Committee on Ways and Means.

On motion by Senator Lewis, the rules were waived and by two-thirds vote SB 644 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Gordon, the rules were waived and by two-thirds vote SB 476 was withdrawn from the Committee on Commerce.

On motion by Senator Henderson, the rules were waived and by two-thirds vote HB 4081 was withdrawn from the Committee on Commerce.

Senator Gordon moved that the rules be waived and SB 1428 be withdrawn from the Committee on Ways and Means and the motion failed.

On motion by Senator Saunders, the Senate reconsidered the vote by which the foregoing motion failed.

Senator Deeb moved as a substitute motion that the rules be waived and SB 1428 be considered at the meeting of the Committee on Ways and Means this day. The substitute motion failed.

The question recurred on the motion by Senator Gordon. The motion was adopted by two-thirds vote and SB 1428 was withdrawn from the Committee on Ways and Means.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President

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

HB 4052 HB 4006 HB 3931

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 4006—A bill to be entitled An act relating to Flagler County; providing for the establishment and incorporation of a special tax district to be known as "Palm Coast Fire District"; fixing and prescribing the boundaries of said district; providing for the government and administration of the district; providing and defining the powers and purposes of the district and the board of commissioners thereof; providing for their election and authorizing and empowering said board of commissioners to accept title to operate and maintain facilities for fire protection in the district, including the acquisition and acceptance to title to fire stations which may be used for incidental purposes in addition to their use as fire stations, and furnishing necessary fire fighting and communications equipment for such stations in the district, to purchase the necessary licenses, telephone and electric service, alarm system, and other utilities and materials necessary to permit the operation of the district and to purchase all necessary insurance; authorizing the district to contract with the Palm Coast Volunteer Fire Department and other fire fighting agencies, or public agent for the purpose of providing fire protection in the district; authorizing and empowering the board to borrow money on the note or notes of the district and authorizing the levy and collection of taxes for the payment of said notes and interest thereon and authorizing and providing for the levy and collection of taxes for the repair and maintenance of the facilities and equipment of the district and operating expenses of the district and for the payment of other necessary expenses of carrying on and transacting the business of the district, limiting the rate of taxation for these purposes so as not to exceed one-half mill on the dollar of valuation of the taxable property within the district; providing generally the powers and duties of the board; repealing all laws in conflict therewith; providing that the act shall not take effect until it is approved by a majority of the duly registered electors voting at an election to be held within the district; providing an effective date for referendum.

Proof of publication of the required notice was attached.

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

By Representative Tolton and others—

HB 4052—A bill to be entitled An act relating to Escambia County; providing relief for lessees and their assignees, holding leases at Pensacola Beach on Santa Rosa Island relating to property owned by Escambia County, which the county has been or will be enriched by the construction of improvements on county property by lessees or their assigns, pursuant to requirements of leases dated on or before December 31, 1975; finding certain facts to exist with respect to property owned by Escambia County which has been leased and that lessees were induced to enter into said leases by representations that the property and leaseholds were not subject to ad valorem taxes but such taxes are now being levied; providing for the payment by the county to such lessees of certain specified amounts as compensation for improvements on the county owned land in amounts not in excess of the amounts collected for ad valorem taxes for the years of 1972, 1973, and 1974; providing for reimbursement of Escambia County by the District School Board of Escambia County; providing for procedure in claiming relief; providing a method for determination of those who are eligible

for such payments; providing for the suspension of the effectiveness of this act under certain contingencies; providing for liberal construction; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Tolton and others—

HB 3931—A bill to be entitled An act relating to Escambia County; providing relief for lessees and their assignees, holding leases at Navarre Beach on Santa Rosa Island relating to property owned by Escambia County, which the county has been or will be enriched by the construction of improvements on county property by lessees or their assigns, pursuant to requirements of leases dated on or before December 31, 1975; finding certain facts to exist with respect to property owned by Escambia County which has been leased and that lessees were induced to enter into said leases by representations that the property and leaseholds were not subject to ad valorem taxes but such taxes are now being levied; providing for the payment by the county to such lessees of certain specified amounts as compensation for improvements on the county owned land in amounts not in excess of the amounts collected for ad valorem taxes for the years of 1972, 1973, and 1974; providing for reimbursement of Escambia County by the District School Board of Escambia County; providing for procedure in claiming relief; providing a method for determination of those who are eligible for such payments; providing for the suspension of the effectiveness of this act under certain contingencies; providing for liberal construction; providing an effective date.

Proof of publication of the required notice was attached.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3681 and HB 3624 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hawkins—

HB 3681—A bill to be entitled An act relating to the Naples Mosquito Control District, Collier County; amending chapter 63-1234, Laws of Florida, as amended; changing the name of the Naples Mosquito Control District to the Collier Mosquito Control District; providing for the method of filing for election as a member of the board of said mosquito control district; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative James and others—

HB 3624—A bill to be entitled An act relating to the City of Boca Raton, Palm Beach County; redesignating the Greater Boca Raton Tax District for the acquisition of beach property as the Greater Boca Raton Beach Tax District; amending ss. 2-9 of chapter 74-423, Laws of Florida, providing staggered terms for members of the board of commissioners of the district; requiring at least three affirmative votes of members of the board to set annual millages and the annual budget and to carry out the provisions of this act; providing for the non-partisan election of such members; providing for the annual election of the chairman and officers of the board; replacing provisions relating to the purposes of the district with a requirement that the district reimburse the City of Boca Raton for the cost in acquiring specified property in the district and improvements thereon and the purchase of other beach or park properties; requiring the affirmation of the City of Boca Raton or of the electorate for the district to purchase, lease, or acquire property by eminent domain for park or beach purposes; removing the authority of the district to borrow money; restricting to nonexempt property any tax levied by the district; authorizing an increase of such tax upon approval of the elec-

torate; requiring the district to cease to function if its boundaries become those of the City of Boca Raton; providing for the transfer of assets upon such cessation; providing an effective date.

Proof of publication of the required notice was attached.

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

The Honorable Dempsey J. Barron, President

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

HB 3588	HB 3682	CS for HB 3916
HB 3918	HB 3921	HB 3922
HB 3923	HB 3927	HB 3928
HB 3934	HB 3963	HB 3968
HB 3919	HB 4143	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3780 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Kiser and others—

HB 3780—A bill to be entitled An act relating to Pinellas County; amending section 15, chapter 73-594, Laws of Florida, as amended by chapter 74-584, Laws of Florida, to correct a scrivener's error in the effective date of said act; providing for the approval, ratification and confirmation of all prior acts of the Pinellas County Planning Council undertaken pursuant to the provisions of chapter 73-594, Laws of Florida, as amended by chapter 74-584, Laws of Florida; amending section 3(1)(i) of chapter 73-594, Laws of Florida, as amended, providing for an appointee by the Pinellas County Legislative Delegation to membership on the Pinellas County Planning Council; amending section 4(2) of chapter 73-594, Laws of Florida, establishing a meeting place by majority vote; repealing section 4(3) of chapter 73-594, Laws of Florida, establishing certain meetings to be held at various localities in Pinellas County; adding subsection (12) to section 5 of chapter 73-594, Laws of Florida, as amended, providing for review and recommendation on proposed annexation within Pinellas County by the Pinellas County Planning Council; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Mann and others—

HB 3588—A bill to be entitled An act relating to Lee County; providing for the repeal of Chapter 72-603, Laws of Florida, relating to special restaurant alcoholic beverage licenses; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hawkins—

HB 3682—A bill to be entitled An act relating to the City of Naples, Collier County; amending section 1.2 of Article I of chapter 59-1598, Laws of Florida, as amended, changing the boundaries of the city; providing an effective date.

Proof of publication of the required notice was attached.

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

By the Committee on Community Affairs and Representative Freeman—

CS for HB 3916—A bill to be entitled An act relating to Monroe County; repealing chapter 63-1631, Laws of Florida, as amended by chapter 69-1320, Laws of Florida relating to franchises for garbage and waste collection and disposal; confirming franchises previously granted; providing an effective date.

Proof of publication of the required notice was attached.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3914 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Tolton and others—

HB 3914—A bill to be entitled An act relating to Escambia and Santa Rosa Counties; providing for relief of lessees owning a leasehold interest in land owned by Escambia County on Santa Rosa Island who have or are required to construct improvements on county property; providing for the amendment of leases from Santa Rosa County Beach Administration dated on or before December 31, 1975, upon application of lessees; providing for Escambia County to pay to Santa Rosa County Beach Administration, annually, an amount equal to the amount of ad valorem taxes levied for county purposes on leasehold interests, wherein Santa Rosa County Beach Administration is lessor; providing for transfer of funds, under certain circumstances, by Escambia County School Board to Santa Rosa County School Board; providing that no part of the moneys paid to such statutory agency by the county, which is to be used to pay principal or interest of any revenue bonds, shall be derived from ad valorem taxes, but shall be derived from other sources; providing reimbursement of Escambia County by the District School Board of Escambia County; authorizing Santa Rosa County Beach Administration to borrow money on short term interest-bearing notes pledging anticipated payments hereunder; providing for refund of certain rentals paid after December 31, 1975; repealing conflicting laws; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hagler and others—

HB 3918—A bill to be entitled An act relating to the City of Pensacola, Escambia County; relating to the housing authority established by chapter 421, Florida Statutes, increasing the number of members on the governing body of the housing authority from five persons to seven; repealing conflicting laws; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hagler and others—

HB 3921—A bill to be entitled An act relating to Escambia County; relating to the establishment of a merit system of personnel administration for the civil service system of the county; amending section 3 of chapter 74-480, Laws of Florida, as amended, providing an additional division for grant program participants; amending section 12.5 of chapter 74-480, Laws of Florida, as amended, relating to limited terms of appointed personnel; amending section 23 of chapter 74-480, Laws of Florida, as amended, to provide for the definition of grant program participants; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hagler and others—

HB 3922—A bill to be entitled An act relating to Escambia County; amending Section 1 of Chapter 61-2126, Laws of Florida, authorizing the board of county commissioners of Escambia County, Florida to pay out of the general fund of Escambia County, a sum not to exceed \$5,000.00 annually, to the Citizens Welfare Committee (Military Liaison Committee); declaring said payment as a public purpose; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hagler and others—

HB 3923—A bill to be entitled An act relating to Escambia County and the City of Pensacola; amending section 14 of chapter 67-1365, Laws of Florida, relating to the creation of the Pensacola-Escambia County Promotion and Development Commission; providing for a minimum appropriation of \$80,000 by the City of Pensacola and a minimum appropriation of \$80,000 by the Board of County Commissioners of Escambia County for the benefit of the Pensacola-Escambia County Promotion and Development Commission for the operation and maintenance of the commission; repealing conflicting laws; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Freeman—

HB 3927—A bill to be entitled An act relating to Monroe County; providing that county officials and county employees and their dependents, upon retirement, shall continue to be insured under any group insurance plan, provided said persons pay to the county the monthly insurance premium required under the policy; requiring provisions of this act to be included in any county contract for group insurance; setting forth the intention of the Legislature in passing this act; repealing all laws, whether general, special or local, in conflict herewith; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Hattaway and Fechtel—

HB 3928—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 bylaws 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 first time by title and referred to the Committee on Rules and Calendar.

By Representative Freeman—

HB 3934—A bill to be entitled An act relating to Monroe County; amending sections 1 and 3 of chapter 69-1321, Laws of Florida, as amended, replacing the member of the career service system of Monroe County appointed by the other four members with a representative of the Lower Florida Keys Hospital District; including employees of the district within the career service system; removing the exemption of employees furnishing professional services from the career service system; amending section 6 of chapter 69-1321, Laws of Florida, providing the career service council with certain oath and subpoena powers; prohibiting persons from failing to respond to certain orders of the council or from giving false testimony; providing a penalty; authorizing the council to order reinstatement of an employee pending judicial review of the order; authorizing the council to order the agency to pay the employee's attorney's fee and certain other expenses; adding section 7A to chapter 69-1321, Laws of Florida, authorizing judicial review of decisions of the council under certain circumstances; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hagler and others—

HB 3963—A bill to be entitled An act relating to Escambia County; amending section 8.9 of chapter 74-480, Laws of Florida, as amended, relating to the civil service system, to provide in section 8.9 that holidays, in addition to the specified legal holidays, shall be granted to county employees by the civil service board, upon request of the board of county commissioners; that additional holidays granted shall not be charged to employees' leave time; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Melvin and others—

HB 3968—A bill to be entitled An act relating to Okaloosa County; repealing chapter 67-1785, Laws of Florida, which authorizes the school board to make purchases not exceeding \$1,000 without requiring competitive bidding; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hagler and others—

HB 3919—A bill to be entitled An act relating to Escambia County; amending sections 4(1) and (2), 5(1), and 8 of chapter 67-1366, Laws of Florida, creating the Escambia County extension council act; providing for corrections of title positions and changing provision for payment of travel expenses; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative T. Lewis and others—

HB 4143—A bill to be entitled An act relating to the Lake Worth Downtown Development Authority; amending section 8 of chapter 72-592, Laws of Florida, increasing the rate of ad valorem taxation levied by the authority from 1 to 3 mills beginning with the authority's 1976-1977 fiscal year; authorizing the authority to lower the tax rate and to thereafter increase it up to 3 mills according to law; providing for a referendum; providing an effective date.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3554 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Young and others—

HB 3554—A bill to be entitled An act relating to Port Everglades Authority, Broward County; authorizing the issuance of an alcoholic beverage license to the Port Everglades Authority for use in its operation of Port Everglades; providing for application; providing for transfer; providing an effective date.

Proof of publication of the required notice was attached.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3726 and HB 3936 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Tolton and others—

HB 3726—A bill to be entitled An act relating to Walton County; creating the South Walton Tax District in Walton County; providing the boundaries of the district; providing for the membership and election of the South Walton Tax District Board; providing the compensation of members of the board; providing for the powers and duties of the board; providing for the assessment and levy of ad valorem taxation subject to a referendum; providing for referendums; providing an effective date.

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

By Representative Freeman—

HB 3936—A bill to be entitled An act relating to Monroe County; amending section 7 of chapter 67-1726, Laws of Florida, as amended, authorizing the board of commissioners of the Monroe County Mosquito Control District to be paid for traveling expenses at the mileage figure authorized under s. 112.061(7)(d), Florida Statutes; amending section 14 of chapter 67-1726, Laws of Florida, authorizing the board of commissioners of the mosquito control district to purchase property or equipment without formal bids in an amount not exceeding \$2,000; adding a new section 22 to chapter 67-1726, Laws of Florida, authorizing the board of commissioners of the mosquito control district to set up and maintain a properly controlled public mix program for the alleviation of mosquito and other arthropod infestations under certain circumstances; providing an effective date.

Proof of publication of the required notice was attached.

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

The Honorable Dempsey J. Barron, President

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

CS for HB 3967 HB 3587 HB 3753

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs and Representative Freeman—

CS for HB 3967—A bill to be entitled An act relating to Monroe County; abolishing and recreating the Florida Keys Aqueduct Authority; providing definitions; providing for the election, qualifications, terms, compensation, and recall of members of the Board of Directors of the Authority; requiring all

members to post a bond; requiring publication of the audit and proposed budget of the Authority; requiring a hearing on the budget; providing powers and duties of the board and of the Authority including the ownership, acquisition, mortgage, lease, and disposal of property and facilities, the furnishing of services and facilities relating to water supply, water supply systems, and sewer systems, the exercising of the power of eminent domain, and the financing of the projects and activities of the Authority through the issuance of bonds; restricting the purchase of equipment; authorizing the Authority to enter into agreement with other public agencies of the State of Florida and the United States of America; providing authority to set rates, fees, rentals, tolls, fares, and charges and to pledge the same as security for bonds; providing for special lower rates for certain persons; requiring hearings for increases in rate, fee, rental, and other charges; providing authority to recover delinquent charges together with attorneys' fees, expenses, and penalties and to discontinue services; authorizing agreements with private or public persons or agencies concerning the furnishing of facilities and services; granting the Authority exclusive jurisdiction over projects and budgets and providing exemption of Authority projects and activities and the Authority budget and finances from other regulatory laws and authorities; authorizing the Authority to adopt a comprehensive general plan for the furnishing of water services and systems; providing the power to issue bond anticipation notes; providing the power to make short term borrowings and to issue certificates of indebtedness; providing authority for making trust agreements; providing for the sale of bonds subject to the approval of the electorate; providing authorization and form of bonds; providing for interim and replacement certificates and negotiability; making Authority bonds legal investment or security for other public and private bodies; providing Authority to make bond covenants and to provide for the rights, remedies, and security of bondholders; providing for validation of bonds by publication of notice of issuance and by validation proceedings under chapter 75, Florida Statutes; providing independent authority to issue bonds and authorizing the issuance without approval of other public authorities; extending pledges to bondholders and safeguarding agreement with the Federal Government against impairment of rights; providing for agreements with municipalities, state and federal agencies; providing for tax exemption of Authority properties, bonds, and revenues; providing for investment of funds by the Authority; providing for fiscal year of the Authority; repealing chapters 70-810, 71-778, 75-442, 75-446, and 75-449, Laws of Florida, relating to the Florida Keys Aqueduct Authority, to conform to this act; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Young and others—

HB 3587—A bill to be entitled An act relating to the City of Sunrise, Broward County; relating to the issuance of an alcoholic beverage license for the City of Sunrise for the Sunrise Cultural Arts and Convention Center; providing terms and conditions for the issuance of said license; providing for transfer; excepting said license from the provisions of s. 561.20(1), Florida Statutes, as same relates to limitation on number of such licenses that may be issued in Broward County; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Langley and Fechtel—

HB 3753—A bill to be entitled An act relating to Lake County; amending section 4 of chapter 65-1785, Laws of Florida, relating to the expenditure of moneys collected by the Northwest Lake County Hospital District; allowing the proceeds of all tax moneys heretofore levied, collected and received under the authority of chapter 69-1202, Laws of Florida, to be paid over to Leesburg Hospital Association, Inc., a Florida nonprofit corporation; repealing all other provisions of chapter 69-1202, Laws of Florida, including the abolishment of the Board of Trustees of the Northwest Lake County District created by and existing under the provisions of said act; providing an effective date.

Proof of publication of the required notice was attached.

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

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3913 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Tolton and others—

HB 3913—A bill to be entitled An act relating to Escambia County; providing for relief of lessees owning a leasehold interest in land owned by Escambia County on Santa Rosa Island who have or are required to construct improvements on county property; providing for the amendment of leases from Santa Rosa Island Authority dated on or before December 31, 1975, upon application of lessees; providing for Escambia County to pay to Santa Rosa Island Authority, annually, an amount equal to the amount of ad valorem taxes levied for county purposes on leasehold interests wherein Santa Rosa Island Authority is lessor; providing for transfer of funds, under certain circumstances, by Escambia County School Board to Santa Rosa County School Board; providing that no part of the moneys paid to such statutory agency by the county, which is to be used to pay principal or interest of any revenue bonds, shall be derived from ad valorem taxes, but shall be derived from other sources; providing reimbursement of Escambia County by the District School Board of Escambia County; authorizing Santa Rosa Island Authority to borrow money on short term interest-bearing notes pledging anticipated payments hereunder; providing for refund of certain rentals paid after December 31, 1975; repealing conflicting laws; providing an effective date.

Proof of publication of the required notice was attached.

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

The Honorable Dempsey J. Barron, President

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

HB 2956	HB 3444	HB 3449
HB 3537	HB 3539	HB 3540
HB 3541	HB 3581	HB 3582
HB 3584	HB 3585	HB 3586
HB 3679	HB 3680	HB 3690
HB 3699	HB 3701	HB 3702
HB 3708	HB 3717	HB 3727
HB 3728	HB 3754	HB 3760
HB 3761	HB 3774	HB 3775
HB 3777	HB 3778	HB 3779
HB 3781	HB 3782	HB 3784
HB 3785	HB 3915	
HB 3017	HB 3026	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Thompson and Hodges—

HB 2956—A bill to be entitled An act relating to the City of Perry, Taylor County; amending section 4 of article 2 of chapter 5359, Laws of Florida, 1903, as amended, providing for the compensation and election of the mayor; amending section 14 of article 3 of chapter 5359, Laws of Florida, 1903, as amended, providing for the composition and election of the city council; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Neal and Haben—

HB 3017—A bill to be entitled An act relating to the City of Bradenton, Manatee County; adding subsection 4. to section

2 of chapter 67-1121, Laws of Florida, and amending sections 7 and 9 of said chapter, defining the term "average compensation" with respect to the Bradenton Firemen's Pension Fund; providing for the normal retirement date of firemen at age 55 with 20 years of credited service; providing a formula for the computation of a fireman's normal retirement benefit; amending subsection 2. of section 5 and section 10 of chapter 67-1121, Laws of Florida, as amended, increasing the contribution which firemen must pay to the Bradenton Firemen's Pension Fund and altering the City of Bradenton's contribution plan; providing that when a fireman dies prior to retirement, his beneficiary shall receive his accumulated contributions; providing that no death benefit shall be payable upon the death of a retiree except where the retiree has already selected an optional form of retirement benefit providing for such a contingency; providing for the vesting of retirement benefits after 10 years of credited service and providing for optional forms of retirement benefits; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Neal and Haben—

HB 3026—A bill to be entitled An act relating to the City of Bradenton, Manatee County; amending section 1 of chapter 69-851, Laws of Florida, increasing the percentage of monthly salary contributions of each member of the police department of the City of Bradenton from 5 percent to 5.50 percent; amending section 2(2) thereof, changing the definition of "average compensation" from the last 5 years to the best 5 years of the member's last 10 years; adding section 6A thereof requiring an actuarial study every 3 years; amending section 11 thereof; allowing retirement at age 50, instead of age 55 with full benefits after 20 years of service; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Gorman and others—

HB 3444—A bill to be entitled An act relating to the fire control districts of Orange County; repealing chapters 67-1821 and 59-1651, Laws of Florida, as amended, relating to the creation, establishment, and maintenance of fire control districts in parts of Orange County, and the inspection and regulation of fire hazards by said fire control districts in Orange County, so as to abolish such districts; providing for the continued obligation and authority to provide fire protection to the areas in such fire control districts and other unincorporated areas of Orange County, by the Board of County Commissioners of Orange County, by ordinance establishing and creating countywide fire protection; providing for the transfer of assets and liabilities of said fire control districts; providing for a referendum; providing an effective date.

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

By Representative Gorman and others—

HB 3449—A bill to be entitled An act relating to the City of Orlando, Orange County; amending provisions relating to the pension fund for the police department and fire department of said city; amending section 3 of chapter 22414, Laws of Florida, 1943, as amended, providing for qualifications for employment and retirement under said act; amending section 1 of chapter 31086, Laws of Florida, 1955, as amended, providing for continuity of benefits in said fund by making regular contributions into the fund while absent from duty for specified reasons; providing for the reinstatement of pension benefits where members of the Orlando Police Department Pension Fund have severed their employment with said department and subsequently been rehired; providing for the acceptance in lump sum of prior withdrawn pension fund contributions together with interest thereon as a prerequisite for reinstatement in the pension program; providing for the acceptance of any moneys necessary to cover pension contributions which would have been required for those currently permanent members of the Orlando Police Department pension fund who were hired on a full-time temporary status until such time as they were

able to attain permanent status; providing the reemployed persons may not receive both pension benefits and a salary; repealing section 19 of chapter 22414, Laws of Florida, 1943, relating to a police department age limitation; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Redman and others—

HB 3537—A bill to be entitled An act relating to the Tampa-Hillsborough County Expressway Authority Law; amending s. 348.51(6), Florida Statutes, to change the definition of "expressway system"; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Knopke and others—

HB 3539—A bill to be entitled An act relating to the City of Tampa, Hillsborough County, general employees pension fund; amending section 2 of chapter 73-636, Laws of Florida, permitting certain employees to receive credit for certain past service upon certain terms and conditions; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Knopke and others—

HB 3540—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending sections 2, 4, and 5 of chapter 59-1919, Laws of Florida, as amended, providing that the Chief of Sanitation of the City of Tampa shall enforce and administer the provisions of chapter 59-1919, Laws of Florida, providing for the abatement, as nuisances, of weeds, grass or underbrush upon real property within the city; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Moffitt and others—

HB 3541—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; creating the Tampa Downtown Development Authority to plan, coordinate, and assist in the development and revitalization of the downtown area of the City of Tampa; defining the initial boundaries of such area; providing for the composition of the authority; prescribing powers of the authority including, among others, the power to acquire property through eminent domain proceedings and the power to issue bonds payable solely from revenues; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Dyer and others—

HB 3581—A bill to be entitled An act relating to Broward County; amending section 9, chapter 24415, Laws of Florida, 1947, as amended, authorizing and empowering the Board of Commissioners of the South Broward Hospital District to borrow funds not to exceed the sum of \$1,000,000 for capital acquisition to be repaid within 5 years; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Dyer and others—

HB 3582—A bill to be entitled An act relating to Broward County; amending section 9 of chapter 27438, Laws of Florida, 1951, as amended, increasing from 1 to 5 years the maximum period for which the Board of Commissioners of the North Broward Hospital District may borrow money and issue notes therefor; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Young and others—

HB 3584—A bill to be entitled An act relating to the charter of the City of Sunrise, Broward County, Florida, amending Section 2 of Chapter 61-2902, Laws of Florida 1961, as amended, to enlarge the municipal boundaries by annexing and including within the city limits and boundaries certain additional territory located in Sections 17 and 18, Township 49 South, Range 41 East; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Dyer and others—

HB 3585—A bill to be entitled An act relating to Broward County; amending section 4 of chapter 24415, Laws of Florida, 1947, relating to the South Broward Hospital District; authorizing the Board of Commissioners of South Broward Hospital District to lease real and/or personal property, upon reasonable terms; providing for the leasing of real property for a term not in excess of 30 years; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Rude and others—

HB 3586—A bill to be entitled An act relating to the City of Oakland Park, Broward County, reenacting Chapter 75-452, Laws of Florida, relating to the enlarging and extending of the corporate limits of the City of Oakland Park by including previously unincorporated land into said corporate limits; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hawkins—

HB 3679—A bill to be entitled An act relating to the North Naples Fire Control District, Collier County; amending section 9 of chapter 61-2032, Laws of Florida, eliminating the maximum dollar taxing ability; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hawkins—

HB 3680—A bill to be entitled An act relating to Collier County; repealing chapter 71-592, Laws of Florida, as amended, which provides for special restaurant alcoholic beverage licenses and for certain other matters related thereto; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative T. Lewis and others—

HB 3690—A bill to be entitled An act relating to the City of West Palm Beach, Palm Beach County, Police Pension and

Relief Fund; amending subsections (8) age and service retirement, (9) age and service pension, (10) nonduty disability, (11) duty disability, and (13) death benefits, of section 16 of chapter 24981, Laws of Florida, 1947, as amended, and adding subsection (9A) cost-of-living adjustments, thereto; repealing all laws in conflict herewith; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Poorbaugh and Nergard—

HB 3699—A bill to be entitled An act relating to Martin County; providing for nonpartisan election of Martin County district school board members; providing dates for their election; exempting present members for the remainder of their terms; providing for a referendum; providing an effective date.

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

By Representative Fortune and others—

HB 3701—A bill to be entitled An act relating to the operation and administration of the county hospital system in Escambia County; separating Century Memorial Hospital, Century, from University Hospital, Pensacola, by providing a separate Board of Trustees for Century Memorial Hospital; providing for membership of Century Memorial Hospital Board and for the appointment by the Governor of certain persons as members of the Board of Trustees of Century Memorial Hospital; providing terms of office therefor, and method of filling vacancies; providing for certain amount of revenue to be given to said hospital by Escambia County; providing financial responsibility for care of indigents; superseding provisions of chapter 155, Florida Statutes; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Hawkins and Nuckolls—

HB 3702—A bill to be entitled An act relating to the City of Clewiston, Hendry County; amending Article 1, Section 1, Chapter 10433, Laws of Florida, 1925, to redefine the territorial limits of the City of Clewiston; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Rude and others—

HB 3708—A bill to be entitled An act relating to Port Everglades Authority, Broward County; amending chapter 59-1157, Laws of Florida, as amended, being the charter of Port Everglades Authority; amending Part VI, Article 2, Section 2 thereof, relating to definition and description of lands defined as "Port Operational Lands"; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative G. C. Robinson and others—

HB 3717—A bill to be entitled An act relating to the Pensacola Downtown Improvement Board; amending sections 5(1) and (3), 6, 8(3), (10), (12), and (16), and 9 of chapter 72-655, Laws of Florida, and adding subsection (17) to section 8; prohibiting ex-officio board members from voting; removing certain eligibility requirements for membership on the board; reducing the quorum requirement for the transaction of business; authorizing the adoption of capital improvement budgets at any time; clarifying language relating to the taxable status of property owned by the board; empowering the board to exchange revenue certificates for property; removing the re-

quirement that the city council approve the borrowing of money by the board and expanding the board's power to borrow; clarifying language relating to the approval of taxes imposed by the board by the electorate; authorizing the board to issue tax supported bonds; removing provisions which limit the millage which may be imposed by the board; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Mixson—

HB 3727—A bill to be entitled An act relating to Jackson County; amending section 6 (c) of chapter 19901, Laws of Florida, 1939, as amended, relating to the appointment of trustees of Jackson County Hospital Corporation, the number of trustees, term of appointment, qualifications, duties, rights and privileges; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Mixson—

HB 3728—A bill to be entitled An act relating to the City of Marianna, Jackson County; amending sections 5(5)-(7), 9(1) and 14 of chapter 73-548, Laws of Florida, as the same was previously amended by chapter 75-436, Laws of Florida, extending the expiration dates for the terms of certain initial members of the board of the Marianna Downtown Development Authority; reducing the time periods in which the registration lists are to remain open and in which the city clerk may accept ballots after passage of the ordinance defining the downtown area for purposes of the referendum held to approve chapter 73-548, Laws of Florida, as amended by chapter 75-438, Laws of Florida, and as amended by this act; providing that the referendum shall be for the approval of the 1973 act as amended by chapter 75-436, Laws of Florida, and as amended by this act; providing an effective date.

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

By Representatives Langley and Culbreath—

HB 3754—A bill to be entitled An act relating to Sumter County; amending sections 2 and 3 of chapter 71-932, Laws of Florida, relating to the acquisition, construction, repair, equipping and remodeling of school buildings for Sumter County and the issuance of certificates of indebtedness payable from the portion of the racetrack funds accruing annually to Sumter County and allocated to the district school board to finance the cost of such projects; increasing the amount of such certificates of indebtedness authorized to be issued to \$4,400,000 and authorizing the district school board to determine the interest rate and maturities of such certificates of indebtedness, provided they mature within 40 years from their date; providing for the method of sale of such certificates of indebtedness; providing for such certificates of indebtedness to be additionally payable from jai alai fronton funds allocated to the board pursuant to law, and available state motor vehicle license taxes; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Skinner and Hodges—

HB 3760—A bill to be entitled An act relating to Columbia, Dixie, Gilchrist, Hamilton, Lafayette, and Suwannee Counties; exempting said counties from mandatory compliance with the provisions of the Florida Emergency Telephone Act of 1974; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Nuckolls and Hawkins—

HB 3761—A bill to be entitled An act to authorize the City of Cape Coral to provide for the construction of seawalls and to levy against the benefited property owners part or all of the cost of such construction; to provide a short title; definitions; to provide authority for construction of seawalls and levying and collecting the special assessments against the property benefited; to provide method of prorating special assessments; to provide for a resolution required to declare special assessments; to provide plans and specifications, with estimated cost to proposed improvements be required before adoption of the resolution; to provide publication of the resolution; to provide for a first assessment roll; to provide for publication of notice of assessment; to provide for a second assessment roll; to provide for publication of the second assessment roll; to provide for an equalizing board to hear complaints and to adjust assessments, rebate of difference in cost and assessment; to provide for priority of lien, interest and method of payment; to provide legal proceedings instituted upon failure of property owner to pay special assessment or interest when due, foreclosure, and service of process; to provide that the city council is required to make new assessments until valid assessment is made if special assessment is omitted or held invalid; to provide that the city council may pay out of its general funds or any special fund for that purpose, portion of the cost of improvements; to provide assessment rolls as sufficient evidence of assessment and other proceedings in this act and that variance is not material unless party objecting is materially injured thereby; to provide that the act is additional and complete authority; to provide separability provisions and to provide time of taking effect.

Proof of publication of the required notice was attached.

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

By Representative Freeman—

HB 3774—A bill to be entitled An act relating to Monroe County; repealing chapter 69-1319, Laws of Florida, and chapter 70-815, Laws of Florida, abolishing the North Key Largo Development District; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Grizzle and others—

HB 3775—A bill to be entitled An act relating to the City of St. Petersburg; declaring certain waters and bodies of water within the city to be salt water; prohibiting the use of nets or seines, excepting hand cast nets, for the purpose of taking fish within said waters and bodies of water; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Kiser and others—

HB 3777—A bill to be entitled An act relating to Pinellas County; repealing Chapter 69-1487, Laws of Florida, which authorized and empowered the Board of County Commissioners of Pinellas County, Florida, to purchase goods, supplies or materials for county purposes or use, when the amount to be paid therefor by the county does not exceed two thousand five hundred dollars (\$2,500.00), without the necessity of advertising any notice or calling for bids regarding said purchase; repealing Section 5 of Chapter 29436, Laws of Florida, 1953, which required that all purchases in excess of \$1,000.00 or such other amount requiring published notice of sealed bids as is fixed by the laws of the State of Florida, shall be made pursuant to the Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Easley and others—

HB 3778—A bill to be entitled An act relating to consumer protection in Pinellas County; providing a short title; declaring legislative intent; providing for territory embraced; providing for the repeal of conflicting laws; specifically repealing chapter 73-602, Laws of Florida as amended by chapter 75-490, Laws of Florida; providing for the retention of jurisdiction of actions accruing under chapter 73-602, Laws of Florida, and transferring such jurisdiction to the enforcing authorities created herein; providing definitions; establishing the Board of Consumer Affairs and Appeals; providing for procedures and records; providing for powers and jurisdiction of the board; establishing the Department of Consumer Affairs; providing powers and duties of the department; establishing operating procedures of the department; establishing a procedure for service of process; establishing procedures governing hearings; providing for stay of proceedings; providing for the effective date of board orders; providing for judicial review; providing a means of enforcement of orders; providing for enforcement of subpoenas; providing penalties for violations of orders; prohibiting the obstruction of investigators and providing penalties therefor; providing a statute of limitations; providing for the effect of other rights and remedies; providing for severability of provisions; providing for an effective date.

Proof of publication of the required notice was attached.

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

By Representative Easley and others—

HB 3779—A bill to be entitled An act relating to Pinellas County; amending Chapter 75-485, Special Laws of Florida, 1975, which amended Chapter 74-577, Special Laws of Florida, 1974, by amending Section 6 of Chapter 75-485, Special Laws of Florida, 1975, to extend the deadline for implementation of a Countywide 911 System from December 31, 1976 to July 1, 1977; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative McDonald and others—

HB 3781—A bill to be entitled An act relating to Pinellas County; amending section 4 (2) and (4) of chapter 63-1790, Laws of Florida, authorizing the sale of beer or wine in the county by certain vendors for off the premises consumption after 1:00 p.m. on Sundays; limiting to the sale of liquor the restriction that alcoholic beverages sold after 1:00 p.m. on Sunday and before 2:00 a.m. on Monday be sold for consumption on the premises; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Belanger and others—

HB 3782—A bill to be entitled An act relating to Pinellas County; authorizing the School Board to establish a trust fund to provide property and liability insurance coverage; exempting the School Board from any requirement to contract with private companies; providing the extent of coverage; waiving immunity to the extent of coverage and funds available; authorizing the School Board to adopt and promulgate rules and regulations and employ personnel; providing that the salaries and expenses be paid from the trust fund; authorizing the purchase of reinsurance; requiring the School Board to appropriate money to the trust fund; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Kiser and others—

HB 3784—A bill to be entitled An act relating to Pinellas County; amending Chapter 75-486, Laws of Florida; amending

section 2 to limit arrest powers; adding a new section relating to establishment of areas of responsibility and guidelines; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Kiser and others—

HB 3785—A bill to be entitled An act to reduce the burden and delay in purchasing teaching supplies and materials by authorizing moneys to be advanced by county warrant from the operating fund of the District School Board of Pinellas County to individual school's internal accounts in an amount budgeted to the schools for that purpose, and to provide for accounting therefor, monthly and yearly, and auditing thereof; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Freeman—

HB 3915—A bill to be entitled An act relating to the City of Key West, Monroe County; amending section 11 of chapter 69-1191, Laws of Florida, as amended, requiring, rather than authorizing, the Utility Board of the City of Key West to grant lower rates on residential accounts for the use of electricity to certain permanent residents over 60 years of age or who are totally and permanently disabled American veterans; providing an effective date.

Proof of publication of the required notice was attached.

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

CO-INTRODUCERS

Senators Trask and Peterson—SB 850; Senator Hair—SJR 1301; Senator Trask—SB 405; Senator Winn—SB 1060; Senator Zinkil—SB 512

The Journal of May 27 was corrected and approved.

The Senate adjourned at 1:22 p.m. to convene at 2:00 p.m. May 31, 1976.