



Journal of the Senate

Number 10

Monday, April 18, 1977

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

INTRODUCTION

By Senators Saylor, Johnston, Williamson and Scarborough—

SB 762—A bill to be entitled An act relating to the protection of public employees retirement benefits; creating part VII, chapter 112, Florida Statutes; providing for the implementation of Section 14 of Article X, State Constitution, relating to governmental retirement systems; providing that this act is applicable to all state, county, special district, and municipal retirement systems and prevails over conflicting existing laws and ordinances; providing for actuarial reviews; providing for prompt deposit of on-hand contributions, meeting of normal costs, and amortization of unfunded liabilities; providing limitations on retirement benefits; providing certain general administrative provisions relating to retirement systems; providing that provisions relieving a fiduciary from liability are void; providing for purchase of insurance to cover losses incurred by an act or omission of a fiduciary; providing for civil actions; providing that a retirement system or plan may sue or be sued as an entity; providing for notice and review of denials of benefits; prohibiting special laws or general laws of local application relating to the requirements of the act; providing severability; providing an effective date.

—was read the first time by title and referred to the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

By Senator Vogt—

SB 763—A bill to be entitled An act relating to retail sales establishments; requiring certain retail sales establishments to give notice of their refund policy; providing that any such establishment failing to comply shall under certain circumstances grant to the consumer a refund; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce; and Economic, Community and Consumer Affairs.

By Senator Vogt—

SB 764—A bill to be entitled An act designating and naming the bridge spanning the St. Johns River on State Road 415 the "Douglas Stenstrom Bridge"; providing for appropriate signs and markers to be erected by Department of Transportation; providing an effective date.

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

By Senator Vogt—

SB 765—A bill to be entitled An act relating to the sale of tax deeds; creating s. 197.243, Florida Statutes; adding s. 197.246(4), Florida Statutes; amending s. 197.256(2), Florida Statutes; providing procedures to be followed where mail service has been suspended; extending the notice period required prior to sale of the tax deed; providing for notice to affected persons in foreign countries; providing an effective date.

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

By Senator Vogt—

SB 766—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending s. 20.19-(3)(c), Florida Statutes, 1976 Supplement, renaming the Retardation Program Office as the Retardation and Other Developmental Disabilities Program Office and providing responsibility for other developmental disability programs; providing an effective date.

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

By the Committee on Judiciary-Criminal and Senators Johnston, Holloway and Williamson—

SB 767—A bill to be entitled An act relating to perjury and false swearing; amending s. 837.011, Florida Statutes; providing definitions; creating s. 837.013, Florida Statutes; prescribing the crimes of perjury and perjury by contradictory statements; creating s. 837.014, Florida Statutes; prescribing the crimes of false swearing and false swearing by contradictory statements; creating s. 837.015, Florida Statutes; prescribing the crime of subornation of perjury or suborning another to swear falsely; creating s. 837.031, Florida Statutes; precluding certain defenses; creating s. 837.041, Florida Statutes; providing criminal penalties; creating s. 837.042, Florida Statutes; providing administrative remedies for giving false, incomplete, or misleading information in applications or testimony under oath for licenses or permits; amending s. 322.33, Florida Statutes, relating to making false affidavits under drivers' licenses laws to conform with changes made by this act; repealing s. 837.012, Florida Statutes, relating to perjury when not in an official proceeding; repealing s. 837.02, Florida Statutes, relating to perjury in official proceedings; repealing s. 837.021, Florida Statutes, relating to perjury by contradictory statements; repealing s. 837.06, Florida Statutes, relating to false official statements; providing an effective date.

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

By Senator Castor—

SB 768—A bill to be entitled An act relating to vital statistics; amending s. 382.16, Florida Statutes, decreasing the time period within which a birth certificate must be filed; requiring the person in charge of the institution within which the birth occurred or would have occurred to file such certificate rather than the doctor, midwife or person attending the birth; providing for filing by other persons when a birth does not occur in an institution; providing procedures for determining the child's surname to be recorded on the certificate; prohibiting inclusion of information relating to the child's father when his name is not included on the certificate; repealing s. 382.18, Florida Statutes, relating to the child's name on a certificate, and s. 382.35(2), Florida Statutes, which allows disclosure of undetermined parentage only upon court order; providing an effective date.

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

By Senator Renick—

SB 769—A bill to be entitled An act relating to drugs; amending s. 500.16, Florida Statutes; requiring persons who wish to sell, deliver, offer for sale, hold for sale, give away, or administer any new drug to a human being to file a letter of approval or approvability from the Federal Food and Drug Administration with the Department of Health and Rehabilitative

Services if the drug is manufactured in this state; prohibiting any person from administering a new drug to a human being in this state for investigational use without filing certain information with the Federal Food and Drug Administration and with the department; exempting from the regulation of new drugs any drug which is not defined as a new drug under the Federal Food, Drug and Cosmetic Act; deleting the exemption for drugs intended solely for investigational use; providing an effective date.

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

By Senator Henderson—

SB 770—A bill to be entitled An act relating to Sarasota County; providing for the prohibition of commercial fishing within certain tidal waters known as Red Lake; providing penalties for violation; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Renick—

SB 771—A bill to be entitled An act relating to health studio services; defining the term "contract for health studio services"; requiring a license to operate a health studio; requiring a paramedic or registered nurse to be on the staff of each such studio; requiring liability insurance; requiring each studio to file surety bonds to cover a specified portion of outstanding contracts; requiring each contract for health studio services to contain a provision allowing any person who has entered such contract to cancel the contract without penalty after specified notice to the health studio; providing an effective date.

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

By Senator Saylor—

SB 772—A bill to be entitled An act relating to local resource recovery and management programs; amending s. 403.706(1), (2), Florida Statutes; providing for the establishment, within a specified time period, of a local resource recovery and management program by interlocal agreement of a county or counties and all municipalities therein or by special act of the Legislature; directing that such program include an implementation schedule subject to certain requirements; providing for program control and review at the local level; providing that the Department of Environmental Regulation determine the practicality of resource recovery and management programs; amending s. 403.709, Florida Statutes; changing the percentage of program costs for which the department may grant funds; deleting the allocation formula and providing limits on grants for countywide programs; providing for contracts between the department and county when a grant is made; amending s. 403.710(1), (4), Florida Statutes, and adding subsection (9) to said section; providing that the chairman of the Resource Recovery Council be selected by the members of the council; limiting the review by the council of local programs to those areas required to plan for resource recovery; providing for termination of the council and transfer of its records and property to the department; repealing s. 403.710, Florida Statutes, relating to the Resource Recovery Council, effective October 1, 1979; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation; Economic, Community and Consumer Affairs; and Appropriations.

By Senator Winn—

SB 773—A bill to be entitled An act relating to the Department of Commerce; adding s. 20.17(12), Florida Statutes; creating the Motion Picture and Television Advisory Council within the department; providing functions of the council; providing for the composition of and appointment of the members of the council; providing for terms of office; providing reimbursement for necessary travel expenses of the members; providing an effective date.

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

By Senator Johnston—

SB 774—A bill to be entitled An act relating to taxation; creating s. 201.0215, Florida Statutes; authorizing the imposition of a real property transfer tax by the various school boards of the state; providing for the imposition and levy of a tax of 0.4 percent by a school board upon the transfer of title to real property within the school district, subject to a districtwide referendum; providing a method of collection of such tax; limiting the use of such revenue for school capital expenditures and for the retirement of school construction boards; exempting lands classified as agricultural from the tax; providing an effective date.

—was read the first time by title and referred to the Committees on Education; Commerce; and Finance, Taxation and Claims.

By Representative Johnston—

SJR 775—A joint resolution proposing an amendment to Article VII of the State Constitution, adding a new Section 16 thereto, to provide for deferment of a portion of the real property taxes on property with respect to which homestead tax exemption is claimed by persons 65 years of age or older who have been permanent residents of this state for 5 consecutive years prior to seeking deferment and providing for the extinguishment of liability for the portion so deferred after 10 years.

—was read the first time by title and referred to the Committees on Finance, Taxation and Claims; and Rules and Calendar.

By Senators Barron and Firestone—

SB 776—A bill to be entitled An act relating to statutory reports to the Legislature; amending s. 18.09, Florida Statutes; requiring the Treasurer to make an annual report; amending s. 110.0611, Florida Statutes; deleting requirement that a personnel listing be presented to the Speaker of the House and President of the Senate by the Division of Personnel each year; amending ss. 233.057(4)(b), 236.084(1), 633.32(4), Florida Statutes; deleting reporting requirements; amending s. 241.621(8), Florida Statutes; providing that the report on sponsored research be made at least 90 days prior to the legislative session; amending s. 272.121(4), Florida Statutes; providing that the Capitol Center planning report be made every fifth year; amending ss. 284.42(1), 440.46(1), Florida Statutes; revising reporting requirements; repealing ss. 101.5616, 175.281, 185.232, 229.545(4), 229.8025(3), 229.8055(5), 229.835(2), 231.608(2), 232.255(4)(b), 233.067(8), 233.0681(2)(e), 233.069(5), 241.479(3), 402.181(4), 413.038, 440.152(2), 633.40(2), Florida Statutes, relating to reporting requirements; providing an effective date.

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

By Senator Barron—

SB 777—A bill to be entitled An act relating to the boundaries of submerged sovereignty lands; providing that the ordinary mean high water mark is the boundary of submerged sovereignty lands in nontidal, natural, navigable bodies of water; providing for the determination of the location of such mark; providing definitions; providing powers and duties of the Department of Natural Resources; requiring filing of a determination of the location of such mark with the department prior to use before governmental bodies; providing severability; providing an effective date.

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

By Senators Scarborough, Plante, Gallen, Jon Thomas, Poston and Hair—

SB 778—A bill to be entitled An act relating to insurance; amending s. 627.679(2), Florida Statutes, providing that credit life insurance is limited to \$20,000 on loans with any one creditor other than on loans not exceeding 1 year duration; limiting the insurance on loans not exceeding 1 year duration to \$20,000 with any one insurer; providing an effective date.

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

By Senator Jon Thomas—

SB 779—A bill to be entitled An act relating to electrologists; creating an Electrologist Council under the State Board of Medical Examiners; providing membership and terms; providing powers and duties of the board which may be delegated to the council; providing for licensing of electrologists; prescribing qualifications and fees for licenses; providing exemptions; authorizing the board to suspend, revoke or refuse to renew licenses or discipline licensees; authorizing the use of titles and abbreviations; making specified conduct unlawful; providing penalties; providing an effective date.

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

By Senator Jon Thomas—

SB 780—A bill to be entitled An act relating to savings associations; amending s. 665.381(4) and (5), Florida Statutes, restricting the interest rate on property improvement loans and mobile home loans invested in by savings associations; prohibiting such interest from being precomputed; providing an effective date.

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

By Senator McClain—

SB 781—A bill to be entitled An act relating to elections; creating ss. 98.451-98.491, Florida Statutes; providing for supplemental and alternative procedure for identifying an elector at the polls through the use of data processing equipment and records; providing for challenges to electors; providing an effective date.

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

By Senators Myers, Poston, Pat Thomas and Plante—

SB 782—A bill to be entitled An act relating to motor vehicle license revenues; amending s. 320.20, Florida Statutes; providing for deposit of a portion of the revenues other than the first proceeds in the State Transportation Trust Fund; providing an effective date.

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

By Senator Holloway—

SB 783—A bill to be entitled An act relating to marriage licenses; amending s. 741.06, Florida Statutes, to provide that no marriage license may be issued to those under the age of 16 years, whether male or female, except at the discretion of the county court judge, upon sworn application that applicants are the parents or expectant parents of a child; conforming section to new age of majority rights; providing an effective date.

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

By Senator Holloway—

SB 784—A bill to be entitled An act relating to property taxation; amending s. 196.081, Florida Statutes, 1976 Supplement, and s. 196.091, Florida Statutes, relating to the exemption of the homestead of certain disabled veterans and disabled veterans confined to wheelchairs, to provide that the exemption shall be available to both ex-servicemen and ex-servicewomen or the surviving spouse of either; providing an effective date.

—was read the first time by title and referred to the Committee on Finance, Taxation and Claims.

By Senator Holloway—

SB 785—A bill to be entitled An act relating to occupational license taxes; amending s. 205.171(1), (3), (4) and (6), Florida Statutes, relating to the exemption from such taxes for disabled veterans and their unremarried widows, to provide that

the exemption shall be applicable to both men and women and the surviving spouse of either; providing an effective date.

—was read the first time by title and referred to the Committee on Finance, Taxation and Claims.

By Senators Holloway and Peterson—

SB 786—A bill to be entitled An act relating to public schools; creating s. 235.193, Florida Statutes; requiring school boards to determine whether school facilities are capable of absorbing additional students; requiring school boards to provide specified information and to participate in zoning, planning and building processes; empowering local governing bodies to reject development plans where school facilities are not available or planned; providing an effective date.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 286 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Langley and others—

HB 286—A bill to be entitled An act relating to corrections; providing a lien in favor of the State of Florida upon royalties payable to or accruing to the benefit of a convicted felon from any literary, cinematic, or other account of the crime for which he was convicted; providing for the distribution of any funds collected; providing for enforcement of the lien; providing an effective date.

—was read the first time by title and referred to the Committee on Corrections, Probation and Parole.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1180 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Sample—

HCR 1180—A concurrent resolution urging the reappointment of the state officers' compensation commission as provided by law.

—was read the first time by title and referred to the Committees on Personnel, Retirement and Collective Bargaining; and Rules and Calendar.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 513 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Martin—

HB 513—A bill to be entitled An act relating to venue; creating s. 47.052, Florida Statutes, providing for venue of actions involving nonprofit associations and corporations; providing an effective date.

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

The Honorable Lew Brantley, President

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

HB 368

HB 457

HB 644

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Young—

HB 368—A bill to be entitled An act for the relief of Harry John Kasmin, a National Guardsman; providing an appropriation to compensate him for losses sustained by injury while on duty during the Hurricane Donna on September 16, 1960; providing an effective date.

—was read the first time by title and referred to the Special Master and the Committee on Finance, Taxation and Claims.

By Representative McPherson—

HB 457—A bill to be entitled An act for the relief of Albert Franklin Christison, Jr.; providing an appropriation to compensate him for injuries received due to the negligence of the Department of Transportation; providing an effective date.

—was read the first time by title and referred to the Special Master and the Committee on Finance, Taxation and Claims.

By Representative McPherson and others—

HB 644—A bill to be entitled An act relating to the John and Mable Ringling Museum of Art; amending s. 265.27, Florida Statutes, removing the time limitation on temporary loans of paintings and other art objects; specifying additional places where museum paintings and objects of art may be temporarily loaned for exhibit; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 35 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Rish—

HB 35—A bill to be entitled An act relating to community mental health services; adding paragraph (d) to s. 394.76(4), Florida Statutes, 1976 Supplement, relating to funding of district mental health plans, providing that certain expenditures of 100 percent of all third-party payments and fees for non-inpatient services shall be eligible for state financial participation; providing an effective date.

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

The Senate recessed at 8:40 a.m.

The Senate was called to order by the President at 2:00 p.m.

A quorum present—39:

Mr. President	Gordon	Myers	Thomas, Jon
Barron	Gorman	Peterson	Tobiassen
Castor	Graham	Plante	Trask
Chamberlin	Hair	Poston	Vogt
Childers, Don	Henderson	Renick	Ware
Childers, W. D.	Holloway	Sayler	Williamson
Dunn	Johnston	Scarborough	Wilson
Firestone	Lewis	Scott	Winn
Gallen	MacKay	Skinner	Zinkil
Glisson	McClain	Spicola	

Excused: Senator Pat Thomas until 2:40 p.m. and Senator Poston at 3:30 p.m.

Prayer by the Reverend Thomas E. Farmer, Jr., Pastor, John Wesley United Methodist Church, Tallahassee:

Father, I am thankful for the privilege of praying with and for these Senators at the opening of this session of the Senate.

Enable us, we pray, to be still together for a few seconds and to recognize our need for your presence and divine guidance in all that shall come before this distinguished body this afternoon.

Help these Senators, we pray, in their responsibilities to the thousands of men, women and children they represent.

We would be mindful of the needs of each of these Senators; we pray that in the midst of the frustrations, and often unpopular and thankless tasks that are theirs—that you would come to each of them and provide the resources so desperately needed in their work.

We are committed to the ideals of a true democracy of by and for the people, and yet we know that ideals must be worked out in flesh and blood relationships with other human beings. Bless these men and women as they struggle together and bless their families and children. In Christ's name we pray. Amen.

The Senate pledged allegiance to the flag of the United States of America.

On motion by Senator Gallen, by two-thirds vote the Special Order Calendar of this day was amended to include CS for SB 379, CS for SB 218, SB 68, SB 115, CS for SB 149, CS for SB 317, SB 351, SB 257, CS for SB 318 and CS for SB 24.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following bills be placed on Special Order for Monday, April 18, 1977:

CS for SB 19	SB 270	CS for SB 379	SB 351
SB 195	SB 325	CS for SB 218	SB 257
SB 37	SB 206	SB 68	CS for SB 318
SB 6	SB 210	SB 115	CS for SB 24
SB 380	SB 148	CS for SB 149	
CS for SB 249	SB 137	CS for SB 317	

Respectfully submitted,
Tom Gallen
Chairman

The Committee on Economic, Community and Consumer Affairs recommends a Committee Substitute for the following: SB 513

The bill with Committee Substitute attached was referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Education recommends a Committee Substitute for the following: SB 319

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

ENROLLING REPORTS

SB 277 and SB 433 have been enrolled, signed by the required Constitutional Officers and filed with the Governor on April 18, 1977.

Joe Brown, Secretary

REQUESTS FOR EXTENSION OF TIME

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

SB 7 by Senator Don Childers	SB 135 by Senator Pat Thomas
SB 35 by Senator Zinkil	SB 186 by Senator Jon Thomas
SB 49 by Senator Winn	SB 187 by Senator Jon Thomas
SB 57 by Senator Spicola	SB 188 by Senator Jon Thomas
CS for SB 50 by Judiciary-Criminal (Senator Winn)	SB 190 by Senator Henderson
SB 102 by Senator Sayler	SB 200 by Senator Poston
SB 104 by Senators Myers and Gordon	SB 207 by Senator Sayler
SB 114 by Senator Poston	SB 214 by Senator Spicola
SB 124 by Senator Dunn	

SB 222 by Senator Holloway
 SB 231 by Senator Firestone
 SB 236 by Senator Holloway
 SB 248 by Senator Hair
 SB 250 by Senator Hair
 SB 263 by Senator Firestone
 SB 302 by Senator Glisson
 SB 307 by Senator Lewis
 SB 310 by Senator Henderson
 SB 368 by Senator Spicola
 SB 373 by Senator Glisson
 SB 387 by Senator Holloway
 SB 388 by Senator Graham
 SB 391 by Senator Gordon
 SB 392 by Senator Spicola
 SB 393 by Senator Spicola
 SB 399 by Senator Lewis
 SB 417 by Senator Vogt
 SB 419 by Senator Scarborough
 SB 420 by Senator Scarborough
 SB 430 by Senator Spicola
 SB 463 by Senator Plante
 SB 469 by Senator Jon Thomas
 SB 472 by Senator Henderson

SB 475 by Senators MacKay and Barron
 SB 476 by Senators MacKay and Barron
 SB 482 by Senator Scarborough
 SB 490 by Senators Lewis and Hair
 SB 493 by Senators Lewis and Hair
 SB 508 by Senator Henderson
 SB 510 by Senator Henderson
 SB 514 by Senator Scott
 SB 517 by Senator Myers
 SB 531 by Senator Gordon
 SB 532 by Senator Gordon
 SB 538 by Senator Pat Thomas
 SB 539 by Senators Myers, Renick
 SB 552 by Senators Plante, Ware, et al.
 SB 573 by Senators Myers, Dunn, et al.
 SB 582 by Senator Myers
 SB 500 by Senator Hair

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

SB 598 by Senator Don Childers
 SB 600 by Senator Zinkil (by request)

SB 601 by Senator Castor
 SB 602 by Senator Castor

The Committee on Corrections, Probation and Parole requests an extension of 15 days for the consideration of the following:

SB 464 by Senator Gorman
 SB 525 by Senator Pat Thomas

SB 549 by Senator Pat Thomas
 SB 603 by Senator Castor

The Committee on Finance, Taxation and Claims requests an extension of 15 days for the consideration of the following:

SB 58 by Senator Spicola
 SB 80 by Senator Graham
 SB 129 by Senator Graham
 SB 365 by Senator Hair, et al
 SB 366 by Senator Hair, et al
 SB 441 by Senator Trask
 SB 479 by Senator Scarborough

SB 509 by Senator Henderson
 SB 511 by Committee on Economic, Community and Consumer Affairs
 SB 518 by Senator Gorman, et al

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

SB 33 by Senator Graham, et al
 SB 46 by Senator Renick
 SB 56 by Senator Spicola
 SB 98 by Senator Saylor, et al
 SB 103 by Senator Saylor
 SB 107 by Senator Pat Thomas
 SB 119 by Senator Glisson
 SB 181 by Senator Graham
 SB 273 by Senator MacKay
 SB 274 by Senator MacKay
 SB 287 by Senator Graham
 SB 295 by Senator Henderson
 SB 323 by Senator Pat Thomas
 SB 335 by Senator Spicola (by request)
 SB 371 by Senator MacKay

SB 372 by Senator MacKay
 SB 396 by Senator Don Childers
 SB 402 by Senator Zinkil
 SB 405 by Senator Gorman
 SB 415 by Senator Tobiassen
 SB 426 by Senator Castor
 SB 428 by Senator Henderson
 SB 436 by Senator MacKay
 SB 442 by Senator Trask
 SB 481 by Senator Lewis
 SB 505 by Senator Peterson, et al
 SB 527 by Senator Gordon
 SB 547 by Senator Pat Thomas
 SB 568 by Senator Lewis (by request)
 SB 570 by Senator MacKay
 SB 587 by Senator Johnston

The Committee on Health and Rehabilitative Services requests an extension of 15 days for the consideration of the following:

SB 62 by Senator Spicola
 SB 81 by Senator Graham
 SB 178 by Senator Graham
 SB 201 by Senator Zinkil
 SB 258 by Senator Jon Thomas
 SB 290 by Senator Graham
 SB 291 by Senator Graham
 SB 347 by Senator Graham
 SB 394 by Senator Henderson
 SB 416 by Senator Hair
 SB 422 by Senator Graham
 SB 431 by Senator Firestone

SB 529 by Senator Gordon
 SB 530 by Senator Gordon
 SB 566 by Senator Dunn and others
 SB 586 by Senator Saylor
 SB 591 by Senator Ware
 SB 618 by Senator Dunn
 SB 620 by Senator Lewis (by request) and Senators Hair and Ware

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

SB 45 by Senator Dunn
 SB 47 by Senator Tobiassen
 SB 64 by Senator Spicola
 SB 67 by Senator Dunn
 SB 123 by Senator Plante
 SB 171 by Senator Winn
 SB 172 by Senator Winn
 SB 173 by Senator Zinkil
 SB 192 by Senator Henderson
 SB 298 by Senator McClain
 SB 299 by Senator McClain
 SB 314 by Senator Scott
 SB 315 by Senator Scott
 SB 320 by Senator McClain
 SB 324 by Senator Pat Thomas
 SB 331 by Senator Saylor
 SB 345 by Senator Graham
 SB 352 by Senator Peterson
 SB 354 by Senator Peterson
 SB 360 by Senator Henderson
 SB 385 by Senator McClain
 SB 390 by Senator Skinner

SB 398 by Senator Holloway
 SB 407 by Senator Winn
 SB 410 by Senator Myers
 SB 421 by Senator Graham
 SB 437 by Senator McClain
 SB 438 by Senator McClain
 SB 460 by Senator McClain
 SB 483 by Senator Plante
 SB 486 by Senator Skinner
 SB 507 by Senator Henderson
 SB 526 by Senator Gordon
 SB 528 by Senator Gordon
 SB 534 by Senators Winn and Scott
 SB 542 by Senator Williamson
 SB 555 by Senator Poston
 SB 576 by Senator Hair
 SB 588 by Senator Firestone
 SB 607 by Senator Jon Thomas
 SB 613 by Senator McClain

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

SB 44 by Senator Dunn and others
 SB 72 by Senator Graham
 SB 78 by Senator Saylor and others
 SB 85 by Senator Graham
 SB 97 by Senator Spicola
 SB 105 by Senator Ware
 SB 109 by Senator Dunn
 SB 133 by Senator Hair
 SB 146 by Senator Saylor
 SB 150 by Senator Scott
 SB 161 by Senator Dunn and others
 SB 162 by Senator Childers, W. D. and others
 SB 163 by Senator Childers, W. D. and others
 SB 165 by Senator Dunn and others
 SB 166 by Senator Childers, W. D. and others
 SB 196 by Senator Glisson

SB 211 by Senator Firestone and others
 SB 237 by Senator Gorman
 SB 311 by Senator Thomas, Jon
 SB 327 by Senator Saylor
 SB 330 by Senator Firestone and others
 SB 333 by Senator Firestone and others
 SB 423 by Senator W. D. Childers and others
 SB 445 by Senator Scarborough
 SB 451 by Senator Tobiassen
 SB 457 by Senator Gorman and others
 SB 473 by Senator Dunn
 SB 484 by Senator Plante
 SB 521 by Senator Trask and others
 SB 560 by Senator Castor
 SB 596 by Senator Williamson

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

SB 140 by Senator Henderson
 SB 300 by Senators Childers, W. D., Tobiassen, and Trask
 SB 312 by Senator Saylor
 SB 350 by Committee on Agriculture

SB 361 by Senator Henderson
 SJR 362 by Senator Henderson
 SB 487 by Senator Renick
 SB 554 by Senator Lewis
 SB 561 by Senator Poston
 SB 569 by Senator Vogt

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

SB 41 by Senator Henderson
 SB 60 by Senator Spicola
 SB 88 by Senator Renick
 SB 99 by Senator Holloway
 SB 141 by Senator Henderson
 SB 151 by Senator Zinkil
 SB 170 by Senators Poston
 and Holloway
 SJR 197 by Committee on
 Transportation
 SB 198 by Senator Gorman
 SB 220 by Senator Williamson
 SB 240 by Senator Zinkil
 SB 244 by Senator Holloway

SB 266 by Senator Saylor
 SB 288 by Senator Graham
 SB 397 by Senator Don
 Childers
 SB 409 by Senator Tobiasen
 SB 470 by Senator Gallen
 SB 496 by Senator Poston
 SB 533 by Senator Trask
 SB 540 by Senator Trask
 SB 556 by Senator Johnston
 SB 559 by Senator Poston
 SB 562 by Senator Renick
 SB 564 by Senator Henderson
 SB 571 by Senator Poston

Yeas—26

Mr. President	Gorman	Plante	Vogt
Castor	Hair	Poston	Ware
Chamberlin	Johnston	Renick	Williamson
Childers, Don	Lewis	Saylor	Wilson
Dunn	MacKay	Scott	Winn
Firestone	McClain	Spicola	
Glisson	Peterson	Trask	

Nays—10

Barron	Gordon	Scarborough	Tobiasen
Childers, W. D.	Holloway	Skinner	
Gallen	Myers	Thomas, Jon	

Votes after roll call:

Yea—Graham
 Nay to Yea—Holloway

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

SB 577 by Senator Poston
 SB 578 by Senator Holloway
 SB 584 by Senator W. D.
 Childers
 SB 612 by Senator Poston

SB 626 by Senator Renick
 SB 627 by Senator Renick
 HCR 163 by Representative
 Melvin

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Barron, the rules were waived and by two-thirds vote SB 656 was withdrawn from the Committee on Governmental Operations and placed on the calendar.

Pursuant to Rule 4.8, a point of order was raised by Senator Lewis and Senate Bills 535 and 561 were also referred to the Committee on Appropriations.

On motion by Senator Henderson, by two-thirds vote SB 28 was removed from the calendar and indefinitely postponed.

On motion by Senator Poston, by two-thirds vote SB 114 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Plante, by two-thirds vote SB 359 was withdrawn from the Committee on Judiciary-Criminal.

SPECIAL ORDER CALENDAR

CS for SB 19—A bill to be entitled An act relating to immunity of witnesses; amending s. 914.04, Florida Statutes, providing for immunity from use of compelled testimony; providing for an order to testify; providing procedures for granting immunity before courts having felony jurisdiction, grand juries, state attorneys, the Legislature and committees thereof; providing an effective date.

—was taken up with pending Amendments 10 and 10A which were withdrawn.

On motion by Senator Dunn, the Senate reconsidered the vote by which Amendment 1 was adopted on April 12.

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

Amendment 1A—On page 4, line 20, insert after "PROCEEDING": OR PROCEEDING BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION

Amendment 1 as amended failed.

Senator Dunn moved the following amendment which was adopted:

Amendment 12—On page 6, strike line 29 and insert: This act shall take effect upon becoming law.

On motion by Senator Dunn, by two-thirds vote CS for SB 19 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

SB 195—A bill to be entitled An act relating to cruelty to animals; amending s. 828.073(2), (3), Florida Statutes, 1976 Supplement; providing that no fees shall be charged for filing a petition for a hearing with respect to disposition of a cruelly treated or neglected animal, nor shall a fee be charged for service of process in such a case; corrects a reference to the title of the judge having jurisdiction of such a proceeding; providing an effective date.

—was taken up with pending Amendment 1 which was adopted:

Amendment 1—On page 1, line 25, strike the number "10" and insert: the number 30

Senator McClain moved the following amendments which were adopted:

Amendment 2—On page 2, between lines 15 and 16, insert: a new Section 2 and renumber subsequent section:

Section 2. Section 828.12, Florida Statutes, is amended to read:

828.12 Cruelty to animals.—Whoever *abandons* or unnecessarily overloads, overdrives, tortures, torments, deprives of necessary sustenance or shelter, or unnecessarily or cruelly beats, mutilates, or kills any animal, or causes the same to be done, or carries in or upon any vehicle, or otherwise, any animal in a cruel or inhuman manner, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Amendment 3—On page 1, line 10, insert following the word "proceeding;": amending s. 828.12, Florida Statutes; providing that it is a misdemeanor of the first degree to abandon an animal;

On motion by Senator Gorman, by two-thirds vote SB 195 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Plante	Trask
Barron	Gorman	Poston	Vogt
Castor	Hair	Renick	Ware
Chamberlin	Holloway	Saylor	Williamson
Childers, Don	Johnston	Scarborough	Wilson
Childers, W. D.	Lewis	Scott	Winn
Dunn	MacKay	Skinner	Zinkil
Firestone	McClain	Spicola	
Gallen	Myers	Thomas, Jon	
Glisson	Peterson	Tobiasen	

Nays—None

Vote after roll call:

Yea—Graham

SB 37—A bill to be entitled An act relating to insurance; creating s. 626.9705, Florida Statutes; prohibiting insurers from

imposing or requesting an additional premium for automobile insurance, or from refusing to issue or renew a policy, solely because the insured or applicant was cited for certain traffic violations; prohibiting cancellation of automobile insurance, because of a single accident, after the insured has paid premiums for a specified period or longer; providing penalties; providing an effective date.

—was taken up with pending Amendment 3 which was adopted:

Amendment 3—On page 1, line 26, insert after the word “insured”: , without adequate proof of a direct, demonstrable objective relationship between the violation for which the surcharge was imposed, and the increased risk of highway accidents

On motion by Senator Gorman, by two-thirds vote SB 37 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Myers	Tobiassen
Barron	Gorman	Peterson	Trask
Castor	Graham	Poston	Vogt
Chamberlin	Hair	Renick	Ware
Childers, Don	Henderson	Sayler	Williamson
Childers, W. D.	Holloway	Scarborough	Winn
Dunn	Johnston	Scott	Zinkil
Firestone	Lewis	Skinner	
Gallen	MacKay	Spicola	
Glisson	McClain	Thomas, Jon	

Nays—None

SB 6—A bill to be entitled An act relating to health claim forms; requiring the Department of Insurance to prescribe standard health claim forms to be used by hospitals and physicians; requiring acceptance of such forms by insurers and the Department of Health and Rehabilitative Services; providing an exception; providing an effective date.

—was read the second time by title.

Senator Don Childers moved the following amendment which was adopted:

Amendment 1—On page 1, line 16, strike the period after the word “physicians” and insert: *and pharmacists. Such forms shall be in a format that allows for the use of generally accepted coding systems by providers, in order to facilitate the processing of claims. Such standard health claim forms shall be accepted by all insurers and the Department of Health and Rehabilitative Services.*

On motion by Senator Don Childers, by two-thirds vote SB 6 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gorman	Plante	Tobiassen
Castor	Graham	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Childers, Don	Henderson	Sayler	Ware
Childers, W. D.	Holloway	Scarborough	Williamson
Dunn	Johnston	Scott	Wilson
Firestone	Lewis	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Gordon	Peterson	Thomas, Pat	

Nays—None

Vote after roll call:

Yea—MacKay

SB 380—A bill to be entitled An act relating to restraints on alienation of property; creating s. 689.22, Florida Statutes; pro-

viding the rule against perpetuities and the basis for determining the validity of an interest thereunder; providing for the application of the rule; providing limitations on leases to commence in the future or upon the happening of a future event and on options in gross; providing for the reduction of age contingencies; providing rules of construction; specifying the law governing application of the rule against perpetuities and the validity of a direction to accumulate in cases in which real property is acquired by a foreign trust; providing for application of the rule against perpetuities to trusts with transferable certificates; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 5, line 18, strike the word “inability” and insert: ability

On motion by Senator Johnston, by two-thirds vote SB 380 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Gordon	Myers	Thomas, Jon
Barron	Gorman	Peterson	Thomas, Pat
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Sayler	Ware
Dunn	Johnston	Scarborough	Williamson
Firestone	Lewis	Scott	Wilson
Gallen	MacKay	Skinner	Winn
Glisson	McClain	Spicola	Zinkil

Nays—None

By the Committee on Judiciary-Criminal and Senators Scott and Graham—

CS for SB 249—A bill to be entitled An act relating to state government; providing for modification or adaptation of certain examinations administered by state agencies so that blind or deaf persons can more equitably compete with sighted or hearing persons taking any such examination; providing criteria for certain modifications and adaptations; providing for rules; providing penalties; providing an effective date.

—was read the first time by title and SB 249 was laid on the table.

On motion by Senator Scott, by two-thirds vote CS for SB 249 was read the second time by title.

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

Amendment 1—On page 1, line 31, insert: (b) “Deaf person” means an individual having an 82 decible loss of hearing and manual communication is necessary to communicate.

(reletter subsequent paragraph)

On motion by Senator Scott, by two-thirds vote CS for SB 249 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Gorman	Peterson	Thomas, Pat
Barron	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Firestone	Lewis	Scott	Wilson
Gallen	MacKay	Skinner	Winn
Glisson	McClain	Spicola	Zinkil
Gordon	Myers	Thomas, Jon	

Nays—None

SB 270—A bill to be entitled An act relating to local governmental units; amending s. 163.3174(1), (2), (5), Florida Statutes; providing for the creation of countywide local planning agencies by special act; providing for the required content of special acts creating local planning agencies; providing an effective date.

—was read the second time by title. On motion by Senator Saylor, by two-thirds vote SB 270 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Gorman	Peterson	Thomas, Pat
Barron	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Saylor	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Firestone	Lewis	Scott	Wilson
Gallen	MacKay	Skinner	Winn
Glisson	McClain	Spicola	Zinkil
Gordon	Myers	Thomas, Jon	

Nays—None

On motion by Senator Poston, consideration of SB 325 was deferred.

SB 206—A bill to be entitled An act relating to state agency records; requiring each state agency which registers or licenses corporations, partnerships, or other business entities to include, within its numbering system, the federal employer's identification number; authorizing any state agency to maintain a dual numbering system subject to specified conditions; requiring the Department of State to keep a registry of federal employer's identification numbers; providing an effective date.

—was read the second time by title. On motion by Senator Firestone, by two-thirds vote SB 206 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gorman	Peterson	Tobiassen
Barron	Graham	Plante	Trask
Castor	Hair	Poston	Vogt
Chamberlin	Henderson	Renick	Ware
Childers, Don	Holloway	Saylor	Williamson
Childers, W. D.	Johnston	Scarborough	Wilson
Firestone	Lewis	Scott	Winn
Gallen	MacKay	Skinner	Zinkil
Glisson	McClain	Thomas, Jon	
Gordon	Myers	Thomas, Pat	

Nays—None

Vote after roll call:

Yea—Spicola

SB 210—A bill to be entitled An act relating to the Department of Business Regulation; adding s. 20.16(12), Florida Statutes; authorizing the establishment of uniform application forms and certificates of license within the department; providing an effective date.

—was read the second time by title. On motion by Senator Firestone, by two-thirds vote SB 210 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Peterson	Thomas, Pat
Barron	Gorman	Plante	Tobiassen
Castor	Graham	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Childers, Don	Henderson	Saylor	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	McClain	Skinner	Winn
Glisson	Myers	Thomas, Jon	Zinkil

Nays—None

Votes after roll call:

Yeas—Holloway, MacKay and Spicola

SB 148—A bill to be entitled An act relating to unemployment compensation; providing that state, county, and municipal governmental units may elect the experience rating method of financing benefits; amending the introductory paragraph of s. 443.08(5), Florida Statutes; amending s. 443.08(5)(a) and (6)(a), Florida Statutes, and adding subsection (7) thereto; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs offered the following amendment which was moved by Senator Zinkil:

Amendment 1—On page 2, line 3, strike lines 3 through 17 and insert: (6) **PUBLIC EMPLOYERS UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT.**

(a) *There is established a Public Employers Unemployment Compensation Benefit Account which will be maintained with separate accounting as a part of the Florida Unemployment Compensation Trust Fund. All benefits paid to public employees shall be charged to the Public Employers Unemployment Compensation Benefit Account.*

(b) *Governmental entities subject to the Florida Unemployment Compensation Law under section 443.03(5)(b) who exercise the option to elect the contributory system of financing unemployment compensation benefits shall have their accounts maintained and shall be subject to the provisions of subsection 443.08(1), (2), and (3), except that:*

1. *The term "taxable wages" shall mean total gross wages.*

2. *The initial contribution rate shall be five-tenths of one percent.*

3. *Any election by an employer to be taxed under this subsection shall be effective January 1, and shall be taxed at the initial rate. Effective January 1 of the following year, the rate shall be computed based on two calendar quarters of chargeability and payroll; effective January 1 of the second year after such election based on six quarters of chargeability and payroll and January 1 of the third year after such election on ten quarters of chargeability and payrolls. Each January 1 thereafter, the tax rates shall be computed based on 12 quarters of chargeability and payroll.*

4. *An employer electing to be taxed under the provisions of this subsection shall make such election not later than 30 days prior to January 1 of the year for which the election is to be effective. Upon electing this financing method such method shall be applicable for not less than two years.*

5. *Any election under this subsection may be terminated by filing with the division not later than 30 days prior to January 1, a written notice of termination.*

(c) *The minimum contribution rate which may be assigned to a governmental entity, any conflicting provisions of this section notwithstanding, shall be one-tenth of one percent.*

Senators Vogt and Zinkil offered the following substitute amendment which was moved by Senator Zinkil and adopted:

Amendment 2—On page 2, line 3, strike lines 3 through 26 and insert: (6) **FINANCING BENEFITS PAID TO EMPLOYEES OF POLITICAL SUBDIVISIONS OF STATE.**—~~Benefits paid to employees of any political subdivision of this state, or of any instrumentality thereof, based upon service as defined in paragraph 443.03(5)(c) shall be financed in accordance with this subsection.~~

(a) *There is established a Public Employers Unemployment Compensation Benefit Account which will be maintained with separate accounting as a part of the Florida Unemployment Compensation Trust Fund. All benefits paid to public employees shall be charged to the Public Employers Unemployment Compensation Benefit Account. In lieu of contributions required of employers under this chapter, the several political subdivisions of this state shall pay into the Unemployment Compensation Trust Fund an amount equivalent to the amount of regular benefits and the state's share of extended benefits paid to individuals based upon wages paid for service defined in paragraph 443.03(5)(c).*

(b) Governmental entities subject to the Florida Unemployment Compensation Law under section 443.03(5)(b) who exercise the option to elect contributory system of financing unemployment compensation benefits shall have their accounts maintained and shall be subject to the provisions of subsection 443.03(1), (2), and (3), except that:

MacKay	Renick	Thomas, Jon	Williamson
McClain	Saylor	Thomas, Pat	Wilson
Myers	Scarborough	Tobiassen	Winn
Peterson	Scott	Trask	Zinkil
Plante	Skinner	Vogt	
Poston	Spicola	Ware	

1. The term "taxable wages" shall mean total gross wages.

2. The initial contribution rate shall be five-tenths of one percent.

3. Any election by an employer to be taxed under this subsection shall be effective January 1, and shall be taxed at the initial rate. Effective January 1 of the following year, the rate shall be computed based on two calendar quarters of chargeability and payroll; effective January 1 of the second year after such election based on six quarters of chargeability and payroll and January 1 of the third year after such election on ten quarters of chargeability and payrolls. Each January 1 thereafter, the tax rates shall be computed based on 12 quarters of chargeability and payroll.

4. An employer electing to be taxed under the provisions of this subsection shall make such election not later than 30 days prior to January 1 of the year for which the election is to be effective. Upon electing this financing method such method shall be applicable for not less than two years.

5. Any election under this subsection may be terminated by filing with the division not later than 30 days prior to January 1, a written notice of termination. The provisions of paragraphs (4)(b), (d), and (e), relating to reimbursement payments, allocation of benefit costs, and group accounts, with respect to nonprofit organizations shall also be applicable, as far as practicable, with respect to the duties of any political subdivision or instrumentality thereof as an "employer."

(c) The minimum contribution rate which may be assigned to a governmental entity, any conflicting provisions of this section notwithstanding, shall be one-tenth of one percent.

The Committee on Economic, Community, and Consumer Affairs offered the following amendment which was moved by Senator Zinkil:

Amendment 3—On page 1, line 8 in title, strike "(a)" after Florida Statutes, and insert: *establishing a public employers compensation account as part of the Florida Unemployment Compensation Trust Fund, providing a contributory system of financing unemployment compensation benefits to be available for governmental entities at their option; providing for a minimum contribution rate for governmental entities;*

Senators Vogt and Zinkil offered the following substitute amendment which was moved by Senator Zinkil and adopted:

Amendment 4—On page 1, lines 8 and 9 in title, strike "(6) (a), Florida Statutes, and adding subsection (7) thereto" and insert: (6), Florida Statutes, establishing a public employers compensation account as part of the Florida Unemployment Compensation Trust Fund, providing a contributory system of financing unemployment compensation benefits to be available for governmental entities at their option; providing for a minimum contribution rate for governmental entities

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

Amendment 5—On page 1, lines 14, 15 and 16, strike on line 14 after the word "and": paragraph (a) of" ; on lines 15 and 16 after the word "amended": strike ", and subsection (7) is added to said section,"

On motion by Senator Zinkil, by two-thirds vote SB 148 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Childers, Don	Gallen	Hair
Barron	Childers, W. D.	Glisson	Henderson
Castor	Dunn	Gorman	Johnston
Chamberlin	Firestone	Graham	Lewis

Nays—None

Vote after roll call:

Yea—Holloway

On motion by Senator McClain, consideration of SB 137 was deferred.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 790 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Fortune and others—

HB 790—A bill to be entitled An act relating to planning and budgeting by state agencies; amending s. 216.141, Florida Statutes; requiring the Department of Administration, in consultation with and with the concurrence of the Joint Legislative Management Committee and the Auditor General, to prescribe a budget system and related reporting and evaluating systems; designating the accounting system developed by the Auditor General pursuant to s. 11.46, Florida Statutes, as the State of Florida Accounting System; requiring the Comptroller to use such system; requiring the Comptroller, with the concurrence of the Auditor General, to develop and implement a plan to implement such accounting system in all state agencies; requiring the Comptroller to make quarterly reports; providing for contracting with the Legislature for data processing; providing for transferring equipment to an agency within the Executive Branch of State Government; providing an effective date.

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

On motion by Senator W. D. Childers, by two-thirds vote HB 790 was withdrawn from the Committee on Appropriations and placed on the Calendar.

Special Order, continued

CS for SB 379, by the Committee on Appropriations and Senators W. D. Childers, Ware, Plante, Gordon and MacKay, was read the first time by title and SB 379 was laid on the table.

On motion by Senator W. D. Childers HB 790 a companion measure was substituted therefor. On motion by Senator W. D. Childers, by two-thirds vote HB 790 was read the second time by title.

Senator W. D. Childers moved the following amendments which were adopted:

Amendment 1—On page 2, lines 1 and 2, strike ", and with the concurrence of, the Joint Legislative Management Committee" and insert: *the Senate and House Appropriations Committees*

Amendment 2—On page 2, line 19, after the word "functions." insert: *The Auditor General may appoint a committee of users for the purpose of advising relative to the design and implementation of the State of Florida Accounting System.*

Amendment 3—On page 1, lines 5 through 7, in title, strike all of lines 5 through and including line 7 and insert: *administration in consultation with the Senate and House Appropriations Committees and the Auditor General,*

On motion by Senator W. D. Childers, by two-thirds vote HB 790 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gorman	Poston	Trask
Barron	Graham	Renick	Vogt
Castor	Hair	Saylor	Ware
Chamberlin	Henderson	Scarborough	Williamson
Childers, Don	Holloway	Scott	Wilson
Childers, W. D.	Lewis	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	
Gordon	Plante	Tobiassen	

Nays—None

Vote after roll call:

Yea—Peterson

CS for SB 379 was laid on the table.

CS for SB 218—A bill to be entitled An act relating to hospital and nursing home plans review; amending ss. 395.09(1) and (2) and 400.23(2); creating ss. 395.09(3) and 400.23(3) and (4); requiring that all plans and specifications for hospital or nursing home construction be approved within 60 days of receipt by the Department of Health and Rehabilitative Services; defining the date of receipt; providing for automatic approval of plans not disapproved within 60 days of receipt; providing a 15 day extension period subject to the approval of the Secretary of the Department of Health and Rehabilitative Services; authorizing "fast track" and other construction techniques; authorizing the Department of Health and Rehabilitative Services to collect appropriate fees for services rendered in plans and specifications review; authorizing a trust fund for fees paid; providing for the use of trust funds; providing an effective date.

—was taken up pending roll call.

Senator Castor moved the following amendments which were adopted by two-thirds vote:

Amendment 14—On pages 2, 3, 5, 6 strike lines 19-30 on page 2, lines 1-22 on page 3, lines 20-31 on page 5, lines 1-22 on page 6 (renumber subsection (3) on page 3, line 23 as subsection (2))

(renumber subsection (4) on page 6, line 23 as subsection (7) and conform any subsequent subsections)

Amendment 15—On page 3, line 24 and on page 6, line 23, after the word "fee" insert: *not to exceed 0.5 of 1 percent of the estimated construction cost or the actual cost of review, whichever is less,*

Amendment 16—On page 3, line 31 and on page 6 line 29, after the word "of" insert: *final*

Senator Castor moved the following title amendment which was adopted:

Amendment 17—On page 1, lines 9-16, strike lines 9 through and including line 16 and insert: Rehabilitative Services; authorizing the

On motion by Senator Castor the Senate reconsidered the vote by which CS for SB 218 was placed on third reading.

On motions by Senator Castor the Senate reconsidered the votes by which Amendments 6 and 13 were adopted on April 8.

By permission Senator Holloway withdrew Amendments 6 and 13.

On motion by Senator Castor, by two-thirds vote CS for SB 218 as further amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Mr. President	Glisson	Myers	Spicola
Barron	Gorman	Peterson	Thomas, Pat
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Saylor	Wilson
Dunn	Lewis	Scarborough	Winn
Firestone	MacKay	Scott	Zinkil
Gallen	McClain	Skinner	

Nays—1

Williamson

Votes after roll call:

Yeas—Johnston and Ware

SB 68—A bill to be entitled An act relating to labor; prohibiting the employment of aliens who do not have federal authorization to work; prohibiting any person from aiding, abetting, counseling, recruiting, or procuring for employment an alien who is not authorized by the Federal Government to work in the United States; requiring any employer, including one who contracts labor for another, who knowingly employs an alien to check with the United States Immigration and Naturalization Service to verify that such alien is authorized by the Federal Government to work in the United States; providing penalties; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, lines 21-22, strike "by the Federal Government to work in the United States" and insert after "authorized": to work by the immigration laws or the attorney general of the United States

Senator Renick moved the following substitute amendment:

Amendment 2—On page 1, line 18, strike everything after the enacting clause and insert: Section 1. It shall be unlawful for any person knowingly to employ, hire, recruit, counsel, aid, abet, procure or refer, either for himself or on behalf of another, for private or public employment within the State of Florida, an alien who is not duly authorized to work by the immigration laws or the Attorney General of the United States.

Section 2. The first violation of Section 1 shall be a non-criminal violation as defined in s. 775.08(3), Florida Statutes, and, upon conviction, shall be punishable as provided in s. 775.082(5), Florida Statutes, by a civil fine of not more than \$500 regardless of the number of aliens with respect to whom the violation occurred.

Section 3. Any person who has been previously convicted of a noncriminal violation and who thereafter violates Section 1, shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes. Any such subsequent violation of this act shall constitute a separate offense with respect to each unauthorized alien.

Section 4. It shall be a defense to any prosecution under this act for the employer to show that he acted in reliance upon a certified copy of a birth certificate or a sworn statement stating that the employee is a citizen of the United States of America.

Section 5. This act shall take effect October 1, 1977.

Senator Holloway moved the following amendment to Amendment 2 which was adopted:

Amendment 2A—On page 1, line 2, strike "Counsel,"

On motion by Senator Renick, further consideration of SB 68 with pending amendments was deferred.

Senator Gorman presiding

SB 115—A bill to be entitled An act relating to domestic stock and mutual insurers; amending s. 628.401(1), Florida Statutes; providing for the amount of interest such an insurer may pay upon money borrowed upon an agreement for repayment out of surplus; providing an effective date.

—was read the second time by title.

Senator MacKay moved the following amendments which were adopted:

Amendment 1—On page 1, line 19, strike all after “interest” on line 19, and then strike lines 20, and lines 21 and insert: after word “interest”: not exceeding 10 percent simple interest per annum.

Amendment 2—On page 1, line 22, strike the word “which” and insert: the word “The”

Amendment 3—On page 1, line 26, after the word “effect” strike “July 1, 1977” and insert: upon becoming law

On motion by Senator MacKay, by two-thirds vote SB 115 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Barron	Gorman	Myers	Thomas, Jon
Brantley	Graham	Peterson	Thomas, Pat
Castor	Hair	Plante	Tobiassen
Childers, Don	Henderson	Poston	Vogt
Childers, W. D.	Holloway	Renick	Williamson
Dunn	Johnston	Scarborough	Wilson
Firestone	Lewis	Scott	Winn
Gallen	MacKay	Skinner	Zinkil
Gordon	McClain	Spicola	

Nays—None

Votes after roll call:

Yeas—Chamberlin, Glisson, Trask and Ware

By the Committee on Commerce and Senator Jon Thomas—

CS for SB 149—A bill to be entitled An act relating to life and disability insurance; authorizing the Department of Insurance to approve life insurance and disability insurance policies at reduced premiums for individuals who pass a rigorous physical examination; providing for approval of policy forms by the department; providing an effective date.

—was read the first time by title and SB 149 was laid on the table.

On motion by Senator Jon Thomas, by two-thirds vote CS for SB 149 was read the second time by title.

Senator Jon Thomas moved the following amendments which were adopted:

Amendment 1—On page 2, line 4, after the word “policies” insert: , health insurance policies,

Amendment 2—On page 1, line 5 in title, after the words “of life insurance” insert: , health insurance,

On motion by Senator Jon Thomas, by two-thirds vote CS for SB 149 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

Barron	Gorman	Lewis	Renick
Castor	Graham	McClain	Saylor
Childers, Don	Hair	Myers	Scarborough
Childers, W. D.	Henderson	Peterson	Scott
Firestone	Holloway	Plante	Spicola
Gallen	Johnston	Poston	Thomas, Jon

Thomas, Pat	Trask	Williamson	Winn
Tobiassen	Vogt	Wilson	Zinkil

Nays—None

Votes after roll call:

Yeas—Chamberlin, Glisson, Gordon, MacKay and Ware

By the Committee on Transportation—

CS for SB 317—A bill to be entitled An act relating to transportation; amending s. 129.01(1), Florida Statutes; renaming county road and bridge fund; amending s. 129.011(1), Florida Statutes; providing for a separate county transportation trust fund in the county budget; amending s. 206.47(7), Florida Statutes; authorizing the Department of Transportation to maintain all proceeds of the 80 percent surplus of the second gas tax on deposit with the State Board of Administration; amending s. 206.60(2)(b), (c), Florida Statutes; deleting certain provisions relating to maintenance of secondary roads by the Department of Transportation and distribution of certain secondary federal funds; adding s. 334.03(18)—(30), Florida Statutes; defining certain terms for purposes of the Transportation Code; amending s. 335.01, Florida Statutes, providing for designations and systemization of public roads; amending s. 335.04, Florida Statutes; providing for a functional classification plan for roads; requiring transfer of responsibility for maintenance of certain public roads; authorizing the matching of certain federal aid highway funds; providing certain responsibilities for the Department of Transportation relating to re-evaluation of the functional classification of public roads; providing for operation and maintenance of public roads; adding s. 335.075(4), Florida Statutes; providing for the certification of the compliance with design, construction, and maintenance standards; prescribing uses of the surplus from the second gas tax distributed to the counties; amending s. 336.01, Florida Statutes; defining county road system; amending s. 336.41, Florida Statutes; limiting the use of existing county forces in the construction of public roads; amending s. 336.44(1), Florida Statutes; requiring boards of county commissioners to let contracts for certain work on public roads; amending s. 339.08(2)(b), (c), (3), (4), Florida Statutes, and adding subsection (5) to said section; providing for the use of certain gas tax revenues by the Department of Transportation; providing for transfer of administrative responsibility; providing for advance of certain gas tax revenues; creating s. 339.083, Florida Statutes; providing for county transportation trust funds; providing for controls and administrative remedies; providing for annual reports by local governments to the department; requiring department to report to Legislature; repealing s. 334.03(1), (8), (12), and (13), Florida Statutes, the definitions of terms “arterial highways,” “primary road system,” “secondary road system,” and “state highway system”; repealing s. 335.041, Florida Statutes, relating to designation of roads for the expenditure of secondary road funds; repealing s. 339.031, Florida Statutes, relating to highway secondary trust funds; providing an effective date.

—was read the first time by title and SB 317 was laid on the table.

On motion by Senator Myers, by two-thirds vote CS for SB 317 was read the second time by title.

The Committee on Appropriations offered the following amendments which were moved by Senator Myers and adopted:

Amendment 1—On page 9, strike all of line 4 through and including line 12 and insert: (27) “County road system”.—*The county road system of each county shall consist of all collector roads in the unincorporated areas and all extensions of such collector roads into and through any incorporated areas, all local roads in the unincorporated areas, and all urban minor arterials not on the state highway system.*

(28) “City street system”.—*The city street system of each municipality shall consist of all local roads within that municipality, and all collector roads inside that municipality which are not on the county road system.*

Amendment 2—On page 11, strike all of line 4 through and including line 5 and insert: requests a resurfacing, the road shall be

Senator Myers moved the following amendment which was adopted:

Amendment 3—On page 12, strike all of line 2 and insert: funds provided by the counties or cities, but the department shall continue to have administrative responsibility for all federal aid highway funds.

The President presiding

Senators Scarborough and MacKay offered the following amendment which was moved by Senator Scarborough:

Amendment 4—On page 15, line 7, strike all of subsection (3)

Amendment 4 failed by the following vote:

Yeas—10

Childers, Don	Johnston	Skinner	Wilson
Dunn	MacKay	Thomas, Pat	
Firestone	Scarborough	Williamson	

Nays—26

Castor	Graham	Peterson	Tobiassen
Chamberlin	Hair	Plante	Trask
Childers, W. D.	Henderson	Renick	Vogt
Gallen	Holloway	Sayler	Ware
Glisson	Lewis	Scott	Zinkil
Gordon	McClain	Spicola	
Gorman	Myers	Thomas, Jon	

Senator MacKay moved the following amendment:

Amendment 5—On page 8, strike everything on line 24 after the semicolon (;) through line 3 on page 9.

Amendment 5 failed by the following vote:

Yeas—9

Childers, Don	MacKay	Thomas, Pat	Wilson
Glisson	Scarborough	Vogt	
Johnston	Skinner		

Nays—26

Mr. President	Firestone	Hair	McClain
Castor	Gallen	Henderson	Myers
Chamberlin	Gorman	Holloway	Peterson
Childers, W. D.	Graham	Lewis	Plante

Renick	Spicola	Ware	Zinkil
Sayler	Thomas, Jon	Williamson	
Scott	Tobiassen	Winn	

Senators Williamson and Scarborough offered the following amendment which was moved by Senator Williamson and failed:

Amendment 6—On page 15, strike lines 18 and 19 and insert: 20 per cent of its 80 per cent portion of the second gas tax. However, if, after proper

Senator Trask moved the following amendment:

Amendment 7—On page 9, line 3, strike "11,300" and insert: 9,500

Senator Castor moved that the Senate reconsider the vote by which CS for SB 218 passed this day.

The motion was placed on the calendar for consideration Wednesday, April 20.

Senator Myers moved that time of adjournment be extended until 5:10 p.m. and the motion failed.

Senator Don Childers announced cancellation of the meeting of the Committee on Executive Business scheduled for Thursday, April 21.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 15 was corrected and approved.

The Journal of April 14 was further corrected and approved as follows:

Page 150, from bottom of column 2, line 23, strike "S" and insert: H

CO-INTRODUCERS

Senator Spicola—Senate Bills 37 and 223; Senator Firestone—SB 290; Senator Dunn—SB 606; Senator Peterson—SB 68; Senator Pat Thomas—Senate Bills 265 and 306.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:00 p.m. to convene at 8:30 a.m., April 19, 1977 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.