



# Journal of the Senate

Number 3-Special Session

Friday, June 24, 1977

The Senate was called to order by the President at 10:00 a.m.  
A quorum present—39:

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

Excused: Senator Gordon

Prayer by Senator Zinkil:

Lord make me an instrument of Thy peace; where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy.

O Divine Master, grant that I may not so much seek to be consoled as to console; to be understood, as to understand; to be loved, as to love; for it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life.

—*St. Francis of Assisi*

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following bills be placed on Special Order Calendar for Friday, June 24, 1977:

SB 40-B

SB 46-B—Subject to being withdrawn from Rules and Calendar Committee

SB 36-B

SCR 42-B

SB 43-B

HB 1-B—Subject to being introduced by a 2/3 vote and withdrawn from committee

Respectfully submitted,  
*Tom Gallen, Chairman*

## INTRODUCTION

On motion by Senator Firestone, SB 33-B was admitted for introduction and consideration by the required constitutional two-thirds vote of the Senate.

By Senator Firestone—

SB 33-B—A bill to be entitled An act relating to the Investor Protection Act; excluding certain offers from exempt offers; providing an effective date.

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

Senator Scarborough presiding

The President presiding

On motion by Senator McClain, SB 47-B was admitted for introduction and consideration by the required constitutional two-thirds vote of the Senate.

By Senator McClain—

SB 47-B—A bill to be entitled An act relating to health care providers; amending s. 768.40(1), Florida Statutes, 1976 Supplement, to clarify and redefine the term "medical review committee" to include committees of state or local professional societies of health care providers composed of licensed physicians, osteopaths, podiatrists, dentists, chiropractors, or pharmacists; providing an effective date.

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

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Firestone, by two-thirds vote SB 33-B was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the Special Order Calendar.

On motion by Senator Zinkil, by two-thirds vote SB 31-B was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Holloway, by two-thirds vote SB 36-B was withdrawn from 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 admitted for introduction by the required Constitutional two-thirds vote and passed HB 29-B and requests the concurrence of the Senate.

*Allen Morris, Clerk*

On motion by Senator Firestone, HB 29-B was admitted for introduction and consideration by the required constitutional two-thirds vote of the Senate.

By Representative Steinberg—

HB 29-B—A bill to be entitled An act relating to the Investor Protection Act; amending s. 2(5)(b) of House Bill 1828, as enacted during the 1977 Regular Session of the Legislature; excluding certain offers from exempt offers; providing an effective date.

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

On motions by Senator Firestone, by two-thirds vote HB 29-B was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the Special Order Calendar and substituted for SB 33-B.

*The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote and passed HB 21-B and requests the concurrence of the Senate.

*Allen Morris, Clerk*

On motion by Senator Zinkil, HB 21-B was admitted for introduction and consideration by the required constitutional two-thirds vote of the Senate.

By Representatives Young and Adams—

**HB 21-B**—A bill to be entitled An act relating to county-owned real property; amending s. 125.35, Florida Statutes; authorizing the lease of county real property by the board of county commissioners without competitive bids; providing for severability; providing an effective date.

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

*The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has passed HB 10-B and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Jones—

**HB 10-B**—A bill to be entitled An act relating to transportation; amending s. 320.20, Florida Statutes, relating to disposition of motor vehicle licensing moneys; amending s. 210.02(1), (3), (4) and (5), Florida Statutes, increasing cigarette tax; amending s. 210.20(2)(a), Florida Statutes, increasing the amount of cigarette tax by 1 cent, to be credited to the Revenue Sharing Trust Fund for counties; amending subsections (26) and (27) of s. 334.03, Florida Statutes, as amended, defining certain terms for purposes of the Transportation Code; adding subsection (3) to s. 335.02, Florida Statutes, authorizing the Department of Transportation to purchase rights-of-way and to prepare maps delineating rights-of-way for certain roads of the state highway system; providing for hearings thereon and procedures relating thereto; amending s. 335.04(1) and (2), Florida Statutes, as amended, relating to transfers of responsibility; amending s. 339.08(2)(b), Florida Statutes, as amended, requiring the department to match certain federal funds; amending s. 337.29(3), Florida Statutes, as amended, specifying municipal powers with respect to certain transferred roads or rights-of-way; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, 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 with amendments—

By Senator Gordon—

**SB 7-B**—A bill to be entitled An act relating to the oil and gas production tax; amending s. 211.02(1), Florida Statutes; increasing the rate of taxation on oil production; changing the percentage distribution under the first and second oil tax; excluding from the value of oil or gas production, wellhead or other production taxes imposed by the United States; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 2, line 23, after the period “.” insert: Section 4. Fourteen million dollars of the revenue produced by the oil and gas production tax allocated to the General Revenue Fund is hereby allocated to fund a supplemental appropriation for the purpose of funding the Compensatory Education Act passed during the First Special Session of 1977 to commence in fiscal year 1977-78. In the event that the revenues generated by the oil and gas production tax exceed \$14,000,000 the excess up to \$15,000,000 shall also be allocated to fund the supplemental appropriation.

renumber remaining section

**Amendment 2**—On page 1 in title, line 9, after the semicolon “;” insert: allocating a certain amount of the oil and gas production tax to fund the Compensatory Education Act;

**Amendment 3**—On page 2, in new Section 4, after “\$15,000,-000 shall” insert: in the fiscal year 1977-78

Senator Lewis moved that the Senate refuse to concur in the House amendments and requests the House to recede.

Senator Graham moved as a substitute motion that the Senate concur in the House amendments. The substitute motion failed.

The motion by Senator Lewis was adopted.

The action of the Senate was certified to the House.

*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 Finance, Taxation and Claims—

**CS for SB 6-B**—A bill to be entitled An act relating to beverage taxation; amending s. 563.05, Florida Statutes; increasing the excise tax on malt beverages; amending s. 563.07, Florida Statutes; decreasing the percentage of the tax credit allowed to distributors of malt beverages; amending s. 564.06 (1)-(4), Florida Statutes, and adding subsection (7) to said section; providing a dealer's credit; increasing the excise tax on wines and beverages; amending s. 565.12(1), (2), Florida Statutes; increasing the excise tax on liquors and beverages; amending s. 565.13, Florida Statutes; decreasing the percentage of the tax credit allowed to distributors of spirituous beverages; creating s. 561.501, Florida Statutes; providing for applicability of tax increases; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**House Amendment 4**—On page 2 strike lines 6 through 17 and renumber remaining sections.

**House Amendment 5**—Line 4 in title, strike after the semicolon through the semicolon on line 7.

**House Amendment 6**—On page 6 strike lines 3 through 13 and renumber remaining sections.

**House Amendment 7**—In title, line 13, strike all after the semicolon through semicolon on line 16.

Senator Lewis moved that the Senate concur in the House amendments.

Senator Graham moved as a substitute motion that the Senate refuse to concur in the House amendments. The substitute motion failed by the following vote:

Yeas—10

Barron	Childers, Don	Johnston	Spicola
Castor	Dunn	MacKay	
Chamberlin	Graham	Myers	

Nays—28

Mr. President	Henderson	Sayler	Trask
Childers, W. D.	Holloway	Scarborough	Vogt
Firestone	Lewis	Scott	Ware
Gallen	McClain	Skinner	Williamson
Glisson	Peterson	Thomas, Jon	Wilson
Gorman	Plante	Thomas, Pat	Winn
Hair	Poston	Tobiassen	Zinkil

The motion by Senator Lewis was adopted.

CS for SB 6-B passed as amended and the action of the Senate was certified to the House. The vote on passage was:

## Yeas—28

Mr. President	Hair	Poston	Trask
Castor	Holloway	Renick	Vogt
Childers, W. D.	Lewis	Scott	Ware
Dunn	McClain	Skinner	Williamson
Firestone	Myers	Spicola	Wilson
Gallen	Peterson	Thomas, Jon	Winn
Glisson	Plante	Thomas, Pat	Zinkil

## Nays—10

Barron	Gorman	Johnston	Tobiassen
Chamberlin	Graham	MacKay	
Childers, Don	Henderson	Scarborough	

## Votes after roll call:

Yea to Nay—Wilson

Nay to Yea—Scarborough

The bill was ordered engrossed and then enrolled.

## Senator Plante presiding

*The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote and passed with amendment—

By Senator W. D. Childers and others—

SB 37-B—A bill to be entitled An act relating to purchases made by political subdivisions; authorizing counties, municipalities, school districts, and other political subdivisions of the state to award preferences with respect to contracts for the purchase of personal property to businesses in Florida which are not the lowest bidder under certain conditions; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

House Amendment 1—On page 1, line 29, insert after the period: If an invitation for bids provides for the granting of such preference herein, any bidder whose principal place of business is outside the state of Florida must accompany any written bid documents with a written opinion of an attorney at law licensed to practice law in that foreign state as to the preferences, if any or none, granted by the law of that state to its own business entities whose principal place of business is in that foreign state in the letting of any or all public contracts.

On motion by Senator W. D. Childers, the Senate concurred in the House Amendment.

SB 37-B passed as amended and the action of the Senate was certified to the House. The vote on passage was:

## Yeas—32

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

## Nays—None

## Vote after roll call:

Yea—Wilson

The bill was ordered engrossed and then enrolled.

*The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has passed SB 5-B.

*Allen Morris, Clerk**The Honorable Lew Brantley, President*

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

SB 10-B	SB 11-B	SB 12-B
SB 14-B	SB 15-B	SB 34-B

*Allen Morris, Clerk**The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote and passed SB 23-B.

*Allen Morris, Clerk**The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote and passed SB 27-B.

*Allen Morris, Clerk**The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has passed SB 8-B.

*Allen Morris, Clerk**The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has passed SB 32-B.

*Allen Morris, Clerk**The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has receded from House Amendments and passed SB 7-B.

*Allen Morris, Clerk*

The bills contained in the above messages were ordered enrolled.

## SPECIAL ORDER

SB 36-B—A bill to be entitled An act relating to the Department of Transportation; amending s. 338.19(1), Florida Statutes; requiring the department to reimburse certain utility owners for the cost of removing or relocating certain utility facilities; providing for certain deductions from reimbursement; authorizing expenditure of both restricted and unrestricted state roads moneys and gas tax revenues for such reimbursement; providing an effective date.

—was read the second time by title.

Senator Holloway moved the following amendments which were adopted:

Amendment 1—On page 1, strike everything after the enacting clause and insert: Section 1. The Department of Transportation, in the construction and reconstruction of the Florida Keys bridges, shall pay the costs of relocating and replacing water supply facilities up to an amount equal to federal funds received by Florida specifically for the purpose, or is authorized to pay these costs up to an amount received from federal non-transportation funds by Florida and utilized for projects on the state highway system.

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

**Amendment 2**—On page 1 in title, lines 3-10, strike all of said lines and insert: Transportation; providing for the payment of the costs of relocating and replacing water supply facilities in the construction and reconstruction of the Florida Keys bridges;

On motion by Senator Holloway, by two-thirds vote SB 36-B 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

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

Nays—None

**The President presiding**

**SB 40-B**—A bill to be entitled An act relating to ethics in government; adding s. 112.311(7), (8), (9), Florida Statutes; providing legislative intent; amending s. 112.3145, Florida Statutes, 1976 Supplement; providing for full financial disclosure to be filed by certain persons; defining full financial disclosure; providing for disclosure of interests in entities which have been provided a grant or privilege to operate; providing time and place for filing full financial disclosure; providing for limited financial disclosure to be filed by certain specified persons; providing definition of limited financial disclosure; providing time for filing limited financial disclosure; providing for disclosure of gifts; providing for Florida Commission on Ethics and the Secretary of State to distribute disclosure forms; creating s. 112.3148, Florida Statutes; providing for disclosure of representation before agencies; providing exceptions; amending s. 112.3147, Florida Statutes, 1976 Supplement; requiring the commission to prescribe certain forms; providing an effective date.

—was taken up with pending Amendment 1. (See Journal of June 23, 1977, pages 21 through 27.)

Senator Scarborough moved that the rules be waived and the Senate revert to Messages from the House of Representatives. The motion failed.

Senator Dunn moved the following amendments to Amendment 1 which were adopted:

**Amendment 1-A**—On page 24, between lines 24 and 25, insert a new 7:

7. For purposes of this section disclosure of incomes, sources of income, or gift received, liabilities owed or assets owned shall include only those of the reporting person and shall not include those of the reporting person's spouse or minor child.

**Amendment 1-B**—On page 24, line 31 and on page 25, line 9 strike "September 1, 1978" and insert: November 15, 1977

**Amendment 1-C**—After "(1)" strike the colon and insert: . However, any person required to file limited financial disclosure may file full financial disclosure if they so desire.

**Amendment 1-D**—On page 25, line 7, strike subparagraphs (a) 4., 5., 6., 7. or 8. and insert: subparagraphs 1 through 14.

**Amendment 1-E**—On page 20, line 19, strike all of lines 19 and 20 and insert: On paragraph (d) of this section

**Amendment 1-F**—On page 24, line 28, after "(2)" insert: by the members of such governing body or

**Amendment 1-G**—On page 22, strike all of lines 25 through 30 and insert: 19. Any elected or nonelected local officers not

required to file full financial disclosure under subsection (2) or under paragraph (c) of this subsection.

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

**Amendment 1-H**—On page 13, line 5, after "department" insert: including the executive director of the Public Service Commission

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

**Amendment 1-I**—On page 26, lines 4 and 12, strike "a quarterly" and insert: annually a

Senator Scarborough moved the following amendment to Amendment 1 which failed:

**Amendment 1-J**—On page 15, line 21 insert: 9. And in each chartered county each elected officer and each appointed member of an independent board or authority

Senator Skinner moved that the Senate reconsider the vote by which Amendment 1-J failed. The Senate reconsidered and Amendment 1-J was adopted.

Senator W. D. Childers moved the following amendment to Amendment 1 which was adopted:

**Amendment 1-K**—On page 18, line 19, after the word "value" insert: of tangible property of material value to the recipient

**Senator Ware presiding**

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

**Amendment 1-L**—On page 26, lines 11 and 12, strike "quarter" and insert: calendar year

Senator Sayler moved the following amendment to Amendment 1:

**Amendment 1-M**—On page 19, line 8, after the period add: For purposes of disclosing the amount of such debt disclosure of the amount shall be sufficient if each debt is reported as being within one of the categories enumerated in paragraph (6)

Amendment 1-M failed by the following vote:

Yeas—7

Johnston	Sayler	Vogt	Wilson
Peterson	Thomas, Jon	Ware	

Nays—28

Castor	Gorman	McClain	Spicola
Chamberlin	Graham	Myers	Thomas, Pat
Childers, Don	Hair	Plante	Tobiassen
Dunn	Henderson	Poston	Trask
Firestone	Holloway	Renick	Williamson
Gallen	Lewis	Scarborough	Winn
Glisson	MacKay	Scott	Zinkil

Amendment 1 as amended was adopted.

Senator Dunn moved the following title amendment which was adopted:

**Amendment 2**—On page 1, strike all of lines 2 through 25 and insert: An act relating to the code of ethics for public officers and employees; amending s. 112.312(1), (4), and (8), Florida Statutes, 1976 Supplement, and adding subsections (18)-(26); providing definitions; amending s. 112.313(1), Florida Statutes, and adding subsections (12) and (13); providing exemptions from restrictions on doing business with one's agency and on conflicting employment or contractual relationships; prohibiting representation of clients before certain government agencies by certain state and local officers during tenure in office; providing exemptions; creating s. 112.3144, Florida Statutes; prohibiting representation of clients by elected constitutional, state and local officers, appointed secretaries or executive directors of state departments, and Supreme Court

justices before the agency or body of which such person was a member or officer for 2 years following vacation of office; amending s. 112.3145, Florida Statutes, 1976 Supplement, relating to disclosure of financial interests and clients represented before agencies; including constitutional officers; providing requirements for full public disclosure of financial interests and specifying who shall file such disclosure; providing requirements for limited public disclosure of financial interests and specifying who shall file such disclosure; providing that local governing bodies may require full disclosure by certain persons; providing the Governor by executive order may require members of certain boards or commissions to file full financial disclosure; amending s. 112.3147(2) and (3), F. S., 1976 Supplement, and adding subsections (4) and (5); providing requirements with regard to disclosure forms; amending s. 112.321(1), Florida Statutes; providing for appointment of a member of the Commission on Ethics by the Chief Justice of the Supreme Court; adding subsection (8) to s. 112.322, Florida Statutes, 1976 Supplement; requiring the adoption and publication of certain rules by the commission; creating s. 112.327, Florida Statutes, providing that public officers or employees benefiting financially from malfeasance shall be liable for certain damages; providing that persons participating with public officers or employees in acts of malfeasance and benefiting financially therefrom shall be liable for certain damages; providing that public officers or employees, and persons participating with public officers or employees, benefiting financially from nonfeasance or malfeasance shall be liable for actual damages plus interest; extending the filing deadline for the year 1977; providing an effective date.

Senator Skinner moved the following amendment to the bill as amended:

**Amendment 3**—On page 24, between lines 24 and 25, insert: (c) Each municipality, municipal corporation, or charter county shall place on the ballot for consideration by the electorate in the next election held within that political subdivision an ordinance requiring that full and public disclosure of financial interests, as defined herein, shall be filed annually by members of the governing body of that political subdivision.

(Renumber subsequent paragraphs.)

Senator Spicola moved the following substitute amendment which was adopted:

**Amendment 4**—On page 15, line 9, insert new 3. and renumber subsequent subparagraphs:

3. All elected members of the governing body of municipalities having a population in excess of 40,000.

Senator Jon Thomas moved that the Senate reconsider the vote by which Amendment 1-M failed. The motion failed.

On motion by Senator Johnston, by two-thirds vote SB 40-B as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—26

Mr. President	Henderson	Renick	Ware
Barron	Holloway	Scott	Williamson
Childers, Don	Johnston	Thomas, Jon	Wilson
Childers, W. D.	Myers	Thomas, Pat	Winn
Dunn	Peterson	Tobiassen	Zinkil
Gorman	Plante	Trask	
Hair	Poston	Vogt	

Nays—12

Castor	Glisson	MacKay	Scarborough
Chamberlin	Graham	McClain	Skinner
Firestone	Lewis	Sayler	Spicola

The President presiding

Consideration of SB 46-B was deferred.

#### INTRODUCTION

On motion by Senator W. D. Childers, SCR 42-B was admitted for introduction and consideration by the required constitutional two-thirds vote of the Senate.

By Senators Scarborough, Plante and W. D. Childers—

**SCR 42-B**—A concurrent resolution establishing legislative policy regarding the impact federal legislation, regulations, and funding has on the long-term goals, policies, and programs of the state.

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

On motions by Senator Childers, by two-thirds vote SCR 42-B was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the special order calendar.

#### SPECIAL ORDER, continued

On motion by Senator Childers, by two-thirds vote SCR 42-B was read the second time by title, adopted and certified to the House. The vote on adoption was:

Yeas—31

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

Nays—1

Barron

On motion by Senator W. D. Childers, SB 43-B was admitted for introduction and consideration by the required constitutional two-thirds vote of the Senate.

#### INTRODUCTION, continued

By Senators Plante and W. D. Childers—

**SB 43-B**—A bill to be entitled An act relating to trust funds; creating the State-Federal Relations Trust Fund; requiring state agencies to apply for overhead costs in federal grant applications; requiring deposit of certain moneys in the trust fund; providing a use for such moneys; providing legislative intent; creating the Office of State-Federal Relations; providing for duties; providing for cooperation between the office and state agencies; providing an effective date.

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

On motions by Senator Childers, by two-thirds vote SB 43-B was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the special order calendar.

#### SPECIAL ORDER, continued

On motions by Senator Childers, by two-thirds vote SB 43-B 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—33

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

Nays—1

Barron

Vote after roll call:

Yea—Skinner

On motion by Senator Zinkil, 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 admitted for introduction by the required Constitutional two-thirds vote and passed HB 1-B and requests the concurrence of the Senate.

*Allen Morris, Clerk*

On motion by Senator Zinkil, HB 1-B was admitted for introduction and consideration by the required constitutional two-thirds vote of the Senate.

By Representatives Hollingsworth and Adams—

**HB 1-B**—A bill to be entitled An act relating to prescription and administration of dimethyl sulfoxide (DMSO); prohibiting hospitals and health facilities from interfering with the physician-patient relationship by restricting use of dimethyl sulfoxide (DMSO); providing conditions; providing for written release; providing for disclosure by the physician; providing an effective date.

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

On motions by Senator Zinkil, by two-thirds vote HB 1-B was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the Special Order Calendar.

**SPECIAL ORDER, continued**

On motions by Senator Zinkil, by two-thirds vote HB 1-B 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—27**

Mr. President	Gorman	Myers	Tobiassen
Barron	Henderson	Plante	Trask
Castor	Holloway	Renick	Ware
Childers, Don	Johnston	Scarborough	Williamson
Childers, W. D.	Lewis	Scott	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Pat	

**Nays—2**

Vogt            Wilson

Votes after roll call:

**Yeas—Graham, Hair**

**REPORTS OF COMMITTEES**

The Committee on Rules and Calendar recommends the following bills be placed on Special Order Calendar for Friday, June 24, 1977:

SB 48-B	HB 35-B	HB 10-B	HB 29-B
SB 47-B	HB 32-B	HB 21-B	

Respectfully submitted,  
*Tom Gallen, Chairman*

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

**INTRODUCTION**

On motion by Senator MacKay, SB 48-B was admitted for introduction and consideration by the required constitutional two-thirds vote of the Senate.

By Senator MacKay—

**SB 48-B**—A bill to be entitled An act relating to unemployment compensation, amending s. 443.05(1)(e), Florida Statutes, as amended by Committee Substitute for Senate Bill 1262 enacted by the Legislature during the 1977 Regular Session; reducing from 20 times to 10 times the average weekly wage that must be earned to establish eligibility for claims filed on or after July 1, 1977, but prior to November 30, 1977; requiring the Department of Commerce to monitor claims paid from the Unemployment Compensation Trust Fund as a result of this act and to request in 1978 that such amounts be reimbursed to the Unemployment Compensation Trust Fund from the General Revenue Fund; providing an effective date.

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

On motions by Senator MacKay, by two-thirds vote SB 48-B was withdrawn from the Committee on Commerce and by two-thirds vote placed on the Special Order Calendar.

**SPECIAL ORDER, continued**

On motions by Senator MacKay, by two-thirds vote SB 48-B 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—31**

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

**Nays—None**

Vote after roll call:

**Yea—Graham**

On motions by Senator McClain, by two-thirds vote SB 47-B was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the Special Order Calendar.

**SB 47-B**—A bill to be entitled An act relating to health care providers; amending s. 768.40(1), Florida Statutes, 1976 Supplement, to clarify and redefine the term "medical review committee" to include committees of state or local professional societies of health care providers composed of licensed physicians, osteopaths, podiatrists, dentists, chiropractors, or pharmacists; providing an effective date.

On motions by Senator McClain, by two-thirds vote SB 47-B 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—32**

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

**Nays—None**

Vote after roll call:

**Yea—Graham**

On motions by Senator Myers, by two-thirds vote HB 10-B was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the Special Order Calendar.

**HB 10-B**—A bill to be entitled An act relating to transportation; amending s. 320.20, Florida Statutes, relating to disposition

of motor vehicle licensing moneys; amending s. 210.02(1), (3), (4) and (5), Florida Statutes, increasing cigarette tax; amending s. 210.20(2)(a), Florida Statutes, increasing the amount of cigarette tax by 1 cent, to be credited to the Revenue Sharing Trust Fund for counties; amending subsections (26) and (27) of s. 334.03, Florida Statutes, as amended, defining certain terms for purposes of the Transportation Code; adding subsection (3) to s. 335.02, Florida Statutes, authorizing the Department of Transportation to purchase rights-of-way and to prepare maps delineating rights-of-way for certain roads of the state highway system; providing for hearings thereon and procedures relating thereto; amending s. 335.04(1) and (2), Florida Statutes, as amended, relating to transfers of responsibility; amending s. 339.08(2)(b), Florida Statutes, as amended, requiring the department to match certain federal funds; amending s. 337.29(3), Florida Statutes, as amended, specifying municipal powers with respect to certain transferred roads or rights-of-way; providing an effective date.

On motion by Senator Myers, by two-thirds vote HB 10-B was read the second time by title.

Senator Myers moved the following amendments which were adopted:

**Amendment 1**—On page 2-5, strike Sections 2, 3 and 4 of the bill and renumber subsequent sections.

**Amendment 2**—On page 8, lines 26-31, strike on page 8, all of line 26 through and including line 31 and insert: law. ~~Upon completion of the transfers of~~

**Amendment 3**—On page 1, lines 5-13, strike on page 1, all of line 5 through and including line 13 and insert: adding subsection

On motion by Senator Myers, by two-thirds vote HB 10-B as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Graham

**HB 29-B**—A bill to be entitled An act relating to the Investor Protection Act; amending s. 2(5)(b) of House Bill 1828, as enacted during the 1977 Regular Session of the Legislature; excluding certain offers from exempt offers; providing an effective date.

On motions by Senator Firestone, by two-thirds vote HB 29-B 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—32

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

Nays—None

Vote after roll call:

Yea—Graham

SB 33-B, a companion bill to HB 29-B, was laid on the table.

On motion by Senator Plante 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 admitted for introduction by the required Constitutional two-thirds vote and passed SB 36-B and SB 43-B.

*Allen Morris, Clerk*

*The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote and adopted SCR 42-B.

*Allen Morris, Clerk*

The bills contained in the above messages were ordered enrolled.

*The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote and passed HB 35-B and requests the concurrence of the Senate.

*Allen Morris, Clerk*

On motion by Senator Plante, HB 35-B was admitted for introduction and consideration by the required constitutional two-thirds vote of the Senate.

By Representative McPherson—

**HB 35-B**—A bill to be entitled An act relating to cigarettes; amending s. 210.15(1)(f), Florida Statutes, and adding a subsection (8) thereto, relating to dealers who operate without a permit and increasing the annual permit fee; amending s. 210.18(6)(a), Florida Statutes, repealing subsection (7) thereof, and adding a subsection (9) thereto, relating to evasion of the cigarette tax; adding subsection (18) to s. 210.01, Florida Statutes, to define “unstamped package” and “unstamped cigarettes”; amending ss. 561.01(1), 561.02, and 210.10(1), Florida Statutes, to change the name of the Division of Beverage; directing the statutory revision and indexing division to make certain changes; providing for computation of the dealer discount by the stamping location; providing an effective date.

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

On motions by Senator Plante, by two-thirds vote HB 35-B was withdrawn from the Committee on Judiciary-Criminal and by two-thirds vote placed on the Special Order Calendar.

SPECIAL ORDER, continued

On motions by Senator Plante, by two-thirds vote HB 35-B 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—31

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

Nays—None

Votes after roll call:

Yeas—Spicola, Pat Thomas

On motions by Senator Zinkil, by two-thirds vote HB 21-B was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the Special Order Calendar.

**HB 21-B**—A bill to be entitled An act relating to county-owned real property; amending s. 125.35, Florida Statutes; authorizing the lease of county real property by the board of county commissioners without competitive bids; providing for severability; providing an effective date.

On motions by Senator Zinkil, by two-thirds vote HB 21-B 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	Graham	Plante	Tobiassen
Barron	Hair	Poston	Trask
Castor	Holloway	Renick	Vogt
Chamberlin	Johnston	Scarborough	Ware
Childers, W. D.	Lewis	Scott	Wilson
Dunn	MacKay	Skinner	Winn
Firestone	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—1

Childers, Don

Votes after roll call:

Yea to Nay—Castor, Spicola

On motion by Senator Lewis 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 HB 32-B and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Craig—

**HB 32-B**—A bill to be entitled An act relating to pilots; amending s. 310.131, Florida Statutes, providing for an increase in the assessment of licensed pilots; providing for the payment of said assessment into a trust fund; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Appropriations.

On motions by Senator Lewis, by two-thirds vote HB 32-B was withdrawn from the Committee on Appropriations and by two-thirds vote placed on the Special Order Calendar.

**SPECIAL ORDER, continued**

On motions by Senator Lewis, by two-thirds vote HB 32-B 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—24

Mr. President	Graham	McClain	Thomas, Jon
Childers, W. D.	Hair	Myers	Thomas, Pat
Firestone	Henderson	Peterson	Tobiassen
Gallen	Holloway	Poston	Trask
Glisson	Johnston	Renick	Winn
Gorman	Lewis	Spicola	Zinkil

Nays—8

Castor	MacKay	Skinner	Ware
Childers, Don	Scarborough	Vogt	Wilson

Vote after roll call:

Yea to Nay—Zinkil

Senator Gallen moved that HB 11-B be admitted for introduction and consideration notwithstanding that it was not within the purview of the call of the Governor. The motion failed to receive the required constitutional two-thirds vote. The vote was:

Yeas—21

Castor	Glisson	MacKay	Spicola
Chamberlin	Graham	McClain	Winn
Childers, Don	Hair	Myers	Zinkil
Dunn	Holloway	Plante	
Firestone	Johnston	Poston	
Gallen	Lewis	Scott	

Nays—15

Barron	Peterson	Thomas, Jon	Ware
Childers, W. D.	Saylor	Tobiassen	Williamson
Gorman	Scarborough	Trask	Wilson
Henderson	Skinner	Vogt	

Vote after roll call:

Yea—Renick

On motion by Senator Gallen 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 Senator Vogt—

**SB 1-B**—A bill to be entitled An act relating to assessments of special classes of property; amending s. 193.511, Florida Statutes; changing the assessment on items of inventory from 25 percent to 10 percent, and to 1 percent for certain items; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**House Amendment 1**—On page 1, line 28, strike all of said line and insert: Section 4. Section 196.032, Florida Statutes, is amended to read:

196.032 Replacement funds; trust funds; annual payments.—

(1) There is created the Local Government ~~Additional~~ ~~Homestead~~ Exemption Trust Fund, to be administered by the Department of Revenue.

(2) Each qualified county, municipality, or special district is entitled to receive an annual payment from the fund in an amount equal to the revenue lost as a result of the additional exemptions provided in s. 196.031(3) and the reduction of inventory assessment provided in s. 193.511 as amended in this act. Revenue lost shall be calculated by multiplying 96 percent of the additional exemption granted in s. 196.031(3) and the reduction of inventory assessment provided in s. 193.511 as amended by this act by the applicable millage. A qualified local government is one which either:

(a) Made application to the department not later than December 1; or

(b) Participated in the distribution from the trust fund for the preceding year and levied an ad valorem tax for the current year.

(3) Not later than 30 days after the application deadline of each year, the department shall authorize payment to qualified local governments from the trust fund as follows:

(a) Qualified local governments for which the department has received the data necessary to compute the amount of revenue lost in the current fiscal year's ad valorem tax levy as a result of the additional exemptions shall receive payment in the amount of that loss. The department is authorized to make payments on a prorated basis if it deems the balance in the trust fund insufficient to make projected payments.

(b) Qualified local governments for which the department has not received sufficient data to compute the amount of revenue so lost shall receive payment in an amount equivalent to 85 percent of the replacement funds received the previous year from the trust fund. The department shall make full payment, or the proration if the fund is being prorated, upon receipt of sufficient data. ~~For purpose of making payments to such local governments for losses incurred for the 1974 tax year, the department shall estimate the amounts to be paid on the basis of the best evidence available.~~

(4) Amounts by which actual payments to any qualified local government are less than the amount finally determined as the revenue lost from that year's ad valorem tax levy as the result of the additional homestead tax exemptions provided in s. 196.031(3) and the reduction of inventory assessment provided in s. 193.511, as amended by this act shall constitute a first priority charge against the following year's distribution from the trust fund. Such deficiency payments shall be made as soon as funds are available. *At the end of each state fiscal year all funds not distributed from the Local Government Exemption Trust Fund shall revert to the General Revenue Fund.*

Section 5. Section 199.292(4), Florida Statutes, is amended to read:

199.292 Disposition of intangible personal property taxes; appropriations for expenses of assessment and collection; county sharing.

(4) An amount equal to 55 percent of the total net intangible taxes collected shall be transferred to the Revenue Sharing Trust Fund for counties in the month following collection. ~~However, net collections from the amounts assessed as of January 1, 1972, and collected prior to July 1, 1973 only, as provided in s. 199.032, shall be deposited in the General Revenue Fund.~~ The remaining balance of net collections from this tax shall be transferred to the ~~General Revenue Fund~~ *Local Government Exemption Trust Fund provided for in s. 196.032.* For the purposes of this law, "net collections" means the total amount collected less a pro rata share of all costs, as provided in subsections (2) and (3).

Section 6. Section 1 of this act shall take effect July 1, 1977. Sections 4 and 5 of this act shall take effect July 1, 1978.

Renumber remaining subsection accordingly.

House Amendment 2—On page 1 in title, line 6, insert after the semi-colon ";": amending s. 196.032, Florida Statutes; renaming a trust fund; providing for replacement funds for reduction in inventory assessment; amending s. 199.292(4), Florida Statutes; providing for the disposition of a portion of the intangible personal property tax into the trust fund;

On motion by Senator Vogt, the Senate concurred in the House Amendments.

SB 1-B passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

The bill was ordered engrossed and then enrolled.

*The Honorable Lew Brantley, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote and passed SB 47-B and SB 48-B.

*Allen Morris, Clerk*

The bills were ordered enrolled.

#### CORRECTION AND APPROVAL OF JOURNAL

The Journal of June 23 was corrected and approved.

On motion by Senator Gallen, the Senate adjourned sine die at 1:02 p.m.