

# JOURNAL OF THE FLORIDA SENATE

Thursday, June 3, 1976

The Senate was called to order by the President Pro Tempore at 9:00 a.m. A quorum present—40:

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

CS for SJR's 49 and 81 and SCR 1458 have been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on June 3, 1976.

Joe Brown, Secretary

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Myers, the rules were waived and by two-thirds vote SB 918 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Lewis, the rules were waived and by two-thirds vote HB 4029 was withdrawn from the Committee on Education and placed on the Calendar.

On motion by Senator Lewis, by unanimous consent—

HB 4029—A bill to be entitled An act relating to the naming of state buildings; authorizing and directing the Board of Regents of the Division of Universities of the Department of Education to name the new education building at Florida State University the "Mode L. Stone Building"; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Lewis, by two-thirds vote HB 4029 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—26

|              |          |             |           |
|--------------|----------|-------------|-----------|
| Childers, D. | Lane, D. | Saunders    | Tobiassen |
| Firestone    | Lewis    | Sayler      | Trask     |
| Graham       | MacKay   | Sims        | Vogt      |
| Hair         | McClain  | Spicola     | Ware      |
| Henderson    | Myers    | Stolzenburg | Winn      |
| Holloway     | Poston   | Thomas, J.  |           |
| Johnston     | Renick   | Thomas, P.  |           |

Nays—None

Vote after roll call:

Yea—Childers, W. D.

## REQUEST FOR EXTENSION OF TIME

The Committee on Health and Rehabilitative Services requests an extension of 10 days for the consideration of the following:

|                               |                                  |
|-------------------------------|----------------------------------|
| SB 19 by Senator Poston       | SB 1094 by Senator Henderson     |
| SB 32 by Senator Deeb         | SB 1141 by Senator D. Lane       |
| SB 491 by Senator Poston      | SB 1154 by Senator Glisson       |
| SB 492 by Senator Scarborough | SB 1167 by Senator Vogt          |
| SB 497 by Senator Henderson   | SB 1197 by Senator Scarborough   |
| SB 513 by Senator D. Lane     | SB 1222 by Senator Gordon        |
| SB 601 by Senator Lewis       | SB 1258 by Senator Gordon        |
| SB 620 by Senator Glisson     | SB 1279 by Senator Gallen        |
| SB 691 by Senator Glisson     | SB 1304 by Senator J. Thomas     |
| SB 695 by Senator MacKay      | SB 1324 by Senator Deeb          |
| SB 716 by Senator Gordon      | SB 1332 by Senator Ware          |
| SB 831 by Senator Glisson     | HB 1505 by Representative Gordon |
| SB 951 by Senator Scarborough |                                  |
| SB 1062 by Senator Dunn       |                                  |

On motion by Senator Sayler, by unanimous consent—

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 taken up out of order, pending roll call.

Excused periodically: Senators Gordon, J. Lane, Plante, W. D. Childers, Peterson, Brantley, J. Thomas, Vogt, Wilson, Sayler, Lewis, D. Childers, D. Lane, Graham, MacKay and P. Thomas, members of conference committees; Senator Barron, in discharge of legislative duties.

Prayer by the Senate Chaplain:

Dear God as the hours of the session get shorter so too does our patience. Help us to anchor our convictions to the quality of our work rather than the quantity.

Save us our God from the ill-mannered striving of panic-stricken selfishness and pride. Help us remember scripture's wise words, "in honor preferring one another." Amen.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following bills be placed on Special Order for Thursday, June 3, 1976:

|          |         |         |              |
|----------|---------|---------|--------------|
| HB 3639  | HB 247  | HB 3411 | SB 1085      |
| HB 4081  | HB 886  | SB 1132 | SB 297 & 641 |
| SB 1135  | SB 1074 | SB 1236 | SB 804       |
| HB 1290  | SB 675  | SB 1217 | SB 1047      |
| SB 940   | SJR 825 | SB 1406 | SB 435       |
| SB 146   | HB 505  | HB 2847 | SB 1018      |
| SB 980   | SB 645  | HB 2864 | HB 1101      |
| HB 4108  | SB 220  | HB 4041 | SB 674       |
| SB 328   | SB 602  | HB 3289 | HB 4141      |
| SB 814   | SB 604  | HB 2708 | SB 1405      |
| HB 849   | SB 750  | HB 2288 | HB 2003      |
| SJR 1301 | HB 328  | SB 752  | HB 4015      |
| HB 2947  | HB 425  | SB 1262 |              |
| HB 3957  | HB 2426 | SB 1145 |              |
| SB 6     | SB 1402 | SB 1246 |              |

At the appropriate time and at the discretion of the Rules Chairman and Senator Gordon the balance of the Calendar starting with CS for SB 804 may be taken up and considered.

Respectfully submitted,  
Lew Brantley, Chairman

The Committee on Agriculture recommends the following pass: CS for HB 3299, HB 3387

The bills were placed on the calendar.

The Committee on Agriculture recommends the following not pass: HB 4205

The bill was laid on the table.

## ENROLLING REPORTS

|               |               |        |        |
|---------------|---------------|--------|--------|
| SB 403        | CS for SB 277 | SB 785 | SB 54  |
| CS for SB 659 | SB 470        | SB 578 | SB 858 |
| SB 1122       |               |        |        |

—have been enrolled, signed by the required Constitutional Officers and filed with the Governor on June 3, 1976.

Joe Brown, Secretary

On motions by Senator Saylor, the Senate reconsidered the vote by which the Senate concurred in House Amendments 3 and 4 to SB 1204 on June 1 and the Senate refused to concur, and the House was requested to recede therefrom.

SB 1204 passed as amended by the House amendments, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—27

|              |          |             |            |
|--------------|----------|-------------|------------|
| Childers, D. | Johnston | Poston      | Thomas, P. |
| Dunn         | Lane, D. | Renick      | Tobiassen  |
| Firestone    | Lane, J. | Saylor      | Trask      |
| Graham       | Lewis    | Sims        | Vogt       |
| Hair         | MacKay   | Spicola     | Winn       |
| Henderson    | McClain  | Stolzenburg | Zinkil     |
| Holloway     | Myers    | Thomas, J.  |            |

Nays—None

Vote after roll call:

Yea—Childers, W. D.

On motion by Senator Myers, by unanimous consent—

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

—was taken up out of order and read the second time by title. On motion by Senator Myers, by two-thirds vote SB 1299 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

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

Nays—None

Vote after roll call:

Yea—Childers, W. D.

On motions by Senator J. Thomas, the rules were waived and by two-thirds vote CS for HB 3719 was withdrawn from the Committees on Natural Resources and Conservation, and Governmental Operations and placed on the calendar.

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

CS for HB 3719—A bill to be entitled An act relating to the restoration of the Kissimmee River Valley and the Taylor Creek-Nubbins Slough Basin; establishing a coordinating council; providing for organization and membership of the council; directing the council to develop restoration measures for the water quality of such area; providing criteria for such measures; providing for the implementation of the restoration measures by certain public agencies and governmental bodies; requiring a comprehensive report, with recommendations, to be presented to the Legislature within 1 year after the effective date of this act; providing for progress reports; providing an appropriation; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator J. Thomas, by two-thirds vote CS for HB 3719 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—26

|              |        |           |          |
|--------------|--------|-----------|----------|
| Childers, D. | Graham | Henderson | Johnston |
| Gallen       | Hair   | Holloway  | Lane, D. |

|          |             |            |        |
|----------|-------------|------------|--------|
| Lane, J. | Peterson    | Thomas, J. | Ware   |
| Lewis    | Saunders    | Thomas, P. | Winn   |
| MacKay   | Sims        | Tobiassen  | Zinkil |
| McClain  | Spicola     | Trask      |        |
| Myers    | Stolzenburg | Vogt       |        |

Nays—None

Vote after roll call:

Yea—Childers, W. D.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed in the office of the Secretary of State Senate Bills 235 and 587 which he had approved June 3, 1976.

APPOINTMENT SUBJECT TO SENATE CONFIRMATION

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

Mae C. Campbell, Homosassa Springs; Member of the Board of Trustees of the Citrus County Hospital Board for term ending July 3, 1979

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 842, SB 698 and SB 828.

Allen Morris, Clerk

The bills were ordered enrolled.

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 1 and 2 to CS for SB 586 and has acceded to the request of the Senate for a Conference Committee and has appointed Representatives Forbes, Steinberg, Lehman and Langley as Conferees on the part of the House.

Allen Morris, Clerk

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives Forbes, Papy, Hagan and Harrington as Conferees on the part of the House on CS for HB's 2825, 3042, 3043, 3044 and 3155.

Allen Morris, Clerk

The Honorable Dempsey J. Barron, President

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

By Senator Gordon and others—

SB 259—A bill to be entitled An act relating to the Board of Regents; amending s. 240.011(1), Florida Statutes; increasing the membership of the board to include full-time students in the State University System; limiting the terms of future nonstudent members; providing for appointment and term of office of each student member; deleting obsolete language; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On pages 1-3, strike everything after the enacting clause and insert: Section 1. Subsection (1) of section 240.011, Florida Statutes, is amended to read:

240.011 Board of Regents; appointment of members; qualifications and terms of office of members, etc.—

(1) The Board of Regents shall consist of 10 ~~nine~~ citizens of this state selected from the state at large, representative of the geographical areas of the state, who shall have been residents and citizens thereof for a period of at least 10 years prior to their appointment, one of whom shall be registered as a full-time student in good standing in the state university system. Representation of universities in the state university system shall be rotated so that no university is represented more than once in a 9-year period, and the universities shall be represented in the following order: Florida State University, Florida Atlantic University, Florida Technological University, the University of Florida, Florida International University, the University of West Florida, the University of South Florida, Florida Agricultural and Mechanical University, and the University of North Florida. All members ~~and who~~ shall be appointed by the governor, approved by three members of the cabinet and confirmed by the senate; provided, however, that no appointee shall take office until after his appointment has been approved by three members of the cabinet; provided further that the State Board of Education shall develop rules and procedures for review and approval of the appointees. The ~~Their~~ terms of office shall be 9 years for the nonstudent appointees and 1 year for the student appointee and until their successors are appointed and qualified, except, in case of an appointment to fill a vacancy, in which case the appointment shall be for the unexpired term, and except as in this section otherwise provided; provided, however, that no member shall be selected from any county to serve with any other member from the same county except that the student member may serve with a member who is from the student's county. The governor shall fill all vacancies, subject to the above approval and confirmation, that may at any time occur therein, provided, however, the terms of the initial membership of the Board of Regents shall be as follows: One member shall be appointed for 1 year beginning January 1, 1965; one member shall be appointed for 2 years beginning January 1, 1965; one member shall be appointed for 3 years beginning January 1, 1965; one member shall be appointed for 4 years beginning January 1, 1965; one member shall be appointed for 5 years beginning January 1, 1965; one member shall be appointed for 6 years beginning January 1, 1965; one member shall be appointed for 7 years beginning January 1, 1965; one member shall be appointed for 8 years beginning January 1, 1965; one member shall be appointed for 9 years beginning January 1, 1965; provided, however, if the proposed constitutional amendment permitting 9-year terms for members of the Board of Regents shall have been ratified by the people prior to December 31, 1963, the terms of the initial membership of the board shall begin January 1, 1964. The 1-year term of the initial student appointee shall begin on September 1, 1976.

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

Amendment 2—On page 1 in title, lines 3-12, strike the entire title and insert: A bill to be entitled An act relating to the Board of Regents; amending s. 240.011(1), Florida Statutes; providing for an additional member of the board who shall be a full-time student in the state university system; providing procedures for appointing said member for a 1-year term; providing an effective date.

On motions by Senator Gordon, the Senate concurred in the House amendments.

SB 259 passed as further amended by the House amendments, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—24

|              |          |             |           |
|--------------|----------|-------------|-----------|
| Brantley     | Hair     | Peterson    | Tobiassen |
| Childers, D. | Holloway | Poston      | Trask     |
| Firestone    | Johnston | Sims        | Vogt      |
| Gallen       | MacKay   | Stolzenburg | Ware      |
| Gordon       | McClain  | Thomas, J.  | Winn      |
| Graham       | Myers    | Thomas, P.  | Zinkil    |

Nays—5

|          |          |       |         |
|----------|----------|-------|---------|
| Deeb     | Lane, J. | Lewis | Spicola |
| Lane, D. |          |       |         |

Votes after roll call:

Yeas—Childers, W. D., and Renick

Yea to nay—McClain

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 again refused to recede from House Amendments 1, 3, 4, 5, 8, 10, 11, 12, 13 and 14 to SB 321, and the Speaker has appointed Representatives Fortune, Andrews and Bloom as Conferees on the part of the House on SB 321.

Allen Morris, Clerk

The President appointed Senators Brantley, Lewis and Peterson as conferees on SB 321 and 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 passed with amendment—

By Senator Brantley and others —

SB 1443—A bill to be entitled An act relating to bridge designation; designating the new bridge on State Road 206 that spans the Matanzas River at Crescent Beach in St. Johns County as the "Verle Allyn Pope Bridge"; providing for the erection of plaques; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, lines 7, 12 and 23, and page 2, line 9, strike Allyn and insert: A.

On motion by Senator Brantley, the Senate concurred in the House amendment.

SB 1443 passed as amended by the House amendment, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Votes after roll call:

Yeas—Hair and Scarborough

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 Senator W. D. Childers—

SB 524—A bill to be entitled An act relating to gill nets; amending s. 370.08(7), Florida Statutes; providing that gill

nets may be gathered or taken in or taken up by power on the open waters of the Gulf of Mexico or the Atlantic Ocean; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Substitute Amendment 1—On page 1, line 23, after the period insert: Provided further that all netting is prohibited within 1 mile of an inlet.

On motion by Senator W. D. Childers, the Senate concurred in the House amendment.

SB 524 passed as amended by the House amendment and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Spicola

On motion by Senator W. D. Childers, the Senate reconsidered the vote by which SB 524 as amended passed this day.

On motion by Senator W. D. Childers, the Senate reconsidered the vote by which the Senate concurred in House amendment 1. The Senate refused to concur in House amendment 1 and the House was requested to recede. The action, with the bill and amendment, was certified to the House.

*The Honorable Dempsey J. Barron, President*

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

By Senator Hair—

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.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—On page 15, line 19, strike *may* and insert: *shall*

On motion by Senator Hair, the Senate concurred in the House amendment.

SB 573 passed as further amended by the House amendment and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

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 acceded to the request of the Senate for a Conference Committee on CS for SB 575 and has appointed Representatives Singleton, Haben and Maxwell as Conferees on the part of the House.

*Allen Morris, Clerk*

The President appointed Senators Lewis, Peterson and Sayler as conferees on CS for SB 575 and 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 passed with amendments—

By Senator Henderson—

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

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—In title on page 1, line 7, after the semicolon (;) insert the following: providing for a referendum;

Amendment 2—On page 2, line 9, strike everything after the word “upon” and insert the following: approval of the majority of voters residing within the area to be removed, except that this section shall take effect upon becoming a law.

On motions by Senator Henderson, the Senate concurred in the House amendments.

SB 1037 passed as amended by the House amendments, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—1

Spicola

Vote after roll call:

Nay to yea—Spicola

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 Senator Henderson—

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

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—On page 1 in title, line 6, after the semicolon (;) insert the following: providing for a referendum;

Amendment 2—On page 2, line 6, strike everything after the word “upon” and insert the following: approval of the majority of voters residing within the area to be removed, except that this section shall take effect upon becoming a law.

On motions by Senator Henderson, the Senate concurred in the House amendments.

SB 1038 passed as amended by the House amendments, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

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 Senator Graham and others—

SB 1008—A bill to be entitled 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; 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.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—On page 1 & 2, lines 24-19, strike all of lines 24-31 on page one; all of lines 1-7 on page two; and all of lines 11-19 on page two.

(Renumber subsequent sections accordingly)

Amendment 2—On page 1 in the title, lines 18-22, strike adding s. 394.461(4), Florida Statutes; requiring separate housing facilities for the criminally insane; requiring early transfer from state hospitals;

On motions by Senator Graham, the Senate refused to concur in the House amendments, and the House was requested to recede therefrom. The action, with the 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 passed with amendments—

By Senator P. Thomas and others—

SB 1224—A bill to be entitled An act relating to local ordinances; prohibiting the enactment of an ordinance or rule imposing price controls upon a business activity which is not franchised by such governmental agency; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Substitute Amendment 1—On page 1, line 17, strike such and insert the following: or under contract with the

Amendment 2—On page 1 in the title, line 7, strike such and insert the following: or under contract with the

Senator Graham moved the following amendment to House amendment 1 which failed:

Amendment 1—On page 1, line 1, strike “or under contract with the” and insert: , or regulated by, or owned by, or operated by, or pursuant to municipal or county charter or general or special law subject to price regulation by, or the subject of a contract with, that local governmental agency except when that county, municipality or other entity of local government determines that such ordinance or rule is required to maintain the health, welfare or safety of the residents of such

On motions by Senator P. Thomas, the Senate concurred in the House amendments.

SB 1224 passed as further amended by the House amendments, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—24

|                 |          |             |            |
|-----------------|----------|-------------|------------|
| Brantley        | Lane, D. | Renick      | Thomas, J. |
| Childers, W. D. | Lane, J. | Saunders    | Thomas, P. |
| Dunn            | Lewis    | Saylor      | Tobiassen  |
| Gallen          | McClain  | Scarborough | Trask      |
| Glisson         | Peterson | Sims        | Vogt       |
| Hair            | Poston   | Stolzenburg | Ware       |

Nays—11

|              |           |          |        |
|--------------|-----------|----------|--------|
| Childers, D. | Graham    | Johnston | Winn   |
| Firestone    | Henderson | Myers    | Zinkil |
| Gordon       | Holloway  | Spicola  |        |

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 Natural Resources and Conservation and Senator Renick—

CS for SB 704—A bill to be entitled An act relating to regulation of crawfish; amending s. 370.14(2)-(4), Florida Statutes; providing size limits for taking crawfish; prohibiting possession or landing of crawfish or crawfish tails under certain circumstances; providing for issuance of a permit and license by the Division of Law Enforcement of the Department of Natural Resources; regulating the type and use of traps, buoys, and trotlines; providing for notice of sale of licensed crawfish traps and notice of change of address; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—On page 7, line 1, and on page 7, line 10 strike "August 1" and insert: July 26

On motion by Senator Renick, the Senate concurred in the House amendment.

CS for SB 704 passed as further amended by the House amendment, and the action of the Senate was 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  |
| Dunn            | Johnston  | Renick      | Trask      |
| Firestone       | Lane, D.  | Saylor      | Vogt       |
| Gallen          | Lane, J.  | Scarborough | Ware       |
| Glisson         | Lewis     | Sims        | Winn       |
| Gordon          | MacKay    | Spicola     | Zinkil     |
| Graham          | McClain   | Stolzenburg |            |

Nays—None

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 Senator Tobiassen and others—

SB 910—A bill to be entitled An act relating to dentistry; amending s. 466.06(2) and (3), Florida Statutes, and adding subsection (4) thereto; adding a dental hygienist to the Florida State Board of Dentistry and restricting such member's vote; amending s. 466.07, Florida Statutes, requiring a dental hygienist to have practiced in the state for 5 years to be eligible for membership on the board; prohibiting an instructor in the disciplines of dentistry from being a member of the board; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—On page 3, lines 22-24, strike all of said lines and insert: felony

On motion by Senator Tobiassen the Senate concurred in the House amendment.

SB 910 passed as amended by the House amendment and the action of the Senate was certified to the House. The vote on passage was:

Yeas—22

|                 |           |             |           |
|-----------------|-----------|-------------|-----------|
| Brantley        | Graham    | Plante      | Tobiassen |
| Childers, D.    | Hair      | Poston      | Vogt      |
| Childers, W. D. | Henderson | Renick      | Winn      |
| Deeb            | Holloway  | Saunders    | Zinkil    |
| Dunn            | Johnston  | Scarborough |           |
| Gordon          | Peterson  | Sims        |           |

Nays—13

|          |         |            |      |
|----------|---------|------------|------|
| Gallen   | Lewis   | Saylor     | Ware |
| Glisson  | MacKay  | Spicola    |      |
| Lane, D. | McClain | Thomas, P. |      |
| Lane, J. | Myers   | Trask      |      |

Votes after roll call:

Yea—Wilson

Yeas to Nays—Deeb and Saunders

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 Senator Wilson—

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

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—On page 1 in the title, line 17, strike profits and insert the following: projects

On motion by Senator Vogt, the Senate concurred in the House amendment.

SB 1268 passed as amended by the House amendment and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

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 concurred in Senate Amendment to House Amendment 1 has refused to recede from House Amendments 2, 3 and 4 passed SB 935, as further amended, and again requests the concurrence of the Senate.

*Allen Morris, Clerk*

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.

**Amendment 2**—On page 1, line 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**—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;”

On motions by Senator W. D. Childers, the Senate again refused to concur in the House amendments, and the House was again requested to recede therefrom. The action, with the 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 passed with amendments—

By Senator Peterson—

**SB 849**—A bill to be entitled An act relating to milk and milk products; amending s. 502.012, Florida Statutes; providing definitions for acidified sour cream, acidified sour half-and-half, sour cream dressing, sour half-and-half dressing and ultra-pasteurized; redefining other terms; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 14, line 31, after the period(.) insert: Section 2. Subsection (2) of section 502.042, Florida Statutes, is amended to read:

502.042 Labeling of shelf life.—

(2) All dairy processors shall establish and legibly label on the package or container, in a manner prescribed by rule or regulation of the department, the maximum shelf-life period during which such products may be offered for sale to insure consumers full disclosure of the date beyond which such product may no longer be offered for sale. *For purposes of this requirement “legibly label” means to label with conspicuous and easily legible boldface print or type in distinct contrast to the background by color.* The department shall periodically review the keeping quality of milk and milk products by scientific shelf-life studies, recognizing the different methods of pasteurization, processing, and packaging, and shall sample periodically the products of the dairy processors to determine if the shelf-life dating used by the processors complies with the minimum standards of quality.

And renumber the subsequent sections

**Amendment 2**—On page 1, line 9, after the semi-colon insert: amending s. 502.042(2), Florida Statutes, relating to the labeling of shelf-life; providing a definition for the term “legibly label”;

**Amendment 4**—In the title, line 10, strike line 10 and insert the following: amending s. 502.042(2), Florida Statutes, relating to the labeling of shelf life; providing a definition for the term “legibly label”; amending s. 502.161, Florida Statutes; redefining the term industry trade products to include all food products having the semblance of milk or a milk product; providing labeling requirements for such products; providing that industry trade products shall comply with certain health standards; requiring a permit for engaging in the manufacture, distribution, or sale of industry trade products; providing an effective date.

**Amendment 5**—On page 15, lines 1 and 2, strike Section 2 and insert the following: Section 2. Section 502.161, Florida Statutes, is amended to read:

502.161 Industry trade products.—

(1) **DEFINITION.**—“Industry trade products” means all food products having any nondairy product which has the

semblance of milk or a milk product defined in this chapter but which does not come within the definition of milk, a milk product, ~~or~~ filled milk, or filled milk product.

(2) **LABELING.**—Industry trade products shall be labeled with a fanciful name or any other descriptive name that accurately describes the product, but in no case shall an “industry trade product” be labeled as an imitation of any product defined in this chapter. An industry trade product which contains a milk-derived ingredient shall not bear on its label the words “nondairy product”. An industry trade product which does not contain a milk-derived ingredient shall bear on its label the words “nondairy product” in type of uniform size and prominence, with the size to be at least one-fourth the size of the largest type on the carton immediately preceding or following the trade name of the food product. No picture or representation of the animal genus bovine or any other picture, symbol, mark, word, design, or representation commonly associated with dairy farming or any other phase of the dairy industry or associated with the production, sale, advertising, distribution, or marketing of milk, milk products, filled milk, or filled milk ~~real dairy~~ products, whether in liquid, powdered, frozen, or any other form, shall be used on any label of any industry trade product, or any advertisement for the sale of any industry trade product. The mere use of the manufacturer’s name and symbol on milk, a milk product, filled milk, or a filled milk ~~real dairy~~ product shall not be sufficient to prohibit their use on an industry trade product if such use on milk, milk products, filled milk, or filled milk ~~a real dairy~~ product was in effect on or before January 1, 1970.

(3) **DISPLAY.**—All industry trade products sold in retail food stores shall be physically separated from milk, milk products, filled milk, and filled milk ~~real dairy~~ products as defined in this chapter by a partition or other device or divider in the dairy display case or other display area.

(4) **HEALTH STANDARDS.**—In the interest of public health, industry trade products shall comply with ~~are subject to~~ the manufacturer, sanitation, and health standards of this chapter.

(5) **UNLAWFUL LABELING OR ADVERTISING.**—It is unlawful for any person to advertise, package, label, sell, or offer for sale, or cause to be advertised, packaged, labeled, sold, or offered for sale, any industry trade product the advertising, packaging, or labeling of which contains any assertion, representation, or statement which is untrue, deceptive, or misleading, which could cause consumers to think they are purchasing a grade A milk, milk product, filled milk, or filled milk product.

(6) **PERMITS.**—Any person engaged in the manufacture, distribution, or sale of industry trade products within this state shall obtain a permit in accordance with the provisions of s. 502.031.

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

On motions by Senator Peterson, the Senate refused to concur in House amendments 1, 2, 4 and 5, and the House was requested to recede therefrom. The action, with the 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 passed with amendments—

By Senator Deeb and others—

**SB 615**—A bill to be entitled An act relating to the justifiable use of force; transferring and amending section 782.02, Florida Statutes, as reenacted by Chapter 75-298, Laws of Florida, relating to the justifiable use of deadly force to section 776.015, Florida Statutes; expanding situations in which the use of deadly force is deemed justifiable to cover the protection of land or tangible property under certain circumstances and to resist attempted or actual commission of a felony on another; creating a presumption of an intent to commit a criminal offense under certain circumstances; repealing section 776.012, Florida Statutes, 1974 Supplement, relating to the use of force in defense of person; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 1, line 23, strike everything after the enacting clause and insert: Section 1. Section 782.02, Florida Statutes, as reenacted by chapter 75-298, Laws of Florida, is transferred and renumbered as section 776.015, Florida Statutes, and amended to read:

*(Substantial rewording of section. See s. 782.02, F.S., for present text.)*

776.015 Justifiable use of deadly force.—

(1) The use of deadly force is justifiable when a person is:

- (a) Resisting any attempt to murder such person;
- (b) Resisting any attempt to commit a forcible felony, or resisting the actual commission of a forcible felony, upon such person or another; or
- (c) Resisting any attempt to commit any felony, or resisting the actual commission of any felony, upon or in any dwelling house in which such person is lawfully present.
- (d) Attempting to prevent a person from fleeing immediately after having committed a forcible felony upon any person or upon any dwelling house.

(2) A presumption that a person has the intent to commit a forcible felony is created under any of the following circumstances:

- (a) When there is an unauthorized presence of a person in the dwelling house or residence of another; or
- (b) When a person stealthily enters upon the curtilage of the dwelling house or lawful residence of another.

Section 2. Section 776.012, Florida Statutes, as created by chapter 74-383, Laws of Florida, is hereby repealed.

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

Senator Dunn moved the following amendment to House Amendment 1 which failed:

**Amendment 1 to House Amendment 1**—On page 1, line 17, strike lines 17-19.

The vote was:

Yeas—11

|           |           |             |             |
|-----------|-----------|-------------|-------------|
| Dunn      | Gordon    | Johnston    | Stolzenburg |
| Firestone | Graham    | Myers       | Winn        |
| Glisson   | Henderson | Scarborough |             |

Nays—23

|                 |          |          |            |
|-----------------|----------|----------|------------|
| Barron          | Hair     | Peterson | Spicola    |
| Brantley        | Holloway | Plante   | Thomas, J. |
| Childers, D.    | Lane, D. | Poston   | Trask      |
| Childers, W. D. | Lane, J. | Renick   | Ware       |
| Deeb            | Lewis    | Saylor   | Zinkil     |
| Gallen          | McClain  | Sims     |            |

Vote after roll call:

Nay—Tobiassen

**Amendment 3**—In the title on page 1, lines 3-19, strike the entire title and insert: A bill to be entitled An act relating to the justifiable use of force; transferring and amending s. 782.02, Florida Statutes, as reenacted by chapter 75-298, Laws of Florida, relating to the justifiable use of deadly force, to s. 776.015, Florida Statutes; expanding situations in which the use of deadly force is deemed justifiable to cover the protection of land or tangible property under certain circumstances and to resist attempted or actual commission of certain felonies; providing a presumption of an intent to commit a forcible felony under certain circumstances; repealing s. 776.012, Florida Statutes, relating to the use of force in defense of person; providing an effective date.

On motions by Senator Deeb, the Senate concurred in House amendments 1 and 3.

The President presiding

Senator Scarborough moved that the Senate reconsider the vote by which the Senate concurred in House Amendment 1 and the motion failed. The vote was:

Yeas—12

|              |           |          |             |
|--------------|-----------|----------|-------------|
| Childers, D. | Graham    | Holloway | Myers       |
| Dunn         | Hair      | Johnston | Scarborough |
| Firestone    | Henderson | Lewis    | Stolzenburg |

Nays—24

|                 |          |            |           |
|-----------------|----------|------------|-----------|
| Mr. President   | Lane, D. | Renick     | Tobiassen |
| Brantley        | Lane, J. | Saylor     | Trask     |
| Childers, W. D. | McClain  | Sims       | Vogt      |
| Deeb            | Peterson | Spicola    | Ware      |
| Gallen          | Plante   | Thomas, J. | Winn      |
| Glisson         | Poston   | Thomas, P. | Zinkil    |

SB 615 passed as further amended by the House amendments and the action of the Senate was certified to the House. The vote on passage was:

Yeas—26

|                 |          |            |        |
|-----------------|----------|------------|--------|
| Mr. President   | Hair     | Renick     | Trask  |
| Brantley        | Holloway | Saylor     | Vogt   |
| Childers, D.    | Lane, D. | Sims       | Ware   |
| Childers, W. D. | Lane, J. | Spicola    | Winn   |
| Deeb            | Lewis    | Thomas, J. | Zinkil |
| Gallen          | McClain  | Thomas, P. |        |
| Glisson         | Peterson | Tobiassen  |        |

Nays—11

|           |           |        |             |
|-----------|-----------|--------|-------------|
| Dunn      | Graham    | Myers  | Scarborough |
| Firestone | Henderson | Plante | Stolzenburg |
| Gordon    | Johnston  | Poston |             |

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 Hair and P. Thomas—

SB 415—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.08(11), Florida Statutes, to include franchised and independent marine boat trailer dealers and manufacturers within provisions specifying the annual license tax for dealer tags; providing a definition; amending s. 320.13, Florida Statutes, providing that such dealers may secure dealer tags for boat trailers owned by them when used in connection with the dealer's business and not used for hire; authorizing such dealers who secure regular license tags for boat trailers they own and sell to apply for transfer of dealer tags to comparable trailers upon payment of a transfer fee; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 2, line 1, insert: Section 2. Subsection (26) of section 320.01, Florida Statutes, is amended to read:

*(Substantial rewording of subsection. See s. 320.01(26), F. S. for present text.)*

320.01 Definitions, general.—In construing these statutes, when applied to motor vehicles, and where the context permits, the word, phrase, or term:

(26) "Registration Period" is determined by the applicant's birthday, and registration or reregistration shall occur on that date or anytime during the 30 days prior thereto, except that no penalty shall be applied if the applicant registers or reregisters after his birthday but before 12 midnight on the last day of his birth month. Registration shall be valid for a period of

12 months beginning the first day of the applicant's birth month and ending at 12 midnight on the last day of the calendar month immediately preceding the applicant's birth month. For purposes of renewal, the period beginning on the first day, and ending at 12 midnight on the last day, of the applicant's birth month shall be considered a grace period.

Section 3. Paragraphs (b), (c), (d), and (e) of subsection (1) and subsection (4) of section 320.06, Florida Statutes, are amended to read:

320.06 Registration; revalidation stickers; license plates transferable; duplicate certificates; replacement plates; transfer fee.—

(1) Upon the filing of such application, the department shall assign to such motor vehicle, trailer, or semitrailer a registration license number consisting of letters and numerals or numerals and issue and deliver to the owner a certificate of registration and one registration license plate for each vehicle so registered.

(b) Registration license plates bearing the alphanumeric system of identification shall be issued for 4 year periods beginning July 1, 1977, and each consecutive fourth year thereafter. With each license plate, a validation sticker reflecting the owner's birth month and the year of expiration and a sticker reflecting the owner's birth month, as well as a sticker reflecting the county name, shall be issued in accordance with the following schedule. Such license plate, and validation revalidation stickers sticker, and county name sticker shall be issued monthly throughout the year, based on the applicant's month of birth.

(c) Beginning July 1, 1977, registration license plates equipped with validation stickers and county name stickers shall be valid for not more than 12 months and shall expire at midnight on the last day of the registration period. Upon expiration of the license plate, as stated above, revalidation stickers shall be issued upon payment of the proper fee and shall be valid for not less than 12 months. Whenever license plates equipped with validation stickers are issued in any month other than the owner's birth month or the designated registration period for any other motor vehicle, the effective date shall reflect the birth month or month and the year of renewal. However, in accordance with the provisions of s. 320.08, when a license plate, validation sticker, or revalidation sticker is issued for a period of less than 12 months, the applicant shall pay the applicable fee under the provisions of s. 320.14 in addition to all other fees and charges.

(d) (During) the period beginning July 1, 1976, through August 20, 1976, every motor vehicle required to be registered under the provisions of s. 320.02, shall be registered. However, those applicants whose birthday occurs in July, August, September, or October shall be issued, upon payment of the applicable fee, a license plate with validation sticker reflecting a registration period of from 12 to 15 months, respectively. Those applicants whose birthday occurs in any month from November through June shall be issued, upon payment of the applicable fee, a license plate with validation sticker reflecting a registration period of from 4 5 to 11 12 months, respectively. Upon expiration of the registration period, which expiration shall occur at 12 midnight on the last day of the calendar month immediately preceding during the applicant's birth month, the applicant shall make application for revalidation on or before his birthday. Revalidation shall be for a period of not more than 12 months, except for those applicants desiring advance registration, in which cases the revalidation period shall not exceed 15 months, and all expirations shall occur during the respective applicant's birth month. Prestige license plates shall be issued in accordance with s. 320.0805, except that revalidation stickers, excluding the county name, may be issued through the local tax collectors based on the applicant's month of birth. Such registration shall be valid until 12 midnight of the last day of the calendar month immediately preceding the owner's birth month, at which time registration renewal shall continue on an annual basis in accordance with the provisions of paragraph (b).

(e) All mobile homes as defined in subsection 320.01(2) shall be registered during the period July 1, 1976 to August 20, 1976, for a period of 6 7 months. Beginning January 1977, every such mobile home shall be registered or reregistered during the month of January for a period of 12 months. All other motor vehicles required to be registered under the provisions of s. 320.02, including those motor vehicles registered to individuals

which vehicles are taxed under the provisions of s. 320.08(3)(d), (4), and (5)(a), (6)(b), and (13), and not heretofore provided for shall be registered and reregistered during the period from July 1, 1976, to August 20, 1976. Subsequently, such motor vehicles shall be registered and reregistered during the month of June beginning June 1977 1976.

(4)(a) Registration license plates shall be of metal specially treated with a retroreflective material as specified by the department. Such registration license plate is designed to increase nighttime visibility and legibility and shall be at least 6 inches wide and not less than 12 inches in length. Validation stickers and county identification stickers shall be treated with a retroreflective material, shall be of such size as specified by the department, and shall adhere to the license plate. The registration license plate shall be imprinted with combinations of bold letters and numerals or numerals not to exceed six digits to identify the registration license plate number. The license plate shall also be imprinted with the word "Florida" at the top and the name of the county in which it is sold at the bottom.

(b) The department shall provide the several county tax collectors and tag agents the necessary number of validation and county identification stickers to be attached to the license plates.

(Renumber subsequent sections.)

Amendment 2—On page 1 in title, line 4, insert: amending s. 320.01(26), Florida Statutes, redefining "registration period;" amending s. 320.06(1),(b), (c), (d), and (e), (4), Florida Statutes,

deleting the provision that county identification stickers be issued; requiring that stickers reflecting the owner's birth month be issued; changing the registration schedule for certain applicants; specifying a certain time for expiration of the registration period; providing for certain imprinting of license plates;

On motions by Senator Hair, the Senate refused to concur in House Amendments 1 and 2, and the House was requested to recede therefrom. The action, with the 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 passed with amendments—

By the Committee on Judiciary-Criminal and Senator McClain and others—

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

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—On page 2, line 3, after the period (.) insert: (3) No termination of pregnancy shall be performed at any time except by a physician as defined herein.

and renumber subsequent subsection.

Amendment 2—On page 1, lines 28—30, and on page 2, lines 1—3, strike all of said lines and insert:

(2) No termination of pregnancy shall be performed on any human being in the last trimester of pregnancy unless two physicians certify in writing to the fact that to a reasonable degree of medical probability the termination of pregnancy is necessary to save the life or preserve the health of the pregnant woman or the physician certifies in writing to the medical necessity for legitimate emergency medical procedures for termination of pregnancy in the last trimester and another physician is not available for consultation.

Amendment 3—On page 1 in title, line 7, after the semicolon (;) insert: prohibiting persons other than physicians from performing terminations of pregnancy;

**Amendment 4**—On page 1 in title, line 7, after the word “pregnancy” insert: or of one physician in a legitimate emergency

On motions by Senator McClain, the Senate concurred in House Amendments 1, 2, 3 and 4.

CS for SB 60 passed as amended by the House amendments, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—28

|               |           |          |             |
|---------------|-----------|----------|-------------|
| Mr. President | Glisson   | Lewis    | Spicola     |
| Brantley      | Graham    | McClain  | Stolzenburg |
| Childers, D.  | Henderson | Myers    | Thomas, J.  |
| Deeb          | Holloway  | Peterson | Tobiassen   |
| Dunn          | Johnston  | Poston   | Trask       |
| Firestone     | Lane, D.  | Renick   | Ware        |
| Gallen        | Lane, J.  | Sims     | Winn        |

Nays—4

|        |        |        |        |
|--------|--------|--------|--------|
| Gordon | Sayler | Wilson | Zinkil |
|--------|--------|--------|--------|

Votes after roll call:

Yeas—Childers, W. D. and Thomas, P.

The bill was ordered engrossed and then enrolled.

Senator Scarborough presiding

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has amended and concurred in Senate Amendments to House amendments 1 and 3 and passed SB 64, as amended and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Senator Hair and others—

**SB 64**—A bill to be entitled An act relating to eminent domain; creating s. 73.092, Florida Statutes; providing certain criteria to be considered by the court in assessing attorneys’ fees; providing an effective date.

**House Amendment Substitute 1**—On page 2, lines 3-19, strike all of said lines and insert: Section 1. Section 73.091, Florida Statutes, is amended to read:

73.091 Costs of the proceedings.—

(1) The petitioner shall pay all reasonable costs of the proceedings in the circuit court, including a reasonable attorney’s fee to be assessed by that court, *not to exceed \$7500; provided that, when the award or settlement is higher than the initial offer of the petitioner before suit was filed, the attorney’s fee shall be a reasonable fee not to exceed \$10,000 or 40 percent of the difference between the amount of the initial offer and the amount of the award or settlement, whichever is higher.*

(2) *The restrictions contained in subsection (1) on the amount of attorneys’ fees to be assessed by the court shall not apply to inverse condemnation proceedings.*

Section 2. Subsection (2) of section 73.131, Florida Statutes, is amended to read:

73.131 Appeals, costs.—

(2)(a) The petitioner shall pay all reasonable costs of the proceedings in the appellate court, including a reasonable attorney’s fee to be assessed by that court, except upon an appeal taken by a defendant in which the judgment of the trial court shall be affirmed, *provided that the total fee for trial and appeal shall be a reasonable fee not to exceed \$10,000 or 50 percent of the difference between the final award of the court and the initial offer by the petitioner before suit was filed, whichever is higher.*

(b) *The restrictions contained in paragraph (a) of this subsection on the amount of attorneys’ fees to be assessed by the court shall not apply to inverse condemnation proceedings.*

Section 3. This act shall take effect upon becoming a law.

**Senate Amendment to House Substitute Amendment 1**—On page 1, following “Section 1. Section” on line 1 strike the remainder of page 1 and insert: Section 1. Section 73.092, Florida Statutes, is created to read:

73.092 Attorneys’ fees.—In assessing attorneys’ fees in eminent domain proceedings, the court shall consider the following:

(1) Benefits resulting to the client from the services rendered.

(2) The novelty, difficulty and importance of the questions involved.

(3) The skill employed by the attorney in conducting the cause.

(4) The amount of money involved.

(5) The responsibility incurred and fulfilled by the attorney.

(6) The attorney’s time and labor reasonably required to adequately represent the client.

Provided, however, that under no circumstances shall the attorney fees be based solely on a percentage of the award.

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

**House Amendment 1 to Senate amendment to House Substitute Amendment 1**—On page 1 of Senate amendment to House Substitute Amendment 1, lines 18 & 19, strike lines 18 and 19 and insert: Section 2. Section 73.091, Florida Statutes is amended to read:

73.091 Costs of proceedings.—

(1) The petitioner shall pay all reasonable costs of the proceedings in the circuit court, including a reasonable attorney’s fee to be assessed by that court, *not to exceed \$7500; provided that, when the award or settlement is higher than the initial offer of the petitioner before suit was filed, the attorney’s fee shall be a reasonable fee not to exceed \$10,000 or 40 percent of the difference between the amount of the initial offer and the amount of the award or settlement, whichever is higher.*

(2) *The restrictions contained in subsection (1) on the amount of attorneys’ fees to be assessed by the court shall not apply to inverse condemnation proceedings.*

Section 3. Subsection (2) of section 73.131, Florida Statutes, is amended to read:

73.131 Appeals; costs.—

(2)(a) The petitioner shall pay all reasonable costs of the proceedings in the appellate court, including a reasonable attorney’s fee to be assessed by that court, except upon an appeal taken by a defendant in which the judgment of the trial court shall be affirmed; *provided, that the total fee for trial and appeal shall be a reasonable fee not to exceed \$10,000 or 50 percent of the difference between the final award of the court and the initial offer by the petitioner before suit was filed, whichever is higher.*

**House Amendment 3**—In the title, lines 4-8, strike all of said lines and insert: An act relating to eminent domain; amending ss. 73.091 and 73.131(2), Florida Statutes, placing certain restrictions upon the amounts of attorneys’ fees to be assessed in such proceedings and appeals relating to eminent domain, other than inverse condemnation proceedings; providing an effective date.

**Senate Amendment to House Amendment 3**—On page 1, line 1 following “domain;” strike remainder of line, and lines 2 through 6 and insert: An act relating to eminent domain; creating s. 73.092, Florida Statutes; providing certain criteria to be considered by the court in assessing attorneys’ fees; providing an effective date.

House Amendment 2 to Senate Amendment to House Amendment 3—On page 1 in title, line 4, after the word “fees;” insert: amending ss. 73.091 and 73.131(2), Florida Statutes, placing certain restrictions upon the amounts of attorneys’ fees to be assessed in such proceedings, other than inverse condemnation proceedings, and in appeals from such proceedings;

On motions by Senator Hair, the Senate refused to concur in House amendments to the Senate amendments to the House amendments, and the House was requested to recede therefrom. The action, with the 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 concurred in Senate amendments and passed as amended—

|         |                |             |
|---------|----------------|-------------|
| HB 3688 | HB 3325        | HB 776      |
| HB 3172 | HB 3075        | HB 625 (cs) |
| HB 3132 | HB 2959        | HB 1300     |
| HB 1899 | CS for HB 3958 |             |

*Allen Morris, Clerk*

*The Honorable Dempsey J. Barron, President*

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

By Senators Saunders and Lewis—

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

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—On page 2, line 3, after the period insert and renumber subsequent sections: Section 2. Section 99.097, Florida Statutes, is created to read:

99.097 Verification of signatures on petitions.—

(1) As determined by each supervisor based upon local conditions, the checking of names on petitions may be based on the most inexpensive and administratively feasible of either of the following methods or verification:

(a) A name-by-name signature-by-signature check of the number of authorized signatures on the petitions; or

(b) A check of a random sample, as provided by the Department of State, of names and signatures on the petitions. The sample must be such that a determination can be made as to whether or not the required number of signatures have been obtained with a reliability of at least 99.5 percent. Rules and guidelines for this method of petition verification shall be promulgated by the Department of State, which may include a requirement that petitions bear an additional number of names and signatures, not to exceed 15 percent of the names and signatures otherwise required. If the petitions do not meet such criteria, then the use of the verification method described in this paragraph shall not be available to supervisors.

(2) When a petitioner submits petitions which contain at least 15 percent more than the required number of signatures, he may require that the supervisor of elections use the random sampling verification method in certifying the petition.

(3) Any affected candidate, representative of a designated political committee, or announced opponent who does not wish to accept the results of a verification pursuant to subsection (1)(b) may require a complete check of the names and signatures pursuant to subsection (1)(a). If any such candidate, representative of a designated political committee, or announced opponent requires such a complete check and the result is not changed as to the success or lack of success of the petitioner in obtaining the requisite number of valid signatures, then such candidate, representative of a designated political committee,

or announced opponent shall pay to the board of county commissioners of each affected county for the complete check an amount calculated at the rate of 10 cents for each additional name checked or the actual cost of checking such additional names, whichever is less.

Amendment 2—On page 2, line 3, after the period insert and renumber subsequent sections: Section 2. Section 106.23, Florida Statutes, is amended to read:

106.23 Powers of the Division of Elections.—

(1) In order to carry out the responsibilities prescribed by this chapter, the Division of Elections is empowered to subpoena and bring before its duly authorized representatives any person in the state and to require the production of any papers, books, or other records relevant to any investigation, including the records and accounts of any bank or trust company doing business in this state. Duly authorized representatives of the division are empowered to administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear before them concerning any relevant matter. Should any witness fail to respond to the lawful subpoena of the division, or, having responded, fail to answer all lawful inquiries or to turn over evidence that has been subpoenaed, the division may file a complaint before any circuit court of the state setting up such failure on the part of the witness. On the filing of such complaint, the court shall take jurisdiction of the witness and the subject matter of said complaint and shall direct the witness to respond to all lawful questions and to produce all documentary evidence in his possession which is lawfully demanded. The failure of any witness to comply with such order of the court shall constitute a direct and criminal contempt of court, and the court shall punish said witness accordingly. However, the refusal by a witness to answer inquiries or turn over evidence on the basis that such testimony or material will tend to incriminate such witness shall not be deemed refusal to comply with the provisions of this chapter.

(2) The Division of Elections shall provide advisory opinions when requested by any supervisor of elections, candidate, local officer having election-related duties, ~~or~~ political party, political committee, committee of continuous existence, or other person or organization engaged in political activity, relating to any provisions or possible violations of Florida election laws with respect to actions such supervisor, candidate, local officer having election-related duties, political party, committee, person, or organization has taken or proposes to take. A written record, sequentially numbered, dated, and indexed by subject matter, shall be retained of all said opinions issued by the division. A copy shall be sent to said person or organization upon request ~~this chapter~~. Any such person or organization ~~political party~~ acting in good faith upon such an advisory opinion shall not be subject to any criminal penalty provided for in this chapter. The opinion, until amended or revoked, shall be binding on any person or organization who sought the opinion or with reference to whom the opinion was sought, unless material facts were omitted or misstated in the request for the advisory opinion.

Amendment 5—In the title on page 1, line 10, after the word “determined” insert the following: creating s. 99.097, Florida Statutes, providing two methods for verification of signatures on petitions; providing that a petitioner may require the supervisor of elections to use the random sampling verification method if a submitted petition contains at least 15 percent more signatures than the required number of signatures; providing for the payment of a charge or fee by any affected candidate, representative of a designated political committee, or announced opponent who requires a complete check of names and signatures on a petition in an unsuccessful challenge to a determination of a supervisor using the random sample method of verification;

Amendment 6—In the title, on page 1, line 10, after the word “determined” insert: amending s. 106.23, Florida Statutes; expanding provisions relating to the issuance of advisory opinions by the division; providing that such opinions shall be binding under certain circumstances;

On motions by Senator Saunders, the Senate concurred in House Amendments 1, 2, 5 and 6.

SB 348 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Votes after roll roll:

Yeas—Childers, W. D., and Spicola

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 the Committee on Education and Senator D. Childers and others—

CS for SB 107—A bill to be entitled An act relating to education; amending s. 229.57, Florida Statutes; providing the purposes of the statewide testing program; directing the Commissioner of Education to implement a program of statewide assessment testing based on minimum performance standards adopted by the State Board of Education; providing for the assessment of special programs; requiring the results of the assessment program to be monitored; providing for technical assistance to districts; providing for the establishment of district assessment programs; requiring the establishment of minimum performance standards by the districts; requiring the attainment of minimum standards at certain grade levels; providing for the awarding of certificates of attendance and differentiated diplomas; amending s. 229.814(1), (3), (4), Florida Statutes, and adding subsection (6) to said section; providing for examinations in subject areas required for high school graduation; requiring school districts and community colleges to develop cooperative plans for providing advanced instruction; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On pages 2-6, strike everything on said pages and insert the following: Section 1. Section 229.55, Florida Statutes, is created to read:

*229.55 Educational accountability; short title; intent.—*

(1) **SHORT TITLE.**—*This act shall be known and may be cited as the "Educational Accountability Act of 1976."*

(2) **INTENT.**—*The intent of the Legislature is to:*

(a) *Provide a system of accountability for education in Florida which guarantees that each student is afforded similar opportunities for educational advancement without regard to geographic differences and varying local economic factors.*

(b) *Provide information for education decision-makers at the state, district, and school levels so that resources may be appropriately allocated and the needs of the system of public education met in a timely manner.*

(c) *Provide information about costs of educational programs and the differential effectiveness of differing instructional programs so that the educational process may be improved continually.*

(d) *Guarantee to each student in the Florida system of public education that the system provides instructional programs which meet minimum performance standards compatible with the state's plan for education.*

(e) *Provide a more thorough analysis of program costs and the degree to which the various districts are meeting the minimum performance standards established by the State Board of Education.*

(f) *Provide information to the public about the performance of the Florida system of public education in meeting established goals and providing effective, meaningful, and relevant educational experiences designed to give students at least the minimum skills necessary to function and survive in today's society.*

Section 2. Section 229.551, Florida Statutes, is amended to read:

*(Substantial rewording of section. See s. 229.551, F.S., for present text.)*

**229.551 Educational management.—**

(1) The department is directed to identify all functions which under the provisions of this act contribute to or comprise a part of the state system of educational accountability, and to establish within the department the necessary organizational structure, policies, and procedures for effectively coordinating such functions. Such policies and procedures shall clearly fix and delineate responsibilities for various aspects of the system and for overall coordination of the total system. The commissioner shall perform the following duties and functions:

(a) Coordination of department plans for meeting educational needs and for improving the quality of education provided by the state system of public education.

(b) Coordination of management information system development for all levels of education and for all divisions of the department to include the development and utilization of cooperative education computing networks for the state system of public education.

(c) Development of data base definitions and all other items necessary for full implementation of a comprehensive management information system as required by s. 229.555 (created by this act).

(d) Coordination of all planning functions for all levels and divisions within the department.

(e) Coordination of all cost accounting and cost reporting activities for all levels of education, including public schools, vocational-technical programs, community colleges, and institutions in the State University System.

(f) Administration of the educational research and development program created by s. 229.561.

(g) Development and coordination of a common course designation and numbering system for community colleges and the State University System which shall improve program planning, increase communication among community colleges and universities, and facilitate the transfer of students. However, such a system shall not encourage or require course content prescription or standardization nor uniform course testing and the continuing maintenance of the system shall be accomplished by appropriate faculty committees.

(2) It is the intent of the Legislature that the commissioner as appropriate draw upon the expertise and the staff of all appropriate departments and agencies of the state in assuring that the system of educational accountability is administered in the most effective and efficient manner possible.

(3) As a part of the system of educational accountability, the department shall:

(a) Develop minimum performance standards for various grades and subject areas, as required in ss. 229.565 (created by this act) and 229.57.

(b) Administer the statewide assessment testing program created by s. 229.57.

(c) Develop and administer an educational evaluation program, including the provisions of the Plan for Educational Assessment developed pursuant to section 9, chapter 70-399, Laws of Florida, and adopted by the State Board of Education.

(d) Review the annual reports required by s. 229.575 (created by this act).

(e) Review each district's school advisory committees as required by s. 229.58 (created by this act).

(f) Conduct the program evaluations required by s. 229.565 (created by this act).

(g) Perform any other functions that may be involved in educational planning, research, and evaluation or that may be required by the commissioner, the State Board of Education, or law.

Section 3. Section 229.555, Florida Statutes, is created to read:

*229.555 Educational planning and information systems.—*

**(1) EDUCATIONAL PLANNING.—**

(a) *The commissioners shall be responsible for all planning functions for the department, including collection, analysis, and interpretation of all data, information, test results, evaluations, and other indicators that are used to formulate policy, identify areas of concern and need, and serve as the basis for short-range and long-range planning. Such planning shall include assembling data, conducting appropriate studies and surveys, and sponsoring research and development activities designed to provide information about educational needs and the effect of alternative educational practices.*

(b) *Each district school board shall maintain a continuing system of planning and budgeting which shall be designed to aid in identifying and meeting the educational needs of students and the public. Provision shall be made for coordination between district school boards and community college boards of trustees concerning the planning for vocational and adult educational programs. The major emphasis of the system shall be upon locally-determined goals and objectives, the state's plan for education, and the minimum performance standards developed by the Department of Education. The system shall be structured to meet the specific management needs of the district. The system of planning and budgeting shall insure that the budget adopted by the district school board reflects the plan the board has also adopted. Each district school board shall utilize its system of planning and budgeting to emphasize a system of school-based management in which individual school centers become the principal planning units and eventually to integrate planning and budgeting at the school level.*

**(2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—***The commissioner shall develop and implement an integrated information system for educational management. The system shall support as feasible the management decisions to be made in each division of the department and at the individual school and district level. Similar data elements among divisions and levels shall be compatible. The system shall be based on an overall conceptual design; the information needed for such decisions, to include fiscal, student, program, personnel, facility, community, evaluation, and other relevant data; and the relationship between costs and effectiveness. By February 1, 1977, the commissioner shall develop and submit to the Legislature the conceptual design, the specifications, a costed implementation plan, and a phased schedule for development, installation, testing, and validation of a management information system for public school educational management. Phased implementation of this system shall begin no later than July 1, 1977. The system shall be managed and administered by the commissioner and shall include a district subsystem component to be administered at the district level. Each district school system with a unique management information system shall assure that compatibility exists between its unique system and the district component of the state system to the extent that all data required as input to the state system shall be made available in the appropriate input format.*

(a) *The specific responsibilities of the commissioner shall include the following:*

1. *Consult with school district representatives in the development of the system design model and implementation plans for the management information system for public school education management.*

2. *Provide operational definitions for the proposed system.*

3. *Determine the information and specific data elements required for the management decisions made at each educational level, recognizing that the primary unit for information input shall be the individual school.*

4. *Develop standardized terminology and procedures to be followed at all levels of the system.*

5. *Develop a standard transmittal format to be used for collection of data from the various levels of the system.*

6. *Develop appropriate computer programs to assure integration of the various information components dealing with students, personnel, facilities, fiscal, program, community and evaluation data.*

7. *Develop the necessary programs to provide statistical analysis of the integrated data provided in subparagraph 6., in such a way that required reports may be disseminated, comparisons may be made, and relationships may be determined in order to provide the necessary information for making management decisions at all levels.*

8. *Develop output report formats which will provide district school system, with information for making management decisions at the various educational levels.*

9. *Develop a phased plan for distributing computer services equitably among all public schools and school districts in Florida as rapidly as possible. The first phase of the plan shall deal with data processing to meet state and district management needs, and shall be submitted to the Legislature on or before February 1, 1977. The plan shall describe alternatives available to the state in providing such computing services and shall contain estimates of the cost of each alternative together with a recommendation for action.*

10. *Assist the district school systems in establishing their subsystem components and assuring compatibility with current district systems.*

11. *Establish procedures for continuous evaluation of system efficiency and effectiveness.*

12. *Initiate a reports and forms management system to ascertain that duplication in collection of data does not exist, and that forms and reports are prepared in a logical and uncomplicated format, resulting in a reduction in the number and complexity of required reports, particularly at the school level.*

13. *Initiate such other actions as are necessary to carry out the intent of the Legislature that a management information system for public school management needs be implemented.*

(b) *The specific responsibilities of each district school system shall include:*

1. *Establish a district level reports and forms control management system by July 1, 1977.*

2. *With assistance from the commissioner, develop systems compatibility between the state management information system and unique local systems.*

3. *Provide with the assistance of the department, inservice training dealing with management information system purposes and scope, a method of transmitting input data, and the use of output report information.*

4. *Establish a plan for continuous review and evaluation of local management information system needs and procedures.*

5. *Advise the commissioner of all district management information needs.*

6. *Transmit required data input elements to the appropriate processing locations in accordance with guidelines established by the commissioner.*

7. *Determine required reports, comparisons, and relationships to be provided to district school systems by the system output reports and continuously review these reports for usefulness and meaningfulness, and submit recommended additions, deletions, and change requirements in accordance with the guidelines established by the commissioner.*

8. *Be responsible for the accuracy of all data elements transmitted to the department.*

(c) It is the intent of the Legislature that the expertise in the state system of public education, as well as contracted services, be utilized to hasten the plan for full implementation of a comprehensive management information system.

Section 4. The introductory paragraph and paragraphs (d) and (e) of subsection (2) of section 229.561, Florida Statutes, are amended to read:

229.561 Educational research and development.—There is hereby created an Educational Research and Development Program which shall be administered by a director of research and development under the direction of the Commissioner of Education. It is the intent of the Legislature that funds shall be allocated each year for the sole purpose of sponsoring projects which shall provide information designed to identify areas of critical concern and assess the effects of alternative educational practices so that the needs of students may be met. ~~the design, development, testing, and evaluation, on a pilot project basis, of alternative educational practices in areas of critical concern to present and future educational needs of the state.~~ The director of research and development under the direction of the Commissioner of Education shall develop and implement an educational research and development program as hereinafter provided. ~~The Commissioner of Education shall annually transmit, at least 30 days prior to the regular session of the Legislature, to members of the State Board of Education, the President of the Senate, the Speaker of the House of Representatives, and to the chairman of the Senate and the House of Representatives Committees on Education, a 2-year plan for implementing a program of applied educational research and development. The plan shall also include a detailed explanation of expenditures for the current and the coming fiscal year. Support for the research and development program shall be included in the legislative budget request of the commissioner.~~

(2) BOARD OF ADVISORS FOR EDUCATIONAL RESEARCH AND DEVELOPMENT.—The State Board of Education shall, from a list of individuals submitted by the commissioner of education, appoint 14 members of the Board of Advisors for Educational Research and Development. The board shall, as nearly as practicable, reflect the social and geographic composition of the state.

(d) As soon as practicable following appointment of the board of advisors, the commissioner of Education shall call an organizational meeting of the board. From among its members, the board shall elect a chairman to preside over meetings of the board and to perform any other duties directed by the board or required by its duly adopted policies or operating procedures. The duties and responsibilities of the board shall include:

1. Submitting annually to the commissioner of Education a priority list of specific educational and education-related issues which are designed to improve the effectiveness of public education in Florida.

2. Reviewing periodically the activities of each project sponsored by the Educational Research and Development Program and making recommendations to the commissioner of Education concerning the operation of such projects.

3. Reviewing annually the evaluative data on each project sponsored by the Educational Research and Development Program and making recommendations to the commissioner of Education concerning the potential benefits the project findings and results have for education in Florida and suggesting strategies for implementing the findings in the state, including priorities, target areas, phasing, and sequence.

4. Acting in an advisory capacity to the director of research and development and the commissioner of Education in the development of guidelines and specifications for projects to be sponsored by the Educational Research and Development Program.

5. Recommending to the commissioner of Education projects which should be approved for sponsorship by the Educational Research and Development Program.

6. Reviewing all project specifications, including funding, ~~prior to their submission to the Commissioner of Education for inclusion in the 2-year plan as required by this section.~~

7. Recommending to the commissioner of Education a list of persons qualified to be appointed director of educational research and development.

(e) After reviewing the evaluative data from each sponsored project, the board shall annually, at least 30 days prior to the regular session of the Legislature, file with the commissioner of Education, for inclusion in the commissioner's 2-year report, a comprehensive report on the status of all projects sponsored or partially supported by educational research and development funds. This report shall include: A description of the project, the current status of the project, the present and prior funding of the project, assessment of the results or products produced by the project, and the recommendations of the board of advisors.

Section 5. Section 229.565, Florida Statutes, is created to read:

229.565 Educational evaluation procedures.—

(1) MINIMUM STANDARDS.—The State Board of Education shall approve minimum student performance standards in the various program categories and chronological grade levels, especially in reading, writing and mathematics, which the Commissioner of Education determines shall best indicate the status of the state system of public education.

(2) EDUCATION EVALUATION.—The Commissioner of Education shall periodically examine and evaluate procedures, records, and programs in each district to determine compliance with law and rules established by the state board. Such evaluations shall include, but not be limited to, the following:

(a) Reported full-time equivalent membership in each program category.

(b) The organization of all special programs, to ensure compliance with law, and the criteria established and approved by the state board pursuant to the provisions of this section and s. 230.23(4)(m).

(c) The procedures for diagnosis and placement of students in special programs for exceptional students, to determine that the district is following the criteria for placement established by rules of the state board and the procedures for placement established by that district school board.

(d) An evaluation of the standards by which the school district evaluates basic and special programs for quality, efficiency, and effectiveness.

(e) Determination of the ratio of administrators to teachers in each school district, which information shall be reported to the Legislature as a part of the Commissioner's report required by s. 229.575(1) (created by this act).

(f) Compliance with the cost accounting and reporting requirements of s. 237.34 and the extent to which the percentage expenditure requirements therein are being met.

(3) ASSISTANCE AND ADJUSTMENTS.—If discrepancies or deficiencies are found, the Commissioner of Education shall provide information and assistance to the superintendent and personnel of the district in correcting the cited deficiencies. If it is determined that approved criteria and procedures for the placement of students and the conduct of programs have not been followed by the district, appropriate adjustments in that district's full-time equivalent student count shall be made, and any excess funds shall be deducted from subsequent allocations of state funds to that district.

Section 6. Section 229.57, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 229.57, F.S., for present text.)

229.57 Student assessment testing programs.—

(1) STATEWIDE TESTING.—The primary purpose of the statewide testing program is to provide information needed for state-level decisions. The program shall be designed to:

(a) Assist in the identification of educational needs at the state, district, and school levels.

(b) Assess how well districts and schools are meeting state goals and minimum performance standards.

(c) Provide information to aid in the development of policy issues and concerns.

(d) Provide a basis for comparisons among districts and between districts, the state, and the nation, where appropriate.

(e) Produce data which can be used to aid in the identification of exceptional educational programs or processes.

(2) **THE STATEWIDE ASSESSMENT PROGRAM.**—The commissioner is directed to implement a program of statewide assessment testing which shall provide for the improvement of the operation and management of the public schools. The statewide program shall be timed, as far as possible, so as not to conflict with on-going district assessment programs. As part of the program the commissioner shall:

(a) Establish, with the approval of the state board, minimum performance standards related to the goals for education contained in the state's plan including, but not limited to, basic skills in reading, writing, and mathematics. The minimum performance standards shall be approved by April 1 in each year they are established, for a period of no less than 3 nor more than 5 years.

(b) Develop and administer in the public schools a uniform, statewide program of assessment to determine, periodically, educational status and progress, and the degree of achievement of approved minimum performance standards. The uniform statewide program shall consist of testing in grades 3, 5, 8, and 11 and may include the testing of additional grades and skill areas as specified by the commissioner.

(c) Develop and administer, as needed in the public schools, a uniform, statewide program of assessment of special programs as defined in s. 236.081(1)(c).

(3) **DISTRICT ASSESSMENT PROGRAMS.**—Each district shall periodically assess student performance and achievement in each school. Such assessment programs shall be based upon local goals and objectives which are compatible with the state's plan for education and which supplement the minimum performance standards approved by the State Board of Education. Data from district assessment programs shall be provided to the commissioner when such data are required in order to evaluate specific instructional programs or processes or when the data is needed for other research or evaluation projects. Each district may provide acceptable, compatible district assessment data to substitute for any assessment data needed at the state level when the commissioner certifies that such data is acceptable for the purposes of this section.

Section 7. Section 229.575, Florida Statutes, is created to read:

*229.575 Reporting procedures.—*

(1) **COMMISSIONER'S REPORT.**—*The commissioner shall annually report the status of the state system of public education. Such reports shall contain information about how well district instructional programs enable students to meet the minimum performance standards, results of educational program evaluations, information about the needs of education, areas of immediate and long-range concern to state and district education decision makers, recommendations for action, information on policy decisions, and any other information and analyses which explain or clarify the status of the state system of public education. The reports shall contain the comparisons required by s. 229.57. The commissioner's annual report shall be presented to the Legislature prior to the convening of each regular session and shall be made available to the general public and the citizens of Florida through all appropriate means.*

(2) **DISTRICT REPORT.**—*Each district shall annually report on the status of education in the district. Such reports shall contain information about how well school instructional programs enable students to meet the minimum performance standards, results of program evaluations, information about the needs of education in the district, information on district policy decisions, and any other information and analyses which explain or clarify the status of education in the district. The district annual report shall be made available to the general public and the citizens of the district, to each school in the district, and to appropriate local news media.*

(3) **SCHOOL REPORT.**—*Each school shall report annually on its status of education. Such reports shall be based upon information for the prior school year and shall contain information on how well the school is meeting its goals and objectives, interpretation and analysis of student progress including information on how well students are achieving the minimum performance standards, fiscal and cost information including the school budget, information on the needs of the school and its*

*students, summaries of teacher, student, parent, and community attitudes toward the school, and any other information and analyses which explain or clarify the status of education. The principal, with the assistance of teachers, students and the school advisory committee, where existing, shall prepare the report which shall be published by November 1 each school year beginning with the 1977-78 school year. The report shall be made available to the parent or guardian of each student in the school and to all citizens.*

Section 8. Section 229.58, Florida Statutes, is created to read:

*229.58 District and school advisory committees.—*

(1) **ESTABLISHMENT.**—*The district school board may establish an advisory committee broadly representative of the community served by the school for each school in the district and composed of teachers, students, parents, and other citizens. If the school board does not establish advisory committees for each school, it shall establish a district advisory committee broadly representative of the district and composed of teachers, students, parents, and other citizens. The district school board may establish, in addition to the committees authorized at each school, a district advisory committee which may be comprised of representatives of each school committee or such other members as the district school board shall prescribe in its regulations.*

(2) **DUTIES.**—*Each advisory committee shall perform such functions as are prescribed by regulations of the district school board; however, no advisory committee shall have any of the powers and duties now reserved by law to the district school board. Each school advisory committee, however, shall assist in the preparation of the annual report required by s. 229.575 (created by this act) and shall provide such assistance as the principal may request in preparing the school's annual budget and plan as required by s. 229.555(1) (created by this act).*

Section 9. Subsection (4) of section 228.071, Florida Statutes, is amended to read:

*228.071 Community school program.—*

(4) **COMMUNITY SCHOOL PROGRAM.**—*Pursuant to the policies and regulations to be adopted by the State Board of Education, each school board and the board of trustees for the Florida School for the Deaf and the Blind may submit to the department a request for a community school grant. A school board applying for a grant shall include in its grant application annual and long-range comprehensive educational plan, as required by law and regulations of the State Board of Education, a description of its community school program. The district school board shall give priority to the programs serving the maximum number of persons within the limits of resources available and to programs which will allow for matching funds or for joint funding from the federal government or other public or private sources and which may be efficiently and effectively developed in conjunction with the community school program.*

Section 10. Subsection (1) of section 230.22, Florida Statutes, is amended to read:

**230.22 General powers of school board.**—*The school board, after considering recommendations submitted by the superintendent, shall exercise the following general powers:*

(1) **DETERMINE POLICIES AND PROGRAMS.**—*The school board shall determine and adopt such policies and programs as are deemed necessary by it for the efficient operation and general improvement of the district school system. The school board shall establish a school advisory committee or committees, but such school advisory committees shall not have any of the powers and duties now reserved by law to the school board. The school board shall develop a plan for establishing each school advisory committee, which shall include parents and students and be broadly representative of the community served by the school. The functions of each school advisory committee, including rules and regulations for its functioning, shall be prescribed by the school board; however, each school advisory committee shall participate with appropriate school personnel in the development of the annual report of school progress as may otherwise be provided by law. Each board shall make an annual evaluation of the effectiveness of each committee established and shall submit its plan and a report of the annual evaluation to the State Department of Education. The department shall review the reports of an*

annual evaluation to provide to the State Board of Education and the legislature an annual appraisal as to the effectiveness of school advisory committees and any other information deemed by the department to be appropriate.

Section 11. Subsection (5) 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.

(5) SCHOOL PROGRAM; PREPARE LONG-TIME AND ANNUAL PLANS FOR.—Supervise the assembling of data and sponsor studies and surveys essential to the development of a planned school program for the entire district; prepare and recommend such a program to the school board as the basis for operating the district school system. ~~One phase of this program shall be a long-time program, and another phase shall constitute the annual program. The long-time program shall be concerned with the location and development of elementary, high, and special schools, school buildings, transportation, personnel, instruction, and other educational features involving the interest and welfare of the children and citizens of the district over a period of years. The annual program shall be concerned with the budget, sites to be purchased, buildings to be constructed, transportation routes, personnel, instruction, and all other phases of the school program for any particular school year, which shall be developed, insofar as possible, in harmony and conformity with the long-time program.~~

Section 12. Section 231.2311, Florida Statutes, is amended to read:

230.2311 Legislative intent; early childhood and basic skills development ~~programs plans~~; objectives; provisions.—

(1) ~~It is the intent of the Legislature that the department evaluate and recommend possible restructuring of early childhood education in Florida in order to develop programs which will adequately meet the needs of each pupil. The Legislature recognizes that the early years of a pupil's education are crucial to his future and that mastery of the basic skills of communication and computation is essential to the future educational and personal success of an individual. It is the further intent of the Legislature that The first priority of the public schools of Florida shall be to assure that all Floridians, to the extent their individual physical, mental, and emotional capacities permit, shall achieve mastery of the basic skills, including, but not limited to, reading, writing, language arts, arithmetic, measurement, and problem solving. The term "basic skills," for the purposes of this section, means reading, writing, and arithmetic. Early childhood and basic skills development programs shall be made available by the school districts to all school age children, especially those enrolled in kindergarten and grades one through three, and shall provide effective, meaningful, and relevant educational experiences designed to give students at least the minimum skills necessary to function and survive in today's society to Florida adults as the capacities of the programs permit.~~

(2) In implementing the intent of this section, each school district shall ~~develop a program include a plan~~ for early childhood and basic skills development ~~programs in the planned school program and comprehensive educational plan required in subsections 230.33(3), 330.33(5), and 236.02(7).~~ The early childhood and basic skills ~~program development programs component of the district comprehensive educational plan~~ shall be developed cooperatively by school administrators, teachers, parents, and other community groups or individuals having an interest in the programs or having expertise in the field of early childhood education or basic skills development.

(3) Each district's ~~plan for~~ early childhood and basic skills development ~~program programs~~ shall be based on guidelines prepared by the Department of Education pursuant to chapter

74-238, Laws of Florida, and shall be submitted to the department for review and comment. The ~~program objectives of each plan~~ shall be to assure that:

~~(a)~~ each pupil is enrolled in a program designed to meet his individual needs *and that he achieves.*

~~(b)~~ ~~Each pupil shall achieve~~ that level of mastery of the basic skills which his capacities will permit.

(4) The early childhood and basic skills development ~~programs~~ shall include, but not be limited to:

(a) An increase in the number of adults assisting in the primary classroom, kindergarten, and grades one through three, through use of teacher aides, parent volunteers, foster grandparents, paraprofessionals, or other similar personnel.

(b) Emphasis on instruction in basic skills, including direct individual and small group instruction in reading and computation skills.

(c) Use of personnel as described in paragraph (a) during instruction in computational skills and in reading skills.

(d) Fulfillment of the goals for education in Florida as adopted by the State Board of Education. However, early childhood and basic skills development programs shall be the first priority of Florida public schools.

(e) Emphasis on an individualized diagnostic approach to instruction.

~~(f)~~ *Use of prescriptive techniques designed to meet individual pupil needs, with special attention given to those pupils not performing up to the minimum reading standards approved by the State Board of Education.*

~~(g)~~~~(f)~~ Emphasis on the basic skills development of each child, with attention given to the emotional and social development of each child.

~~(h)~~~~(g)~~ Defined measurable program objectives.

~~(i)~~~~(h)~~ Assessment of educational needs.

~~(j)~~~~(i)~~ *Collection of pertinent demographic data and information about early childhood programs such as children's centers; day care, preschool, and child-care programs in either the public or private sector; and the way in which such programs may be integrated or coordinated with the district program.*

~~(k)~~~~(j)~~ Allocation and coordination of all district resources with the objectives of the ~~program plan~~.

~~(l)~~~~(k)~~ *Staff development and inservice training, including a requirement that all teachers in the primary grades, kindergarten, and grades one through three have access to training be trained in the use of aides, volunteers, and paraprofessionals in the classroom, in the recognition of language arts and computational needs, and in the application of prescriptive techniques in meeting such needs. Starting July 1, 1976, each teacher shall receive such training as a condition of continued certification.*

~~(m)~~~~(l)~~ Evaluation of the programs by the school board, school administrators, and teachers, and by parents and other appropriate lay groups such as school advisory committees established pursuant to s. 229.58, *(as created by this act)* ~~230.32.~~

~~(n)~~~~(m)~~ Use of parents in the classroom and for home visitations and parent education in order to strengthen the role of the family and the home in the education process and to develop a cooperative relationship between the family, the home, and the school.

The early childhood and basic skills development programs shall be implemented by the 1976-77 school year.

(5) Each district school board, in cooperation with the teacher education centers established in ss. 231.600-231.610 and with the Department of Education, shall develop inservice training programs designed to enable teachers:

(a) To recognize language arts and computational needs, especially reading needs.

(b) To apply prescriptive techniques in meeting such needs.

(c) To use aides, volunteers, and paraprofessionals effectively in the classroom.

(6) Each district school board, in cooperation with the Department of Education, shall develop training programs for teacher aides and other personnel who serve in the early childhood and basic skills development program.

(7) As part of the early childhood and basic skills development program, each district school board shall provide for the periodic evaluation of all appropriate pupils in grades 1 through 3 in order to identify each pupil's instructional needs, especially how well they meet the minimum reading standards approved by the state board pursuant to ss. 229.565 (as created by this act) and 229.57. Such evaluations shall be one of the major criteria used to determine the most appropriate prescriptive program for each pupil's instructional needs.

Section 13. Subsections (4) and (5) of section 230.2313, Florida Statutes, are amended to read:

230.2313 Student services programs.—

(4) Each school district shall develop a plan to be included in the district's comprehensive plan, which insures that individual student services are coordinated in a manner utilizing such techniques as differentiated staffing as to make maximum use of the contribution of each service.

(5) The Department of Education shall review district student services programs and make recommendations. The State Board of Education is authorized to adopt regulations to carry out the intent of this legislation. Regulations shall include, but need not be limited to:

(a) A description of the present student services program at all educational levels for which the school board is responsible, including ratio of students to personnel.

(b) Identification of alternative student services personnel who do not meet traditional graduate school requirements and who may be used by the school board in providing the recommended guidance services, including, but not limited to, paraprofessionals, teachers, parents, and representatives of business and industry.

Section 14. Section 232.245, Florida Statutes, is created to read:

232.245 Pupil progression.—

(1) By July 1, 1977, each district school board shall establish a comprehensive program for pupil progression which shall be based upon an evaluation of each pupil's performance, including how well he masters the minimum performance standards approved by the state board.

(2) The district program for pupil progression shall be based upon local goals and objectives which are compatible with the state's plan for education and which supplement the minimum performance standards approved by the State Board of Education. Particular emphasis, however, shall be placed upon the pupil's mastery of the basic skills, especially reading, before he is promoted from the third, fifth, eighth and eleventh grades. Other pertinent factors considered by the teacher before recommending that a pupil progress from one grade to another shall be prescribed by the district school board in its rules.

(3) Beginning with the 1978-79 school year, each district school board shall establish standards for graduation from its secondary schools. Such standards shall include, but not be limited to, mastery of the basic skills as determined by the State Board of Education, satisfactory performance in functional literacy, and the completion of the minimum number of credits required by the district school board.

Section 15. Subsection (7) of section 236.02, Florida Statutes, is amended to read:

236.02 Minimum requirements of the Florida Education Finance Program.—Each district which participates in the state appropriations for the Florida Education Finance Program shall provide evidence of its effort to maintain an adequate school program throughout the district and shall meet at least the following requirements:

(7) **DISTRICT EDUCATIONAL PLANNING.**—Maintain a system of planning and evaluation as required by ss. 229.55 through 229.585. **COMPREHENSIVE EDUCATIONAL PLAN REQUIRED.**

(a) Each district school board shall maintain an ongoing systematic evaluation of the educational program needs in that district and shall develop a comprehensive annual and long-range plan for meeting these needs, both on an annual and long-range basis, as prescribed by subsections 230.33(5) and 230.33(3).

(b) In accordance with regulations prescribed by the state board, each school board shall annually submit to the Department of Education that district's annual and long-range plan. Such plan shall reflect a structured program of action for meeting the educational needs of the district over a period of not less than 5 years and shall contain district goals and objectives which are consistent with the state goals for education.

(c) Each school district shall develop and maintain a method of evaluating its comprehensive plan and shall annually report the results of its evaluation to the Commissioner of Education. Such evaluation shall include, but not be limited to, the following student performance indicators:

1. Standardized student achievement test scores;
2. Advance placement;
3. Dropout rate; and
4. College entrance examination scores.

(d) By January 1, 1976, each district shall submit those student performance indicators, as specified in paragraph (c) and as those maintained by the district, for the fiscal years 1969-1970 through 1974-1975, inclusive. Thereafter, each district shall annually submit those student indicators specified in paragraph (c) by January 1 for the prior fiscal year.

(e) The Commissioner of Education shall review each district's comprehensive plan and its plan for evaluation of student performance and progress and provide information and assistance to the superintendent and personnel of the district for improvement in the plan and in correcting the deficiencies discovered.

Section 16. Section 237.34, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 237.34, F.S., for present text.)

237.34 Cost accounting and reporting.—

(1) **COST ACCOUNTING.**—Each district shall account for expenditures of all state, local, and federal funds on a school-by-school and a district-aggregate basis in accordance with the manual developed by the department or as provided by law. The method used by each district when recording and reporting cost data by program shall be reviewed and approved by the department in accordance with regulations prescribed by the state board. All districts, in cooperation with the department, shall plan mutually compatible programs for the refinement of cost data and the improvement of the accounting and reporting system.

(2) **COST REPORTING.**—

(a) Each district shall report on a district-aggregate basis expenditures for inservice training pursuant to s. 236.081(4), and for categorical programs as provided in s. 236.081(6).

(b) Each district shall report on a school-by-school and on an aggregate district basis expenditures for each program set forth in s. 236.081(1)(c).

(c) The commissioner shall present to the Legislature 90 days prior to the opening of the regular session each year a district-by-district report of the expenditures reported pursuant to paragraphs (a) and (b). The report shall include total expenditures, a detailed analysis showing expenditures for each program, and such other data as may be useful for management of the educational system. The commissioner shall also compute cost factors for each district reflecting actual expenditures relative to the base student allocation for each of the programs as provided in s. 236.081(1)(c).

(3) **PROGRAM EXPENDITURE REQUIREMENTS.**—

(a) For each program established in s. 236.081(1)(c) each district, on an aggregate basis, shall expend an amount equal to at least 80 percent of the funds generated for that program on the total school costs for that program.

(b) Funds for inservice training established in s. 236.081(4) and for categorical programs established in s. 236.081(6) shall be expended for the costs of the identified programs in accordance with the rules of the state board.

(c) In the event a district fails to meet any of the expenditure requirements as set forth herein, the commissioner shall notify the superintendent of the district involved and shall require that the school board make provision for correcting the deficiency in the subsequent year's operating budget. The commissioner shall not approve the district budget until he has determined that the provisions have been made to correct the deficiency.

Section 17. Sections 228.165, 229.813, 232.24, and 233.0682, Florida Statutes, and section 237.35, Florida Statutes, as created by chapter 75-284, Laws of Florida, are hereby repealed.

Section 18. The Division of Statutory Revision and Indexing of the Joint Legislative Management Committee is hereby directed to designate ss. 229.55 through 229.585, Florida Statutes, as "Part III Educational Accountability" and to redesignate the present Part III of chapter 229, Florida Statutes, as Part IV.

Section 19. This act shall take effect July 1, 1976.

Amendment 2—On page 1 in the title, lines 3-29, strike the entire title and insert the following: A bill to be entitled An act relating to education; creating s. 229.55, Florida Statutes, providing a short title and legislative intent; amending s. 229.551, Florida Statutes, providing for coordination and management of all aspects of a system of accountability in lieu of the currently provided for plan for effecting constructive educational change; providing duties of the Commissioner of Education; creating s. 229.555, Florida Statutes, providing for educational planning and comprehensive management information system; amending s. 229.561(2)(d) and (e), Florida Statutes, and amending the introductory paragraph of said section; providing legislative intent with respect to allocation of funds for educational research and development; eliminating the required annual report with respect to the Commissioner of Education's 2-year plan for educational research and development; creating s. 229.565, Florida Statutes; providing educational evaluation procedures; providing for the establishment of minimum program standards; amending s. 229.57, Florida Statutes, providing for a statewide student assessment testing program in lieu of current provisions with respect to educational accountability; creating ss. 229.575, and 229.58, Florida Statutes; providing reporting procedures; providing for district and school advisory committees; amending s. 228.071(4), Florida Statutes, requiring a district school board or the board for the Florida School for the Deaf and the Blind to describe its community school program when making a community school grant application; amending s. 230.22(1), Florida Statutes, deleting certain authority with respect to school advisory councils; amending s. 230.33(5), Florida Statutes, deleting certain provisions with respect to school program plans; amending s. 230.2311, Florida Statutes, providing legislative intent with respect to the provision of basic skills in the public education system; requiring use of prescriptive techniques to meet individual pupil needs with special assistance to pupils not reaching minimum reading requirements; requiring periodic evaluation of certain pupils by the district school board; amending s. 230.2313(4) and (5), Florida Statutes, removing language which requires inclusion of student services programs in a school district's comprehensive plan; creating s. 232.245, Florida Statutes, requiring each district school board to establish a pupil progression program based on individual pupil performance; requiring establishment of standards for graduation from high school; amending s. 236.02(7), Florida Statutes, providing for conformity with this act in lieu of currently required comprehensive educational plans; amending s. 237.34, Florida Statutes, providing for cost accounting and reporting in lieu of current provisions relating to a comprehensive information, accounting, and reporting system; repealing ss. 228.165, 229.813, 232.24, 233.0682, and 237.35, Florida Statutes, relating, respectively, to annual report of progress, departmental report of educational needs, promotion of pupils, State Board of Education regulations respecting a comprehensive vocational education program, and program information and audit; directing certain actions by the Division of Statutory Revision and Indexing of the Joint Legislative Management Committee; providing for other matters relative to the foregoing; providing an effective date.

On motions by Senator D. Childers, the Senate refused to concur in House Amendments 1 and 2 and a conference committee was requested. The action, with the 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 passed with amendments—

By Senator Ware—

SB 859—A bill to be entitled An act relating to community development; amending s. 153.53(9), Florida Statutes, providing authority and requirements for combination and extensions of special water and sewer districts; amending s. 336.62(8), Florida Statutes, providing authority and requirements for combination and extensions of special road and bridge districts; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—On page 2, line 3, insert new section 2 and renumber subsequent sections and insert the following: 153.05 Water system improvements and sanitary sewers; special assessments.

(9) Any assessments may be paid at the office of the county tax collector within 30 days after the confirmation thereof, without interest. Thereafter all assessments shall be payable in equal annual installments, with interest at 8 percent per annum from the expiration of said 30 days in each of the succeeding 20 calendar years at the time or times in each year at which the general county taxes are payable; provided, however, that the commission may by resolution fix a shorter period of payment for any assessment; provided, further, that any assessment may be paid at any time before due, together with interest accrued thereon to the date of payment.

Amendment 2—On page 1 in the title, line 8, insert after the semicolon amending s. 153.05(9), Florida Statutes, providing for 8 percent per annum interest on annual installment payments of assessments;

On motions by Senator Ware, the Senate concurred in House Amendments 1 and 2.

SB 859 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Votes after roll call:

Yeas—Childers, W. D., and Trask

On motion by Senator Ware, the Senate reconsidered the vote by which SB 859 as amended passed this day.

On motion by Senator Ware, the Senate reconsidered the vote by which the Senate concurred in House Amendment 1.

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

**Amendment 1**—On page 1, line 1, before "153.05" insert: Subsection (9) of section 153.05, Florida Statutes, is amended to read:

On motion by Senator Ware, the Senate concurred in House Amendment 1 as amended and the House was requested to concur in the Senate amendment to House Amendment 1.

On motion by Senator Ware, SB 859 as further amended was read by title, passed and certified to the House. The vote on passage was:

Yeas—30

|                 |           |             |            |
|-----------------|-----------|-------------|------------|
| Mr. President   | Glisson   | McClain     | Thomas, J. |
| Brantley        | Graham    | Myers       | Thomas, P. |
| Childers, D.    | Henderson | Poston      | Trask      |
| Childers, W. D. | Holloway  | Renick      | Ware       |
| Deeb            | Johnston  | Scarborough | Winn       |
| Dunn            | Lane, J.  | Sims        | Zinkil     |
| Firestone       | Lewis     | Spicola     |            |
| Gallen          | MacKay    | Stolzenburg |            |

Nays—None

Votes after roll call:

Yeas—Hair and Tobiassen

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has reconsidered passage, reconsidered concurrence, amended Senate Amendment 3, and concurred in Senate Amendments 1, 2, 4 and 5, and passed as further amended—

By Representative Richard and others—

**HB 895**—A bill to be entitled An act relating to service of process; amending s. 48.021, Florida Statutes, authorizing the Governor to appoint special process servers who meet specified requirements to serve process in certain counties in the state; requiring a bond; providing a penalty; amending s. 113.07(2), Florida Statutes, exempting such special process servers from certain bonding requirements; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Senate Amendment 3**—On page 1, line 24, strike "The Governor may" and insert: "The sheriff of each county shall"

**House Amendment 2 to Senate Amendment 3**—On page 1, line a, insert: after the word "may" appoint as many special process servers as

**House Amendment 3 to Senate Amendment 3**—On page 1, line 1, insert: after the word "shall" appoint as many process servers as he in good faith deems necessary and who meet the requirements herein

On motions by Senator Myers, the Senate concurred in House Amendments 2 and 3 to Senate Amendment 3.

HB 895 passed as further amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3239 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Martin—

**HB 3239**—A bill to be entitled An act relating to the Medical Examiners Commission; amending s. 406.11, Florida Statutes; providing that the district medical examiner may make such autopsies or examinations on persons who die in the state as are authorized by law with the approval of the state attorney or the board of county commissioners or their designees; providing an exception; amending s. 406.07, Florida Statutes, providing for a budget authorized by the boards of county commissioners for compensation of district and associate medical examiners; amending s. 406.02(1) and (2), Florida Statutes, increasing the membership of the commission to include a county commissioner who represents the State Association of County Commissioners, designated by the association; providing for a 4-year term; 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.

On motion by Senator Glisson, by unanimous consent HB 3239 was taken up out of order. On motions by Senator Glisson, by two-thirds vote HB 3239 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     | Hair      | Peterson    | Thomas, J. |
| Childers, D. | Henderson | Plante      | Thomas, P. |
| Deeb         | Holloway  | Poston      | Tobiassen  |
| Dunn         | Johnston  | Renick      | Vogt       |
| Firestone    | Lane, J.  | Saylor      | Ware       |
| Gallen       | Lewis     | Scarborough | Winn       |
| Glisson      | MacKay    | Sims        | Zinkil     |
| Gordon       | McClain   | Spicola     |            |
| Graham       | Myers     | Stolzenburg |            |

Nays—None

Vote after roll call:

Yea—Childers, W. D.

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3610 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Gallagher and others—

**HB 3610**—A bill to be entitled An act relating to historic preservation; designating a described portion of Coral Way in Coral Gables as a historic canopied roadway; providing definitions; prohibiting the use of state funds for certain physical changes on or near the roadway; requiring approval of the Division of Archives, History and Records Management of the Department of State for other specific changes; limiting the erection of signs; authorizing the division to erect markers and to obtain historic easements in property along the road; requiring reporting of restrictions placed on use of such property to the property appraiser; providing an effective date.

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

On motion by Senator Holloway, by two-thirds vote HB 3610 was withdrawn from the Committee on Transportation and placed on the calendar.

On motion by Senator Holloway, by unanimous consent HB 3610 was taken up out of order. On motions by Senator Holo-

way, by two-thirds vote HB 3610 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

|              |          |             |        |
|--------------|----------|-------------|--------|
| Childers, D. | Johnston | Renick      | Trask  |
| Deeb         | Lane, J. | Sayler      | Vogt   |
| Firestone    | Lewis    | Scarborough | Ware   |
| Gallen       | McClain  | Sims        | Winn   |
| Glisson      | Myers    | Spicola     | Zinkil |
| Graham       | Peterson | Stolzenburg |        |
| Henderson    | Plante   | Thomas, J.  |        |
| Holloway     | Poston   | Tobiassen   |        |

Nays—None

Votes after roll call:

Yeas—Childers, W. D., and Hair

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4030 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Agriculture & General Legislation—

**HB 4030**—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 first time by title and referred to the Committee on Agriculture.

On motion by Senator Trask, by two-thirds vote HB 4030 was withdrawn from the Committee on Agriculture and placed on the calendar.

On motion by Senator Trask, by unanimous consent HB 4030 was taken up out of order. On motions by Senator Trask, by two-thirds vote HB 4030 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

|              |          |             |        |
|--------------|----------|-------------|--------|
| Childers, D. | Holloway | Poston      | Trask  |
| Deeb         | Johnston | Renick      | Vogt   |
| Firestone    | Lane, D. | Sayler      | Ware   |
| Gallen       | Lane, J. | Scarborough | Winn   |
| Glisson      | Lewis    | Sims        | Zinkil |
| Graham       | McClain  | Spicola     |        |
| Hair         | Peterson | Stolzenburg |        |
| Henderson    | Plante   | Thomas, J.  |        |

Nays—None

Votes after roll call:

Yeas—Childers, W. D., and Tobiassen

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 2 and has amended Senate Amendments 1 & 3, concurred in same as amended and passed HB 483(cs), as amended, and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Judiciary and Representative Considine and others—

**HB 483 (cs)**—A bill to be entitled An act relating to mobile home parks; amending s. 83.695(2), Florida Statutes, 1974 Supplement, requiring that tenants who rent, lease, or occupy real property in a mobile home park be offered a written lease of not less than 12 months duration; adding subsection (8) to

s. 83.70, Florida Statutes, 1974 Supplement, prohibiting fees or other charges for invitees of mobile home park tenants; amending s. 83.70(7), Florida Statutes, 1974 Supplement; prohibiting mobile home park owners and operators from reselling to tenants electricity or gas purchased from a municipally owned utility at a higher rate than that charged by the utility; amending s. 83.71, Florida Statutes, 1974 Supplement, providing that the tenancy of certain mobile home purchasers may not be terminated except upon refusal to assume the remainder of the term of a written lease; providing that a purchaser may be required to move his mobile home, prior to occupancy, to a different lot size or location in the park; amending s. 83.72, Florida Statutes, providing a civil remedy for violations of lease requirements under s. 83.695; providing an effective date.

**Senate Amendment 1**—On page 4, line 9, strike “zoning” on line 11 and 12 strike “to a different lot size or location within the park” and insert: period after “occupancy” on line 11

**House Amendment 1 to Senate Amendment 1**—Strike all after the words “On page 4” and insert: Strike everything after the period on lines 8, 9, 10, 11, and 12.

**Senate Amendment 3**—On page 1 in title, strike all of lines 4 through 9 and insert: An act relating to mobile parks; adding subsection (8)

**House Amendment 2 to Senate Title Amendment 3**—Add the following: and strike, lines 23, 24 and 25

On motions by Senator Zinkil, the Senate concurred in House amendments to Senate Amendments 1 and 3.

CS for HB 483 passed as further amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—29

|              |          |             |        |
|--------------|----------|-------------|--------|
| Childers, D. | Holloway | Poston      | Trask  |
| Deeb         | Johnston | Renick      | Vogt   |
| Firestone    | Lane, D. | Sayler      | Ware   |
| Gallen       | Lane, J. | Scarborough | Winn   |
| Glisson      | Lewis    | Sims        | Zinkil |
| Graham       | Myers    | Spicola     |        |
| Hair         | Peterson | Stolzenburg |        |
| Henderson    | Plante   | Thomas, J.  |        |

Nays—None

Votes after roll call:

Yeas—Childers, W. D., and Tobiassen

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4057 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Community Affairs and Representatives Easley and Boyd—

**HB 4057**—A bill to be entitled An act relating to municipal annexation; amending the introductory paragraph and subsection (1) of s. 171.0413, Florida Statutes, providing that any municipality may, by ordinance, propose to annex an area of contiguous, compact, unincorporated territory; providing that each such ordinance shall propose only one reasonably compact area to be annexed; amending s. 171.043(1), Florida Statutes, providing that the total area to be annexed must be reasonably compact; amending s. 171.044(1), Florida Statutes, providing that the owner or owners of certain reasonably compact real property may petition the governing body of a municipality to annex said property; providing an effective date.

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

On motion by Senator Deeb, by two-thirds vote HB 4057 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Renick, by two-thirds vote CS for HB 3299 was placed on the special order calendar.

On motion by Senator Renick, by unanimous consent—

**CS for HB 3299**—A bill to be entitled An act relating to charity racing days at horse racetracks, dog racetracks, and jai alai frontons; providing for an additional day of racing for the University of Florida College of Veterinary Medicine; specifying the relationship of funds received by the College of Veterinary Medicine under the provisions of this act with funds appropriated to the college by law; creating s. 550.490, Florida Statutes, redefining the method of accounting and distribution of charity day racing funds for all charity days conducted by licensees; providing for other matters relative to the foregoing; providing an effective date.

—was taken up out of order and by two-thirds vote read the second time by title.

Senator Graham moved the following amendment:

**Amendment 1**—On page 3, line 16, insert: a new section 4—creating a new section 550.490, Florida Statutes.—

Section 4. Disputes arising out of the terms and conditions of contracts between pari-mutuel permittees and their employees or contractors that may lead to an interruption of activity carried on by the permittees are labor disputes within the purview of section 448.06, Florida Statutes. The mediation and reconciliation service shall proffer services and assistance in the prevention or expeditious settlement of such disputes or threatened disputes at the request of either party or at the request of the director of the division of pari-mutuel wagering.

(and renumber.)

Senator Renick raised a point of order that the amendment was not germane to the bill.

Senator Brantley stated that the bill related to charity racing days and dedication of money to certain institutions while the amendment proposed to put negotiations and collective bargaining contained in another chapter of the statutes into Chapter 550.490 and recommended to the Presiding Officer that the point was well taken.

The Presiding Officer thereupon ruled the point well taken and the amendment out of order.

On motion by Senator Renick, by two-thirds vote CS for HB 3299 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3433 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Craig and others—

**HB 3433**—A bill to be entitled An act relating to the Florida Cemetery Act; amending s. 559.31(1), Florida Statutes, broadening the scope of the act to include church cemeteries of 5 acres or more; amending s. 559.32(3) and (6), Florida Statutes, revising the definitions of the terms "cemetery" and "cemetery company"; amending s. 559.33(1) and (3)(a) and (d), Florida Statutes, clarifying language relating to the operation of cemeteries rather than cemetery companies; amending s. 559.37(1) and (6)(a), Florida Statutes, clarifying such language relating to the powers of the Department of Banking and Finance under the Florida Cemetery Act; amending s. 559.39(2), Florida Statutes, providing criteria to determine the need for the issuance of any license to operate a cemetery based upon county population figures in relation to platted or unplatted unsold grave spaces; amending s. 559.41, Florida Statutes, providing method of establishment of required trust fund for care and maintenance of cemeteries and providing for withdrawal or transfer of funds 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.

On motion by Senator J. Thomas, by unanimous consent HB 3433 was taken up out of order. On motions by Senator J. Thomas, by two-thirds vote HB 3433 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—21

|                 |          |             |           |
|-----------------|----------|-------------|-----------|
| Brantley        | Holloway | Renick      | Tobiassen |
| Childers, W. D. | Lane, D. | Scarborough | Trask     |
| Gallen          | Lane, J. | Sims        | Winn      |
| Gordon          | McClain  | Stolzenburg |           |
| Graham          | Peterson | Thomas, J.  |           |
| Hair            | Poston   | Thomas, P.  |           |

Nays—10

|              |          |         |        |
|--------------|----------|---------|--------|
| Childers, D. | Johnston | Spicola | Zinkil |
| Firestone    | Lewis    | Vogt    |        |
| Henderson    | Sayler   | Wilson  |        |

**Abstention from Voting**

I am currently an officer and director of Mount Nebo Cemetery, Inc., a cemetery corporation which my family, for many years, has owned and operated. In order to avoid any appearance of conflict, I have requested to be excused from voting on this measure and from participation in debate.

*Kenneth M. Myers, 37th District*

*The Honorable Dempsey J. Barron, President*

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

By Senator Firestone—

**SB 73**—A bill to be entitled An act relating to the state career service system; amending s. 110.022(3), Florida Statutes; deleting the requirement of fingerprinting all career service employees; providing that only employees in positions of special trust be fingerprinted; providing for the Department of Criminal Law Enforcement to process fingerprints for state agencies; providing for reimbursement of costs by the employing agency; amending s. 110.061(1), Florida Statutes; providing for the termination of employees upon certain reductions in authorized position; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 3, line 3, strike "July 1, 1976" and insert: upon becoming a law

**Amendment 2**—On page 2, strike all of lines 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30, and on page 3, line 1, strike all of lines 1 and 2 and insert:

permanent status in the Career Service may only be ~~terminated~~ *dismissed* for cause by the agency or officer by whom he is employed.

(2)(a) The department shall establish rules and procedures for the suspension, reduction in pay, transfer, layoff, demotion

and dismissal of employees in the Career Service for cause and for the investigation and hearing of appeals by the Career Service Commission on such actions.

1. When a layoff becomes necessary, such layoff shall be conducted within the competitive area identified by the agency head and approved by the Department of Administration. Such competitive area shall be established taking into consideration the similarity of work; the organizational unit which may be by agency, department, division, bureau, or other organizational unit; and the commuting area for the work affected.

2. Layoff procedures shall be developed to establish the relative merit and fitness of employees, and shall include a formula for uniform application among all employees in the competitive area, taking into consideration the type of appointment, the length of service, and the quality of performance.

On motions by Senator Firestone, the Senate concurred in House Amendments 1 and 2.

SB 73 passed as further amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

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 as amended CS for HB 3434 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Governmental Operations and Representative Craig—

CS for HB 3434—A bill to be entitled An act relating to Florida historic preservation; amending paragraph (b) and adding paragraph (c) to s. 267.0615(3), Florida Statutes, and adding a subsection thereto; providing a definition for "funds" for purposes of determining levels of nonstate funding; providing the Historic Preservation Project Review Council with responsibility to evaluate proposals for the creation of new historic preservation boards of trustees; providing evaluation criteria; creating s. 267.0616, Florida Statutes, requiring persons seeking creation of a new board to submit their proposal to the council; providing for the submission of the proposal to, and evaluation thereof by, the Legislature; providing an effective date.

—was read the first time by title. On motion by Senator Brantley, the rules were waived and CS for HB 3434 was placed on the calendar.

Senator Plante moved that HB 3639 be removed from the Special Order Calendar and recommitted to the Committee on Commerce.

Senator Deeb moved as a substitute motion that CS for SB 1286 be placed on the Special Order Calendar in lieu of HB 3639. The motion failed.

On motion by Senator Brantley, time of adjournment was extended until final disposition of the motion by Senator Plante and consideration of CS for HB 3434 and HB 3183.

The question recurred on the motion by Senator Plante which failed. The vote was:

Yeas—11

|          |        |            |        |
|----------|--------|------------|--------|
| Glisson  | Plante | Spicola    | Trask  |
| Hair     | Saylor | Thomas, P. | Wilson |
| Peterson | Sims   | Tobiassen  |        |

Nays—27

|                 |           |             |             |
|-----------------|-----------|-------------|-------------|
| Brantley        | Gordon    | Lewis       | Stolzenburg |
| Childers, D.    | Graham    | MacKay      | Thomas, J.  |
| Childers, W. D. | Henderson | McClain     | Vogt        |
| Deeb            | Holloway  | Myers       | Ware        |
| Dunn            | Johnston  | Poston      | Winn        |
| Firestone       | Lane, D.  | Renick      | Zinkil      |
| Gallen          | Lane, J.  | Scarborough |             |

Senator Brantley moved that CS for HB 3434 be placed first on the Special Order Calendar. The motion was adopted by two-thirds vote.

On motion by Senator Brantley, the rules were waived and by two-thirds vote HB 3183 was withdrawn from the Committee on Transportation and placed on the calendar.

On motion by Senator Brantley, by unanimous consent—

By Representative James—

HB 3183—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; authorizing and directing the department to name the Florida Highway Patrol Station located at Pahokee in Palm Beach County the Reid Clifton Building; directing the department to prepare and locate appropriate signs and markers; providing an effective date.

—was taken up out of order. On motions by Senator Brantley, by two-thirds vote HB 3183 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        | Henderson | Plante      | Thomas, P. |
| Childers, D.    | Holloway  | Poston      | Tobiassen  |
| Childers, W. D. | Johnston  | Renick      | Trask      |
| Deeb            | Lane, D.  | Saunders    | Vogt       |
| Dunn            | Lane, J.  | Saylor      | Ware       |
| Firestone       | Lewis     | Scarborough | Winn       |
| Gallen          | MacKay    | Sims        | Zinkil     |
| Gordon          | McClain   | Spicola     |            |
| Graham          | Myers     | Stolzenburg |            |
| Hair            | Peterson  | Thomas, J.  |            |

Nays—None

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended CS for CS for HB 368 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committees on Appropriations and Retirement, Personnel & Claims and Representative J. R. Clark and others—

CS for CS for HB 368—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021 (29), Florida Statutes, expanding the term "normal retirement date" with respect to the Florida Retirement System to provide that members of the system may retire after 30 years of creditable service under certain circumstances; amending s. 121.091 (3), Florida Statutes, and adding paragraph (f) to subsection (6) thereof, authorizing members of the Florida Retirement System to elect to retire early under certain circumstances and prohibiting such persons who do elect to retire early from joining any other state or local government-supported retirement system in Florida; providing for the repeal of the act under certain circumstances; prohibiting vested rights under certain circumstances; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 913 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Mixson and Hector—

**HB 913**—A bill to be entitled An act relating to the retail installment sales act; amending s. 520.32, Florida Statutes, by adding subsection (3); to provide an exemption from obtaining a license or paying a fee for certain retail sellers; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 2433 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Ogden and others—

**HB 2433**—A bill to be entitled An act relating to tax on sales, use, and other transactions; creating s. 125.0165, Florida Statutes, authorizing each charter county to levy a discretionary tax for rapid transit purposes through ordinance or election; providing limitations and procedures; creating s. 212.055, Florida Statutes, providing for the levy of the tax authorized under the provisions of this act; providing for administration, collection, and disbursement of the proceeds of the tax for rapid transit; adding a new subsection (11) to s. 212.12, Florida Statutes, specifying the rate of the tax authorized under the provisions of this act; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 2725 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Pajcic—

**HB 2725**—A bill to be entitled An act relating to contracts; creating s. 725.08, Florida Statutes, providing that certain promises expected to induce action or forbearance are binding under certain circumstances; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 3066 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Cherry and others—

**HB 3066**—A bill to be entitled An act relating to municipalities; amending s. 166.041(3)(a) and (6), Florida Statutes, requiring that notice of a proposed municipal ordinance shall appear 7 days prior to its second reading; providing procedures for reconsideration of a proposed ordinance; providing for the repeal of conflicting procedures relating to adoption and enactment of ordinances in municipal charters; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3386 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Natural Resources and Representative Conway and others—

**HB 3386**—A bill to be entitled An act relating to environmental land and water management; amending s. 380.06 (5) (a), (7), (8) and (13), Florida Statutes, and adding a new subsection (14) thereto, providing a clarification of developments and guidelines which may be reviewed under the section; removing obsolete references; requiring that development orders include findings of fact and conclusions of law; providing procedures whereby a local government may require further review of a development of regional impact which has been approved or vested, without waiving rights to injunctive relief, where a developer proposes a change; providing criteria for further review; requiring regional planning agencies to afford developers or substantially affected parties reasonable opportunity to present evidence before the agency head on proposed regional agency reports and recommendations; authorizing developers to file applications for master development approval of certain projects; providing for rules with respect to state and regional planning agencies; providing an effective date.

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

*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 3558 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committees on Finance & Taxation and Natural Resources—

**CS for HB 3558**—A bill to be entitled An act relating to water management districts; amending s. 373.503(2), Florida Statutes, providing for the annual levy of ad valorem taxation within the water management districts pursuant to constitutional authority; providing millage caps and restriction; authorizing certain fiscal actions in anticipation of proceeds of the levy authorized by this act; providing for other matters relative to the foregoing; amending s. 373.016(3), Florida Statutes, and adding new paragraphs (d) and (e) to subsection (2) of said section; providing a declaration of policy and legislative intent with respect to the Florida Water Resources Act of 1972; adding subsections (16) and (17) to s. 373.019, Florida Statutes, defining the terms "basin," "drainage basin," and "subdistrict"; amending s. 373.069(3)(b)(e), Florida Statutes, to redefine the boundaries of the Suwannee River, St. Johns River, Southwest Florida, and South Florida Water Management Districts; amending s. 373.0693, Florida Statutes; requiring the creation or designation of subdistricts of water management districts under certain circumstances; creating certain subdistricts within the Southwest Florida and St. Johns River Water Management Districts; providing for governing boards of subdistricts; providing that members of governing boards of basins and subdistricts shall be appointed by the Governor and Cabinet; amending s. 373.073, Florida Statutes, providing for filling vacancies on the governing boards of the water management districts; providing for the appointment of members of the boards by the Governor and Cabinet; amending s. 373.076(2), Florida Statutes, providing for removal of members of certain water management district governing boards by the Governor and Cabinet; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4105 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Retirement, Personnel & Claims—

**HB 4105**—A bill to be entitled An act relating to public officers and employees; amending s. 112.05(1), Florida Statutes, providing for the early retirement of certain state employees who are eligible for retirement under the provisions of s. 112.05, Florida Statutes, and who have 29 consecutive years of creditable service under certain circumstances; 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 HB 4107 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Retirement, Personnel & Claims—

**HB 4107**—A bill to be entitled An act relating to state government; adding a new subsection (9) to s. 110.022, Florida Statutes, providing for adoption and implementation of a program of preretirement planning for state employees; providing limitations; providing legislative intent; 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 4149 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Judiciary and Representative Rish—

**HB 4149**—A bill to be entitled An act relating to county building codes; amending s. 125.56, Florida Statutes; providing that the board of county commissioners of each county shall adopt county building codes from a list of nationally recognized model codes for building construction in the unincorporated areas of the county; providing that no county shall adopt any codes in conflict with any existing section of the Florida Statutes prescribing certain standards; providing for notice and hearings; providing for adoption of fee schedules by county governments; providing for enforcement by counties; authorizing the creation of enforcement districts; providing for the issuance and revocation of building permits; providing exemptions; providing for an appeals board; providing penalties; repealing ss. 553.70-553.85, Florida Statutes, the Florida Building Codes Act of 1974; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4167 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

**HB 4167**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; amending s. 478.171(2), Florida Statutes, requiring the Division of Florida Land Sales and Condominiums of the Department of Business Regulation to issue order to show cause against persons who have been the subject of certain actions; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4168 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

**HB 4168**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; amending s. 478.121(1)(i), Florida Statutes, requiring applicants to the Division of Florida Land Sales and Condominiums for registration of subdivided lands to disclose the home address of its directors and officers and to disclose the name and home address of each of its shareholders holding a 10 percent or more interest; requiring applicants to provide the Department of State with such list of shareholders; providing for applicability to registrants pursuant to s. 711.802, Florida Statutes; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 4169 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representative Nuckolls and Mann—

**HB 4169**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; adding paragraph (t) to s. 478.121(1), Florida Statutes, requiring disclosure of the most recent assessed value of the property sought to be registered with the division; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4170 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

**HB 4170**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; adding subsection (8) to s. 478.041, Florida Statutes, requiring the Division of Florida Land Sales and Condominiums of the Department of Business Regulation to adopt certain uniform accounting methods to be used by all applicants for and holders of registrations of subdivided lands; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4171 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

**HB 4171**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; amending s. 478.021(2)(a), Florida Statutes, including the resale of interests in subdivided lands within the definition of "disposition" for purposes of the regulation of subdivided lands by the Divi-

sion of Florida Land Sales and Condominiums of the Department of Business Regulation; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4172 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

**HB 4172**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; adding a new paragraph (f) to s. 478.24(1), Florida Statutes, requiring public offering statements submitted to the Division of Florida Land Sales and Condominiums to contain notice of any local or state land use regulations or plans and notice of any moratorium which prohibits or restricts the development or improvement of property which would otherwise not be prohibited or restricted; providing effective dates.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4173 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

**HB 4173**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; adding subsection (7) to s. 478.121, Florida Statutes, requiring subdividers to provide the Division of Florida Land Sales and Condominiums of the Department of Business Regulation with an annual financial statement; requiring the division to issue an order to show cause against any subdivider who fails to comply with the requirement; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 4174 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

**HB 4174**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; amending s. 478.161(3), Florida Statutes, increasing the amount imposed as civil penalties by the Division of Florida Land Sales and Condominiums; providing for the levy of individual fines upon each violation; providing for venue in the judicial court in which the division has its executive offices, or where the violation occurs; providing effective dates.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4042 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

**HB 4042**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; amending s. 478.061, Florida Statutes, providing for executive offices of the Division of Land Sales and Condominiums of the Department of Business Regulation to be established and maintained in Tallahassee; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4043 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

**HB 4043**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; adding a new subsection (6) to s. 478.121, Florida Statutes, requiring subdividers to provide the purchaser a recordable agreement for deed, recordable at the option of the purchaser or developer upon expiration of the refund period within the contract; adding a paragraph (g) to s. 478.24(1), Florida Statutes, requiring the public offering statement to include a statement providing that developers provide the purchaser with a recordable agreement for deed and a statement of its effect in providing legal protection to the purchaser; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4044 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

**HB 4044**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; repealing s. 478.041(5)(d), Florida Statutes, relating to subdivider escrow accounts; creating s. 478.052, Florida Statutes, providing that the Division of Florida Land Sales and Condominiums shall require every subdivider registered by the division to establish and maintain certain trust or escrow accounts to assure the payment of refunds as provided in the subdivider's installment land sales contract or in other circumstances; providing for monthly reports to the division indicating the status of such accounts; providing that the division shall require from all registrants quarterly reports indicating the payment and satisfaction of any mortgages, liens, or other encumbrances; requiring the division to issue an order to show cause for violations; providing for the adoption of rules; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4045 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

**HB 4045**—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; adding subsections (4) and (5) to s. 478.221, Florida Statutes; providing for the issuance of exemption advisory opinions by the Division of Florida

Land Sales and Condominiums of the Department of Business Regulation upon petition by registrants or other persons in certain cases; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 4046 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

HB 4046—A bill to be entitled An act relating to the Uniform Land Sales Practices Act; providing intent; adding subsection (3) to s. 478.23, Florida Statutes, requiring the registration and approval, prior to advertisement, of certain offerings and dispositions of evidences of indebtedness secured by mortgage or deed of trust of real estate; providing for exemptions; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4047 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

HB 4047—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law, amending s. 478.191(2), Florida Statutes; providing for civil remedies and recovery damages by purchasers in certain cases; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4048 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

HB 4048—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; creating s. 478.34, Florida Statutes, providing for the creation of an advisory council; providing for appointment; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4049 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

HB 4049—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; amending s. 478.221(1), Florida Statutes, deleting the exemption from registration under the Florida Uniform Land Sales Practices Law for evidences of indebtedness in land secured by a mortgage or deed of trust of real estate; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4050 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing and Representatives Nuckolls and Mann—

HB 4050—A bill to be entitled An act relating to corporations; amending s. 607.161, Florida Statutes, removing the authority of domestic or foreign corporations to act as incorporator or incorporators of a corporation; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4191 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Education—

HB 4191—A bill to be entitled An act relating to education; amending s. 231.10(1), Florida Statutes, relating to the Florida Council on Teacher Education, to change procedure relating to the nomination of members to the council; amending s. 231.57(1), (2), (3) and (5), Florida Statutes, relating to the Professional Practices Council, to change the composition of, and procedure relating to the nomination of members to, the council; providing an effective date.

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

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed SB 678.

*Allen Morris, Clerk*

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed SB 439.

*Allen Morris, Clerk*

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed SB 584.

*Allen Morris, Clerk*

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed SB 199 and CS for SB 1288.

*Allen Morris, Clerk*

The bills contained in the above messages were ordered enrolled.

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives again refused to recede from House Amendments 1 and 2 to CS for SB 107 and acceded to the request of the Senate for a Conference Committee. The Speaker has appointed Representatives Hodes, Young and Maxwell as the Conferees on the part of the House.

*Allen Morris, Clerk*

The President appointed Senators D. Childers, Lewis and Graham as conferees on CS for SB 107 and 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 again refused to recede from House Amendments 1 & 2 to SB 798 and acceded to the request of the Senate for a Conference Committee. The Speaker has appointed Representatives Kiser, Neal and Morgan as the Conferees on the part of the House.

*Allen Morris, Clerk*

The President appointed Senators Wilson, J. Thomas and Saylor as conferees on SB 798 and the action of the Senate was certified to the House.

Senator Brantley moved that the rules be waived and the Senate reconvene for the afternoon session at 1:00 p.m. in lieu of 2:00 p.m. The motion was adopted.

The Senate recessed at 12:00 noon to reconvene at 1:00 p.m.

#### AFTERNOON SESSION

The Senate was called to order by the President at 1:00 p.m. A quorum present—34:

|                 |          |             |             |
|-----------------|----------|-------------|-------------|
| Mr. President   | Gordon   | Myers       | Spicola     |
| Brantley        | Graham   | Peterson    | Stolzenburg |
| Childers, D.    | Hair     | Plante      | Thomas, J.  |
| Childers, W. D. | Holloway | Poston      | Thomas, P.  |
| Deeb            | Johnston | Renick      | Tobiassen   |
| Dunn            | Lane, D. | Saunders    | Winn        |
| Firestone       | Lane, J. | Saylor      | Zinkil      |
| Gallen          | Lewis    | Scarborough |             |
| Glisson         | McClain  | Sims        |             |

#### Messages from the House of Representatives, continued

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3350 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Gordon and others—

HB 3350—A bill to be entitled An act relating to public health; amending s. 381.503(2), (5)(a), (6)(a), and (10), Florida Statutes, relating to the Community Hospital Education Act; clarifying legislative intent; increasing membership on the Community Hospital Education Council to provide consumer representation; clarifying appropriated funds; specifying minimum inclusions for the annual report to the Legislature; providing an effective date.

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

On motion by Senator Gordon, by unanimous consent HB 3350 was taken up out of order. On motions by Senator Gordon, by two-thirds vote HB 3350 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—25

|                 |           |             |        |
|-----------------|-----------|-------------|--------|
| Mr. President   | Graham    | McClain     | Ware   |
| Childers, D.    | Hair      | Renick      | Wilson |
| Childers, W. D. | Henderson | Saunders    | Winn   |
| Deeb            | Holloway  | Scarborough | Zinkil |
| Firestone       | Johnston  | Spicola     |        |
| Gallen          | Lane, J.  | Stolzenburg |        |
| Gordon          | Lewis     | Thomas, J.  |        |

Nays—None

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4033 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Fortune, Tolton, and Melvin—

HB 4033—A bill to be entitled An act relating to the naming of state roads; authorizing and directing the Department of Transportation to name that portion of State Road 191 from State Road 89 to State Road 197 in Santa Rosa County the Willard Norris Highway; 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 4235 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Tucker and Morgan—

HB 4235—A bill to be entitled An act relating to the consolidation of the City of Tallahassee and Leon County; creating the "Charter of the Government of Tallahassee and Leon County"; providing for the powers and organization of government; providing for an elected commission with legislative duties and authority; providing for an elected mayor to serve as mayor and commissioner with special duties; providing for an appointed manager with administrative duties and authority; providing for the auditor and commission attorney and their duties; providing for a sheriff, clerk of the circuit court, property appraiser, tax collector, and supervisor of elections to serve as officers of the government and providing for their powers and duties; providing for levy and collection of taxes, special assessments, regulatory and license fees, and user charges; providing for finance of general and special services; prohibiting certain surcharges and public service taxes; providing for special districts; providing procedures relating to budgets, appropriations, finance and bonds; providing for election and recall of officers; providing for retirement and pension plans; providing for franchises and homestead rights; providing for amendment of the charter and creating the charter review commission; providing for orderly transition to consolidation; 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 4227 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Rish—

HB 4227—A bill to be entitled An act relating to Gulf, Franklin, and Wakulla Counties; amending Ch. 65-905, Section 2, Laws of Florida, eliminating requirement of the Department of Natural Resources to issue permits; amending Ch. 65-905, Section 4(13), paragraphs (f) and (g), Laws of Florida, eliminating requirement of live bait shrimp producers to have permits; amending Ch. 65-905, Section 7, Laws of Florida, eliminating penalties relating to permits; 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 CS for HB 1808 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Commerce and Representative Boyd and others—

CS for HB 1808—A bill to be entitled An act relating to unemployment compensation; amending s. 443.04(1), Florida Statutes, providing that benefits be paid through claims offices; providing that claimants must report in person to certify for and receive benefits; prohibiting mailing of unemployment benefits; amending ss. 443.03(5)(n) and (o) and 443.05(3)(a), Florida Statutes; providing that service in the employ of the state for which remuneration is paid from other personal service appropriations shall be excluded from the definition of "employment," with certain exceptions, and exempting certain temporary, substitute and part-time employees from unemployment compensation coverage; amending s. 443.08(5) and (6)(a), Florida Statutes, and adding subsection (7) thereto; providing for loss of benefits where an individual was terminated for violation of a criminal law of this state; providing that state, county, and municipal governmental units may elect the experience rating method of financing unemployment compensation benefits; providing for prospective application with respect to wage credits earned in service to the state; providing an effective date.

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

On motion by Senator J. Lane, by two-thirds vote CS for HB 1808 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator J. Lane, by unanimous consent CS for HB 1808 was taken up out of order. On motions by Senator J. Lane, by two-thirds vote CS for HB 1808 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—24

|                 |           |          |             |
|-----------------|-----------|----------|-------------|
| Mr. President   | Graham    | MacKay   | Stolzenburg |
| Brantley        | Hair      | McClain  | Thomas, J.  |
| Childers, D.    | Henderson | Renick   | Thomas, P.  |
| Childers, W. D. | Holloway  | Saunders | Trask       |
| Deeb            | Lane, J.  | Sims     | Winn        |
| Gordon          | Lewis     | Spicola  | Zinkil      |

Nays—1

Dunn

Vote after roll call:

Yea—Tobiassen

On motion by Senator Lewis, by two-thirds vote HB 4191 was withdrawn from the Committee on Education and placed on the calendar.

On motion by Senator Lewis, by unanimous consent—

HB 4191—A bill to be entitled An act relating to education; amending s. 231.10(1), Florida Statutes, relating to the Florida Council on Teacher Education, to change procedure relating to the nomination of members to the council; amending s. 231.57(1), (2), (3) and (5), Florida Statutes, relating to the Professional Practices Council, to change the composition of, and procedure relating to the nomination of members to, the council; providing an effective date.

—was taken up out of order. On motions by Senator Lewis, by two-thirds vote HB 4191 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—27

|                 |           |             |             |
|-----------------|-----------|-------------|-------------|
| Mr. President   | Graham    | MacKay      | Stolzenburg |
| Childers, D.    | Hair      | McClain     | Thomas, J.  |
| Childers, W. D. | Henderson | Renick      | Thomas, P.  |
| Deeb            | Holloway  | Saunders    | Trask       |
| Dunn            | Johnston  | Scarborough | Winn        |
| Gallen          | Lane, J.  | Sims        | Zinkil      |
| Gordon          | Lewis     | Spicola     |             |

Nays—None

Vote after roll call:

Yea—Tobiassen

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 4209 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries & Licensing—

HB 4209—A bill to be entitled An act relating to quarter horse racing; amending s. 550.33(7), Florida Statutes, changing the requirements for substitution of quarter horse races; providing for taxes on races substituted with horses registered with the Jockey Club; providing an effective date.

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

On motion by Senator J. Lane, by two-thirds vote HB 4209 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator J. Lane, by unanimous consent HB 4209 was taken up out of order. On motions by Senator J. Lane, by two-thirds vote HB 4209 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—24

|                 |           |             |            |
|-----------------|-----------|-------------|------------|
| Mr. President   | Glisson   | MacKay      | Spicola    |
| Childers, D.    | Graham    | McClain     | Thomas, J. |
| Childers, W. D. | Henderson | Myers       | Thomas, P. |
| Deeb            | Holloway  | Renick      | Trask      |
| Dunn            | Lane, J.  | Scarborough | Winn       |
| Gallen          | Lewis     | Sims        | Zinkil     |

Nays—None

Votes after roll call:

Yeas—Hair and Tobiassen

On motion by Senator P. Thomas, by two-thirds vote HB 4105 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

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

HB 4105—A bill to be entitled An act relating to public officers and employees; amending s. 112.05(1), Florida Statutes, providing for the early retirement of certain state employees who are eligible for retirement under the provisions of s. 112.05, Florida Statutes, and who have 29 consecutive years of creditable service under certain circumstances; providing an effective date.

—was taken up out of order. On motions by Senator P. Thomas, by two-thirds vote HB 4105 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—31

|                 |           |          |             |
|-----------------|-----------|----------|-------------|
| Mr. President   | Glisson   | Lewis    | Stolzenburg |
| Brantley        | Graham    | MacKay   | Thomas, J.  |
| Childers, D.    | Hair      | McClain  | Thomas, P.  |
| Childers, W. D. | Henderson | Poston   | Tobiassen   |
| Deeb            | Holloway  | Renick   | Trask       |
| Dunn            | Johnston  | Saunders | Ware        |
| Firestone       | Lane, D.  | Sims     | Winn        |
| Gallen          | Lane, J.  | Spicola  |             |

Nays—None

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

**INTRODUCTION**

By Senator Glisson—

SB 1462—A bill to be entitled An act relating to Lake County; providing for the appointment of a full-time county attorney; providing for compensation and expenses; providing for staff; providing a referendum; providing an effective date.

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

Senator Gallen presiding

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

## EXECUTIVE BUSINESS

By direction of the President, the following reports were read:

## Reports of the Select Committee on Executive Suspensions

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

May 26, 1976

Dear Mr. President:

The following executive appointments were referred to the Select Committee on Executive Suspensions as "an appropriate select committee" for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate:

- (1) Florida Army National Guard, Adjutant General  
Kennedy C. Bullard, for term ending pleasure of Governor
- (2) Florida Army National Guard, Brigadier General  
Jean Beem, for term ending pleasure of governor  
Frank M. Parham, Jr., for term ending pleasure of governor
- (3) Florida Army National Guard, Major General  
Kennedy Cornelius Bullard, for term ending pleasure of governor
- (4) Board of Business Regulation, Member  
Edmond Joseph Gong, for term ending pleasure of governor
- (5) Career Service Commission, Member  
J. P. Hall, Jr. for term ending 11/22/78  
Stephan P. Mickle, for term ending 11/22/76
- (6) Brevard Community College, Member, Board of Trustees  
Betty P. Parrish, for term ending 5/31/79  
George Ritchie, for term ending 5/31/79
- (7) Broward Community College, Member, Board of Trustees  
John H. Payne, for term ending 5/31/79  
Sheldon Jules Schlesinger, for term ending 5/31/79  
Elinor Amy Wilkov, for term ending 5/31/78
- (8) Central Florida Community College, Member, Board of Trustees  
Theodore Scott Jordan, for term ending 5/31/77  
N. William Ritz, for term ending 5/31/79
- (9) Chipola Junior College, Member, Board of Trustees  
C. H. Barton, for term ending 5/31/79  
Gary J. Cooley, for term ending 5/31/77  
Roger L. Laney, for term ending 5/31/79  
Benjamin Pete, for term ending 5/31/79  
Marjorie P. Sangaree, for term ending 5/31/79
- (10) Daytona Beach Community College, Member, Board of Trustees  
John G. McKenney, Jr., for term ending 5/31/79
- (11) Florida Junior College at Jacksonville  
Member, Board of Trustees  
Donald T. Martin, for term ending 5/31/79  
Sarah P. Sova, for term ending 5/31/79
- (12) Florida Keys Community College, Member, Board of Trustees  
Helen V. Lawler, for term ending 5/31/79
- (13) Gulf Coast Community College, Member, Board of Trustees  
Edward A. Bandjough, for term ending 5/31/79  
T. W. Smith, Sr., for term ending 5/31/79
- (14) Hillsborough Community College, Member, Board of Trustees  
Marcelino Huerta, Jr., for term ending 5/31/79
- (15) Indian River Community College, Member, Board of Trustees  
Standish L. Crews, for term ending 5/31/79  
Guy N. Cromwell, for term ending 5/31/79  
Ida C. Morgan, for term ending 5/31/79
- (16) Lake City Community College, Member, Board of Trustees  
Ann S. Combs, for term ending 5/31/79  
James Y. Wilson, for term ending 5/31/79
- (17) Lake-Sumter Community College, Member, Board of Trustees  
Edythe H. Martin, for term ending 5/31/78  
Daniel C. McCormic, for term ending 5/31/79  
Nanette Roadman Smith, for term ending 5/31/79
- (18) Manatee Junior College, Member, Board of Trustees  
H. S. Moody, for term ending 5/31/79  
Patty M. Thomas, for term ending 5/31/79
- (19) Miami-Dade Community College, Member, Board of Trustees  
Maria C. Hernandez, for term ending 5/31/79
- (20) North Florida Junior College, Member Board of Trustees  
Augusta T. Barclay, for term ending 5/31/79  
Warren T. Jarvis, for term ending 5/31/79  
Mildred Louise Parrish, for term ending 5/31/77
- (21) Okaloosa-Walton Junior College, Member, Board of Trustees  
Willie Max Clark, for term ending 5/31/79  
A. L. Nabors, for term ending 5/31/79
- (22) Palm Beach Junior College, Member, Board of Trustees  
Susann F. Anstead, for term ending 5/31/79  
Philip O. Lichtblau, for term ending 5/31/77
- (23) Pasco-Hernando Community College, Member, Board of Trustees  
Wayne L. Cobb, for term ending 5/31/79  
Murray R. Grubbs, for term ending 5/31/77  
Lois (Jack) Linville, for term ending 5/31/79  
Gerald W. Springstead, for term ending 5/31/79
- (24) Pensacola Junior College, Member, Board of Trustees  
J. T. Griffin, Jr., for term ending 5/31/79  
M. Kennedy, for term ending 5/31/79  
Shelby L. Walters, for term ending 5/31/79
- (25) Polk Community College, Member, Board of Trustees  
Lorin T. Bice, for term ending 5/31/77  
Beverly B. Burnsed, for term ending 5/31/79  
Merrill E. Grafton, for term ending 5/31/79
- (26) Seminole Junior College, Member, Board of Trustees  
James Wendell Agee, for term ending 5/31/79  
Beverly P. Freeman, for term ending 5/31/79
- (27) Santa Fe Community College, Member, Board of Trustees  
C. T. Ayers, for term ending 5/31/79
- (28) South Florida Junior College, Member, Board of Trustees  
Sandra C. Harris, for term ending 5/31/79
- (29) St. Johns River Junior College, Member, Board of Trustees  
Robert W. Pickens, for term ending 5/31/79
- (30) St. Petersburg Junior College, Member, Board of Trustees  
W. Richard Johnston, for term ending 5/31/79
- (31) Tallahassee Community College, Member, Board of Trustees  
Harriett M. Wilson, for term ending 5/31/79
- (32) Valencia Community College, Member, Board of Trustees  
James R. Smith, for term ending 5/31/79
- (33) State Board of Independent Colleges and Universities,  
Member  
Kenneth O. Gangel, for term ending 8/25/77  
Cleo S. Higgins, for term ending 8/24/78  
John E. Johns, Sr., for term ending 3/20/79  
Joseph H. Stafford, for term ending 8/17/77
- (34) State Board of Cosmetology, Member  
Violet M. Llanaeza, for term ending 6/27/76  
Martha Virginia McKown, for term ending 6/27/79
- (35) Commission on Ethics, Member  
Paul R. Brown, for term ending 7/1/77  
E. Harris Drew, for term ending 7/1/77  
Charlotte F. Hubbard, for term ending 7/1/77
- (36) Florida State Fair Authority, Member  
H. Quentin Duff, for term ending 7/1/79  
Marie Nickels, for term ending 7/1/79  
T. Torrence, for term ending 7/1/79
- (37) Harbor Master, Port of Key West, Monroe County  
Henry V. Haskins, for term ending 2/8/78

- (38) Harbor Master, Port of Panama City, Bay County  
Emory Gay Hobbs, for term ending 7/1/77
- (39) Northwest Lake County Hospital District, Member, Lake County  
Glyn Faircloth, for term ending 10/10/75  
Glyn Faircloth, for term ending 10/10/79
- (40) South Lake County Hospital District, Member, Board of Trustees  
W. O. McQuaig, for term ending 7/5/79  
Harold Roberts, for term ending 7/5/79
- (41) Commissioner for the Promotion of Uniformity of Legislation  
Edward I. Cutler, for term ending 6/5/79  
Joshua M. Morse, III, for term ending 6/5/79
- (42) Board of Examiners of Nursing Home Administrators, Member  
Laurel J. Chadwick, for term ending 7/7/76  
Norbert E. Touchette, for term ending 6/2/76
- (43) Ponce de Leon Port Authority, Volusia County, Member  
James B. Hall, for term ending 2/1/79  
Leonard F. Hays, Jr., for term ending 2/1/79
- (44) Tampa Port Authority, Hillsborough County, Member  
Arthur N. Schiro, for term ending 11/15/79
- (45) Historic Key West Preservation Board, Member, Board of Trustees  
Mary M. LeMire, for term ending 10/17/79
- (46) Historic Pensacola Preservation Board, Member, Board of Trustees  
Charles Joseph Cetti, for term ending 9/13/79  
Marguerite B. Randolph, for term ending 9/13/79  
Harry I. Tuttle, for term ending, 9/19/79
- (47) Historic St. Augustine Preservation Board, Member, Board of Trustees  
John D. Bailey, for term ending 8/31/79  
Elizabeth Morley Towers, for term ending 8/24/79
- (48) Historic Tampa/Hillsborough County Preservation Board, Member, Board of Trustees  
Harris Mullen, for term ending 11/1/79  
William Reppard McClelland, for term ending 11/1/78  
Anthony P. Pizzo, for term ending 11/1/77  
Nancy M. Rollyson, for term ending 11/1/79  
Ann G. Simmons, for term ending 11/1/78  
Shelia G. Spicola, for term ending 11/1/78  
Patricia P. Waterman, for term ending 11/1/77
- (49) Department of Professional and Occupational Regulation, Secretary  
Dorothy W. Glisson, for term ending Pleasure of Governor
- (50) State Retirement Commission, Member  
Howard J. Friedman, for term ending 12/31/77  
John R. Smith, Jr., for term ending 12/31/79  
Edna S. Tait, for term ending 12/31/77  
John F. Tingle, for term ending 12/31/78  
Elliot J. Winograd, for term ending 12/31/79
- (51) Florida School for the Deaf and the Blind, Member, Board of Trustees  
Robert L. Mason, for term ending 11/7/79
- (52) State Board of Independent Post-Secondary, Vocational, Technical, Trade and Business Schools, Member  
Martin Hochman, for term ending 7/1/78  
Betty W. McNabb, for term ending 7/1/78
- (53) Jacksonville Transportation Authority, Duval County, Member  
Isaac May Sulzbacher, for term ending 6/1/79
- (54) Pinellas County Transportation Authority, Member  
Robert H. Levison, for term ending Pleasure of Governor

As required by Rule 12.7(a), the Select Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the Select Committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Select Committee—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointees, to the office and for the term of office indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to adjournment of the 1976 Regular Session.
- (3) That there is no necessity known to the Select Committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,

*Edgar M. Dunn, Jr., Chairman*  
*George Firestone, Vice Chairman*  
*Mattox Hair*  
*Vernon C. Holloway*  
*Walter Sims*

On motion by Senator Dunn, the report was accepted and the Senate confirmed the appointments identified in the foregoing report of the Select Committee, to the offices and for the terms indicated, in accordance with the recommendations of the Committee.

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

May 28, 1976

Dear Mr. President:

The following executive appointments were referred to the Select Committee on Executive Suspensions as "an appropriate select committee" for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate:

- (1) State Board of Building Codes and Standards, Member  
Chet S. Tharpe, for term ending 2/7/77
- (2) Edison Community College, Member, Board of Trustees  
Jody Tharp Hendry, for term ending 5/31/79
- (3) Florida Junior College at Jacksonville, Member, Board of Trustees  
Peggy Friedmann, for term ending 5/31/79
- (4) Lake City Community College, Member, Board of Trustees  
Marvin H. Pritchett, for term ending 5/31/79
- (5) Lake-Sumter Community College, Member, Board of Trustees  
Jimmy R. Peacock, for term ending 5/31/79
- (6) North Florida Junior College, Member, Board of Trustees  
Pamela P. Manley, for term ending 5/31/79
- (7) Palm Beach Junior College, Member, Board of Trustees  
George A. Michael, for term ending 5/31/79
- (8) South Florida Junior College, Member, Board of Trustees  
Charles D. Stidham, for term ending 5/31/79
- (9) State Board of Independent Colleges and Universities, Member  
James Farquhar, for term ending 8/31/78
- (10) Commission on Ethics, Member  
Don L. Asher, for term ending 7/1/76  
Donald H. Reed, Jr., for term ending 7/1/77
- (11) Harbor Master for the Port of Boca Grande, Lee County  
W. Carey Johnson, for term ending 11/21/77
- (12) South Lake County Hospital District, Member, Board of Trustees  
Bill Cockcroft, for term ending 7/5/77  
Dolores M. Vander Meer, for term ending 7/5/79  
Minnie A. Viti, for term ending 7/5/79
- (13) Board of Examiners of Nursing Home Administrators, Member  
Domenic J. Montaldi, for term ending 1/22/80
- (14) Jacksonville Port Authority, Member  
Carl Randal Gardner, for term ending 10/1/79

- (15) **Historic Key West Preservation Board, Member, Board of Trustees**  
Melinda Josephine Blair, for term ending 11/21/79
- (16) **Historic Tampa/Hillsborough County Preservation Board, Member, Board of Trustees**  
Sol Fleischman, Jr., for term ending 11/1/77  
Yetive B. Olson, for term ending 11/1/79
- (17) **Everglades Recreational Planning Board, Member**  
George G. Matthews, for term ending Pleasure of Governor
- (18) **Board of the Sumter County Recreation and Water Conservation and Control Authority, District Five, Member**  
Stanton Gideons, Jr., for term ending 12/1/79
- (19) **State Retirement Commission, Member**  
Nancy T. Ford, for term ending 12/31/79  
Perry C. Harvey, Jr., for term ending 12/31/78
- (20) **State Board of Independent Post-Secondary, Vocational, Technical, Trade and Business Schools, Member**  
Clausson P. Lexow, for term ending 7/1/78
- (21) **Jacksonville Transportation Authority, Member**  
Douglas B. Milne, for term ending 8/4/79
- (4) **Lake-Sumter Community College, Member, Board of Trustees**  
Robert Alexander Shoemaker, for term ending 5/31/79
- (5) **Miami-Dade Community College, Member, Board of Trustees**  
William D. Pawley, for term ending 5/31/79
- (6) **South Florida Junior College, Member, Board of Trustees**  
William Louis Howard
- (7) **Board of Funeral Directors and Embalmers, District Three, Member**  
F. James Wylie, Jr., for term ending 7/17/79
- (8) **South Lake County Hospital District, Member**  
Derow L. Poynter
- (9) **Florida Land Sales and Condominium Advisory Board, Member**  
W. Earl Downs
- (10) **Board of Pilot Commissioners for the Port of Pensacola, Escambia County, Member**  
Richard H. Merritt, Jr., for term ending 6/6/77
- (11) **St. Johns River Water Management District, Member**  
George A. Brown, for term ending 7/1/79

As required by Rule 12.7(a), the Select Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the Select Committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Select Committee—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointees, to the office and for the term of office indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to adjournment of the 1976 Regular Session.
- (3) That there is no necessity known to the Select Committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
Edgar M. Dunn, Jr., Chairman  
George Firestone, Vice Chairman  
Mattox Hair  
Vernon C. Holloway  
Walter Sims

On motion by Senator Dunn, the report was accepted and the Senate confirmed the appointments identified in the foregoing report of the Select Committee, to the offices and for the terms indicated, in accordance with the recommendations of the Committee.

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

May 31, 1976

Dear Mr. President:

The following executive appointments were referred to the Select Committee on Executive Suspensions as "an appropriate select committee" for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate:

- (1) **Brevard Community College, Member, Board of Trustees**  
F. James Wylie, Jr., for term ending 5/31/79
- (2) **Central Florida Community College, Member, Board of Trustees**  
Edward B. Cary  
Lynne P. McCranie, for term ending 5/31/79
- (3) **Lake City Community College, Member, Board of Trustees**  
William H. Higgins, for term ending 5/31/78

As required by Rule 12.7(a), the Select Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the Select Committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Select Committee—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the Senate fail to confirm and take no action on the appointment of F. James Wylie, Jr. to the office of Member, Board of Trustees, Brevard Community College, because the Select Committee finds that he has resigned, effective January 15, 1976.
- (2) That the Senate fail to confirm and take no action on the appointment of Edward B. Cary to the office of Member, Board of Trustees, Central Florida Community College, because the Select Committee finds that said appointee is now deceased.
- (3) That the Senate fail to confirm and take no action on the appointment of Lynne P. McCranie to the office of Member, Board of Trustees, Central Florida Community College, because the Select Committee finds that she has resigned, effective March 5, 1976.
- (4) That the Senate fail to confirm and take no action on the appointment of William H. Higgins to the Office of Member, Board of Trustees, Lake City Community College, because the Select Committee finds that said appointee is now deceased.
- (5) That the Senate fail to confirm and take no action on the appointment of Robert A. Shoemaker to the office of Member, Board of Trustees, Lake-Sumter Community College, because the Select Committee finds that he has resigned, effective October 3, 1975.
- (6) That the Senate fail to confirm and take no action on the appointment of William D. Pawley to the office of Member, Board of Trustees, Miami-Dade Community College, because the Select Committee finds that he has resigned, effective May 24, 1976.
- (7) That the Senate fail to confirm and take no action on the appointment of William Louis Howard to the office of Member, Board of Trustees, South Florida Junior College, because the Select Committee finds that he has failed or refused to qualify for office as required by law.
- (8) That the Senate fail to confirm and take no action on the appointment of F. James Wylie, Jr., to the office of Member, Board of Funeral Directors and Embalmers, District Three, because the Select Committee finds that he has resigned, effective September 30, 1975.
- (9) That the Senate fail to confirm and take no action on the appointment of Derow L. Poynter to the office of Member, Board of Trustees, South Lake County Hospital District, because the Select Committee finds that he has failed or refused to qualify for office as required by law.

- (10) That the Senate fail to confirm and take no action on the appointment of **W. Earl Downs** to the office of Member, Florida Land Sales and Condominium Advisory Board, because the Select Committee finds that he has resigned, effective March 17, 1976.
- (11) That the Senate fail to confirm and take no action on the appointment of **Richard Hill Merritt, Jr.**, to the office of Pilot Commissioner for the Port of Pensacola, because the Select Committee finds that appointment to this office as prescribed in Section 310.021, Florida Statutes, does not require Senate confirmation.
- (12) That the Senate fail to confirm and take no action on the appointment of **George A. Brown** to the office of Member, St. Johns River Water Management District, because the Select Committee finds that he has resigned, effective April 20, 1976.
- (13) That there is no necessity known to the Select Committee for the deliberations on said appointments to be held in executive session.
- Respectfully submitted,  
*Edgar M. Dunn, Jr., Chairman*  
*George Firestone, Vice Chairman*  
*Mattox Hair*  
*Vernon C. Holloway*  
*Walter Sims*
- (7) **Alafia River Basin Board of the Southwest Florida Water Management District, Member**  
**John W. Lee**, for term ending 6/30/77
- (8) **Crystal River-Homosassa River Basin Board of the Southwest Florida Water Management District, Member**  
**William H. Hampton**, for term ending 6/30/78  
**Ronald P. Schilling**, for term ending 6/30/77
- (9) **Northwest Hillsborough County Basin Board of the Southwest Florida Water Management District, Member**  
**Charles H. Martin**, for term ending 6/30/78
- (10) **Oklawaha River Basin Board of the Southwest Florida Water Management District, Member**  
**John A. Dillard**, for term ending 6/30/78
- (11) **Peace River Basin Board of the Southwest Florida Water Management District, Member**  
**James L. Ryals**, for term ending 6/30/77  
**Carl Simmons**, for term ending 6/30/78
- (12) **St. Johns River Water Management District, Member**  
**Suzanne E. Bayley**, for term ending 7/1/79  
**James Michael Braddock**, for term ending 7/1/77  
**Frank X. Friedmann, Jr.**, for term ending 7/1/77  
**Jasper Newton Joiner**, for term ending 7/1/79  
**Eugene F. Shaw**, for term ending 7/1/79
- (13) **Suwannee River Water Management District, Member**  
**Donald L. Browning**, for term ending 7/1/79  
**W. Jack Carlton**, for term ending 7/1/79  
**Brantley W. Helvenston, III**, for term ending 7/1/79  
**C. Jerome Johns**, for term ending 7/1/79  
**Hilda S. Kressman**, for term ending 7/1/79

On motion by Senator Dunn, the report was accepted and the Senate failed to confirm and took no action on the appointments identified in the foregoing report of the Select Committee, to the offices and for the terms indicated, in accordance with the recommendations of the Committee.

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

June 1, 1976

Dear Mr. President:

The following executive appointments were referred to the Select Committee on Executive Suspensions as "an appropriate select committee" for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate and to the Committee on Natural Resources and Conservation:

- (1) **Department of Environmental Regulation, Secretary**  
**Joseph W. Landers, Jr.**, for term ending Pleasure of Governor
- (2) **Environmental Regulation Commission, Member**  
**Jack C. Betz**, for term ending 7/1/79  
**W. D. Frederick, Jr.**, for term ending 7/1/79  
**Mark D. Hollis**, for term ending 7/1/77  
**Terry McDavid**, for term ending 7/1/79  
**John Robert Middlemas**, for term ending 7/1/77  
**Susan Uhl Wilson**, for term ending 7/1/77  
**Sonny Wright**, for term ending 7/1/79
- (3) **Central and Southern Florida Flood Control District, Member, Governing Board of the**  
**John M. DeGrove**, for term ending 7/1/79  
**Claude O. Godwin**, for term ending 7/12/79  
**R. Hardy Matheson**, for term ending 7/12/79  
**Robert W. Padrick**, for term ending 7/12/78  
**W. J. Scarborough**, for term ending 7/1/79  
**Ben Shepard**, for term ending 7/1/79
- (4) **Northwest Florida Water Management District, Member**  
**Louis J. Atkins**, for term ending 7/1/79  
**Henry Lane**, for term ending 7/1/79  
**James G. Ward**, for term ending 7/1/79  
**George Alan Whidby**, for term ending 7/1/79
- (5) **Ridge and Lower Gulf Coast Water Management District, Member**  
**Jack P. Brandon**, for term ending 7/1/79  
**Stanley W. Hole**, for term ending 7/1/79  
**Mary A. Kumpe**, for term ending 7/1/77  
**Maurice L. Plummer**, for term ending 7/1/79  
**James W. Ringo**, for term ending 7/1/79  
**Don Schloesser**, for term ending 7/1/77
- (6) **Southwest Florida Water Management District, Member, Governing Board of the**  
**Robert Martinez**, for term ending 7/1/76

As required by Rule 12.7(a), the Select Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named persons for appointment to the offices indicated. In aid of such inquiry, the Committee on Natural Resources and Conservation and the Select Committee held public hearings at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each person for appointment to the office indicated.

After full public hearing, the Committee on Natural Resources and Conservation recommended, by unanimous vote, that the Senate do confirm each of the appointments set forth above.

After due consideration of the recommendations of the Committee on Natural Resources and Conservation and based upon the evidence adduced at the public hearing of the Select Committee, the Select Committee on Executive Suspensions—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointees, to the office and for the term of office indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to adjournment of the 1976 Regular Session.
- (3) That there is no necessity known to the Select Committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
*Edgar M. Dunn, Jr., Chairman*  
*George Firestone, Vice Chairman*  
*Mattox Hair*  
*Walter Sims*  
*Vernon C. Holloway*

On motion by Senator Dunn, the report was accepted and the Senate confirmed the appointments identified in the foregoing report of the Select Committee, to the offices and for the terms indicated, in accordance with the recommendations of the Committee.

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

June 1, 1976

Dear Mr. President:

The following executive appointments were referred to the Select Committee on Executive Suspensions as "an appropriate

select committee" for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate:

- (1) **Division of Administrative Hearings, Director**  
Kenneth G. Oertel, for term ending Pleasure of the Administration Commission
- (2) **Florida Board of Building Codes and Standards, Representing Architects, Member**  
Ronald E. Frazier, for term ending 8/11/79
- (3) **Firefighters Standards and Training Council, Member**  
C. Ben Holleman, for term ending 9/22/79  
Peter Kirill, for term ending 9/22/79  
Fred W. Turner, for term ending 9/22/79
- (4) **Board of Funeral Directors and Embalmers, District Three, Member**  
Robert E. Ramsdell, for term ending 7/17/79
- (5) **Department of Health and Rehabilitative Services, Secretary**  
William J. Page, Jr., for term ending Pleasure of the Governor
- (6) **Santa Fe Community College, Member, Board of Trustees**  
Guy Andrews, for term ending 5/31/79
- (7) **St. Petersburg Junior College, Member, Board of Trustees**  
Reina C. Pollack, for term ending 5/31/79
- (8) **Florida Land Sales and Condominium Advisory Board, Member**  
Joseph J. D'Apice, for term ending Pleasure of the Chairman, Board of Business Regulation  
Lloyd C. Hagaman, Jr., for term ending Pleasure of the Chairman, Board of Business Regulation  
George L. Mallory, for term ending Pleasure of the Chairman, Board of Business Regulation
- (9) **State Board of Independent Post-Secondary, Vocational, Technical, Trade and Business Schools, Member**  
Grayce M. Williamson, for term ending 7/1/77
- (10) **Tampa-Hillsborough County Expressway Authority, Member**  
Frank R. Hunt, Jr., for term ending 7/1/79

As required by Rule 12.7(a), the Select Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the Select Committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Select Committee—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointees, to the office and for the term of office indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to adjournment of the 1976 Regular Session.
- (3) That there is no necessity known to the Select Committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
*Edgar M. Dunn, Jr., Chairman*  
*George Firestone, Vice Chairman*  
*Mattox Hair*  
*Vernon C. Holloway*  
*Walter Sims*

On motion by Senator Dunn, the report was accepted and the Senate confirmed the appointments identified in the foregoing report of the Select Committee, to the offices and for the terms indicated, in accordance with the recommendations of the Committee.

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

June 1, 1976

Dear Mr. President:

The following executive appointments were referred to the Select Committee on Executive Suspensions as "an appropriate select committee" for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate and to the Committee on Agriculture:

- (1) **Florida Citrus Commission, State-at-Large, Member**  
Albin P. Crutchfield, for term ending 5/31/78  
William F. Edwards, for term ending 5/31/78  
George G. McClure, for term ending 5/31/78
- (2) **Florida Citrus Commission, District Four, Member**  
Karick A. Price, for term ending 5/31/78

As required by Rule 12.7(a), the Select Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named persons for appointment to the offices indicated. In aid of such inquiry, the Committee on Agriculture and the Select Committee held public hearings at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each person for appointment to the office indicated.

After full public hearing, the Committee on Agriculture recommended, by unanimous vote, that the Senate do confirm each of the appointments set forth above.

After due consideration of the recommendations of the Committee on Agriculture and based upon the evidence adduced at the public hearing of the Select Committee, the Select Committee on Executive Suspensions—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointees, to the office and for the term of office indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to adjournment of the 1976 Regular Session.
- (3) That there is no necessity known to the Select Committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
*Edgar M. Dunn, Jr., Chairman*  
*George Firestone, Vice Chairman*  
*Mattox Hair*  
*Vernon C. Holloway*  
*Walter Sims*

On motion by Senator Dunn, the report was accepted and the Senate confirmed the appointments identified in the foregoing report of the Select Committee, to the offices and for the terms indicated, in accordance with the recommendations of the Committee.

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

June 1, 1976

Dear Mr. President:

The executive appointment of Betty Anne Staton to the office of Member, Board of Regents, with the term ending January 1, 1985, was referred to the Select Committee on Executive Suspensions as "an appropriate select committee" for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate and to the Committee on Education.

As required by Rule 12.7(a), the Select Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the appointee for appointment to the office indicated. In aid of such inquiry, the Committee on Education and the Select Committee held public hearings at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointee for appointment to the office indicated.

After full public hearing, the Committee on Education recommended, by unanimous vote, that the Senate do confirm the appointment set forth above.

After due consideration of the recommendation of the Committee on Education and based upon the evidence adduced at the public hearing of the Select Committee, the Select Committee on Executive Suspensions—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointee, to the office and for the term of office indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointment be taken prior to adjournment of the 1976 Regular Session.
- (3) That there is no necessity known to the Select Committee for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
*Edgar M. Dunn, Jr., Chairman*  
*George Firestone, Vice Chairman*  
*Mattox Hair*  
*Vernon C. Holloway*  
*Walter Sims*

On motion by Senator Dunn, the report was accepted and the Senate confirmed the appointment identified in the foregoing report of the Select Committee, to the office and for the term indicated, in accordance with the recommendation of the Committee.

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

June 2, 1976

Dear Mr. President:

The following executive appointments were referred to the Select Committee on Executive Suspensions as "an appropriate select committee" for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate and to the Committee on Judiciary-Civil.

- (1) **Public Employees Relations Commission, Member**  
 Rose Mary W. Filipowicz, for term ending 7/1/79  
 M. Kalman Gitomer, for term ending 7/1/79  
 Curtis L. Mack, for term ending 7/1/78

As required by Rule 12.7(a), the Select Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named persons for appointment to the offices indicated. In aid of such inquiry, the Committee on Judiciary-Civil and the Select Committee held public hearings at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each person for appointment to the office indicated.

After full public hearing, the Committee on Judiciary-Civil recommended, by unanimous vote, that the Senate do confirm each of the appointments set forth above.

After due consideration of the recommendations of the Committee on Judiciary-Civil and based upon the evidence adduced at the public hearing of the Select Committee, the Select Committee on Executive Suspensions—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointees, to the office and for the term of office indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to adjournment of the 1976 Regular Session.
- (3) That there is no necessity known to the Select Committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
*Edgar M. Dunn, Jr., Chairman*  
*George Firestone, Vice Chairman*  
*Mattox Hair*  
*Vernon C. Holloway*  
*Walter Sims*

On motion by Senator Dunn, the report was accepted and the Senate confirmed the appointments identified in the foregoing report of the Select Committee, to the offices and for the terms indicated, in accordance with the recommendations of the Committee.

Senators Plante and MacKay were recorded as voting "nay" on confirmation of the appointment of Curtis L. Mack.

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

June 2, 1976

Dear Mr. President:

The following executive appointments were referred to the Select Committee on Executive Suspensions as "an appropriate select committee" for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate and to the Judiciary-Criminal Committee:

- (1) **Department of Offender Rehabilitation, Secretary**  
 Louie L. Wainwright, for term ending Pleasure of Governor
- (2) **Parole and Probation Commission, Member**  
 Maurice G. Crockett, for term ending 1/30/82  
 Ray E. Howard, for term ending 10/7/81

As required by Rule 12.7(a), the Select Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named persons for appointment to the offices indicated. In aid of such inquiry, the Judiciary-Criminal Committee and the Select Committee held public hearings at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each person for appointment to the office indicated.

After full public hearing, the Judiciary-Criminal Committee recommended that the Senate do confirm each of the appointments set forth above.

After due consideration of the recommendations of the Judiciary-Criminal Committee and based upon the evidence adduced at the public hearing of the Select Committee, the Select Committee on Executive Suspensions—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointees, to the office and for the term of office indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to adjournment of the 1976 Regular Session.
- (3) That there is no necessity known to the Select Committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
*Edgar M. Dunn, Jr., Chairman*  
*George Firestone, Vice Chairman*  
*Mattox Hair*  
*Vernon C. Holloway*  
*Walter Sims*

Senator Dunn moved that the report be accepted and the Senate confirm the appointments identified in the report of the Select Committee, to the offices and for the terms indicated, in accordance with the recommendations of the Committee.

Senator Firestone moved as a substitute motion that the appointment of Ray E. Howard be considered separately.

A motion by Senator J. Thomas that the foregoing motion be amended to consider each appointment separately was adopted. The substitute motion as amended failed.

Senator Trask moved as a substitute motion that the Senate confirm the appointments of Louie L. Wainwright and Maurice G. Crockett. The motion was adopted.

On motion by Senator Dunn, the Senate confirmed the appointment of Ray E. Howard.

The report of the Select Committee was adopted.

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

June 2, 1976

Dear Mr. President:

The following executive appointments were referred to the Select Committee on Executive Suspensions as "an appropriate select committee" for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate and to the Committee on Natural Resources and Conservation:

- (1) Northwest Florida Water Management District, Member, Governing Board of the  
Frank Caldwell, for term ending 7/1/79
- (2) Ridge and Lower Gulf Coast Water Management District, Member  
Joseph F. Pulte, for term ending 7/1/79  
Latimer H. Turner, for term ending 7/1/77  
Blake Whisenant, for term ending 7/1/77
- (3) Southwest Florida Water Management District, Member, Governing Board of the  
Lewis H. Homer, for term ending 7/1/78
- (4) St. Johns River Water Management District, Member  
John Phillip Dicks, Jr., for term ending 7/1/79

As required by Rule 12.7(a), the Select Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named persons for appointment to the offices indicated. In aid of such inquiry, the Committee on Natural Resources and Conservation and the Select Committee held public hearings at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each person for appointment to the office indicated.

After full public hearing, the Committee on Natural Resources and Conservation made recommendations as to each of the appointments set forth above.

After due consideration of the recommendations of the Committee on Natural Resources and Conservation and based upon the evidence adduced at the public hearing of the Select Committee, the Select Committee on Executive Suspensions—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointees, except Lewis H. Homer and John Phillip Dicks, Jr., to the office and for the term of office indicated, be *confirmed* by the Senate.
- (2) That the Senate *refuse to confirm* and reject the appointment of Lewis H. Homer to the office of Member, Governing Board of the Southwest Florida Water Management District, because of the apparently strong objection to his policies as a member of such Board.
- (3) That the Senate *fail to confirm* and take no action on the appointment of John Phillip Dicks, Jr., to the office of Member, St. Johns River Water Management District, because the Select Committee finds that there is a substantial and unresolved legal question concerning whether Mr. Dicks was and has been a resident of the said District since the date of his appointment (July 23, 1975), and a request for an opinion of the Attorney General is pending.
- (4) That Senate action on said appointments be taken prior to adjournment of the 1976 Regular Session.
- (5) That there is no necessity known to the Select Committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,

Edgar M. Dunn, Jr., Chairman  
George Firestone, Vice Chairman  
Mattox Hair  
Vernon C. Holloway  
Walter Sims

Senator Dunn moved that the report of the Select Committee be accepted and the Senate confirm the appointments identified in the foregoing report of the Committee, to the offices

and for the terms indicated, except John P. Dicks, Jr. and that the Senate refuse to confirm and take no action on the appointment of John P. Dicks, Jr. The motion was adopted.

Senator Dunn moved that in accordance with the report of the Select Committee that the Senate refuse to confirm and reject the appointment of Lewis H. Homer.

Senator J. Lane moved as a substitute motion that the Senate confirm the appointment of Lewis H. Homer. The motion failed.

Senator McClain moved that the Senate reconsider the vote by which the substitute motion failed. The motion failed by the following vote:

Yeas—9

|          |             |         |      |
|----------|-------------|---------|------|
| Dunn     | Peterson    | Spicola | Vogt |
| Lane, J. | Saunders    | Trask   |      |
| McClain  | Scarborough |         |      |

Nays—23

|                 |           |        |             |
|-----------------|-----------|--------|-------------|
| Brantley        | Hair      | MacKay | Stolzenburg |
| Childers, D.    | Henderson | Plante | Thomas, J.  |
| Childers, W. D. | Holloway  | Poston | Thomas, P.  |
| Deeb            | Johnston  | Renick | Tobiassen   |
| Firestone       | Lane, D.  | Sayler | Ware        |
| Glisson         | Lewis     | Sims   |             |

On motion by Senator Ware, the report and recommendation of the Select Committee as to Lewis H. Homer was adopted and the Senate refused to confirm and rejected the appointment.

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

June 2, 1976

Dear Mr. President:

The following executive appointments were referred to the Select Committee on Executive Suspensions as "an appropriate select committee" for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate:

- (1) Daytona Beach Community College, Member, Board of Trustees  
Jeanne M. Goddard, for term ending 5/31/79  
Richard B. Rosier, for term ending 5/31/79
- (2) Citrus County Hospital Board, Trustee  
Mae C. Campbell, for term ending 7/3/79
- (3) Florida Land Sales and Condominium Advisory Board, Member  
Patrick C. Cahill, Betty L. Hazard, Ernest Samuels, for term ending pleasure of the Chairman, Board of Business Regulation
- (4) Ponce de Leon Port Authority, Member, Volusia County  
Richard T. Gaines, for term ending 2/1/79  
Byron S. Hollinshead, for term ending 2/1/77
- (5) Board of the Oklawaha Basin Recreation and Water Conservation and Control Authority, Lake County, Member  
Charles J. Knowles
- (6) State Board of Independent Colleges and Universities, Member  
Charles F. Wilson
- (7) Florida State Fair Authority, Member  
John Henry Logan, Sr.
- (8) South Lake County Hospital District, Member, Board of Trustees  
Millard V. Coggs, for term ending 7/5/77  
Willett Binion Harmon  
Max Leonard Seaver
- (9) Commissioner for the Promotion of Uniformity of Legislation  
William H. Adams, III

- (10) Santa Fe Community College, Member, Board of Trustees  
William M. Ferguson
- (11) Florida Board of Building Codes and Standards, Member  
Vincent L. Burkhardt
- (12) Northwest Lake County Hospital District, Member  
Robert E. Evans
- (13) Board of the Sumter County Recreation and Water Conservation and Control Authority, Member  
S. D. Andrews, for term ending 11/9/78

|         |         |         |         |
|---------|---------|---------|---------|
| HB 3701 | HB 3918 | HB 3923 | HB 4138 |
| HB 3913 | HB 3919 | HB 3931 | HB 4235 |
| HB 3914 | HB 3922 | HB 4052 |         |

*Respectfully submitted,  
Lew Brantley, Chairman*

On motion by Senator J. Lane, by two-thirds vote the rules were waived and HB 3808 was withdrawn from the Committee on Ways and Means.

**SPECIAL ORDER**

On motion by Senator Glisson, by two-thirds vote—

CS for HB 3434—A bill to be entitled An act relating to Florida historic preservation; amending paragraph (b) and adding paragraph (c) to s. 267.0615(3), Florida Statutes, and adding a subsection thereto; providing a definition for “funds” for purposes of determining levels of nonstate funding; providing the Historic Preservation Project Review Council with responsibility to evaluate proposals for the creation of new historic preservation boards of trustees; providing evaluation criteria; creating s. 267.0616, Florida Statutes, requiring persons seeking creation of a new board to submit their proposal to the council; providing for the submission of the proposal to, and evaluation thereof by, the Legislature; providing an effective date.

—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—28

|               |           |          |             |
|---------------|-----------|----------|-------------|
| Mr. President | Glisson   | MacKay   | Scarborough |
| Brantley      | Hair      | McClain  | Sims        |
| Childers, D.  | Henderson | Myers    | Stolzenburg |
| Deeb          | Johnston  | Peterson | Thomas, P.  |
| Dunn          | Lane, D.  | Poston   | Vogt        |
| Firestone     | Lane, J.  | Renick   | Winn        |
| Gallen        | Lewis     | Saylor   | Zinkil      |

Nays—None

Votes after roll call:

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

HB 3639—A bill to be entitled An act relating to condominiums and cooperatives; creating chapter 718, Florida Statutes, entitled the “Condominium Act”; creating chapter 719, Florida Statutes, entitled the “Cooperative Act”; providing legislative intent; providing definition; providing for the creation of condominiums and cooperatives, the contents of condominium declarations and the contents of cooperative documents; providing for the recording of condominium declarations; providing for condominium and cooperative parcels and providing that condominium parcels are to be considered separate parcels of real property; providing a description of the appurtenances to condominiums and cooperatives and providing for the possession and enjoyment of same; prohibiting the separation and partition of the common elements of a condominium; providing for the common elements of a condominium; providing for condominium and cooperative bylaws; providing that the maintenance of common elements with respect to condominiums is a responsibility of the association; regulating leases of recreational facilities or other commonly used areas in condominium and cooperative apartment developments between developers and condominium or cooperative apartment associations which are a mandatory condition of ownership of units in the condominium or cooperative apartment; limiting alterations to a condominium; providing for common expenses and common surplus with respect to condominiums and cooperatives; providing for assessments with respect to condominium and cooperative owners and providing for liens, liability and priorities; providing for the termination of condominiums; providing equitable relief for condominium owners under certain circumstances; limiting such owners’ liabilities; providing for the taxation of condominium parcels; providing for the effect and validity of liens on condominium property; providing for the disposition of sales deposits with respect to condominiums and cooperatives, prior to closing; providing for condominium and cooperative warranties; providing for the transfer of condominium and cooperative association control; providing for the effect of agreements entered into by such associations; providing for obligations of

As required by Rule 12.7(a), the Select Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the Select Committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Select Committee—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointees, except Charles J. Knowles, Charles F. Wilson, John Henry Logan, Sr., Millard V. Coggs, Willet Binion Harmon, Max Leonard Seaver, William H. Adams, III, William M. Ferguson, Vincent L. Burkhardt, Robert E. Evans, and Seeber Doyle Andrews, to the office and for the term of office indicated be *confirmed* by the Senate.
- (2) That the Senate *fail to confirm* and take no action on the appointment of the following named appointees because the Select Committee finds that each of them has failed or refused to qualify for office as required by law:  
  

|                       |                    |
|-----------------------|--------------------|
| John Henry Logan, Sr. | Charles J. Knowles |
| Willet Binion Harmon  | Charles F. Wilson  |
| William H. Adams, III | Millard V. Coggs   |
- (3) That the Senate *refuse to confirm*, and reject the appointment of the following named appointees because the Select Committee finds that each of them has failed or refused to file Financial Disclosure Statements as required by law:  
  

|                      |                 |
|----------------------|-----------------|
| Max Leonard Seaver   | Robert E. Evans |
| William M. Ferguson  | S. D. Andrews   |
| Vincent L. Burkhardt |                 |
- (4) That Senate action on said appointments be taken prior to adjournment of the 1976 Regular Session.
- (5) That there is no necessity known to the Select Committee for the deliberations on said appointments to be held in executive session.

*Respectfully submitted,  
Edgar M. Dunn, Jr., Chairman  
George Firestone, Vice Chairman  
Mattox Hair  
Vernon C. Holloway  
Walter Sims*

On motion by Senator Dunn, the report was accepted and the Senate confirmed, failed to confirm or refused to confirm, as indicated in the Committee’s report, the appointments identified in the report, to the offices and for the terms indicated, in accordance with the recommendations of the Select Committee.

**REPORT OF COMMITTEE**

The Committee on Rules and Calendar recommends the following bills be placed on Local Bill Calendar for June 3, 1976:

|         |         |         |         |
|---------|---------|---------|---------|
| SB 1462 | HB 3586 | HB 3911 | HB 4211 |
| HB 2851 | HB 3908 | HB 3912 | HB 4223 |
| HB 3275 | HB 3909 | HB 3926 | HB 4226 |
| HB 3277 | HB 3910 | HB 3929 | HB 4033 |

condominium and cooperative owners; providing for the right of the association to amend condominium declarations or cooperative documents; providing rules with respect to special types of condominiums and cooperatives; providing for the conversion of existing improvements by a developer into a condominium or cooperative; providing for phase condominiums and cooperatives; providing that the Division of Florida Land Sales and Condominiums of the Department of Business Regulation shall administer both newly created chapters; requiring the filing of certain condominium or cooperative documents with the division; requiring the disclosure of certain information prior to the sale of a condominium or cooperative; requiring developers of residential condominiums and cooperatives of a certain size to prepare a prospectus or offering circular containing specified information on the units for sale; providing that a good faith effort by a condominium or cooperative developer to comply with the requirements relating to disclosure, so long as the effort is in substantial compliance and there are no material errors or omissions, shall be sufficient; providing for the effect of false or misleading material with respect to a condominium or cooperative which is published; providing for the effect of zoning and building regulations on condominiums and cooperatives; providing penalties and fees; repealing chapter 711, Florida Statutes, which is the current law on condominiums and cooperative apartments; amending s. 199.023(1)(e), Florida Statutes, redefining the term "intangible personal property"; adding subsection (4) to s. 193.023, Florida Statutes, requiring the property appraiser to assess, at fair market value, property serving unit owners of a condominium or cooperative subject to a lease; precluding the consideration of income derived from the lease; providing an effective date.

—was read the second time by title.

Senator Sims moved that consideration of HB 3639 be deferred and the motion failed.

Senator Deeb moved the following amendment which failed:

**Amendment 1**—On page 32, lines 1-29, and page 33, lines 1-3, strike entire lines.

Senator Lewis moved the following amendment:

**Amendment 2**—On page 136, line 14, insert: (2) A developer shall not offer for sale or lease a residential unit of a condominium or cooperative apartment when the use of recreational facilities is advertised as an incentive to purchase or lease such residential units unless said recreational facilities are adequate for the number of units authorized to use such facilities. The Division of Florida Land Sales and Condominiums of the Department of Business Regulation shall hold public hearings to hear expert testimony on determining the adequacy of recreational facilities with respect to the number of units which may use such facilities as are provided by condominiums and cooperative apartments, and pursuant to such hearings shall set standards for determining the adequacy of recreational facilities provided by condominiums and cooperative apartments.

(And renumber subsequent subsections)

Amendment 2 was adopted by the following vote:

Yeas—19

|                 |           |          |             |
|-----------------|-----------|----------|-------------|
| Brantley        | Firestone | Lane, J. | Sims        |
| Childers, D.    | Graham    | Lewis    | Stolzenburg |
| Childers, W. D. | Henderson | McClain  | Thomas, P.  |
| Deeb            | Holloway  | Poston   | Tobiassen   |
| Dunn            | Johnston  | Saunders |             |

Nays—13

|               |             |            |        |
|---------------|-------------|------------|--------|
| Mr. President | MacKay      | Spicola    | Zinkil |
| Gallen        | Myers       | Thomas, J. |        |
| Glisson       | Renick      | Ware       |        |
| Lane, D.      | Scarborough | Winn       |        |

Senator Gallen moved the following amendment which was adopted:

**Amendment 3**—On page 79, lines 4 and 5, strike the words "chapter 509 and"

Senator Gallen moved the following amendment which failed:

**Amendment 4**—On pages 56, 57 and 58, strike lines 10-31 on page 56, all of page 57 and lines 1-16 on page 58.

The vote was:

Yeas—5

|               |        |      |         |
|---------------|--------|------|---------|
| Mr. President | Plante | Sims | Spicola |
| Gallen        |        |      |         |

Nays—26

|                 |           |             |            |
|-----------------|-----------|-------------|------------|
| Brantley        | Graham    | Myers       | Thomas, P. |
| Childers, D.    | Hair      | Poston      | Tobiassen  |
| Childers, W. D. | Henderson | Renick      | Ware       |
| Deeb            | Holloway  | Saunders    | Winn       |
| Dunn            | Johnston  | Scarborough | Zinkil     |
| Firestone       | Lane, D.  | Stolzenburg |            |
| Glisson         | Lewis     | Thomas, J.  |            |

Senator Scarborough moved that further consideration of HB 3639 as amended be deferred and the motion failed.

On motion by Senator Myers, the Senate reconsidered the vote by which Amendment 2 was adopted. By permission, Senator Lewis withdrew the amendment.

Senator Gallen moved the following amendment which was adopted:

**Amendment 5**—On page 138, line 25, strike "October 1, 1976" and insert: January 1, 1977

Senator Brantley moved that further consideration of HB 3639 as amended be deferred and the motion failed. The vote was:

Yeas—17

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

Nays—19

|              |           |             |            |
|--------------|-----------|-------------|------------|
| Childers, D. | Graham    | Lewis       | Thomas, J. |
| Deeb         | Henderson | Myers       | Thomas, P. |
| Firestone    | Holloway  | Poston      | Winn       |
| Glisson      | Johnston  | Renick      | Zinkil     |
| Gordon       | Lane, D.  | Stolzenburg |            |

Senator Graham moved the following amendment which was adopted:

**Amendment 6**—On page 116, strike lines 9-11 and insert: (b) Any person filing a complaint with the division under this section shall pay a filing fee of ~~\$25~~ \$10 for each complaint.

Senator Plante moved the following amendment which was adopted:

**Amendment 7**—On pages 50 and 51, strike subsection (d) and reletter.

Senator Scarborough moved that the rules be waived and HB 3639 as amended be read the third time by title and the motion failed to receive the required two-thirds vote. The vote was:

Yeas—21

|              |           |             |        |
|--------------|-----------|-------------|--------|
| Childers, D. | Gordon    | Myers       | Ware   |
| Deeb         | Graham    | Poston      | Winn   |
| Dunn         | Henderson | Renick      | Zinkil |
| Firestone    | Johnston  | Saunders    |        |
| Gallen       | Lane, D.  | Stolzenburg |        |
| Glisson      | Lewis     | Thomas, P.  |        |

Nays—11

|                 |          |             |           |
|-----------------|----------|-------------|-----------|
| Mr. President   | Hair     | Scarborough | Tobiassen |
| Brantley        | Peterson | Sims        | Vogt      |
| Childers, W. D. | Plante   | Spicola     |           |

Special Order, continued

Senator Ware presiding

HB 4081—A bill to be entitled An act relating to the beverage law; amending s. 561.22(2), Florida Statutes, providing that an individual who applies for a vendor's license or renewal thereof may possess stock not to exceed one-half percent in corporations that manufacture, distribute, or export alcoholic beverages; amending s. 562.13, Florida Statutes, providing for the employment of persons under 18 years of age in dinner theaters under certain circumstances; providing a definition of a dinner theater; prohibiting the employment of certain persons convicted of certain enumerated offenses in certain enumerated capacities; providing exceptions to such prohibitions; deleting reference to employment of persons 21 or older to be in charge of specified places of business; amending s. 561.32(1), Florida Statutes; increasing, from 10 percent of the annual license tax to an amount equal to such tax, the fee for transfer of licenses issued pursuant to s. 565.02(1)(a)-(f), Florida Statutes; providing an effective date.

—was read the second time by title.

Senator Henderson moved the following amendments which were adopted:

Amendment 1—On page 2, line 16, strike "in a blind or revocable trust," and after "percent" add: *owned individually, including a one-half percent interest in a blind or revocable trust,*

Amendment 2—On page 3, lines 29 and 30, strike "except that such person may not be employed as the manager or person in charge"

On motion by Senator Henderson, by two-thirds vote HB 4081 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—30

|               |           |             |             |
|---------------|-----------|-------------|-------------|
| Mr. President | Hair      | McClain     | Stolzenburg |
| Brantley      | Henderson | Myers       | Thomas, P.  |
| Childers, D.  | Holloway  | Poston      | Tobiassen   |
| Deeb          | Johnston  | Renick      | Ware        |
| Dunn          | Lane, D.  | Saunders    | Winn        |
| Firestone     | Lane, J.  | Scarborough | Zinkil      |
| Glisson       | Lewis     | Sims        |             |
| Graham        | MacKay    | Spicola     |             |

Nays—2

Childers, W. D. Peterson

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 HB 2991 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Hill and others—

HB 2991—A bill to be entitled An act relating to banks and banking; amending s. 659.18(1), Florida Statutes, increasing the maximum amount lendable by banks at the presently authorized discount or add-on rate of 6 percent per annum from \$5,000 to \$15,000; providing an effective date.

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

On motion by Senator Henderson, by two-thirds vote HB 2991 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

SB 1135 was taken up and on motion by Senator Henderson, HB 2991, a companion measure was substituted therefor. On motions by Senator Henderson, by two-thirds vote HB 2991 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—33

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

Nays—None

SB 1135 was laid on the table.

On motion by Senator J. Lane, the rules were waived and by two-thirds vote SB 801 was withdrawn from the Committee on Ways and Means.

HB 1290—A bill to be entitled An act relating to authorized state personnel positions; adding subsection (4) to s. 216.262, Florida Statutes; prohibiting an agency from employing more than one full-time officer or employee in the same position except as provided by rules of the Department of Administration; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 1290 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—None

Vote after roll call:

Yeas—Glisson

SB 940 was taken up and pending further consideration thereof, on motion by Senator J. Thomas, the rules were waived and by two-thirds vote CS for HB 2891 was withdrawn from the Committee on Commerce and placed on the calendar. On motion by Senator J. Thomas—

CS for HB 2891—A bill to be entitled An act relating to usury; amending s. 687.03, Florida Statutes, exempting, from certain provisions relating to usurious contracts and unlawful rates of interest, loans or other advances of credit made pursuant to a commitment to insure by the Federal Housing Administration or guaranty by the Veterans Administration or pursuant to a binding offer or sale made by a financial institution at the time of origination of a loan in whole or in part to the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, any department, agency, or instrumentality of the Federal Government, or any successor of any of them, pursuant to any provision of the acts of Congress or federal regulations as the same now exist or may hereafter be amended or supplemented; providing for prospective application only; providing an effective date.

—a companion measure to SB 940, was substituted therefor and read the second time by title. On motion by Senator J. Thomas, by two-thirds vote CS for HB 2891 was read the third time by title, passed and certified to the House. The vote on passage was:

## Yeas—30

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

## Nays—None

Vote after roll call:

Yea—Glisson

SB 940 was laid on the table.

SB 146 was taken up and pending further consideration thereof, on motions by Senator Zinkil, the rules were waived and by two-thirds vote HB 2675 was withdrawn from the Committees on Transportation and Commerce and placed on the calendar. On motion by Senator Zinkil—

**HB 2675**—A bill to be entitled An act relating to contract bids pursuant to the Florida Transportation Code; amending s. 337.14, Florida Statutes; providing for the qualification of applicants to bid on work on which bids are taken by the Department of Transportation; requiring persons seeking qualification to bid on contracts in excess of \$100,000 to submit certain information to the department; providing that such certification is not necessary to bid on contracts not in excess of \$100,000, or on contracts for the construction of a building; repealing s. 337.13, Florida Statutes, relating to regulations of the department for the qualification of bidders; adding s. 337.11(6), F.S., providing for certification by prime contractors that subcontractors have received periodic payments; providing an effective date.

—a companion measure to SB 146, was substituted therefor and read the second time by title. On motion by Senator Zinkil, by two-thirds vote HB 2675 was read the third time by title, passed and certified to the House. The vote on passage was:

## Yeas—27

|                 |           |             |           |
|-----------------|-----------|-------------|-----------|
| Childers, D.    | Henderson | Peterson    | Tobiassen |
| Childers, W. D. | Holloway  | Poston      | Trask     |
| Firestone       | Johnston  | Renick      | Vogt      |
| Gallen          | Lane, J.  | Spicola     | Ware      |
| Gordon          | Lewis     | Stolzenburg | Winn      |
| Graham          | McClain   | Thomas, J.  | Zinkil    |
| Hair            | Myers     | Thomas, P.  |           |

## Nays—None

Votes after roll call:

Yeas—Glisson and Sims

SB 146 was laid on the table.

On motion by Senator Graham 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 CS for HB 3140 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committees on Appropriations and Health & Rehabilitative Services and Representative Sheldon and others—

CS for HB 3140—A bill to be entitled An act relating to nursing homes; creating the Omnibus Nursing Home Reform

Act of 1976; amending s. 400.071(1) and (2)(a), Florida Statutes, and adding a new paragraph to require certain financial disclosure by applicants for licensure; amending s. 400.17, Florida Statutes, relating to the prohibition against kickbacks, bribes, and certain contributions; providing definitions; providing penalties; amending s. 400.18, Florida Statutes, relating to the rights and protection of patients being transferred from a closing facility; requiring nursing facilities to notify the Department of Health and Rehabilitative Services and the local Health Systems Agency within 90 days of discontinuance of operation; amending s. 400.19, Florida Statutes, relating to inspection by the Department of Health and Rehabilitative Services; creating s. 400.191, Florida Statutes, to provide for distribution and availability of reports and records; amending s. 400.23, Florida Statutes, to provide for patient care standards and to provide for the establishment of criteria for the evaluation of nursing home facilities; providing that state vendor payments to nursing homes be tied to ratings received; providing for classification of deficiency ratings and civil penalties therefor; creating s. 400.022, Florida Statutes, to provide for the adoption of specified patient's rights; creating s. 400.29, Florida Statutes, to provide for an annual report by the department with respect to the nursing homes in the state; providing for courses of study relating to the treatment of nursing home patients through the Department of Education; creating s. 409.268, Florida Statutes, relating to nursing homes which provide services to the indigent; requiring annual reports to the Legislature; providing an appropriation; providing an effective date.

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

## Special Order; continued

SB 980 was taken up, together with, by the Committee on Ways and Means and Senator Graham, CS for SB 980 which was read the first time by title and SB 980 was laid on the table.

CS for SB 980 was taken up and on motion by Senator Graham, CS for HB 3140, a companion measure, was substituted therefor. On motion by Senator Graham, by two-thirds vote CS for HB 3140 was read the second time by title.

Senator Graham moved the following amendments which were adopted:

**Amendment 1**—On page 5, line 25, insert after the period: *The department shall be responsible for arranging for the transfer of those patients requiring transfer who are receiving assistance under s. 409.266.*

**Amendment 2**—On page 13, line 26, strike "*and unrestricted*"

**Amendment 3**—On page 18, line 24, insert: Section 13. Subsection (2) of section 468.166, Florida Statutes, is amended and subsection (11) is added to said section, to read:

468.166 Board of Examiners.—

(2) Upon the expiration of the terms of the present board, the Governor, subject to confirmation by the Senate, shall appoint a board of examiners composed of 11 members. The board shall consist of:

~~(a) One representative of the [Department of Health and Rehabilitative Services];~~

(a) ~~(b)~~ Five ~~Six~~ nursing home administrators licensed and registered in this state;

(b) ~~(c)~~ One doctor of medicine licensed in this state who has demonstrated an interest in the care of long-term patients;

(c) ~~(d)~~ One registered nurse who has at least a baccalaureate degree and is currently employed in the field of geriatric nursing;

(d) ~~(e)~~ One hospital administrator ~~who has demonstrated an interest in the care of long-term patients and infirm aged patients;~~ and

(e) ~~(f)~~ Two members ~~One member~~ from the public at large who ~~has~~ demonstrated a concern for the chronically ill and infirm aged patients; and

(f) ~~(g)~~ One pharmacist licensed and registered in this state.

(11) *Noninstitutional members of the board shall have no direct financial interest in nursing homes.*

[Renumber Section 13 as Section 14 and  
Renumber Section 14 as Section 15]

**Amendment 4**—On page 2 in title, line 13, insert after the semi-colon: amending s. 468.166(2), Florida Statutes, and adding a subsection, to provide a new composition of the Florida State Board of Examiners of Nursing Home Administrators and to provide that noninstitutional members of the board shall have no direct financial interest in nursing homes;

Senator Gallen moved the following amendments which were adopted:

**Amendment 5**—On page 16, line 21, insert: Section 10. Section 400.504, Florida Statutes, is amended to read:

400.504 Agencies to be given reasonable time to comply with rules and standards.—Any agency as defined in this act which is in operation as of July 1, 1975, or at the time of promulgation of any applicable rules or standards adopted pursuant to this act may be given a reasonable time, not to exceed 1 year from the date of publication, within which to comply with such rules and standards and obtain a license. *Further, any home health agency operating and providing services in the state and having a provider number issued by the U. S. Department of Health, Education and Welfare on or before April 30, 1976, shall not be denied a license on the basis of not having received a certificate of need.*

(Renumber Subsequent Section)

**Amendment 6**—On page 2 in title, line 11, insert after "Statutes," amending s. 400.504, Florida Statutes; providing that any home health agency operating and providing services prior to a specified date shall not be denied a license on the basis of not having received a certificate of need;

Senator Myers moved the following amendments which were adopted:

**Amendment 7**—On page 18, line 27, insert new sections 14, 15, 16, 17, 18 and renumber subsequent sections:

**Section 14.** Legislative intent.—It is the intent of the legislature to provide for the development of a coordinated rehabilitation program for those persons severely disabled by spinal cord injuries. Further it is intended that permanent paralysis be prevented whenever possible through early identification of spinal cord injuries, skilled emergency evaluation procedures, and proper medical and rehabilitative treatment. The goal of this program shall be to enable individuals severely disabled by spinal cord injury to resume the activities of daily living and reintegrate with the community with as much dignity and independence as possible. For those persons who cannot achieve complete independence, supportive services and economic assistance are needed in order for them to live as normally as possible.

**Section 15.** Definitions.—As used in this act:

- (1) "Department" means the Department of Health and Rehabilitative Services.
- (2) "Secretary" means the secretary of the Department of Health and Rehabilitative Services.
- (3) "Emergency medical evacuation system" means a transportation system which provides timely skilled emergency care and movement of persons believed to have suffered spinal cord injuries.
- (4) "Intensive trauma care center" means a facility which provides diagnosis and intensive treatment of persons with spinal cord injuries aimed at preventing paralysis.
- (5) "Rehabilitation center" means a facility which provides intermediate care and stresses rehabilitation for persons with spinal cord injuries.
- (6) "Halfway house" means a facility which provides a temporary structured residential environment for those individuals with spinal cord injuries in a training or educational program, in order to prepare such individuals to live independently.

**Section 16.** Establishment of a plan for a system of treatment for persons with spinal cord injuries.—The department shall develop a plan for the establishment of a multilevel treatment program for persons with spinal cord injuries and present the plan to the secretary for review by March 1, 1977. The plan shall contain at least the following components:

- (1) Establishment of an emergency medical evacuation system which shall include the operation and implementation of an emergency transport system in order that persons with spinal cord injuries can be transported to an intensive trauma care center on a timely basis.
- (2) Establishment of intensive trauma care centers which will provide as a minimum:
  - (a) The administration of preventive treatment to persons with spinal cord injuries to prevent paralysis, save lives and stabilize the person's medical condition so that he can be transferred as soon as possible to a rehabilitation center for further rehabilitation.
  - (b) The appropriate number of centers to be developed according to need. Each facility shall consist of a special medical unit with appropriate professional personnel and expertise.
  - (3) Establishment of rehabilitation centers to provide rehabilitation services for persons transferred from the intensive trauma care center and for other spinal cord injured persons requiring rehabilitation services. Such centers shall be located according to need and shall be equipped with the appropriate staff component to meet the specialized rehabilitation needs of spinal cord injured persons.
  - (4) Establishment of an appropriate number of halfway houses for individuals who need attendant care, who are in adjustment periods, who require a structured environment or who are in retraining or educational programs. All residents shall use the halfway house as a temporary measure and not as a permanent home or domicile.
  - (5) Residents of any of the above cited facilities shall pay a monthly fee based on ability to pay.

**Section 17.** The department shall conduct an annual survey of nursing homes in the state to determine the number of individuals 55 years of age and under who reside in such homes due to a spinal cord injury. All individuals identified in such a survey shall be evaluated as to their rehabilitation potential, and any individual who may benefit from rehabilitation shall be given an opportunity to participate in an appropriate rehabilitation program for which he may be eligible.

**Section 18.** Advisory council.—

- (1) There is created within the department an advisory council on spinal cord injuries composed of five appropriate professionals with expertise in areas related to the care and rehabilitation of individuals with spinal cord injuries, and six individuals with spinal cord injuries.
- (2) Members of the council shall be appointed by the secretary and shall serve for terms of 4 years, except that five members of the first appointed council shall serve for 2 years.
- (3) The council shall meet at least four times annually and members shall be entitled to per diem and travel expenses in accordance with the provisions of s. 112.061, Florida Statutes.
- (4) The council shall provide advice and expertise to the department in the preparation, implementation, and periodic review of the coordinated rehabilitation program as set forth in this act.

**Section 19.** This act shall take effect October 1, 1976.

**Amendment 8**—On page 2 in title, line 14, insert after the semicolon:

providing for a plan for rehabilitation programs for persons with injuries to the spinal cord; providing for emergency medical transportation; providing for intensive trauma care centers, rehabilitation centers and halfway houses; providing for an annual review of nursing home placements of spinal cord injured persons; creating an advisory council;

On motion by Senator Graham, by two-thirds vote CS for HB 3140 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—23

|              |           |         |         |
|--------------|-----------|---------|---------|
| Childers, D. | Henderson | McClain | Spicola |
| Deeb         | Holloway  | Myers   | Vogt    |
| Firestone    | Johnston  | Poston  | Ware    |
| Gallen       | Lane, D.  | Renick  | Winn    |
| Glisson      | Lane, J.  | Sayler  | Zinkil  |
| Graham       | Lewis     | Sims    |         |

Nays—7

|                 |             |            |       |
|-----------------|-------------|------------|-------|
| Childers, W. D. | Saunders    | Thomas, P. | Trask |
| Plante          | Stolzenburg | Tobiassen  |       |

Votes after roll call:

Yeas—Dunn, Hair and Peterson

CS for SB 980 was laid on the table.

**HB 4108**—A bill to be entitled An act relating to intangible personal property taxation; adding subsection (8) to s. 199.023, Florida Statutes, defining the term "genuine primary security" for purposes of provisions relating to the tax; adding subsection (3) to s. 199.032, Florida Statutes, providing the rate of levy of the tax with respect to obligations secured by personalty and by realty; providing an effective date.

—was read the second time by title. On motion by Senator P. Thomas, by two-thirds vote HB 4108 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

|                 |          |             |           |
|-----------------|----------|-------------|-----------|
| Childers, D.    | Holloway | Renick      | Tobiassen |
| Childers, W. D. | Johnston | Saunders    | Trask     |
| Deeb            | Lane, J. | Sayler      | Vogt      |
| Firestone       | McClain  | Scarborough | Ware      |
| Gallen          | Myers    | Sims        | Winn      |
| Glisson         | Peterson | Spicola     | Zinkil    |
| Gordon          | Plante   | Stolzenburg |           |
| Hair            | Poston   | Thomas, P.  |           |

Nays—1

Lewis

On motion by Senator P. 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 HB 357 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Hutto and others—

**HB 357**—A bill to be entitled An act relating to the retirement system for school teachers; amending s. 238.07(16)(b), Florida Statutes, to increase benefits for certain widows and widowers of school teachers; providing an effective date.

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

#### Special Order, continued

SB 328 was taken up and on motion by Senator P. Thomas, HB 357, a companion measure was substituted therefor. On motion by Senator P. Thomas, by two-thirds vote HB 357 was read the second time by title.

Senator Sayler moved the following amendment which failed:

**Amendment 1**—On page 3, line 11, insert: Section 2. There is hereby appropriated to the Survivor's Benefit Trust Fund the sum of \$421,200 from the general revenue fund for the purpose of funding the increases provided by this act.

(Renumber subsequent section)

On motion by Senator P. Thomas, by two-thirds vote HB 357 was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

SB 328 was laid on the table.

On motion by Senator Gallen 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 4004 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Judiciary and Representative Flynn—

**HB 4004**—A bill to be entitled An act relating to judges; amending s. 26.031 (1)(c), (d), (e), (f), (g), (i), (j), (k), (m), (o), (q), (s), and (t), Florida Statutes, increasing the number of circuit court judges in specified circuits; amending s. 34.022(1), (3), (5), (6), (13), (16), (36), (44), (48), (50), (52), (53), (58), (59), and (64), Florida Statutes, increasing the number of county court judges in specified counties; amending s. 35.06, Florida Statutes, increasing the number of district court of appeal judges in specified districts; providing for the election of newly created judges in 1976; providing an effective date.

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

On motion by Senator Gallen, by two-thirds vote HB 4004 was withdrawn from 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 again refused to recede from House Amendments 2, 3, and 4 to SB 935, again requests the Senate to concur.

*Allen Morris, Clerk*

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.

**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**—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;"

On motions by Senator W. D. Childers, the Senate again refused to concur in House amendments 2, 3 and 4, and the House was again requested to recede therefrom. The action, with the bill and amendments, was certified to the House.

**Special Order, continued**

SB 814 was taken up, together with:

By the Committee on Education and Senator Lewis—

**CS for SB 814**—A bill to be entitled An act relating to collective bargaining by public employees; amending s. 447.203 (4), Florida Statutes, relating to the definitions of managerial employees; providing an effective date.

—which was read the first time by title and SB 814 was laid on the table.

On motion by Senator Lewis, by two-thirds vote CS for SB 814 was read the second time by title.

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

**Amendment 1**—On page 2, line 6, strike the period (.) after the word "judgment" and insert: , provided however that public employees as defined under s. 633.30(1) are excluded from this definition.

Senator Lewis moved the following amendment which was adopted:

**Amendment 2**—On page 1, line 29, after "228.041(10);" insert: provided however, collective bargaining contracts entered into prior to the effective date of this law shall remain in effect for the period of such contracts, and upon the expiration of these existing contracts, the provisions of this paragraph shall apply:

On motion by Senator Lewis, by two-thirds vote CS for SB 814 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

|                 |           |             |            |
|-----------------|-----------|-------------|------------|
| Childers, D.    | Hair      | Peterson    | Thomas, J. |
| Childers, W. D. | Henderson | Plante      | Tobiassen  |
| Deeb            | Holloway  | Poston      | Ware       |
| Firestone       | Johnston  | Renick      | Wilson     |
| Gallen          | Lane, J.  | Sayler      | Winn       |
| Glisson         | Lewis     | Scarborough | Zinkil     |
| Gordon          | McClain   | Spicola     |            |
| Graham          | Myers     | Stolzenburg |            |

Nays—1

Dunn

Votes after roll call:

Yeas—Sims and Trask

**HB 849**—A bill to be entitled An act relating to civil actions for libel; amending ss. 770.01, 770.02, and 770.03, Florida Statutes, providing that notice be given precedent to an action or prosecution for libel or slander based upon publication by broadcast; providing that if a broadcast has been made in good faith and by honest mistake, a correction, apology, or retraction at a comparable time permits the plaintiff to recover only actual damages; providing for exception to the right of an

owner, lessee, licensee, or operator to require submission of a written copy of any statement to be broadcast; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 849 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Trask

On motion by Senator Myers 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 by the required constitutional three-fifths vote of the membership of the House CS for HJR 3982 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committees on Finance & Taxation and Commerce and Representatives Harrington and J. W. Lewis—

**CS for HJR 3982**—A joint resolution proposing amendments to Sections 3 and 4 and the creation of Section 16 of Article VII of the State Constitution relating to the valuation and taxation of property lying within certain community redevelopment areas and to the financing of, and issuance of bonds for, certain community redevelopment projects.

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

**The President presiding**

**Special Order, continued—**

SJR 1301 was taken up and on motion by Senator Myers—

**CS for HJR 3982**—A joint resolution proposing amendments to Sections 3 and 4 and the creation of Section 16 of Article VII of the State Constitution relating to the valuation and taxation of property lying within certain community redevelopment areas and to the financing of, and issuance of bonds for, certain community redevelopment projects.

WHEREAS, it is found and declared that there exist in counties and municipalities of the state slum and blighted areas which constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state. and

WHEREAS, the prevention and elimination of slums and blight through community redevelopment plans, adopted for community redevelopment purposes, are found and declared to be matters of state policy and concern, and

WHEREAS, it is found and declared that such community redevelopment purposes include:

(1) The clearance, replanning, reconstruction, conservation, or rehabilitation of residential or nonresidential slum or blighted areas contributing to the spread of disease and crime, constituting an economic or social liability, contributing to a decrease in the tax base, or impairing sound growth, and

(2) The resale of such property to any private person or entity or the resale or gift of such property to any public or governmental entity, NOW, THEREFORE,

*Be It Resolved by the Legislature of the State of Florida:*

That the amendments to Sections 3 and 4 and the creation of Section 16 of Article VII of the State Constitution set forth below are agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 1976:

## ARTICLE VII FINANCE AND TAXATION

### SECTION 3. Taxes; exemptions.—

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominately for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to every head of a family residing in this state, household goods and personal effects to the value fixed by general law, not less than one thousand dollars, and to every widow or person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

(c) *When authorized and as defined by general law passed by two-thirds vote of the membership of each house, any community redevelopment plan as approved by the elected governing body may provide for such total or partial exemption from taxation to be given to the improvements on lands within a community redevelopment area, by such method or methods, for such period or periods of time, not exceeding twenty-five years in any instance.*

**SECTION 4. Taxation; assessments.—**By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land or land used exclusively for non-commercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified percentage of its value.

(c) *Pursuant to general law passed by a two-thirds vote of the membership of each house, real property within a community redevelopment area may be valued for taxation at the value of the land, exclusive of improvements, for the year immediately prior to redevelopment for such period or periods of time, not to exceed twenty-five years, and upon such terms, conditions, and restrictions as may be prescribed by general law.*

**SECTION 16. Financing of community redevelopment projects.**

(a) *When provided by general law passed by a two-thirds vote of the membership of each house, ad valorem tax collections by the taxing authority of the taxing unit within which the community redevelopment project is located exceeding ad valorem tax collections produced at the rate of tax levy each year by such taxing authority upon the assessed valuation of taxable property within each community redevelopment area as reflected in the just value tax roll existing prior to the adoption by the governing body of the taxing authority of the community redevelopment plan may be allocated to and used by a community redevelopment agency to finance or refinance each community redevelopment project.*

(b) *Community redevelopment projects as may be authorized by general law may:*

(1) *Redevelop property for residential, recreational, commercial, or industrial uses;*

(2) *Acquire property by eminent domain by any city, county, or authority created by general or special law; and*

(3) *Resell or transfer such property to any private person pursuant to criteria as may be established by general law.*

(c) *Community redevelopment plans as may be authorized by general law shall:*

(1) *Contain the findings and determinations of the elected governing body that the community redevelopment area is a slum or blighted area; and*

(2) *Contain the findings and determinations of the elected governing body that the community redevelopment agency has a feasible method or plan, to include replacement housing, for the relocation of persons temporarily or permanently displaced from housing facilities within the community redevelopment area.*

(d) *When authorized by general law passed by a two-thirds vote of the membership of each house, any municipality, county, district, or authority created by general or special law may issue revenue bonds secured solely by a pledge of and payable from tax revenues derived pursuant to subsection (a) to finance or refinance community redevelopment projects within the community redevelopment area from which such taxes were derived.*

**BE IT FURTHER RESOLVED** that in accordance with the requirements of section 101.161, Florida Statutes, the substance of the amendments proposed herein shall appear on the ballot as follows:

Proposing amendments to Sections 3 and 4 and the creation of Section 16 of Article VII of the State Constitution authorizing tax exemptions and assessments at less than just valuations for purposes of community redevelopment or renewal of slum or blighted areas and authorizing the use of portions of the ad valorem tax revenues derived from a community redevelopment project, and the issuance of bonds pledged to such revenues, for the purpose of financing or refinancing such community redevelopment activity.

—a companion measure was substituted therefor. On motions by Senator Myers, by two-thirds vote CS for HJR 3982 was read the second time and by two-thirds vote was read the third time in full, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—25

|               |          |             |        |
|---------------|----------|-------------|--------|
| Mr. President | Hair     | Poston      | Vogt   |
| Brantley      | Holloway | Renick      | Ware   |
| Childers, D.  | Lane, J. | Scarborough | Winn   |
| Firestone     | McClain  | Sims        | Zinkil |
| Gallen        | Myers    | Spicola     |        |
| Gordon        | Peterson | Thomas, J.  |        |
| Graham        | Plante   | Trask       |        |

Nays—7

|                 |          |             |           |
|-----------------|----------|-------------|-----------|
| Childers, W. D. | Glisson  | Lewis       | Tobiassen |
| Deeb            | Johnston | Stolzenburg |           |

SJR 1301 was laid on the table.

**HB 2947—**A bill to be entitled An act relating to the Florida Uniform Traffic Control Law; adding subsection (3) to s. 316.205, Florida Statutes, to exempt certain wrecker or tow trucks with a disabled vehicle in tow from the maximum allowable weights on highways; providing an effective date.

—was read the second time by title.

Senator Zinkil moved the following amendment which failed:

**Amendment 1—**On page 1, strike line 25 and insert: Section 2. Subsection (7) is added to section 316.196, Florida Statutes, to read:

316.196 Maximum width, height, length.—

(7) *The total outside width of any vehicle engaged in regularly scheduled local transit service operated by a city transit system, as defined in s. 206.29, shall not exceed 102 inches, provided such vehicles are equipped to accommodate a wheelchair.*

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

On motion by Senator Hair, by two-thirds vote HB 2947 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

CS for HB 3957—A bill to be entitled An act relating to deferred compensation plans for government employees; amending s. 112.215, Florida Statutes, authorizing deferred compensation programs for the state, state agencies, counties, municipalities, and other political subdivisions; providing duties of the State Treasurer with respect to such programs; providing for approval and administration of such programs; providing for the creation of an advisory council; providing for their appointment and duties; providing an effective date.

—was read the second time by title.

Senator Sayler moved the following amendment which was adopted:

Amendment 1—On page 2, line 20, after the words "State Treasurer" insert: , with the approval of the State Board of Administration and on page 2, line 28, after the word "power" insert: with the approval of the State Board of Administration and on page 3, line 1, after the word "Treasurer" insert: with the approval of the State Board of Administration.

On motion by Senator Hair, by two-thirds vote CS for HB 3957 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

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 CS for SB 925.

*Allen Morris, Clerk*

*The Honorable Dempsey J. Barron, President*

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

SB 1346                      CS for SB 1384                      SB 929

*Allen Morris, Clerk*

The bills contained in the foregoing messages were ordered enrolled.

*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 Rules and Calendar and Senators Plante and Myers—

CS for SB 949—A bill to be entitled An act relating to the economic impact of proposed legislation and state agency rules; amending s. 120.54(1), (10)(a), Florida Statutes; requiring a summary of economic impact as part of the required notice of proposed agency rules; prescribing information to be included in an estimate of economic impact and requiring such estimates be included in the record presented to the Administrative Procedures Committee; requiring the Legislature to consider the economic impact of proposed legislation prior to its enactment; repealing chapter 76-1, Laws of Florida, the Florida Economic Disclosure Act of 1975, which act requires agencies to prepare economic impact statements along specified lines, requires agencies to make an economic impact statement a part of the record in proceedings relating to agency action under the Administrative Procedure Act, authorizes specified elected officials to request economic impact statements from agencies, and which provides for judicial review; providing an effective date.

—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 requests the return of CS for SB 949.

*Allen Morris, Clerk*

On motion by Senator Plante, CS for SB 949 was returned to the House as requested.

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 421(cs) and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Judiciary and Representatives Langley and Richmond—

HB 421 (cs)—A bill to be entitled An act relating to the payment of legal fees, costs, and expenses of persons who are insolvent or indigent; amending s. 27.53(2) and (3), Florida Statutes; authorizing payment of a fee and costs and expenses to special assistant public defenders; amending s. 925.035(1), (2), and (3), Florida Statutes, relating to authorization of payment of a reasonable attorney fee to attorney other than public defender who defends an insolvent person in a capital case, removing certain limitations; amending s. 57.091, Florida Statutes; providing reimbursement to counties for certain fees, costs and expenses paid on behalf of such prisoners; 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.

Special Order, continued

SB 6 was taken up and on motion by Senator Glisson HB 421 (cs) a companion measure was substituted therefor. On motion by Senator Glisson, by two-thirds vote HB 421 (cs) was read the second time by title.

Senator Gallen moved the following amendments which were adopted:

Amendment 1—On page 4, line 18, strike all of said line and insert: Section 4. Subsections (1) and (2) of section 925.035, Florida Statutes, are amended to read:

925.035 Appointment and compensation of an attorney in capital cases; appeals from judgments imposing the death penalty.—

(1) If the court determines that the defendant in a capital case is indigent and desires counsel, it shall appoint an attorney to represent the defendant. If the court appoints an attorney other than the Public Defender, the attorney shall be allowed reasonable compensation for representing the defendant, as determined by the court. ~~not to exceed \$750 for the trial. If more than one attorney is appointed, the total compensation for the trial shall not exceed \$1,000.~~ In addition to such compensation, a reasonable amount shall be allowed for the cost of investigation and preparation of the case ~~for trial.~~

(2) If the defendant is convicted and the death sentence imposed, the appointed attorney shall prosecute an appeal to the Supreme Court. The attorney shall be allowed reasonable compensation ~~not to exceed \$500~~ for the appeal, as determined by the court. If the attorney first appointed is unable to prosecute the appeal, the court shall appoint another attorney and allow reasonable compensation therefor, as determined by the court ~~not to exceed \$500.~~

Section 5. This act shall take effect October 1, 1976.

Amendment 2—On page 1 in title, line 17, strike “providing an effective date.” and insert: An act relating to attorney’s fees; amending s. 925.035(1) and (2), Florida Statutes, eliminating the specific maximum allowable fees for court-appointed attorneys defending indigents in capital cases; providing for court-determined reasonable attorney’s fees for such defense and subsequent appeals; providing an effective date.

On motion by Senator Glisson, by two-thirds vote HB 421(cs) as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—2

Mr. President Lane, J.

Votes after roll call:

Yeas—Tobiassen and Trask

SB 6 was laid on the table.

On motion by Senator Brantley, the rules were waived and time of adjournment was extended until 6:00 p.m.

Senator Deeb moved that the Senate reconsider the vote by which HB 3639 failed to be placed on third reading this day. The motion was adopted.

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

—was read the second time by title.

Senator Sims moved the following amendment which failed:

Amendment 1—On page 1, line 13, insert: Section 1. Paragraph (a) of subsection (4) of Section 106.04, Florida Statutes, is amended to read:

106.04 Committees of continuous existence.—

(4) Each committee of continuous existence shall file an annual report with the Division of Elections between June 15

and July 30 of each year. Such annual reports shall contain the same information and shall be accompanied by the same materials as original applications filed pursuant to subsection (2). In addition to such annual report, each committee shall file regular reports with the Division of Elections at the same times that reports are required of candidates by s. 106.07(1). A duplicate copy of each report shall be filed with the clerk of the circuit court in the county in which the committee maintains its books and records. Reports shall be on forms provided by the division and shall contain the following information:

(a) The full name, residence, mailing address, and occupation of each person who has made one or more contributions to the committee during the reporting period, together with the amounts and dates of such contributions. However, if the contribution is less than \$100, the occupation of the contributor need not be listed, and only the name and mailing address is necessary, provided further that if the total contribution of any contributor during the reporting period is \$50 or less, the name and address of the contributor need not be reported but as to such contributions the treasurer of the committee shall certify under oath that: such contributions of \$50 or less were each bona fide and separately made by such contributors to the committee as political contributions and were not otherwise contributed to the committee and in no case did any such contributor make a greater political contribution than \$50 to the committee.

[Renumber subsequent sections.]

On motion by Senator McClain, by two-thirds vote HB 247 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

|                 |           |             |            |
|-----------------|-----------|-------------|------------|
| Mr. President   | Hair      | Plante      | Thomas, J. |
| Childers, D.    | Henderson | Poston      | Tobiassen  |
| Childers, W. D. | Holloway  | Renick      | Trask      |
| Deeb            | Johnston  | Sayler      | Vogt       |
| Firestone       | Lane, D.  | Scarborough | Ware       |
| Gallen          | Lewis     | Sims        | Winn       |
| Glisson         | McClain   | Spicola     |            |
| Graham          | Myers     | Stolzenburg |            |

Nays—1

Dunn

Vote after roll call:

Yea—Peterson

On motion by Senator Poston, by two-thirds vote HB 2433 was withdrawn from the Committee on Ways and Means and placed on the calendar.

Senator Brantley moved that the rules be waived and that HB 2433 be taken up immediately after consideration of the Local Calendar. The motion was adopted.

#### LOCAL CALENDAR

SB 1462—A bill to be entitled An act relating to Lake County; providing for the appointment of a full-time county attorney; providing for compensation and expenses; providing for staff; providing a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote SB 1462 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 2851**—A bill to be entitled An act relating to Clay County; providing for the nonpartisan election of members of the District School Board of Clay County; providing procedures for the election, including the qualifying period and the payment of fees; providing for the retention of fees by the county; exempting present members of the board from the effect of this act during their respective terms; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 2851 was read the third time by title, passed and certified to the House. The vote on passage was:

**Yeas—35**

|                 |           |             |            |
|-----------------|-----------|-------------|------------|
| Mr. President   | Gordon    | McClain     | Thomas, J. |
| Brantley        | Graham    | Myers       | 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        | Winn       |
| Gallen          | Lane, J.  | Spicola     | Zinkil     |
| Glisson         | Lewis     | Stolzenburg |            |

**Nays—1**

Plante

**HB 3275**—A bill to be entitled An act relating to Palm Beach County; relating to the Palm Beach County Free Public Library Special Taxing District; amending section 1 of chapter 67-1869, Laws of Florida, to clarify intent to create a special taxing district and to state its relation to the Florida Administrative Procedure Act, chapter 120, Florida Statutes; amending section 4(1) thereof, to clarify reference to advisory library board; amending section 7 thereof, to clarify means by which the commission may provide for contractual library services; amending section 8 thereof, to vest title of library in the special taxing district; amending section 9 thereof, to authorize the commission to receive gifts on behalf of the special taxing district; amending section 10 thereof, to clarify means by which contractual library services may be provided and to authorize levy of taxes, charges, or assessments in a municipal purpose unit for library services in lieu of taxation pursuant to this act; amending section 11(1) and (2) thereof, to include reference to the special taxing district; and to include reference to the commission; repealing section 2(4) thereof, relating to the definition of "minimum library service"; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote HB 3275 was read the third time by title, passed and certified to the House. The vote on passage was:

**Yeas—36**

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

**Nays—None**

**HB 3277**—A bill to be entitled An act relating to the Fire Control Tax Districts in Palm Beach County; amending section 6 of chapter 63-1747, Laws of Florida, as amended; deleting the requirement that the tax to be levied within said Fire Control Tax Districts shall not exceed 2 mills on real and personal property; providing that a millage shall be levied which is authorized by law and approved by the vote of electors who are residents in each district; providing that the fire control tax districts shall be exempt from the county's tax roll; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 3277 was read the third time by title, passed and certified to the House. The vote on passage was:

**Yeas—36**

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

**Nays—None**

**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.

—was read the second time by title.

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

**Amendment 1**—On page 1, line 14, insert after reenacted; and amended

Senators Zinkil and D. Lane offered the following amendments which were moved by Senator Zinkil and adopted:

**Amendment 2**—On page 1, line 29, strike "440" and insert: 400

**Amendment 3**—On page 2, line 1, strike "court" and insert: street

On motion by Senator Stolzenburg, by two-thirds vote HB 3586 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

**Yeas—36**

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

**Nays—None**

**CS for HB 3908**—A bill to be entitled An act relating to Lee County; providing definitions; creating the Estero Fire Protection and Rescue Service District; prohibiting municipal and other fire control districts from annexing any land in the district; creating the board of commissioners of the district; providing for their election, terms, and compensation; requiring bonds; empowering the board to levy ad valorem taxes to a specified limit; providing a procedure for complaints of assessments; requiring the property appraiser to provide the board with certain information relating to assessments; reimbursing the county property appraiser and tax collector for their assistance; providing that district assessments constitute a lien on property; providing for the deposit of proceeds of assessments; empowering the board to borrow money to a certain limitation, to issue revenue anticipation certificates, and to pledge such liens and certificate revenue to pay the certificates; exempting the board from liability for repayment of loans; restricting the use of funds of the district; authorizing the board to acquire, lease, or maintain a fire department; providing for rules and an annual report; empowering the board to enact a fire prevention code; requiring a referendum on whether to dissolve the district; providing for referendums; providing an effective date.

—was read the second time by title. On motion by Senator Lewis, by two-thirds vote CS for HB 3908 was read the third time by title, passed and certified to the House. The vote on passage was:

## Yeas—36

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

Nays—None

CS for HB 3909—A bill to be entitled An act relating to Lee County; providing definitions; creating the Fort Myers Shores Fire Protection and Rescue Service District; prohibiting municipal and other fire control districts from annexing any land in the district; creating the board of commissioners of the district; providing for their election, terms, and compensation; requiring bonds; empowering the board to levy ad valorem taxes to a specified limit; providing a procedure for complaints of assessments; requiring the property appraiser to provide the board with certain information relating to assessments; reimbursing the county property appraiser and tax collector for their assistance; providing that district assessments constitute a lien on property; providing for the deposit of proceeds of assessments; empowering the board to borrow money to a certain limitation, to issue revenue anticipation certificates, and to pledge such liens and certificate revenue to pay the certificates; exempting the board from liability for repayment of loans; restricting the use of funds of the district; authorizing the board to acquire, lease, or maintain a fire department; providing for rules and an annual report; empowering the board to enact a fire prevention code; requiring a referendum on whether to dissolve the district; providing for referendums; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote CS for HB 3909 was read the third time by title, passed and certified to the House. The vote on passage was:

## Yeas—36

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

Nays—None

CS for HB 3910—A bill to be entitled An act relating to Lee County; providing definitions; creating the Tice Fire Protection and Rescue Service District; prohibiting municipal and other fire control districts from annexing any land in the district; creating the board of commissioners of the district; providing for their election, terms, and compensation; requiring bonds; empowering the board to levy ad valorem taxes to a specified limit; providing a procedure for complaints of assessments; requiring the property appraiser to provide the board with certain information relating to assessments; reimbursing the county property appraiser and tax collector for their assistance; providing that district assessments constitute a lien on property; providing for the deposit of proceeds of assessments; empowering the board to borrow money to a certain limitation, to issue revenue anticipation certificates, and to pledge such liens and certificate revenue to pay the certificates; exempting the board from liability for repayment of loans; restricting the use of funds of the district; authorizing the board to acquire, lease, or maintain a fire department; providing for rules and an annual report; empowering the board to enact a fire prevention code; requiring a referendum on whether to dissolve the district; providing for referendums; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote CS for HB 3910 was read the third time by title, passed and certified to the House. The vote on passage was:

## Yeas—36

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

Nays—None

CS for HB 3911—A bill to be entitled An act relating to Lee County; providing definitions; creating the San Carlos Park Fire Protection and Rescue Service District; prohibiting municipal and other fire control districts from annexing any land in the district; creating the board of commissioners of the district; providing for their election, terms, and compensation; requiring bonds; empowering the board to levy ad valorem taxes to a specified limit; providing a procedure for complaints of assessments; requiring the property appraiser to provide the board with certain information relating to assessments; reimbursing the county property appraiser and tax collector for their assistance; providing that district assessments constitute a lien on property; providing for the deposit of proceeds of assessment; empowering the board to borrow money to a certain limitation, to issue revenue anticipation certificates, and to pledge such liens and certificate revenue to pay the certificates; exempting the board from liability for repayment of loans; restricting the use of funds of the district; authorizing the board to acquire, lease, or maintain a fire department; providing for rules and an annual report; empowering the board to enact a fire prevention code; requiring a referendum on whether to dissolve the district; providing for referendums; providing an effective date.

—was read the second time by title. On motion by Senator Lewis, by two-thirds vote CS for HB 3911 was read the third time by title, passed and certified to the House. The vote on passage was:

## Yeas—36

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

Nays—None

CS for HB 3912—A bill to be entitled An act relating to Lee County; providing definitions; creating the South Trail Fire Protection and Rescue Service District; prohibiting municipal and other fire control districts from annexing any land in the district; creating the board of commissioners of the district; providing for their election, terms, and compensation; requiring bonds; empowering the board to levy ad valorem taxes to a specified limit; providing a procedure for complaints of assessments; requiring the property appraiser to provide the board with certain information relating to assessments; reimbursing the county property appraiser and tax collector for their assistance; providing that district assessments constitute a lien on property; providing for the deposit of proceeds of assessments; empowering the board to borrow money to a certain limitation, to issue revenue anticipation certificates, and to pledge such liens and certificate revenue to pay the certificates; exempting the board from liability for repayment of loans; restricting the use of funds of the district; authorizing the board to acquire, lease, or maintain a fire department; providing for rules and an annual report; empowering the board to enact a fire prevention code; requiring a referendum on whether to dissolve the district; dissolving the South Trail Fire and Rescue District and providing for the transfer of assets and debts; providing for referendums; providing an effective date.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote CS for HB 3912 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

CS for HB 3926—A bill to be entitled An act relating to Lee County; providing definitions; creating the Alva Fire Protection and Rescue Service District; prohibiting municipal and other fire control districts from annexing any land in the district; creating the board of commissioners of the district; providing for their election, terms, and compensation; requiring bonds; empowering the board to levy ad valorem taxes to a specified limit; providing a procedure for complaints of assessments; requiring the property appraiser to provide the board with certain information relating to assessments; reimbursing the county property appraiser and tax collector for their assistance providing that district assessments constitute a lien on property; providing for the deposit of proceeds of assessments; empowering the board to borrow money to a certain limitation, to issue revenue anticipation certificates, and to pledge such liens and certificate revenue to pay the certificates; exempting the board from liability for repayment of loans; restricting the use of funds of the district; authorizing the board to acquire, lease, or maintain a fire department; providing for rules and an annual report; empowering the board to enact a fire prevention code; requiring a referendum on whether to dissolve the district; providing for referendums; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote CS for HB 3926 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

CS for HB 3929—A bill to be entitled An act relating to Lee County; providing definitions; creating the Bayshore Fire Protection and Rescue Service District; prohibiting municipal and other fire control districts from annexing any land in the district; creating the board of commissioners of the district; providing for their election, terms, and compensation; requiring bonds; empowering the board to levy ad valorem taxes to a specified limit; providing a procedure for complaints of assessments; requiring the property appraiser to provide the board with certain information relating to assessments; reimbursing the county property appraiser and tax collector for their assistance; providing that district assessments constitute a lien on property; providing for the deposit of proceeds of assessments; empowering the board to borrow money to a certain limitation, to issue revenue anticipation certificates, and to pledge such liens and certificate revenue to pay the certificates; exempting the board from liability for repayment of loans; restricting the use of funds of the district; authorizing the board to acquire, lease, or maintain a fire department; providing for rules and an annual report; empowering the board to enact a fire prevention code; requiring a referendum on whether to dissolve the district; providing for referendums; providing an effective date.

—was read the second time by title. On motion by Senator Lewis by two-thirds vote CS for HB 3929 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

HB 4211—A bill to be entitled An act relating to Liberty County; repealing chapter 30946, Laws of Florida, 1955, as amended, to abolish the Liberty County Port Authority; transferring property of the authority to the Liberty County Board of County Commissioners; providing for the distribution of certain racetrack funds; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 17, strike "61-2526" and insert: 61-2426

On motion by Senator P. Thomas, by two-thirds vote HB 4211 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

HB 4223—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.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 4223 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

HB 4226—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.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 4226 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 4033**—A bill to be entitled An act relating to the naming of state roads; authorizing and directing the Department of Transportation to name that portion of State Road 191 from State Road 89 to State Road 197 in Santa Rosa County the Willard Norris Highway; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 4033 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**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.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 3701 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**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.

—was read the second time by title.

Senator Tobiassen offered the following amendments which were adopted:

**Amendment 1**—On pages 5 & 6, strike lines 4 thru 31, page 5 and lines 1 thru 31 on page 6 and insert: preceding year. In event the amount of ad valorem county and school taxes paid on such leasehold interests for any year, exceed the amount of rental for the succeeding year, such excess shall be applied to future annual rentals of the lessee. The rentals hereunder shall be on an annual basis from May 1st to April 30th. The rentals subject to adjustment shall be paid upon the date or dates specified in the original lease, and all of the other terms, provisions, covenants and conditions of the lease (sometimes hereinafter called "original lease"), except as amended hereby, shall remain in full force and effect, including but not limited to requirements that lessee shall file certain returns and reports with Santa Rosa Island Authority. For the purpose of determining the rental provisions of the original lease to be adjusted by the credits allowed herein, the provisions of the lease and the formula used in computing rentals for the year of 1975 shall be considered the formula for computation of rentals payable under the original lease. Rentals for the period after April 30, 1976, paid at the times and in the amounts now specified for the year of 1976, shall be adjusted as of May 1, 1976, by any credits allowed in an amount equal to ad valorem taxes for County and School purposes paid with respect to the year of 1975, which said adjustment shall be made within 30 days after a payment is made by the County under Section 3 of House Bill 3913, Regular Session of 1976, Legislature of Florida, and until such credit is exhausted no rentals shall be payable. Rentals for the period commencing on May 1st, 1977 and rentals thereafter shall be adjusted as of May 1st by credit in an amount equal to ad valorem taxes for County and School purposes paid with respect to each preceding year and after adjustment no further rentals shall be payable until any such credits are exhausted. In event payment under Section 3 of House Bill 3913 is delayed by litigation, adjustment hereunder will be delayed until the payment under Section 3 is made and such adjustment shall be made retroactively to the period commencing May 1, 1976, and until the credit allowed, if any, is exhausted no rental shall be paid. In event adjustment is delayed because the provisions of this law are not in effect prior to May 1st of any year, then the adjustment shall be made as of May 1st for the year or years following, when said law is in effect. Adjustment of rentals shall be made upon presentation to Santa Rosa Island Authority of a paid receipt from the tax collector of Escambia County with respect to ad valorem taxes levied and collected against the leasehold interest of the leaseholder for the preceding year and Santa Rosa Island Authority shall issue a memorandum to leaseholder specifying the reduced rental and rental payment dates as adjusted. In event Santa Rosa Island Authority shall, on or before January 1st of any year, estimate and determine that the amount of income to be received by it from all sources during the succeeding fiscal year of May 1st to April 30th is less than the amount pledged or required by the terms of the Bond Resolutions for such fiscal period, with respect to any presently existing.

**Amendment 2**—On page 9, lines 27 through 31, and page 10, lines 1 through 8, strike all of said lines being Section 6. Re-number subsequent Sections accordingly.

**Amendment 3**—On page 10, between lines 13 and 14, insert: Section 8. Leaseholders who are obligated under leases dated

prior to December 31, 1975, to construct improvements as approved by Santa Rosa Island Authority, but have not constructed the same, and who have paid all rentals as provided in their lease up to and including the year in which such improvements are completed, upon application shall, during the year of completion of the improvements, be entitled to have their lease amended in the same manner as is provided in Section 1, except that there shall be substituted for the date May 1, 1976, the 1st day of May succeeding the date of completion of the construction of said improvements and on and after the effective date of such amendment, payments by the county, shall be made with respect to any such lease, so amended, as provided in Section 3.

Renumber subsequent sections accordingly.

On motion by Senator W. D. Childers, by two-thirds vote HB 3913 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**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.

—was read the second time by title.

Senator Tobiassen offered the following amendments which were adopted:

**Amendment 1**—On pages 5, 6 and 7, strike all of lines 16 to 31, page 5; 1 to 31, page 6; 1 thru 14, page 7, and insert: leasehold interest for county and school purposes for the preceding year. In event the amount of ad valorem county and school taxes paid on such leasehold interests for any year, exceed the amount of rental for the succeeding year, such excess shall be applied to future annual rentals of the lessee. The rentals hereunder shall be on an annual basis from May 1st to April 30th. The rentals subject to adjustment shall be paid upon the date or dates specified in the original lease, and all of the other terms, provisions, covenants and conditions of the lease (sometimes hereinafter called "original lease"), except as amended hereby, shall remain in full force and effect, including but not limited to requirements that lessee shall file certain returns and reports with Santa Rosa County Beach Administration. For the purpose of determining the rental provisions of the original lease to be adjusted by the credits allowed herein, the provisions of the lease and the formula used in computing rentals for the year of 1975 shall be considered the formula for computation of rentals payable under the original lease. Rentals for the period after April 30, 1976,

paid at the times and in the amounts now specified for the year of 1976, shall be adjusted as of May 1, 1976, by any credits allowed in an amount equal to ad valorem taxes for county and school purposes, paid with respect to the year of 1975, which said adjustment shall be made within 30 days after a payment is made by the County under Section 3 of House Bill 3914, Regular Session of 1976, Legislature of Florida, and until such credit is exhausted no rentals shall be payable. Rentals for the period commencing on May 1, 1977 and rentals thereafter shall be adjusted as of May 1st by credit in an amount equal to ad valorem taxes for county and school purposes paid with respect to each preceding year and after each adjustment no further rentals shall be payable until any such credits are exhausted. In event payment under Section 3 of House Bill 3914 is delayed by litigation, adjustment hereunder will be delayed until the payment under Section 3 is made and such adjustment shall be made retroactively to the period commencing May 1, 1976, and until the credit allowed, if any, is exhausted no rental shall be paid. In event adjustment is delayed because the provisions of this law are not in effect prior to May 1st of any year, then the adjustment shall be made as of May 1st of the year or years following, when said law is in effect. Adjustment of rentals shall be made upon presentation to Santa Rosa County Beach Administration of a paid receipt from the Tax Collector of Escambia County with respect to ad valorem taxes levied and collected against the leasehold interest of the leaseholder for the preceding year and Santa Rosa County Beach Administration shall issue a memorandum to leaseholder specifying the reduced rental and rental payment dates as adjusted. In event Santa Rosa County Beach Administration shall, on or before January 1st of any year, estimate and determine that the amount of income to be received by it from all sources during the succeeding fiscal year of May 1st to April 30th is less than the amount pledged or required by the terms of the Bond Resolution for such fiscal period, with respect to any

**Amendment 2**—On page 10, between lines 26 and 27 insert: Section 8. Leaseholders who are obligated under leases dated prior to December 31, 1975, to construct improvements as approved by Santa Rosa County Beach Administration, but have not constructed the same, and who have paid all rentals as provided in their lease up to and including the year in which such improvements are completed, upon application may, during the year of completion of the improvements, be entitled to have their lease amended in the same manner as is provided in Section 1, except that there shall be substituted for the date May 1, 1976, the 1st day of May succeeding the date of completion of the construction of said improvements and on and after the effective date of such amendment, payments by the county shall be made with respect to any such lease, so amended, as provided in Section 3.

Renumber subsequent sections accordingly.

On motion by Senator Tobiassen, by two-thirds vote HB 3914 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**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.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 3918 was read the third time by title, passed and certified to the House. The vote on passage was:

## Yeas—36

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

## Nays—None

**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.

—was read the second time by title.

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

**Amendment 1**—On page 1, line 8, strike “and” and insert: ; providing that the county comptroller be a member of the council;

On motion by Senator W. D. Childers, by two-thirds vote HB 3919 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

## Yeas—36

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

## Nays—None

**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.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 3922 was read the third time by title, passed and certified to the House. The vote on passage was:

## Yeas—36

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

## Nays—None

**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-Escam-

bia County Promotion and Development Commission for the operation and maintenance of the commission; repealing conflicting laws; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 3923 was read the third time by title, passed and certified to the House. The vote on passage was:

## Yeas—36

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

## Nays—None

**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.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 3931 was read the third time by title, passed and certified to the House. The vote on passage was:

## Yeas—36

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

## Nays—None

**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.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 4052 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 4138**—A bill to be entitled An act relating to Escambia County; repealing chapter 73-461, Laws of Florida, relating to the creation of a water and sewer advisory board and other matters relevant thereto; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 4138 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**HB 4235**—A bill to be entitled An act relating to the consolidation of the City of Tallahassee and Leon County; creating the "Charter of the Government of Tallahassee and Leon County"; providing for the powers and organization of government; providing for an elected commission with legislative duties and authority; providing for an elected mayor to serve as mayor and commissioner with special duties; providing for an appointed manager with administrative duties and authority; providing for the auditor and commission attorney and their duties; providing for a sheriff, clerk of the circuit court, property appraiser, tax collector, and supervisor of elections to serve as officers of the government and providing for their powers and duties; providing for levy and collection of taxes, special assessments, regulatory and license fees, and user charges; providing for finance of general and special services; prohibiting certain surcharges and public service taxes; providing for special districts; providing procedures relating to budgets, appropriations, finance and bonds; providing for election and recall of officers; providing for retirement and pension plans; providing for franchises and homestead rights; providing for amendment of the charter and creating the charter review commission; providing for orderly transition to consolidation; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator P. Thomas, by two-thirds vote HB 4235 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

|                 |           |             |            |
|-----------------|-----------|-------------|------------|
| Mr. President   | Gordon    | McClain     | Thomas, J. |
| Brantley        | Graham    | Myers       | 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        | Winn       |
| Gallen          | Lane, J.  | Spicola     | Zinkil     |
| Glisson         | Lewis     | Stolzenburg |            |

Nays—1

Plante

**Explanation of Vote**

Regarding my vote on HB 4235, Leon County, while a part of my senatorial district, is not the county of my residence. For this reason, I have leaned heavily on those who served as members of the citizens committee. In addition, I have joined with my senate and house colleagues in carefully reviewing the proposed consolidation charter which was prepared by a citizens' committee after exhaustive public hearings. Based on my study, I have concluded that this charter is a clear, concise and sound approach to local government which will now be considered by all of the citizens of Leon County who will then cast their judgment through the referendum provided.

There are a few areas I would like to attract attention to:

1. The central political authority of government is vested in an elected commission consisting of seven members, the charter maintains the integrity of the constitutional officers who shall remain elected officials of government. The day-to-day administrative functions of government, including the operation of utilities, etc., will be the responsibility of a professional manager appointed by and directly responsible to the elected commission.

2. The provisions of the charter relating to finance and taxation have been designed to achieve equity and insure the implementation of sound fiscal policy, first, all of the proprietary functions of government, that is, those services which government furnishes at a price to the citizens such as the operation of electrical, water and sewer facilities, shall be financed exclusively by those persons who use those services. Great care has been taken to insure that citizens of this county, who do not use these services, are not forced to carry the expense of the same. Thus, the constitutional problems recently considered by the supreme court in the *Broward County* case, have been avoided by the drafters of this charter.

The charter provides for one uniform taxing district to support those services of government such as fire, police, hospital, and the airport, which are equally available to all. In this regard, the charter prevents the establishment of multiple special taxing districts without the express consent of the people given through referendum. It is clear that the drafters of this charter have sought to avoid the proliferation of multiple taxing districts which have led to many problems in other areas of the state.

In spreading the tax burden across the county for support of those services which are available to all, there will be some adjustment in the tax burden currently faced by city and non-city taxpayers. This is the natural result of equalization. City taxes will obviously come down, and the county taxes may rise slightly as persons throughout the community assume their responsibility for the services they receive. Those county residents currently using city utilities will experience a rate decrease. The charter does away with the current utility surcharge to county residents.

Again, this consequence of equalization meets the constitutional requirements as announced by the Florida Supreme Court.

*Pat Thomas, 4th District*

On motion by Senator P. Thomas, by two-thirds vote HB 4227 was withdrawn from the Committee on Rules and Calendar and placed on the Local Calendar.

**HB 4227**—A bill to be entitled An act relating to Gulf, Franklin, and Wakulla Counties; amending Ch. 65-905, Section 2, Laws of Florida, eliminating requirement of the Department of Natural Resources to issue permits; amending Ch. 65-905, Section 4(13), paragraphs (f) and (g), Laws of Florida, eliminating requirement of live bait shrimp producers to have permits; amending Ch. 65-905, Section 7, Laws of Florida, eliminating penalties relating to permits; providing an effective date.

—was read the second time by title. On motion by Senator P. Thomas, by two-thirds vote HB 4227 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Pursuant to the motion by Senator Brantley—

HB 2433—A bill to be entitled An act relating to tax on sales, use, and other transactions; creating s. 125.0165, Florida Statutes, authorizing each charter county to levy a discretionary tax for rapid transit purposes through ordinance or election; providing limitations and procedures; creating s. 212.055, Florida Statutes, providing for the levy of the tax authorized under the provisions of this act; providing for administration, collection, and disbursement of the proceeds of the tax for rapid transit; adding a new subsection (11) to s. 212.12, Florida Statutes, specifying the rate of the tax authorized under the provisions of this act; providing an effective date.

—was taken up and on motion by Senator Poston, by two-thirds vote was read the second time by title.

Senator Saylor offered the following amendments which were adopted:

Amendment 1—On page 2, line 22, after the word "county" insert: which adopted a charter prior to June 1, 1976

Amendment 2—On page 1, line 28, after the word "county" insert: which adopted a charter prior to June 1, 1976

Senators Zinkil, Saunders and Poston offered the following amendment which was moved by Senator Zinkil and adopted:

Amendment 3—On page 4, line 3, insert: (h) On sales in amounts of more than \$1,000 in price 5 percent shall be added upon the first \$1,000 in price, and 4 percent shall be added upon each dollar of price in excess of the first \$1,000 in price plus the bracket charges upon any fractional part of a dollar as provided for in section 212.12(10), Florida Statutes.

Senator Saylor moved the following title amendment which was adopted:

Amendment 4—On page 1, line 6, after the word "county" insert: which adopted a charter prior to a specified date

On motion by Senator Poston, by two-thirds vote HB 2433 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—24

|                 |           |             |             |
|-----------------|-----------|-------------|-------------|
| Mr. President   | Gordon    | Myers       | Stolzenburg |
| Childers, D.    | Graham    | Peterson    | Thomas, P.  |
| Childers, W. D. | Henderson | Plante      | Trask       |
| Dunn            | Holloway  | Poston      | Vogt        |
| Firestone       | Johnston  | Renick      | Winn        |
| Gallen          | Lewis     | Scarborough | Zinkil      |

Nays—8

|          |          |            |        |
|----------|----------|------------|--------|
| Brantley | Hair     | McClain    | Ware   |
| Deeb     | Lane, J. | Thomas, J. | Wilson |

Votes after roll call:

Yeas—Glisson and Tobiassen

On motion by Senator W. D. Childers, the rules were waived and by two-thirds vote HB 2417 was withdrawn from the Committee on Judiciary-Criminal.

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 4124 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Commerce—

HB 4124—A bill to be entitled An act relating to the Florida Banking Code; amending s. 658.08(3)(c), (f), and (g), Florida Statutes, and adding paragraph (h) thereto, requiring payment of a fee on applications relating to acquisition of a controlling interest, operation of a branch bank or trust branch, and effectuation of certain mergers; amending s. 659.11(2) and (3), Florida Statutes, eliminating the requirement that directors own a certain number of shares of stock; amending s. 659.141(3)(c), Florida Statutes, deleting the requirement, with respect to exemption from certain limitations on ownership and control, that debts have to be previously contracted; amending s. 659.17(2)(c), Florida Statutes, deleting the requirement that the department shall furnish a list of approved securities; adding new subsections (4) and (5) to s. 659.53, Florida Statutes, providing that it is unlawful for any officer or director of a bank or trust company to willfully violate any provisions of the Florida Banking Code or to provide certain false or fraudulent information to the department; 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.

On motion by Senator W. D. Childers, by unanimous consent HB 4124 was taken up out of order. On motions by Senator W. D. Childers, by two-thirds vote HB 4124 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        | Graham    | Myers       | Thomas, P. |
| Childers, D.    | Hair      | Peterson    | Tobiassen  |
| Childers, W. D. | Henderson | Plante      | Trask      |
| Deeb            | Holloway  | Poston      | Vogt       |
| Dunn            | Johnston  | Renick      | Ware       |
| Firestone       | Lane, D.  | Saylor      | Winn       |
| Gallen          | Lane, J.  | Spicola     | Zinkil     |
| Glisson         | Lewis     | Stolzenburg |            |
| Gordon          | McClain   | Thomas, J.  |            |

Nays—None

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 4161 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Commerce—

HB 4161—A bill to be entitled An act relating to the "Florida Banking Code"; creating s. 658.051, Florida Statutes, providing for "competitive equality," for state banks on a parity with national banks; amending s. 659.06(2)(b), Florida Statutes, deleting limitations on services that may be offered at remote facilities; amending s. 659.14, Florida Statutes, requiring department approval for acquisition of a controlling interest in a bank or trust company, defining the term, "controlling interest," and providing for exceptions; creating ss. 659.561, 659.562, 659.563, and 659.564, Florida Statutes, providing for the issuance of temporary or permanent cease and desist orders by the department in accordance with procedures set forth therein; providing for the removal of officers and directors by the department in accordance with procedures set forth herein and providing for administrative fines and for rules under those

sections; providing that all such proceedings shall be conducted in accordance with chapter 120, Florida Statutes; 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.

On motion by Senator W. D. Childers, by unanimous consent HB 4161 was taken up out of order. On motions by Senator W. D. Childers, by two-thirds vote HB 4161 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—33

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

Nays—None

The Honorable Dempsey J. Barron, President

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

|               |         |         |
|---------------|---------|---------|
| SB 815        | SB 1061 | SB 1194 |
| CS for SB 754 | SB 122  | SB 1373 |
| SB 1231       |         |         |

Allen Morris, Clerk

The bills were ordered enrolled.

On motion by Senator Brantley, by two-thirds vote HB 4141 was removed from the Special Order Calendar.

On motion by Senator Brantley, the Senate resumed Special Order Calendar, beginning with CS for SB 804.

SB 804 was taken up, together with:

By the Committee on Ways and Means—

CS for SB's 804, 807, 808, 809, 833, 845, 846, 847 and 960—A bill to be entitled An act relating to taxes; amending s. 198.15, Florida Statutes; changing interest to a monthly rate; amending s. 198.18, Florida Statutes; providing for the payment of interest with respect to delinquent or deficient estate taxes; amending s. 199.052(8)(b), Florida Statutes; providing for interest on overdue intangible personal property taxes; amending s. 201.17(2), Florida Statutes; providing for payment of interest on delinquent documentary stamp tax payments; creating s. 203.06, Florida Statutes; providing for interest on delinquent payments of the gross receipts tax; amending ss. 206.44, 206.94, Florida Statutes; providing that interest be paid on delinquent motor fuel tax payments; amending s. 210.14(1), Florida Statutes, and republishing s. 562.17, Florida Statutes; increasing the interest rate on delinquent cigarette and beverage taxes and penalty; amending s. 212.12 (3), (5), Florida Statutes; increasing the effective interest rates on delinquent sales and use taxes; requiring the collection of charges for extensions of time granted for making sales and use tax returns; prohibiting collection of other penalties and interest; amending s. 214.43(1), (6), Florida Statutes; increasing the interest rate on delinquent taxes or erroneously refunded taxes; providing an effective date.

—which was read the first time by title and SB 804 was laid on the table.

On motion by Senator Gordon, by two-thirds vote CS for SB's 804, 807, 808, 809, 833, 845, 846, 847 and 960 was read the second time by title.

Senator Gordon moved the following amendment which was adopted:

**Amendment 1**—On page 8, line 11, insert after the period: In lieu of paying the interest charge imposed by this subsection a dealer may remit by the 20th day of the month following the month of collection an estimated amount of tax equal to the actual tax due from the dealer for the same month in the preceding year. Any dealer who remits an estimated tax payment shall be granted a normal extension period in which to file and remit the actual tax due without the interest charge provided hereunder being imposed.

Senator W. D. Childers moved the following amendment:

**Amendment 2**—On page 8, line 26, insert a new Section to read: Section 12. Section 212.051, Florida Statutes, is amended to read:

212.051 *Materials*, equipment or machinery for pollution control; not subject to sales or use tax.—Notwithstanding any provision to the contrary, sales, use, or privilege taxes shall not be collected or due with respect to any facility, structure, device, fixture, materials, equipment or machinery used solely for the control or abatement of pollution or contaminants from manufacturing, electrical generating plants, or industrial plants or installations, and any structure, machinery or equipment installed in the reconstruction or replacement of such facility, structure, device, fixture, materials, equipment or machinery. Said exemption shall apply only to bona fide pollution abatement expenditures certified as such by the Department of Environmental Regulation pursuant to the issuance of permits under chapter 408.

Renumber succeeding sections.

Senator Graham raised a point of order that the amendment was not germane.

The Chair ruled the amendment in order and the point not well taken.

Amendment 2 failed. The vote was:

Yeas—10

|                 |             |            |      |
|-----------------|-------------|------------|------|
| Mr. President   | Glisson     | Sims       | Ware |
| Childers, W. D. | Hair        | Thomas, P. |      |
| Gallen          | Scarborough | Trask      |      |

Nays—23

|              |          |          |             |
|--------------|----------|----------|-------------|
| Childers, D. | Johnston | Peterson | Stolzenburg |
| Dunn         | Lane, D. | Plante   | Thomas, J.  |
| Firestone    | Lane, J. | Poston   | Vogt        |
| Gordon       | Lewis    | Renick   | Winn        |
| Graham       | McClain  | Saunders | Zinkil      |
| Holloway     | Myers    | Spicola  |             |

The President Pro Tempore presiding

On motion by Senator Gordon, by two-thirds vote CS for SB's 804, 807, 808, 809, 833, 845, 846, 847 and 960 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        | Graham    | Myers       | Stolzenburg |
| Childers, D.    | Hair      | Peterson    | Thomas, J.  |
| Childers, W. D. | Henderson | Plante      | Thomas, P.  |
| Deeb            | Holloway  | Poston      | Trask       |
| Dunn            | Johnston  | Renick      | Ware        |
| Firestone       | Lane, D.  | Sayler      | Winn        |
| Gallen          | Lane, J.  | Scarborough | Zinkil      |
| Glisson         | Lewis     | Sims        |             |
| Gordon          | McClain   | Spicola     |             |

Nays—None

Vote after roll call:

Yea—Tobiassen

**SB 1047**—A bill to be entitled An act relating to handling of public money; amending s. 116.01, Florida Statutes; requiring state and county officers to deposit funds received into the state or county treasury no later than 7 days from the close

of the week, and providing an exception; amending s. 219.07, Florida Statutes, requiring disbursements of public money no later than 7 days from the close of the week in which officer received funds; providing an effective date.

—was read the second time by title.

The Committee on Ways and Means offered the following amendments which were moved by Senator Gordon and adopted:

**Amendment 1**—On page 1, lines 23 and 27, after the figure "7" insert: working

**Amendment 2**—On page 2, lines 4, 15, and 29, after the figure "7" insert: working

**Amendment 3**—On page 1 in title, lines 8 and 11, after the figure "7" insert: working

On motion by Senator Gordon, by two-thirds vote SB 1047 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

|                 |           |             |            |
|-----------------|-----------|-------------|------------|
| Mr. President   | Hair      | Peterson    | Thomas, P. |
| Brantley        | Henderson | Plante      | Trask      |
| Childers, D.    | Johnston  | Saunders    | Vogt       |
| Childers, W. D. | Lane, D.  | Saylor      | Ware       |
| Dunn            | Lane, J.  | Scarborough | Winn       |
| Gallen          | Lewis     | Sims        | Zinkil     |
| Glisson         | MacKay    | Spicola     |            |
| Gordon          | McClain   | Stolzenburg |            |
| Graham          | Myers     | Thomas, J.  |            |

Nays—None

SB 435—A bill to be entitled An act relating to school system instructional personnel; amending s. 231.30, Florida Statutes; setting fees for teaching certificates; providing for disposition of fees; providing an effective date.

—was read the second time by title.

Senator Lewis moved that SB 435 be read the third time by title and the motion failed. The vote was:

Yeas—16

|           |          |          |            |
|-----------|----------|----------|------------|
| Deeb      | Graham   | Myers    | Saylor     |
| Dunn      | Holloway | Peterson | Thomas, J. |
| Firestone | Johnston | Poston   | Trask      |
| Gordon    | Lewis    | Renick   | Ware       |

Nays—16

|                 |          |             |            |
|-----------------|----------|-------------|------------|
| Childers, D.    | Hair     | Plante      | Thomas, P. |
| Childers, W. D. | Lane, D. | Sims        | Tobiassen  |
| Gallen          | Lane, J. | Spicola     | Vogt       |
| Glisson         | McClain  | Stolzenburg | Zinkil     |

On motion by Senator Brantley, the rules were waived and time of adjournment was extended until 7:00 p.m.

SB 1018 was taken up, together with:

By the Committee on Ways and Means—

CS for SB 1018—A bill to be entitled An act relating to motor vehicle licensing; amending s. 320.01(26), Florida Statutes; redefining registration period; adding s. 320.02(3), Florida Statutes; requiring an owner of a motor vehicle to notify the Department of Highway Safety and Motor Vehicles of any change in his address; amending ss. 320.06(1)(b)-(e), (4), (5), (7), (8), 320.07(1), (3), 320.071, Florida Statutes; adding s. 325.19(8), Florida Statutes; providing for an indefinite period license plate; providing annual registration periods; providing

renewal periods; requiring inspection of tags and stickers; providing for free replacement of tags not meeting inspection requirements; providing for advance renewals; repealing s. 320.72 (1)-(4), (6)(d), Florida Statutes, which provides for specially selected tag numbers; amending s. 320.0805(1), (2)(a), (5), (7), (8)(a), Florida Statutes, to assign personalized plates to trucks; amending s. 320.131(1), Florida Statutes; providing extension period for temporary tags; providing an effective date.

—which was read the first time by title and SB 1018 was laid on the table.

On motion by Senator Poston, by two-thirds vote CS for SB 1018 was read the second time by title.

The Committee on Ways and Means offered the following amendments which were moved by Senator Poston and adopted:

**Amendment 1**—On page 3, strike line 1 and insert: Section 3. Paragraphs (a), (b) (c), (d), and (e) of

**Amendment 2**—On page 3, strike lines 13-15 and insert: (a) Beginning July 1, 1974, and thereafter, the registration license plates and certificates of registration shall be issued to, and remain in the name of, the owner of each vehicle registered and may be transferred by the owner from the vehicle for which the registration license plate was issued to any vehicle of the same type the owner may acquire; or, subject to the procedures set forth in subsection (2) such plate may be surrendered to the department in exchange for a license plate of the appropriate class, if the replacement vehicle is of a different type. However, the registration license plate issued in 1974 for a period of 3 years shall be revalidated upon application for a period not to extend beyond June 1979 ~~1978~~. The aforesaid license plate shall be transferable from any class of motor vehicle taxed under the provisions of s. 320.08(2), (3)(a), (b), and (c), and (9) to any other motor vehicle so classified and taxed under these provisions, regardless of weight, without the necessity of exchanging the original plate for one of the appropriate weight class, so long as the owner thereof makes application for and accomplishes the transfer with the department. At such time as the aforesaid license plate expires and the alphanumeric system of license plate is issued, no such transfer shall be permitted unless otherwise provided by law. Any other provisions of the law to the contrary shall not apply to these transfers, except that any violation incurred by not accomplishing the proper transfer with the department shall subject the owner of the license plate and the driver of the vehicle to which it is attached, severally, to the penalty for operating a motor vehicle without proper registration as provided in s. 320.57.

(b) *Graphic* registration license plates bearing the alphanumeric system of identification shall be issued for an *indefinite period* ~~4-year periods~~ beginning July 1, 1978 ~~1977~~, and

**Amendment 3**—On page 3, strike line 29 and insert: (c) Beginning July 1, 1978 ~~1977~~, registration license

**Amendment 4**—On page 1 in title, strike lines 10-13 and insert: in his address; amending ss. 320.06(1)(a)-(e), (4), (5), (7), and (8), 320.07(1), (3), 320.071, Florida Statutes; adding s. 325.19(8), Florida Statutes, extending registration period for license plates; delaying the issuance of plates bearing alphanumeric system of identification; providing for an indefinite period

Senator Plante moved that the Senate reconsider the vote by which Amendment 3 was adopted.

#### CO-INTRODUCERS

Senator W. D. Childers—SB 615; Senator Renick—CS for Senate Bills 297 and 641; Senator Hair—SB 1249.

The Journal of June 2 was corrected and approved.

On motion by Senator W. D. Childers, the Senate adjourned at 6:05 p.m.