



Journal of the Senate

Number 19

Friday, April 29, 1977

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

INTRODUCTION

By Senator Gordon—

SB 1183—A bill to be entitled An act relating to state credit cards; prohibiting state departments and agencies from issuing such cards for employee use; prohibiting state employees from using existing state credit cards and providing for the recall of all such cards; providing an effective date.

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

By Senators Gordon and Lewis—

SB 1184—A bill to be entitled An act relating to ad valorem tax exemption; amending ss. 196.1975(4)(a), 196.1976, Florida Statutes, 1976 Supplement; providing that 5-year residency is not required of residents in homes for the aged for the home to be eligible for the charitable purpose exemption from taxation; providing for severability of provisions of ss. 196.1975 or 196.1976(6) or (7), Florida Statutes, 1976 Supplement; providing an effective date.

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

By Senator Graham—

SB 1185—A bill to be entitled An act relating to state retirement systems; adding s. 121.011(3)(f), Florida Statutes; providing for the calculation of annual compensation for a period of holding office as a member of the governing body of a state agency or county, municipality, school district, special taxing district, or other political subdivision of the state for a member of the Florida Retirement System or of an existing retirement system consolidated therein who is not retired and who discontinues or who has discontinued his employment as an employee of such governing body to assume such office on the basis of his last previous annual compensation as an employee, with adjustments for increases in the annual compensation of the employment position discontinued by the member and for changes in the law applicable to the retirement system or plan in which he is a member, rather than on the basis of the compensation received as an officer; providing for payment into the System Trust Fund of the total cost for such credit, plus interest; providing for an election by such member to continue contributions on the basis of his last previous annual compensation as an employee, as adjusted; directing such governing body to budget and pay the requisite employer contributions; 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 Graham—

SB 1186—A bill to be entitled An act relating to state government; creating the State Finance and Taxation Study Commission; providing for membership; providing for organization; providing duties and powers; providing for reports; providing for compensation; providing for cooperation by state agencies;

providing an appropriation; providing effective and expiration dates.

—was read the first time by title and referred to the Committees on Governmental Operations; Finance, Taxation and Claims; and Appropriations.

By Senator Graham—

SB 1187—A bill to be entitled An act relating to mobile home parks; amending s. 83.765(1), Florida Statutes, 1976 Supplement; prohibiting mobile home park owners from denying mobile home owners the right to place "For Sale" signs on their mobile home; providing grounds for denial of entry with respect to the purchase of a mobile home in a mobile home park; requiring that such denial must be in writing and must delineate reasons therefor; providing for appeal of such denial through the court system; removing a limitation; providing an effective date.

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

By Senator Barron—

SB 1188—A bill to be entitled An act relating to unemployment compensation; amending s. 443.06(8), Florida Statutes; eliminating the provisions for reduction of unemployment compensation benefits by Social Security benefits; providing that certain retirement, pension, and annuity benefits be offset against unemployment compensation benefits notwithstanding the source of the contribution; providing an effective date.

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

By Senator Pat Thomas—

SB 1189—A bill to be entitled An act relating to property assessment; amending s. 193.011, Florida Statutes, to provide that assessments entered on the tax rolls on December 31, 1976, shall be conclusively deemed just valuation and shall not be changed except under specified circumstances; providing an effective date.

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

By Senator Ware—

SB 1190—A bill to be entitled An act relating to negligence; amending s. 768.20, Florida Statutes, providing that an action for pain, suffering, and mental anguish shall survive the death of the injured party; adding a new paragraph (c) to s. 768.21(6), Florida Statutes, providing that the decedent's personal representative may recover damages for the decedent's pain, suffering, and mental anguish; providing an effective date.

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

By Senator Graham—

SB 1191—A bill to be entitled An act relating to beach and shore preservation; adding ss. 161.052(9), 161.053(9), Florida Statutes; providing for recommendations by the Department of Natural Resources as to purchase as environmentally endangered or outdoor recreation lands of the fee or lesser interest in land seaward of the setback requirements of s. 161.052, Florida

Statutes, or of the coastal construction setback lines established under s. 161.053, Florida Statutes; providing an effective date.

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

By Senator Ware—

SB 1192—A bill to be entitled An act relating to the Department of Offender Rehabilitation; amending s. 116.161, Florida Statutes; authorizing the department to purchase certain motor vehicles; requiring the department, prior to purchasing such vehicles, to seek to procure the motor vehicles from those renovated pursuant to correctional programs of the department; providing an effective date.

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

By Senator W. D. Childers—

SB 1193—A bill to be entitled An act relating to credit unions; creating s. 657.061, Florida Statutes; providing that certain records of the Department of Banking and Finance relating to credit unions shall be open to public inspection; providing a list of records which are confidential; providing exceptions; requiring credit unions to keep a full and current record of the names and residences of all members; prohibiting disclosure of confidential information or use of lists of members of credit unions for commercial purposes; providing a penalty; requiring the department to keep certain reports for a specified period; authorizing the department to adopt and promulgate rules necessary to enforce chapter 657, Florida Statutes; amending s. 119.07(2)(b), Florida Statutes; adding certain records to the exemption to the public records law; providing an effective date.

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

By Senator Gordon—

SB 1194—A bill to be entitled An act relating to taxation; creating s. 212.047, Florida Statutes; amending s. 212.02(9), Florida Statutes, 1976 Supplement, and adding subsections (19), (20), (21), to said section; amending s. 212.12(1), (5)-(7), (9), (10), Florida Statutes, 1976 Supplement; amending ss. 212.06(5)(a), 212.08(6), (7)(e), 212.10, 212.11(1), 212.14(1), (4), (6), 212.15(3), 212.151, 212.17(3), (4), (7), 212.18(3), 212.21(2)-(4), Florida Statutes; providing for a tax on certain services; providing a definition; requiring a certificate of registration for persons engaged in the business of performing taxable services and conditions therefor; providing for the collection and remission of taxes; providing for tax returns, credits, assessments, liens, and warrants; providing for notice to creditors of persons performing taxable services who are delinquent in their taxes; providing for writs of garnishment; providing for the keeping, auditing, and examining of records and accounts; prohibiting the absorption, refund, or noncollection of taxes; providing for liability of persons giving consideration for taxable services; providing for hearings; providing for jurisdiction of suits; providing for designation of agent for service of process; providing exemptions; providing for interest; providing penalties; providing an effective date.

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

By Senator Pat Thomas—

SB 1195—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; amending s. 478.121(8), Florida Statutes, 1976 Supplement; requiring each subdivider to provide the Division of Florida Land Sales and Condominiums of the Department of Business Regulation with a financial statement audited by an independent certified public accountant; providing criteria for waiver of the filing requirement by the department; amending s. 478.131(4), Florida Statutes; renumbering s. 478.131(5), Florida Statutes, and adding a new subsection (5) to said section; requiring the division to charge an initial fee to subdividers seeking exemptions; requiring the division to charge a fee to subdividers who seek certain material changes of their offering; amending s. 478.141(4), Florida Statutes; requiring the division to examine

each applicant for registration to determine that the subdivider or the officers, directors, and stockholders of a corporate applicant have not been convicted within a specified period of certain crimes; adding s. 478.151(5), Florida Statutes; requiring subdividers whose books and records are located outside Florida to provide originals or copies or to pay division expenses to examine same; amending s. 478.221(3)(a), (b), (4), Florida Statutes, 1976 Supplement; providing for exemptions; requiring a set fee for an exemption advisory opinion from the divisions; amending s. 478.23(1)(c), Florida Statutes, 1976 Supplement; prescribing certain preconditions which must be met before a person may solicit by long distance telephone for the disposition of, or participation in, the disposition of any interest in subdivided lands required to be registered; amending s. 478.31(2), Florida Statutes; increasing the filing fee for registration as a salesman and increasing the renewal fee; providing an effective date.

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

By Senators Spicola, Castor and McClain—

SB 1196—A bill to be entitled An act relating to the Florida State Fair Authority; authorizing the Division of Beverage of the Department of Business Regulation to issue a beverage license to the Florida State Fair Authority for the use within the buildings known as Exposition Building, Exhibition Building, and Old MacDonald's Farm; providing limitations on use; providing for application for such license; requiring competitive bidding on contracts; prohibiting contracting with any discriminatory business; providing for transfer of license; providing an effective date.

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

By Senator Gordon (by request)—

SB 1197—A bill to be entitled An act relating to public health; providing for the addition of fluoride to public water supply systems under certain conditions; providing for regulation of the fluoride content in public water systems by the Department of Health and Rehabilitative Services; providing for rules; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services; Governmental Operations; and Economic, Community and Consumer Affairs.

By Senator Gordon—

SB 1198—A bill to be entitled An act relating to medical practice; amending s. 458.06(2), Florida Statutes; increasing the annual license fee for physicians; providing that no certificate of registration be issued to a physician not completing courses in continuing medical education; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services; and Finance, Taxation and Claims.

By Senators Winn, Gordon, Graham, Henderson, Zinkil, Lewis and Myers—

SB 1199—A bill to be entitled An act relating to pari-mutuel wagering; increasing the commissions on pari-mutuel pools for dog and horse races and jai alai contests to 17.6 percent; providing designation of said funds; repealing chapter 75-42, Laws of Florida, relating to dog and horse tracks and jai alai frontons; providing an effective date.

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

By Senator Holloway—

SB 1200—A bill to be entitled An act relating to candidates; amending s. 97.011, Florida Statutes, to include chapters 105 and 106, Florida Statutes, relating to nonpartisan elections for judicial officers and to campaign financing, within "The Florida Election Code"; amending s. 99.012(3), Florida Statutes, and adding new subsections; providing that certain resignation procedures prior to qualifying for public office apply to any individual holding office instead of only to incumbent public

officers; prohibiting any individual from qualifying for public office who has not resigned his office as otherwise required in said section; prohibiting an individual who resigns from being appointed to fill the remainder of the term of the office he resigned from; providing for enforcement by the Florida Elections Commission; providing an effective date.

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

By Senators Gordon, Barron, Wilson, Tobiassen, Plante, Pat Thomas and Skinner—

SB 1201—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 procedure for appointment and term of office; providing an effective date.

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

By Senators Dunn, Spicola, Winn, Plante, Wilson, Gorman, Vogt, Poston, Ware, Glisson, Castor, Graham, Holloway, Peterson, Gallen, Firestone, Skinner, Scott, Pat Thomas, Trask, McClain, Johnston and Tobiassen—

SB 1202—A bill to be entitled An act relating to taxation; authorizing counties to levy a tourist development tax on the renting or leasing of tourist accommodations; providing for collection and remittance of the tax to the Department of Revenue; requiring the department to keep records and make monthly payments of such tax revenues to the taxing county; providing that such tax be levied by a county ordinance; providing requirements for such ordinance; requiring the establishment of a tourist development council prior to the levying of such tax and requiring such council to prepare a plan for tourist development; providing requirements of the plan; providing purposes for which tax revenues may be used; requiring a referendum election if the tax is to be levied for more than 2 years; authorizing the county to issue bonds for certain purposes and under certain conditions; providing penalties for failing or refusing to charge or collect the tax or advertising that the tax will be refunded, absorbed or not charged; providing for a tax lien; providing an effective date.

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

By Senator Jon Thomas—

SB 1203—A bill to be entitled An act relating to geriatric outpatient nurse clinics; providing legislative intent; providing definitions; amending s. 400.141(3), Florida Statutes, providing guidelines for participation by nursing facilities in the operation of geriatric outpatient nurse clinics; providing for an evaluation; providing for a report to the Legislature; providing an effective date.

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

By Senator Plante—

SB 1204—A bill to be entitled An act relating to sanitarians; amending s. 491.06, Florida Statutes, relating to the qualifications for registration as a sanitarian; providing an effective date.

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

By Senator Trask—

SB 1205—A bill to be entitled An act relating to the County Water and Sewer District Law; amending s. 153.53(2)(c) and (3)(a), Florida Statutes, 1976 Supplement, providing that certain petitions used to establish a water and sewer district in an unincorporated area may, rather than shall, call for an election of the first board of commissioners of the district; providing that the board of county commissioners may call an election for three commissioners for said water and sewer districts if it determines, in its discretion, that such governing

body is in the best interests of the county; providing an effective date.

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

By Senator Trask—

SB 1206—A bill to be entitled An act relating to the New Communities Act of 1975; amending s. 163.603, Florida Statutes, 1976 Supplement, deleting an exemption for certain special road and bridge districts; providing an effective date.

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

By Senator Trask (by request)—

SB 1207—A bill to be entitled An act relating to guardianship; amending s. 744.331(5)(c), Florida Statutes, providing that any county required to pay fees to any committee or attorney with respect to the adjudication of an alleged incompetent under the guardianship law shall have a lien against the guardianship property with respect to such fees; adding subsection (5) to s. 744.387, Florida Statutes, directing the court to enter an order approving the reimbursement to such a county out of the assets or income of the guardian's estate; providing an effective date.

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

SB 1208 was withdrawn by Senator Holloway on April 27.

By Senator Skinner—

SB 1209—A bill to be entitled An act relating to the public school system; creating s. 232.0225, Florida Statutes, to allow absence from school attendance for participation in religious instruction under certain circumstances; providing an effective date.

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

By Senator Vogt—

SB 1210—A bill to be entitled An act relating to refunding moneys erroneously paid into the State Treasury; amending s. 215.26(2), Florida Statutes; permitting the Comptroller to delegate to certain state agencies the authority to accept applications for refund of moneys claimed; providing for application forms; designating the duties of these state agencies with respect to applications for refund; providing an effective date.

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

By Senator Peterson—

SB 1211—A bill to be entitled An act creating the "Florida Psychological and Allied Services Practice Act"; providing definitions; creating the Florida Psychological and Allied Practices Board within the Division of Professions of the Department of Professional and Occupational Regulation to replace the present Florida State Board of Examiners of Psychology; providing for composition, terms, officers, meetings, and expenses of the members; requiring persons to obtain a license to practice psychology, marriage and family counseling, or clinical social work; providing for application, license, and renewal fees; providing procedures and requirements for licensure; providing prerequisite qualifications; providing for examinations; requiring display of licenses; authorizing waiver of, and exemption from, licensure requirements in certain cases; grandfathering in licensed psychologists and certain other persons; providing qualifications for practicing psychologists, marriage and family counselors, and clinical social workers; providing procedures for renewal, refusal to grant or renew, revocation, suspension, or reinstatement of a license; providing for injunctive relief; providing for cease and desist orders; providing for the disposition of fees; providing penalties; amending ss. 20.30(9)(o) and 215.37(1), Florida Statutes, to conform to the provisions of the act; repealing chapter 490, Florida Stat-

utes, as amended, which provides for the regulation and licensure of psychologists; providing an effective date.

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

By Senator Gordon—

SB 1212—A bill to be entitled An act relating to the Beverage Law; amending s. 561.20(2)(a), Florida Statutes, 1976 Supplement; authorizing the issuance of special licenses to grocery stores and providing for a local option on such issuance; repealing s. 565.04, Florida Statutes, relating to package store restrictions; creating ss. 561.66, 561.67, Florida Statutes; creating a statewide trust fund for the compensation of holders of certain vendors' licenses, to be funded by fees imposed on grocery store licensees; providing eligibility, application, and amount requirements for such compensation; providing procedures in case of trust fund deficiency; providing that a license surrendered to the state be auctioned by the Division of Beverage; adding s. 561.01(12), Florida Statutes; providing a definition for "net purchase price"; amending ss. 561.50, 561.55(1), Florida Statutes; providing that the beverage tax be paid as a percentage of the net purchase price of alcoholic beverages; providing for remittance of tax and filing of required reports to the Division of Beverage of the Department of Business Regulation for the previous calendar month; amending ss. 563.05, 564.06, 565.12, Florida Statutes; providing that the beverage tax on malts, wines, and liquors be a percentage of the net purchase price; providing an exemption; deleting requirement for payment of tax by vendors; deleting exemption with respect to beverages sold to post exchanges, ship service stores, and base exchanges; deleting manufacturer's and bottler's discount for losses from shrinkage and waste in bottling; providing for levy and payment of tax on alcoholic beverages in possession of a distributor on October 1, 1977; appropriating surplus tax receipts to the Department of Education; providing for allocation by the department for public schools, community colleges, and state universities; providing an effective date.

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

By Senator Scott—

SB 1213—A bill to be entitled An act relating to guardianship; amending s. 744.337(1), Florida Statutes; providing that when a petition for appointment alleges that the person has been adjudicated incompetent the court shall hear the petition without notice if it is filed at the conclusion of the adjudication hearing; amending ss. 744.441, 744.444, Florida Statutes, providing that certain acts which require court approval may be performed without such approval and providing that certain acts which do not require court approval shall require such approval; providing an effective date.

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

By Senators Trask and Peterson—

SB 1214—A bill to be entitled An act relating to husband and wife; amending s. 741.24, Florida Statutes, relating to civil actions against parents for willful destruction or theft of property by minors; providing for recovery against parents of a minor for theft of property; increasing amount recovered to \$2,500; providing an effective date.

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

By Senator Holloway—

SB 1215—A bill to be entitled An act relating to eminent domain; amending s. 73.071(4), Florida Statutes, relating to jury trial for determination of compensation in certain eminent domain actions; providing that any enhancement in value in remaining adjoining property of a defendant property holder shall be offset against the value of the property appropriated; providing an effective date.

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

By Senators Williamson and Plante—

SB 1216—A bill to be entitled An act relating to the corporate income tax; creating s. 220.141, Florida Statutes; providing an exemption for any income of a corporation derived from the sale, manufacture, or installation of solar heating and cooling equipment; providing a period of time for which the exemption is applicable; providing procedures; providing an effective date.

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

By Senator Gallen—

SB 1217—A bill to be entitled An act relating to limitations of actions; amending s. 95.031(2), Florida Statutes; reducing the period in which suits may be filed in certain actions for products liability and fraud; providing an effective date.

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

By Senators Peterson and Trask—

SB 1218—A bill to be entitled An act relating to arrests; creating s. 901.35, Florida Statutes, providing that probable cause affidavits need not be sworn to and subscribed; providing language for such affidavits; providing an effective date.

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

By Senator Scott—

SB 1219—A bill to be entitled An act relating to principal and income; amending s. 738.01(2), Florida Statutes; providing for a definition of inventory value excluding a provision for testamentary trusts; amending s. 738.03(1)(b) and (e), Florida Statutes; providing for proper statutory references; amending s. 738.06(2), Florida Statutes; providing for clarification regarding when a corporate distribution is principal; amending s. 738.07, Florida Statutes; providing for clarification regarding bond premiums and discount for certain bonds payable pursuant to a fixed schedule; providing an effective date.

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

By Senator Plante—

SB 1220—A bill to be entitled An act relating to terminal payment for accumulated sick leave credits for state officers and employees; amending s. 112.20(3), Florida Statutes; providing for terminal pay for accumulated sick leave; providing an effective date.

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

By Senator Gordon—

SB 1221—A bill to be entitled An act relating to licensing of health care professionals; requiring the applicable state licensing boards to grant limited licenses to practice in this state to certain physicians, osteopathic physicians, chiropractors, podiatrists, optometrists, pharmacists, dentists, dispensing opticians, physical therapists, and psychologists who are licensed in other states; providing restrictions on such licenses; providing for supervision and annual review of such licensees; repealing s. 458.056, Florida Statutes, as created by chapter 76-219, Laws of Florida, which provides similar provisions applicable only to physicians; providing an effective date.

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

By Senator Williamson—

SB 1222—A bill to be entitled An act relating to workmen's compensation; amending s. 440.32, Florida Statutes; providing a penalty for filing a claim for compensation with fraudu-

lent intent and obtaining benefits by such false claim; providing an effective date.

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

By Senator Williamson—

SB 1223—A bill to be entitled An act relating to the Workmen's Compensation Law; adding s. 440.02(20), (21), Florida Statutes; defining the terms "substantially the whole of 13 weeks" and "weekly compensation rate"; amending s. 440.13(1) and adding s. 440.13(4), Florida Statutes; requiring medical reports to be filed with the Bureau of Workmen's Compensation of the Division of Labor of the Department of Commerce; providing for the introduction of medical reports in evidence; requiring the physician to furnish copies of medical reports to the injured employee or to his attorney; permitting an injured employee to receive reasonable actual cost of transportation to and from the doctor's office, hospital, or other place of treatment; amending s. 440.20(5), (10), Florida Statutes; renumbering s. 440.20(11), Florida Statutes, and adding new subsections (11) and (13) to said section; providing for waiver by the claimant of such claimant's right to claim a penalty for delay in payment of any installment of compensation payable without an award; requiring a judge of industrial claims to make any investigation necessary in each case where the parties have stipulated that a proposed final settlement of all liability of the employer shall not be subject to modification or review under s. 440.28, Florida Statutes, and prescribing procedures to be followed in such an investigation; prescribing procedure for discharging an employer from liability for future payments of compensation; providing for reimbursement to an employer for payments of compensation and medical benefits where certain conditions exist; amending s. 440.25(3)(c), (4)(b), Florida Statutes; requiring a copy of the compensation order to be sent by certified mail to the parties; relieving an appellant from having to make a deposit or paying the cost for the preparation of a transcript of the proceedings for use on appeal in certain instances; providing an effective date.

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

By Senator Graham—

SB 1224—A bill to be entitled An act relating to police officers' retirement; amending s. 185.03, Florida Statutes; authorizing the creation of police officers' retirement trust funds by chartered counties; amending s. 185.03, Florida Statutes; authorizing the creation of police officers' retirement trust funds by chartered counties; amending ss. 185.07, 185.08(1), Florida Statutes; providing that such trust fund be funded by deductions from salaries; fines and forfeitures from policemen, county contributions; gifts bequests and devises, interest, other sources and an excise or license tax upon casualty insurance premiums on policies covering property within certain areas of such counties; amending s. 185.35(1), (2), Florida Statutes; providing for the participation in the distribution of such tax by chartered counties with their own pension plans; amending ss. 185.02(1), (5), (6), 185.05, 185.06(1), (3), 185.061(7), 185.09, 185.10, 185.11, 185.14, 185.15, 185.16, 185.18(1), (3), (5), (8), 185.19, 185.21, 185.221, 185.231, 185.232, 185.24, 185.27, 185.29, 185.30, 185.31, and 185.37(3)(b)-(d), Florida Statutes, relating to the creation of a board of trustees, powers of the trustees, duties of the Insurance Commissioner and the Department of Insurance, contributions, requirements for retirement, benefits refunds, and other procedures and requirements relating to the trust fund, to conform to this act; repealing s. 185.32, Florida Statutes, relating to exemptions from the chapter; providing an effective date.

—was read the first time by title and referred to the Committees on Personnel, Retirement and Collective Bargaining; Economic, Community and Consumer Affairs; and Finance, Taxation and Claims.

By Senator Hair—

SJR 1225—A joint resolution proposing an amendment to Section 9, Article XII of the State Constitution, relating to bonds for the acquisition and construction of roads, to continue the state tax, designated the "second gas tax", to permit such bonds to be secured by other legally available revenues, and to

authorize the use of the proceeds of such tax for the maintenance of roads.

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

By Senator Gordon—

SB 1226—A bill to be entitled An act relating to the municipal utility tax; amending s. 166.231, Florida Statutes; authorizing municipality to tax the purchase of kerosene and fuel oil; providing that the municipal utility tax shall be at a uniform rate; revising the base upon which such tax is levied from a percentage of the utility bill to a physical unit base for purchases of electricity, metered or bottled gas (natural liquefied petroleum gas or manufactured), fuel oil and kerosene, and water service; deleting the exemption for fuel adjustment charges and the requirement that such charges be stated separately on the bill; providing that competitive services shall be taxed on a comparable base at the same rates; providing exemption from tax on electricity on the first 500 kilowatt hours purchased for residential use; providing that such exemption apply to each separate residential unit; providing method for implementation of the new tax rate structure and tax base; authorizing municipality to amend its tax rate by ordinance in years subsequent to the year of conversion to a physical unit tax; providing an effective date.

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

By Senator Plante—

SB 1227—A bill to be entitled An act relating to banks and banking; creating s. 674.106, Florida Statutes, under the Uniform Commercial Code; defining the status of a branch or separate office of a bank for certain purposes; classifying a drive-in or walkup facility operated pursuant to s. 659.06(2)(b), Florida Statutes, 1976 Supplement, as a separate office for the purposes of this section; providing an effective date.

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

By Senator Zinkil—

SB 1228—A bill to be entitled An act relating to campaign financing; amending s. 106.08(1), Florida Statutes, reducing the maximum allowable amount of campaign contributions by any person or political committee; amending s. 106.09(1) and (2), Florida Statutes, reducing the maximum allowable cash contribution which may be made without a required contribution statement; providing an effective date.

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

By Senator Myers—

SB 1229—A bill to be entitled An act relating to education; amending s. 236.081(1)(c), (d), (2), Florida Statutes, 1976 Supplement; providing for the establishment of the Minimum Performance in Basic Skills (MINPERBS) program; providing the cost factor to be used in determining the funding of such program; providing for the review of MINPERBS programs in the allocation of full-time equivalents; authorizing the State Board of Education to adopt criteria for the identification of students qualifying for the program and providing the basis of such criteria; providing for percentage allocation of MINPERBS funds to districts; providing MINPERBS services to students regardless of federal status; providing for coordination with early childhood and basic skills development programs; providing an appropriation; amending s. 229.551(1)(f), Florida Statutes, 1976 Supplement, redesignating paragraph (g) of said subsection, and adding a new paragraph (g) to said section; amending ss. 229.565(2)(c), 229.57(1), (2)(c), (d), 230.2311(4), 232.245(2), (3), 237.34(2)(b), Florida Statutes, 1976 Supplement; providing for administration, evaluation, review, coordination, and cost reporting for such program and for the training of teachers and education of parents; providing an effective date.

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

By Senators Pat Thomas, Barron, W. D. Childers, Ware, Peterson, Gordon, Castor, Skinner, Hair, Renick, Gallen, Trask, Spicola, Firestone, Winn, Poston, Tobiassen, Jon Thomas, Graham, Brantley, Dunn, MacKay, Scarborough, Vogt, Plante, Don Childers, Lewis, Gorman, Chamberlin, Holloway, Williamson, Henderson, Scott, Glisson, McClain and Zinkil—

SB 1230—A bill to be entitled An act relating to the State University System; creating s. 240.145, Florida Statutes, prohibiting the merger of state universities without legislative approval; providing an effective date.

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

By the Committee on Commerce—

SB 1231—A bill to be entitled An act relating to unemployment compensation; amending s. 443.03(5)(a), (b), (d), (i), (l), (n), (o), (7), (11), (13)(b), Florida Statutes; redefining the terms "employment", "employer", "state", and "wages" for the purposes of the Unemployment Compensation Law; adding s. 443.03(17), Florida Statutes; defining "educational institution" for the purposes of such law; amending s. 443.04(5)(a), Florida Statutes; redefining "national and state 'on' and 'off' indicators" and "exhaustee" for the purposes of payment of extended benefits; amending s. 443.05(3), Florida Statutes; providing eligibility conditions for benefits based on services performed for educational institutions or institutions of higher education; adding s. 443.05(5), (6), (7), Florida Statutes; establishing benefit eligibility conditions for individuals participating in sports or athletic events or training therefor; providing that wages for insured work include wages paid for previously uncovered services; providing that certain benefits paid to individuals whose base period wages include wages for previously uncovered services not be charged to the employer or the employer's experience rating account; amending s. 443.06(1), (7), Florida Statutes; deleting pregnancy as an exception to good cause for separation from employment; providing for the denial of benefits based on alien status; amending s. 443.08(5), Florida Statutes; providing optional methods of financing benefits paid to employees of governmental entities; amending s. 443.09(2)(c), Florida Statutes; providing for termination of coverage by governmental entities; repealing s. 443.08(6), Florida Statutes, relating to financing of benefits paid to employers of political subdivisions of the state; providing an effective date.

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

By Senators W. D. Childers, Holloway and Poston—

SB 1232—A bill to be entitled An act relating to the licensing of the construction industry; amending ss. 468.102(1), 468.103, 468.105-468.109, 468.110(1), 468.112(2), 468.113(2), 468.114(2), (7), Florida Statutes; redefining terms; prescribing membership of the Florida Construction Industry Licensing Board; deleting obsolete language; requiring state registered contractors to comply with local requirements unless state certification is obtained; providing for special registration to specialty contractors; requiring the state certification and registration to be conspicuously displayed in the contractor's primary place of business; setting standards, qualifications for and categories of certification; requiring credit report for applicants for certification; providing for forfeiture of application fee; requiring board to furnish written grounds for denial of permission to take examination and to supply notice of right to hearing to applicant denied permission to take certification examination; providing certain requirements to be met by business organizations engaging in contracting; authorizing certified public records of board to be received in evidence; requiring registered and certified contractors to affix license numbers to contracts and bids; providing procedure for qualifying more than one business entity; providing for expiration and renewal of certificates and registration; prescribing fee to change from inactive to active status; increasing initial fees for certification and registration; providing for biennial renewal fees; providing that examination papers are confidential and that applicant may waive confidentiality; prescribing grounds for disciplinary action; clarifying subcontractor exemptions; providing an effective date.

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

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 HB 62 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Kutun and others—

HB 62—A bill to be entitled An act relating to arrests; adding subsection (6) to s. 901.15, Florida Statutes, authorizing a peace officer to arrest a person without a warrant if the officer has probable cause to believe that the person has committed a battery upon the person's spouse and the officer finds evidence of bodily harm or reasonably believes that there is danger of further violence; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 577 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hodges and others—

HB 577—A bill to be entitled An act relating to purchasing; creating s. 287.095, Florida Statutes, prohibiting the purchase by public agencies of fresh or frozen imported beef for certain purposes; providing a penalty; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1086 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Williams—

HCR 1086—A concurrent resolution recognizing the exemplary services performed and accomplishments attained by Mike Slater and the coaching staff of the Florida School for the Deaf and the Blind in leading the school to a perfect football record for the 1976 football season and designation as national champions.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1238 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative McKnight and others—

HB 1238—A bill to be entitled An act relating to the naming of state buildings; renaming the Florida City State Farmers Market as the "George H. Cooper, Sr., Farmers Market at Florida City"; 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 as amended HB 1107 and HB 671 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Girardeau and others—

HB 1107—A bill to be entitled An act relating to public meetings; amending s. 286.011, Florida Statutes, which provides that meetings of state and local agencies shall be open to the public, to include all appellate courts and to provide for assessment of attorneys' fees against agencies and certain individuals found in violation of said section; authorizing the award of attorney's fees under certain circumstances; prohibiting public meetings at certain locations; providing for reimbursement of attorney's fees under certain circumstances; providing an effective date.

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

By Representative Ready—

HB 671—A bill to be entitled An act relating to the preservation of wild trees, shrubs and plants; amending s. 865.06(1), (2)(b), and (4), Florida Statutes; adding and deleting plants from the list of protected plants; authorizing the Department of Agriculture and Consumer Services to promulgate an endangered plant list; prohibiting certain activities respecting endangered plants; providing a penalty; providing an effective date.

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

The Senate recessed at 8:40 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—39:

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

Excused: Senator Graham until 9:50 a.m.

Prayer by Bishop Rene Gracida, Catholic Diocese of Pensacola-Tallahassee

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following bills be placed on Special Order Calendar for Friday, April 29, 1977:

CS for SB 223	SB 468	SB 535	SB 487
CS for SB 297	SB 599	CS for SB 319	SB 508
SB 408	SB 308	SB 42	HB 93
SB 686	SB 235	SB 311	HB 121
SB 595	CS for SB 130	SB 271	SB 768
HB 751	SB 132	SB 276	
SB 467	CS for SB 176	SB 447	

Respectfully submitted,
Tom Gallen
Chairman

The Committee on Economic, Community, and Consumer Affairs recommends the following pass: SB 429, SB 375

The Committee on Education recommends the following pass: SB 929

The Committee on Health and Rehabilitative Services recommends the following pass: CS for HB 334, HB 35

The Committee on Judiciary-Criminal recommends the following pass: HB 631 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass:

SB 793 with 1 amendment SB 833 with 1 amendment

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 70, SB 444 with 1 amendment

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

The Committee on Governmental Operations recommends the following pass: HB 534 with 2 amendments

The Committee on Judiciary-Civil recommends the following pass: SB 792

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

The Committee on Health and Rehabilitative Services recommends the following pass: SB 967 with 1 amendment

The Committee on Judiciary-Civil recommends the following pass: HB 1455

The Special Master for Claim Bills recommends the following pass: SB 1041 with 1 amendment

The Committee on Economic, Community, and Consumer Affairs recommends the following pass: SB 157 with 2 amendments

The Committee on Transportation recommends the following pass: SB 612 with 2 amendments

The bills were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Economic, Community, and Consumer Affairs recommends the following pass:

SB 439 SB 440 with 3 amendments SB 927

The bills were referred to the Committee on Governmental Operations under the original reference.

The Committee on Judiciary-Civil recommends the following pass: SB 880 with 2 amendments

The bill was referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Economic, Community, and Consumer Affairs recommends the following pass: SB 649 with 2 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 827

The bills contained in the foregoing reports were referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Commerce recommends the following pass: SB 1251 with 5 amendments

The Committee on Corrections, Probation and Parole recommends the following pass: HB 1129 with 3 amendments

The Committee on Economic, Community, and Consumer Affairs recommends the following pass: SB 81, CS for SB 462

The Committee on Education recommends the following pass: SB 786 with 1 amendment

The Committee on Finance, Taxation and Claims recommends the following pass:

CS for SB 200 (by Committee on Commerce) with 1 amendment	SB 590 with 1 amendment
SB 221 with 1 amendment	SB 684 with 2 amendments
	SB 784
	SB 785 with 1 amendment

The Committee on Governmental Operations recommends the following pass:

SB 547	SB 883	HB 261	HB 1581
SB 743	SB 949		

The Committee on Health and Rehabilitative Services recommends the following pass: SB 727

The Committee on Judiciary-Civil recommends the following pass:

SB 352 with 1 amendment	SB 920 with 1 amendment
SB 398	SB 974

The Committee on Judiciary-Criminal recommends the following pass:

SB 767 with 5 amendments	SB 742	SB 646
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The Committee on Natural Resources and Conservation recommends the following pass:

SB 843 with 3 amendments	SB 860	SB 984
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The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 84

The Committee on Transportation recommends the following pass:

SB 266	HB 779
SB 577 with 2 amendments	SB 556
SB 764	

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

The Committee on Education recommends a Committee Substitute for the following: SB 239

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

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 983

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

The Committee on Education recommends a Committee Substitute for the following: SB 869

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

The Committee on Commerce recommends a Committee Substitute for the following: SB 250

The bill with Committee Substitute attached was referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Commerce recommends a Committee Substitute for the following: SB 475

The Committee on Economic, Community, and Consumer Affairs recommends a Committee Substitute for the following: SB 411

The Committee on Judiciary-Criminal recommends a Committee Substitute for the following: SB 960

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

The Committee on Governmental Operations recommends the following not pass: SB 678, SB 884

The Committee on Judiciary-Criminal recommends the following not pass: SB 835

The Committee on Transportation recommends the following not pass: SB 397

The Committee on Economic, Community, and Consumer Affairs recommends the following not pass: SB 677

The bills contained in the foregoing reports were laid on the table.

Bill Referred to a Select Subcommittee

SB 696 has been referred to a select subcommittee of the Committee on Education composed of Senators Gordon, Castor, Lewis, Ware and MacKay. The select subcommittee will report to the Committee on May 5.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Castor, the rules were waived and by two-thirds vote SB 425 was withdrawn from the Committee on Commerce.

On motion by Senator Peterson, the rules were waived and by two-thirds vote SB 153 was withdrawn from the Committee on Commerce.

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 1062, 1065, 1067 and House Bills 1048 and 1047 were withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Poston, the rules were waived and by two-thirds vote SB 952 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Ware, the rules were waived and by two-thirds vote SB 105 was withdrawn from the committee of reference and indefinitely postponed.

REQUESTS FOR EXTENSION OF TIME

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

SB 738 by Senator Firestone	SB 741 by Senator Firestone
SB 739 by Senator Firestone	SB 744 by Senator Henderson
SB 740 by Senator Firestone	

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 795 by Senator Lewis
SB 549 by Senator Pat Thomas	HB 441 by Representative Hazelton and others
SB 603 by Senator Castor	
SB 669 by Senator Pat Thomas	

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

SB 169 by Senator Castor	SB 474 by Senator MacKay
SB 260 by Senator Jon Thomas	SB 497 by Senator MacKay
	SB 503 by Senator Peterson
SB 338 by Senator Castor	SB 506 by Senator Peterson
SB 356 by Senator Spicola	SB 536 by Senator Peterson
SB 369 by Senators Plante and Saylor	(by request)
	SB 545 by Senator Castor
SB 449 by Senator Skinner	SB 565 by Senator Skinner
SB 454 by Senators MacKay and Spicola	SB 774 by Senator Johnston

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

SB 735 by Senator Dunn, Winn, Firestone and Castor

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for the consideration of the following:

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| SB 52 by Senator Dunn | SB 285 by Senator Graham |
| SB 54 by Senator Spicola | SB 301 by Senator Spicola |
| SB 106 by Senator Skinner | SB 306 by Senator Lewis |
| SB 110 by Senator Jon Thomas | SB 328 by Senator Gallen |
| SB 154 by Senator Peterson | SB 332 by Senator Gallen |
| SB 160 by Senator Saylor | SB 340 by Senator Skinner |
| SB 167 by Senator Saylor | SB 349 by Senator Peterson |
| SB 191 by Senator Henderson | SJR 367 by Senators Saylor and Henderson |
| SB 208 by Senators Saylor and Johnston | SB 406 by Senator Myers |
| SB 234 by Senator Jon Thomas | SB 413 by Senator Tobiassen |
| SB 267 by Senator Winn | SB 435 by Senator MacKay |
| SB 268 by Senator Saylor | SB 485 by Senator Skinner |
| SB 284 by Senator Graham | SB 504 by Senator Peterson |
| | SB 567 by Senator Lewis |
| | SB 597 by Senator Lewis |
| | SB 619 by Senator Winn |

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for the consideration of the following:

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|----------------------------------|---------------------------------------|
| SB 762 by Senator Saylor | SB 890 by Senator Graham |
| SB 787 by Senator W. D. Childers | SB 913 by Senator Graham |
| SB 815 by Senator Lewis | SB 918 by Senator Jon Thomas |
| SB 822 by Senator Johnston | SB 924 by Senator McClain |
| SB 823 by Senator Johnston | HB 25 by Representative Sidney Martin |
| SB 839 by Senator W. D. Childers | HB 1180 by Representative Sample |
| SB 853 by Senator Graham | |
| SB 862 by Senator Glisson | |

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

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|-----------------------------|---------------------------------------|
| SB 60 by Senator Spicola | SB 754 by Senator Poston |
| SB 99 by Senator Holloway | SB 758 by Senator Wilson |
| SB 151 by Senator Zinkil | SB 791 by Senator Scarborough |
| SB 170 by Senator Poston | SB 838 by Committee on Transportation |
| SB 240 by Senator Zinkil | SB 841 by Senator Poston |
| SB 288 by Senator Graham | SB 859 by Senator Firestone |
| SB 470 by Senator Gallen | SB 881 by Senator Lewis |
| SB 496 by Senator Poston | SB 882 by Senator Graham |
| SB 562 by Senator Renick | SB 903 by Senator Scarborough |
| SB 564 by Senator Henderson | SB 930 by Senator Plante |
| SB 571 by Senator Poston | HB 933 by Transportation Committee |
| SB 626 by Senator Renick | HB 1405 by Transportation Committee |
| SB 627 by Senator Renick | |
| SB 639 by Senator McClain | |
| SB 640 by Senator Holloway | |
| SB 697 by Senator Graham | |

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 820.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 515.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed in the office of the Secretary of State SB 278 which he had approved April 28, 1977.

Appointments Subject to Confirmation by the Senate

The Secretary of State on April 27, 1977 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:

Elizabeth Ann W. Lawrence, Live Oak; Member, Board of Examiners of Nursing Home Administrators, for term ending January 16, 1981

—which was referred to the Committee on Executive Business.

The Secretary of State on April 27, 1977 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:

Robert H. Hazel, Vero Beach; Member, Board of Trustees of the Indian River Community College, for term ending May 31, 1978

—which was referred to the Committee on Executive Business.

SPECIAL ORDER CALENDAR

By the Committee on Economic, Community and Consumer Affairs and Senators Glisson and Don Childers—

CS for SB 223—A bill to be entitled An act relating to mobile home parks; providing legislative findings and definitions; limiting the act to mobile home parks containing 50 or more dwelling units; creating a State Mobile Home Tenant-Landlord Commission composed of seven members appointed by the Governor; creating a State Mobile Home Tenant-Landlord Trust Fund consisting of certain funds deposited by the commission; requiring owners of mobile home parks with 50 or more units to register with the commission and to pay a \$1 fee per dwelling unit to the commission to be deposited in said trust fund; authorizing the charging of tenants therefor; providing for the powers of the commission; requiring the commission to hold hearings at mobile home parks upon the petition of 51 percent or more of mobile home park tenants who are subject to increases in rental fees or service charges; requiring park owners to notify tenants of rate increases as of November 1 of each year for the succeeding year; requiring tenants to petition the commission within a certain time period; directing the commission to resolve rental or service charge increase problems; directing the commission to make certain rules; directing the commission to examine rental or service charge increases which went into effect January 1, 1977, under certain circumstances; providing for representation, appeal procedure and enforcement; providing an effective date.

—was read the first time by title and SB 223 was laid on the table.

On motion by Senator Glisson, by two-thirds vote CS for SB 223 was read the second time by title.

Senators Saylor, Glisson and Ware offered the following amendment which was moved by Senator Glisson and adopted:

Amendment 1—On page 5, line 26, strike "Tallahassee" and insert: St. Petersburg

Senator Glisson moved the following amendments which were adopted:

Amendment 2—On page 5, line 7, strike "50" and insert: 100

Amendment 3—On page 3, line 28, strike "50" and insert: 100

Amendment 4—On page 2, strike all of lines 4 through 24

Amendment 5—On page 7, line 6, insert: If the increases sought by the park owner together with all rental increases experienced by the tenants for the preceding 5 years exceed

the cumulative costs of living increases for the same period; then such proposed increases shall not be exempted from this commission's jurisdiction.

Amendment 6—On page 7, line 4, strike "licensed" and insert: increased

Amendment 7—On page 10, line 5, add new Section 14 and renumber subsequent sections:

Section 14. It is hereby declared to be the legislative intent that this act shall preempt to the state all control of mobile home rents in mobile home parks subject to this act, and all units of local government are prohibited from legislating with respect to the same. The jurisdiction of the commission with respect to rents in mobile home parks subject to this act shall be exclusive, and all proceedings under this act shall be held according to Chapter 120 except for the appeal procedure.

Amendment 8—On page 9, line 8, strike "final results of the appeal." and insert: circuit court, as provided in s. 83.763(3). Florida Statutes

Amendment 9—Strike everything after the period and all of lines 29, 30, and 31 of page 6 and all of lines 1 through 6 on page 7 and insert: Subsection (2) to read:

(2) The increased costs to the owners of a mobile home park attributable to increases in utility rates, property taxes, fluctuation in property value, governmental assessments, cost of living increases attributable to and relevant to incidental services, normal repair and maintenance (and capital improvements not otherwise promised or contracted for may be passed on to the tenants or prospective tenants in the form of increased rental or service charges if such increases are reasonable and justified under the facts and circumstances of the particular case. Provided, however, the provisions of this subsection shall not be cumulative to the provisions of subsection (1) herein.

Senator Gallen moved the following amendment which was adopted:

Amendment 10—On page 2, line 27, insert: Section 1. This act shall be known and may be cited as "The Glisson Act."

(Renumber subsequent sections.)

Senator Glisson moved the following amendment which was adopted:

Amendment 11—In title, strike "50" and insert: 100

On motion by Senator Glisson, by two-thirds vote CS for SB 223 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—4

Childers, W. D.	Myers	Scarborough	Tobiassen
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Votes after roll call:

Yeas—Dunn and Graham

Senator Trask moved that the Senate reconsider the vote by which CS for SB 223 passed.

The motion was placed on the calendar for consideration May 2, 1977.

Consideration of SB 297 was deferred.

SB 408—A bill to be entitled An act relating to dental hygienists; amending s. 466.39, Florida Statutes, 1976 Supplement; requiring each dental hygienist to complete specified hours of continuing professional education biennially prior to license renewal; providing for the adoption of guidelines and rules for the continuing education program; providing exceptions; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 408 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—2

Chamberlin	Plante
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Votes after roll call:

Yeas—Dunn and Graham

SB 686—A bill to be entitled An act relating to estates of decedents; repealing s. 731.108, Florida Statutes, relating to waiver by interested party; amending s. 731.110, Florida Statutes, providing that caveat proceedings apply to any person; amending s. 731.301(1)(c) and (2)(b), Florida Statutes, providing for a verified statement instead of an affidavit; amending s. 731.302, Florida Statutes, providing clarification as to who may waive any right or notice, and consent to actions or proceedings under the Florida Probate Code; amending s. 731.303(2) and (4), Florida Statutes, providing order binding a sole holder or all coholders of a general power of appointment binds others; providing when notice must be given; amending s. 732.106, Florida Statutes, providing that heirs, instead of issue, conceived before but born after decedent's death may inherit; amending s. 732.205, Florida Statutes, providing for elimination of reference to dower rights; amending s. 732.301(1), Florida Statutes, providing for waiver and clarifying marriage contract to be a prenuptial or postnuptial agreement; amending s. 732.402, Florida Statutes, providing that exempt property rights have priority over all claims other than a perfected security interest in exempt property; amending s. 732.502(1), Florida Statutes, providing method for testator and witnesses to execute a will; amending s. 732.503, Florida Statutes; providing that, in the self-proof of will oath, the undersigned declares that the testator signed in the presence of witnesses; providing for the notary seal; amending s. 732.505, Florida Statutes, providing for revocation by a subsequent inconsistent codicil; amending s. 732.702(1), Florida Statutes, providing which rights may be waived; amending s. 732.801(2),(3),(5) and (6), Florida Statutes, providing what may be disclaimed; providing that if ordered by the court, a guardian shall record a disclaimer; providing that a disclaimer shall relate from when recorded for purposes of disposition of disclaimed interests; providing for time for recording disclaimer instead of filing; providing waiver or bar to disclaim if beneficiary has disposed of property before recording disclaimer; amending s. 732.803(1), Florida Statutes, providing when a charitable devise can be avoided if lineal descendants or a spouse files a notice instead of specified persons; amending s. 733.103, Florida Statutes, providing the probate of a will in Florida shall be conclusive of certain facts; amending s. 733.109(1), Florida Statutes, providing that any interested person may petition for revocation before final discharge; providing for proper statutory references; amending s. 733.202(3), Florida Statutes, providing for clarification as to what the petition shall contain; amending s. 733.203(1), Florida Statutes, providing for proper statutory reference; amending s. 733.301(5), Florida Statutes, providing when a person with a higher preference may have letters revoked and granted to him; amending s. 733.303, Florida

Statutes, providing that if a personal representative in a will is not qualified, letters shall be granted as provided in s. 733.301, Florida Statutes; amending s. 733.401(3), Florida Statutes, providing that mistaken noncompliance with certain requirements is not jurisdictional; amending s. 733.402(1), Florida Statutes, providing clarification by changing requirements to requirement; amending s. 733.502, Florida Statutes, providing for clarification that acceptance of resignation shall not exonerate the personal representative; amending s. 733.507, Florida Statutes, providing procedure for appointment of a successor personal representative when a personal representative has resigned or has been removed; amending s. 733.602(1), Florida Statutes, providing that the personal representative shall administer the estate for the best interests of interested persons, not merely beneficiaries; amending s. 733.607, Florida Statutes, providing that the personal representative shall not take possession of the homestead; amending s. 733.608, Florida Statutes, providing that the personal representative shall control all real and personal property except the homestead; amending s. 733.611, Florida Statutes, providing clarification as to what a person dealing with a personal representative does not have to inquire about; amending s. 733.612, Florida Statutes, 1976 Supplement, providing for proper statutory reference; amending s. 733.619(1) and (3), Florida Statutes, providing for clarification as to when a personal representative is individually liable; amending s. 733.701, Florida Statutes, providing for proper statutory reference; amending s. 733.705(4), Florida Statutes, providing that no interest shall be paid or allowed on a claim until the expiration of 5 calendar months from first publication of the notice of administration; amending s. 733.707, Florida Statutes, providing for order of payment of expenses and obligations, not claims; amending s. 733.710, Florida Statutes, providing for a 3-year limitation against actions if no letters have been issued in Florida within 3 years from death of decedent; providing exception to recorded liens and lien of person in possession of personal property; providing no effect on right to foreclose or enforce mortgage or lien; amending s. 733.802(1), Florida Statutes, providing when a beneficiary can compel payment of devises or distributive interest; amending s. 733.808(2), Florida Statutes, providing death benefits shall be paid to the trust upon admission of will to probate; amending s. 733.809, Florida Statutes, providing for clarification that right of retainer refers to beneficiary not distributee; providing for permissible offset of noncontingent indebtedness; amending s. 733.810(2), Florida Statutes, providing clarification as to when a personal representative shall satisfy the devise in kind; adding subsection (3) to said section, providing that with consent, the personal representative may distribute assets non-pro rata among beneficiaries; amending s. 733.817(1), Florida Statutes, providing that tax shall be charged to corpus and not apportioned between temporary and remainder interests when a residuary interest is interest in income or an estate for years or for life or other temporary interest; amending s. 733.901(1), Florida Statutes, providing clarification that the petition is a petition for discharge; amending s. 734.102(2)(b) and (3), Florida Statutes, providing that copies of letters and the petition for letters must be filed; providing that if the will and codicils comply with s. 732.502(1) or (2), Florida Statutes, the court shall admit the will and any codicils to record; amending s. 734.103(1) and (2), Florida Statutes, providing that in testate estate of nonresident decedent, domiciliary personal representative must file transcript showing order admitting will to probate; providing for clarification of statutory reference, amending s. 734.104, Florida Statutes, providing for muniment of title involving foreign will of nonresident devising real property in Florida; providing that copy of petition for probate and order admitting it to probate may be admitted to record, not probate, in this state; providing that wills and codicils heretofore recorded in the circuit court whether admitted by order or not, shall be valid and effectual to pass title to real property; providing the record or a certified transcript shall be presumptive evidence of authority of any person authorized by a will to convey or dispose of any real property; amending s. 735.107(3)(d) and (e), Florida Statutes, providing clarification as to that property which is still liable after order of family administration; creating s. 735.2055, Florida Statutes, providing that a petition for summary administration may be filed any time the estate qualifies; amending s. 735.206(3)(d) and (e), Florida Statutes, providing clarification as to that property which is still liable after order of summary administration; amending s. 735.209(2), Florida Statutes, providing clarification that notice of the petition for summary administration gives notice of the hearing; amending s. 735.301(1), Florida Statutes, providing clarification as to what property may be disposed of under disposition without administration; amending s. 735.302(1)(a), Florida Statutes,

providing for refund of taxes in certain cases on a verified application; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 686 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Votes after roll call:

Yeas—Sayler, Dunn, Graham and Peterson

SB 595—A bill to be entitled An act relating to mortgages; amending s. 697.01, Florida Statutes; defining the term "purchase-money mortgage"; creating s. 697.06, Florida Statutes; providing that mortgagors may prepay mortgages without penalty when the mortgage note is silent with respect to prepayment; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator Williamson and failed:

Amendment 1—On page 2, line 6, insert before the word "which": executed after the effective date of this act

Amendment 2—On page 1 in title, line 5, insert after "that": for mortgages executed after the effective date of the act

On motion by Senator Williamson, by two-thirds vote SB 595 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—2

Johnston Lewis

Votes after roll call:

Yea—Graham

Nay—Dunn

HB 751—A bill to be entitled An act relating to the Citrus Code; amending s. 601.10(8), Florida Statutes, 1976 Supplement; authorizing the Department of Citrus to prepare and maintain a citrus grower mailing list for department referendum and official use; providing that such list shall be available as a public record; providing exemption from the requirement for state agencies to purge mailing lists; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote HB 751 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Votes after roll call:

Yeas—Dunn and Graham

SB 276, a companion bill to HB 751, was laid on the table.

SB 467 was taken up and on motion by Senator Trask, by two-thirds vote HB 760 was withdrawn from the Committee on Agriculture and placed on the calendar. On motion by Senator Trask—

HB 760—A bill to be entitled An act relating to the Florida Citrus Code; amending s. 601.157(4)(d), Florida Statutes, relating to tax on processed grapefruit products, expanding the definition of advertising to include promotional activities approved by the Florida Citrus Commission; providing an effective date.

—a companion measure, was substituted for SB 467 and read the second time by title. On motion by Senator Trask, by two-thirds vote HB 760 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Votes after roll call:

Yeas—Dunn and Graham

SB 467 was laid on the table.

SB 468 was taken up and on motion by Senator Trask, by two-thirds vote HB 759 was withdrawn from the Committee on Agriculture and placed on the calendar.

SB 468 was taken up and on motion by Senator Trask—

HB 759—A bill to be entitled An act relating to the Florida Citrus Code; amending s. 601.151(3) and (5), Florida Statutes; expanding the definition of advertising to include promotional activities approved by the Florida Citrus Commission; authorizing the Department of Citrus to use certain taxes for special advertising of fruit taxed; providing an effective date.

—a companion measure was substituted for SB 468 and read the second time by title. On motion by Senator Trask, by two-thirds vote HB 759 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Glisson	Lewis	Renick
Castor	Gordon	MacKay	Sayler
Chamberlin	Gorman	McClain	Scarborough
Childers, Don	Hair	Myers	Scott
Childers, W. D.	Henderson	Peterson	Skinner
Firestone	Holloway	Plante	Spicola
Gallen	Johnston	Poston	Thomas, Jon

Thomas, Pat	Vogt	Williamson	Winn
Tobiassen	Ware	Wilson	Zinkil
Trask			

Nays—None

Votes after roll call:

Yeas—Dunn and Graham

SB 468 was laid on the table.

SB 599—A bill to be entitled An act relating to public accountancy; creating ss. 473.32-473.53, Florida Statutes, completely replacing the current chapter on Public Accountancy; providing for a State Board of Accountancy; providing for qualifications to become a certified public accountant; providing for reciprocity with respect to certified public accountants from other states; providing for the issuance of permits and requiring certified public accountants to periodically reestablish their professional knowledge and competency through continuing professional education; requiring certified public accountants to register with the board; providing rules under which partnerships and professional service corporations of certified public accountants may practice; requiring such partnerships and corporations to register with the board; providing for the issuance of temporary permits; providing for the revocation or suspension of certificates, permits to practice, or temporary permits; providing for the revocation or suspension of registration of partnerships or corporations; providing procedures for enforcement; providing for reinstatement; prohibiting the use of titles indicating that a person, firm, or corporation is a CPA under certain circumstances; prohibiting unauthorized persons to attest that they are CPA's unless they have a permit; prohibiting CPA's from performing certain acts; providing exceptions; providing a procedure to enjoin violations of this chapter; providing a penalty; providing that a single act in violation of this chapter is enough to prove unlawful practice; providing for the ownership of a CPA's work product; prohibiting the issuance of occupational licenses in accountancy to persons who do not have a permit to practice; repealing ss. 473.011-473.31, Florida Statutes, which is the current law on public accountancy; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 7, strike all of lines 3 and 4

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

Amendment 2—On page 5, line 9, insert after the word "state.": It is deemed in the public interest that the names and addresses only of all applicants for examination shall be of public record and shall be revealed as public information.

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

Amendment 3—On page 34, line 25, after the period, insert: Provided, however, the provisions of section 3(1)(a) of Chapter 76-168, Laws of Florida, shall apply to this act.

Senator Chamberlin moved the following amendments which failed:

—**Amendment 4**—On page 7, lines 22-31, and page 8, lines 1-10, strike everything included therein and insert: (e) Is a graduate of at least a 4-year accredited college or university course;

(f) At the time of application, has qualified for a degree with a major in accounting or has completed such courses as would constitute a major in accounting as determined by the board.

Amendment 5—On page 12, line 7, strike "2 years" and insert: 1 year

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

Amendment 6—On page 2, line 12, strike the entire line and insert: public accountability; providing for the provisions of section 3(1)(a) of Chapter 76-168, Laws of Florida, to apply to this act; providing an effective

On motion by Senator W. D. Childers, by two-thirds vote SB 599 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

Table with 4 columns: Mr. President, Gorman, Renick, Tobiasen; Castor, Hair, Saylor, Trask; Childers, Don, Holloway, Vogt; Childers, W. D., Johnston, Scarborough, Ware; Firestone, Lewis, Skinner, Winn; Gallen, MacKay, Spicola, Zinkil; Glisson, McClain, Thomas, Jon; Gordon, Poston, Thomas, Pat

Nays—5

Table with 4 columns: Chamberlin, Myers, Plante, Wilson; Henderson

Votes after roll call:

Yeas—Dunn, Graham and Williamson

SB 308—A bill to be entitled An act relating to expulsion of students from public schools; amending s. 228.041(27), Florida Statutes, 1976 Supplement; redefining "expulsion" for purposes of The Florida School Code as the removal of a student from school for a period of time and under conditions set by the school board; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 23, add a new Section 2 and renumber present Section 2 as Section 3.

Section 2. Subsection (28) of Section 228.041, Florida Statutes, is amended to read:

228.041 Specific definitions.—Specific definitions shall be as follows and wherever such defined words or terms are used in the Florida School Code they shall be used as follows:

(28) CORPORAL PUNISHMENT.—Corporal punishment is the moderate use of physical force or physical contact by a teacher or principal as may be necessary to maintain discipline or to enforce school rules. However the term corporal punishment shall not include the use of such reasonable force by a teacher or principal as may be necessary to protect themselves or other students from disruptive students.

Amendment 2—On page 1, line 8 in title, insert after the ";": amending s. 228.041(28), Florida Statutes, 1976 Supplement; redefining "corporal punishment" for the purposes of the Florida School Code to exclude reasonable force by a teacher or principal to protect themselves;

On motion by Senator Lewis, by two-thirds vote SB 308 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

Table with 4 columns: Mr. President, Gorman, Peterson, Thomas, Pat; Castor, Hair, Poston, Tobiasen; Chamberlin, Henderson, Renick, Trask; Childers, Don, Holloway, Vogt; Childers, W. D., Johnston, Scarborough, Williamson; Firestone, Lewis, Scott, Wilson; Gallen, MacKay, Skinner, Winn; Glisson, McClain, Spicola, Zinkil; Gordon, Myers, Thomas, Jon

Nays—None

Votes after roll call:

Yeas—Dunn and Graham

SB 235—A bill to be entitled An act relating to universities and agencies under the jurisdiction of the Board of Regents; providing for regulation of traffic; amending s. 239.53, Florida Statutes; providing additional definitions; providing for the adoption of traffic rules by each such institution or agency; amending s. 239.54, Florida Statutes; requiring the posting, filing, and availability of such rules; providing for applicability of municipal traffic ordinances and provisions of state law; amending s. 239.55, Florida Statutes, 1976 Supplement; providing for violations and penalties; amending s. 239.56, Florida Statutes; providing procedure for payment of fines and adoption of a procedure for a hearing upon a violation; deleting current provisions of law relating to jurisdiction of municipal courts and campus traffic courts, and to violation fees and cash bonds; amending s. 239.57, Florida Statutes; providing for disposition of parking fees and traffic fines; providing an effective date.

—was read the second time by title. On motion by Senator Lewis, by two-thirds vote SB 235 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Table with 4 columns: Mr. President, Gorman, Peterson, Thomas, Pat; Castor, Hair, Poston, Tobiasen; Chamberlin, Henderson, Renick, Trask; Childers, Don, Holloway, Vogt; Childers, W. D., Johnston, Scarborough, Ware; Firestone, Lewis, Scott, Williamson; Gallen, MacKay, Skinner, Wilson; Glisson, McClain, Spicola, Winn; Gordon, Myers, Thomas, Jon, Zinkil

Nays—None

Votes after roll call:

Yeas—Dunn and Graham

On motion by Senator Zinkil, by two-thirds vote CS for HB 106 was withdrawn from the Committee on Health and Rehabilitative Services and placed on the calendar.

CS for SB 130, by the Committee on Health and Rehabilitative Services and Senator Zinkil, was read the first time by title and SB 130 was laid on the table.

On motion by Senator Zinkil—

CS for HB 106—A bill to be entitled An act relating to mental health; creating s. 394.86, Florida Statutes, authorizing the use of certain chemical weapons in certain mental health facilities under certain circumstances; providing an effective date.

—a companion measure was substituted for CS for SB 130 and read the second time by title. On motion by Senator Zinkil, by two-thirds vote CS for HB 106 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Table with 4 columns: Mr. President, Gorman, Myers, Trask; Castor, Graham, Peterson, Vogt; Chamberlin, Hair, Poston, Ware; Childers, Don, Henderson, Williamson; Childers, W. D., Holloway, Scarborough, Winn; Firestone, Johnston, Scott, Zinkil; Gallen, Lewis, Spicola; Glisson, MacKay, Thomas, Pat; Gordon, McClain, Tobiasen

Nays—4

Table with 4 columns: Plante, Renick, Skinner, Wilson

Votes after roll call:

Yea—Jon Thomas

Nay—Dunn

CS for SB 130 was laid on the table.

SB 132—A bill to be entitled An act relating to judicial treatment of juveniles; amending s. 39.11(2)(f), Florida Statutes; providing that an adjudicated delinquent child ordered to work in a specified state, county, or municipally supervised work program is not an employee of the state, county or municipality, nor is the child within the Workmen's Compensation Law; providing an effective date.

—was read the second time by title.

The Committee on Corrections, Probation and Parole offered the following amendment which was moved by Senator Don Childers and adopted:

Amendment 1—On page 1, lines 22 and 23, strike "the Division of Youth Services counselor" and insert: a youth services counselor of the Department of Health and Rehabilitative Services

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

Yeas—29

Mr. President	Henderson	Saylor	Ware
Chamberlin	Holloway	Scarborough	Williamson
Childers, Don	Johnston	Scott	Wilson
Childers, W. D.	Lewis	Skinner	Winn
Firestone	Myers	Thomas, Jon	Zinkil
Glisson	Plante	Thomas, Pat	
Gordon	Poston	Tobiassen	
Hair	Renick	Trask	

Nays—1

MacKay

Votes after roll call:

Yeas—Gorman, Peterson and Spicola

Nays—Dunn and Graham

By the Committee on Health and Rehabilitative Services and Senators Jon Thomas, Brantley, Vogt, Gordon, Zinkil, McClain, Scott, Glisson, Myers, Dunn and Don Childers—

CS for SB 176—A bill to be entitled An act relating to retarded and other developmentally disabled persons; enacting the "Retardation Prevention and Community Services Act"; creating ss. 393.061-393.069, 393.071, Florida Statutes; prescribing programs of services for retarded and other developmentally disabled persons; providing for the development and implementation of programs of prevention and community-based services; providing powers and duties of the Department of Health and Rehabilitative Services; providing for transfer of appropriations for operating retardation and developmental disability programs between categories of appropriations within a budget entity and between budget entities under certain conditions; providing for application for services, diagnostic evaluation, and intake; providing for individual habilitation plans and placements; providing for types of residential care facilities; providing for measurement of client progress; providing for licensure of residential facilities; providing for license fees; requiring licensed facilities to make annual reports of costs of providing care; providing for inspection and audit of residential facilities; providing for a demonstration program and evaluation study with respect to establishing a statewide family placement program; providing for submission to the Legislature of a comprehensive 5-year plan for the provision of services; providing for annual reports to the Legislature; providing for the department to charge fees for services; amending s. 393.11, Florida Statutes; providing for hearing and order for involuntary admission to residential services of the department; providing for the burden of proof with respect to such admissions; prescribing duties of the examining commission; providing for continuing jurisdiction of the court; amending and renumbering s. 393.05, Florida Statutes, as s. 393.115, Florida Statutes; providing for discharge after admission to residential care; amending s. 393.12, Florida Statutes; providing that the judge conducting competency proceedings with respect to a mentally retarded person may issue

an order of limited guardianship; providing for discharge of certain clients who have not been adjudicated incompetent; repealing ss. 393.01-393.045, 393.051-393.10, 393.13(3), 402.13, Florida Statutes, relating to Sunland Centers and other residential and service facilities for retarded persons, the Medical Research Center on Retardation, regional community centers for the retarded, application for services, admission to residential centers, the department as legal guardian of persons admitted to residential facilities, protection of substitute parents on petitioning for commitment, leave for residents, limitations and preferences with respect to accommodations, means of support of residential facilities, paid admissions, and transfer of residents to the Division of Mental Health, and the Division of Retardation; providing an effective date.

—was read the first time by title and SB 176 was laid on the table.

On motion by Senator Jon Thomas, by two-thirds vote CS for SB 176 was read the second time by title.

The Committee on Appropriations offered the following Amendments which were moved by Senator Jon Thomas and adopted:

Amendment 1—On page 26, line 28, insert a new Section 6:

Section 6. Section 228.081, Florida Statutes, is amended to read:

228.081 Other public educational services.—The general control of other public educational services shall be vested in the state board except as provided herein. The state board ~~shall may~~, at the request of the Department of Health and Rehabilitative Services, advise as to standards and requirements relating to education to be met in all state schools or institutions under their control which provide educational programs. The Department of Education ~~shall may~~ provide supervisory services for the educational programs of all such schools or institutions. The direct control of any of these services provided as part of the district program of education shall rest with the school board. These services shall be supported out of state, district, and federal or other lawful funds depending on the requirements of the services being supported.

(Renumber subsequent sections)

Amendment 2—On page 2, line 20 in title, after the word "incompetent;" insert: amending s. 228.081, Florida Statutes; providing the State Board of Education shall provide advice and services regarding education programs;

On motion by Senator Jon Thomas, by two-thirds vote CS for SB 176 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Dunn

SB 535—A bill to be entitled An act relating to motor vehicles; amending s. 320.01, Florida Statutes, 1976 Supplement; deleting obsolete definitions; redefining "registration period"; defining "renewal period"; amending s. 320.0105(2)(b), Florida Statutes; identifying renewal periods; amending s. 320.011(1), (5), (6), Florida Statutes; providing authority for administration of financial responsibility laws; amending s. 320.02(1),

Florida Statutes, and adding subsection (3) to said section; requiring notification of change of address; amending s. 320.06(1)-(5), (7), (8), Florida Statutes; deleting references to trailer or semitrailer and book or index; providing for phased-in issuance of alphanumeric license plates; providing for issuance of plates for indefinite period; providing for annual issuance of serially numbered stickers reflecting expiration; providing for transfer of plate and registration; conforming language to new definitions; providing for license plate replacement; providing for inspection of license plates; providing for expiration of registration period; authorizing operation of vehicle during renewal period; amending s. 320.071, Florida Statutes; providing for advance registration; amending ss. 320.0805(1)-(3), (5), (7), (8), 320.083(1), (2), (4), 320.089(1), (2), Florida Statutes; expanding issuance of special license plates, personalized, national guard, citizens band radio, amateur radio, armed forces radio, to include certain trucks and recreational vehicles; amending s. 320.0815, Florida Statutes; providing for proper display of mobile home and recreational vehicle license plates; amending s. 320.13(2), Florida Statutes, 1976 Supplement, providing for replacement of lost dealer tags; amending ss. 320.27(3), (5), (10), 320.271, 320.28, Florida Statutes; providing for additional information in motor vehicle dealer application, including criminal record check; requiring bond for new and used motor vehicle dealers; increasing bond for such dealers; amending s. 320.60(1), (3), (4), Florida Statutes; expanding "factory branch" and "factory representative" definitions; amending s. 320.71, Florida Statutes; providing for nonresident mobile home or recreational vehicle dealer's license; amending s. 320.72, Florida Statutes, and repealing subsections (1)-(4) and (6)(d) of said section; providing for issuance of specially selected tag numbers; amending s. 320.77(3), (5), (11), Florida Statutes; requiring additional information on mobile home and recreational vehicle dealer license applications; providing for bond to be in favor of retail customer; increasing fee for supplemental and change of location applications; increasing bond for recreational vehicle dealer with supplemental licenses; amending s. 320.822, Florida Statutes, 1976 Supplement; redefining "code", "setup", and "supplier"; defining "licensee" and "institute" in mobile home manufacturer licensing provisions; amending s. 320.8225, Florida Statutes; expanding mobile home manufacturer's license and application requirements; requiring submission of surety bond in favor of retail customer; providing additional grounds for denial of a mobile home manufacturer's license; providing for reinstatement of revoked or suspended manufacturer's license; authorizing departmental powers; amending ss. 320.823, 320.8231, Florida Statutes; establishing standards for single family or duplex mobile homes or recreational vehicles manufactured in or out of state; creating s. 320.8232, Florida Statutes; providing for a Used Mobile Home Code; providing for the department to establish standards; amending s. 320.824, Florida Statutes; expanding departmental rule-making power; amending s. 320.8245(1), (2), (4)(a), Florida Statutes; limiting modifications or alterations to recreational vehicles; amending s. 320.8255(1), Florida Statutes; authorizing recreational vehicle inspection; amending s. 320.827, Florida Statutes; requiring seal or label on new or used mobile home or recreational vehicle sold by a dealer; amending s. 320.831, Florida Statutes; providing penalties for violations of mobile home manufacturer's licensing provisions; amending s. 320.835, Florida Statutes; providing warranties for recreational vehicles; extending manufacturer's warranties on mobile homes; amending ss. 320.05, 320.061, Florida Statutes; amending s. 320.065(2), (3), 1976 Supplement; amending ss. 320.07(1), (3), 320.0806(2), 320.081(1), (2), 320.084(2), 320.0841(1), 320.10(2), 320.30, 320.39(1), (3), 320.58, 320.864, Florida Statutes; clarifying provisions or deleting obsolete or redundant material; adding s. 325.19(8), Florida Statutes; providing for license plate inspection; repealing s. 320.085, Florida Statutes; relating to special tags for autorama automobiles; repealing s. 320.14(5), Florida Statutes; relating to implementing staggered renewal terms; repealing s. 320.272, Florida Statutes; relating to Sunday and holiday closing for certain motor vehicle dealers; repealing s. 320.29, Florida Statutes; relating to delivery of motor vehicle titles by dealers; repealing s. 320.74, Florida Statutes; relating to surrender of "for hire" license plates; repealing s. 320.821, Florida Statutes; the short title; repealing s. 320.8235, Florida Statutes; relating to application of certain code to mobile homes; repealing s. 320.825, Florida Statutes; relating to notice and hearing on mobile home or recreational vehicle standards; repealing s. 320.826, Florida Statutes; requiring a manufacturer or dealer applying for a license to certify that he will comply with the code; repealing s. 320.828, Florida Statutes, relating to issuance of seals; repealing ss. 320.85-320.860, 320.863, Florida Statutes; relating to duplicate provi-

sions regarding mobile home manufacturers' licensing; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendment which was moved by Senator Myers:

Amendment 1—On page 16, strike all of line 27 through and including line 31 and on page 17, strike all of line 1 through and including line 19 and insert: (b) Registration license plates bearing the alphanumeric system of identification shall be issued for an indefinite period 4 year periods beginning July 1, 1977, only to owners of new or used motor vehicles not in possession of a valid license plate and for the replacement license plates provided for in sections 320.06(5)(a), 320.06(7), and 325.19 and each consecutive fourth year thereafter. Beginning July 1, 1979, alphanumeric license plates shall be issued to every owner of a motor vehicle not possessing an alphanumeric license plate, according to the schedule provided in paragraph (c). Full implementation of the alphanumeric system shall be completed by June 30, 1980. With each license plate, a validation sticker reflecting the owner's birth month, or appropriate renewal period if a nonnatural person is the owner, and a serially numbered validation sticker reflecting the year of expiration, as well as a sticker reflecting the county name, shall be issued in accordance with the following schedule. Such license plate, and validation stickers, revalidation sticker, and county name sticker shall be issued monthly throughout the year, based on the applicant's appropriate renewal period month of birth. The registration period shall

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

Amendment 1A—On page 1, strike all of line 1 and insert: (b) Registration license plates bearing a graphic symbol and the alphanumeric

The Committee on Transportation offered the following amendment to Amendment 1 which was moved by Senator Myers and adopted:

Amendment 1B—On page 1, line 1, strike after the word "plates" line 1 and all of line 2 to the word "issued" and insert: bearing a graphic symbol and the alphanumeric system of identification shall be

Amendment 1 as amended was adopted.

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

Amendment 2—On page 67, strike all of line 28 and insert: Section 44. This act shall take effect immediately upon becoming law.

Amendment 3—On page 40, strike all of line 10 through and including line 11 and insert: Applicant shall pay \$10 for each additional location. Only one licensed dealer shall operate at the same place of business.

Amendment 4—On page 53, strike all of line 6 and insert: recreational vehicles or converts van type vehicles in such manner that they then qualify as a recreational vehicle, for sale in Florida. However, if such

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

Amendment 5—On page 67, between lines 22 and 23 insert the following and renumber subsequent sections:

Section 43. Subsection (4) is added to section 325.14, Florida Statutes, to read:

325.14 Inspection certificate required for sold vehicles.—

(4) A motor vehicle held by a dealer in inventory for sale or resale may be moved from the site from which purchased by the dealer to the dealer's place of business and then to a motor vehicle inspection station for inspection purposes without a current approved certificate. The dealer shall have 15 days after the acquisition of such vehicle to obtain a current approved certificate. No motor vehicle shall be demonstrated for sale which vehicle does not display a current approved certificate.

Senator Gorman moved the following amendment which was adopted:

Amendment 6—On page 39, line 17-27, strike all underlined language.

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

Amendment 7—On page 4, line 15, insert after the semicolon: adding subsection (4) to s. 325.14, Florida Statutes, allowing dealers 15 days to obtain inspection stickers on vehicles held in inventory;

Senator Wilson moved the following amendment which failed:

Amendment 8—On page 23, lines 1 and 2, strike "and the name of the county in which it is sold" and insert: and Sunshine State at the bottom.

On motion by Senator Myers, by two-thirds vote SB 535 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Wilson

Votes after roll call:

Yeas—Hair and Holloway

By the Committee on Education and Senators Peterson, Vogt, Plante, MacKay, Lewis and Dunn—

CS for SB 319—A bill to be entitled An act relating to education; providing legislative intent; amending s. 229.053(1), Florida Statutes; providing for general powers of the state board; amending s. 230.03, Florida Statutes; providing for control, operation and supervision of the public schools; amending s. 228.041(10), (13), Florida Statutes, 1976 Supplement; providing specific definitions; amending s. 228.051, Florida Statutes; providing for the organization and support of free public schools; amending s. 228.195(3), Florida Statutes; providing for school food and nutrition programs; amending s. 229.831(1), Florida Statutes; providing legislative intent with respect to testing children for determination of exceptionality; amending s. 230.03(4), Florida Statutes; providing for responsibility of principals and heads of schools; amending s. 230.23(3), (4), Florida Statutes, 1976 Supplement; providing for adoption of school programs and operation of schools; amending s. 230.2313, Florida Statutes, 1976 Supplement; providing for student services programs; amending s. 230.33(12)(a), (c), Florida Statutes, 1976 Supplement; providing duties of superintendents with respect to finance; amending ss. 231.06, 231.07, Florida Statutes; providing penalties for assaults upon and insulting school personnel; amending s. 231.09, Florida Statutes; prescribing duties of instructional personnel; amending s. 231.29(2), Florida Statutes; providing for an evaluation of personnel; amending s. 231.36(4), (6), Florida Statutes; deleting provisions authorizing appeal of decisions relating to employee disputes to the Commissioner of Education; amending s. 231.39(2), Florida Statutes; providing for employee leaves of absence; amending s. 231.40, Florida Statutes, 1976 Supplement; providing for employee sick leave; providing for employee absences without leave; amending s. 231.48, Florida Statutes; providing for absences of other personnel; amending s. 233.061, Florida Statutes; providing for school curriculum; amending s. 236.02(3), Florida Statutes, 1976 Supplement; providing requirements for school district employment

policies for participation in the Florida Education Finance Program; amending s. 237.091(1), Florida Statutes; prescribing time when school boards are required to levy taxes; amending s. 237.101, Florida Statutes; deleting provision relating to making the Department of Education a party to suits seeking relief which would require changes in the school budget; repealing s. 228.041(14), (21), (22), Florida Statutes, as amended by chapter 76-236, Laws of Florida, relating to definitions under the Florida School Code; deleting the definitions of "school month", "year of service", and "school lunch personnel"; repealing ss. 229.065, 229.0651, Florida Statutes, relating to school bond issues issued in certain earlier bienniums; repealing s. 229.514, Florida Statutes, relating to authority of Commissioner of Education to reallocate duties and functions assigned to the Department of Education; repealing ss. 229.542-229.545, Florida Statutes, the "Florida Educational Leadership Training Act of 1969"; repealing s. 229.801, Florida Statutes, relating to the development of flexible staff operations for public schools by the Department of Education; repealing s. 229.8025, Florida Statutes, relating to the pilot program for an extended school year; repealing s. 229.806, Florida Statutes, relating to advertising and promoting the advantages of teaching in this state; repealing s. 229.821, Florida Statutes, relating to surety bonds or insurance to indemnify students on closing of certain private schools; repealing s. 229.840, Florida Statutes, relating to allocation for career education; repealing s. 230.17, Florida Statutes, relating to school board meeting place; repealing s. 230.29, Florida Statutes, relating to the location of the superintendent's office; repealing s. 230.232 (2)-(7), Florida Statutes, relating to certain powers and duties of school boards with respect to pupil assignment; repealing s. 230.65, Florida Statutes, relating to state and district financial support of area vocational-technical centers; repealing s. 230.651, Florida Statutes, relating to allocation of vocational education construction funds; repealing s. 230.67, Florida Statutes, as amended by chapter 76-90, Laws of Florida, relating to job placement and follow-up services; repealing ss. 230.7661, 230.767(2), (4)(b), Florida Statutes, relating to determining the community college allocations for transportation and the apportionment to community colleges for transportation; repealing ss. 231.03, 231.031, Florida Statutes, relating to minimum and maximum ages for instructional personnel; repealing s. 231.3505, Florida Statutes, relating to employment of directors of vocational education in district schools and community colleges; repealing s. 231.46, Florida Statutes, relating to forms for employee absences; repealing s. 231.607(2), Florida Statutes, relating to computation of allocations for administration and staffing of teacher education centers; repealing s. 232.255, Florida Statutes, the "Safe Schools Act of 1973", relating to the school safety fund; repealing s. 233.055, Florida Statutes, relating to the remedial reading education plan; repealing s. 233.057, Florida Statutes, relating to the developmental reading and language arts program; repealing ss. 233.064, 233.0641, Florida Statutes, relating to the Americanism vs. Communism course and the free enterprise and consumer education program; repealing s. 233.066, Florida Statutes, relating to counseling services for elementary and secondary students; repealing s. 233.0681, Florida Statutes, relating to occupational specialists; repealing ss. 236.085, 236.086, Florida Statutes, relating to allocations for occupational and placement specialists and elementary school counselors; transferring and renumbering s. 233.0671, Florida Statutes, relating to courses of study in care of nursing home patients, as s. 230.7751, Florida Statutes; effective July 1, 1979, repealing portions of chapter 230, Florida Statutes, relating to the district school system, kindergarten through grade twelve, all of chapter 231, Florida Statutes, relating to personnel of the school system, and all of chapter 233, Florida Statutes, relating to courses of study and instructional aids; providing an effective date.

—was read the first time by title and SB 319 was laid on the table.

On motion by Senator Peterson, by two-thirds vote CS for SB 319 was read the second time by title.

Senator Firestone moved the following amendment:

Amendment 1—On page 38, strike all of lines 3-27 and insert: Section 25. The commissioner of Education is directed to study the Florida School Laws and prepare a proposal for such revision and repare as may be appropriate and necessary. This proposal shall be presented to the legislature for its consideration by January 20, 1978.

Senator Castor moved the following substitute amendment which failed:

Amendment 2—On page 38, strike all of lines 3 thru 7 and insert: *Section 25. There is created a joint Senate and House of Representatives Select Committee which shall be composed of not less than three Senators appointed by the President of the Senate and not less than three members of the House of Representatives appointed by the Speaker of the House of Representatives. This joint select committee shall, after the effective date of this act and on or before February 1, 1979, submit a report to the Senate and House of Representatives containing the following findings and recommendations consisting of:*

1. *A review of all subsections, sections, and chapter enumerated in following subsections (1), (2), and (3).*
2. *Recommendations relating to the repeal of, the retention of, or amendments to any of the subsections, sections, or chapters shown in the following subsections, (1), (2), and (3) or other chapters of the school code.*

This joint select committee shall cease to exist upon adjournment sine die of the regular session of the 1979 Legislature.

The vote was:

Yeas—17

Castor	Gordon	Myers	Tobiassen
Chamberlin	Graham	Scarborough	Winn
Childers, Don	Holloway	Scott	
Firestone	Johnston	Skinner	
Glisson	McClain	Spicola	

Nays—20

Mr. President	Henderson	Poston	Trask
Childers, W. D.	Lewis	Renick	Vogt
Dunn	MacKay	Sayler	Ware
Gallen	Peterson	Thomas, Jon	Williamson
Gorman	Plante	Thomas, Pat	Wilson

Votes after roll call:

Nays—Barron and Hair

Nay to Yea—Thomas, Pat

Senators Peterson, MacKay, Vogt and Dunn offered the following substitute amendment which was moved by Senator MacKay and adopted:

Amendment 3—On page 38, between lines 27 and 28 insert: *Section 26. There is created a joint Senate and House of Representatives Select Committee which shall be composed of not less than three Senators appointed by the President of the Senate and not less than three members of the House of Representatives appointed by the Speaker of the House of Representatives. This joint select committee shall, after the effective date of this act and on or before February 1, 1979, submit a report to the Senate and House of Representatives, containing the following findings and recommendations consisting of:*

1. *A review of all subsections, sections, and chapters enumerated in subsections (1), (2), and (3) above.*
2. *Recommendations relating to the repeal of, the retention of, or amendments to any of the subsections, sections, or chapters shown in subsections (1), (2), and (3) above, as well as any other modifications of the public school code which may be necessary to carry out the intentions of this act.*

This joint select committee shall cease to exist upon adjournment sine die of the regular session of the 1979 Legislature. (renumber subsequent section)

Senator Chamberlin moved the following amendment which failed:

Amendment 4—On page 37, line 24, strike "(21),"

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

Amendment 5—On page 5, line 21, after the semicolon insert: creating a Joint Senate and House of Representatives Select Committee to submit a report relating such repeals and to modifications in the public school code;

Senator Peterson moved that the rules be waived and CS for SB 319 be placed on third reading. The motion failed by the following vote:

Yeas—23

Mr. President	Henderson	Renick	Trask
Barron	Lewis	Sayler	Vogt
Dunn	MacKay	Scott	Ware
Gallen	Peterson	Skinner	Williamson
Gorman	Plante	Thomas, Jon	Wilson
Hair	Poston	Tobiassen	

Nays—16

Castor	Firestone	Holloway	Scarborough
Chamberlin	Glisson	Johnston	Spicola
Childers, Don	Gordon	McClain	Thomas, Pat
Childers, W. D.	Graham	Myers	Winn

The bill was ordered engrossed.

Senator Ware moved that the Senate reconsider the vote by which SB 595 passed this day.

The motion was placed on the calendar for consideration May 2, 1977.

SB 42—A bill to be entitled An act relating to education; amending s. 230.753(6), Florida Statutes; providing that the chairman of each community college board of trustees notify the Governor, in writing, whenever a board member fails to attend more than three regular board meetings in any one fiscal year; providing an effective date.

—was read the second time by title.

The Committee on Education offered the following amendment which was moved by Senator Ware and adopted:

Amendment 1—On page 1, line 25, strike the period (.) and insert: which shall be grounds for removal.

On motion by Senator Graham, by two-thirds vote SB 42 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	Gorman	Peterson	Thomas, Pat
Barron	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Johnston	Scarborough	Ware
Childers, W. D.	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	
Gallen	McClain	Spicola	
Glisson	Myers	Thomas, Jon	

Nays—None

Vote after roll call:

Yea—Sayler

By the Committee on Judiciary-Criminal and Senators Jon Thomas, Renick and Dunn—

CS for SB 311—A bill to be entitled An act relating to crime against the elderly; providing for development of yearly plans and a 5-year comprehensive plan by the Bureau of Criminal Justice Planning, in conjunction with the Department of Health and Rehabilitative Services, relating to programs to prevent crime against elderly persons and to reduce the fear of crime in elderly persons; providing an intent for cooperation among all state agencies; providing priority to be given to preparation of such plans; providing for certain elements to be included and considered in plans; providing for the Department of Criminal Law Enforcement to collect statistical

data; providing for plans to be submitted to the presiding officers of the Legislature; providing for contents of reports; providing for consideration of funding sources; providing an effective date.

—was read the first time by title and SB 311 was laid on the table.

On motions by Senator Jon Thomas, by two-thirds vote CS for SB 311 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Saylor

SB 271—A bill to be entitled An act relating to discipline in community colleges and state universities; adding s. 230.754(2) (j), Florida Statutes; amending s. 240.045, Florida Statutes; providing for uniform code of penalties for violations of rules in community colleges and universities; providing an effective date.

—was read the second time by title. On motion by Senator MacKay, by two-thirds vote SB 271 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

SB 447—A bill to be entitled An act relating to the removal of suspended officials; amending ss. 112.41, 112.43, 112.47, Florida Statutes; authorizing the Senate to appoint a committee to hear evidence and make recommendations on such removal; authorizes the committee and the President of the Senate to issue subpoenas; providing for travel expenses for witnesses; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote SB 447 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

On motion by Senator Peterson, the rules were waived and Subcommittee "B" of the Committee on Appropriations was granted permission to meet Monday, May 2 from 5:00 p.m. until 7:00 p.m.

SB 487—A bill to be entitled An act relating to marine plants or animals; amending s. 370.081, Florida Statutes; eliminating the prohibition against the importation without a permit of nonindigenous species of the marine or animal kingdom which may endanger or infect the saltwater resources of the state; prohibiting the release within the salt waters of the state of nonindigenous marine plants or animals which may endanger or infect saltwater resources of the state or pose a human health hazard; authorizing the Department of Natural Resources to adopt rules; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 18, strike everything after the enacting clause and insert: Section 1. Section 370.081, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 370.081, F.S., for present text.)

370.081 Illegal importation or possession of nonindigenous marine plants and animals; rules and regulations.—

(1) It is unlawful to import or possess any marine plant or marine animal, not indigenous to the state, which, due to the stimulating effect of the waters of the state on procreation, may endanger or infect the marine resources of the state or pose a human health hazard.

(2) Marine animals not to be imported shall include but are not limited to all species of the following: sea snakes (Family Hydrophidae), rabbit fishes (Family Siganidae), Weeverfishes (Family Trachinidae), and stonefishes (Genus Synanceja).

(3) The department is authorized to adopt, pursuant to chapter 120, rules and regulations to include any additional marine plant or marine animal which may endanger or infect the marine resources of the state or pose a human health hazard.

(4) It is unlawful to release into the waters of the state any nonindigenous marine plant or marine animal not included in subsection (2) or prohibited by rules and regulations adopted pursuant to subsection (3).

Section 2. This act shall take effect July 1, 1977.

CO-INTRODUCERS

Senator Don Childers—CS for SB 223, SB 308; Senator Peterson—SB 239; Senator Winn—CS for SB 394; Senator Williamson—Senate Bills 738, 739, 740 and 741; Senator Gordon—SB 768; Senator Hair—Senate Bills 833 and 843; Senator Gorman—SB 863; Senator Saylor—Senate Bills 1122 and 1120; Senator Trask—SB 306 and CS for SB 175; Senator Chamberlin—CS for SB 50

Senator Ware withdrew as co-introducer of SB 848.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 27 and 28 were corrected and approved.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:00 noon to convene at 8:30 a.m., Monday, May 2, 1977 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 2:00 p.m.