



Journal of the Senate

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Wednesday, May 4, 1977

The Senate was called to order by Senator Renick 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 Barron—

SB 1401—A bill to be entitled An act relating to medical malpractice actions; amending s. 768.47(1), Florida Statutes, 1976 Supplement; making claimants liable for defense costs and attorney's fees in certain situations; providing an effective date.

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

By Senator Gordon—

SB 1402—A bill to be entitled An act relating to the state officers and employees group insurance program; amending s. 112.075, Florida Statutes, 1976 Supplement; authorizing membership in a health maintenance organization as an alternate to participation in the state health plan; providing an effective date.

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

By Senator Vogt—

SB 1403—A bill to be entitled An act relating to outdoor advertising; adding s. 479.01(18), Florida Statutes; defining "motorist services directional sign"; adding s. 479.02(5), Florida Statutes; requiring the Department of Transportation to transmit certifications and requests received from the Division of Tourism of the Department of Commerce to the United States Secretary of Transportation for approval; adding s. 479.111(4), Florida Statutes; permitting retention of motorist services directional signs in defined areas; amending s. 479.24(4), Florida Statutes; requiring that no motorist services directional signs be condemned by the power of eminent domain until all other nonconforming signs have been removed; adding s. 288.34(4), Florida Statutes; providing for certification by the Division of Tourism of requests for the retention of motorist services directional signs in certain defined areas as well as furnishing available information which shows that removal of such signs would cause a substantial economic hardship in such defined areas; providing an effective date.

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

By Senator Gorman—

SB 1404—A bill to be entitled An act relating to dentistry; amending s. 466.17(1), Florida Statutes, requiring proof of completion of a cardio-pulmonary resuscitation course for annual license renewal; amending s. 466.13, Florida Statutes, 1976 Supplement; requiring proof of completion of a cardio-pulmonary resuscitation course as a condition to licensing; providing an effective date.

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

By Senator Gordon—

SB 1405—A bill to be entitled An act relating to The Beverage Law; amending s. 563.02(1), Florida Statutes; prescribing license fees for vendors of malt beverages containing alcohol of more than 1 percent by weight; amending s. 564.02(1), Florida Statutes; prescribing license fees for vendors of beverages containing alcohol of more than 1 percent by weight and not more than 14 percent by weight and wines; amending s. 565.02(1), Florida Statutes; prescribing license fees for vendors who are permitted to sell any alcoholic beverages regardless of alcoholic content; providing an effective date.

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

By Senator Winn—

SB 1406—A bill to be entitled An act relating to interest rates; creating s. 687.12, Florida Statutes; providing parity with regard to interest rates charged for any lender licensed by this state and whose principal place of business is in this state; providing an effective date.

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

By Senators Firestone and Graham—

SB 1407—A bill to be entitled An act relating to economic development; creating in the Department of Commerce the Office of International Health and Technology; providing functions of the office; creating a statewide advisory council to provide expert consultation to the office; providing for the composition, appointment, and procedures of the council; authorizing the Secretary of Commerce to specify duties and functions of the council; providing per diem and traveling expenses for council members; providing for location of the office; requiring reports to the Governor and the Legislature; providing an appropriation; providing an effective date.

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

By Senator Barron—

SB 1408—A bill to be entitled An act relating to quarter horse racing; adding s. 550.16(13), Florida Statutes; providing for commissions from pari-mutuel pools on quarter horse races; requiring payment of a portion of such commission on quarter horse pari-mutuel pools to the Florida Quarter Horse Racing Promotion Trust Fund created herein; providing for the Department of Agriculture and Consumer Services to administer such funds; providing that such funds be used to supplement and augment purses and promote the owning and breeding of quarter horses in Florida; amending s. 550.39(2), Florida Statutes; adding s. 550.39(3), Florida Statutes; providing a fixed daily license fee in lieu of taxes now imposed upon quarter horse racing tracks; 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 Tobiassen—

SB 1409—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021(13), (14), Florida Statutes, 1976 Supplement; providing a presumption that the death or disability of a special risk member is accidental and

in line of duty if it results from certain diseases or conditions; providing an effective date.

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

By Senators MacKay, Peterson, Plante, Lewis, Gordon and Ware—

SB 1410—A bill to be entitled An act relating to education; assigning the responsibility for operating programs for inservice teacher education to district school boards; requiring the formation of a council to receive funds allocated from the Florida Education Finance Program and to contract with colleges and universities for services relating to inservice programs; providing an appropriation; providing the method of allocating funds; providing for an annual report to the Legislature; providing an effective date.

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

By Senator Williamson—

SB 1411—A bill to be entitled An act relating to insurance; removing immunity from litigation among husband, wife, and other persons insured under the same policy when liability insurance coverage is provided; providing an effective date.

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

By Senator Poston—

SB 1412—A bill to be entitled An act relating to drivers' licenses; creating s. 322.081, Florida Statutes, providing that operator's or chauffeur's licenses shall not be issued to any person under 18 years of age who has not successfully completed a driver education course consisting of 30 hours of instruction; providing exemptions; amending ss. 322.07(1), 322.16(2)(a), Florida Statutes, restricting the authority of persons with temporary instruction permits to operate a motor-driven cycle; providing an effective date.

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

By Senators Dunn and Glisson—

SB 1413—A bill to be entitled An act relating to the tax on cigarettes; adding s. 210.05(5), Florida Statutes; authorizing the sale of stamped but untaxed cigarettes by agents and wholesalers to the Seminole Indian Tribe or members thereof; providing an effective date.

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

By Senator Gordon—

SB 1414—A bill to be entitled An act relating to mental health; amending s. 917.13, Florida Statutes, providing definitions; amending s. 917.14, Florida Statutes, providing for certification of a defendant for hearing; amending s. 917.17, Florida Statutes, relating to appointment of experts and contempt of court; creating s. 917.175, Florida Statutes, providing for reports by experts; creating s. 917.176, Florida Statutes, providing for examinations by experts; amending s. 917.18, Florida Statutes, relating to hearings to provide counsel for an indigent defendant; amending s. 917.19, Florida Statutes, providing for commitment to the Department of Health and Rehabilitative Services rather than to the Department of Offender Rehabilitation; amending s. 917.20, Florida Statutes, providing for periodic examinations, discharge procedures of the department and recommencement of civil proceedings by the court; amending s. 917.21, Florida Statutes, providing for the jurisdiction of the committing court and for certain treatment decisions to be made by the department; creating s. 917.215, Florida Statutes, providing for recommencement of criminal proceedings; creating s. 917.216, Florida Statutes, providing for probation and training programs for outpatient therapists; creating s. 917.217, Florida Statutes, providing for work-release and community furlough programs; creating s. 917.218, Florida Statutes, providing for time spent in admission procedure to

count as gain-time; amending s. 917.22, Florida Statutes, relating to confidentiality of records, to specify exceptions; creating s. 917.225, Florida Statutes, providing for information and documentation responsibilities of the court upon commitment of an offender to the department; amending s. 917.25, Florida Statutes, providing for fees paid by the offender; creating s. 917.29, Florida Statutes, providing for clearing of the courtroom and providing exceptions; creating s. 917.31, Florida Statutes, authorizing the department to establish mental health research and treatment centers; creating s. 917.32, Florida Statutes, requiring the department to conduct research; repealing chapter 801, Florida Statutes, the "Child Molester Act," and encompassing the provisions thereof in this act; repealing ss. 917.15, 917.16, 917.26, 917.27, and 917.28, Florida Statutes, relating to procedures for hearings, examinations, and custody of mentally disordered sex offenders; providing an effective date.

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

By Senator W. D. Childers—

SB 1415—A bill to be entitled An act relating to building construction standards; amending s. 553.79(2), Florida Statutes; providing for review and approval of construction plans and specifications for compliance with the State Minimum Building Codes and part V of chapter 553, Florida Statutes, relating to accessibility to new buildings by handicapped persons; 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 1416—A bill to be entitled An act relating to education; providing that each school district shall reimburse state universities and community colleges for funds expended to provide remedial education programs to students who attended and graduated from a state secondary school in such district; providing procedures for reporting and billing; providing for disposition of funds; providing an effective date.

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

By Senator Graham—

SB 1417—A bill to be entitled An act relating to taxation; authorizing school districts to levy a tax on all transactions taxed under chapter 212, Florida Statutes, upon approval of electors of the district; providing a period for which the tax is effective; providing for the deposit of revenues from the tax in the General Revenue Fund; providing an annual appropriation to school districts levying the tax; providing an effective date.

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

By Senator Lewis (by request)—

SB 1418—A bill to be entitled An act relating to environmental control; amending ss. 253.126 and 403.016(6), Florida Statutes; providing that the Department of Environmental Regulation may allow state agencies to perform all activities covered by chapters 253 and 403, Florida Statutes, upon certification that the agency will meet all requirements for environmental control and protection; provides for investigation and enforcement; providing an effective date.

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

By Senator MacKay—

SB 1419—A bill to be entitled An act relating to developments presumed to be of regional impact; approving and adopting, pursuant to s. 380.10, Florida Statutes, amendments to the guidelines and standards contained in 22F-2, Florida Ad-

ministrative Code, adopted by the Administration Commission pursuant to ss. 380.06(2) and 280.10, Florida Statutes; providing an effective date.

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

By Senator Myers (by request)—

SB 1420—A bill to be entitled An act relating to pilots, piloting, and pilotage; amending s. 310.021, Florida Statutes, 1976 Supplement; amending ss. 310.002, 310.032, 310.042, 310.061, 310.071, 310.081, 310.091, 310.101, 310.111, 310.141, 310.161, Florida Statutes; amending s. 310.151(2), Florida Statutes, and adding a new subsection to said section; prescribing the membership of Board of Pilot Commissioners; providing definitions; providing for oath of office; deleting the requirement that the secretary of the board give written notice of regular and special meetings; prescribing the maximum number of licensed state pilots for each port; providing requirements for applicants for a license as a state pilot; deleting the requirement that each application be signed by a majority of the licensed state pilots in the port where the applicant desires to serve; providing that the board request information, in writing, from all pilots of the port where an applicant desires to serve concerning the qualifications of the applicant; providing procedures for licensing state pilots and issuing certificates to deputy state pilots; requiring written and oral examinations of applicants; prescribing powers and duties of the Board of Pilot Commissioners; authorizing the board to suspend or revoke licenses of pilots of certificates of deputy pilots under certain conditions; authorizing the board to investigate accidents and generally exercise jurisdiction over pilots and vessels subject to their jurisdiction; requiring certain vessels to have a licensed state pilot or certificated deputy pilot on board when underway in the navigable waters of the state; providing that the board may grant rate increases commensurate with the rate of inflation; providing that the court include costs in all judgments concerning cases of piloting without a license and providing for costs and attorney's fees on appeal; repealing ss. 310.171, 310.181, Florida Statutes, relating to pilots incorporating themselves and corporate powers; providing an effective date.

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

By Senator Plante—

SB 1421—A bill to be entitled An act relating to civil actions against parents or guardians for torts committed by their children against instructional personnel of public schools and pupils of public schools; providing attorney's fees for plaintiffs; providing civil liability; providing for severability; providing an effective date.

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

By Senators Plante and Gordon—

SB 1422—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending s. 20.19 (9), Florida Statutes, 1976 Supplement; deleting provisions relating to conforming the organization and state service plan of the department to federal statutes and regulations; providing an effective date.

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

By Senator Scott—

SB 1423—A bill to be entitled An act relating to dentistry; amending ss. 466.11, 466.12, and 466.25(1), (2), Florida Statutes; providing for service of process by assistant secretary-treasurers, service of accusation by assistant secretary-treasurers, personal service of accusations; providing an effective date.

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

By Senator Jon Thomas—

SB 1424—A bill to be entitled An act relating to obscenity; creating ss. 847.11-847.22, Florida Statutes; amending ss. 847.08, 847.09, Florida Statutes; providing definitions; prohibiting any person from sending or bringing any obscene matter into this state for sale or distribution; prohibiting any person from possessing, preparing, publishing, or printing any obscene matter with the intent to distribute or exhibit it to others; providing certain exemptions; prohibiting the employment of a minor to perform certain prohibited acts; prohibiting the advertising, promoting or soliciting of obscene matter; prohibiting participation in, production of, or presentation of obscene live conduct in a public place; prohibiting any person from requiring the receipt of obscene matter as a condition to sale or delivery of papers, magazines, and books or denying or threatening to deny a franchise for failure to accept obscene matter; providing penalties; providing a defense for acts committed in aid of science or education; providing for destruction of obscene material; providing that expert witness testimony is not required and for the admissibility of certain evidence; providing for enjoining violations of this act; providing severability; repealing s. 847.011, Florida Statutes, relating to the prohibition of certain acts in connection with obscene or lewd materials; repealing s. 847.02, Florida Statutes, relating to confiscation of obscene matter; repealing s. 847.03, Florida Statutes, relating to seizing of obscene matter by an officer; repealing s. 847.06, Florida Statutes, relating to transportation of obscene matter into this state; repealing s. 847.07, Florida Statutes, relating to distribution of obscene materials; providing an effective date.

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

By Senator Jon Thomas—

SB 1425—A bill to be entitled An act relating to community mental health services; amending s. 394.69(4), Florida Statutes, 1976 Supplement, and adding a subsection to said section; placing a cap on the budgets of mental health district boards, limiting expenditure of state funds for such boards, and requiring boards to comply with certain provisions of chapter 617, Florida Statutes; amending s. 394.75(2)(e), Florida Statutes, 1976 Supplement; reducing the period over which boards must plan community mental health needs; amending s. 394.76(9), Florida Statutes, 1976 Supplement; requiring local matching funds and providing a formula for such matching; amending s. 394.78(4), Florida Statutes, 1976 Supplement; limiting governing body jurisdiction over the board plan; amending s. 16, chapter 76-221, Laws of Florida; delaying the effective date of the amendment to s. 394.76(6), Florida Statutes; requiring that the Department of Health and Rehabilitative Services promulgate a plan for the implementation of said section as amended and report to the Legislature; 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 Vogt—

SB 1426—A bill to be entitled An act relating to hotels and restaurants; creating ss. 509.401-509.417, Florida Statutes; providing for a writ of distress and a prejudgment writ of distress; providing the innkeeper with the right to lockout a guest with a large outstanding account; defining innkeeper, guest, and account; providing for an innkeeper's writ of distress; providing for the elements of the complaint; providing for a prejudgment writ of distress; providing for execution of the writ and disposition of seized property; providing exemptions; providing for action to be taken when judgment is entered; providing for costs and attorney's fees; providing for sale of the distrained property; providing an effective date.

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

By Senator Poston—

SB 1427—A bill to be entitled An act relating to the non-resident motorists; creating ss. 322.49, 322.50, Florida Statutes; amending ss. 322.45-322.48, Florida Statutes; enacting the Florida Nonresident Violator Compact; authorizing the issuance of traffic citations to nonresidents for certain traffic

violations; providing for warrants of arrest; providing for report of failure to comply with traffic citation to the licensing authority of the nonresident motorist's jurisdiction; providing the action to be taken by such jurisdiction when a traffic citation is ignored; providing for the administration of such compact; providing an effective date.

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

By Senator Wilson—

SB 1428—A bill to be entitled An act relating to professional and occupational regulation; providing legislative intent; amending ss. 458.01, 458.02, 459.05, 460.01, 460.02(1), 461.05, 462.02(1), (2), 463.02(1), 464.031(1), 465.041(2), (3), 467.01(1), (2), 468.182(3)(a), 470.02(1), 471.08(3), 473.03(1), 474.041, 475.02, 476.17(2), 477.18(1)(a), 480.04, 481.031(2), 484.05, 489.03(1), 490.15(2), (3), 491.03(1), 492.03, 492.04, Florida Statutes, and 466.06(2), (3), 466.07, Florida Statutes, 1976 Supplement; providing for the appointment of one layman member to the State Board of Medical Examiners, State Board of Osteopathic Medical Examiners, Florida State Board of Chiropractic Examiners, Board of Podiatry Examiners, State Board of Naturopathic Examiners, Florida State Board of Optometry, Florida State Board of Nursing, Florida Board of Pharmacy, Florida State Board of Dentistry, Florida State Board of Architecture, Florida Electrical Contractors' Licensing Board, State Board of Funeral Directors and Embalmers, Florida State Board of Professional Engineers and Land Surveyors, State Board of Accountancy, Florida State Board of Veterinary Medicine, Florida Real Estate Commission, Florida Barbers' Sanitary Commission, State Board of Cosmetology, Florida Board of Massage, Florida Board of Landscape Architects, State Board of Dispensing Opticians, Florida Watchmakers' Commission, Florida State Board of Examiners of Psychology, Sanitariums' Registration Board, and the State Board of Registration for Foresters; specifying the qualifications for appointment as a layman member; repealing s. 461.14, Florida Statutes, relating to eligibility for membership on the Board of Podiatry Examiners; providing an effective date.

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

By Senator Hair (by request)—

SB 1429—A bill to be entitled An act relating to title insurance; amending s. 624.608, Florida Statutes; redefining "title insurance"; defining "transacting of title insurance"; amending s. 627.784, Florida Statutes; requiring title insurers to make title searches and examination and to insure against defects in the title from the last available record of title evidence and the time of recording of the document or documents creating the estate to be insured; adding s. 627.786(3), Florida Statutes; authorizing a title insurer to recognize and assume liability for certain acts of its agents or members of a business trust title insurer in connection with real property transactions for which a title insurance policy or guarantee of title of such title insurer is to be issued; creating ss. 627.787, 627.789, Florida Statutes; providing for annual accounting and special auditing of outstanding forms by title insurers of their agents or members of a business trust title insurer; prohibiting the furnishing of certain supplies to agents not under contract with title insurers or approved as members of a business trust title insurer; providing for civil liability; providing a penalty; providing an effective date.

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

By Senator Lewis—

SB 1430—A bill to be entitled An act relating to water well contractors; creating s. 373.324, Florida Statutes; requiring a bond for a water well contractor's license; designating the conditions, provisions, and uses of the bond; providing for suspension, revocation, denial of a license or refusal to renew a license for failure to obtain or maintain the bond; requiring the Department of Environmental Regulation establish certain procedures; providing an effective date.

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

By the Committee on Judiciary-Criminal—

SB 1431—A bill to be entitled An act relating to stolen property; creating the "Florida Anti-Fencing Act"; providing definitions; making it a crime for any dealer to possess property knowing that the identifying features have been altered; making it a crime to traffic in property known to have been stolen; making it a crime to initiate, organize, plan, finance, direct, manage or supervise a theft and traffic in stolen property; providing criminal penalties; designating evidence which gives rise to inferences of dealing in stolen property; providing for precluded defenses; providing a fine; providing for the rights of innocent persons; providing civil remedies of divestiture, reasonable restrictions on future activities, dissolution or reorganization of any enterprise, revocation or suspension of licenses or permits, and forfeiture of corporation charter or revocation of certificate authorizing a foreign corporation to conduct business within this state; providing for seizure and disposition of seized and forfeited property; providing that any aggrieved person may institute civil proceedings; providing for treble damages, punitive damages, and attorney's fees; amending s. 905.34, Florida Statutes; extending the subject matter jurisdiction of the statewide grand jury to include violations of this act; amending s. 934.07, Florida Statutes; permitting authorization for the interception of wire or oral communications to provide evidence of any violation of the provisions of this act; providing severability; providing an effective date.

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

By Senator MacKay—

SB 1432—A bill to be entitled An act relating to education; amending s. 231.17(5), Florida Statutes; authorizing the Commissioner of Education to review denials of certificate applications; amending s. 231.28(2), (4), (5), (6), Florida Statutes; authorizing the Commissioner of Education to suspend and revoke teaching certificates and requiring the Professional Practices Council to conduct hearings required; providing an effective date.

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

By Senator Gordon—

SB 1433—A bill to be entitled An act relating to taxation; amending ss. 210.02(1), (3)-(5), 210.20(2)(a), Florida Statutes; increasing the excise or privilege tax on cigarettes; changing the distribution of funds received from such taxes; providing an effective date.

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

By Senators Gordon and Graham—

SB 1434—A bill to be entitled An act relating to the Community Redevelopment Act of 1969; amending s. 163.340(1), (9), Florida Statutes; redefining "agency" and "community redevelopment project"; adding s. 163.355(3), Florida Statutes; requiring the governing body of a county or municipality to adopt a resolution finding that there is a need for a community redevelopment agency prior to exercising the authority granted such county or municipality by the act; creating s. 163.356, Florida Statutes; providing for the creation of a community redevelopment agency; creating s. 163.357, Florida Statutes; allowing the governing body of a county or municipality to declare itself to be the community redevelopment agency; creating s. 163.358, Florida Statutes; providing for the exercise of powers in carrying out community redevelopments projects and related activities; amending s. 163.360, Florida Statutes; requiring community redevelopment plans to conform to the comprehensive plan for the county or municipality as prepared by the local planning agency under the Local Government Comprehensive Plan Act of 1975; prescribing the procedures for submission of such a plan; creating s. 163.361, Florida Statutes; prescribing procedures for modification of community redevelopment plans; creating s. 163.362, Florida Statutes; prescribing the contents of a community redevelopment plan; creating s. 163.367, Florida Statutes; prohibiting public officials, commissioners, and employees from acquiring an interest in any community redevelopment project; amending s. 163.370, Florida Statutes; prescribing the powers of counties, municipalities, and community redevelopment agencies; amending s. 163.375(1), Florida Statutes; giving

community redevelopment agencies the authority to exercise the power of eminent domain; amending s. 163.380, Florida Statutes; giving community redevelopment agencies the power to dispose of property in a community redevelopment area; amending s. 163.385(1), (5), (6), Florida Statutes, 1976 Supplement; authorizing the issuance of revenue bonds by a county, municipality or community redevelopment agency; creating s. 163.387, Florida Statutes; providing for the establishment of a redevelopment trust fund for each community redevelopment agency; amending s. 163.430, Florida Statutes; providing for supplemental powers to existing community redevelopment powers of counties, municipalities and community redevelopment agencies; amending s. 163.445, Florida Statutes; requiring state agencies to give assistance to community redevelopment; amending s. 163.450, Florida Statutes; providing for participation in a neighborhood development program under the federal Housing Act of 1968 by a county, municipality or community redevelopment agency; transferring s. 163.435, Florida Statutes, and renumbering said section as s. 163.367, Florida Statutes; repealing s. 163.425, Florida Statutes, 1976 Supplement, relating to the creation of community redevelopment agencies; repealing s. 163.435, Florida Statutes, relating to prohibited interests of certain public officials; 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 1435—A bill to be entitled An act relating to motor vehicle license taxes; amending s. 320.08, Florida Statutes, 1976 Supplement; providing for an increase in motor vehicle license taxes; providing an effective date.

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

By Senator Barron—

SB 1436—A bill to be entitled An act relating to the coastal zone management program; providing procedures through which the program is to be implemented; requiring the Department of Environmental Regulation to utilize interagency agreements and contracts; transferring powers, duties, personnel, and functions of the Bureau of Coastal Zone Planning of the Division of Resource Management of the Department of Natural Resources to the Department of Environmental Regulation; requiring the state coastal zone management plan to be submitted to the Governor and Cabinet before submission to the federal government; requiring that the state coastal zone plan contain standards for the preparation of local plans; transferring powers, duties, personnel, and functions of the Bureau of Land and Water Management of the Division of State Planning of the Department of Administration to the Department of Environmental Regulation; requiring regional planning councils to continue to act as the lead agency in the performance of development of regional impact reviews and to assist in the review of the coastal zone protection element of local comprehensive plans; requiring the Secretary of the Department of Environmental Regulation to submit rules for adoption by the Governor and Cabinet relating to the delegation of authority to implement the coastal zone management plan; requiring local governments to prepare their local coastal zone protection elements in accordance with State Standards; requiring the Governor and Cabinet to resolve major conflicts as may develop in the state coastal zone management program; requiring a certain percentage of the federal funds for coastal zone management planning and implementation be available to local governments or regional planning councils; providing an effective date.

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

By Senators Ware and Henderson—

SB 1437—A bill to be entitled An act relating to interest and usury; amending s. 687.03(3), Florida Statutes, 1976 Supplement; providing a method for spreading an advance or forbearance over the stated term of a loan in order to compute the effective rate of interest; providing an effective date.

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

By Senator McClain—

SB 1438—A bill to be entitled An act relating to workmen's compensation; repealing s. 440.185(9), Florida Statutes, which imposed a civil penalty upon an insurance carrier or employer failing or refusing to send any required form, report, or notice of an employee's injury or death; providing an effective date.

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

By Senator Lewis—

SB 1439—A bill to be entitled An act relating to water-management districts; amending s. 298.01(1), Florida Statutes; redesignating water-management districts as water-control districts; amending ss. 298.13, 298.17, 298.20, 298.23, 298.24, 298.25, 298.27(1), 298.30, 298.35, 298.36(3), (4), 298.401(1)-(3), 298.41, 298.52(1), 298.59, 298.62-298.66, 298.70-298.73, 298.76, 298.77(1), (2), 298.79, Florida Statutes, and ss. 298.02(1), 298.07(1), (2), (4), 298.33(1), 298.55(1), Florida Statutes, 1976 Supplement, to conform the remainder of chapter 298, Florida Statutes, to this change; providing an effective date.

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

By Senator W. D. Childers—

SB 1440—A bill to be entitled An act relating to county public health units; creating Part IV of chapter 154, Florida Statutes, Optional Operation of County Public Health Units; providing a short title; providing for an election by a board of county commissioners to assume local operation of county public health units; providing for cooperation with the Department of Health and Rehabilitative Services; prescribing health programs authorized; authorizing additional mills of tax to be levied; providing for establishment of a local health unit trust fund; providing for state aid to counties for operation of local health units; providing for rebudgeting of trust funds at the end of the fiscal year; requiring county to submit a plan of operation and a budget for the operation of a local health unit to the Department of Health and Rehabilitative Services; providing for amendments to such plan and budget; providing for transfer of personnel and material by the department in an emergency; providing for cooperation by the counties with the department and the United States Government for public health purposes; providing for personnel of health units and prescribing their duties; providing for cooperation and agreements between counties to establish a local health unit; authorizing such units to collect fees for services rendered; providing for continuation of current state financial aid; providing for refund of trust moneys to counties; providing for consideration of existing employees; 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 Dunn—

SB 1441—A bill to be entitled An act relating to criminal history records and fingerprinting; amending s. 30.31, Florida Statutes; requiring that sheriffs furnish a copy of all fingerprints made by them to the Department of Criminal Law Enforcement; amending s. 245.06, Florida Statutes; requiring the Division of Universities of the Department of Education to submit fingerprint records of certain dead bodies to the department; amending s. 475.16, Florida Statutes; requiring applicants for registration for real estate licenses to submit fingerprints for processing through the department; creating s. 943.051, Florida Statutes; providing for the sealing and expunction of criminal history records; providing the effect of expunction or sealing of criminal history records; creating s. 943.052, Florida Statutes; requiring fingerprinting of persons arrested for all felonies and selected misdemeanors; providing that fingerprints be submitted to and maintained by the department; creating s. 943.053, Florida Statutes; providing a definition of "disposition reports"; providing for the submission of disposition reports according to rules promulgated by the department; repealing ss. 893.14, 901.33, Florida Statutes, relating to conditional discharge and expunction of records for

a first offense of possession of drugs and expunging of arrest records; providing an effective date.

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

By Senator Myers—

SB 1442—A bill to be entitled An act relating to taxation; amending ss. 212.03(1), (3), (6), 212.031(1), 212.04(1), (5), 212.06(1)(a), 212.08(3), Florida Statutes; amending ss. 212.05, 212.055(1), 212.12(1), (10), (11), Florida Statutes, 1976 Supplement; increasing the sales, rental, storage and use tax, the admissions tax, and the transient rentals tax on transactions; decreasing the tax on charges for electric power and fuel and excluding excise taxes or similar taxes from the tax base; decreasing the discount allowed a dealer for collecting such taxes; authorizing chartered counties to assess a sales tax on certain items; revising the tax brackets in accordance with the tax rates prescribed; providing an effective date.

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

By Senator Poston—

SB 1443—A bill to be entitled An act relating to motor vehicles; amending ss. 324.021(2), 324.051, Florida Statutes, 1976 Supplement; amending ss. 324.061(1), (3), 324.071, 324.072, 324.081(1), (4), 324.191, 627.733(3)(b), Florida Statutes; creating ss. 316.750, 320.023, 324.185, Florida Statutes; requiring owners or operators of motor vehicles to show proof of financial responsibility upon request of law enforcement officer; providing that failure to provide such proof is a violation of s. 627.735, Florida Statutes; requiring proof of financial responsibility prior to registration; conforming language to reflect the transfer of duties relating to financial responsibility from the Department of Insurance to the Department of Highway Safety and Motor Vehicles; decreasing the amount of property damage necessary before the Department of Highway Safety and Motor Vehicles is required to suspend a driver's license if certain conditions are not met; increasing fee for reinstatement of suspended registration; requiring the Department of Highway Safety and Motor Vehicles to suspend registration upon revocation or suspension of driver's license pursuant to chapters 316, 318, or 322, Florida Statutes, by reason of conviction or forfeiture of bail; authorizing the Department of Highway Safety and Motor Vehicles to reinstate driving privileges of a nonresident if such nonresident's insurance company furnishes the department with power of attorney to accept service of process; requiring insurance companies to notify the Department of Highway Safety and Motor Vehicles of certain cancellations; repealing s. 325.19(7), Florida Statutes, which requires evidence of insurance to be presented in order to have a motor vehicle inspected; providing an effective date.

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

By Senator Henderson—

SB 1444—A bill to be entitled An act relating to public defenders; amending s. 27.50, Florida Statutes; providing additional qualification requirements for public defenders; amending s. 27.51, Florida Statutes; specifying the types of cases in which the public defender is required to represent indigent or partially indigent persons and in which defense counsel must be assigned; amending s. 27.52, Florida Statutes; replacing the procedure for a determination of insolvency with a procedure for determination of indigency or partial indigency; amending s. 27.53(2), (3), Florida Statutes, 1976 Supplement; providing that certain attorneys, other than public defenders, appointed to represent indigent or partially indigent defendants, shall be entitled to legal fees fixed by the trial judge; amending s. 27.55, Florida Statutes; providing that the salary of the public defender in any newly created judicial circuit shall be in accordance with s. 27.5301, Florida Statutes; amending s. 27.58, Florida Statutes; providing that part II of chapter 27, Florida Statutes, shall be supplemental to any county or municipal ordinance relating to public defenders or assigned defense counsel; amending s. 27.59, Florida Statutes; empowering public defenders, assistant public defenders, and investigators of public defenders to have certain access to prisoners; deleting any time requirement for access to prisoners; providing an effective date.

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

By Senator Skinner—

SB 1445—A bill to be entitled An act relating to Columbia County; amending sections 1 and 3 of chapter 27476, Laws of Florida, 1951; providing that the county attorney be appointed by the Board of County Commissioners rather than elected; providing procedures for removal of the county attorney; providing for a referendum; providing an effective date.

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

By Senators Spicola, Castor and McClain—

SB 1446—A bill to be entitled An act relating to the West Coast Inland Navigation District, composed of the counties of Pinellas, Hillsborough, Manatee, Sarasota, Charlotte and Lee; amending section 4, chapter 61-1590, Laws of Florida; deleting the power of the Board of Commissioners of said district to issue bonds; repealing section 8, chapter 61-1590, Laws of Florida, relating to the district authority to issue bonds; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senators Spicola, Castor and McClain—

SB 1447—A bill to be entitled An act relating to the West Coast Inland Navigation District, a special tax district of the State of Florida, composed of the counties of Pinellas, Hillsborough, Manatee, Sarasota, Charlotte and Lee; repealing chapter 61-1590, Laws of Florida, creating the district; providing for retirement of contractual obligations; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Trask—

SB 1448—A bill to be entitled An act relating to Citrus County; prohibiting commercial fishing in certain waters in such county; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senators Scarborough, Sayler, Graham, Johnston and Williamson—

SB 1449—A bill to be entitled An act relating to collective bargaining for public employees; amending ss. 447.14, 447.205, 447.207, 447.301, 447.303, 447.305(1), (3), 447.307, 447.309, 447.403, 447.405, 447.407, 447.503(1)-(4), Florida Statutes; amending s. 447.203, Florida Statutes, 1976 Supplement; adding ss. 447.09(16), 447.17(3), Florida Statutes; transferring subsections (5), (6), (7), (8), and (9), of s. 447.503, Florida Statutes, to s. 447.504, Florida Statutes; repealing s. 447.603, Florida Statutes; limiting the site of picketing; separating penalties and civil remedies from part II; defining public employer, strike, strike funds, chief executive officer and good faith bargaining; eliminating budget submission date; creating a full-time Public Employee Relations Commission and providing operational authority; excluding retirement from collective bargaining; providing for student participation in the Board of Regents negotiations; providing for time of dues deductions; providing for an annual financial report and fee from employee organizations; providing for certification of employee organizations and intervention by 10 percent showing of employees in a proposed unit; providing for the cost of elections; providing for ratification of agreements; eliminating automatic impasse procedures and providing for special master's report; providing for compensation and expenses of mediator and special master; changing appeal procedures for unfair labor practices; providing for awarding cost of litigation and reasonable attorney fees in unfair labor practice charges; repealing local option; providing an effective date.

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

By Senator Trask—

SB 1450—A bill to be entitled An act relating to Citrus County; amending section 1 of chapter 28966, Laws of Florida, 1953, as amended; prescribing a line across the Chassahowitzka River East of which salt water fish may be taken only by hook and line, or rod and reel; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Poston—

SB 1451—A bill to be entitled An act relating to drivers' licenses; amending s. 322.01(14), Florida Statutes, 1976 Supplement, and adding subsections (16) and (17); clarifying the definition of "certificate of eligibility" and defining certain terms; amending s. 322.02(2), Florida Statutes; changing requirements for director of the Division of Driver Licenses; amending s. 322.03(1), (2), Florida Statutes; providing for surrender of out-of-state operator's licenses to the department; clarifying when a chauffeur's license is required; amending ss. 322.031, 322.04(2), Florida Statutes; providing license requirements applicable to nonresidents; amending s. 322.05(2), Florida Statutes; deleting an obsolete cross-reference; providing qualifications for issuance of a chauffeur's license; providing circumstances under which the department is prohibited from issuing a license; amending s. 322.051(1), (2), Florida Statutes; clarifying requirements for issuance of identification card to unlicensed persons; deleting requirement for sealing of such cards in plastic or similar substance; amending s. 322.08, Florida Statutes; providing for swearing to information on application for license or instruction permit; providing certain information on such application; amending ss. 322.09, 322.10, Florida Statutes; clarifying required signature on minor's license application; limiting use of uncertified copies of documents in minor's license application; eliminating multiple application provision for families; deleting provisions relating to imputation of minor's liability to head of family; amending s. 322.12(2), Florida Statutes; providing alternative location for license examination; eliminating examination time requirement; amending s. 322.121(1), (2), Florida Statutes; removing reexamination notification requirement for license renewal; providing deadline for special reexamination fee; amending s. 322.126(1), Florida Statutes; correcting a spelling error; amending s. 322.13, Florida Statutes; providing for appointment and duties of driver license examiners; amending s. 322.14, Florida Statutes; providing for the information required to appear on license; amending s. 322.142(1), (2), (5), Florida Statutes; deleting provisions relating to payment of license fees to an authorized department agent; delineating purposes for which photographic prints can be issued; amending s. 322.16(2)(a), (b), Florida Statutes; prescribing qualifications of person who must accompany a restricted driver under age 16; clarifying requirements with respect to restricted licenses; amending s. 322.18(2)(c), (6), Florida Statutes; clarifying license expiration date; providing for alternative application; deleting waiting period for license issuance; adding s. 322.20(3), Florida Statutes; providing a penalty for unauthorized alterations of certain records; amending s. 322.212(1), (3), Florida Statutes, relating to unauthorized use or possession of drivers' licenses; deleting references to county court judge and department agents; prohibiting department employees from allowing issuance of drivers' licenses to persons who have not fulfilled licensing requirements; amending s. 322.22(1), Florida Statutes; authorizing cancellation of licenses in different names when they bear the photograph of same person; amending s. 322.221(2)(c), Florida Statutes; correcting reference to medical advisory board; amending ss. 322.25(7), Florida Statutes, 1976 Supplement, and 322.282(2), Florida Statutes; eliminating time period for seeking license reinstatement upon receiving court order for reinstatement; amending s. 322.27(1)(b), Florida Statutes, 1976 Supplement, increasing amount of property damage necessary before department may invoke suspension powers; redesignating s. 322.32(7), Florida Statutes, and adding a new subsection (7) to said section; providing a penalty for applying for or obtaining photographic licenses in different names; amending s. 322.41, Florida Statutes; prohibiting local issuance of drivers' licenses; repealing s. 322.211, Florida Statutes, relating to appointment of subagents of department for sale and issuance of drivers' licenses; repealing s. 322.27(3),

Florida Statutes, an obsolete provision relating to valuation of certain points under the point system; providing an effective date.

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

By Senators Plante, Gordon, Henderson, Gallen, Ware, Brantley, Williamson, Gorman, Wilson, Lewis and Barron—

SB 1452—A bill to be entitled An act relating to ethics in government; adding s. 112.311(7), (8), (9), Florida Statutes; providing legislative intent; amending s. 112.3145, Florida Statutes, 1976 Supplement; providing for full financial disclosure to be filed by certain persons; defining full financial disclosure; providing for disclosure of interests in entities which have been provided a grant or privilege to operate; providing time and place for filing full financial disclosure; providing for limited financial disclosure to be filed by certain specified persons; providing definition of limited financial disclosure; providing time for filing limited financial disclosure; providing for disclosure of gifts; providing for Florida Commission on Ethics and the Secretary of State to distribute disclosure forms; creating s. 112.3148, Florida Statutes; providing for disclosure of representation before agencies; providing exceptions; amending s. 112.3147, Florida Statutes, 1976 Supplement; requiring the commission to prescribe certain forms; providing an effective date.

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

By the Committee on Health and Rehabilitative Services—

SB 1453—A bill to be entitled An act relating to mental health; amending s. 918.10(1), Florida Statutes, providing for insanity verdict; creating s. 918.105, Florida Statutes, providing the procedure to be followed for defendants who are insane or incompetent; amending s. 918.11, Florida Statutes, relating to the appointment of expert witnesses by the courts; creating s. 918.15, Florida Statutes, providing for a competency hearing; creating s. 918.16, Florida Statutes, providing a procedure for hospitalizing incompetent defendants; creating s. 928.17, Florida Statutes, providing a procedure for hospitalizing defendants found guilty but insane; creating s. 918.18, Florida Statutes, providing a forensic hearing procedure; amending s. 945.025(2), Florida Statutes, providing for a forensic hearing to be held prior to the Department of Offender Rehabilitation transferring prisoners to the Department of Health and Rehabilitative Services; amending s. 945.12, Florida Statutes; providing a procedure for committing and releasing prisoners from institutions of the Department of Health and Rehabilitative Services; repealing s. 394.467(3)(b) and (5), Florida Statutes; relating to hospitalization or release under the Florida Rules of Criminal Procedure; repealing s. 921.09, Florida Statutes, relating to physician's fees; reassigning the remainder of chapter 921, Florida Statutes, to chapter 918, Florida Statutes; providing severability; providing an effective date.

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

By Senator Saylor—

SB 1454—A bill to be entitled An act relating to the ethics in government; adding s. 112.311(7), (8), (9), Florida Statutes; providing legislative intent; amending s. 112.3145, Florida Statutes, 1976 Supplement; providing for full financial disclosure to be filed by certain persons; providing for the Florida Commission on Ethics to receive statements of full financial disclosure; providing time for filing; defining contents of full financial disclosure; providing for persons filing full financial disclosure to also file limited financial disclosure; providing for specified persons to file limited financial disclosure; providing time for persons to file limited financial disclosure; providing definition of contents of limited financial disclosure; providing for distribution by mail of disclosure forms; providing for filing separate disclosure of gifts; amending s. 112.3146, Florida Statutes; requiring certain statements of financial disclosure to be public records; amending s. 112.3147, Florida Statutes, 1976 Supplement; providing for forms for disclosure of financial information; creating s. 112.3148, Florida

Statutes; requiring disclosure of representation of clients before agencies; providing an effective date.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 18 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Young and Adams—

HB 18—A bill to be entitled An act relating to nonpublic colleges; adding a subsection (3) to s. 246.081, Florida Statutes; prohibiting such colleges or any person on behalf of such colleges from causing to be published any advertisement soliciting students or offering a diploma or degree if such college does not have a valid license to operate or if such college is under an injunction against operating, soliciting students, or offering a diploma or degree; amending s. 246.101, Florida Statutes, providing for license fees; amending s. 246.091(1), Florida Statutes, 1976 Supplement, providing for annual review and renewal of certain licenses; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1697 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hawkins and others—

HCR 1697—A concurrent resolution honoring Mrs. John Raab Skipper, Sr., Florida's Mother of the Year for 1977.

—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 as amended—

HB 985 HB 367 HB 628

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Barrett and Evans—

HB 985—A bill to be entitled An act relating to libraries; creating s. 257.125, Florida Statutes, and amending s. 119.07(2)-(b), Florida Statutes, to require that certain registration and circulation records of public libraries shall be confidential information; providing a penalty; providing an effective date.

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

By Representatives Melvin and J. W. Lewis—

HB 367—A bill to be entitled An act relating to education; amending s. 230.66(1), (2)(a), (5) and (6), Florida Statutes, which establishes an industry services training program and creates the Industry Services Advisory Council; enlarging the scope of the program and increasing the membership of the council; providing for participation in training programs by community college boards of trustees; deleting certain restrictions on teachers employed in such programs; providing an effective date.

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

By Representatives Hazelton and J. W. Lewis—

HB 628—A bill to be entitled An act relating to public business; creating s. 286.24, Florida Statutes, requiring boards, commissions, or authorities of state agencies or of political subdivisions of the state to make their public meetings accessible to the physically handicapped upon request; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1408 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Fortune—

HB 1408—A bill to be entitled An act relating to forest protection; amending s. 590.02(4), Florida Statutes, to authorize special officers to enforce litter and game and fish laws; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 156 and HB 1241 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hutto and others—

HB 156—A bill to be entitled An act relating to motor vehicle licenses; amending ss. 320.0806(2) and 320.083(1) and (2), Florida Statutes; providing that "HP" license tags for handicapped persons and special license tags for amateur radio operators may be issued for private pickup trucks and recreational vehicles; amending s. 320.084, Florida Statutes; providing that "DV" license tags be issued free only to disabled veterans who meet certain residency requirements; requiring the surrender of such tag when the veteran is no longer a resident of Florida; amending s. 320.0843(1), Florida Statutes, providing that license plates for wheelchair users may be issued for recreational vehicles; amending s. 320.089(1) and (2), Florida Statutes, providing that special license plates issued to members of the National Guard may be issued for private pickup trucks and recreational vehicles; providing an effective date.

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

By Representative Allen—

HB 1241—A bill to be entitled An act relating to spearfishing; amending s. 370.172(1), Florida Statutes, providing that the possession of certain spearfishing equipment by a person swimming in a prohibited area shall be prima facie evidence of a violation of the law; providing an effective date.

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

The Honorable Lew Brantley, President

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

CS for HB's 518 & 618 HB 1618
 HB 522 HB 1619
 HB 545 HB 1747

—and requests the concurrence of the Senate.

Allen Morris, Clerk

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

CS for HB's 518 & 618—A bill to be entitled An act relating to planning and budgeting; adding a new subsection (5) to s. 216.151, Florida Statutes, to require the secretary of the Department of Administration to analyze the financial effect on local governments as a result of executive, legislative, or judicial action; adding subsection (3) to s. 216.162, Florida Statutes, to require the Governor's legislative budget to include recommendations for sources of funds for local governments when executive, legislative, or judicial actions cause revenue loss or increased expenditures to local governments; providing an effective date.

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

By Representative T. Lewis and others—

HB 522—A bill to be entitled An act relating to weapons and firearms; adding subsection (15) to s. 790.001, Florida Statutes, 1976 Supplement, defining the term "firearm muffler" or "firearm silencer"; creating s. 790.075, Florida Statutes, providing that possession of mufflers or silencers for use with a firearm is unlawful as against public policy; providing a penalty; providing an effective date.

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

By Representative Richmond and others—

HB 545—A bill to be entitled An act relating to state attorneys; amending s. 27.34(1), Florida Statutes; providing that a county or municipality may appropriate funds to pay the salary of one assistant state attorney who shall solely prosecute violations of ordinances or special laws; providing an effective date.

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

By the Committee on Agriculture & General Legislation—

HB 1618—A bill to be entitled An act relating to the turfgrass industry; amending the introductory paragraph and subsections (1) and (3) of s. 570.23, Florida Statutes, and the introductory paragraph and subsection (1) of s. 570.34, Florida Statutes, providing a turfgrass member on the State Agricultural Advisory Council and on the Plant Industry Technical Council; providing an effective date.

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

By the Committee on Agriculture & General Legislation—

HB 1619—A bill to be entitled An act relating to agriculture; amending s. 581.101, Florida Statutes; providing that plants, plant products, and other things included in a quarantine, moved, introduced, or disposed of in violation of a quarantine and plants propagated from such plants, plant products and things, are contraband and are required to be confiscated and destroyed by the Department of Agriculture and Consumer Services without compensation; creating s. 581.183, Florida Statutes; making it unlawful to sell or propagate for sale any tree representing a new citrus variety brought into the state after July 1, 1977, which was propagated from a tree not indexed and certified as disease-free by the department; providing that such tree is contraband and is required to be confiscated and destroyed by the department without compensation; providing an effective date.

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

By the Committee on Governmental Operations—

HB 1747—A bill to be entitled An act relating to transportation; amending ss. 20.23(7) and 337.25(1)-(3), Florida Statutes; deleting provisions which assign certain functions to

certain divisions in the Department of Transportation; 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 CS for HB 490 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Corrections, Probation & Parole and Representatives Fulford and Batchelor—

CS for HB 490—A bill to be entitled An act relating to assault, battery, or assault and battery in a county or municipal jail or detention facility; creating s. 951.075, Florida Statutes, making assault, battery, or assault and battery committed in a county or municipal jail or detention facility a felony of the second degree; 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 2064 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Brown and others—

HB 2064—A bill to be entitled An act relating to taxation; providing for the levy of a local option tourist development tax by any county or subcounty special district within the state; providing an exception; providing for limitations and restrictions on the use of revenues derived from said tax; providing for restrictions on terms of ordinances; providing for a referendum; providing penalties; providing an effective date.

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

The Honorable Lew Brantley, President

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

HB 1035 HB 421 HB 1051

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 1035—A bill to be entitled An act relating to saltwater conservation; providing restrictions on the use of seine nets from the beaches of St. Johns County; providing permitting procedures and a permit fee; providing for denial or revocation of permit; providing for enforcement; providing a penalty; providing an effective date.

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

By Representative Moffitt—

HB 421—A bill to be entitled An act relating to instructional aids; adding a new subsection (12) to s. 233.25, Florida Statutes, and adding a paragraph to subsection (3) of said section; requiring publishers and manufacturers of instructional materials, with respect to any copyright held by the publisher or its agency, to give automatic permission to the Department of Education or its agencies for the reproduction of the material in Braille, large print, or as sound recordings for visually handicapped students as a prerequisite to providing such instructional materials to the state; requiring submission of certain information relating to copyrights; providing an effective date.

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

By Representatives Barrett and Maxwell—

HB 1051—A bill to be entitled An act relating to the “Indian River” pageant; creating s. 15.041, Florida Statutes, designating said pageant as an official state pageant; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1036 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 1036—A bill to be entitled An act relating to the Florida School for the Deaf and the Blind; naming the vocational building at the school the Thomas M. Gibbs Vocational Building; directing the board of trustees of the school to erect suitable markers; providing an effective date.

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

The Honorable Lew Brantley, President

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

HB 884 HB 721 HB 888

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Neal—

HB 884—A bill to be entitled An act relating to insurance; amending section 3(3)(ff) of chapter 76-168, Laws of Florida, to exempt Part IV of Chapter 624, Florida Statutes, relating to the insurance premium tax, from the provisions of the Regulatory Reform Act of 1976; providing an effective date.

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

By Representative Hollingsworth and others—

HB 721—A bill to be entitled An act relating to motion pictures; providing that it shall be false, misleading, and deceptive advertising to exhibit a preview of a movie rated other than “G” on the same program with a “G” rated feature film; providing a penalty; providing an effective date.

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

By Representative J. W. Lewis—

HB 888—A bill to be entitled An act relating to banks and trust companies; amending s. 660.11, Florida Statutes; providing that for purposes of establishing a common trust fund, the term “bank or trust company” shall be defined to include two or more banks or trust companies which are members of the same affiliated group as defined in Section 1504 of the Internal Revenue Code of 1954; providing that certain fiduciary relationships shall not be altered; providing an effective date.

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

The Honorable Lew Brantley, President

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

HB 388 CS for HB 1159 HB 676

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Melvin and Hutto—

HB 388—A bill to be entitled An act relating to purchasing; creating s. 287.057, Florida Statutes; placing certain conditions upon the purchase of professional and technical services by the state and its agencies; providing for written agreement and for methods of billing for such services; providing for competitive selection and negotiation with regard to purchase of such services through other personal services; providing prohibitions and exceptions; providing that the conditions of this act do not apply to contracts for such services in effect on the effective date of this act; providing an effective date.

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

By the Committee on Community Affairs and Representative Culbreath—

CS for HB 1159—A bill to be entitled An act relating to municipal recall; amending s. 100.361(2), Florida Statutes; providing that the chief judge of the judicial circuit shall set the date of a recall election; providing an effective date.

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

By Representative James—

HB 676—A bill to be entitled An act relating to public business; creating s. 286.24, Florida Statutes, requiring state agencies to give prior notice to affected political subdivisions of the state of proposed actions prior to taking final action; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 258 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Margolis—

HB 258—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.12(2)(b), Florida Statutes, providing that the appraisal filed by a permittee may be prepared by a member of any nationally recognized appraisal society or association; providing for new permittees; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1068 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative James—

HB 1068—A bill to be entitled An act relating to ad valorem taxation; amending s. 194.015, Florida Statutes, 1976 Supplement, to allow members of a county property appraisal adjustment board to be temporarily replaced by other members of the governing board of the county and district school board on appointment by their respective chairpersons; providing an effective date.

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

The Senate recessed at 8:45 a.m.

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

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

Excused: Senator Henderson from 11:00 a.m. until 12:00 noon.

Prayer by Rabbi Morton Malavsky, Temple Beth Shalom, Hollywood:

Let us offer prayer. O heavenly Father, sovereign of the universe. In thy wisdom, thou has granted us the faculty of appreciating the value of representative government. We therefore seek thy blessing and thy guidance. All those gathered here, thy servants, have been chosen to speak for our great state and they stand upon a station of privilege and responsibility. Direct their deliberations that their wisdom and vision may make our sunshine state of Florida a better state in which to live and a strength in the foundations of our beloved United States of America. May thy spirit dwell richly and warmly within the hearts and lives of our legislators as they manifest abiding courage and sincere faith in the cherished traditions of our founding fathers to work for freedom, justice and peace and demonstrate honorable dealing with fellow men; compassion to the unfortunate and as brothers to all in our midst. Ruler of the universe, whose kingdom is everlasting, bless, guide and guard the President of these United States, our beloved Governor and all executives and leaders of our states and cities, together with all associated with them who labor zealously for our nation and our democracy everywhere. We pray to the biblical ideals of freedom and brotherhood; of equality and justice sacredly enshrined in our American Constitution, be our heritage for always. Hear our prayers and bless us this day and always. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following bills be placed on Special Order Calendar for Wednesday, May 4, 1977:

CS for SB	HB 261	SB 647	CS for SB
960	HB 262	SB 457	341
SB 604	HB 286	SB 906	SB 337
CS for SB	SB 365	CS for SB	SB 326
200	SB 366	131	SB 481
SB 71	SB 465	SB 189	SB 593
HB 37	SB 153	CS for SB	
		321	

Respectfully submitted,
Tom Gallen
Chairman

The Committee on Commerce recommends the following pass: SB 885 with 3 amendments, SB 744

The Committee on Education recommends the following pass: SB 357, SB 1120 with 1 amendment

The Committee on Governmental Operations recommends the following pass: SB 575, SB 735

The Committee on Health and Rehabilitative Services recommends the following pass: SB 618 with 5 amendments, SB 1145

The Committee on Judiciary-Criminal recommends the following pass: SB 196

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass:

SB 154 SB 328 with 1 amendment SB 406

The Committee on Transportation recommends the following pass: SB 640, SB 841 with 4 amendments

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

The Committee on Economic, Community, and Consumer Affairs recommends the following pass: SB 492 with 2 amendments, SB 581

The Committee on Governmental Operations recommends the following pass: HB 52 with 2 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1137

The Committee on Judiciary-Criminal recommends the following pass:

SB 827 with 4 amendments SB 1016 with 2 amendments

The Committee on Transportation recommends the following pass: SB 639 with 2 amendments

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

The Committee on Transportation recommends the following pass: SB 930

The bill was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 671

The bill was referred to the Committee on Education under the original reference.

The Committee on Commerce recommends the following pass: SB 395

The Committee on Judiciary-Civil recommends the following pass: SB 971

The Committee on Transportation recommends the following pass: SB 950 with 2 amendments

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

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1197

The Committee on Judiciary-Civil recommends the following pass: SB 1046

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

The Committee on Economic, Community, and Consumer Affairs recommends the following pass: SB 651 with 2 amendments

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

The Committee on Agriculture recommends the following pass: SB 1132

The bill was referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Health and Rehabilitative Services recommends the following pass: SB 900

The bill was referred to the Committee on Natural Resources and Conservation under the original reference.

The Committee on Agriculture recommends the following pass:

SB 861 with 2 amendments SB 1174
SB 1001 HB 671

The Committee on Commerce recommends the following pass:
SB 368, SB 532

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

SB 275 with 2 amendments HB 592 with 5 amendments
SB 405 SB 666 with 1 amendment
SB 412 SB 1014
SB 731

The Committee on Education recommends the following pass:

SB 922 SB 849
SB 506 SB 598 with 5 amendments

The Committee on Executive Business recommends the following pass: SB 981

The Committee on Governmental Operations recommends the following pass:

SB 797 with 1 amendment HB 1238
SB 1075 with 2 amendments HB 1572
SB 1136 HB 1580
SB 1138 HB 1585
HB 361 HB 1588
HB 526 HB 1589 with 2 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 844 with 1 amendment, SB 1070

The Committee on Judiciary-Civil recommends the following pass:

CS for SB 250 (by the Committee on Commerce)
SB 354 with 2 amendments SB 1057 SB 1122

The Committee on Judiciary-Criminal recommends the following pass:

SB 237 SB 958
SB 423 with 2 amendments SB 1113
SB 473 SB 1078

The Committee on Natural Resources and Conservation recommends the following pass: HB 960 with 2 amendments

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 208

The Committee on Transportation recommends the following pass: SB 754, SB 903

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

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 1072

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

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 915

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

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 1060

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

The Committee on Agriculture recommends a Committee Substitute for the following: SB 989

The Committee on Commerce recommends a Committee Substitute for the following: SB 995

The Committee on Commerce recommends a Committee Substitute for the following: SB 946

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 486

The Committee on Transportation recommends a Committee Substitute for the following: SB 945 and SB 758

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

The Special Master for Claims recommends the following not pass: SB 205

The bill was referred to the Committee on Finance, Taxation and Claims under the original reference pursuant to Rule 4.8.

The Committee on Commerce recommends the following not pass:

SB 517 SB 573 SB 582

The Committee on Health and Rehabilitative Services recommends the following not pass: SB 872

The Committee on Personnel, Retirement and Collective Bargaining recommends the following not pass: SB 110

The Committee on Economic, Community and Consumer Affairs recommends the following not pass: SB 794

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Peterson, the rules were waived and Subcommittee B of the Committee on Appropriations was granted permission to meet May 5 from 12:30 p.m. to 2:00 p.m.

On motion by Senator Henderson, the rules were waived and by two-thirds vote SB 875 was withdrawn from the Committee on Health and Rehabilitative Services.

On motion by Senator W. D. Childers, by two-thirds vote SB 91 was removed from the calendar and referred to the Committee on Commerce.

On motion by Senator Zinkil, Rule 2.6 was waived and the Committee on Governmental Operations was granted permission to consider HB 1082 at the meeting May 5.

On motion by Senator Williamson, by two-thirds vote SB 1381 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Jon Thomas, by two-thirds vote SB 872, having been reported unfavorably by the Committee on Health and Rehabilitative Services, was removed from the table and recommitted to the committee for the purpose of reconsideration.

On motion by Senator W. D. Childers, Rule 2.6 was waived and the Committee on Commerce was granted permission to consider Senate Bills 222, 580 and 1134 at the meeting May 5.

On motion by Senator Poston, the rules were waived by unanimous consent and the Senate reverted to Introduction for the purpose of introducing the following resolution out of order:

INTRODUCTION

By Senators Poston, Gordon, Graham, Renick, Firestone, Myers, Holloway and Winn—

SCR 1460—A concurrent resolution commending Anna Brenner Meyers for her public service and her outstanding leadership in education in Dade County, Florida.

—was read the first time in full. On motion by Senator Poston by two-thirds vote SCR 1460 was read the second time by title, adopted, and certified to the House. The vote on adoption was:

Yeas—35

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

Nays—None

Senators Brantley, Barron, Castor, Chamberlin, Don Childers, W. D. Childers, Dunn, Gallen, Glisson, Gorman, Hair, Henderson, Johnston, Lewis, MacKay, McClain, Peterson, Plante, Sayler, Scarborough, Scott, Skinner, Spicola, Jon Thomas, Pat Thomas, Tobiassen, Trask, Vogt, Ware, Williamson and Wilson were recorded as co-introducers of SCR 1460.

On motion by Senator Poston, the rules were waived and SCR 1460 was ordered immediately certified to the House.

REQUESTS FOR EXTENSION OF TIME

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

SB 615 by Senator Gordon	SB 628 by Senator Vogt
SB 623 by Senator Pat Thomas	SB 620 by Senator Lewis
SB 624 by Senator Scarborough	

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

SB 600 by Senator Zinkil	SB 896 by Senator Plante
SB 601 by Senator Castor	SB 898 by Senator Plante
SB 602 by Senator Castor	HB 20 by Representative Young
SB 747 by Senator MacKay	SCR 622 by Senator Peterson
SB 858 by Senator Graham	
SB 893 by Senator Lewis	

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

SB 606 by Senator Hair	SB 897 by Senator Plante, et al
SB 828 by Senator Jon Thomas	HB 133 by Representative Grizzle
SB 856 by Senator Spicola, et al	

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

SB 874 by Senator Henderson	HB 246 by Representatives J. Hyatt Brown and John Lewis
SB 895 by Senator Myers	

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

SB 680 by Senator Pat Thomas	SB 756 by Senator Skinner
SB 702 by Senator Peterson	CS for HB 42 by The Committee on Community Affairs
SB 716 by Senator McClain	
SB 736 by Senator Dunn	

The Special Master for Claims requests an extension of 15 days for the consideration of the following:

SB 432 by Senator Renick	SB 1281 by Senator Pat Thomas
SB 477 by Senator Lewis	SB 1335 by Senator Pat Thomas
SB 498 by Senator Jon Thomas	SB 1359 by Senator Pat Thomas
SB 557 by Senator Graham	HB 6 by Representative Margolis
SB 720 by Senator Gordon	HB 24 by Representative Martin
SB 759 by Senator Winn and others	HB 40 by Representative Rish and others
SB 926 by Senator Peterson	
SB 1048 by Senator Zinkil	
SB 1264 by Senator Gordon	

The Select Subcommittee of the Committee on Education appointed April 21 requests an extension of 5 days for consideration of SB 696, which was referred April 28.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed in the office of the Secretary of State SB 265 which he had approved May 2, 1977, and SB 5 which he had approved May 3, 1977.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed HB 112, as amended.

Allen Morris, Clerk

SPECIAL ORDER

CS for SB 960—A bill to entitled An act relating to organized crime; making it unlawful to use or invest proceeds from a pattern of racketeering conduct or from the collection of an unlawful debt to acquire or maintain an interest in, or to establish or conduct an enterprise, including real property; providing an affirmative defense; making it unlawful to acquire or maintain an interest in, or to conduct an enterprise, including real property, through a pattern of racketeering conduct or through the collection of an unlawful debt; making it unlawful to conspire or endeavor to engage in such conduct, or to solicit, coerce, or intimidate another to do so; providing criminal penalties; providing procedures and criteria for adjudicating certain persons to be dangerous special racketeers; providing a criminal penalty for a dangerous special racketeer; providing an alternative fine; providing for the rights of innocent persons; providing civil remedies of divestiture, reasonable restrictions on future activities, dissolution or reorganization of any enterprise, revocation or suspension of licenses or permits, and forfeiture of corporation charter or revocation of certificate authorizing a foreign corporation to conduct business within this state; providing for seizure and state disposal of seized and forfeiture property; providing that any aggrieved person may institute civil proceedings to seek treble damages, attorney's fees, and punitive damages; providing for civil investigative demand for any agency having jurisdiction to investigate as a crime or as a violation of state regulatory laws or rules; providing procedures for using civil investigative demand; providing for the confidentiality of documentary material produced under a civil investigative demand and for the return or disposal of such material after the conclusion of such investigation; amending s. 905.34, Florida Statutes; extending the subject matter jurisdiction of the state wide grand jury to include violations of this act; amending s. 934.07, Florida Statutes; allowing authorization for the interception of wire or oral communications to provide evidence of any violation of the provisions of this act and certain other offenses; providing severability; providing an effective date.

—was read the third time by title.

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

Amendment 1—On page 6, line 15, strike "racketeering conduct" and insert: racketeering activity

Amendment 2—On page 8, line 17, insert after “persuasion”: by a preponderance of the evidence

Amendment 3—On page 11, lines 1-3, strike “and that a sentence as a dangerous special racketeer is warranted for the protection of the public from further criminal conduct by the defendant”

Amendment 4—On page 12, line 6, insert after “conduct.”: A special racketeer is not dangerous when an extended term of imprisonment is not necessary for the protection of the public from further criminal conduct by the defendant.

Senator Scarborough presiding

Senator Williamson moved that CS for SB 960 as amended be recommitted to the Committee on Judiciary-Criminal.

Senator Wilson moved as a substitute motion that CS for SB 960 as amended be referred to the Committee on Judiciary-Civil.

Senator W. D. Childers moved an amendment to the substitute motion that CS for SB 960 as amended be also referred to the Committee on Commerce. The motion failed by the following vote:

Yeas—16

Barron	Hair	Poston	Tobiassen
Childers, W. D.	Henderson	Scarborough	Trask
Gallen	McClain	Skinner	Ware
Gordon	Peterson	Thomas, Pat	Wilson

Nays—20

Castor	Glisson	Lewis	Thomas, Jon
Chamberlin	Gorman	Myers	Vogt
Childers, Don	Graham	Renick	Williamson
Dunn	Holloway	Scott	Winn
Firestone	Johnston	Spicola	Zinkil

The question recurred on the substitute motion which failed to receive the required two-thirds vote. The vote was:

Yeas—23

Barron	Lewis	Renick	Thomas, Pat
Childers, Don	McClain	Scarborough	Tobiassen
Childers, W. D.	Myers	Scott	Trask
Gallen	Peterson	Skinner	Ware
Gordon	Plante	Spicola	Wilson
Henderson	Poston	Thomas, Jon	

Nays—14

Castor	Glisson	Holloway	Williamson
Chamberlin	Gorman	Johnston	Zinkil
Dunn	Graham	MacKay	
Firestone	Hair	Vogt	

The motion by Senator Williamson was adopted by the following vote:

Yeas—37

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

Nays—1

Zinkil

SB 604—A bill to be entitled An act relating to the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.13(1)(f), Florida Statutes; providing a penalty for possession or delivery of not more than 1 avoirdupois ounce of cannabis; amending s. 893.14(1), Florida Statutes, and adding subsection (3) to said section; providing for destruction of arrest or conviction records after a specified period; amending s. 893.15, Florida Statutes; eliminating conflicts; providing severability; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, strike all lines 17-31 and on page 2 strike all of lines 1-21 and insert: Section 1. Paragraph (f) of subsection (1) of section 893.13, Florida Statutes, is amended to read:

893.13 Prohibited acts; penalties.—

(1)

(f) If the first offense is the possession or delivery without consideration of not more than 1 avoirdupois ounce or 28.35 grams of cannabis, that person shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 and s. 775.083 by a fine not to exceed \$500 but in no event less than \$100. The fine fixed by the court shall not be waived or suspended. For purposes of this subsection, “cannabis” shall not include the resin extracted from the plant Cannabis sativa, L., or any compound manufacture, salt, derivative, mixture, or preparation of such resin.

Point of Order

Senator Don Childers raised a point of order that SB 604, if passed, would affect appropriations and should therefore be referred to the Committee on Appropriations. Speaking to the point, Senator Myers stated that pending amendments would change the bill to the extent that it would not substantially affect appropriations. The Chair ruled the point not well taken.

Amendment 1 was adopted.

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

Amendment 2—On page 3, line 4, after “prescribe” and on page 4, line 30, after “offense” insert: except that the fine imposed by s. 893.13(1)(f) shall not be waived or suspended

Amendment 3—On page 3, strike lines 18-31 and on page 4 lines 1-16.

Senator Myers moved the following amendment which was adopted:

Amendment 4—On page 2, lines 23 and 24, strike “and subsection (3) is added to said section”

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

Amendment 5—On page 1, line 7, strike “, and adding” and strike all of lines 8-13 and insert: ; amending s. 893.15, Florida Statutes; providing severability; providing an effective date.

Amendment 6—On page 1, line 7, strike “, and adding” and strike all of lines 8-13 and insert: ; conforming provisions; amending s. 893.15, Florida Statutes; excluding persons convicted under s. 893.13(1)(f), Florida Statutes, from the provision allowing judge to require a rehabilitation program; providing severability; providing an effective date.

Senator Glisson moved the following amendment:

Amendment 7—On page 1 of Amendment 1, line 5, strike “first” and insert: first

Amendment 7 failed by the following vote:

Yeas—14

Barron	Gallen	MacKay	Trask
Childers, Don	Glisson	Peterson	Zinkil
Childers, W. D.	Gorman	Skinner	
Dunn	Hair	Tobiassen	

Nays—19

Castor	Henderson	Myers	Thomas, Jon
Chamberlin	Holloway	Poston	Vogt
Firestone	Johnston	Renick	Williamson
Gordon	Lewis	Scarborough	Wilson
Graham	McClain	Spicola	

On motion by Senator Myers further consideration of SB 604 as amended was deferred.

By the Committee on Commerce and Senator Poston—

CS for SB 200—A bill to be entitled An act relating to the manufacture, distribution, and use of explosives; providing that the Division of State Fire Marshal of the Department of Insurance regulate the manufacture, distribution, and use of explosives; amending s. 552.081, Florida Statutes; providing definitions; amending s. 552.091, Florida Statutes; requiring manufacturer-distributors, dealers and users of two-component explosives to be licensed pursuant to this act; requiring persons employed to mix or detonate two-component explosives to obtain a blaster's permit; increasing the license fee for manufacturer-distributors, dealers, and users; increasing the fee for a blaster's permit; creating s. 552.092, Florida Statutes; providing for applications for explosives licenses and permits; creating s. 552.093, Florida Statutes; providing for competency examinations for applicants for an explosives license or permit; creating s. 552.094, Florida Statutes; providing for the issuance of explosive licenses and permits and prescribing certain conditions and qualifications for such licenses and permits; making it unlawful for any person to withhold or falsify information in an application intended to deceive or likely to deceive the division; amending s. 552.101, Florida Statutes; deleting the provision exempting from the license requirement persons under the supervision and control of a person holding a blaster's permit; amending s. 552.111, Florida Statutes; prohibiting the sale or distribution of explosives to unlicensed persons; requiring records of sales and inventories to be maintained; making it unlawful for any person to withhold required information or make false entries on such records; amending s. 552.112, Florida Statutes; requiring users of explosives to keep certain records; amending s. 552.113, Florida Statutes; making it unlawful for a holder of explosives license or permit not to report any theft, illegal use, or illegal possession of explosives; providing for the investigation of such loss, theft, or use by the Division of State Fire Marshal of the Department of Insurance; creating s. 552.114, Florida Statutes; requiring certain labeling procedures; making it unlawful to possess unmarked explosives; amending s. 552.13, Florida Statutes; deleting standards relating to Institute of Makes of Explosives; conforming language; amending s. 552.151, Florida Statutes; deleting the initial notice to violators to correct violations before charges are brought; authorizing an administrative fine for violations in addition to cease and desist orders; amending s. 552.161, Florida Statutes; increasing the administrative fine for violations; amending s. 552.171, Florida Statutes; conforming language; amending ss. 552.181, 552.20, Florida Statutes; providing that all hearings and reviews of orders of the division shall be conducted in accordance with the Administrative Procedure Act; amending s. 552.21, Florida Statutes; permitting the immediate confiscation of explosives belonging to violators; creating s. 552.211, Florida Statutes; providing regulations for the storage and use of explosives; creating s. 552.212, Florida Statutes; providing for the inspection of certain equipment and storage places; amending s. 552.22, Florida Statutes; providing penalties for violations of act or of rules or orders adopted or issued pursuant to the act; amending s. 552.23, Florida Statutes; providing for injunctive relief; amending s. 552.241, Florida Statutes; providing exemptions from licensing requirements; amending s. 552.26, Florida Statutes; requiring the depositing of all license and permit fees in the Insurance Commissioner's Regulatory Trust Fund; amending s. 552.27, Florida Statutes; conforming language; repealing ss. 552.141 and 552.191, Florida Statutes, relating to the conduct of hearings, and procedures regarding

witnesses and evidence at such hearings; providing an effective date.

—was read the first time by title and SB 200 was laid on the table.

On motion by Senator Poston, by two-thirds vote CS for SB 200 was read the second time by title.

The Committee on Finance, Taxation and Claims offered the following amendment which was moved by Senator Poston and adopted:

Amendment 1—On page 15, line 16, after the word "Investigate" insert: , or be certain that a qualified law enforcement agency investigates,

The President presiding

On motion by Senator Poston, by two-thirds vote CS for SB 200 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

The President presiding

SB 71—A bill to be entitled An act relating to motor carriers; amending ss. 323.01(10) and 323.14, Florida Statutes; deleting the requirement that prohibits the Public Service Commission from granting charter rights except in conjunction with the grant of regular route certificates to motor common carriers of passengers; deleting the nonseverability provision relating to charter rights; providing an effective date.

—was read the second time by title. On motion by Senator Graham, by two-thirds vote SB 71 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

McClain

Vote after roll call:

Yea—Williamson

HB 37—A bill to be entitled An act relating to county government; adding paragraph (y) to subsection (1) of s. 125.01, Florida Statutes, authorizing county legislative and governing bodies to place questions on the ballot at certain elections to obtain an expression of elector sentiment; providing a limitation; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 37 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—3

Dunn Lewis Wilson

Vote after roll call:

Yea—Williamson

HB 261—A bill to be entitled An act relating to the administration of the Career Service System; amending s. 110.022 (1)(f), Florida Statutes, 1976 Supplement, providing that no minimum qualification or examination shall be used to deny employment to any person unless the minimum qualification or examination is a valid predictor of job performance, with respect to the career service system; amending s. 110.022(2), Florida Statutes, 1976 Supplement, requiring the Department of Administration to establish criteria and guidelines for the classification of positions; authorizing the personnel officer of each executive department having more than 3,000 authorized positions to classify and reclassify positions without the prior approval of the Division of Personnel, but making such actions subject to postaudit by the Division of Personnel; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote HB 261 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

HB 262—A bill to be entitled An act relating to state government; amending s. 216.345, Florida Statutes, providing for approval of payment of certain membership dues by the agency head or the designated agent thereof; requiring organization certification with respect to agency memberships in certain circumstances; providing limitations; providing for promulgation of certain criteria; requiring reports; providing an effective date.

—was read the second time by title. On motion by Senator Castor, by two-thirds vote HB 262 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—2

Childers, Don Wilson

SB 426, companion bill to HB 262, was laid on the table.

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

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote HB 286 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—5

Chamberlin Dunn Hair Johnston
Childers, Don

Vote after roll call:

Yea—Thomas, Jon

SB 365—A bill to be entitled An act relating to service and other charges of clerks of court; amending ss. 45.031(1), 55-141(2), 197.261, 197.291(2), 712.06(3), 713.24(1), Florida Statutes; increasing the fee for services in making a judicial sale; prescribing recording and mailing charges for recording a satisfaction of judgment; prescribing the service charge for preparing and mailing the tax certificate holder's notice to the owner of application for tax deed; prescribing the service and mailing charges for mailing a notice of excess proceeds in a tax sale to the legal titleholder; providing that, when necessary, the clerk shall retain the total amount of excess proceeds of a tax sale to cover fees and mailing costs; prescribing service and mailing charges for a certificate of notice of a person claiming an interest in land; increasing fees for serving a notice of lien transfer and prescribing additional fees for the transfer of multiple liens; prescribing the service charge for recording the certificate and approving the bond; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 365 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Myers

SB 366—A bill to be entitled An act relating to service charges and fees of clerks of court; amending ss. 28.24, 28.2401, 28.241(1)—(3), 34.041(1), Florida Statutes; prescribing service charges for various services of the clerks of the county and circuit courts; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 366 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Williamson

Vote after roll call:

Yea to Nay—Wilson

SB 465—A bill to be entitled An act relating to banks and trust companies; amending s. 660.11, Florida Statutes; providing that for purposes of establishing a common trust fund, a "bank" or "trust company" is defined to include two or more banks or trust companies which are connected through stock ownership with a common parent corporation; providing an effective date.

—was read the second time by title.

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

Amendment 1—On pages 1 and 2, strike everything after the enacting clause and insert: Section 1. Section 660.11, Florida Statutes, is amended to read:

660.11 Establishment of common trust funds.—Any bank or trust company qualified to act as fiduciary in this state may establish one or more common trust funds for the exclusive purpose of furnishing investments to itself as fiduciary, including estates, guardianships, managing agencies, and all other fiduciary relationships, now in existence or hereafter created, requiring or authorizing investment of funds held as fiduciary including managing agencies, or to itself and others, as cofiduciaries. It may, as such fiduciary or cofiduciary, invest funds which it lawfully holds for investment in interests in such common trust funds if such investment is not prohibited by the instrument, judgment, decree, or order creating such fiduciary relationship and if, in the case of cofiduciaries, the bank or trust company procures the consent of its cofiduciary or cofiduciaries to such investment, which consent such cofiduciary is hereby authorized to grant. The full management of the fund shall at all times be in full charge of such bank and trust company, and no cofiduciary shall have any right to interfere in the management of such common trust funds. For the purposes of this section, the term "bank or trust company" shall include two or more banks or trust companies which are members of the same affiliated group as defined in Section 1504 of the Internal Revenue Code of 1954 with respect to any fund established pursuant to this section of which any of such banks or trust companies is trustee, or two or more of such banks or trust companies are cotrustees.

Section 2. The fiduciary relationship that exists between an individual bank or trust company and its customer shall not be altered due to the fact of the passage of this act.

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

Amendment 2—On page 1, strike the title and insert: A bill to be entitled An act relating to banks and trust companies; amending s. 660.11, Florida Statutes; providing that for the purposes of establishing a common trust fund, the term "bank or trust company" shall be defined to include two or more banks or trust companies which are members of the same affiliated group as defined in Section 1504 of the Internal Revenue Code of 1954; providing that certain fiduciary relationships shall not be altered; providing an effective date.

Pending further consideration of SB 465 as amended, on motion by Senator Hair, by two-thirds vote HB 888 was withdrawn from the Committee on Commerce and placed on the calendar. On motions by Senator Hair—

HB 888—A bill to be entitled An act relating to banks and trust companies; amending s. 660.11, Florida Statutes; pro-

viding that for purposes of establishing a common trust fund, the term "bank or trust company" shall be defined to include two or more banks or trust companies which are members of the same affiliated group as defined in Section 1504 of the Internal Revenue Code of 1954; providing that certain fiduciary relationships shall not be altered; providing an effective date.

—a companion measure, was substituted for SB 465 and by two-thirds vote read the second time by title. On motion by Senator Hair, by two-thirds vote HB 888 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

SB 465 was laid on the table.

SB 153—A bill to be entitled An act relating to securities dealers; amending ss. 517.13—517.15, Florida Statutes; reducing the amount of the surety bond, or the deposit in lieu thereof, from \$50,000 to \$5,000, to be given by dealers in certain securities; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 153 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—4

Dunn Scott Wilson Zinkil

SB 647—A bill to be entitled An act relating to the labeling of human blood; creating ss. 381.601-381.607, Florida Statutes; providing definitions; requiring the labeling of blood; providing for the transfer of blood for industrial use; providing for administration by the Department of Health and Rehabilitative Services; providing penalties; providing for injunctive relief; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 21, strike "federally licensed"

On motion by Senator Castor, by two-thirds vote SB 647 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Firestone	Hair	McClain
Barron	Gallen	Henderson	Myers
Castor	Glisson	Holloway	Peterson
Chamberlin	Gordon	Johnston	Poston
Childers, Don	Gorman	Lewis	Renick
Childers, W. D.	Graham	MacKay	Sayler

Scarborough	Thomas, Jon	Vogt	Winn
Scott	Thomas, Pat	Williamson	Zinkil
Skinner	Tobiassen	Wilson	
Spicola	Trask		

Nays—None

Senator Myers moved that the Senate take up SB 604 at 11:45 a.m. and the motion was adopted.

SB 457—A bill to be entitled An act relating to the Florida Corrections Code; amending s. 944.42, Florida Statutes, expanding provisions relating to assaults by certain prisoners to prohibit certain assaults by any person confined or incarcerated in any prison, jail, road camp, or other penal institution; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 19, strike “, with malice aforethought,”

Senator Gorman moved the following amendments which were adopted:

Amendment 2—On page 1, line 12, strike everything after the enacting clause and insert: Section 1. Section 951.075, Florida Statutes, is created to read:

951.075 Assault, battery, or assault and battery in a county or municipal jail or detention facility is a felony of the second degree; penalty.— Every person being detained or undergoing a sentence in a county or municipal jail or detention facility who, with malice aforethought, commits assault, battery or assault and battery upon the person of another with a deadly weapon or instrument or by any means of force likely to produce great bodily injury but which is not an assault with intent to commit a felony shall be guilty of a felony of the second degree, punishable as provided in ss. 775.082, 775.083, or 775.084.

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

The President presiding

Amendment 3—On page 1, line 1 in title, strike lines 1 through 8 and insert: A bill to be entitled An act relating to assault, battery, or assault and battery in a county or municipal jail, or detention facility; creating s. 951.075, Florida Statutes, making assault, battery, or assault and battery a felony of the second degree, providing a penalty; providing an effective date.

Pending further consideration of SB 457 as amended, on motion by Senator Gorman, by two-thirds vote CS for HB 490 was withdrawn from the Committee on Judiciary-Criminal and placed on the calendar. On motions by Senator Gorman—

CS for HB 490—A bill to be entitled An act relating to assault, battery, or assault and battery in a county or municipal jail or detention facility; creating s. 951.075, Florida Statutes, making assault, battery, or assault and battery committed in in a county or municipal jail or detention facility a felony of the second degree; providing an effective date.

—a companion measure, was substituted for SB 457 and by two-thirds vote read the second time by title. On motion by Senator Gorman, by two-thirds vote CS for HB 490 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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	Holloway	Scarborough	Williamson
Firestone	Johnston	Scott	Winn
Gallen	Lewis	Skinner	Zinkil

Nays—None

SB 457 was laid on the table.

SB 906—A bill to be entitled An act relating to the offense of trespass in a structure or conveyance; amending s. 810.08(1), Florida Statutes, 1976 Supplement; clarifying the definition of such offense; providing an effective date.

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

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Peterson

By the Committee on Finance, Taxation and Claims and Senators Henderson and Graham—

CS for SB 131—A bill to be entitled An act relating to ad valorem taxation; creating s. 193.622, Florida Statutes; defining “solar energy system”; providing for a reduction in the assessed value of property on which a solar energy system is installed; providing procedures for claiming the right of such assessment; providing an effective date.

—was read the first time by title and SB 131 was laid on the table.

On motions by Senator Graham, by two-thirds vote CS for SB 131 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

By the Committee on Finance, Taxation and Claims and Senators Henderson and Lewis—

CS for SB 189—A bill to be entitled An act relating to taxation of solar energy systems; adding s. 212.02(19), Florida Statutes, 1976 Supplement; defining the term “solar energy systems”; renumbering s. 212.08(10), Florida Statutes, and adding a new subsection (10) to said section; exempting certain sales involving solar energy systems from the sales and use tax; providing for repeal of such exemption; providing an effective date and a repeal date.

—was read the first time by title and SB 189 was laid on the table.

On motion by Senator Gordon, by two-thirds vote CS for SB 189 was read the second time by title.

Senator MacKay presiding

The President presiding

On motion by Senator Gordon, by two-thirds vote CS for SB 189 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

By the Committee on Commerce and Senators Henderson, Glisson, Jon Thomas and Vogt—

CS for SB 321—A bill to be entitled An act relating to thermal efficiency standards; creating part VII of chapter 553, Florida Statutes, consisting of ss. 553.91-553.99, Florida Statutes, entitled the "Florida Thermal Efficiency Code"; providing legislative purpose; providing definitions; providing that the act applies to all new and renovated buildings in the state for which building permits are obtained after December 31, 1978; providing exceptions; providing thermal efficiency standards for new residential and nonresidential buildings and for renovated buildings; providing for compliance; providing for inspection; providing an effective date.

—was read the first time by title and SB 321 was laid on the table.

On motions by Senator Vogt, by two-thirds vote CS for SB 321 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—38

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

Nays—None

By the Committee on Commerce and Senators Henderson, Glisson, Jon Thomas and Vogt—

CS for SB 341—A bill to be entitled An act relating to lighting standards; creating s. 553.89, Florida Statutes; stating title and legislative purpose; providing definitions; providing that the act applies to new public buildings for which a permit is obtained on or after December 31, 1978; providing statewide lighting standards; providing for inspection; providing that the required standards are in addition to local building codes; providing an effective date.

—was read the first time by title and SB 341 was laid on the table.

On motions by Senator Vogt, by two-thirds vote CS for SB 341 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Childers, W. D.	Gordon	Holloway
Barron	Dunn	Gorman	Lewis
Castor	Firestone	Graham	MacKay
Chamberlin	Gallen	Hair	McClain
Childers, Don	Glisson	Henderson	Peterson

Poston	Skinner	Trask	Winn
Renick	Spicola	Vogt	Zinkil
Sayler	Thomas, Jon	Ware	
Scarborough	Thomas, Pat	Williamson	
Scott	Tobiassen	Wilson	

Nays—None

Votes after roll call:

Yeas—Johnston and Myers

SB 337—A bill to be entitled An act relating to the regulation of bail bondsmen; amending s. 648.34(2)(d), Florida Statutes, and adding subsection (5); requiring successful completion of a basic certification course in the criminal justice system for licensure of limited surety agents and professional bondsmen; authorizing the Department of Insurance to approve such certification course; requiring successful completion of the course by current licensees; providing an effective date.

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

Amendment 1—On page 2, lines 11-14, strike "successfully complete the basic certificate course in the criminal justice system as provided in subparagraph (2)(d)1. within 2 years from such date" and insert: be exempt from the provisions of this section

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

Amendment 2—On page 1 in title, lines 10 and 11, strike "requiring successful completion of the course by current licensees" and insert: exempting current licensees

On motion by Senator MacKay the Senate reconsidered the vote by which Amendment 1 was adopted.

On motion by Senator McClain, further consideration of SB 337 with pending Amendment 1 was deferred.

On motion by Senator Lewis, the rules were waived and the Committee on Appropriations was granted permission to extend time of adjournment of the meeting this day from 9:00 p.m. until final consideration of SB 1455.

Pursuant to the motion by Senator Myers the Senate resumed consideration of—

SB 604—A bill to be entitled An act relating to the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.13(1)(f), Florida Statutes; providing a penalty for possession or delivery of not more than 1 avoirdupois ounce of cannabis; amending s. 893.14(1), Florida Statutes, and adding subsection (3) to said section; providing for destruction of arrest or conviction records after a specified period; amending s. 893.15, Florida Statutes; eliminating conflicts; providing severability; providing an effective date.

On motion by Senator Myers the Senate reconsidered the vote by which Amendment 7 failed.

The question recurred on Amendment 7 which was adopted.

Amendment 7—In the new Section 1 following "(f) If the" strike "~~first~~" and insert: first

Senator Myers moved that the rules be waived and time of adjournment be extended until final consideration of SB 604.

Senator Gallen moved as a substitute motion that the rules be waived and time of adjournment be extended until final consideration of SB 604 and announcements concerning committee meetings. The motion was adopted by the following vote:

Yeas—26

Castor	Gorman	McClain	Spicola
Chamberlin	Graham	Myers	Thomas, Jon
Dunn	Henderson	Peterson	Thomas, Pat
Firestone	Holloway	Poston	Vogt
Gallen	Johnston	Scarborough	Wilson
Glisson	Lewis	Scott	
Gordon	MacKay	Skinner	

Nays—12

Mr. President	Hair	Tobiassen	Williamson
Childers, Don	Renick	Trask	Winn
Childers, W. D.	Sayler	Ware	Zinkil

Senator Glisson moved the following amendment:

Amendment 8—At the end of the new Section 1 insert: Any second or subsequent conviction of possession or delivery without consideration of not more than 1 avoirdupois ounce or 28.35 grams of cannabis shall constitute a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083.

Senator Scarborough moved the following amendment to Amendment 8:

Amendment 8A—On page 1, line 5, strike "first degree" and insert: second degree

Amendment 8A failed by the following vote:

Yeas—16

Castor	Gordon	McClain	Scarborough
Chamberlin	Hair	Myers	Skinner
Dunn	Henderson	Poston	Williamson
Firestone	Johnston	Renick	Wilson

Nays—20

Mr. President	Gorman	Peterson	Tobiassen
Childers, Don	Graham	Scott	Trask
Childers, W. D.	Holloway	Spicola	Vogt
Gallen	Lewis	Thomas, Jon	Winn
Glisson	MacKay	Thomas, Pat	Zinkil

Amendment 8 was adopted.

Senator Don Childers moved the following amendment which failed:

Amendment 9—In new section 1 strike "1 avoirdupois ounce or 28.35 grams 5 grams" and insert: 5 grams

On motion by Senator Myers, by two-thirds vote SB 604 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—19

Castor	Gordon	MacKay	Thomas, Jon
Chamberlin	Graham	McClain	Thomas, Pat
Dunn	Henderson	Myers	Williamson
Firestone	Holloway	Scarborough	Wilson
Glisson	Johnston	Spicola	

Nays—17

Mr. President	Hair	Scott	Winn
Childers, Don	Lewis	Skinner	Zinkil
Childers, W. D.	Peterson	Tobiassen	
Gallen	Poston	Trask	
Gorman	Renick	Vogt	

Senator Gallen announced that the Committee on Rules and Calendar would meet immediately upon adjournment.

CO-INTRODUCERS

Senator Renick—Senate Bills 200 and 1125; Senator Don Childers—SB 399 and CS for SB 318; Senator Skinner—SB 1038; Senator Ware—Senate Bills 1125 and 1181; Senator Sayler—Senate Bills 1302 and 1339; Senators Barron, Gallen, Plante, Henderson, Firestone, Graham, Castor, Gorman, Tobiassen, Scott, McClain, Williamson, Chamberlin, Johnston, Winn, Poston, Holloway, Jon Thomas, Myers, Wilson and Gordon—SB 1125.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 3 was corrected and approved.

The Journal of May 2 was corrected and approved as follows:

Page 300, from bottom of column 1, strike lines 10 through 15 and insert:

HB 93—A bill to be entitled An act relating to child support; amending s. 61.12, Florida Statutes, to provide that a court may issue a continuing writ of garnishment to enforce the periodic payment of child support; providing an effective date.

Page 300, from bottom of column 1, line 7 strike "SB" and insert: HB

On motion by Senator Gallen, the Senate adjourned at 12:20 p.m. to convene at 8:30 a.m., May 5, 1977 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.