



# Journal of the Senate

Number 24

Monday, May 9, 1977

The Senate was called to order by the President at 10:00 a.m. A quorum present—38:

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

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 872

The Committee on Personnel, Retirement and Collective Bargaining recommends a Committee Substitute for the following: SB 301

The Committee on Corrections, Probation and Parole recommends a Committee Substitute for the following: SB 866

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 830

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 1168

The bills with Committee Substitutes attached 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 a Committee Substitute for the following: SB 230

The Committee on Economic, Community and Consumer Affairs recommends a Committee Substitute for the following: SB 876

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 1203

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 1129

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

The Committee on Rules and Calendar has determined that the following bills are in fact and law local bills and report them to the Local Bill Calendar for Monday, May 9, 1977, at 12:00 noon:

SB 434	SB 713	SB 867	SB 1241
SB 458	SB 760	SB 868	SB 1445
SB 641	SB 761	SB 990	SB 1448
SB 642	SB 770	SB 1154	SB 1450
SB 710	SB 845	SB 1155	
SB 711	SB 850	SB 1156	
SB 712	SB 851	SB 1157	

Respectfully submitted,  
*Tom Gallen*  
Chairman

Excused: Senator Barron for the purpose of working on insurance legislation; Senator Renick

Prayer by Senator Zinkil:

Spirit of wisdom and understanding, enlighten our minds to perceive the mysteries of the universe in relation to eternity. Spirit of right judgment and courage, guide us and make us firm in our baptismal decision to follow God's way of love. Spirit of knowledge and reverence, help us to see the lasting value of justice and mercy in our everyday dealings with one another. May we respect life as we work to solve problems of family and nation, economy and ecology. Spirit of God, spark our faith, hope and love into new action each day. Fill our lives with wonder and awe in your presence which penetrates all creation. Amen.

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

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following bills be placed on Special Order for Monday, May 9, 1977:

SB 714	SB 424	SB 596	SB 354
SB 891	SB 450	SB 1122	SB 594
CS for SB 38	SB 578	SB 743	SB 423
SB 343	SB 590	SB 437	SB 1246
CS for SB 396	SB 958	SB 352	

And any bills not considered on the Special Order Calendar for Friday, May 6, 1977.

Respectfully submitted,  
*Tom Gallen*  
Chairman

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 583 with 2 amendments

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

The Committee on Rules and Calendar recommends the following pass:

SB 434	SB 713	SB 867	SB 1241
SB 458	SB 760	SB 868	SB 1445
SB 641	SB 761	SB 990	SB 1448
SB 642	SB 770	SB 1154	SB 1450
SB 710	SB 845	SB 1155	
SB 711	SB 850	SB 1156	
SB 712	SB 851	SB 1157	

The bills were placed on the local calendar.

## BILL REFERRED TO SUBCOMMITTEE

The following has been referred to the Select Subcommittee on Planning and Budgeting, composed of Senators Mattox Hair, Chairman; David McClain; Kenneth Myers; Pat Thomas; John Vogt, which will report to the full committee within 11 days: SB 735

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Hair, the rules were waived and by two-thirds vote House Bills 1584, 1573 and 1571 were withdrawn from the Committee on Judiciary-Civil.

On motions by Senator Lewis, the rules were waived and by two-thirds vote Senate Bills 70, 154, 201, 328, 406, 570, 644, 674, 681, 695, 790, 889, 929, 1120 and 1145 and CS for HB 334 were withdrawn from the Committee on Appropriations.

On motion by Senator Lewis, the rules were waived and by two-thirds vote SB 798 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Winn, the rules were waived and by two-thirds vote Senate Bills 172, 407 and 1105 were withdrawn from the Committee on Judiciary-Civil and indefinitely postponed.

On motions by Senator Lewis, the rules were waived and the Committee on Appropriations was granted permission to consider Senate Bills 575 and 1455 at the meetings May 10.

On motion by Senator Johnston, the rules were waived and by two-thirds vote SB 973 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Jon Thomas, the rules were waived and by two-thirds vote Senate Bills 992 and 670 were withdrawn from the committees of reference and indefinitely postponed.

## REQUESTS FOR EXTENSION OF TIME

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

SB 718 by Senator McClain	SB 1112 by Senator Gordon
SB 753 by Senators Plante and Don Childers	HB 1583 by House Committee on Rules and Calendar
SB 991 by Senator Glisson	
SB 1071 by Senator Poston	

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

SB 52 by Senator Dunn	SB 306 by Senator Lewis
SB 54 by Senator Spicola	SB 332 by Senator Gallen
SB 106 by Senator Skinner	SB 340 by Senator Skinner
SB 160 by Senator Saylor	SB 349 by Senator Peterson
SB 167 by Senator Saylor	SJR 367 by Senators Saylor and Henderson
SB 191 by Senator Henderson	
SB 234 by Senator Jon Thomas	SB 435 by Senator MacKay
	SB 485 by Senator Skinner
SB 267 by Senator Winn	SB 504 by Senator Peterson
SB 268 by Senator Saylor	SB 567 by Senator Lewis
SB 284 by Senator Graham	SB 597 by Senator Lewis
SB 285 by Senator Graham	SB 619 by Senator Winn

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

SB 645 by Senator Plante	SB 672 by Senator Trask
SB 648 by Senator Glisson	SB 673 by Senator Hair
SB 657 by Senator Henderson	SB 676 by Senator Saylor
SB 670 by Senator Jon Thomas	

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

SB 661 by Senator Henderson	SB 963 by Senator Chamberlin
SB 662 by Senator Scarborough	SB 947 by Senator Holloway
SB 664 by Senator Hair	SB 948 by Senator Holloway

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

SB 969 by Senator Hair	SB 1018 by Senator Williamson
SB 988 by Senator Scott	

SB 1055 by Senator Lewis	SB 1207 by Senator Trask
SB 1084 by Senator McClain	SB 1214 by Senators Trask & Peterson
SB 1085 by Senator McClain	
SB 1099 by Senator Wilson	SB 1215 by Senator Holloway
SB 1130 by Senator Spicola	SB 1228 by Senator Zinkil
SB 1161 by Senator Wilson	HB 1590 by House Rules and Calendar Committee
SB 1170 by Senator Williamson	
SB 1200 by Senator Holloway	

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

SB 1002 by Senator Trask	SB 1162 by Senator Skinner
SB 1054 by Senator Lewis	SB 1191 by Senator Graham
SB 1109 by Senator Barron	HB 868 by Natural Resources Committee
SB 1114 by Senator Henderson	HB 400 by Representative Fulford
SB 1125 by Senator Saylor and others	
SB 1131 by Senator Spicola	

By permission, Senator W. D. Childers was recorded as voting yea on the passage of SB 995 on May 6.

## MATTERS ON RECONSIDERATION

The motion by Senator Dunn to reconsider the vote by which SB 916 passed May 6 was not taken up and was therefore considered abandoned. The bill was certified to the House.

## SPECIAL ORDER

SB 714—A bill to be entitled An act relating to the Legislature; amending s. 11.13(2), (4), Florida Statutes; providing for the daily legislative session subsistence rate and the monthly intradistrict expense allowance for members of the Legislature; providing an effective date.

—was read the second time by title.

Senator Plante moved the following amendment which failed:

**Amendment 1**—On page 1, strike all of lines 16 and 17 and insert: subsistence at the rate of \$30 (~~\$25~~) per day. Each

Senator Dunn moved the following amendment which failed:

**Amendment 2**—On page 2, line 14, strike "upon becoming a" on line 14 and "law" on line 15 and insert: on November 20, 1978

On motion by Senator Scarborough, by two-thirds vote SB 714 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—24

Mr. President	Henderson	Peterson	Thomas, Jon
Castor	Holloway	Poston	Trask
Childers, Don	Johnston	Scarborough	Vogt
Glisson	Lewis	Scott	Williamson
Gordon	McClain	Skinner	Wilson
Hair	Myers	Spicola	Winn

Nays—9

Chamberlin	Gorman	Thomas, Pat	Zinkil
Childers, W. D.	Graham	Tobiassen	
Dunn	Plante		

Votes after roll call:

Nays—MacKay and Saylor

On motion by Senator Scarborough the rules were waived and SB 714 was immediately certified to the House.

SB 891—A bill to be entitled An act relating to insurance; amending s. 627.458(1), Florida Statutes, to permit a maximum policy loan rate of 8 percent; providing that present policies shall not be affected; providing an effective date.

—was read the second time by title.

Senator Hair moved the following amendments which were adopted:

**Amendment 1**—On page 1, line 28, after the period insert: However, as a condition for approval of a policy loan interest rate in excess of 6 percent per annum, the Insurance Commissioner and Treasurer shall require the insurer to furnish such assurances as the Commissioner deems necessary that the interest rate on such loans will bear a reasonable relationship to other interest rates and that the holders of such policies will benefit through higher dividends or lower premiums, or both.

**Amendment 2**—On page 1, in title, line 4, insert after the semicolon: providing a condition for approval of a policy loan interest rate in excess of 6 percent;

On motion by Senator Hair, by two-thirds vote SB 891 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—27

Mr. President	Graham	Peterson	Thomas, Jon
Castor	Hair	Poston	Trask
Chamberlin	Holloway	Sayler	Vogt
Childers, Don	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Winn
Glisson	McClain	Skinner	Zinkil
Gorman	Myers	Spicola	

Nays—7

Childers, W. D.	Henderson	Thomas, Pat	Wilson
Gordon	Plante	Tobiassen	

By the Committee on Executive Business and Senators Graham, Zinkil, Sayler, Wilson, and Poston—

**CS for SB 38**—A bill to be entitled An act relating to executive departments of the state; amending s. 20.05(7), Florida Statutes; providing that departmental executive directors shall serve no more than 4 years without reappointment and reconfirmation; amending ss. 20.21(1), 20.22(1), 20.24(1), 20.25(1), and adding s. 20.28(4), Florida Statutes; requiring Senate confirmation of executive directors of certain departments; providing an effective date.

—was read the first time by title and SB 38 was laid on the table.

On motions by Senator Graham, by two-thirds vote CS for SB 38 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

**SB 343**—A bill to be entitled An act relating to the Workmen's Compensation Law; amending s. 440.02(2)(d), Florida Statutes, redefining the term "employee" for the purposes of the Workmen's Compensation Law to exclude real estate salesmen or agents who perform services for remuneration solely by way of commission; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 1, lines 20 and 21, strike "real estate"

**Amendment 2**—On page 1, line 6, strike "real estate"

On motion by Senator Glisson, by two-thirds vote SB 343 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	Sayler	Ware
Childers, W. D.	Holloway	Scarborough	Williamson
Dunn	Johnston	Scott	Wilson
Firestone	Lewis	Skinner	Winn
Gallen	MacKay	Spicola	
Glisson	McClain	Thomas, Jon	
Gordon	Myers	Thomas, Pat	

Nays—None

**CS for SB 396**—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 taken up with pending Amendments 1 and 2 which were withdrawn.

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

**Amendment 3**—On page 3, strike all of lines 5 and 6 and insert: Section 3. Subsection (14) is added to section 768.28, Florida Statutes, to read:

768.28 Waiver of sovereign immunity in tort actions; recovery limits; limitation on attorney fees; statute of limitations; exclusions.—

(14) *The state and its agencies and subdivisions are hereby authorized to be self-insured, or to enter into risk management programs, or to purchase liability insurance for whatever coverage they may choose, or to have any combination thereof, for any claim, judgment, and claims bill which they may be liable to pay pursuant to this section.*

Section 4. This act shall take effect upon becoming a law.

Senators Don Childers, Zinkil and Ware offered the following amendment which was moved by Senator Ware and adopted:

**Amendment 4**—On page 2, line 25, strike the words: "paid by the state" and insert: paid by the state or its agencies or subdivisions

On motion by Senator Dunn, the Senate reconsidered the vote by which Amendment 3 was adopted. The question recurred on the adoption of Amendment 3, which was adopted.

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

**Amendment 5**—On page 1 in title, strike all of line 11 and insert: insurance; adding a new subsection (14) to s. 768.28, Florida Statutes, to authorize self-insurance, risk management programs, or the purchase of liability insurance, or any combination thereof, for any claim, judgment, or claims bill which the state, its agencies or subdivisions, may be liable to pay pursuant to s. 768.28, Florida Statutes; providing an effective date.

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

**Amendment 6**—On page 1 in title, line 11, after the semicolon insert: authorizing cities, counties, and school boards to enter into risk management arrangements;

On motion by Senator Don Childers, by two-thirds vote CS for SB 396 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 424—A bill to be entitled An act relating to home solicitation sales; amending ss. 501.021 and 501.025, Florida Statutes; providing definitions; providing that sales solicited by telephone are home solicitation sales; providing a lower minimum value of sales included as home solicitation sales; providing that a buyer has 3 business days to cancel a home solicitation sale and defining "business day"; creating ss. 501.046, 501.047, 501.052, Florida Statutes; directing sellers to present certain prescribed identification to prospective buyers; directing that certain information identifying the seller be left with the buyer, or, in the case of telephone solicitations, be sent to the buyer; prohibiting misrepresentation regarding certain facts relating to the nature of the sale, the parent company, or the terms and conditions of the sale; directing the Division of Consumer Services of the Department of Agriculture and Consumer Services to investigate violations and to seek injunctive relief; providing an effective date.

—was read the second time by title.

Senator Castor moved the following amendments which were adopted:

Amendment 1—On page 2, line 6, strike "\$10 \$25," and insert after "of": \$25 which includes all interest, service charges, finance charges, postage, freight, insurance, service or handling charges,

Amendment 2—On page 3, line 18, strike "photograph"

Amendment 3—On page 3, line 25, insert: after "business card": or receipt

Amendment 4—On page 3, line 26, strike "1. The seller's name;" and renumber the following sections

Amendment 5—On page 3, line 30, strike "s supervisor." and insert a period

Amendment 6—On page 4, line 21, insert after "to the": Attorney General or

Amendment 7—On page 1 in title, line 6-8, strike the words "providing a lower minimum value of sales included as home solicitation sales;" and insert: providing that the minimum value of sales includes related expenses and charges;

On motion by Senator Castor, by two-thirds vote SB 424 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Hair

SB 450—A bill to be entitled An act relating to the Suwannee River Authority; providing an appropriation for use by the authority in its pollution control program; providing that such appropriation does not have to be matched by the counties; providing an effective date.

—was read the second time by title.

The Committee on Appropriations offered the following amendment which was moved by Senator Skinner and adopted:

Amendment 1—On page 1, strike all of lines 9 through 21

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

Amendment 2—On page 1, line 30, strike "74-404" and insert: 74-403

On motion by Senator Skinner, by two-thirds vote SB 450 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Hair

SB 578—A bill to be entitled An act relating to licensing of vehicles; amending s. 316.284, Florida Statutes; providing that nothing may be placed on the face of a license plate except as permitted by law; providing an effective date.

—was read the second time by title. On motion by Senator Holloway, by two-thirds vote SB 578 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—22

Castor	Glisson	MacKay	Scott
Chamberlin	Gordon	McClain	Thomas, Pat
Childers, Don	Gorman	Myers	Williamson
Dunn	Graham	Poston	Zinkil
Firestone	Holloway	Sayler	
Gallen	Lewis	Scarborough	

Nays—15

Mr. President	Peterson	Thomas, Jon	Ware
Childers, W. D.	Plante	Tobiassen	Wilson
Henderson	Skinner	Trask	Winn
Johnston	Spicola	Vogt	

Vote after roll call:

Yea—Hair

SB 590—A bill to be entitled An act relating to intangible personal property tax; adding paragraph (g) to s. 199.072(1), Florida Statutes, exempting from intangible personal property tax the assets of a corporation registered under the Investment Company Act of 1940 of the United States; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 19, strike “-52” and insert: et seq.

On motion by Senator Ware, by two-thirds vote SB 590 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 958—A bill to be entitled An act relating to state uniform traffic control; amending s. 316.072(3), Florida Statutes, as transferred from s. 316.051, Florida Statutes, 1976 Supplement; providing that failure or refusal to comply with an order of a police officer or member of a fire department relating to traffic control is a misdemeanor; amending s. 316.655(4), Florida Statutes, as transferred from s. 316.026, Florida Statutes, 1976 Supplement; conforming language; adding s. 318.17(6), Florida Statutes, 1976 Supplement; excepting such violations from designation as noncriminal traffic infractions; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote SB 958 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 596—A bill to be entitled An act relating to public defender; amending s. 27.52(1), Florida Statutes; providing that the Department of Legal Affairs promulgate an affidavit form for the provision of certain information; such affidavit to be filed with the court by all accused persons claiming insolvency; 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 Williamson and adopted:

Amendment 1—On page 1, line 20, after “shall supply” insert: and be consistent with

Senator Williamson moved the following amendments which were adopted:

Amendment 2—On page 2, line 23, after “\$750.” insert: Liability for the costs of such representation may be imposed in the form of a lien against the parents, which lien shall be enforceable by contempt proceedings.

Amendment 3—On page 1, strike everything in lines 12 and 13 and insert: Section 1. Subsections (1) and (2) of section 27.52, Florida Statutes, are amended to read:

Amendment 4—On page 1, line 6 in title, after the word “information;” insert: providing that parents of a minor child who utilizes the services of the public defender may have imposed against them a lien enforceable by contempt proceedings;

Amendment 5—On page 1, line 3 in title, strike “27.52(1)” and insert: 27.52(1), (2)

On motion by Senator Williamson, by two-thirds vote SB 596 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

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

Nays—1

Wilson

SB 1122—A bill to be entitled An act relating to parents; amending s. 741.24, Florida Statutes, relating to civil actions against parents for willful destruction or theft of property by minors; providing for recovery against parents of a minor for theft of property; increasing amount recovered to \$5,000; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote SB 1122 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—2

Mr. President Wilson

Vote after roll call:

Yea—Peterson

SB 743 was taken up and on motion by Senator Myers, the rules were waived and by two-thirds vote HB 1747 was withdrawn from the Committee on Governmental Operations and placed on the calendar. On motion by Senator Myers—

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.

—a companion measure, was substituted for SB 743 and read the second time by title. On motion by Senator Myers, by two-thirds vote HB 1747 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Henderson	Myers	Scott	Vogt
Holloway	Peterson	Skinner	Ware
Johnston	Plante	Spicola	Williamson
Lewis	Poston	Thomas, Jon	Wilson
MacKay	Sayler	Thomas, Pat	Winn
McClain	Scarborough	Tobiassen	Zinkil

Nays—None

SB 743 was laid on the table.

SB 437—A bill to be entitled An act relating to trust accounting; amending s. 737.303, Florida Statutes; providing that a grantor of a living trust or a testator of a testamentary trust may limit the beneficiaries to whom trust information is given, except current life income beneficiaries, and may specify the times when the information is to be given; excluding beneficiaries of revocable living trusts, except current income beneficiaries, from the operation of s. 737.303, Florida Statutes; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 4 after the word "provide" strike the word "the" and insert: any vested ~~the~~

Amendment 2—On page 2, line 8, insert between the words "A" and "beneficiary": vested

Amendment 3—On page 1, line 26, strike "In addition" and insert after the word "given.": If no specific instructions are given by the grantor or testator, the following shall apply ~~in addition~~

On motion by Senator McClain, by two-thirds vote SB 437 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	Myers	Thomas, Jon
Castor	Graham	Peterson	Thomas, Pat
Chamberlin	Hair	Plante	Tobiassen
Childers, Don	Henderson	Poston	Ware
Childers, W. D.	Holloway	Sayler	Williamson
Firestone	Johnston	Scarborough	Wilson
Gallen	Lewis	Scott	Winn
Glisson	MacKay	Skinner	Zinkil
Gordon	McClain	Spicola	

Nays—None

Vote after roll call:

Yea—Vogt

SB 352—A bill to be entitled An act relating to marriages; amending s. 741.04, Florida Statutes; providing that a marriage license shall not be issued unless one party is a male and the other party is a female; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, line 8, after the word "court" insert: in counties which have less than 75,000 residents pursuant to the last decennial census

Senator Hair moved the following amendment which was adopted:

Amendment 2—On page 1, line 6 in title, after the word "female;" insert: limiting marriage application posting requirement to counties under 75,000 residents;

On motion by Senator Peterson, by two-thirds vote SB 352 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Consideration of SB 354 was deferred.

SB 594—A bill to be entitled An act relating to the bedding and relaying of oysters and clams; amending s. 370.16(17), Florida Statutes, 1976 Supplement; allowing clams to be relayed; providing for application to and a permit from the Division of Marine Resources of the Department of Natural Resources for the relaying of oysters or clams; authorizing the division to specify the time, areas, and amounts for relaying and determine public health danger; prohibiting the harvesting of relayed oysters or clams which originated in unapproved harvesting areas without written permission or public notice from the division; providing an effective date.

—was read the second time by title. On motion by Senator Spicola, by two-thirds vote SB 594 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Consideration of SB 423 was deferred.

Senator Plante presiding

SB 1246—A bill to be entitled An act relating to standards of conduct for public officers and employees; amending s. 112.313(3), Florida Statutes; permitting members of advisory boards to purchase, rent, lease, or sell realty, goods, or services to or from their own agencies upon disclosure to, and grant of a waiver by, the body or person that appointed such member to the advisory board; 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 Myers and adopted:

Amendment 1—On pages 1 and 2, strike everything after the enacting clause and insert: Section 1. Subsection (12) of section 112.313, Florida Statutes, is created to read:

112.313 Standards of conduct for public officers and employees of agencies.—

(12) EXEMPTION.—The requirements of subsection (3) and subsection (7) as they pertain to persons serving on an advisory board may be waived in a particular instance by the body which appointed the person to the advisory board upon a full disclosure of the transaction or relationship and an

affirmative vote in favor of waiver by two-thirds vote of that body. In instances where appointment to the advisory board is made by an individual, waiver may be effected after public hearing by a determination of the appointing person and full disclosure of the transaction or relationship by the appointee.

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

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

**Amendment 2**—On page 1, lines 3 and 4 in title, strike "amending s. 112.313(3)" and insert: creating s. 112.313(12)

Senator Myers moved the following substitute amendment which was adopted:

**Amendment 3**—On page 1 in title, strike all of lines 3 through and including line 5 and insert: public officers and employees; adding s. 112.313(12), Florida Statutes; permitting members of advisory boards to have or hold an employment or contractual relationship with a business entity or agency which is subject to the regulation of, or is doing business with, their own agencies and to purchase, rent,

On motion by Senator Trask, further consideration of SB 1246 was deferred.

**SB 423**—A bill to be entitled An act relating to larceny; amending s. 812.021, Florida Statutes; providing for the crime of larceny by converting or appropriating personal property leased or rented from another to one's own use or the use of a third person; providing penalties; prescribing prerequisites for prima facie evidence of intent to commit larceny in a prosecution for larceny of personal property leased or rented to the defendant; establishing affirmative defenses to such a prosecution; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 5, strike lines 24 and 25 and insert: rental agreement; or if the defendant presents identification to the lessor which is false, fictitious, or not current with

**Amendment 2**—On page 6, strike all of lines 3-12 and insert: (b) It shall be prima facie evidence of intent to commit larceny when any person fails to return a rental or leased motor vehicle, aircraft, boat, or boat motor within 72 hours after the time and date agreed upon for the return of the motor vehicle, aircraft, boat, or boat motor unless notification of the reason for delay has been made to the rentor or lessor.

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1730 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Richard and Smith—

**HB 1730**—A bill to be entitled An act relating to larceny; amending s. 812.021, Florida Statutes, by adding a new subsection (7); providing for prima facie evidence of intent to commit larceny in a prosecution for larceny of property leased or rented to the defendant; providing an effective date.

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

Special Order, continued

Pending further consideration of SB 423 as amended, on motion by Senator W. D. Childers, by two-thirds vote HB 1730 was

withdrawn from the Committee on Judiciary-Criminal and placed on the calendar. On motions by Senator W. D. Childers HB 1730 a companion measure, was substituted for SB 423 and by two-thirds vote read the second time by title.

Senator W. D. Childers moved the following amendment:

**Amendment 1**—On page 1, line 12, strike everything after the enacting clause and insert: Section 1. Section 812.021, Florida Statutes, is amended to read:

812.021 "Larceny" defined; penalties; sufficiency of indictment, information or warrant.—

(1) A person who with intent unlawfully to deprive or defraud the true owner of his property or of the use and benefit thereof, or to appropriate the same to the use of the taker or of any other person:

(a) Takes from the possession of the true owner, or of any other person; or obtains from such person possession by color or aid of fraudulent or false representations or pretense, or of any false token or writing; or obtains the signature of any person to a written instrument, the false making whereof would be punishable as forgery; or secretes, withholds, or appropriates to his own use, or that of any other than the true owner, any property;

(b) Having in his possession, custody or control, as a broker, bailee, lessee, public servant, attorney, agent, employee, clerk, trustee, or officer of any person, association, or corporation, member of copartnership, pool or joint adventure, or as a person authorized by agreement, or by competent authority, to hold or take such possession, custody, or control, any property, converts or appropriates the same to his own use, or that of any other person other than the true owner or person entitled to the benefit thereof;

(c) While acting as executor, administrator, committee, guardian, receiver, collector, or trustee of any description, appointed by a deed, will, or other instrument, or by an order or judgment of a court or officer, secretes, withholds or otherwise appropriates to his own use, or that of any person other than the true owner or person entitled thereto any property in his possession or custody by virtue of his office, employment, or appointment;

(d) Takes unpurchased merchandise of any merchantile establishment on the premises of such establishment with the intent to convert the same to personal use without paying the purchase price therefor;

(e) Obtains property of another by threatening to:

1. Accuse anyone of a criminal offense.
2. Expose any secret tending to subject any person to hatred, contempt, or ridicule or to impair his credit or business repute.
3. Take or withhold action as a public servant.
4. Bring about or continue a strike, boycott, or other collective unofficial action if the property is not demanded or received for the benefit of the group in whose interest the defendant purports to act.
5. Testify or provide information, or withhold testimony or information, with respect to another's legal claim or defense.

(f) Fails to take reasonable measures to restore property which he knows to have been lost, mislaid, or delivered under a mistake as to the nature or amount of the property or the identity of the recipient after he comes into control of such property; shall, upon conviction, be guilty of larceny.

(2) If the property stolen is:

- (a) Of the value of \$100 or more;
- (b) Of the aggregate value of \$200 or more, taken in any 12-consecutive month period, by an agent, servant, or employee from his principal or employer by a series or combination of any of the acts denounced in this section, as part of a common scheme or design to defraud;
- (c) A will, codicil or other testamentary instrument;
- (d) A firearm;
- (e) A motor vehicle;

(f) Any member of the genus *Bos* (cattle) or the genus *Equus* (horse), or any hybrid of the specified genera; or

(g) Any make, type, or model of fire extinguisher, the offender shall be deemed guilty of grand larceny, which constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, unless the offender is a public servant who used his official position to commit the offense or, in the course of committing the offense, stole public property or property which the duty of his office required him to receive and hold, in which case the offender shall be guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) Larceny of property not described in subsection (2) is petit larceny, which constitutes a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Upon a second conviction of petit larceny, the offender shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, or s. 775.083. Upon a third or subsequent conviction of the offense of petit larceny, the offender shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) Hereafter it shall not be a defense to a prosecution for larceny, or for an attempt, solicitation, or conspiracy to commit the same, or for being accessory thereto, that the purpose for which the owner was induced by color or aid of fraudulent or false representation or pretense, or of any false token or writing, to part with his property or the possession thereof, was illegal, immoral, or unworthy.

(5) It shall be sufficient for any indictment, information, or warrant returned, filed, or issued under this section to charge generally that the defendant, at the time and in the county specified, did steal the personal or real property, thing in action, evidence of debt or contract, or article of value out of which the prosecution arose, describing the same in general terms and alleging generally the ownership and value thereof. It shall not be necessary when alleging the larceny of property over a period of time that the exact date or dates the property was taken be alleged, but instead the total period of time may be alleged generally. This section shall not be construed as intending to interfere with the power of the court to require the state to furnish the defendant with a bill of particulars in proper cases and on sufficient showing that cause exists for the same.

(6) The failure, neglect, omission, or refusal of any public servant to pay over or deliver any money, property, or effects to any official or person authorized or having the right by law to receive the same for more than 30 days after the same has been collected or received by him shall be prima facie evidence of the conversion to one's own use, the secreting with intent to convert to one's own use, or the withholding with the intent to convert to one's own use, the said money, property, or effects.

(7) *In a prosecution for larceny of personal property leased or rented, to the defendant:*

(a) *It shall be prima facie evidence of intent to commit larceny if the defendant fails to return or make arrangements acceptable with the lessor to return the personal property to its owner or his representative within 10 days after proper notice following the expiration of the lease or rental agreement, or presents identification to the lessor or renter thereof which is false, fictitious, or not current with respect to name, address, place of employment, or other appropriate items. Proper notice by the lessor shall consist of a written demand addressed and mailed by certified or registered mail to the lessee at the address given at the time of making the lease or rental agreement or his last known address within 30 days after the expiration of the lease or rental agreement.*

(b) *It is an affirmative defense to prosecution for larceny if:*

1. *The lessee's failure to return the item at the expiration date of the rental contract was lawful; or*

2. *The lessee accurately stated his name and address at the time of rental, failed to receive the lessor's notice personally, and returned the personal property to the owner or lessor within 48 hours of the commencement of prosecution, together with any charges for the overdue period and the value of damages to the personal property, if any.*

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

Senator W. D. Childers moved the following amendments to Amendment 1 which were adopted:

**Amendment 1A**—On page 4, strike lines 8 and 9 and insert: rental agreement; or if the defendant presents identification to the lessor which is false, fictitious, or not current with

**Amendment 1B**—On page 4, strike all of lines 17-26 and insert: (b) It shall be prima facie evidence of intent to commit larceny when any person fails to return a rental or leased motor vehicle, aircraft, boat, or boat motor within 72 hours after the time and date agreed upon for the return of the motor vehicle, aircraft, boat, or boat motor unless notification of the reason for delay has been made to the rentor or lessor.

Amendment 1 as amended was adopted.

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

**Amendment 2**—On page 1, strike the title and insert: A bill to be entitled An act relating to larceny; amending s. 812.021, Florida Statutes; providing for the crime of larceny by converting or appropriating personal property leased or rented from another to one's own use or the use of a third person; providing penalties; prescribing prerequisites for prima facie evidence of intent to commit larceny in a prosecution for larceny of personal property leased or rented to the defendant; providing an effective date.

On motion by Senator W. D. Childers, by two-thirds vote HB 1730 as amended was read the third time by title.

The President presiding

Senators Peterson and Hair offered the following amendment which was moved by Senator Peterson and adopted by two-thirds vote:

**Amendment 3**—In Subsection (2)(a), strike "\$100" and insert: \$250

Further consideration of HB 1730 was deferred.

CS for SB 384, by the Committee on Health and Rehabilitative Services and Senator Jon Thomas, was read the first time by title and SB 384 was laid on the table.

Pending further consideration of CS for SB 384, on motion by Senator Jon Thomas, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 371 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Health & Rehabilitative Services and Representative Lehman and others—

**CS for HB 371**—A bill to be entitled An act relating to health testing services; creating part II of chapter 483, Florida Statutes, consisting of ss. 483.41-483.59, relating to the regulation of multiphasic health testing centers; providing exceptions; providing definitions; providing powers and duties of the Department of Health and Rehabilitative Services relating to the licensing and regulation of such centers; authorizing the department to inspect centers; providing for establishment of an advisory council to the department; requiring the licensing of centers; providing procedures; providing advertisement requirements; providing qualifications and duties of center medical directors; requiring display of license; requiring centers to forward human specimens to clinical laboratories for analyses; requiring transmittal of results to the director of the center; providing grounds and procedures for revocation and suspension of licenses; providing penalties; providing for injunctive

relief; directing that certain changes in terminology in the Florida Statutes be made; providing an effective date.

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

**Special Order, resumed**

On motion by Senator Jon Thomas, CS for HB 371 a companion measure was substituted for CS for SB 384. On motions by Senator Jon Thomas, by two-thirds vote CS for HB 371 was read the second time by title.

Senator Jon Thomas moved the following amendment which was adopted:

**Amendment 1**—On page 4, line 8, insert after the word “centers.”: Such fee shall be at least \$300 annually

On motion by Senator Jon Thomas, by two-thirds vote CS for HB 371 as amended 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	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Sayler	Vogt
Childers, W. D.	Johnston	Scarborough	Ware
Firestone	Lewis	Scott	Williamson
Gallen	MacKay	Skinner	Winn
Glisson	McClain	Spicola	Zinkil
Gordon	Myers	Thomas, Jon	

Nays—None

CS for SB 384 was laid on the table.

The Senate resumed consideration of—

**SB 1246**—A bill to be entitled An act relating to standards of conduct for public officers and employees; amending s. 112.313(3), Florida Statutes; permitting members of advisory boards to purchase, rent, lease, or sell realty, goods, or services to or from their own agencies upon disclosure to, and grant of a waiver by, the body or person that appointed such member to the advisory board; providing an effective date.

Senators Skinner and Trask offered the following amendment which was moved by Senator Skinner:

**Amendment 4**—At the end of Section 1 insert: *Elected officials of counties having a population of less than 40,000 and of municipalities having a population of less than 10,000 shall also be exempt from the requirements of subsection (3) and subsection (7) provided that there is full disclosure of the transaction or relationship and there is a two-thirds vote of the legislative body of such county or municipality approving the transaction or relationship.*

Senator Sayler moved that consideration of SB 1246 as amended be deferred. The motion failed.

On motion by Senator Skinner consideration of SB 1246 with pending amendment was deferred.

**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 taken up with pending Amendment 2 which was adopted.

**Amendment 2**—On page 1, after line 15, insert the following:

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

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

**Amendment 3**—On page 1, line 5, insert after “purposes;”: requiring certain provisions be contained in bid invitations and suppliers’ invoices:

Pending further consideration of SB 443 as amended, on motions by Senator Trask, the rules were waived and by two-thirds vote HB 577 was withdrawn from the Committees on Commerce and Governmental Operations and placed on the calendar. On motion by Senator Trask—

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

—a companion measure, was substituted for SB 443 and read the second time by title.

Senator Trask moved the following amendments which were adopted:

**Amendment 1**—On page 1, line 31, and on page 2, line 2 after the word “beef” insert: or imported beef which complies with the provisions of this subsection

**Amendment 2**—On page 1 in title, line 4, after the word “of” insert: certain

On motion by Senator Trask, by two-thirds vote HB 577 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

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

Nays—4

Chamberlin	Sayler	Scarborough	Williamson
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Vote after roll call:

Yea—Skinner

SB 443 was laid on the table.

**LOCAL CALENDAR**

**SB 434**—A bill to be entitled An act relating to Hillsborough County; amending section 1, chapter 69-1121, Laws of Florida, as amended; providing for the appointment of members of the Hillsborough County Civil Service Board by the Governor, subject to confirmation by the Senate; providing an effective date.

—was read the second time by title. On motion by Senator Spicola, by two-thirds vote SB 434 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Hair	Peterson	Spicola	Williamson	Thomas, Pat	Vogt	Williamson	Winn
Henderson	Plante	Thomas, Jon	Wilson	Tobiassen	Ware	Wilson	Zinkil
Johnston	Poston	Thomas, Pat	Winn	Trask			
Lewis	Sayler	Tobiassen	Zinkil				
MacKay	Scarborough	Trask					
McClain	Scott	Vogt					
Myers	Skinner	Ware					

Nays—None

SB 458—A bill to be entitled An act relating to the Daytona Beach Downtown Development Authority; renumbering sections 16 and 17 of chapter 72-520, Laws of Florida, the Daytona Beach Downtown Improvement Authority Act, and adding a new section 16 to said act; providing that the Daytona Beach Downtown Development Authority shall have power to levy special assessments; providing procedures for levy; providing for collection of the assessment; providing for the issuance of revenue bonds; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote SB 458 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 641—A bill to be entitled An act relating to Dixie County; prohibiting fishing with nets of 1,000 yards or longer or with a net placed closer than 500 yards of any other net; providing a penalty; providing a referendum.

—was read the second time by title. On motion by Senator Skinner, by two-thirds vote SB 641 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 642—A bill to be entitled An act relating to Levy County; prohibiting fishing with nets of 1,000 yards or longer or with a net placed closer than 500 yards of any other net; providing a penalty; providing a referendum.

—was read the second time by title. On motion by Senator Skinner, by two-thirds vote SB 642 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Thomas, Pat  
Tobiassen  
Trask

Nays—None

SB 710—A bill to be entitled An act relating to the North Brevard County hospital district; amending section 6A of chapter 28924, Laws of Florida, 1953, as created by chapter 68-1140, Laws of Florida; providing for interest rates on general obligation bonds or revenue bonds or a combination thereof issued to finance the construction, acquisition or improvement of hospitals in said district; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 710 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 711—A bill to be entitled An act relating to Broward County; amending section 2 of chapter 75-350, Laws of Florida; providing that candidates for municipal office shall file qualification papers no earlier than the first work day in January nor later than the 14th day following the first work day in January of the calendar year in which the election is to be held; providing an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 711 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 712—A bill to be entitled An act relating to the City of Deerfield Beach, Broward County; enlarging and extending of the corporate limits of the City of Deerfield Beach by including previously unincorporated land into said corporate limits; providing an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 712 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—2

Childers, Don Johnston

SB 713—A bill to be entitled An act relating to Brevard County; authorizing and permitting the Board of County Commissioners of Brevard County, to waive the requirements of s. 255.05, Florida Statutes, requiring the posting of labor, material, supplies and performance bonds on formal contracts entered into between Brevard County and any contractor for the construction or repair of any public building or public work for such county, provided that the entire actual or estimated cost does not exceed the sum of \$10,000; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 713 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 760—A bill to be entitled An act relating to Desoto and Charlotte counties; repealing chapter 74-454, Laws of Florida, which created the Deer Run Improvement District in DeSoto County and Charlotte County; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote SB 760 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Henderson

SB 761—A bill to be entitled An act relating to Brevard County; repealing chapter 67-1149, Laws of Florida, which provides for creating civil service for employees of the office of sheriff of Brevard County and creating a civil service board to administer the said act in Brevard County; providing an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote SB 761 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

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

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 770 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Consideration of SB 845 was deferred.

SB 850—A bill to be entitled An act relating to Volusia County; amending chapter 11272, Laws of Florida, 1925, as amended, renaming the Halifax Hospital District as the "Halifax Hospital Medical Center"; amending section 7 of chapter 11272, Laws of Florida, as amended, removing the limitation upon the interest rate on notes of the district and upon the total dollar amount which the district can borrow upon such notes; restricting the amount of such indebtedness to the amount of the district's current annual tax revenues; amending section 8(2) of chapter 11272, Laws of Florida, 1925, as amended, removing the limitation upon the rate of interest which bonds of the district may bear; amending sections 1 and 2 of chapter 59-1953, Laws of Florida, as amended, providing that the administrator and chief fiscal officer of the hospital center, rather than the board of commissioners of the district, the chairman thereof, and the administrator, are authorized to sign checks and warrants of the district; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote SB 850 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 851—A bill to be entitled An act pertaining to Seminole County; repealing chapter 67-2072, Laws of Florida; which authorizes public officials of Seminole County to reproduce on a small scale, by photographic, microphotographic, photostatic, microphotostatic, or other process, any public records, court exhibits, or office records in their official custody; which prescribes the conditions under which such records shall be so reproduced to prescribe by whose authority the expenditure therefor shall be made; which provides for the verification, certification, storage, examination, and use of such reproductions; which provides that certified positive or negative reproductions shall be deemed the official original records for all purposes, and that certified copies thereof, or any enlarged portion thereof, shall be acceptable in any court; which authorizes the sale of copies of such reproductions; which provides that after the reproductions have been verified and certified the originals may be destroyed or otherwise disposed of; which provides that, with certain exceptions, public records, court exhibits, and office records which are considered to be worthless from a

practical standpoint may be destroyed or otherwise disposed of without first reproducing them on a smaller scale if certain conditions are complied with; and which regulates the reproduction and the destruction of said records on a small scale; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 851 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 867—A bill to be entitled An act relating to Broward County; amending section 6 of chapter 27438, Laws of Florida, 1951, as amended, relating to the North Broward Hospital District, to authorize and empower the board of commissioners of said district to establish, construct, operate, and maintain such hospital or hospitals, such supportive facility or facilities, including offices for physicians and other medically related personnel, entities, and activities, and such facilities for limited care and treatment as in the opinion of said board of commissioners shall be necessary for the needs and use of the people of said district; declaring the same to be used for the preservation of the public health and for the public good and for the use of the public of said district; declaring and finding the same to be a public purpose; authorizing the board of commissioners to determine and fix the location and the terms, conditions, and consideration for the use of such hospitals, supportive facility or facilities, and facilities for limited care and treatment; providing an effective date.

—was read the second time by title. On motion by Senator Jon Thomas, by two-thirds vote SB 867 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	Saylor	Vogt
Dunn	Johnston	Scarborough	Ware
Firestone	Lewis	Scott	Wilson
Gallen	MacKay	Skinner	Winn
Glisson	McClain	Spicola	

Nays—2

Williamson Zinkil

Vote after roll call:

Nay to yea—Williamson

SB 868—A bill to be entitled An act relating to Seminole County; amending ss. 1(1)(a), 3, 11, and 16 of chapter 70-942, Laws of Florida, removing the requirement that the sheriff be a member of the civil service board for deputy sheriffs and employees of the sheriff's department; providing that the sheriff shall appoint a member of the board; including persons holding the rank of major or above within the unclassified service portion of the civil service system; providing for the appointment of persons to the position of major or above; providing that suspensions of employees by the sheriff may be with pay; restricting the authority of the board to investigate only these suspensions which are without pay; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 868 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 990—A bill to be entitled An act relating to Hillsborough County and municipalities within the county; amending sections 4-6, chapter 67-1507, Laws of Florida, as amended by chapter 75-399, Laws of Florida; changing the method of preparation of the proposed annual capital improvements budget and 5-year capital improvements program for the county and each municipality; requiring the staff of the county planning commission to meet separately with representatives of the county and of the municipalities by February 15 of each year to assist in the development of capital improvements budgets and programs; requiring that priority systems be a part of such budgets and programs; requiring the proposed capital improvements budget and 5-year capital improvement program of the county and each municipality to be submitted to their respective executive authorities by June 1 of each year; requiring the executive authorities to review the proposed capital improvements budgets and 5-year programs and submit them to the county planning commission; changing the date by which the county planning commission is required to submit its report and recommendations on the budgets and programs to the executive authorities of Tampa, Plant City, and Temple Terrace to August 1 of each year; providing an effective date.

—was read the second time by title. On motion by Senator Castor, by two-thirds vote SB 990 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 1154—A bill to be entitled An act relating to the Port Everglades Authority, Broward County; amending section 1, Article 4, Part VI, chapter 59-1157, Laws of Florida, as amended; deleting the requirement that an applicant for a franchise to engage in the business of the operation of a stevedoring concern, cargo handling operation, or tug boat or towing operation in the port jurisdictional area establish to the satisfaction of the Port Commission that such franchise is needed for the public interest, convenience and necessity; providing an effective date.

—was read the second time by title.

Senator Zinkil moved the following amendments which were adopted:

Amendment 1—On page 1, between lines 13 and 14 insert: WHEREAS, Port Everglades present volume of business and the projected growth of ships calling in the future is insufficient to support more than one good qualified tugboat company; and;

WHEREAS, Port Everglades needs to restrict the franchise in order to ensure the quality of modern equipment as far as towing services (on the immediate call, 24 hours per day, 365 days a year);

NOW, THEREFORE,

**Amendment 2**—On page 2, line 14, after the word "Authority," insert: *Applicants for a tug boat or towing operation shall additionally establish to the satisfaction of the Port Commission that such franchise is needed for the public convenience and necessity.*

*Prior to considering any franchise application, the Port Authority may require the applicant to furnish to it pertinent data with respect to:*

a. *Previous business history of applicant, its officers, directors, principal stockholders, general or limited partners and supervisory personnel.*

b. *A list of names, including aliases or nicknames and addresses (including any addresses within five (5) years) of any officer, director, principal stockholder, general or limited partner who prior to the date of application, has been convicted of any misdemeanor or felony that is job-related, including but not limited to larceny, burglary, robbery, extortion, perjury, bribery, embezzlement and similar crimes. During the term of any franchise granted, the franchisee shall furnish to Port Everglades Authority similar information within ten (10) days after such person becomes affiliated with the franchise holder. Failure on the part of the applicant or franchise holder to furnish such required information shall entitle Port Everglades Authority to deny the application or terminate the franchise.*

**Amendment 3**—On page 1 in title, line 5 after the semicolon (;), strike all after "Amended;" and insert: providing for the granting of franchises by the Port Commission for the right to do business in the Port Jurisdictional Area; correcting a typographical error; redefining what the applicant must establish and provide to the Port Commission to obtain a franchise; providing an effective date.

On motion by Senator Zinkil, by two-thirds vote SB 1154 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Scott

**SB 1155**—A bill to be entitled An act relating to Brevard County; authorizing the Board of County Commissioners of Brevard County to issue or grant a nonexclusive franchise to any person, municipality or private corporation to construct, maintain, repair, operate and remove lines, poles and facilities within the unincorporated areas of Brevard County, Florida, for the transmission of water, sewage, gas, power, telephone and other public utilities under, on, over, across and along any county highway or any public road, easement, right-of-way or highway; requiring the execution of such nonexclusive franchise as a condition of the use of said county highways or public roads, easements, rights-of-way or highways; providing for the term, provisions, and conditions relating to such non-exclusive franchise; providing for the payment of a fee to Brevard County for such right and privilege; providing severability; providing an effective date.

—was read the second time by title.

Senators Vogt and Wilson offered the following amendments which were moved by Senator Vogt and adopted:

**Amendment 1**—Strike everything after the enacting clause and insert: Section 1. The Board of County Commissioners of Brevard County, Florida is hereby authorized to grant a non-exclusive franchise for a term of not more than thirty (30)

years to, and to require payment of a fee therefor by, any person, municipality, private corporation, or other entity to construct, maintain, repair, operate and remove lines, poles and other electric power facilities within the unincorporated areas of Brevard County, Florida, under, on, over, across and along any county highway, road, easement, right-of-way, or other public property of the County for the transmission, distribution, or sale of electricity.

Section 2. If any section, paragraph, clause, sentence or provision of this act shall be adjudged by any court of competent jurisdiction to be invalid for any reason, such judgment shall not affect, impair, invalidate or nullify the remainder of this act, but the effect shall be confined to the section, paragraph, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

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

**Amendment 2**—On page 1 in title, strike all of lines 1-22 and insert: A bill to be entitled an act pertaining to Brevard County; authorizing the Board of County Commissioners of Brevard County to grant a non-exclusive franchise to any person, municipality, private corporation, or other entity to construct, maintain, repair, operate and remove lines, poles and facilities within the unincorporated areas of Brevard County, Florida, under, on, over, across and along any county highway, road, easement, or right-of-way, or other public property of the County for the transmission, distribution or sale of electricity; providing for the term of such non-exclusive franchise; providing for the payment of a fee to Brevard County for such right and privilege; providing an effective date.

On motion by Senator Wilson, by two-thirds vote SB 1155 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—2

Plante Gorman

**SB 1156**—A bill to be entitled An act relating to the Port Everglades Authority, Broward County; amending section 6, Article 1, Part II of chapter 59-1157, as amended; authorizing the Port Commission to determine and fix the salaries of the Port Commission in an amount not to exceed \$625 per month for each commissioner; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote SB 1156 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 1157—A bill to be entitled An act relating to the Port Everglades Authority, Broward County; amending section 1, Article 1, Part II, chapter 59-1157, Laws of Florida; changing the date on which each term of office of a newly elected commissioner of the Port Commission of the Port Everglades Authority shall begin; amending section 9, Part IV, chapter 59-1157, Laws of Florida, as amended; providing the term for which a commissioner appointed by the Governor shall serve; amending section 2, Part IV, chapter 59-1157, Laws of Florida, as amended; providing that the election districts for the election of Port Commissioners shall correspond to the County Commission districts of Broward County as established and existing on January 1, 1975; amending section 10, Article 1, Part I, chapter 59-1157, Laws of Florida; providing that the fiscal year of the Port Everglades Authority shall begin on the first day of January each year and end on the last day of December each year; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote SB 1157 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Consideration of SB 1241 was deferred.

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 second time by title.

Senator Skinner moved the following amendment which was adopted:

Amendment 1—On page 2, strike all of lines 7 through and including line 14 and insert: Section 4. This act, except for this section which shall take effect upon becoming a law, shall take effect only upon approval by a majority vote of the electors of Columbia County voting in a special referendum election which shall be called and held by the Board of County Commissioners in Columbia County on a date set by the Board. The election shall be paid for by the county, and there shall be at least 30 days' notice of the election as provided by s. 100.342, Florida Statutes.

On motion by Senator Skinner, by two-thirds vote SB 1445 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	Gorman	Plante	Trask
Castor	Graham	Poston	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Johnston	Scott	Wilson
Dunn	Lewis	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	
Gordon	Peterson	Tobiassen	

Nays—None

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.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 1448 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

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.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 1450 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 232—A bill to be entitled An act relating to Palm Beach County; providing for the relief of William G. Willis; providing an appropriation to compensate him for loss of income and personal injury as a result of an accident caused by the negligence of the Palm Beach County Survey Department; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, strike all of lines 15 through 23 and insert: the Palm Beach County general fund the sum of \$17,500 payable to William G. Willis to compensate him for his injuries in the following manner: Three equal payments shall be made annually in the amount of \$5,833.33 each.

Section 3. The Board of County Commissioners of Palm Beach County shall draw warrants in favor of William G. Willis in the sum of \$17,500 upon the general fund of Palm Beach County in the following manner: Three equal payments shall be made annually in the amount of \$5,833.33 each.

On motion by Senator Johnston, by two-thirds vote SB 232 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Scott  
Skinner  
Spicola

Thomas, Jon  
Thomas, Pat  
Tobiassen

Trask  
Vogt  
Ware

Williamson  
Wilson  
Winn

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote SB 1458 was read the third time by title, passed and certified to the House. The vote on passage was:

Nays—1

Zinkil

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.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote SB 1457 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Thomas, Pat

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.

Yeas—37

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

Nays—None

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 1104 and 971 were withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Hair, the Select Committee on Planning and Budgeting was granted permission to consider SB 735 at the meeting May 10.

**CO-INTRODUCERS**

Senator Sayler—Senate Bills 352 and 354; Senator Firestone—SB 531; Senator Spicola—SB 1125; Senator Peterson—Senate Bills 1448 and 1450

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of May 6 was corrected and approved.

On motion by Senator Gallen, the Senate adjourned at 12:20 p.m. to convene at 8:30 a.m., May 10, 1977 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.