



Journal of the Senate

Number 23

Friday, May 6, 1977

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

INTRODUCTION

By the Committee on Appropriations—

SB 1455—A BILL TO BE ENTITLED AN ACT MAKING APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIOD BEGINNING JULY 1, 1977 AND ENDING JUNE 30, 1978 TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY-BUILDINGS AND IMPROVEMENTS, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT; SUSPENDING SECTIONS 23.027, 25.073, 27.34(2), 27.54(3), 215.32(2)(C), 216.182(1), 216.221, 216.262, 216.291(2)(A), 216.292, 216.301, 216.301(2), 216.351, PART II, CHAPTER 218, 230.765, 230.767(2), 236.081(1)(C), 236.081(3), 240.046, 257.22, 287.161, AND 402.17(3), F.S., CHAPTER 76-285, LAWS OF FLORIDA; PROVIDING AN EFFECTIVE DATE.

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

By Senators Wilson and Vogt—

SB 1456—A bill to be entitled An act relating to the establishment of the North Seminole Sewerage District in Seminole County, including the City of Sanford, Florida, the City of Lake Mary, Florida, and unincorporated portions of Seminole County, Florida; declaring the intent and purpose; defining the territory embraced within the District by legal description; providing for expansion of the District; providing for a three member appointed governing board and for the terms, vacancies and election of officers and maintenance of records, meetings, quorum, travel expenses and for indemnification of board members; providing definitions; providing rights and powers to carry out purposes of this Act; providing for issuance of revenue bonds; providing for the fixing of fees and rates; providing for covenants with bondholders; providing that bonds shall have qualities of negotiable instruments and the rights of bondholders; providing that bonds may be held as securities by public bodies; providing for contracts for constructing, acquiring, owning, maintaining and operation of a sewage system; providing for sealed bids; prohibiting free sewer services; providing that district contracts are enforceable by bondholders; providing for conveyances to political subdivisions without consideration; providing that no sewage facilities shall be constructed within the District without District approval; providing for cooperation with others; providing covenant of State of Florida; providing exemption from taxation; providing for exemption from the provision of Chapter 367, Florida Statutes; providing for deposit of moneys received by the district; providing for discontinuance of service; providing for the assumption of other sewage systems; providing for an annual report by the District board; providing for sale of surplus property by the board; providing for liberal construction and severability of provisions of this act; providing exemption from this act of the St. John's River Water Management District; and 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 Tobiassen—

SB 1457—A bill to be entitled An act relating to Escambia, Okaloosa, Santa Rosa, and Walton Counties; providing a closed

season for catching or possessing salt water mullet; providing a penalty; requiring the Department of Natural Resources to study causes for a lack of mullet in the salt waters of such counties and make recommendations to the legislative delegation; providing an effective date; providing an expiration date.

Proof of publication of the required notice was attached.

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

By Senator Tobiassen—

SB 1458—A bill to be entitled An act relating to Escambia and Santa Rosa Counties; providing daily catch limit on salt water speckled trout; providing penalty; providing an effective date; providing an expiration 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 Peterson and Trask—

SB 1459—A bill to be entitled An act relating to Citrus County, Homosassa Special Water District; amending section 1 of chapter 59-1177, Laws of Florida, as amended, by increasing the territorial limits of the district; providing an effective date.

Proof of publication of the required notice was attached.

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

SCR 1460 was introduced out of order and adopted May 4.

By Senators Brantley, Barron, Castor, Chamberlin, Don Childers, W. D. Childers, Dunn, Firestone, Gallen, Glisson, Gordon, Gorman, Graham, Hair, Henderson, Holloway, Johnston, Lewis, MacKay, McClain, Myers, Peterson, Plante, Poston, Renick, Saylor, Scarborough, Scott, Skinner, Spicola, Jon Wilson and Winn—

SR 1461—A Senate resolution honoring the Mothers of the State of Florida.

Thomas, Pat Thomas, Tobiassen, Trask, Vogt, Ware, Williamson,

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

By Senators Poston and Renick—

SB 1462—A bill to be entitled An act relating to the Lower Florida Keys Hospital District, Monroe County; amending section 34 of chapter 67-1724, Laws of Florida, providing for the regulation of nursing homes and nursing home staff; providing a liability clause; 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 Poston and Renick—

SB 1463—A bill to be entitled An act relating to the Lower Florida Keys Hospital District, Monroe County; amending section 7 of chapter 67-1724, Laws of Florida, changing the

amount of purchase necessary to advertise for bids; 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 Poston and Renick—

SB 1464—A bill to be entitled An act relating to the Lower Florida Keys Hospital District, Monroe County; amending section 26 of chapter 67-1724, Laws of Florida, providing for signing warrants for funds of the district; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senators Poston and Renick—

SB 1465—A bill to be entitled An act relating to the Lower Florida Keys Hospital District, Monroe County; amending section 31 of chapter 67-1724, Laws of Florida, providing for the disposal of real or personal property of the district; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senators Poston and Renick—

SB 1466—A bill to be entitled An act relating to the Lower Florida Keys Hospital District, Monroe County; adding section 40 to chapter 67-1724, Laws of Florida, as amended; providing for exemption of the district from the application of chapter 120, Florida Statutes; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senators Poston and Renick—

SB 1467—A bill to be entitled An act relating to The Lower Florida Keys Hospital District, Monroe County; amending section 2 of chapter 67-1724, Laws of Florida, as amended, changing the number of board of commissioners, providing for removal of commissioners by the Governor; deleting requirement to be freeholder; 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.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 1460.

Allen Morris, Clerk

The concurrent resolution was ordered enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 2127 and HB 2145 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Criminal Justice, the Select Committee on Organized Crime and Representative Nelson and others—

HB 2127—A bill to be entitled An act relating to organized crime; making it unlawful to use or invest any money or thing of value derived from a pattern of racketeering activity in the

acquisition of any title to, right, interest, or equity in real property or enterprise in this state; making it unlawful to acquire or maintain an interest in real property or an enterprise through a pattern of racketeering activity or the collection of an unlawful debt; making it unlawful to conduct or participate in any enterprise through a pattern of racketeering activity or through the collection of an unlawful debt; making it unlawful to conspire or attempt to commit such prohibited activities; providing penalties; providing for the forfeiture of any interest in, security issued by, claim against, or property or contractual right affording influence or control over any such enterprise or real property; providing for injunction, seizure, and state disposal of seized and forfeited property; providing for the rights of innocent parties; 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 civil cause of action for any person injured as a result of another's violation of the prohibited conduct; 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 and identifying who may use same; 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; providing severability; amending section 905.34, Florida Statutes, to extend the subject matter jurisdiction of the statewide grand jury to include violations of this act; providing an effective date.

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

By the Committee on Community Affairs—

HB 2145—A bill to be entitled An act relating to the waiver of sovereign immunity; amending s. 768.28(5), Florida Statutes, to clarify that agencies and subdivisions are included in the \$100,000 per occurrence limitation of liability; repealing s. 768.28(10), Florida Statutes, which provides that the limitations of this act not apply to the extent the agency is insured and allows agencies to join together to purchase insurance; 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 HB 680 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives R. Moore and Langley—

HB 680—A bill to be entitled An act relating to attorney's fees; amending s. 59.46, Florida Statutes; providing that in the absence of expressed contrary intent, provisions of statute or contract for the payment of attorney's fees be construed to include the payment of such fees on appeal; conforming provisions of said section to the rules adopted by the Supreme Court for practice and procedure; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1592 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Melvin and others—

HCR 1592—A concurrent resolution recognizing the exemplary services performed and accomplishments attained by Roger Clary on behalf of the citizens of Okaloosa County.

—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 CS for HB 575 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulated Industries & Licensing and Representative Craig—

CS for HB 575—A bill to be entitled An act relating to the Beverage Law; amending s. 561.32(1), Florida Statutes, 1976 Supplement, providing that the transfer fee for quota licenses shall be \$100 or the annual license tax, whichever is greater; 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 1103 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Blackburn and Hazelton—

HB 1103—A bill to be entitled An act relating to the Department of Offender Rehabilitation; amending s. 947.175, Florida Statutes, providing for notice by the department to local criminal justice agencies prior to the release, on work release of an inmate; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1501 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Craig and Bell—

HB 1501—A bill to be entitled An act relating to Flagler County; amending section 1 of chapter 76-374, Laws of Florida, providing that it is unlawful to fish with any type of net or seine, except common cast net, from the beaches bordering the Atlantic Ocean in Flagler County at any time of year, rather than from May 1 to September 15, as is currently the case; indicating a penalty and exemption relative thereto; providing an effective date.

Proof of publication of the required notice was attached.

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

The Senate recessed at 8:35 a.m.

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

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	Saylor	Ware
Dunn	Johnston	Scarborough	Williamson
Firestone	Lewis	Scott	Wilson
Gallen	MacKay	Skinner	Zinkil
Glisson	McClain	Spicola	

Excused: Senator Barron from 9:30 a.m. until 11:30 a.m.; Senators Vogt and Wilson from 9:45 a.m. until 10:05 a.m.; Senator Winn

Prayer by the Rev. Philip E. Lykes, Southside Baptist Church, Lakeland:

Holy Father, you are great and powerful, glorious and splendid.

Everything in Heaven and earth is yours and you have given it all to us.

Where shall we go from your presence? "Should I go to the highest mountain you are there. Should I descend into the deepest sea, lo, you are there!" Should we go to the Florida House you are there. As we enter the chamber of the Senate, lo, you are here—because we are here and government is here and you love us and give yourself to us.

You are able to make us all great and strong. Save us, O Lord, from the caricatures of you that we have learned and see you not as an old lady in tennis shoes or an old bearded grandfather nor an impersonal mass of energy. But as young as this new morning yet older than time. As the supreme ruler of the universe to whom all men must answer and as a friend who loves more than a brother. As one who does not give us a headache but gives us freedom and power to live in that freedom.

God bless the Florida Senate and God bless the President of the Senate. I pray in the name of our Lord. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following bills be placed on Special Order for Friday, May 6, 1977:

SB 337	SB 241	SB 776	HB 779
SB 481	SB 376	SB 916	HB 1047
CS for SB 593	SB 483	HB 114	HB 1048
SB 701	SB 443	HB 120	HB 1129
SB 547	SB 445	HB 264	HB 1238
SB 995	SB 592	HB 361	HB 1494
SB 690	SB 540	HB 526	
CS for SB 384	SB 305	HB 544	
SB 266	SB 682	HB 558	

Respectfully submitted,
Tom Gallen
Chairman

The Committee on Education recommends the following pass: SB 601

The Committee on Executive Business recommends the following pass: SB 1095 with 1 amendment

The Committee on Governmental Operations recommends the following pass:

SB 606	SB 1117
SB 993 with 1 amendment	HB 1082

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

SB 591 with 6 amendments	SB 1301 with 3 amendments
SB 1268	SB 1313

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 413 with 1 amendment, HB 45

The Committee on Transportation recommends the following pass: SB 60 with 3 amendments, SB 881

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 199 with 4 amendments	SB 1178 with 1 amendment
SB 1165	SB 1202 with 2 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1293

The Committee on Governmental Operations recommends the following pass: SB 1023

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

The Committee on Commerce recommends the following pass: SB 531

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1384

The bills contained in the foregoing reports were referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Education recommends the following pass: SB 1104 with 1 amendment

The Committee on Governmental Operations recommends the following pass: SB 1111 with 4 amendments

The Special Master for Claim Bills recommends the following pass: HB 24, HB 40

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

The Committee on Commerce recommends the following pass: SB 732 with 1 amendment

The Committee on Economic, Community, and Consumer Affairs recommends the following pass: SB 877 with 2 amendments

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

SB 895 with 1 amendment SB 880 SB 1025

The Committee on Judiciary-Civil recommends the following pass: HB 1107 with 4 amendments

The Committee on Natural Resources and Conservation recommends the following pass: SB 698

The Committee on Transportation recommends the following pass: SB 859, HB 1853

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 194 with 2 amendments

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

The Committee on Judiciary-Civil recommends the following pass: SB 1334

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

The Committee on Commerce recommends the following pass:

CS for SB 50 (by the SB 580
Judiciary-Criminal SB 780 with 2 amendments
Committee) SB 1134
SB 222

The Committee on Corrections, Probation and Parole recommends the following pass: SB 864 with 4 amendments

The Committee on Education recommends the following pass: SB 1249 SB 1033 SB 449 with 3 amendments

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

SB 180 with 1 amendment SB 668 with 2 amendments
SB 220 HB 368
SB 232 with 1 amendment HB 383
SB 353 with 2 amendments HB 457
SB 660 with 2 amendments

The Committee on Governmental Operations recommends the following pass:

SB 439 SB 1152 SB 1246 with
SB 440 SB 1192 2 amend-
SB 892 SB 1238 ments
SB 927

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

SB 766 with 2 amendments SB 1272 SB 1343

The Committee on Judiciary-Civil recommends the following pass:

SB 923 SB 1213 SB 1289
SB 1005 SB 1219 SB 1391

The Committee on Judiciary-Criminal recommends the following pass: SB 559 with 2 amendments, SB 1108

The Committee on Appropriations recommends the following pass:

CS for SB 73 with 1 amendment (by the Committee on Judiciary-Criminal)
CS for SB 118 with 1 amendment (by the Committee on Judiciary-Criminal)
SB 213 SB 401 SB 550, with 2 amendments

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

SB 665 with 3 amendments HB 1436
SB 1035 with 2 amendments

The Committee on Transportation recommends the following pass:

HB 933 SB 979
HB 1405 with 2 amendments HB 77

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

The Committee on Corrections, Probation and Parole recommends a Committee Substitute for the following: SB 669

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 936

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 605

The bills with Committee Substitutes attached 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 a Committee Substitute for the following: SB 524

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

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 33

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 1198

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

The Committee on Commerce recommends a Committee Substitute for the following: SB 1193

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

The Committee on Education recommends a Committee Substitute for the following: SB 545

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 225 and SB 227

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 290 and SB 291

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 1167

The Committee on Judiciary-Criminal recommends a Committee Substitute for the following: SB 97

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 788

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

The Committee on Finance, Taxation and Claims recommends the following not pass: SB 39, SB 579

The bills were laid on the table.

ENROLLING REPORTS

SB 380, CS for SB 501 and SB 515 have been enrolled, signed by the required Constitutional Officers and filed with the Governor on May 5, 1977.

Joe Brown, Secretary

SCR 820 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on May 6, 1977.

Joe Brown, Secretary

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Scarborough, the rules were waived and by two-thirds vote SB 444 was withdrawn from the Committee on Appropriations.

On motion by Senator Scarborough, the rules were waived and by two-thirds vote SB 624 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Gallen, by two-thirds vote SB 1380 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Peterson, the rules were waived and by two-thirds vote House Bills 1036 and 1579 and SB 679 were withdrawn from the Committee on Education.

On motions by Senator Dunn, by two-thirds vote HB 545 was withdrawn from the Committees on Judiciary-Criminal and Economic, Community and Consumer Affairs.

On motion by Senator W. D. Childers, the rules were waived and by two-thirds vote HB 1255 was also referred to the Committee on Commerce.

On motions by Senator Vogt, the rules were waived and by two-thirds vote HB 1591 and SB 1350 were withdrawn from the Committee on Economic, Community and Consumer Affairs.

Senator Gordon announced cancellation of the meeting of the Committee on Finance, Taxation and Claims scheduled for May 10.

On motion by Senator Lewis, the rules were waived and the Committee on Appropriations was granted permission to meet May 10 from 10:00 a.m. until 12:00 noon.

On motion by Senator Peterson, the rules were waived and the Committee on Education was granted permission to meet May 10 from 12:30 p.m. until 2:00 p.m. for the purpose of hearing the report of a select committee on educational capital outlay.

On motion by Senator Dunn, the rules were waived and the Committee on Judiciary-Criminal was granted permission to consider HB 2127 at the meeting May 9.

On motion by Senator Gallen, SB 232 was placed on the local calendar.

On motion by Senator Lewis, by two-thirds vote SB 1455 was placed on Special Order for consideration May 12.

On motion by Senator Gallen, by two-thirds vote SB 1457 was withdrawn from the Committee on Natural Resources and Conservation and placed on the local calendar.

On motion by Senator Gallen, by two-thirds vote SB 1458 was withdrawn from the Committee on Rules and Calendar and placed on the local calendar.

On motions by Senator Henderson, by two-thirds vote SR 1461 was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the Special Order Calendar.

REQUESTS FOR EXTENSION OF TIME

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

CS for HB 8 by Regulated Industries and Licensing Committee	SB 871 by Senators MacKay, Zinkil, et al
CS for HB 182 by Commerce Committee	SB 878 by Senator Scarborough
HB 939 by Tourism and Economic Development Committee	SB 887 by Senator Dunn
HB 1049 by Finance and Taxation Committee	SB 894 by Senator Lewis
SB 824 by Senator Trask	SB 899 by Senator Renick
SB 826 by Senator Trask	SB 901 by Senator Renick
SB 842 by Senator Hair	SB 909 by Senator Scott
SB 846 by Senators Scarborough, Henderson	SB 633 by Senator Jon Thomas
SB 847 by Senators Scarborough, Henderson	SB 635 by Senator McClain
SB 848 by Senators MacKay, Barron, Ware	SB 638 by Senator McClain
SB 854 by Senators Winn, Gordon, Firestone, Graham, et al	SB 436 by Senator MacKay
	SB 921 by Senator Poston
	SB 925 by Senator McClain
	SB 928 by Senator Trask
	SB 933 by Senator Henderson
	SB 934 by Senator Scott
	SB 939 by Senator McClain
	SB 940 by Senator Scott
	SB 499 by Senator Jon Thomas

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

SB 464 by Senator Gorman	HB 346 by Representative Hazelton
SB 549 by Senator Pat Thomas	HB 682 by Corrections, Probation and Parole Committee — Representative Hazelton
SB 603 by Senator Castor	
SB 987 by Senator Scott	
SB 1149 by Senator Ware	

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for the consideration of the following:

SB 961 by Senator Castor	HB 688 by Representative Nuckolls
SB 970 by Senator Hair	SB 688 by Senator Dunn
SB 986 by Senator Scott	

SB 1009 by Senator Vogt
 SB 1012 by Senator Vogt
 SB 1020 by Senator Williamson
 SB 1028 by Senator Wilson
 SB 1083 by Senator MacKay
 HB 1099 by Community Affairs Committee
 SB 1116 by Senator MacKay
 HB 1615 by Community Affairs Committee

SB 737 by Senator Firestone
 SB 745 by Senator Holloway
 SB 750 by Senator MacKay
 SB 1187 by Senator Graham
 SB 1204 by Senator Plante
 SB 1205 by Senator Trask
 SB 1206 by Senator Trask
 SB 1211 by Senator Peterson
 SB 1226 by Senator Gordon

SB 951 by Senator Poston
 SB 959 by Senators Saylor and Graham
 SB 1013 by Senator Vogt
 SB 1043 by Senator Tobiasen
 SB 1059 by Senator Saylor
 SB 1103 by Senator Henderson
 SB 1128 by Senator Skinner
 SB 1143 by Senator Winn

SB 1150 by Senator Pat Thomas
 SB 1153 by Senator Gorman
 SB 1160 by Senator Pat Thomas
 SB 1185 by Senator Graham
 SB 1220 by Senator Plante
 SB 1224 by Senator Graham

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

SB 931 by Senator Scott
 SB 944 by Senator MacKay
 SB 976 by Senator Peterson (By Request)
 SB 631 by Senator Peterson

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

SB 36 by Senator Zinkil
 SB 58 by Senator Spicola
 SB 80 by Senator Graham
 SB 129 by Senator Graham
 SB 157 by Senator Saylor
 SB 216 by Senator Henderson
 SB 611 by Senator Jon Thomas
 SB 612 by Senator Poston
 SB 632 by Senator Myers and Others
 SB 650 by Senator Peterson and Others
 SB 654 by Economic, Community and Consumer Affairs
 SB 748 by Senator MacKay
 SB 942 by Senator MacKay and Others
 SB 953 by Senator Poston
 SB 955 by Senator Saylor
 SB 978 by Senator Plante
 SB 980 by Senator Poston
 SB 997 by Senator Trask and others
 SB 998 by Senator Trask and others
 SB 999 by Senator Trask and others
 SB 1003 by Senator Trask and others
 SB 1041 by Senator Plante
 SB 1056 by Senator Vogt
 SB 1064 by Finance, Taxation and Claims Committee
 SB 1066 by Finance, Taxation and Claims Committee
 SB 1069 by Senator Gorman and others
 SB 1092 by Senator Scarborough
 SB 1124 by Senator Poston
 SB 1180 by Senator Barron
 SB 1182 by Senator Hair
 HB 109 by Representative Easley and others
 HB 1046 by Finance and Taxation Committee
 HB 1455 by Judiciary Committee

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

SB 865 by Judiciary-Criminal Committee

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

SB 652 by Senator Skinner
 SB 667 by Senator McClain
 SB 719 by Senator Graham
 SB 723 by Senator Graham
 SB 724 by Senator Graham
 SB 729 by Senator Wilson

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

SB 1027 by Senator Wilson
 SB 1039 by Senator Myers
 SB 1047 by Senator Zinkil
 SB 1063 by Committee on Finance, Taxation and Claims

SB 1073 by Senator Ware
 HB 303 by Representative Barrett

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

SB 992 by Senator Jon Thomas

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

The Committee on Rules and Calendar requests an extension of 15 days for the consideration of the following:

SJR 4 by Senator Zinkil
 SJR 9 by Senator Dunn
 SJR 10 by Senator Dunn
 SJR 20 by Senator Graham
 SJR 21 by Senator Graham
 SJR 111 by Senator Graham
 SB 120 by Senator Plante
 SJR 79 by Senators Saylor and Lewis
 SJR 233 by Senator Saylor
 SJR 245 by Senator Firestone
 SB 286 by Senator Graham
 SB 296 by Senator Plante
 SJR 316 by Senator Vogt
 SM 339 by Senator Skinner
 SJR 374 by Senator Henderson
 SB 434 by Senator Spicola
 SM 446 by Senator McClain
 SB 458 by Senator Dunn
 SR 459 by Senator Tobiasen
 SB 558 by Senator Johnston
 SR 629 by Senator Gallen
 SJR 370 by Senator MacKay
 SB 636 by Senator Gallen
 SB 641 by Senator Skinner
 SB 642 by Senator Skinner
 SB 143 by Senator Henderson
 SB 710 by Senator Vogt
 SB 711 by Senator Scott
 SB 712 by Senator Scott
 SB 713 by Senator Vogt
 CS for SCR 168 by Governmental Operations Committee
 SB 755 by Senator Saylor
 SB 760 by Senator Gallen
 SB 761 by Senator Wilson
 HM 639 by Committee on Veterans Affairs
 HM 640 by Committee on Veterans Affairs
 HM 641 by Committee on Veterans Affairs
 HCR 723 by Representative Fechtel
 HM 792 by Representative Lewis
 HB 507 by Representative Craig
 SB 831 by Senator Gordon
 SB 845 by Senator Spicola and others
 SB 850 by Senator Dunn
 SB 851 by Senators Vogt and Wilson
 SR 857 by Senator Wilson
 SB 867 by Senator Jon Thomas
 SB 868 by Senators Vogt and Wilson
 SCR 910 by Senator Lewis and others
 HM 567 by Representative Smith and others
 HCR 163 by Representative Melvin
 SJR 197 by Transportation Committee
 SR 236 by Senator Holloway
 SB 770 by Senator Henderson
 SB 919 by Senator Hair
 SB 990 by Senator Castor and others
 HCR 895 by Representatives Tucker and Morgan
 SB 1026 by Senator Wilson
 SM 1061 by Senator Renick
 SCR 1107 by Senator Barron
 HCR 1086 by Representative Williams
 SB 1241 by Senators Wilson and Vogt
 SCR 1332 by Senator Henderson
 SJR 1342 by Senator Gordon
 SM 1349 by Senator Vogt
 SCR 1355 by Senator Poston and others
 SJR 1389 by Senator Gordon
 SB 1445 by Senator Skinner
 SB 1448 by Senator Trask
 SB 1450 by Senator Trask
 HCR 1697 by Representative Hawkins

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

SB 975 by Senator Myers
 SB 1042 by Senator Poston
 SB 1079 by Senator Holloway
 SB 1089 by Senator Poston
 SB 1090 by Senator Poston
 SCR 1093 by Senator Spicola
 SCR 1094 by Senator Spicola
 SB 1123 by Senator Poston
 SB 1146 by Senator Holloway
 SB 1175 by Senator Trask
 SB 1176 by Senator Poston
 SJR 1225 by Senator Hair
 HB 46 by Representative Easley
 HB 275 by Representative Eckhart
 HB 804 by House Transportation Committee
 HB 1601 by House Transportation Committee

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

Appointment Subject to Confirmation by the Senate

The Secretary of State on April 29, 1977 certified that pursuant to the provisions of Section 112.071(1)(b), Florida Statutes, a commission subject to confirmation by the Senate had been prepared for the following:

Gordon Dean Hartman, Bradenton; Member, Manasota Basin Board, for term ending June 30, 1977

—which was referred to the Committee on Executive Business.

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 with amendments—

By the Committee on Judiciary-Civil—

CS for SB 563—A bill to be entitled An act relating to elections; amending and revising various provisions of chapters 97, 98, 99, 100, 101, 102, 103, 104, 105, and 106, Florida Statutes; prescribing regulations relating to the registration and qualifications of electors; prescribing the powers and duties of elections officials and duties of other officials with respect to elections, registration, and official records; prescribing regulations for the qualification of candidates and campaign and election of public officers; prescribing regulations for the holding and conduct of, and campaigns for, elections held to elect public officers or to approve or reject constitutional amendments, bond issues, or other measures; prescribing procedures and regulations with respect to voting, ballots, and voting equipment; prescribing regulations for ascertaining the results of elections and providing for recounts; prescribing regulations relating to presidential electors, political parties, and the selection of delegates to national conventions of political parties; prescribing violations and penalties; prescribing regulations and procedures with respect to campaigns for, and the election or retention of, judicial officers; prescribing regulations with respect to campaign financing, political committees, and committees of continuous existence; prescribing regulations of affairs held to raise funds to be used in a campaign for public office and affairs held in honor or on behalf of public officers; prescribing regulations governing the use and disposition of campaign funds; prescribing the powers and duties of various officials and agencies to enforce such regulations; providing for enforcement with respect to violations; providing for civil penalties; prescribing penalties for violations of such regulations; clarifying language and removing redundant and obsolete provisions; amending s. 112.3145(2)(c), (6), Florida Statutes, 1976 Supplement; providing for filing of disclosure of financial interests by candidates; amending ss. 130.03, 130.18, 180.04, 180.10, 236.36, and 342.04, Florida Statutes; conforming cross-references; repealing ss. 97.031, 97.062, 97.103, 98.082, 98.121, 98.131, 98.141, 98.151, 98.221, 98.291, 98.311, 98.312, 98.313, 98.331, and 98.381, Florida Statutes, which relate to certificates of election, registration records, and registration and voting by electors; repealing ss. 99.023, 99.111, 99.151, 99.153, 99.172, and 99.193, Florida Statutes, which prescribe regulations for the qualification, nomination, and election of candidates, the holding of testimonial affairs, and prohibit the buying of votes; repealing ss. 100.112, 100.121, 100.131, 100.171, and 100.251, Florida Statutes, which relate to the holding and conduct of, and qualification of candidates for, certain elections held to elect public officers or to approve or reject issues; repealing ss. 101.081, 101.091, 101.101, 101.25, 101.26, 101.262, 101.264, 101.291, 101.30, 101.44, 101.5616, 101.60, 101.63, 101.691, and 101.70, Florida Statutes, which prescribe procedures and regulations with respect to voting, ballots, methods of qualifying for office, voting equipment, duties of election officials, and adoption of provisions of election laws by certain agencies and political subdivisions; repealing ss. 102.041 and 102.051, Florida Statutes, which relate to powers of, and filling of vacancies on, election boards; repealing ss. 103.041, 103.102, and 103.111, Florida Statutes, which relate to presidential electors and prescribe regulations for political parties; repealing ss. 104.021, 104.12, 104.14, 104.181, 104.25, 104.272, and 104.28, Florida Statutes, which prescribe violations and penalties; repealing ss. 104.44, 104.45, and 104.46, Florida Statutes, which repeal conflicting laws, authorize municipalities to adopt election laws, and require a pamphlet and manual of such laws; repealing s. 105.021, Florida Statutes, which sets the dates of nonpartisan judicial elections; repealing ss. 106.10, 106.13, and 106.251, Florida Statutes, which relate to campaign financing and en-

forcement of certain campaign financing violations; repealing s. 1, chapter 75-246, Laws of Florida, which prescribes the dates for the second primary election; providing an effective date.

(amendments attached to original bill)

—and requests the concurrence of the Senate.

Allen Morris, Clerk

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

On motion by Senator Hair, the rules were waived and the Senate dispensed with printing the House amendments to CS for SB 563 in the Journal because of the length of the amendments.

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 253, as amended.

Allen Morris, Clerk

SPECIAL ORDER

SR 1461—A Senate resolution honoring the Mothers of the State of Florida.

—was read the second time in full and on motion by Senator Henderson, SR 1461 was adopted. The vote on adoption was:

Yeas—36

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

Nays—None

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

On motion by Senator McClain, by two-thirds vote SB 337 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—1

Plante

Votes after roll call:

Yeas—Peterson, Spicola and Vogt

SB 481—A bill to be entitled An act relating to the Administrative Procedure Act; amending s. 120.50, Florida Statutes; providing an exemption to the application of the chapter; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, lines 13-15, strike *“the internal management decisions relevant to the operation of state or county correctional facilities and the custody, management, or discipline of the inmates of such facilities.”* and insert: *prisoners. For the purposes of Section 120.54(3), (4), (5), (6), (16), Section 120.56 and Section 120.57, Florida Statutes, prisoners as defined in Section 944.02(6), Florida Statutes, shall not be considered parties as defined in Section 120.52(10), Florida Statutes, for the purposes of obtaining administrative hearings on matters relating to their status as prisoners or to the conditions of their confinement.*

On motion by Senator Lewis, by two-thirds vote SB 481 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—1

Renick

Votes after roll call:

Yeas—Peterson, Vogt and Williamson

Nay to yea—Renick

By the Committee on Commerce and Senator Ware—

CS for SB 593—A bill to be entitled An act relating to banks; creating s. 659.292, Florida Statutes; authorizing convenience accounts, whereby a party may create a demand deposit account designating one or more other persons as agent during his lifetime with the right to withdraw funds from or draw checks on the account; providing for the payment of funds upon the death or disability of the party creating the account; discharging a bank from liability for payments made under certain circumstances; providing the bank a right to set-off against the account; providing an effective date.

—was read the first time by title and SB 593 was laid on the table.

On motions by Senator Ware, by two-thirds vote CS for SB 593 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Scott	Thomas, Jon	Trask	Williamson
Skinner	Thomas, Pat	Ware	Zinkil
Spicola	Tobiassen		

Nays—None

Votes after roll call:

Yeas—Peterson and Vogt

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

CS for SB 701—A bill to be entitled An act relating to the Sanitarians' Registration Act; amending s. 491.02(1), (6) and (7), Florida Statutes; providing definitions; amending s. 491.03(4), Florida Statutes; increasing the daily payment to members of the Sanitarians' registration board attending board meetings; amending s. 491.04(1), (3), Florida Statutes; authorizing the board to adopt rules; providing for reports; amending s. 491.05, Florida Statutes; providing for the location of the headquarters of the board; amending s. 491.06(1), (4), Florida Statutes; providing qualifications for registration; amending s. 491.08, Florida Statutes; providing for a maximum application fee; amending s. 491.09, Florida Statutes; providing for examinations of applicants; amending s. 491.10, Florida Statutes; providing for certificates of registration for governmental agencies; providing exceptions; amending s. 491.11, Florida Statutes; providing for renewal of certificate, restoration of expired certificate, and fees; requiring continued professional education; amending s. 491.12, Florida Statutes; providing grounds for refusal, revocation, or suspension of certificate of registration; amending s. 491.14, Florida Statutes; prohibiting false claim of registration; amending s. 491.16, Florida Statutes; providing for disposition of fees; amending s. 491.18, Florida Statutes; providing for policy of endorsement of out-of-state sanitarians; providing a penalty; providing an effective date.

—was read the first time by title and SB 701 was laid on the table.

On motion by Senator W. D. Childers, by two-thirds vote CS for SB 701 was read the second time by title.

The Committee on Appropriations offered the following amendments which were moved by Senator W. D. Childers and adopted:

Amendment 1—On page 6, line 10, strike *“county sanitarian”*

Amendment 2—On page 6, strike on lines 11 and 12 the word *“sanitation”* wherever it appears on said lines and insert: *environmental health*

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

Amendment 3—On page 10, line 7, after the period insert: *Provided, however, the provisions of section 3(1)(Z) of chapter 76-168, Laws of Florida, shall apply to this act.*

On motion by Senator W. D. Childers, by two-thirds vote CS for SB 701 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Votes after roll call:

Yeas—Holloway and Spicola

SB 547—A bill to be entitled An act relating to the Administrative Procedure Act; amending s. 120.50, Florida Statutes; providing that the Parole and Probation Commission is exempt from the provisions of the Act when granting or revoking paroles or conditional releases; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote SB 547 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—1

Gordon

Vote after roll call:

Yea—Vogt

By the Committee on Commerce and Senator Tobiassen—

CS for SB 995—A bill to be entitled An act relating to insurance licenses; amending ss. 626.740, 626.790, Florida Statutes; providing that temporary licenses pending second examination may be issued to industrial fire or industrial life insurance agents for a specified period; providing an effective date.

—was read the first time by title and SB 995 was laid on the table.

On motions by Senator Tobiassen, by two-thirds vote CS for SB 995 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—30

Mr. President	Graham	Plante	Thomas, Pat
Chamberlin	Hair	Poston	Tobiassen
Childers, Don	Henderson	Renick	Ware
Dunn	Holloway	Scarborough	Williamson
Firestone	Johnston	Scott	Wilson
Gallen	Lewis	Skinner	Zinkil
Gordon	MacKay	Spicola	
Gorman	Peterson	Thomas, Jon	

Nays—2

Castor Sayler

Votes after roll call:

Yeas—Trask and Vogt

Consideration of SB 384 was deferred.

SB 690—A bill to be entitled An act relating to the practice of veterinary medicine; amending ss. 474.24-474.27, Florida Statutes; providing for biennial license renewal; providing for completion of continuing education as a requirement for license renewal; providing the fee for renewal; providing for suspension or revocation of license upon failure to submit proof of completion of continuing education; providing for automatic suspension for failure to renew license; providing for license reinstatement; creating s. 474.49, Florida Statutes; providing for registration of premises where veterinary medicine is practiced; providing for issuance of permit; providing for refusing to grant, suspending, or revoking permit without a hearing for certain reasons; providing a penalty for operating without permit; providing for permit reinstatement; providing a permit reinstatement fee; repealing s. 474.031(2), (3), (6),

Florida Statutes, relating to definitions of "rule", "hearing", and "license"; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 5, line 23, after the period insert: Provided, however, the provisions of section 3(1)(aa) of chapter 76-168, Laws of Florida, shall apply to this act.

Senators Trask and W. D. Childers offered the following amendments which were moved by Senator Trask and adopted:

Amendment 2—On page 1, between lines 27-28, insert Section 1. Section 474.041, Florida Statutes, is amended to read:

474.041 Florida State Board of Veterinary Medicine; qualifications.—There is hereby created a licensing and examining board within the Division of Professions of the Department of Professional and Occupational Regulation, the Florida State Board of Veterinary Medicine, hereinafter referred to as the board. The said board shall be composed of five licensed doctors of veterinary medicine, who shall be graduates of an approved school of veterinary medicine; provided that ~~not more than two of whom shall be graduates of the same college~~ and none of them shall be connected in any way with any veterinary college. The Governor shall appoint or reappoint the members for a term of 4 years. Each member of the board shall serve until the expiration of his respective term or until his successor shall have been appointed and qualified. The Florida State Veterinary Medical Association may recommend licensed doctors of veterinary medicine for appointment to the board and the Governor, in his discretion, may follow such recommendations. Any vacancy occurring in the membership of the board for any cause shall be filled by appointment by the Governor for the unexpired term.

(Renumber subsequent sections.)

Amendment 3—On page 1 in title, line 3, after the semicolon insert: amending s. 474.041, Florida Statutes; eliminating the restriction on the appointment to the State Board of Veterinary Medicine of licensed doctors of veterinary medicine who graduated from the same veterinary college;

On motion by Senator W. D. Childers, by two-thirds vote SB 690 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

SB 266 was taken up and on motion by Senator Sayler—

HB 77—A bill to be entitled An act relating to the Pinellas County Transportation Authority Law; repealing part I of chapter 348, Florida Statutes, consisting of ss. 348.012-348.152, eliminating the Pinellas County Transportation Authority; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 77 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Childers, Don	Firestone	Gorman
Castor	Childers, W. D.	Gallen	Graham
Chamberlin	Dunn	Gordon	Hair

Henderson	Peterson	Scott	Trask
Holloway	Plante	Skinner	Ware
Johnston	Poston	Spicola	Williamson
Lewis	Renick	Thomas, Jon	Wilson
MacKay	Sayler	Thomas, Pat	
McClain	Scarborough	Tobiassen	

Nays—None

Vote after roll call:

Yea—Vogt

SB 266 was laid on the table.

SB 241—A bill to be entitled An act relating to education; amending s. 233.062, Florida Statutes, permitting school boards to provide a daily period of silent meditation in public schools; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote SB 241 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—7

Castor	Johnston	Plante	Wilson
Gordon	Myers	Scarborough	

SB 376—A bill to be entitled An act relating to motor vehicles; transferring s. 316.285, Florida Statutes, to s. 316.610, Florida Statutes, and amending said section; prohibiting any person from knowingly driving or moving, or the owner or his representative from causing or knowingly permitting the operation of certain unsafe vehicles, vehicles which do not contain parts or equipment required by law, or vehicles on which required equipment is not in proper repair and adjustment; requiring an officer to give written notice to the driver of such vehicle; prescribing the time period within which a vehicle found in unsafe condition, or found to have a required part or equipment not present or not in proper repair and adjustment, to have such condition corrected; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, strike all of line 15 through and including line 19 and insert: is not in proper repair and adjustment, and the continued operation would probably present an undue hazardous operating condition, the officer may require the vehicle to be immediately repaired or removed from use. However, if continuous operation would not present undue hazardous operating conditions, i.e., in the case of equipment defects such as tailpipes, mufflers, windshield wipers, marginally worn tires, the officer shall give written notice to require proper repair and adjustment of same within 48 hours excluding Sunday the officer may give written notice to the driver. Said notice shall require that the vehicle be placed in safe condition and its equipment in proper repair and adjustment within a period of 48 hours.

Senator Spicola moved the following amendment which was adopted:

Amendment 2—On page 1, line 27, strike “knowingly”

On motion by Senator Holloway, by two-thirds vote SB 376 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Lewis

Vote after roll call:

Yea—Peterson

SB 483—A bill to be entitled An act relating to evidence; creating s. 90.5035, Florida Statutes; providing that communications between a certified public accountant or public accountant and his client and information obtained by such accountant from his client, are privileged; providing an exception; providing an effective date.

—was read the second time by title. On motion by Senator Plante, by two-thirds vote SB 483 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Henderson	Plante	Trask
Childers, W. D.	Holloway	Scarborough	Ware
Gallen	Lewis	Scott	Williamson
Gorman	MacKay	Skinner	Wilson
Graham	McClain	Spicola	Zinkil
Hair	Peterson	Thomas, Pat	

Nays—7

Castor	Childers, Don	Firestone	Vogt
Chamberlin	Dunn	Johnston	

Votes after roll call:

Yeas—Poston, Sayler and Thomas, Jon

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

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

By the Committee on Economic, Community & Consumer Affairs and Senator Glisson and others—

CS for SB 223—A bill to be entitled An act relating to mobile home parks; providing legislative findings and definitions; limiting the act to mobile home parks containing 100 or more dwelling units; creating a State Mobile Home Tenant-Landlord Commission composed of seven members appointed by the Governor; creating a State Mobile Home Tenant-Landlord Trust Fund consisting of certain funds deposited by the commission; requiring owners of mobile home parks with 100 or more units to register with the commission and to pay a \$1 fee per dwelling unit to the commission to be deposited in said trust fund; authorizing the charging of tenants therefor; providing for the powers of the commission; requiring the commission to hold hearings at mobile home parks upon the petition of 51 percent or more of mobile home park tenants who are subject to increases in rental fees or service charges; requiring park owners to notify tenants of rate increases as of November 1 of each year for the succeeding year; requiring tenants to petition the commission within a certain time period; directing the commission to resolve rental or service charge increase problems; directing the commission to make certain rules; directing the commission to examine rental or service charge increases which went into effect January 1, 1977, under certain

circumstances; providing for representation, appeal procedure and enforcement; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On pages 2-10, strike everything after the enacting clause and insert: Section 1. Legislative findings.—The Legislature finds that there exists an emergency in rental accommodations in mobile home parks. The Legislature further finds that this condition, coupled with the inordinate expense of relocating a mobile home causes tenants in such parks to be placed in an unequal bargaining position with respect to increases in charges imposed by the owners or managers of such parks. The Legislature further finds that this inequality can only be alleviated by the enactment of reasonable legislative restraints which provide both a reasonable return of a park owner's investment and a safeguard to tenants against exorbitant rental or service charges.

Section 2. Definitions.—For the purposes of this act:

(1) "Commission" means the State Mobile Home Tenant-Landlord Commission created by this act.

(2) "Commissioner" or "member" means a member of the commission.

(3) "Mobile home park owner" or "owner" means the owner, lessor, operator or manager of a mobile home park within the purview of this act.

(4) "Tenant" means any person entitled to occupy a dwelling unit under a rental agreement.

(5) "Dwelling unit" means a mobile home rented by a tenant within a mobile home park or a mobile home lot within a mobile home park that is rented for occupancy by one or more persons who own the mobile home located on the lot.

(6) "Service charge" includes any fee for services at a mobile home park. A majority of the commission shall constitute a quorum.

Section 3. Applicability.—The provisions of this act shall not apply to any mobile home park which contains fewer than 100 dwelling units nor shall it apply to any mobile home park established by an employer solely for the use and occupancy of its employees.

Section 4. State Mobile Home Tenant-Landlord Commission.—

(1) There is hereby created the State Mobile Home Tenant-Landlord Commission within the Department of Business Regulation, the membership of which shall be appointed by the Governor as follows:

(a) Two members shall be mobile home park owners or operators.

(b) Two members shall be mobile home park tenants.

(c) Three members shall be members of the general public from the state at large without any connection or affiliation with any mobile home park.

(2) Commissioners shall serve for terms of 4 years, except that, of those members first appointed by the Governor the two members who are mobile home park owners or operators shall be appointed for terms of 2 years, the two members who are mobile home park tenants shall be appointed for terms of 3 years, and the three members of the general public shall be appointed for terms of 4 years. A member chosen to fill a vacancy otherwise than by expiration of term shall be appointed for the unexpired term of the member whom he is to succeed. A member of the commission shall be eligible for reappointment.

(3) Commissioners shall not be compensated for their service on the commission, but shall be entitled to receive per diem and travel expenses as provided by s. 112.061, Florida Statutes. A vacancy in the commission shall not impair the right of the remaining members to exercise the powers of the commission.

Section 5. State Mobile Home Tenant-Landlord Trust Fund.—There is hereby created a State Mobile Home Tenant-Landlord Trust Fund which shall be used to finance the duties and

functions assigned to the commission. The fund shall consist of fees deposited by the commission pursuant to section 6.

Section 6. Registration of certain mobile home parks; number of units.—

(1) The owner or operator of every mobile home park which contains 100 or more dwelling units shall register his mobile home park with the commission. His application of registration, which shall be on a form approved by the commission, shall include the number of dwelling units in the park and the application shall be submitted to the commission by January 1 of each year. Original registration shall be filed by November 1, 1977.

(2) The owner or operator of every mobile home park required to be registered with the commission pursuant to this section shall forward a \$1 fee for each dwelling unit contained in the mobile home park, along with application for registration, to the commission. The commission shall deposit all such fees in the State Mobile Home Tenant-Landlord Trust Fund. Mobile home park owners or operators are authorized to charge each dwelling unit in the park a \$1 fee per year to pay for compliance with the provisions of this section.

Section 7. Powers of the commission.—Within the limitations provided by law, the commission shall have the following powers:

(1) To maintain an office in the City of St. Petersburg.

(2) To meet and exercise its powers at any place within the state.

(3) To employ and fix the compensation of personnel as may be necessary to adequately perform its functions.

(4) To receive, investigate, hold hearings on, and pass upon the petitions of mobile home tenants as set forth in this act.

(5) To make or arrange for studies appropriate to effectuate the purposes and policies of this act and to make the results thereof available to the public.

(6) To render, at least annually, a comprehensive written report to the Governor and to the Legislature. The report may contain recommendations of the commission for legislation or other action to effectuate the purposes and policies of the act.

(7) To adopt, promulgate, amend and rescind rules to effectuate the purposes and policies of this act.

Section 8. Commission required to act; mobile home park owners required to notify tenants of rental or service charge increases.—

(1) Upon petition of 51 percent of the tenants of any dwelling units in a mobile home park who will be subject to a rental or service charge increase or a decrease in services in any calendar year in excess of the net United States Department of Labor Consumer Price Index increases since the last rental increase, the commission shall hold a hearing at the mobile home park or at such other facility selected by the commission, so long as it is reasonably accessible to all parties, at a date to be set by the commission, to determine whether or not the rental or service charge increase or a decrease in services is so great as to be unconscionable or not justified under the facts and circumstances of the particular situation.

(a) The increased costs to the owners of a mobile home park attributable to increases in utility rates, property taxes, fluctuation in property value, governmental assessments, cost of living increases attributable to and relevant to incidental services, normal repair and maintenance, and capital improvements not otherwise promised or contracted for may be passed on to the tenants or prospective tenants in the form of increased rental or service charges if such increases are reasonable and justified under the facts and circumstances of the particular case. Provided, however, the provisions of this subsection shall not be cumulative to the provisions of subsection (1) herein. If the increases sought by the park owner together with all rental increases experienced by the tenants for the preceding 5 years exceed the cumulative costs of living increases for the same period; then such proposed increases shall not be exempted from this commission's jurisdiction.

(2) As of November 1 of each year, every mobile home park owner shall notify each tenant of a dwelling unit in the

park whose rental agreement or service charge will be subject to negotiation and will be increased in the succeeding year of such fact and the amount of all proposed increases. No rental or service charge increases shall be allowed unless properly noticed in writing as provided in this subsection.

(3) Every petition to the commission for a hearing must contain the signatures of at least 51 percent of all of the tenants of any mobile home park and must be accompanied by an affidavit attesting to the fact that the petition contains the required number of signatures. The petition shall be submitted to the commission within 60 days from notification from the mobile home park owner as described in subsection (2).

Section 9. Commission to resolve rental or service charge increases; rules.—

(1) After holding a hearing pursuant to the provisions of chapter 120, Florida Statutes, the commission shall require the mobile home park owner to either reduce the rental or service charges to a rate set by the commission, to continue rental or service charges as they existed under the former lease or agreement, to increase the rental or service charges to a rate set by the commission or to increase the rental or service charges as the mobile home park owner has proposed.

(2) In addition to any other rules which the commission may make, the commission shall make rules to provide:

(a) That any rental or service charge increases which have been collected by a mobile home park owner after the time that the tenants have petitioned the commission and before the time that the commission acts upon the petition, when the commission does not authorize the full increase, shall be either returned to the tenants or credited toward future rental charges.

(b) For procedures with respect to hearings at mobile home parks.

Section 10. Representation.—The mobile home tenants of any mobile home park within the purview of this act may form an incorporated association as provided by law. This association may represent such tenants in any hearing before the commission. The association must have at least 60 percent of the total mobile home tenants of such park as registered members. Such association shall have standing to represent its members in any legal proceeding relating to matters of common interest.

Section 11. Appeal procedure.—If either party is not satisfied with the ruling of the commission as provided by this act, such party shall have the right to appeal said ruling to the Circuit Court of the Judicial Circuit in which the park is located. Such notice of appeal must be filed within 30 days after the notice of the commission's ruling. Any rental or service charge increases that are approved by the commission shall be paid by the tenants to the park owners during any appeal process. However, if such increases are not upheld on appeal then all sums paid under such increase provisions shall either be refunded by the park owner or credited to the next ensuing rental or service charges due from said tenants. If any increases are denied by the commission and the owner appeals, then the proposed increases shall be paid to the owners as scheduled, provided however the owner shall deposit the same monthly into the registry of the court. These funds shall be disbursed as determined by the circuit court, as provided in s. 83.763(3), Florida Statutes.

Section 12. Enforcement.—If no appeal is filed within 30 days of notice of the ruling of the commission and either party fails, refuses or neglects to conform to said ruling, then the aggrieved party may seek enforcement of the ruling by filing a petition for compliance in the Circuit Court. Such petition must have attached thereto a certified copy of the commission's ruling and must set forth the allegations which constitute noncompliance. A copy of said petition shall be served by personal service on the noncomplying party together with a notice of hearing on the petition advising the noncomplying party that he must show cause as to why the ruling should not be enforced. Such hearing shall be held no less than 20 days or more than 60 days after service on the noncomplying party. Unless good cause is shown, the Circuit Court shall enter its order directing the parties to comply with the commission's ruling. The court shall enforce such ruling and may punish willful noncompliance by imposing fines against the party in willful noncompliance. Such fines shall not exceed \$500 a day for each day the party continues in willful noncompliance.

Section 13. If any provision of this act or the application thereof to any person or circumstance is held invalid, it is the

legislative intent that such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared severable.

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

Section 15. This act shall take effect July 1, 1977; provided that the commission shall examine any rental or service charge increases which took effect on or after January 1, 1977, upon petition of the tenants as required by the act within 60 days after July 1, 1977.

Amendment 2—On pages 1 & 2, strike the entire title and insert: A bill to be entitled An act relating to mobile home parks; providing legislative findings and definitions; limiting the act to mobile home parks containing 100 or more dwelling units; creating a State Mobile Home Tenant-Landlord Commission composed of seven members appointed by the Governor; creating a State Mobile Home Tenant-Landlord Trust Fund consisting of certain funds deposited by the commission; requiring owners of mobile home parks with 100 or more units to register with the commission and to pay a \$1 fee per dwelling unit to the commission to be deposited in said trust fund; authorizing the charging of tenants therefor; providing for the powers of the commission; requiring the commission to hold hearings at mobile home parks upon the petition of 51 percent or more of mobile home park tenants who are subject to increases in rental fees or service charges or a decrease in services; requiring park owners to notify tenants of rate increases as of November 1 of each year for the succeeding year; requiring tenants to petition the commission within a certain time period; directing the commission to resolve rental or service charge increase problems; directing the commission to make certain rules; directing the commission to examine rental or service charge increases which went into effect January 1, 1977, under certain circumstances; providing for representation, appeal procedure and enforcement; providing an effective date.

On motions by Senator Sayler, the Senate concurred in the House Amendments.

CS for SB 223 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Mr. President	Gordon	Peterson	Thomas, Pat
Castor	Gorman	Poston	Trask
Chamberlin	Graham	Renick	Vogt
Childers, Don	Hair	Sayler	Ware
Dunn	Henderson	Scarborough	Williamson
Firestone	Lewis	Scott	Wilson
Gallen	MacKay	Spicola	Zinkil
Glisson	McClain	Thomas, Jon	

Nays—4

Childers, W. D.	Plante	Skinner	Tobiassen
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Vote after roll call:

Yea to Nay—Thomas, Pat

The bill was ordered engrossed and then enrolled.

Special Order, continued

SB 443—A bill to be entitled An act relating to purchasing; creating s. 287.095, Florida Statutes, prohibiting the purchase by public agencies of fresh or frozen imported beef for certain purposes; providing a penalty; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, between lines 19 and 20 insert: Bid invitations issued by any agency of the state or of any municipality, political subdivision, school district or special district for the purchase of fresh or frozen beef shall specify that only domestic beef will be accepted. The supplier or vendor shall certify on the invoice that the fresh or frozen beef supplied is domestic.

Senator Trask moved the following amendment:

Amendment 2—On page 1, after line 15, insert: which has not been inspected by the United States Department of Agriculture or the Florida Department of Agriculture and Consumer Services or which will not be inspected by the United States Department of Agriculture or the Florida Department of Agriculture and Consumer Services and does not comply with standards set by the United States Department of Agriculture or the Florida Department of Agriculture and Consumer Services for fresh or frozen beef produced in the United States

On motion by Senator Trask, further consideration of SB 443 with pending Amendment 2 was deferred.

SB 445—A bill to be entitled An act relating to billiard parlors; repealing s. 849.06, Florida Statutes, relating to restrictions on minors visiting, frequenting, or playing in billiard parlors; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote SB 445 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—22

Mr. President	Gordon	Lewis	Scott
Castor	Graham	McClain	Spicola
Chamberlin	Hair	Myers	Ware
Firestone	Henderson	Plante	Wilson
Gallen	Holloway	Renick	
Glisson	Johnston	Scarborough	

Nays—13

Childers, Don	MacKay	Tobiassen	Zinkil
Childers, W. D.	Poston	Trask	
Dunn	Skinner	Vogt	
Gorman	Thomas, Pat	Williamson	

Votes after roll call:

Yea—Thomas, Jon

Nay—Peterson

Yea to Nay—Lewis

On motion by Senator Renick, by two-thirds vote SB 592 was removed from the calendar and recommitted to the Committee on Natural Resources and Conservation.

SB 540—A bill to be entitled An act relating to vehicle accidents; amending s. 316.063, Florida Statutes, 1976 Supplement; requiring the law enforcement officer at the scene of a vehicle accident causing damage to a fence or structure used to house or contain livestock to make a report to the owner promptly; providing for contents of report; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, strike all of line 9 through and including line 19 and insert: *other structure used to house or contain livestock, shall promptly make a reasonable effort to notify the owner, occupant or agent of this damage.*

Amendment 2—On page 1 in title, strike all of line 7 through and including line 8 and insert: *livestock to make a reasonable effort to notify the owner, occupant or agent promptly;*

On motion by Senator Trask, by two-thirds vote SB 540 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Votes after roll call:

Yeas—Hair and Thomas, Jon

SB 305—A bill to be entitled An act relating to podiatry; amending ss. 461.03(1) and 461.07, Florida Statutes, increasing fees for examination and examination retakes; providing that all licensees shall be known as licensed podiatrists; providing for waiver of continuing education requirement for good cause shown; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 305 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—1

Scott

Votes after roll call:

Yeas—Graham, Peterson, Jon Thomas and Trask

Nay to Yea—Scott

SB 682—A bill to be entitled An act relating to state lands; amending s. 253.115(4), Florida Statutes; exempting the lease of land acquired under chapter 375, Florida Statutes, to state agencies or political subdivisions of the state from the requirement of public notice and hearing; providing an effective date.

—was read the second time by title. On motion by Senator Barron, by two-thirds vote SB 682 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Votes after roll call:

Yeas—Hair and Jon Thomas

SB 776—A bill to be entitled An act relating to statutory reports to the Legislature; amending s. 18.09, Florida Statutes; requiring the Treasurer to make an annual report; amending s. 110.0611, Florida Statutes; deleting requirement that a personnel listing be presented to the Speaker of the House and President of the Senate by the Division of Personnel each year; amending ss. 233.057(4)(b), 236.084(1), 633.32(4), Florida Statutes; deleting reporting requirements; amending s. 241.621(8), Florida Statutes; providing that the report on sponsored research be made at least 90 days prior to the legislative session; amending s. 272.121(4), Florida Statutes; providing that the Capitol Center planning report be made every fifth year; amending ss. 284.42(1), 440.46(1), Florida Statutes; revising reporting requirements; repealing ss. 101-5616, 175.281, 185.232, 229.545(4), 229.8025(3), 229.8055(5), 229.835(2), 231.608(2), 232.255(4)(b), 233.067(8), 233.0681(2)(e), 233.069(5), 241.479(3), 402.181(4), 413.038, 440.152(2), 633.40(2), Florida Statutes, relating to reporting requirements; providing an effective date.

—was read the second time by title. On motion by Senator Barron, by two-thirds vote SB 776 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 916—A bill to be entitled An act relating to medical malpractice; adding s. 768.44(2)(h), Florida Statutes, 1976 Supplement; providing for a determination of whether the physician and attorney panelists on a medical liability mediation panel can act with impartiality; requiring the judicial referee to remove a panelist upon a finding that the panelist cannot act with impartiality; providing an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 916 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

HB 114—A bill to be entitled An act relating to boards of education; amending s. 230.17(1), Florida Statutes, providing for regular and special meetings of such boards at or near the office of the superintendent; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 114 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Lewis	Plante	Scott	Tobiassen
MacKay	Poston	Skinner	Vogt
McClain	Renick	Spicola	Ware
Myers	Sayler	Thomas, Jon	Williamson
Peterson	Scarborough	Thomas, Pat	Wilson

Nays—1

Zinkil

Vote after roll call:

Yea—Trask

HB 120—A bill to be entitled An act relating to the education of exceptional students; amending s. 233.056, Florida Statutes, providing specialized educational materials and other available services to exceptional students; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 120 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
Castor	Graham	Plante	Trask
Chamberlin	Hair	Poston	Vogt
Childers, Don	Henderson	Renick	Ware
Childers, W. D.	Holloway	Scarborough	Williamson
Dunn	Johnston	Scott	Wilson
Firestone	Lewis	Skinner	Zinkil
Gallen	MacKay	Spicola	
Glisson	McClain	Thomas, Jon	
Gordon	Myers	Thomas, Pat	

Nays—None

HB 264—A bill to be entitled An act relating to public property and public buildings; adding subsections (3) to s. 255.05, Florida Statutes, providing venue for suits by persons supplying labor, material, or supplies to a contractor or subcontractor constructing or repairing a public building or public work in the county which is the site of the construction or repair; excluding actions instituted prior to the effective date of the act; providing an effective date.

—was read the second time by title. On motion by Senator McClain, by two-thirds vote HB 264 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Williamson

HB 361—A bill to be entitled An act relating to state government; amending s. 216.262, Florida Statutes, 1976 Supplement, authorizing agency heads to add, delete, or transfer authorized positions under certain circumstances; providing limitations; requiring monthly reports; authorizing transfer of authorized positions from one budget entity to another; amending s. 216.292(2), Florida Statutes, providing for transfer of appropriations by department heads under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Dunn moved that further consideration of HB 361 be deferred. The motion failed by the following vote:

Yeas—17

Barron	Gorman	MacKay	Thomas, Jon
Chamberlin	Graham	Myers	Thomas, Pat
Dunn	Henderson	Poston	
Firestone	Johnston	Renick	
Glisson	Lewis	Scarborough	

Nays—19

Castor	Hair	Scott	Vogt
Childers, Don	McClain	Skinner	Ware
Childers, W. D.	Peterson	Spicola	Wilson
Gallen	Plante	Tobiassen	Zinkil
Gordon	Sayler	Trask	

On motion by Senator Dunn, by two-thirds vote HB 361 was read the third time by title and failed to pass. The vote was:

Yeas—2

Dunn	Myers
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Nays—32

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

Senator Dunn moved that the Senate reconsider the vote by which SB 916 passed this day.

The motion was placed on the calendar for consideration May 9.

On motion by Senator Lewis, the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lewis, the rules were waived and by two-thirds vote SB 1418 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Pat Thomas, the rules were waived and by two-thirds vote SB 1230 was withdrawn from the Committee on Education.

On motion by Senator Barron, the rules were waived and by two-thirds vote SB 877 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Barron, the rules were waived and the Committee on Governmental Operations was granted permission to consider SB 830 at the meeting May 9.

CO-INTRODUCERS

Senator Zinkil—CS for SB 223; Senator Don Childers—SB 1125; Senator Myers—SB 698; Senator Peterson—SB 449; Senator Sayler—SB 1287

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 4 was corrected and approved.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:00 noon to convene at 8:30 a.m., May 9, 1977 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 10:00 a.m.